

INCOME TAX AND ZAKAT: A QUR'ANIC AND LEGAL PERSPECTIVE AND IT'S EFFECT ON STATE REVENUE

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Abstract

This study aims to identify and describe the Qur'anic perspective on Income Tax and Zakat; know and describe the Perspective of Law Number 36 of 2008 concerning Income Tax; and know and describe the effect of tax on income and zakat on state revenue quantitatively. This research uses descriptive method with qualitative and quantitative approaches. This research was conducted at the Office of the Director General of Taxes Regional Office and National Amil Zakat Agency Bandung City and Sumedang Regency, with interview data collection techniques, and secondary data, namely data obtained from data processing from related agencies. The data analysis technique used is a qualitative approach with data triangulation and a quantitative approach with statistical analysis in the form of multiple regression. The results showed that first, based on the Qur'an, zakat is part of the fourth pillar of Islam. The relationship that occurs because of zakat is not only the relationship of *Habluminallah* but also the relationship of *Habluminannash*; second, the perspective of Law No. 36 of 2008 concerning Income Tax is part of the state tax, where the tax is used for the benefit of the state. Third, based on quantitative results obtained income tax and zakat funds affect state revenue with an influence contribution of 94.9% while the remaining 5.1% is influenced by other factors.

Keywords : Income Tax; State Revenue; Zakat.

Abstrak

*Penelitian ini bertujuan untuk mengidentifikasi dan mendeskripsikan perspektif Al-Qur'an tentang Pajak Penghasilan (PPh) dan Zakat; mengetahui dan menjabarkan Perspektif Undang-Undang Nomor 36 Tahun 2008 tentang Pajak Penghasilan (PPh); serta mengetahui dan menjabarkan pengaruh pajak atas penghasilan (PPh) dan zakat terhadap penerimaan negara secara kuantitatif. Penelitian ini menggunakan metode deskriptif dengan pendekatan kualitatif dan kuantitatif. Penelitian ini dilakukan di Kantor Direktur Jenderal Pajak Kantor Wilayah dan Baznas Kota Bandung dan Kabupaten Sumedang, dengan teknik pengumpulan data wawancara, dan data sekunder, yaitu data yang diperoleh dari pengolahan data dari instansi terkait. Teknik analisis data yang digunakan adalah pendekatan kualitatif dengan triangulasi data dan pendekatan kuantitatif dengan analisis statistik berupa regresi berganda. Hasil penelitian menunjukkan bahwa pertama, berdasarkan Al-Qur'an, zakat merupakan bagian dari rukun Islam keempat. Hubungan yang terjadi karena zakat bukan hanya hubungan *Habluminallah* tetapi juga hubungan *Habluminannash*; kedua, perspektif UU No. 36 Tahun 2008 tentang Pajak Penghasilan (PPh), merupakan bagian dari pajak negara, dimana pajak tersebut*

digunakan untuk kepentingan negara. Ketiga, berdasarkan hasil kuantitatif diperoleh pajak penghasilan dan dana zakat berpengaruh terhadap penerimaan negara dengan kontribusi pengaruh sebesar 94,9% sedangkan sisanya 5,1% dipengaruhi oleh faktor lain.

Kata Kunci: Pendapatan Negara; Pajak Penghasilan; Zakat.

1 Introduction

Humans are inseparable from needs related to physical and spiritual needs, whether these needs are on a national or regional scale, and groups or individuals. In fulfilling needs there are rules, namely vertical and horizontal. Vertical and horizontal rules have been regulated by Allah and His Messenger through the Qur'an and al-Hadith, which at the next level requires *ijtihad* as a method of development and understanding of the Qur'an and al-Hadith. One form of understanding of the Qur'an is about zakat and taxes. Zakat is obligatory with the aim of alleviating the burden of suffering of the *dhu'afa*, the poor or covering people who are miserable, and helping people who need help. In addition, giving zakat can strengthen the bond of love so that there is no tension or turmoil in the midst of society that often occurs between the rich and the poor. Giving zakat is also an implementation of two dimensions, namely worship as a form of obedience to Allah SWT and as an obligation to fellow human beings. As mentioned in the Qur'an Surat al-Taubah (9) verse 103.

According to Ash-Shukani, zakat is the giving of some of the wealth that has reached the *nisab* to the poor and so on and has no characteristics that can prevent *Shara'* from spending it on him. According to Sayyid Sabiq, zakat is a name for a right of Allah that a person issues for the poor. Named zakat, because by issuing zakat there is hope to obtain blessings, cleansing the soul from miserliness for the rich or eliminating the envy of the poor and fostering it with various virtues (Asnaini, 2008). According to Ahmad Rofiq, zakat is an act of worship and a social obligation for the *agbniya'* after their wealth meets the minimum limit (*nishab*) and the span of a year (*haul*). The goal is to realize equal distribution of justice in the economy. According to Umar bin al-khathab, zakat is prescribed to change those who were originally *mustahik* (recipients) of zakat into *muzakki* (givers/payers of zakat) (Rofiq, 2004).

