Islamic Perspectives ON SUSTAINABLE DEVELOPMENT

Editors Shereeza Mohamed Saniff Raudha Md Ramli

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Editors SHEREEZA MOHAMED SANIFF RAUDHA MD RAMLI

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Perpustakaan Negara Malaysia Cataloguing-in-Publication Data Islamic Perspectives on Sustainable Development/editors Shereeza Mohamed Saniff & Raudha Md Ramli ISBN: 978-967-394-274-9 1. Islamic Perspectives 2. Sustainable Development

1. 151	anne i erspectives	2. Sustainable Development
Publish	ed by : Centre for Islamic I Studies (ISDEV), Universiti Sains Ma 11800, Pulau Pinan	•
	Islamic Relief Acad 22 – 24 Sampson Ro Birmingham, B11 1 United Kingdom	oad North
Typeset	t by : Katarsis Ent., 18-14 Uban 2, 11700, Gel	-18, Taman Utara, Tingkat Batu ugor, Pulau Pinang
Printed	by : Infocolour Sdn. Bho Georgetown, Pulau	l. No. 25, Jalan Dato Keramat, 10150 Pinang

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CHAPTER 5

The Role of Faith based Zakat in Islamic Sustainable Development

Amir Wahbalbari

INTRODUCTION

Zakat, one of the five pillars of Islam is a means of social solidarity in Muslim societies, is considered a strong stimulus for the economy through its focus on assisting those who are considered economically deprived and as such, enabling them to strengthen their position and inclusion in society. Zakat is a duty mandated by Allah SWT upon any Muslim who is in possession of wealth over a certain threshold called nisab. Throughout al-Qur'an, Zakat is mentioned alongside prayer which emphasizes the sacred and essential nature of Zakat as an act of worship that reminds Muslims of their broader social responsibilities. Zakat is a unique mechanism which calls for the compulsory redistribution of wealth from the rich to the poor and most vulnerable members of society. The benefits of Zakat are both transcendental and worldly. Firstly, Zakat purifies both the wealth and heart of the Zakat payer instilling in them virtues of humility, generosity, detachment from worldly things and providing them with a means to attain closeness to Allah SWT. Zakat provides the receiver a means of lifting themselves out of poverty and need in a manner that protects their dignity. Secondly, by developing social security networks for the poorest and most vulnerable members of society and developing the bonds of brotherhood and sisterhood between all levels of the community, Zakat aims to create and sustain flourishing societies, united by mutual love and concern.

This chapter has two objectives. The first objective explores Zakat allocation and how Faith (*Iman*) acts as a motivating factor for Zakat payment by Muslims. The second objective explores Zakat distribution which uncovers the possibility of distributing Zakat on sustainable development projects. This research is qualitative in nature and based on semi-structured interviews with five scholars in Islamic jurisprudence. Also, this study refers to documentary data and library resources. In analysing the

Qur'anic verses, the researcher will refer to the Qur'anic exegesis or interpretation which is commonly known as *Tafsirul-Quran*. The *Tafsir* that is chosen for this research is *Safwat Al-Tafasir* by Muhammad Ali Al-Sabouni who summarized the view of great scholars in the field of *Tafsir* such as *IbnKathir*, *Al-Alusi*, *Al-Qurtubi*, *Al-Kashaf*, *Al-Tabari* and *Al-Bahr Al-Muhit*.

There are four sections in this chapter. The second section explores the relationship between faith and *Zakat* payment. The third section presents the thematic analysis of the interviews conducted with five Shariah scholars on the permissibility of using *Zakat* to fund development programs. The fifth section concludes the chapter.

ISLAM AND FAITH

The desert of Arabs say, "We believe". Say, "Ye have no faith." But ye (Only) say' We have submitted Our Wills to Allah,' For not yet has Faith entered your heart. But if ye obey Allah and His Messenger, He will not be little aught of your deeds: for Allah Is Oft-Forgiving, Most Merciful"

(*al-Hujurat*, 49: 14)

Islam does not necessitate faith (Iman) but faith necessitates Islam (Al-Sabouni, 1981). Islam is the apparent submission to Allah SWT, while faith is the inner state of belief and certainty. However, without Islam, faith is not worth anything as Islam determines the path of the faith. The moral behind the above introductory verse is to show the link between Islam and faith in which al-Qur'an is the book that explains Islam and faith to the believers. Islam and faith (Iman) are very important because they deal with something that is not seen and realized by human beings, such as resources and provisions. Allah SWT says in al-Qur'an that He creates the resources in abundance and He has the power to create, provide, enlarge and restrict the resources. All these mentioned facts are beyond the human being's capability to see or realize. However, the belief in religion and revelation requires the believer to believe in whatever has been said and described by Allah SWT, so that he or she becomes a true submitter to Allah SWT.

