

Wahbah Zuhaily on Riqāb: Reshaping its Implementation in South Sulawesi

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Abstract

This article examines the contemporary interpretation of riqāb (emancipation of slaves) as a category for zakat recipients, as articulated by Wahbah al-Zuhaylī, a prominent Islamic jurist. While slavery is no longer a widespread institution, al-Zuhayli's reinterpretation of riqab holds significant implications for addressing modern social issues, particularly those related to poverty and marginalization in South Sulawesi. The study explores potential avenues for zakat distribution to support initiatives that align with the essence of riqab, such as education, skill development, and debt relief. By applying al-Zuhayli's perspective, this research contributes to a broader understanding of zakat's role in social upliftment in the region. This research adopts a qualitative approach, relying primarily on textual analysis and interpretation of al-Zuhayli's jurisprudence regarding zakat and riqāb. Secondary sources, including academic articles, reports, and policy documents, are also employed to contextualize the findings within the socioeconomic landscape of South Sulawesi. Reinterpreting the Islamic concept of riqāb in the modern context offers profound implications for both Islamic thought and contemporary society, facilitating a more inclusive and dynamic understanding of zakat's potential to address pressing social challenges.

Keywords: Wahbah Zuhaily; Zakat; Riqāb

Introduction

 \bigcap n the history of Islam, $riq\bar{a}b$ refers to the humanisation of slavery, a practice that existed prior to Islam. From this perspective, the concept of *riqāb* introduced a new direction and paradigm shift in the treatment of individuals who held the status of slaves, rooted in the Islamic worldview. In the present day, as formal institutions no longer engage in such practices, riqāb is no longer designated for particular individuals. However, in a different light, the phenomenon of "employing individuals" has become a matter worthy of careful consideration.1

Syekh Wahbah al-Zuhailiy specifiy the several terms concerning the rigāb. We found in his Figh al-Islām wa Adillatuh elaborating its meaning and theory deducted from Qur'an (wa fī al-riqāb) and Hadits, such mukātab, and 'abd al-khālis al-ubūdiyah.2

There are various practices in the implementation of zakat distribution for riqāb on a global scale. A pertinent example is Malaysia, where rigāb is channeled as an instrument to enhance religious knowledge for students—specifically those who, as Muslims, are perceived to have misunderstood or insufficiently engaged with their faith. In this context, such initiatives are targeted at individuals newly introduced to Islam. This practice is notably observed in the state of Negeri Sembilan, Malaysia.³ The matter at hand is not a novel development. Earlier studies, dating back to around 2011, indicate that the issue of zakat distribution for rigāb had already been discussed in the context of individuals affected by human trafficking, specifically those coerced into becoming Commercial Sex Workers. Such initiatives had already been implemented in Penang and Johor.4

In Indonesia, the discourse surrounding the utilisation of zakat for riqāb through a dynamic interpretation was first introduced by

¹ Sa'īd ibn 'Alī ibn Wahf al-Qaḥṭānī, Al-Zakāh fī al-Islām fī Daw' al-Kitāb wa al-Sunnah - Mafhūm, wa Manzilah, wa Ḥikam, wa Fawā'id, wa Aḥkām, wa Shurūṭ, wa Masā'il (Makkah: Markaz al-Da'wah wa al-Irshād bi-al-Qaṣab, 2010), 263; Aishah Mohd Nor, Zuraini Ab Hamid, dan Lokman Effendi Ramli, "Human Trafficking from the Islamic Perspective," *International Journal of Religion* 5, no. 7 (2024): 501–14.

² Wahbah Az Zuḥaylī, *al-Fiqh al-Islamī Wa Adillatuhu* (Damaskus: Daar al-Fikr, 1986), vol. 3, hlm. 1956.

³ Azri Bhari dkk., "An Overview Of Muallaf Related Fatwa In Selangor," Al-Qanatir: International Journal of Islamic Studies 30, no. 2 (1 Juni 2023): 267-74.

⁴ WMKFW Khairuldin, Wan Mohd Khairul Firdaus, dan Mahadi Mohammad, "The philosophy and elasticity of zakah distribution in Islam," International Journal of Education and Research 1, no. 8 (2013): 179-90.

Tengku Muhammad Hasbi Ash Shiddiqiy in his 1997 publication Pedoman Zakat. At the very least, Hasbi referenced the implementation of zakat for riqāb in Malaysia, where riqāb is interpreted as those in conditions akin to enslavement, such as individuals trapped in illegal labour contracts. The category of riqāb has thus expanded to include the liberation of street children, and even educational purposes, as previously mentioned. From this perspective, it seems that the practice of interpreting riqāb could be broadened to address cases beyond the traditional seven categories of zakat recipients. This expansion becomes plausible when riqāb is understood in its deeper essence: individuals unable to lead a normal life due to coercive employment contracts, intellectual subjugation, and an inability to empower themselves—despite potentially possessing substantial wealth.⁵

The most recent development is the strategic study produced by BAZNAS in April 2024. In this Policy Brief, the document reaffirms the decision of the Chairman of BAZNAS (Decree No. 64 of 2019), which expands the definition of rigāb to encompass individuals who have lost their freedom or whose liberty has been ensnared in such a way that it prevents them from performing religious duties and/or engaging in social transactions. The Decree broadens the definition of rigāb to include: a) victims of human trafficking, b) individuals detained by enemies of Islam, and c) those who are colonised and/or oppressed. Based on this expanded definition, in 2022, BAZNAS allocated 0.009%—equivalent to 1,992,597,857 IDR—of its total zakat fund, which amounted to 21,635,709,041,188 IDR, for the rigāb category. Prior to this, Muhammadiyah's Lazis (Lembaga Amil Zakat Muhammadiyah) had already issued its own Decree (No. 1 of 2018) and allocated 0.23%, amounting to 230,625,000 IDR in 2022—approximately one-fifth of the amount distributed by BAZNAS.6

The most recent study relevant to this discussion was published by Zainuddin and Salle in 2021, in the form of a research report.