There are two types of zakat issued by Muslims, namely *zakat fitrah* and zakat on wealth (Kartika, 2006). Zakat fitrah is a zakat that must be paid before Eid al-Fitr by every Muslim, young, old, or newborn baby. This zakat is usually in the form of staple foods such as rice. The amount of this zakat is 2.5kg or 3.5 liters of rice that is usually consumed, the payment of zakat fitrah can be done by paying the price of the staple food of the area (Saprida, 2021). Zakat maal is part of the wealth of a person (also a legal entity) that must be issued to certain groups, after being owned for a certain period of time, and a certain minimum amount (Nafiah & Faih, 2019). In addition to regulating zakat, the Qur'an regulates taxes, only in the Qur'an the Word of God in Surah al-Hasyr (59) verse 7 is referred to by the term *fa'e*. Tax has been running since the time of Prophet Muhammad Saw when he received revelation (al-Qur'an) until now. Then how does the term tax include claimed/signaled in the Qur'an. Because taxes include things that are very vital in contributing to the income of the state including the region, the Qur'an provides recommendations/basis in determining taxes as a revenue of a country including the region.

According to Rochmat Soemitro, in his book *Mardiasmo*: “Taxes are contributions of the people to the State treasury based on the Law (which can be imposed) by not getting reciprocal services (counter achievements) that can be directly shown and which are used to pay for public expenditures.” (Mardiasmo, 2010). According to Djajadiningrat quoted by Siti Resmi that: “Tax is an obligation to submit as much of the wealth to the State treasury due to a situation, event, and action that gives a certain position, but not as a punishment, according to regulations set by the government and can be imposed, but there is no reciprocal service from the State directly to maintain general welfare” (Resmi, 2009). Meanwhile, Income Tax (in Indonesian language is Pajak Penghasilan (PPH)) is a tax imposed on income earned by tax subjects or taxpayers during the current tax year (Resmi, 2009). Income tax in general has many types depending on the income earned. Because the income that becomes the object of income tax comes from various objects that can be categorized as income. Income tax is imposed on the tax subject on the income received or earned in the tax year concerned (Sibarani & Tarigan, 2018).

Law No. 7 of 1984 concerning Income Tax has been in effect since January 1, 1984. This law has been amended several times and was last amended by Law Number 36 of 2008 (Mamahit et al., 2020). The Income Tax Law regulates the imposition of Income Tax on tax subjects with respect to income received or earned in the tax year. The tax subject is taxed if it receives or earns income (Djuanda, 2006). Tax subjects who receive or earn income, in the Income Tax Law are called taxpayers. Taxpayers are taxed on income received or earned during the tax year or may also be taxed for income in part of the tax year if their subjective tax obligations begin or end in the tax year (Andriono & Hidayatulloh, 2020). Government regulations governing assistance or donations including zakat or mandatory religious donations that are exempt from income tax objects are listed in Government Regulation of the Republic of Indonesia number 18 of 2009 (Chotib, 2018).

On a national scale, the total amount of zakat collected by National Amil Zakat Agency (in Indonesian language is Badan Amil Zakat Nasional (Baznas)), amil zakat institution (in Indonesian language is Lembaga Amil Zakat (LAZ)) and Zakat Collection Units (in Indonesian language is Unit Pengumpul Zakat (UPZ)) throughout Indonesia is expected to reach Rp 8.1 Trillion. From the data obtained from National Amil Zakat Agency, it is estimated that zakat income has increased by an average of 31.8 percent from the annual achievement of 6.24 Trillion, so we can get an estimate of the achievement of 2018 to reach Rp 8.1 Trillion. (Editor, 2018) In addition to the Qur'an that regulates taxes, in Indonesia there are regulations governing taxes. The regulations are formulated in the form of laws starting from the 1945 Constitution article 23-A and Law No. 36 of 2008 concerning State Taxes which is refined by Government Regulation of the Republic of Indonesia number 18 of 2009. One of the things regulated in the legislation is Income Tax and its management.

A Muslim who lives in a country where the majority adheres to Islam must be faced with two obligations that cannot be separated. On the one hand he is a citizen who obeys his country by paying obligations in the form of taxes, on the other hand he is also obedient as a Muslim who pays obligations in the form of Zakat. Many people try to equate zakat and tax, so that the consequence is when someone has paid taxes, then the payment of zakat is waived. Meanwhile, some others reject that zakat is the same as tax or as an alternative to the obligation of zakat. In addition to the similarities between zakat and tax, zakat also has great potential in alleviating poverty, reducing unemployment, minimizing

the gap between the poor and the rich, playing a role in economic growth and increasing the potential of state revenue. This potential is quite large but currently the management is not maximized (Fajarudin, 2019).