"The Religion before Allah is Islam" (Ali- Imran, 3: 19)

Allah SWT mentions that Islam is the religion that He chooses for His servants. Therefore, He ordered His Messenger to submit to His religion

(Al-Sabouni, 1981: 191). Furthermore, Mohamed Aslam Mohamed Haneef (1997:44) explained Islam meaning as:

"Since in Islam (literally meaning submission) only God is the Creator, Sustainer, and Judge, to be a Muslim (i.e., one who submits) is to do all "as God has directed" and for His sake. God is the ultimate cause and end of everything. By submitting totally to God, one is in the state of total worship to God." (Mohamed Aslam Mohamed Haneef, 1997: 44)

Moreover, Syed Muhammad Al-Naquib Al-Attas (1978) referred to the concept of Islam as Din which he tackled from the spiritual and secular (other than the spiritual) dimensions. From the secular dimension, the word Din is derived from the Arabic root word DYN which implies indebtedness. Illustrating the concept, the verb Dana is derived from the word Din, which shows owing debt from a debtor to a creditor under the contract of debt that requires obedience and compliance with the terms and conditions, which in turn, implicates Daynunah (Judgment), and Idanah (conviction) both of which are derived from the word Dana. To all these derivations to be implemented accordingly, there must be a social and structural set up which is denoted as Madinah (city or town) ruled by a Dayyan (Judge or Ruler) who makes the Tamaddun that is derived from Maddana, which means to build and civilize. Furthermore, from the spiritual dimension, the word Din carries the meaning of debt or stating it otherwise, man is indebted to Allah SWT for his existence and maintenance. Consequently, Islam is the full submission to Allah SWT Will in terms of fulfilling His orders and commands. However, Islam and submission would not fulfill and be manifested without faith (Iman) because faith in Allah SWT motivates the believer to submit to Allah SWT rule and commands. The upper state of faith (Iman) is called (Ihsan) which means excellence or perfection where a person does a thing as if he/she sees Allah SWT. If not, he/she does the thing while observing that Allah SWT is seeing him/her. Faith (Iman) is the acceptance of what we cannot see but feel deep within our hearts or, in other words faith is something that resides in the heart where action consistently follows it. Consequently, when Islam appeared at the initial stage, there was a strong emphasis on building, establishing and strengthening the belief in Allah. Economically speaking, God emphasizes the abundance of the resources and provisions, in addition to His power to create and provide for the universe and creations (Wahbalbari, 2010).

"It is Allah Who hath created the heavens and the earth and sendeth down rain from the skies, and with it bringeth out fruits wherewith to feed you; it is He Who hath made the ships subject to you, that they may sail through the sea by His command; and the rivers (also) hath He made subject to you* And He hath made subject to you the sun and the moon, both diligently pursuing their courses; and the night and the day hath he (also) made subject to you* And He giveth you of all that ye ask for. But if ye count the favours of Allah, never will ye be able to number them. Verily, man is given up to injustice and ingratitude" *(Ibrahim*,14: 32-34)

Interestingly, it was found in (Genesis 17:6), God promised Abraham, "I will make thee exceeding fruitful and I will make nations of thee". Likewise and according to the Old Testament, God is supposed to have been a resource optimist. Let us make man in our image, after our likeness and let them have dominant over the fish of the sea and over the fowl of the air and over every living thing that moveth upon the earth. (Genesis 1:26, 28) The Almighty did not seem worried about the limitations of the earth's resources for Abraham descendents as God also said "I will multiply thy seed as the stars of the heaven and as the sand which is upon the sea shore" (Genesis 22:17).