⁵ Zainuddin Zainuddin, "Pemaknaan Ulang Ar Riqab Dalam Upaya Optimalisasi Fungsi Zakat Bagi Kesejahteraan Umat," *Jurnal Hukum IUS QUIA IUSTUM* 25, no. 3 (2018): 601–22, https://doi.org/10.20885/iustum.vol25.iss3.art9; Zainuddin Zainuddin dan Sahban Sahban, "Reinterpretasi Riqab Sebagai Korban Eksploitasi Seksual Dalam Hukum Zakat," *Masalah-Masalah Hukum* 50, no. 1 (2021): 17–23, https://doi.org/10.14710/mmh.50.1.2021.17-23.

⁶ BAZNAS Center of Strategic Studies, "Perluasan Makna Asnaf Riqāb Bagi Masalah Sosial," BAZNAS Center of Strategic Studies, 29 April 2024, https://puskasbaznas.com/publications/published/policybrief/1877-perluasan-makna-asnaf-riqāb-bagi-masalah-sosial.

Specifically, this study addresses the practice of zakat distribution in Barru, Sulawesi. However, it does not, in technical terms, elaborate on the foundational principles underlying the distribution of zakat in that context. The research conducted was subsequently published in the Diponegoro Law Review journal. The outline of the research more comprehensively reveals the technical aspects and classification of zakat distribution into productive and non-productive categories. For the categories of Faqir (the destitute), Miskin (the poor), Amil (the zakat collectors), and Muallaf (new Muslims), the distribution is intended to enhance productivity. Meanwhile, for Gharim (those in debt), Fi Sabilillah (in the path of Allah), Ibn Sabil (the stranded traveller), and Rigāb (those in servitude), the distribution tends to be allocated towards non-productive purposes.⁷

Based on the various backgrounds outlined above, this article seeks to justity - at least seeking the root of its implementation, especially dirāsat al-ta'sīliyah which focusing the study on the contributions of Muslim scholars and figures, following a detailed explanation of the modern interpretation of zakat distribution for the asnaf rigāb, particularly from the perspective of Sheikh Wahbah al-Zuhaylī. This interpretation is then examined in relation to its implementation in Barru, South Sulawesi.

Method

This research employs a qualitative approach, primarily relying on textual analysis and interpretation of Wahbah Zuhaily's jurisprudence concerning zakat and *riqāb*. The study also draws upon secondary sources, including academic articles, reports, and policy documents, to contextualize the findings within the socioeconomic landscape of South Sulawesi.

The research process involves a comprehensive review of Zuhaily's writings on zakat, with a particular focus on his interpretation of riqāb. This analysis aims to identify the key principles and arguments that underpin his reinterpretation of this category of zakat recipients. Additionally, the study examines relevant Quranic verses and Prophetic traditions that Zuhaily references to support his arguments.

⁷ Zainuddin Zainuddin, "DISTRIBUTION OF ZAKAT FOR CORRECTIONAL INMATES AS AZNAF RIQĀB AT BAZNAS OF BARRU DISTRICT," Diponegoro Law Review 8, no. 1 (2023): 1-13.

To understand the practical implications of Zuhaily's interpretation, the research investigates existing zakat distribution practices in South Sulawesi. This involves analyzing data from zakat institutions, interviewing relevant stakeholders, and reviewing case studies of successful zakat-funded projects. The aim is to assess the extent to which Zuhaily's framework is being applied in the region and to identify potential areas for improvement.

Furthermore, the study explores the perspectives of various stakeholders, including religious scholars, community leaders, zakat recipients, and policymakers, on the reinterpretation of $riq\bar{a}b$. This is achieved through interviews and focus group discussions, which provide valuable insights into the cultural and social factors that influence zakat distribution practices in South Sulawesi. By combining textual analysis, empirical data, and stakeholder perspectives, this research aims to provide a comprehensive and nuanced understanding of the reinterpretation of $riq\bar{a}b$ in the context of South Sulawesi. The findings of this study will contribute to the ongoing discourse on zakat and its potential for social development in the region.

Result and Discussion

1. Interpretation of Riq b according to Muslim Scholars.

In the Qur'an, the term " $riq\bar{a}b$ " (@@@@) is mentioned three times. These instances are in the verse 177 of Al-Baqarah, the verse 60 of At-Taubah, and the verse 4 of Muhammad. In the context of these passages, the word " $riq\bar{a}b$ " refers to the slave or slave, despite the fact that it technically means "neck". The incorporation of the term " $riq\bar{a}b$ " into the Qur'an is a clear indication that Islam is concerned about the issue of slavery. They urge the followers of Islam to emancipate slaves as an act of devotion and as a means of engaging in charitable deeds. This reflects the spirit of Islam, which advocates for the abolition of slavery and the pursuit of human freedom.