Both the Qur'an and Law No. 36 of 2008 are the basis of income tax and zakat. However, it becomes a dilemma for Muslim citizens who are faced with two sides, namely between taxes and zakat. So that there are those who do not pay taxes because they have paid zakat. There are also those who do not pay zakat because they have paid taxes. From this phenomenon, the author is interested in conducting research which is raised in a scientific work with the title Perspective of the Qur'an and Law on Income Tax and Zakat and its Effect on State Revenue. This study aims to find out the perspective of the Qur'an and the Law on income tax and zakat, and the effect caused by income tax and zakat on state revenue.

This research is important because it provides valuable insights into the interaction between zakat, income tax and state revenue. This research also provides policy recommendations that can help improve the role of zakat and income tax in realizing social justice and economic welfare for the community. This research provides a more comprehensive understanding of zakat and income tax, both from a religious and legal perspective. This research provides empirical evidence on the impact of zakat and income tax on state revenue. This research provides policy recommendations that can help improve the role of zakat and income tax in realizing social justice and economic welfare. In particular, this study can make a significant contribution to fiscal policy in Indonesia. Indonesia is the country with the largest Muslim population in the world, and zakat is an obligation that must be fulfilled by Muslims. Therefore, zakat has the potential to be a significant source of state revenue.

2 Research Methods

This research uses descriptive methods with qualitative and quantitative approaches. The data source in this research is primary data obtained from the Directorate General of Taxes West Java and National Amil Zakat Agency in Bandung City and Sumedang Regency through interview data collection techniques. In addition, to obtain other secondary data using documentation techniques in the form of internet browsing and literature studies. Secondary data which is data in the form of numbers, namely income tax, zakat and Indonesian state revenue obtained from the annual report of the National Amil Zakat Agency, and *bps.go.id*, and *tax.go.id*. Data analysis using mix method qualitative fan quantitative. Where the two techniques, namely qualitative techniques using data triangulation, and quantitative techniques with multiple regression analysis.

3 Research Results and Discussion

In this part, the result and discussion of the study will be presented. First, the result of the study is presented and then it will be discussed and compared with previous studies.

3.1. Research Result

In this section, the results of statistical testing consisting of descriptive statistics, multiple regression analysis, hypothesis testing, and determination coefficient test are explained.

3.1.1. Descriptive Statistical Analysis

Descriptive statistics provide an overview or description of data seen from the average value (mean), standard deviation, maximum, minimum. This analysis is a descriptive technique that provides information about the data you have and does not intend to test hypotheses. The following are the results of descriptive statistical tests using SPSS.

Table 1 Descriptive Statistical Test Results
Descriptive Statistics

	N	Minimum	Maximum	Mean	Std. Deviation
Zakat Fund	10	21947174902	305347256942	115200261230.30	97375179950.056
Income Tax	10	357045.00	772265.70	586761.5630	140021.58494
State Revenue	10	992249.00	1955136.20	1524161.1230	303238.15802
Valid (listwise)	N 10				

Source: Ouput SPSS Version 26

In the SPSS results above, it can be seen that the variables in this study consist of zakat funds, income tax, and state revenue. Each variable consists of 10 data. Zakat funds have a minimum value of 21,947,174,902, then the maximum value consists of 305,347,256,942, and the average value is 115,200,261,230.30. The next variable, income tax with an average value of 586,761.5630, a maximum value of 772,265.70, and a minimum value of 357,045.00. Finally, the state revenue variable has a minimum value of 992,249.00, a maximum value of 1,955,136.20, and an average value of 1,524,161.1230.

3.1.2. Multiple Regression Analysis

This analysis aims to determine the direction of the influence of the independent variables of zakat funds and income tax on state revenue. In the SPSS program, the magnitude of the influence of the independent variable on the dependent variable is to see the magnitude of the coefficient b. The results of multiple regression test analysis using SPSS version 26 are as follows

Table 2 Multiple Regression Analysis Results
Coefficients^a

	Model	Unstandardized Coefficients		Standardized Coefficients	t	Sig.
		B	Std. Error	Beta		
1	(Constant)	299168.986	138772.937		2.156	.068
	Zakat Fund	6.423E-8	.000	.021	.154	.882
	Income Tax	2.075	.290	.958	7.158	.000

a. Dependent Variable: State Revenue

Source: data output results SPSS *for windows* version 26.0

$$Y = \alpha + bX_1 + bX_2 + c$$

$$Y = 299168.986 + 6.423E - 8 X_1 + 2.075X_2 + c$$

$$\text{State Revenue} = 299168.986 + 6.423E - 8 \text{Zakat Fund} + 2.075 \text{Income Tax} + c$$