In fact, Allah SWT describes nature as abundant and plentiful as we saw in al-Qur'an and the Old Testament and, therefore, Allah SWT in His objective and wisdom wants to create the abundance way of thinking or mentality that, in turn, creates a cooperative relationship and generous behaviour among people. Convincingly, psychological studies have been consistent with the religious propagation of abundance as Solomon (2007) described in his article about Scarcity, Abundance, and Slave Mentalities. An "abundance mentality" is derived from the healthy belief that there is more than enough raw materials to make enough pies for all the families of humanity's global village to share. An abundance mentality gives birth to the co-operative mind-set that inspires our blended, extended family members to work together for the common good of all God's children. When Adversity strikes, a person with an abundance mentality will make a "faith-based" decision to try to find a way to bake another pie rather than to die for nothing. This optimistic person tends to have a positive attitude and tends to see a partially filled glass of water as always "half full". Even corporations and organizations are coaching abundance thinking. As Johnson (2005) stated, abundance is the state in which there is more than one as there are plentiful resources available to everyone. Furthermore, he postulates a philosophy of shared abundance that teaches that a world of giving is a world of receiving and a key principle of Shared Abundance is that all resources are available to all; and the more you give, the more you will receive; and the more you share, the more you will receive abundance by sharing.

When Allah SWT ordered the believers to establish prayer and pay *Zakat*, He knows that Muslims had already been spiritually prepared as they were injected with faith type of verses in Allah SWT and His power over the creation and the resources. Taking the rule of paying *Sadaqat* (Charity) as an example, we will find that the *Qur'anic* verses that stress them appeared in *Surah Al-Baqarah* (The Cow) in which this *Surah* was revealed in Madinah. Firstly, the verses encourage the believers to spend their money for charitable purposes.

"The parable of those who spend their wealth In the way of Allah is that Of a grain of corn: it groweth Seven ears, and each ear Hath a hundered grain. Allah giveth manifold increase to whom He pleaseth : And Allah careth for all And He knowth all thing" (*al-Baqarah,2*: 261)

The verse describes the reward of spending for the sake of Allah SWT which is equivalent to multiplying by ten to seven hundred which is similar to a grain of corn that produces seven ears, and in each ear, there are hundred grains to those who sincerely spend in the cause of Allah SWT. And Allah SWT multiplies accordingly to whom He pleases as He is far reading and knowledgably (Al-Sabouni, 1981: 168). From the above verse, we see how God motivates the believers to spend on charity by giving the example of a grain of corn and how it increases and grows to hundred and multiples. Thereof, not only this but the verses went further by giving another kind of motivation.

"And the likeness of those who spend their wealth Seeking to please Allah And to strengthen their souls, Is as a garden, high And fertile: heavy rain Falls on it but makes it yield a double increase of Harvest, and if it receives not Heavy rain, light moisture Sufficient it, Allah seeth well whatever ye do" (al-Baqarah, 2: 265). Observing the above two verses, we will see that Allah SWT uses the Hereafter type of motivation for charity spending and its lucrative reward. However, in the next verse, Allah SWT shifts the motivation to the worldly life by stressing that whatever charity is given for the sake of Allah SWT will be returned to the giver of charity in this world before the Hereafter.

"It is not for you to guide them to the right path. But Allah guides to the right path whom He pleaseth. Whatever of good ye give Benefits your own souls, And ye shall only do so Seeking the face Of Allah. Whatever good ye give, shall be rendered back to you, And ye shall not be dealt with unjustly" (al-Baqarah, 2: 272)

However, the previous verse discussed *Sadaqat* (voluntarily donation) but there is another type of compulsory charity which it is called *Zakat* (obligatory charity) which is considered as the third pillar of Islam which was made obligatory while the Muslims were in Madinah.

"Alms are meant only for the poor, the needy, those who administer them, those whose hearts need winning over, to free slaves and help those in debt, for God's cause, and for travellers in need. This is ordained by God; God is all knowing and wise"

(*al-Tawbah*, 9: 60)

The verse describes *Zakat* (obligatory charity) to the eight mentioned categories as Allah SWT knows what benefits people. (Al-Sabouni, 1981: 543) All the verses mentioned lead us to postulate two things: the concept of Allah SWT Power over provisions, resources and the Divine rule of paying *Zakat* and *Sadaqat*. Consequently, the concept of Allah SWT Power and the Divine rule are interlinked in two verses from Surah Al-Rum.