In historical context, the term $'riq\bar{a}b'$ carries a more specific connotation, referring to the practices of slavery that were widespread during that period. However, when applied to contemporary

⁸ al-Qaḥṭānī, Al-Zakāh fī al-Islām fī Daw' al-Kitāb wa al-Sunnah – Mafhūm, wa Manzilah, wa Ḥikam, wa Fawā'id, wa Aḥkām, wa Shurūṭ, wa Masā'il, 263–64.

⁹ Malik bin Anas bin Malik bin 'Amir, *Muwattha' tahqiq Muhammad Musthafa al-A'dzami* (Abu Dhabi: Zayid bin Sulthan Foundation, 2004), vol. 1, hlm. 591.

circumstances, its scope may be expanded to encompass various modern forms of slavery, such as forced labour, debt bondage, and human trafficking.¹⁰

Thus, comprehending the meaning of the term 'riqāb' in the Qur'an is not only pertinent to historical contexts but also carries substantial implications for addressing contemporary issues of slavery and social injustice. For Muslims to actively engage in the broader movement to liberate humanity from various forms of oppression and exploitation, it is essential that they possess a comprehensive understanding of the broader significance of *riqāb*.¹¹

Imam Hanafi defined rigab as a slave whom the master had agreed to free upon payment of a ransom. Conversely, according to Imam Maliki, rigab referred to a Muslim servant who was purchased with zakat funds for the purpose of emancipation. According to Imam Shafi'i and Imam Ahmad, who adopt a more expansive interpretation, rigab encompasses both the mukatab slave—who has entered into a contract of emancipation with their owner—and captives of war. 12

Scholars have noted that the concept of *rigāb* has broadened in contemporary times, given the disappearance of traditional slavery. The following reflects an interpretation of riqāb as understood by certain modern scholars:

a. Yusuf Al-Oaradhawi:

In his view, rigab in contemporary times may be understood as representing those trapped in various modern forms of enslavement, including human trafficking, labour exploitation, and oppressive debt bondage. Zakat could serve as a means to alleviate their condition. From a tafsir perspective, he emphasises that the phrase "fi al-riqab" in the zakat verse conveys a prioritisation of aid for those in need of liberation. This interpretation is supported by exegetes such as al-Zamakhshari. Ibn al-Munayyir further reinforces this view, agreeing with al-Zamakhsharī's position, and even offering a more detailed explanation. Specifically, he

¹⁰ Ramon Harvey, "Slavery, Indenture, and Freedom: Exegesis of the 'mukātaba Verse' (Q. 24: 33) in Early Islam," Journal of Qur'anic Studies 21, no. 2 (2019): 68–107.

¹¹ Abadir M Ibrahim, "Islamic Law-Ethics and the Struggle against Slavery and Human Trafficking," dalam Human Flourishing: The End of Law (Brill Nijhoff, 2023), 448-81.

¹² Abū al-Ḥasan 'Alī ibn Muḥammad ibn Muḥammad ibn Ḥabīb al-Baṣrī al-Baghdādī al-Māwardī, Al-Ḥāwī al-Kabīr fī Fiqh Madhhab al-Imām al-Shāfi'ī wa Huwa Sharḥ Mukhtaṣar al-Muzanī, ed. oleh 'Alī Muḥammad Mu'wad – al-Shaykh 'Ādil Aḥmad 'Abd al-Mawjūd (Bayrūt - Lubnān: Dār al-Kutub al-'Ilmiyyah, t.t.), vol. 8, hlm. 240.

asserts that the four categories of recipients mentioned in the verse should not be viewed as individuals in need, but rather as the owners of slaves. Through the payment of zakat, the slave would be able to redeem themselves from their master and thereby attain freedom.¹³

b. Muhammad Rasyid Ridha;

He proposed that the *riqāb* in contemporary times be interpreted as an effort to liberate Muslims from colonization, both physical and intellectual. Zakat can be employed to assist in the pursuit of education, independence, and social advancement. Fundamentally, a more detailed proposal is articulated in al-Wahyu al-Muhammadiy, which asserts that the eradication of slavery (riqāb) requires a series of effective strategies. These include methods such as liberation through the emancipation of the mother who bore the slave, atonement (kafārah), zakat, or voluntary acts motivated by the desire to seek Allah's pleasure.¹⁴

c. Muhammad Abduh;

He proposes that the *rigāb* can be interpreted as an endeavor to liberate humanity from the shackles of ignorance, poverty, and disease. Zakat can be utilized to fund health care, economic empowerment, and educational initiatives. 15 From a tafsīr perspective, rigāb is fundamentally linked to the categories of the poor (fagīr), the needy (miskīn), the new Muslims (mu'allaf), as well as the indebted (gharīm) and those striving in the path of Allah (fi sabīlillāh). This connection arises because such circumstances may compel an individual to fall into a state of servitude, as a result of having exhausted their resources; or, in other words, to effectively surrender their personal freedom and labour to another who has the means to 'purchase' them. In this regard, the tafsīr of al-Manār consistently associates the term rigāb with nearly all discussions concerning the asnaf. This is because riqāb is understood as a condition inherent to several groups who face economic hardship, whether due to a lack of material capital or limited individual skills. 16

¹³ Yūsuf al-Qaraḍāwī, Fiqh al-Zakāt: Dirāsah Muqāranah li-Aḥkāmi-hā wa-Falsafati-hā fī Daw' al-Qur'ān wa-al-Sunnah (Beirut, Lebanon: Mu'assasat al-Risālah, 1973), 612–17.