Based on the regression equation, the following interpretation is obtained:

According to the results of the linear regression equation above, it can be formulated that with a constant (α) of 299168.986, indicating the value of state revenue when the zakat fund and income tax are 0 or fixed at the same time, the state revenue is

positive at 299168.986. Furthermore, the regression coefficient for zakat funds is positive at 6.423E-8, meaning that every addition of zakat funds by one unit will result in an increase in state revenue of 2,110, assuming the income tax variable is constant and vice versa. Then, income tax has a positive value of 2.075, meaning that each addition of income tax by one unit will result in an increase in state revenue of 2.075, assuming the zakat fund variable is constant and vice versa. The coefficients b_1 and b_2 are positive, meaning that the direction of the influence between zakat funds and income tax simultaneously on state revenue is positive. This indicates that when zakat funds and income tax increase simultaneously, it will have an impact on increasing state revenue.

3.1.3. Hypothesis Test

In this study, verification analysis is used to determine how much influence the independent variable has on the dependent variable. In addition, the results of the verification analysis of the research are seen from the results of the t test and are used to determine how much influence the endogenous variables have partially, as presented in the t test results table.

Table 3 Hasil Uji t Test
Coefficients^a

Unstandardized Coefficients				Standardized Coefficients	t	Sig.
	Model	B	Std. Error	Beta		
1	(Constant)	299168.986	138772.937		2.156	.068
	Zakat Fund	6.423E-8	.000	.021	.154	.882
	Income Tax	2.075	.290	.958	7.158	.000

a. Dependent Variable: State Revenue

Source: data output results SPSS *for windows* version 26.0

Based on the results of the t test, the partial hypothesis test results found that zakat funds have no effect on state revenue, this is evidenced by $\text{sig} > 0.05$, while income tax is proven to affect state revenue, this is evidenced by the significance level < 0.05 .

The F test is used to test the effect of independent variables on independent variables simultaneously can be tested using the F test. The use of the F test in testing the effect of independent variables simultaneously is often called analysis of variance. Calculation of the F test with a significance level $\alpha = 0.05$ (%).

Number of data (n) = 10 Total variables (k) = 3

Then the degree of freedom (df) is:

$(k-1)$ $(n-k)$

$(3-1)$ $(10-3)$

Then the df for the numerator (N_1) is 2, and the df for the denominator (N_2) is 7. Then the F table of the df is 4.74 with a significance level of 0.050. So that Ftabel is 4 to test the acceptance or rejection of the hypothesis, the results of the calculation of Fhitung using SPSS are as follows.

Table 4 F Test Results
ANOVA^a

Model		Sum of Squares	df	Mean Square	F	Sig.
1	Regression	785374446119.216	2	392687223059.608	65.128	.000 ^b
	Residuals	42205978169.531	7	6029425452.790		

Total	827580424288.748	9			
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a. Dependent Variable: State Revenue

b. Predictors: (Constant), Income Tax, Zakat Funds

Source: data output results SPSS *for windows* version 26.0

The results obtained from the SPSS F test test amounted to 65,128 with a significance of 0.00. This meets the requirements $F_{count} > F_{table}$. So that the results of this study are $F_{count} > F_{table}$. ($65.128 > 4.74$) with a significance level value of 0.000 less than 0.05. It can be formulated that H_a is accepted and H_o is rejected. This means that the variables of zakat funds and income tax have a significant influence on state revenue simultaneously.

3.1.4 Determination Coefficient Test

Determination coefficient analysis is used to determine how much the contribution of zakat funds and income tax simultaneously with state revenue. This method is carried out statistical calculations using the coefficient (Kd). The results of the coefficient of determination using the *SPSS For Windows 26.0* application are as follows:

Table 5 Determination Coefficient Test Results

Model Summary

Model	R	R Square	Adjusted R Square	Std. Error of the Estimate
1	.974 ^a	.949	.934	77649.37510

a. Predictors: (Constant), Income Tax, Zakat Funds

Source: data output results SPSS *for windows* version 26.0

R Square (r^2) shows the coefficient of determination, the amount of r^2 is 0.949 or equal to 94.9%. This means that the contribution of the influence given by zakat funds and income tax simultaneously on state revenue is 94.9% while the remaining 5.1% is influenced by other factors.

3.2. Discussion

In this section will be described related to the analysis of the effect of income tax and zakat on state revenue in indonesia, the qur'anic perspective on income tax and zakat.