"See they not that Allah enlarges the provision and restricts it, to whomsoever He pleases? Verily in that are Signs for those who believe"

(*al-Rum*, 30: 37)

Do not they see Allah SWT power in enlarging and restricting the provisions so that they do not give up if they are poor in which the fact of God power is the sign for those who believe in Allah SWT wisdom (Al-Sabouni, 1981: 479). Consequently, Allah SWT Power over the resources

has an influential impact on human behaviour and acts as a motivational factor in fulfilling the Divine rule as the subsequent verse states:

"So give what is due to kindred, the needy, and the wayfarer. That is best for those who seek the Countenance, of Allah, and it is they who will prosper" (*al-Rum*, 30:38)

Al-Qurtubi mentioned that God enlarges and restricts the provision to the people; He ordered those who had a large provision to spend money on charity as a kind of a test to them that this order was directed to the Prophet peace be upon him and his nation (Al-Sabouni, 1981: 479). From the perspective of the principle of Islamic Jurisprudence (*Usul al-Fiqh*), the Divine rule according to the majority of jurists, is classified into five parts, namely Obligation (*Wajib*), Recommendation (*Mundub*), Permission (*Mubah*), Abhorrence (*Mukruh*) and Prohibition (*Haram*). Consequently, paying *Zakat* reflects Obligation, paying *Sadaqat* shows Recommendation, unsystematic speculation indicates abhorrence and Usury (Riba) means prohibition (Abu Zahrah, 1958).

To conclude this section, faith (*Iman*) plays an important role in creating abundance thinking and abundance thinking leads to cooperation, sharing and caring. As a result, Muslims behave generously when they spend for *Zakat* and *Sadaqat*. This led Benthall (2003) to consider Islam as the pioneer with the principle of a welfare state long before Christian Europe. According to him, *Zakat* is an example of the importance of humanitarian relief in the faith, and to be generous towards those in need. The next section focuses on *Zakat* distribution and presents the thematic analysis of five interviews with *Shariah* scholars.

THEMATIC ANALYSIS

This section presents the thematic analysis of five interviews conducted with Mufti BaraktuAllah, Mufti Zubair, AbduAllah Al-Judai, Khaled Hanfy, Muhammad AbdulRaziq and AbduAllah Mohammed Ahmed. These interviews were conducted between April and June 2014. A pre-set list of questions, alongside some contextual explanations was sent to the six scholars. These questions and their explanations were based on the key concerns raised by Muslim charity organizations in designing their *Zakat* policy especially in *Zakat* distribution. Three themes were identified which are funding projects and assets from *Zakat*, Funding training and education

from Zakat, Utilizing Zakat money to fund benevolent loan (Qard Hasan) and microfinance.

Funding projects and assets from Zakat

When asked about using *Zakat* to fund assets owned by a community organization that assist and empower the poor and needy, Barkatullah responded that:

"Zakat must be spent on the poor and needy. It is meant to alleviate their suffering. It should not be spending on income generating projects although such projects aim to benefit the poor and needy".

BaraktuAllah cited verse 60 of chapter nine of the al-Qur'an "Alms are for the poor and needy." According to him, the word *for* indicates that *Zakat* money should be owned by the poor and needy. *Zakat* has to be given exclusively to the poor and needy and thus, investment into projects that are owned by community organizations may potentially be perceived as less 'tangible' in meeting these priorities, as such assets are not necessarily owned by the poor and the needy

Nevertheless, the Egyptian Advisory Council known as *Dar ul Iftaa Masriyyah* permitted the usage of *Zakat* to fund employment and income generating projects only if the beneficiaries own the assets entirely. Likewise, the Council of Islamic Fiqh Academy issued a resolution, stating that:

"It is permissible, in principle, to put zakat funds in investment projects which eventually lead to be owned by those who are deserving of zakat, or which are under the control and administration of the entity which is responsible and has the jurisdiction over collecting and distributing zakat, provided that it is done after satisfying the basic and immediate needs of the beneficiaries and with proper guarantees against loss"

Moreover, AbdulAllah Al-Judai did not find any issues pertaining to the usage of *Zakat* to fund assets and projects as long as it is designated for the *Zakat* disbursement category entitled 'Cause of Allah' (*fiSabiliAllah*) as established in the following verse: "The offerings [Zakat] given for the sake of God are [meant] only for *fuqara* [poor] and the *masakeen* [needy], and *ameleen-a-alaiha* [those who are in charge thereof], and *muallafat-ul-quloob* [those whose hearts are to be won over], and for *fir-riqaab* [the freeing of human beings from bondage], and [for] *al-gharimun* those [who are overburdened with debts], and *fisabilAllah* [for every struggle] in God's cause, and ibn *as-sabil* [for] the wayfarer: [this is] an ordinance from God—and God is all knowing, wise." (*al-Tawbah*, 9:60)

As noted in the aforementioned verse, *fisabilAllah* encapsulates broader charitable expenditures, including investment into assets and community projects such as educational initiatives (Quraishi, 1999). The category entitled 'Cause of Allah' or *fisabilAllah* has been interpreted by some jurists as serving the interests of Muslims (Suhaib, 2009) However, the two categories of the poor (*fuqara*) and needy (*masakeen*) have to receive *Zakat* funding directly either in cash or in-kind.