¹⁴ Muhammad Rashid Rida dan Muhammad 'Abduh, *Tafsīr al-Qur'ān al-Ḥakīm al-shahīr bi-Tafsīr al-Manār* (Cairo: Dar al Manar, 1947), vol. 1, hlm. 247–49.

¹⁵ Rida dan 'Abduh, vol. 2, hlm. 103.

¹⁶ Rida dan 'Abduh, vol. 10, hlm. 425-30.

d. Al-Raghib Al-Asfahani;

The term "slave" refers to a mukatab, who is able to be set free through the payment of zakat. In accordance with the terms of the agreement, the only way to liberate a mukatab slave is to pay the master a predetermined sum of gold. Unless a slave has been emancipated from a covenant with his owner or has been bought by another person to be freed from slavery, he will remain bound to his master for the rest of his life by his master's covenant. The significance of broadening the definition of the $riq\bar{a}b$ to encompass a variety of social injustices, including human rights violations, marginalization, and discrimination, was underscored by him. Legal protection, advocacy, and empowerment of vulnerable populations may be facilitated through the utilization of zakat. 17

In conclusion, the concept of riqāb—traditionally understood as a category for zakat distribution—has evolved in both its interpretation and application, particularly in modern discourse. Rooted in classical tafsīr, riqāb was initially understood to refer to individuals in conditions of slavery or servitude. However, contemporary interpretations, informed by figures such as al-Zamakhsharī, Ibn al-Munayyir, and more recently scholars like Wahbah al-Zuḥaylī, have expanded this definition to encompass broader socio-economic circumstances. Specifically, riqāb now includes individuals whose freedom is constrained due to economic exploitation, coercive labour contracts, or intellectual subjugation.

Furthermore, contemporary studies, including those from BAZNAS and other Islamic institutions, have increasingly linked riqāb to various categories of socio-economic vulnerability, such as victims of human trafficking, the oppressed, and those in dire financial straits. This broader interpretation underscores the essence of riqāb as a condition of economic or social disenfranchisement, where individuals are effectively 'owned' by their circumstances—whether through lack of resources, exploitation, or systemic oppression.

Thus, riqāb is not solely about the physical liberation of slaves, but about freeing individuals from the shackles of poverty, exploitation, and deprivation—allowing them the opportunity to

¹⁷ Al-Raghib Al-Asfahani, *Mufradāt Alfāz al-Qur'ān tahqiq Sufyan 'Idnan Dawari* (Beirut: al-Dar al-Shamiyah, 2009), vol. 1, hlm. 102.

regain their autonomy and dignity. This expanded understanding of riqāb is vital for rethinking zakat distribution in modern contexts, offering a more inclusive approach to addressing social justice within the Islamic legal and ethical framework.

An expansion of the definition of the term " $riq\bar{a}b$ " has been advocated by a number of current scholars in light of the fact that the institution of physical slavery does not exist in the modern world. It is their contention that the term " $riq\bar{a}b$ " encompasses not just the practice of physical servitude but also contemporary forms of slavery, such as exploitation, human trafficking, and situations that restrict an individual's freedom. In point of fact, there are others who contend that the $riq\bar{a}b$ also protects individuals or groups that are ensnared in socioeconomic conditions that are unfair, such as structural poverty or debt. Zakat is a tool that can be utilized to assist individuals in achieving economic independence and liberation from the straits. 18

The fact that different scholars have different interpretations of what constitutes $riq\bar{a}b$ is evidence of the adaptability and suppleness of Islamic sharia, which allows it to accommodate shifting paradigms and societal circumstances. ¹⁹ In spite of this, the basic objective of providing zakat to the $riq\bar{a}b$ continues to be the same: to liberate them from the shackles of their servitude and to provide them with the opportunity to lead a more fulfilling life.

On the subject of the reinterpretation of *riqāb*, the extant body of literature is extensive and varied. Researchers from a wide range of academic fields, including as Islamic studies, economics, sociology, and anthropology, have investigated the subject from a variety of perspectives. In some research, the historical backdrop of *riqāb* has been the primary focus, while in others, the present significance of the practice has been investigated.

The necessity of modifying the idea of $riq\bar{a}b$ in order to accommodate the shifting requirements of society is one of the most prominent topics that emerges from the body of research. When it was first used, the $riq\bar{a}b$ was most commonly connected with the liberation

¹⁸ Zubir Azhar, Muhammad Kamil Kader Mydin, dan Anwar Allah Pitchay, "Zakat Distribution Priorities in Malaysia: An Analytic Hierarchy Process Analysis," *Asian Journal of Business and Accounting* 16, no. 1 (30 Juni 2023): 69–87, https://doi.org/10.22452/ajba. vol16no1.3.

¹⁹ Ram Al Jaffri Saad dkk., "Zakat administration reformation towards an effective and efficient zakat revenue generation," *Journal of Islamic Accounting and Business Research* 14, no. 8 (2023): 1232–60.

of slaves. ²⁰ Scholars, however, have suggested that the term needs to be reformulated in order to address different types of social and economic bondage. This is because the institution of slavery has been abolished.

Another significant aspect to consider is the possibility for zakat to make a contribution to the advancement of society. Studies have demonstrated that zakat has the potential to play a substantial role in a variety of social welfare areas, including the alleviation of poverty, education, healthcare, and other areas. Through the allocation of funds from zakat to programs that target the underlying causes of poverty and inequality, zakat institutions have the potential to contribute to the development of a society that is more just and equitable.