3.2.1. Analysis of the Effect of Income Tax and Zakat on State Revenue in Indonesia

Income tax is part of the total amount of taxes collected by the government. Where taxes are also part of state revenue, because state revenue consists of tax and non-tax revenue. From the initial theory it is clear that there is a relationship and influence between income tax and state revenue. Where when state revenue rises it cannot be separated from the increase in income tax revenue, although it is actually not guaranteed, because income tax is only a small part of state revenue as well as tax revenue. There are still other types of taxes that are part of state revenue such as value added tax, sales tax on luxury goods and land and building tax, non-tax income, and grant funds.

Zakat is a pillar of Islam that is directly in contact with social aspects of society, it can be seen in the third pillar of Islam, namely paying zakat. People who pay zakat well, sincerely, Insha Allah, they will become pious people. We often assume that after paying

taxes, there is no need to pay Zakat. Or vice versa, having paid Zakat, why else would we pay Tax. Zakat is not related to state revenue, but it can be a trigger for the increase of state revenue from the non-tax sector. Because it is in accordance with the vision and mission carried out by National Amil Zakat Agency, namely for the welfare of the ummah. Where the more prosperous the ummah is, the level of per capita income of the community will increase. When people's per capita income rises, national income will also rise.

The results of research that have been conducted show zakat funds and income tax as independent variables and state revenue as the dependent variable. The effect of zakat on state income obtained from the results of multiple regression tests on the table ... describes the regression equation as follows. $\text{State Revenue} = 299168.986 + 6.423\text{E-}8 \text{ Zakat Fund}$. This implies that zakat funds have a positive and unidirectional relationship to state income, where zakat funds increase then state income also increases. Vice versa, if the zakat fund decreases, the state income will also decrease. This is in line with research conducted by National Amil Zakat Agency (2019) examining the effect of zakat on the Indonesian macro economy using the Fixed Effect Model approach concluded that ZIS (Zakat, Infaq, Sadaqah) has a positive effect on real gross regional domestic product (Purwanti, 2020).

This is in accordance with the initial theory of the relationship between zakat funds and state income. Where if zakat funds increase, it means that there is a lot of awareness from the community, especially Muslims, of their obligation to pay zakat. Because in fact zakat, especially National Amil Zakat Agency, has a goal to prosper the ummah through the zakat funds it has collected. In the perspective of Islamic economics, the economic growth of a country can be influenced by ZIS (Zakat, Infaq, Sadaqah). (Safitri et al., 2021). A Muslim is required to pay zakat (fitrah and mal) to make his property always productive and always rotate. Infaq sadaqah is a property given by Muslims to people in need without a certain nominal value.

Then, income tax is one part of state or national income that cannot be separated. Even in the State Budget it has its own account. So that if income tax revenue increases, it will clearly result in state or national income will also increase. This is in accordance with the regression equation generated from the data owned by researchers. Revenue from income tax is one of the most important things that must be maximized by DGT in terms of income tax collection/withholding because the effect will increase the country's financial foreign exchange (Wulandari, 2015).

The linear regression equation between income tax revenue and state or national income is as follows. $\text{State Revenue} = 299168.986 + 2.075 \text{ Income Tax}$. It is clear from the equation that there is a positive direction between income tax and state or national income. This indicates, when income tax increases it will have an impact on increasing state revenue, and vice versa if income tax decreases it will have an impact on decreasing state revenue.

Advancing on the results of hypothesis testing, the results of H_{a1} are accepted and H_0 which means that zakat funds and income tax have a significant effect on state revenue simultaneously. The contribution of the effect given is 94.9%. This means that income tax has an influence contribution to state revenue of 94.9% while the remaining 5.1% is influenced by other factors. Many factors can cause this increase in state or national income, one of which is tax revenue and non-tax revenue. Tax revenue may come from

income tax and zakat funds are part of non- tax revenue. So when this tax and non-tax income increases, it will clearly result in increased state income.

In relation to the issue of tax and zakat in Indonesia, Syauci Ismail Sahata in the book *Application of Zakat in the Modern World* discusses whether it is permissible to collect taxes in addition to zakat. The author points to the opinion of Muhammad Abu Zahrah who refutes the opinion of some scholars that the taxes that apply in Islamic countries are functioning as zakat. Such an opinion, according to him, is not in accordance with the essential purpose of zakat in Islam. The obligation of zakat is to alleviate poverty, help the poor and meet the needs of the destitute, and also to finance the smooth running of the da'wah of Islam, which is not among the areas financed by taxes. Even if there is some tax expenditure for the poor, it is secondary and not the main purpose. Taxation in addition to zakat is permissible, in accordance with the principle of *al-mashalihul mursalah*. If lately there is an idea to fight for zakat as a tax deduction (tax credit), of course it requires good and precise thinking and coordination in realizing it. Even if it is not yet realized, who knows, one day it will be.