"It is my opinion also that these assets mentioned in the question cannot be funded under the *Zakat* categories of *fuqara* or *masakin*. If we think about the ayah of *Zakat*, it says *li fuqara* – meaning that we should give them something to own, which belongs to them. This doesn't work, for example, when establishing schools, as such things will not be owned by individuals. Schools are for society. Likewise, orphanages cannot be funded under *fuqara* and *masakin*, as orphans may be rich. In this sense, establishing orphanages or schools would come under *fi sabeelillah*, as *al-masaalih al-aammah* (general benefit)" (Abdullah Al-Judai)

The aforementioned interpretation was corroborated by Ahmed JabAllah, Zubair Butt and Khaled Hanafy who stressed that the seven categories of *Zakat* disbursement are restricted, but the possibility to fund assets and projects from the category of 'Cause of Allah' (*fisabilAllah*) exists:

"The seven specific doors that we have under *Zakat* are quite limited, but the door of the eight category *fi sabeelillah* opens up many opportunities, and the door must be opened as much as possible to meet the needs of people" (Ahmed JabAllah).

The above opinions, therefore, explore the possibilities of utilizing *Zakat* money to fund assets and projects that benefit the poor and needy under the category of 'Cause of Allah' (*fisabiliAllah*). Given that the GDP per capita and productivity reflected empirically in countries that are predominantly Muslim across sub-Saharan Africa, North Africa, the Middle East and Asia and the Pacific is low as measured by dominant indicators (Pew Research Forum, 2015; Gafoordeen et al, 2016) the investment of *Zakat* into projects and assets that could pragmatically benefit society more broadly is an enduring concern. As such, where resources and opportunities are constrained, the investment of *Zakat* into development projects and assets could contribute to an individual's flourishing in terms of widening the opportunities available to them (Gafoordeen, et al, 2016). Indeed, this view suggests that *Zakat* investment could complement various Sustainable Development Goals (SDGs) including SDG 1 (No Poverty); SDG 2 (Decent work and economic growth and SDG 3 (Quality Education).

However, the other seven categories of *Zakat* are restricted to their defined beneficiaries. Although the poor and needy approach charity and community organizations to seek help and support but that does not justify using the categories of the poor and needy to fund projects and assets, which would not necessarily benefit the poor. Despite the fact that the poor and the needy may approach charities and community organizations to seek help and support, this does not justify using the various categories of the poor and needy to fund projects and assets which would benefit the community more broadly.

Funding training and education from Zakat

When asked about giving Zakat to fund education, training or the paying salaries of service providers, AbduAllah Al-Judai linked Zakat with the objective of Islamic law or Shariah which is to enable people to reach to a level where they can become self-sufficient and independent. He saw that paying Zakat for education, training or for service providers such as teachers and trainers is consistent with the aim of empowering the poor and needy to become self-sufficient and independent. Consequently, AbduAllah Al-Judai, Ahmed JabAllah and Khaled Hanafy consider paying Zakat to fund training, education and even to pay the salaries to service providers as appropriate to the category of the 'Cause of Allah' fisabilAllah Interestingly, BaraktuAllah found that there is a possibility of paying Zakat to fund service providers from the two categories of poor and needy on the condition that the Zakat money is in the ownership of the poor and needy. It

is then up to the poor and needy to pay *Zakat* towards courses and service providers from the *Zakat* money that they have acquired if they wish to. Citing a practical example from South Asia, BaraktuAllah stated:

"Paying salaries from Zakat is controversial, and most of the scholars say it is not permissible. There are some exceptions for example, many schools in South Asia are heavily funded by Zakat, including salaries. This is conducted via a process called "hilatul tamlik", which is an acceptable mechanism for paying salaries to service providers. This is done by nominally transferring Zakat funds to deserving recipients, who then use those funds to pay salaries or fees of service providers. However, the beneficiaries should have full authority and choice in deciding whether or not to spend their Zakat funds on such services. In practical terms, this means providing Zakat funds to beneficiaries, then informing beneficiaries of the cost of the service (or service provider's salary), for which beneficiaries can use Zakat funds to pay. For example, providing grants to students to pay for their school fees. In this way, it is also permissible to spend some Zakat funds on training sessions for beneficiaries so that they may learn how to use livelihood tools etc. (provided beneficiaries give their permission for Zakat funds to be spent on training)."