2. Wahbah Zuhaily's Jurisprudence and Interpretation of Rigab

It is widely acknowledged that Wahbah Zuhaily, a notable modern Islamic scholar, has produced a body of work in Islamic law that is both comprehensive and significant. The multi-volume work known as "Al-Figh al-Islami wa Adillatuhu" (Islamic Jurisprudence and its Proofs) is considered to be his magnum opus. It covers a wide variety of Islamic legal themes, one of which is zakat. The method that Zuhaily takes is distinguished by a profound comprehension of the ancient Islamic legal texts, in addition to a great knowledge of the modern concerns and challenges that are confronting the Muslim world.

The significance of Zuhaily's view of rigāb is especially notable when considered in the context of zakat. He contends that the idea of rigāb should not be restricted to the historical context of liberating slaves, when it was first introduced. A more comprehensive view that incorporates a variety of social and economic emancipation strategies is what he advocates as an alternative. According to Zuhaily, the money that are designated for the riqāb category have the potential to be utilized for the purpose of providing assistance to projects that empower individuals and communities to triumph over poverty, debt, ignorance, and other types of societal bondage.²¹ The principles of Islamic law, which highlight the significance of social justice,

²⁰ Nur Anisah Nordin dan W M K Khairuldin, "A Distribution of Zakah to Al-Riqāb: Critical Analysis of Fatwa and Views of Mufassir," International Journal of Academic Research in Business and Social Sciences 8, no. 11 (2018).

²¹ 'Abd Allāh ibn Manṣūr al-Ghufaylī, *Nawāzil al-Zakāh: Dirāsah Fiqhiyyah Ta' ṣīliyyah* li-Mustajiddāt al-Zakāh (al-Riyād: Dār al-Mīmān li-al-Nashr wa-al-Tawzī, 2009), 187.

compassion, and the equitable distribution of wealth, serve as the foundation for Zuhaily's interpretation of the riqāb. He makes use of a great number of verses from the Quran and traditions from the Prophets that emphasize the need of assisting those who are in need and encouraging social welfare. As an illustration, the verse "And in their wealth, there is a known right for the beggar and the deprived" (Quran 70:24-25) can be found in the Quran that states this. This verse emphasizes the obligation of wealthy Muslims to share their money with those who are less fortunate than themselves, those who ask, and those who keep their honour from asking even though they are in need.²²

However, Zuhaily's view of rigāb is influenced by the historical context of zakat, which is an important consideration. The practice of zakat was extremely important in the early days of Islam since it helped to meet the social and economic requirements of the community. Its purpose was to provide assistance to those who were disadvantaged, including widows, orphans, and the destitute. When it comes to widening the scope of rigāb to cover current kinds of social and economic distress, Zuhaily contends that this historical precedent offers a solid foundation for doing so. The reinterpretation of rigāb that Zuhaily has proposed has important repercussions for the manner in which zakat is distributed in the contemporary world. By broadening the scope of rigāb to encompass a variety of social and economic emancipation, Zuhaily paves the way for zakat organizations to take advantage of new opportunities to address the urgent requirements of the communities they serve. Zakat is a form of charitable giving. For instance, donations from zakat could be used to assist educational programs, vocational training, microfinance initiatives, debt relief programs, and other projects that enable individuals and communities to overcome poverty and achieve self-sufficiency. ²³

Here we quote the very statement of al-Zuhaily concerning the riqāb in zakat:

A comparison of the evidence from the earlier schools reveals the strength of the view held by the proponents of the second approach. This is because the verse of Allah, {wa fi al-riqab (Al-Tawbah, 9:60), is stated in an unrestricted manner, and the unrestricted is to be understood as such. The

²² Zuḥaylī, al-Fiqh al-Islamī Wa Adillatuhu, vol. 3, hlm. 1973.

²³ Al-Zuhayly Wahbah, "Zakat: Kajian Berbagai Mazhab, terj," *Agus Efendi dan Bahruddin Fannany, Bandung: PT Remaja Rosdakarya*, 2008.

opinion I find most compelling is that of Ibn Abbas, Ibn Umar, Hasan al-Basri, al-Zuhri, Abu Ubaid, and the Hanbali school. Their position is that fi al-rigab encompasses assistance for mukatabun (those under emancipation contracts), the emancipation of all enslaved individuals, and the liberation of captives, in accordance with the Our'anic term's unrestricted expression, fi al-rigab.24

Ibn Abbas explained that rigab is broader than just the mukatabun, and thus it is acceptable to free a slave using zakat. There is no concern that inheritance by the zakat payer may revert to him from the freed slave through allegiance, as the one holding allegiance is responsible for paying any divah (blood money), compensation, or reparations for offences committed by the freed slave, thus aligning benefit with liability (al-ghurm bil-ghunm). Since it was permissible in the time of the Prophet, peace be upon him, for zakat to return to close relatives as inheritance, there is no obstacle to the return of allegiance to the zakat payer. Abu Ubaid also stated: if it was permitted by him, peace be upon him, for charity to revert as inheritance to the zakat payer, then the inheritance of allegiance is even more permissible and fitting. ²⁵