Partially, Zakat fund does not affect state revenue because zakat fund does not go directly to the state treasury. Zakat funds are managed by zakat institutions that are independent from the government. The zakat institution is responsible for collecting zakat from muzakki and distributing it to mustahiq. The Indonesian government does not collect zakat directly from the muzakki. The government only provides facilities to zakat institutions to collect zakat through banking institutions. However, the collected zakat funds do not go directly to the state treasury, but are managed by the zakat institution. Thus, zakat fund does not affect state revenue directly. However, zakat fund can affect state revenue indirectly, namely through its social and economic impacts. Zakat can improve people's welfare, so it can increase people's productivity and economic growth.

3.2.2. The Qur'anic Perspective of Income Tax and Zakat

Paying zakat is one of the pillars of Islam that is obligatory for Muslims as a purification of their wealth, namely for those who have assets up to the nisab (the lowest limit for which zakat is obligatory) and the ownership of the assets has passed (one year for savings and commercial assets), or when agricultural products have arrived. Zakat is an act of worship that has two dimensions: Vertical (worship as a form of obedience to Allah) and horizontal (as an obligation to fellow humans). (Pakaya & Lahaji, 2019) As mentioned in the Qur'an Surat al-Taubah (9) verse 103:

ذُ مِنْ أَمْوَالِهِمْ صَدَقَةً تُطَهِّرُهُمْ وَتُزَكِّيهِمْ بِهَا وَصَلَّ عَلَيْهِمْ إِنَّ صَلَاتَكَ سَكَنٌ لَهُمْ وَاللَّهُ ۖ مَبِيعٌ عَلَيْهِمْ ۙ

Meaning: "Take zakat from some of their wealth, with which you cleanse and purify them, and pray for them. Indeed, your prayers will give them peace of mind. And Allah is All-Hearing, All-Knowing"

Likewise, the Word of Allah in Surah al-Taubah (9) verse 60:

إِنَّمَا الصَّدَقَاتُ لِلْفُقَرَاءِ وَالْمَسْكِينِ وَالْعَامِلِينَ عَلَيْهَا وَالْمُؤَلَّفَةِ قُلُوبُهُمْ وَفِي الرِّقَابِ وَالْغَارِمِينَ وَفِي سَبِيلِ اللَّهِ وَابْنِ السَّبِيلِ ۗ قَرِيبَةً مِنَ اللَّهِ وَاللَّهُ عَلِيمٌ حَكِيمٌ

Meaning: "The Zakahs are for the poor, the administrators of the Zakahs, the persuaded muallaf, the slaves, the debtors, the way of Allah, and those on a journey, as a decree from Allah; and Allah is All-Knowing, All-Wise."

Zakat is not only a mahdhoh fardiyah worship, but it is a mu'amalah ijtimaiyah worship that has political, legal, and socio-economic dimensions. Mahdhah worship is worship in the narrow sense, namely activities or actions that have been determined by the terms and conditions. This means that the conditions are things that need to be fulfilled before an act of worship is carried out. While the pillars are things, ways, stages or sequences that must be done in carrying out the worship. Examples of Mahdhah worship are prayer, fasting and hajj. Meanwhile, Ijtima'iyah worship is social worship related to the benefit of society. Among this ijtimaiyah worship, some are obligatory, such as zakat and fitrah, some are sunnah (recommended), such as infaq, sacrifice, alms and waqf. The intervention of the ruler (government) in the management of zakat is a must. This can be seen from QS. Al-taubah: 60 and 103, regarding the management of zakat.

In Islam, the main obligation of Muslims on their wealth is zakat. Scholars differ on whether there are any other obligations on wealth other than zakat. The majority of fuqaha are of the view that zakat is the only obligation that Muslims have over their wealth. If a person has paid zakat, his wealth is clean and his obligations are free. On the other hand, there is a scholarly view that there are other obligations on wealth besides zakaah. The middle ground between these two differences of opinion is that the obligatory obligation on wealth is zakat, but if conditions arise that require additional needs (darurah), then there will be another additional obligation in the form of tax (dharibah). This opinion was expressed by Qadhi Abu Bakr Ibn al-Aarabi, Imam Malik, Imam Qurtubi, Imam Syatibi, Mahmud Shaltut, and others. The permissibility of collecting taxes according to the scholars mentioned above, the main reason is for the benefit of the people, because government funds are insufficient to finance various "expenses", which if the expenditure is not financed, then there will be a mischief. Meanwhile, preventing misfortune is also an obligation.

Zakat as a socio-economic institution is the first fiscal system in the world that has extraordinary rules, starting from the subject of zakat payers (*muzakki*), the object of zakat assets (*mal al-zakat*) along with their respective rates (*miqdar al-zakat*), the minimum property ownership limit not subject to zakat (*nishab*), the period of property ownership (haul), to the allocation of distribution of zakat fund recipients (*mustahiq*).