Another interesting exposition by Muhammad AbdulRazig and AbduAllah Mohammed Ahmed highlighted three principles of Zakat distribution which involves fulfilling the needs of the poor, to enrich them and to realize their welfare benefit. Based on these three principles, Muhammad AbdulRaziq and AbduAllah Mohammed Ahmed concluded that earmarking Zakat money for the capacity-building and education of the poor seems more logical as opposed to the narrow focus of fulfilling basic needs. In fact, the investment on education enables us to recognize "poverty" as a multi-dimensional concept that captures non-material deprivations linked to opportunities and education which play a critical role in enabling participation and poverty reduction (Sen, 1999) thus highlighting inadequate education and opportunities, rather than simply an inadequate command of material resources associated with the immediate needs of the poor, as entrenched within the very definition of poverty itself (UNDP, n.d). According to Sadeq (1996), specific educational and training programme should be designed to provide the poor with the tools of earning income and becoming independent from Zakat.

Utilizing Zakat Money to Fund Benevolent Loan (Qard Hasan) and Microfinance

When enquired about the permissibility of utilizing *Zakat* to fund benevolent loans and microfinance initiatives, Abdullah Al-Judhai asserts that he does not find any issue in providing a benevolent loan from *Zakat*, if it benefits people and increases the revenue of *Zakat* funds.

"I have no problem with the idea of giving a loan from Zakat, especially if it works well and benefits people. In this way, you can save the Zakat for others in need (for example, if someone takes a loan from Zakat to buy a machine. Once they become financially independent, they can pay back the money and the Zakat can be spent on someone else in need). In terms of ownership, it should be clear that you are not giving the person Zakat – vou are simply helping them from the money of Zakat (but you will be receiving the money back). Some scholars even categorise this under al gharimeen – if someone is in debt, they are entitled to receive Zakat funds to help them pay off their debt. You can use the money in an opposite way - by placing a debt (by loaning them Zakat money) on a person with the intention of helping that person from the money of Zakat. I agree with this opinion, as the idea of the Zakat is to bring benefit" (Abdullah Al-Judhai).

Similarly, Muhammad Abdul Raziq and Abdul Elah Mohammed Ahmed cited Sudan as a case for allocating *Zakat* for microfinance initiatives:

"Zakat organizations will sometimes provide ¼ of the finances from Zakat funds. Zakat organizations also fund qard hasan but through the banks, and cover the costs themselves. They find that most of the time, this money will be paid back. Not only that, but the beneficiaries will also pay Zakat, as they graduate from poverty to a point where they can pay Zakat".

Thus, *Zakat* funds used to fund benevolent loans could act as an investment which would subsequently generate more profit and increase the value of the investment (Gafoordeen, 2016). Furthermore, Islamic economists argue that *Zakat* can provide the poor that are capable of working the capital needed as well as opportunities for employment (Gafoordeen, et al, 2016). The ultimate objective of *Zakat* is to liberate the

poor recipients from everlasting dependence on donations and charity (Faridi, 1992). This opinion was further supported by Pramanik (1993) who thinks that *Zakat* investment boost up the limited resources of the poor and needy through development projects.

CONCLUSION

Faith (Iman) plays a vital role in shaping the thinking of Muslims to think in abundance and generous spending behavior. *Zakat* is the third pillar of Islam and act as an instrument to transform the life of the poor and needy for a better tomorrow. In doing so, *Zakat* should be utilized efficiently and effectively in programmes that lead to sustainable development. All categories of *Zakat* recipients are restricted to specific groups except the category of "cause of Allah" or *fisabilAllah* which is not restricted. Islamic scholars justified spending on development programmes from the *Zakat* category of "cause of Allah" or *fisabilAllah*. However, there is a need for further research from future researchers in the field of Islamic law (*Shariah*) on the permissibility and possibility of utilizing *Zakat* for investment and microfinance. Indeed, the ultimate objective of *Zakat* is to make poverty history.

ACKNOWLEDGMENT

The author would like to thank Bushra Rehman from Islamic Relief Academy for her support in this research.

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