The intent behind providing assistance is clear: to enable the mukatab to free himself from bondage and to eliminate the remnants of servitude, as Islam encourages emancipation and the liberation of those in bondage. There is no path to freedom if the master does not grant it except through a contractual exchange, that is, an agreement to pay in specific instalments. Abu Dawud narrated with a sound chain from Amr ibn Shu'ayb, from his father, from his grandfather, that the Prophet, peace be upon him, said: "The mukatab remains a slave as long as even a dirham remains unpaid in his contract."26

Is zakat to be allocated to assist Muslim populations suffering under oppressive, non-Muslim governments to liberate themselves from occupation? The legal term riqab in Islamic jurisprudence clearly refers to the emancipation of slaves, whether individually or collectively. Colonialism and its abhorrent racist forms, however, do not fall under the traditional concept of slavery. Therefore, equating colonialism with slavery and arguing that colonised populations should receive zakat from the rigab fund for liberation from colonialism is difficult to justify.²⁷

²⁴ Zuḥaylī, al-Fiqh al-Islamī Wa Adillatuhu, vol. 3, hlm. 2031.

²⁵ Zuhaylī, vol. 3, hlm. 2031.

²⁶ Zuhaylī, vol. 3, hlm. 2032.

²⁷ Zuhaylī, vol. 3, hlm. 2032.

Nevertheless, we find that Shaykh Rashid Rida permitted granting zakat funds to colonised populations to help free them from subjugation, restore Islamic dignity, and reclaim lands taken by foreigners from Dar al-Islam, if the riqab fund is not otherwise used to free individuals, due to the abolition of slavery worldwide. This opinion was supported by our late teacher, Shaykh Mahmoud Shaltut, in his book Islam: Belief and Law. The reasoning behind this approach is that such expenditures would liberate Muslims from non-Muslim oppression, and the zakat given is no more than a tenth or a quarter-tenth of what exceeds the needs of the wealthy.²⁸

This interpretation reflects an expanded understanding of riqab, and a figurative application of the term toward a newly developed situation that, while different in form and legal standing, mirrors traditional slavery in its harms and injustices. Yet, colonisers do not fall under any of the legal rulings related to slavery, except for the duty to resist them and expel them from the land. Oppressed or colonised populations, or those whose lands have been forcefully seized, may be supported through the fi sabil Allah category (the zakat allocation for the cause of Allah), that is, for the purpose of jihad, although within limited means, or through other forms of free charity and the general state funds allocated to public welfare, which are collected independently from zakat.²⁹

It has been established that the fi al-riqab allocation, one of the categories of zakat, includes, in its broad application, freeing slaves from bondage, assisting mukatabun in liberating themselves, and ransoming Muslim captives held in confinement in non-Muslim territories.

While it is clear that the original intention behind fi al-riqāb was to address literal slavery, Islamic legal scholars have extended this interpretation to encompass broader forms of human bondage and oppression. In light of this, it is argued that zakat could be used to support Muslims in situations of captivity or occupation, as a means of liberation, in line with the aims of fi sabilillah (in the path of Allah), particularly in the case of Islamic nations suffering under foreign domination. Thus, the principles of zakat—particularly its application to riqāb—can be understood as an instrument not only for personal emancipation but also for the broader cause of freedom and justice for oppressed communities.

²⁸ Zuḥaylī, vol. 3, hlm. 2033.

²⁹ Zuhaylī, vol. 3, hlm. 2032.

3. Applying Zuhaily's Framework in South Sulawesi

The province of South Sulawesi, situated in Indonesia with a predominantly Muslim population, offers a unique context in which to explore contemporary interpretations of rigab. Within this region, diverse perspectives arise on how this category of zakat recipients should be identified and applied in modern society. A particularly notable interpretation emerging from certain areas in South Sulawesi is the inclusion of prisoners as potential recipients of zakat under the rigab category. This view is grounded in the understanding that prisoners, being deprived of their means of livelihood, suffer considerable financial hardship as a result of their incarceration. When zakat is given to convicts, it is believed that their fundamental requirements can be satisfied, and that they would be able to receive assistance in their process of reintegrating into society after they are released.30

BAZNAS Barru is among the most prominent zakat management institutions in South Sulawesi, with a reputation recognised at the national level through the annual awards presented by the BAZNAS Centre. Barru is ranked among the top BAZNAS districts and cities for achieving the highest collection of ZIS (Zakat, Infaq, and Sedekah) in South Sulawesi. This success has drawn the interest of various ZIS administrators, both from within South Sulawesi and from other regions, leading them to conduct comparative studies on BAZNAS Barru's effective approach to zakat management, encompassing both collection and distribution practices. Officially registered as the zakat institution with the largest collection in South Sulawesi, BAZNAS Barru received zakat, infaq, and sedekah totalling Rp. 23,501,475,516 (twenty-three billion five hundred one million four hundred seventyfive thousand five hundred and sixteen rupiah) in 2022.31

In addition, South Sulawesi faces a range of socioeconomic issues that may benefit from a broadened understanding of rigab. Poverty remains a significant challenge, particularly in rural areas where limited access to education, healthcare, and basic infrastructure further compounds the struggles of already marginalised communities.

³⁰ Irvan Refliandi dan Fatimah Fatimah, "Giving the Right to Former Prisoners to be Leaders in the Study of the Philosophy of Islamic Law," Hakamain: Journal of Sharia and Law Studies 2, no. 2 (2023): 196-206.

³¹ H. Minu Laibu, Implementasi Pemikiran Wahbah al-Zuhaily tentang Distribusi Zakat untuk Rigab, recording, 16 Juli 2024.