In the economic context, zakat has a strategic function as one of the instruments to overcome poverty, solve economic problems, and raise the dignity of the poor. Where, the verses of the Qur'an regarding this matter are flexible and flexible, the interpretation develops in accordance with the ongoing economic development of society. This is based on: First, the global texts contained in the Quran emphasize that every wealth contains the rights of others; all the arguments do not distinguish one wealth from another. Secondly, all wealthy people need to cleanse and purify themselves. This argument implies that assets that were not subject to zakat in the classical Islamic era are subject to zakat in the contemporary era. This certainty and conviction must be possessed first. Because this is the starting point to optimize the role of muzakki in zakat optimization efforts. The role of scholars, academics and researchers is highly demanded here.

Intellectually, the Qur'an does not mention the term tax, the Qur'an only signals the term fa'e. As Allah's Word in surat al-Hasyr (59) verse 7 as follows:

وَالْمَسَاكِينَ وَابْنَ السَّبِيلِ كَيْ لَا يَكُونَ دُولَةً مَا آفَاءَ اللَّهُ عَلَى رَسُولِهِ مِنْ أَهْلِ الْقُرَىٰ فَلِلَّهِ وَلِلرَّسُولِ وَلِذِي الْقُرْبَىٰ وَالْيَتَامَىٰ
بَيْنَ الْأَعْيَاءِ مِنْكُمْ ۚ وَمَا آتَاكُمُ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ فَانْتَهُوا ۚ وَاتَّقُوا اللَّهَ ۚ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ

Meaning: “Whatever booty (fa-e) Allah gives to His Apostle (of property) from the inhabitants of the cities is for Allah, for the Apostle, the relatives, the orphans, the poor and those on a journey, lest it should circulate among the rich alone among you. What the Messenger gives you, accept. And what he has forbidden to you, forsake. And fear Allah. Verily, Allah is very severe in punishment.”

Tax and Zakat both have certain roles according to the Quran. Zakat is part of the fourth pillar of Islam after the Shahada, prayer and fasting. The position of zakat in the Quran is the same as other worship described in the Quran. Even arguably parallel to other worship. The relationship that occurs due to zakat is not only a relationship of habluminallah, but also can be a relationship of habluminannash. The relationship with its creator and the relationship with humans. In the Koran also explained the object and subject of zakat known as Muzakki and mustahik.

Taxes are also regulated in the Quran although the term is qiyash kan with the term fa'e, namely the submission of booty to Allah and His Messenger from the population. Indirectly, the term tax already existed and was known during the time of Rosululloh, only different terms. The difference between Tax and Zakat is in the allocation of funds that have been collected. Taxes are collected to be used for the benefit of the state or public, while zakat is also collected to be used for the benefit or welfare of the ummah. The ummah in question is of course more Muslims, while if tax funds can include Muslims and non-Muslims.

Although tax and zakat are basically similar in their purpose of improving social welfare through funds obtained from the community, there are actually some striking differences that make the position of tax and zakat cannot be equated. Zakat, if considered deeply from the perspective of conventional tax science, can be classified as a tax because it is a contribution that is imposed (no voluntary) by the Islamic State and is also used so that there is an aspect of equity to the community where the tax is collected. Zakat is also collected by the administration of the baitul maal (State financial institution).

The most important difference is that the purpose of zakat is to be directly addressed to the poor or those who are entitled to receive zakat, while taxes are used for a wider scope, namely financing state expenditure for infrastructure development and also allocated for social equity. Then, the most fundamental difference between the two lies in the source of the order. Taxes originate from the government that has determined the tax through a law with approval from the parliament, while zakat originates from the command of Allah SWT which must be carried out by Muslims to become believers.

In terms of the perpetrators where in taxes, all people are obliged to pay taxes to the government in accordance with applicable regulations, while in zakat only Muslims are required to do so. The next difference lies in the recipient object of these two funds. Taxes are collected by the government for social purposes and for the benefit of people in need. Whereas this is prone to misdirection where people who are already well-off get what is the thing of the needy. Whereas in zakat, in Surah At-Taubah verse 60 explains:

“The Zakahs are for the poor, the administrators of Zakahs, the persuaded mu'allaf, the slaves, the debtors, for the cause of Allah, and for those on a journey, as a decree of Allah, and Allah is All-knowing and All-wise.”

Purpose and objectives. Zakat has a higher spiritual and moral purpose than tax. Based on the above points, it can be said that "zakat is an act of worship and a tax at the same time". Because as a tax, zakat is an obligation in the form of property whose management is carried out by the State. If someone does not want to pay it voluntarily, then the State asks for it by force then the proceeds are used to finance projects for the benefit of the community.