Furthermore, pressing social issues such as child labour exploitation, human trafficking, and environmental degradation threaten the well-being of the population.

In the context of South Sulawesi, Zuhaily's reinterpretation of riqab provides a valuable framework for addressing these unique social and economic challenges. South Sulawesi, a region with a rich cultural heritage and diverse population, also faces considerable developmental hurdles, including high poverty rates, limited access to essential services, and environmental decline. Zakat holds the potential to play a pivotal role in tackling these issues. By directing zakat funds towards initiatives that support education, healthcare, environmental stewardship, and economic empowerment, zakat institutions can meaningfully contribute to the holistic development of South Sulawesi. Zuhaily's reinterpretation of riqab serves as a roadmap for realising this potential.

From an Islamic legal perspective, prisoners may be eligible to receive zakat if they meet specific criteria. They might be classified as poor or destitute if, upon release, they lack the means or income to cover their basic needs. Similarly, individuals burdened by unpaid debts that they cannot meet—provided these debts are documented for Shariah-compliant purposes—may fall within this category.

However, the distribution of zakat to prisoners is not automatic and requires careful consideration. One of the key factors to examine is the prisoner's economic status post-release. If they are gainfully employed or have adequate income, they would not qualify for zakat. Ideally, zakat would support inmates in re-establishing their lives, perhaps through funding for vocational training or educational expenses. The amil zakat ultimately holds the responsibility to determine whether a prisoner should receive zakat, making their decision based on a thorough assessment of the individual's needs and circumstances. Thus, Islamic Shariah upholds the principles of justice and necessity in its application.

Deputy Charman of BAZNAS in Barru tell us that Zuhaily's reinterpretation of riqāb offers a framework for zakat institutions in South Sulawesi to channel funds towards initiatives that promote social mobility and empowerment. This could involve supporting educational programs that equip individuals with marketable skills, providing microfinance opportunities to alleviate debt burdens, and establishing rehabilitation centers for those struggling with addiction.

a. Education and Skill Development

One of the principal domains in which zakat funds may be applied, within Zuhaily's interpretive framework, is the realm of education and skill development. In South Sulawesi, access to quality education presents a persistent challenge, particularly within rural areas. Zakat institutions can fulfil a vital role in mitigating this disparity by financing scholarships, establishing educational facilities, and supporting teacher training initiatives. Furthermore, vocational training programs may be instituted to provide individuals with the essential skills required to secure employment and contribute meaningfully to the local economy.

b. Microfinance and Debt Relief

Another significant area where zakat can effect meaningful change is in microfinance and debt alleviation. Many individuals in South Sulawesi find themselves ensnared in cycles of poverty due to limited access to financial services. Zakat institutions may provide microloans to small businesses and entrepreneurs, thereby empowering them to expand their enterprises and generate employment opportunities. Additionally, zakat funds can be allocated towards providing debt relief to individuals who are facing hardships in meeting their loan obligations.

c. Rehabilitation and Social Support

Zuhaily's reinterpretation of riqāb also includes the provision of rehabilitation and social support services. In South Sulawesi, numerous individuals grapple with addiction, mental health issues, and various other social challenges. Zakat institutions could establish rehabilitation centres and support groups to assist these individuals in overcoming their difficulties and reintegrating into society.

d. Community-Based Solutions

Zuhaily's emphasis on community-based solutions aligns with the cultural values of South Sulawesi, where collective action and mutual support are deeply ingrained. By involving local communities in the identification and implementation of zakat-funded projects, the impact of riqāb can be maximized. This approach ensures that the projects are tailored to the specific needs of the community and that they have the support of local stakeholders.

BAZNAS (The National Amil Zakat Agency) of the Barru district has distributed the zakat to the asnaf riqāb groups, who are comprised

of the convicts who were held in confinement at the Marketing Institute (Lapas) in Barru. Through the implementation of a program that provides the inmate with opportunities to develop their skills in a variety of areas, this zakat is channelled accordingly. According to H. Minu, the representative of the BAZNAS of Barru, the inmates who are now being held in detention are currently considered to be "riqāb" and are therefore eligible to receive zakat. The providing of raw materials for paving blocks to inmates is one of the ways of empowerment that has been accomplished through the implementation of this program.³²

It is anticipated that the convicts will reap double the benefits from participating in this empowerment program. To begin, inmates have the opportunity to acquire new skills in the construction of pavement blocks, and secondly, they have the opportunity to generate revenue by selling the paving blocks. It is therefore expected of the convicts that they will be able to exercise control over the urges that have been causing them to engage in undesirable behaviour. It is expected of them that once they are free, they will be able to achieve financial independence, be able to create, and refrain from engaging in criminal activity like as stealing, blackmailing, or other forms of machismo.

The BAZNAS of Barru offers a wide range of different programs that are specifically designed to cater to the interests and abilities of the inmates, in addition to the skills empowerment programs that are offered. The acquisition of scientific knowledge and the development of non-formal academic capacities are the goals of these programs, which aim to establish access and facilities for the inmates.

The Tahfidz Al-Qur'an program is widely considered to be among the very best programs. In order to assist convicts who are interested in learning the Qur'an, the BAZNAS of Barru offers tahfidz constructors who come from outside of Lapas. The accomplishments of this program are also taken into consideration as a component of the empowerment of the asnaf riqāb organisation. The BAZNAS of Barru, in addition to the tahfidz program, also provides the prisoners with the opportunity to receive instruction from spiritual advisors, known as ustadji. An additional action that falls under the category of aid distribution for the asnaf riqāb is this operation.