3.2.3. Perspective of Law No. 36 of 2008 concerning Income Tax

Income tax is one part of the state tax, where the tax is collected and used for the benefit of the state and goes to the state treasury. Law No. 36 of 2008 contains several provisions that change from the previous income tax law. Law No. 36 of 2008 clearly states that Income Tax is a tax imposed on individuals and entities based on the amount of income received during one year. The provisions regarding income tax were first regulated in Law No. 7 of 1983. To realize a tax system that is neutral, stable, fair, simple, and has legal certainty and transparency, a number of changes and improvements have been made to the Income Tax Law. The latest changes regarding Income Tax regulations can be seen in Law No. 36 of 2008. Neutral in tax collection where the government through the Director General of Taxes acts as a tax collector, the government is neutral not one-sided and so on. Stable is related to the state of our country's economy, where if the economy is stable, the income tax paid or received by the state will also be stable. Fair, taxes adhere to the principle of fairness, fair in terms of tax collection is not one-sided, both for rich and poor taxpayers, but if you have become a taxpayer you are still obliged to pay taxes.

Simple, the tax levied uses a simple system that is easily digested by the public and is not complicated. Has legal certainty because the determination of the subject and object of tax and even the tax rate is regulated by law, one of which is Law No. 36 of 2008. Transparency is expected that the government as the tax collector is transparent about where the tax money collected by the government is used or channeled.

Law No. 36 Year 2008 on Income Tax in article 9 paragraph (1) mentions that zakat can reduce taxable income, but it is not a deduction of tax payable. Many people understand that zakat can be used as a deduction for tax payable, even though this is not the case. The law in reality has several impacts as follows: First, Zakat is equated with social religious donations, meaning that zakat is like a social cost such as donations for social activities, holiday celebrations and the like. This really minimizes the meaning of zakat itself as a source of state income during the time of the Prophet SAW, the Khulafaurrasyidin and the Caliphs after him. If zakat is only used as a voluntary social fee, then this is really violating the rules of Allah SWT and wasting the fate of the poor. Zakat is a right of the State that is obliged upon Muslims who are able, as a form of life insurance for the weak.

Second, zakat revenue does not grow proportionally with tax revenue. There is no empirical data that shows evidence that by making zakat as a net tax deduction, the payment of zakat by the community has increased. According to Gsfahmi, since the Decree of the Director General of Taxes No. KEP-163/PJ/2003 on the Treatment of Zakat on Income in the Calculation of Taxable Income for Income Tax, for 6 years (2003-2009) there has been no report that the increase in zakat revenue increased proportionally

with the increase in tax revenue, even though for 6 years the tax revenue has always increased.

Third, people are not motivated to report the zakat that has been collected. Although there is no data on how many taxpayers and how much zakat revenue in rupiah, from Muslim taxpayers who report tax as a deduction of net income at the Directorate General of Taxes, it can be estimated that not many Muslim taxpayers report zakat that has been collected by zakat collection agency through the Zakat Payment Slip in the Annual Tax Return. Among the reasons, according to Gusfahmi, is that Zakat Payment Slip is not yet considered as a "Tax Payment Slip" with monetary value, which must be kept and will be credited with the tax payable at the end of the tax year. However, Gusfahmi also admits that there are some people who believe that zakat is a mahdhah act of worship (such as prayer, fasting, hajj) that does not need to be "known" or even "reported" to others, including the government, because it can be considered showing off (riya') for the perpetrator.

Fourth, there is inefficiency and ineffectiveness in the collection of zakat and taxes; the appointment of the National Amil Zakat Agency as the body responsible for the implementation of zakat management, through Presidential Decree No. 8 of 2001 concerning the National Amil Zakat Agency, should be facilitated with supporting facilities and infrastructure as well as the Ministry of Finance, Directorate General of Taxes. zakat collection agency should be able to get office facilities in the Tax Service Office building complete with building facilities, cars, computers and networks and educated personnel.

4 Conclusion

Partially, income tax affects state income, while zakat funds have no effect on state income. Simultaneously, zakat funds and income tax contribute 94.9% to state or national income. Taxes and Zakat both have a certain role according to the Quran. Where based on the Quran zakat is part of the fourth pillar of Islam after Syahadat, prayer and fasting. The position of zakat in the Quran is the same as other worship described in the Quran. Even arguably parallel to other worship. The relationship that occurs due to zakat is not only a relationship of habluminallah, but also can be a relationship of habluminannash. Income tax is one part of the state tax, where the tax is collected and used for the benefit of the state and goes to the state treasury. Law No. 36 of 2008 contains several provisions that change from the previous income tax law

Recommendations to increase the role of zakat fund in increasing state revenue The government needs to strengthen zakat regulations and improve supervision of zakat management; The government needs to provide incentives to zakat institutions to increase the effectiveness of zakat management and distribution; Zakat institutions need to strengthen their institutions and increase the capacity of their human resources; and The public needs to increase their awareness of the importance of zakat and fulfill their zakat obligations

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