By implementing a variety of programs, the BAZNAS of Barru is making an effort to meet the requirements of the inmates. These

³² Laibu.

convicts are included in the category of zakat distribution for the asnaf rigāb, which encompasses all efforts that are aimed at providing assistance to them. By doing so, the BAZNAS of Barru demonstrates its dedication to providing convicts with holistic empowerment, which includes the development of their talents, their understanding of religious practices, and their spiritual formation.

To ensure the effectiveness of zakat distribution under Zuhaily's framework, it is essential to establish robust monitoring and evaluation mechanisms. This involves tracking the progress of zakatfunded projects, assessing their impact on the target beneficiaries, and identifying areas for improvement. By regularly evaluating the outcomes of zakat initiatives, institutions can ensure that they are achieving their intended goals and making a meaningful difference in the lives of the people they serve. Furthermore, Zuhaily's emphasis on community-based solutions aligns with the cultural values of South Sulawesi, where collective action and mutual support are deeply ingrained. By involving local communities in the identification and implementation of zakat-funded projects, the impact of rigāb can be maximized.

While Zuhaily's reinterpretation of rigāb offers a promising approach to zakat distribution in South Sulawesi, there are also several challenges that need to be addressed. One of the main challenges is the lack of awareness and understanding of Zuhaily's framework among zakat institutions and the general public. To overcome this challenge, it is important to conduct outreach and education programs to raise awareness of the potential of zakat to address social and economic issues.

Another challenge is the need for greater coordination and collaboration among zakat institutions. In South Sulawesi, there are numerous zakat institutions operating independently. By working together, these institutions can pool their resources and expertise to achieve greater impact. Despite these challenges, there are also significant opportunities for zakat institutions to make a real difference in South Sulawesi. By embracing Zuhaily's reinterpretation of riqāb, these institutions can tap into the full potential of zakat to promote social justice, alleviate poverty, and empower marginalized communities.

Conclusion

In conclusion, the concept of riqāb, originally linked to slavery in classical tafsīr, has evolved to address broader socio-economic issues. Modern interpretations, influenced by scholars like al-Zamakhsharī, Ibn al-Munayyir, and Wahbah al-Zuḥaylī, now include individuals facing economic exploitation, coerced labour, or intellectual subjugation. Contemporary zakat institutions, such as BAZNAS, further extend riqāb to categories like human trafficking victims and the oppressed. This expanded view highlights riqāb as a form of liberation from poverty, exploitation, and systemic injustice, thereby providing a more inclusive and socially just framework for zakat distribution in the modern world. Wahbah Zuhaily's reinterpretation of riqāb presents a valuable opportunity to harness the potential of zakat for social upliftment in South Sulawesi.

The concept of fi al-riqāb in the Qur'an (At-Tawbah 60) extends beyond slavery to include assisting those under manumission contracts (mukatabīn) and releasing prisoners of war. Scholars like Ibn Abbas and al-Hasan al-Basri expanded this to include individuals constrained by economic or social pressures. Although slavery has largely ended, fi al-riqāb remains relevant for supporting those in oppression, such as prisoners or occupied communities. Zakāt, in this sense, becomes a tool for liberation—not only for personal freedom but also for social justice, aiding those suffering from systemic injustice and supporting the broader cause of human dignity and freedom.

Reinterpreting the Islamic concept of riqāb in the modern context has significant implications for both Islamic thought and contemporary society. It demonstrates the adaptability of Islamic jurisprudence to modern ethical standards, fostering intellectual dialogue within the Muslim community. By moving beyond a literal understanding of riqāb as slavery, Islamic thought embraces universal human rights principles, promoting a more inclusive vision of Islam. This reinterpretation supports the global fight against human trafficking and modern slavery, while also facilitating interfaith dialogue. By focusing on metaphorical interpretations, riqāb can advance social justice and community well-being, contributing to a more just and equitable world.

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- Ibnu Qayyim al-Jauziyyah, Miftâḥ..., Vol. 2, 210.

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- Fara Dieva Huwaida, "Misteri Gender...", 10.
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NO	ARABIC	LATIN
1	1	a
2	ب	b
3	ب ت ث	t
4	ث	ts
5		j
6	ح	ķ
7	- خ	kh
8	د	d
9	ذ	dz
10	J	r
11	j	z
12	س	s
13	m	sy
14	ش ص ض	sh
15	ض	dh

NO	ARABIC	LATIN
16	ط	th
17	ظ	zh
18	ع	,
19	غ	gh
20	ف	f
21	ق	q
22	<u>5</u>	k
23	J	1
24	م	m
25	ن	n
26	9	W
27	ھ	h
28	٤	`
29	ي	y

The transliteration model of Library of Congress (LC) and Department of Religious Affairs of Indonesia for *madd* and diphthongs:

Diphthong	Madd
َ = a, کتب	a madd = â, كَاتِبْ
َ = i, گِتَابٌ	i madd = î, دِیْنٌ
ُ = u, کُتِب	u madd = û, گُوْبٌ

Examples:

- a) The person's name written with no transliteration. Example: al-Syahrastani, not as-Syahrastâni. Written as usual and not italic.
- b) Unoriginal term should be written in italic. Example: *al-qawâid al-fiqhiyyah; isyrâqiyyah; 'urwah al-wutsqâ*.
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