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The Concept of Gharimin in Contemporary Fiqh: A Comparative Analysis of Yusuf al-Qaradawi and Wahbah al-Zuhayli

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Abstract

This research explores the concept of *gharimin* in contemporary fiqh by analyzing the views of Yusuf al-Qaradawi and Wahbah al-Zuhaili. *Gharimin* refers to individuals in debt who are unable to repay it, as stated in QS. At-Taubah/9:60, making them one of the eight categories (asnaf) eligible to receive zakat. In modern times, the definition of *gharimin* has expanded in line with increasingly complex social and economic challenges. Yusuf al-Qaradawi adopts a more flexible and contextual approach, viewing zakat as an instrument of empowerment for those in debt due to urgent needs, economic crises, or other social pressures. On the other hand, Wahbah al-Zuhaili maintains a stricter classical fiqh perspective, emphasizing that only debts valid under Sharia law qualify, with a focus on preventing zakat misuse. The study applies a qualitative method using library research to examine both primary and secondary sources related to *gharimin* and its application in modern zakat management. The findings reveal contrasting methodologies: al-Qaradawi's contextual and adaptive approach versus al-Zuhaili's normative and rigorous stance. The research highlights the need for a balanced strategy in managing zakat for *gharimin*, combining legal compliance with adaptability to current socio-economic realities. Such a balance is essential for effectively addressing poverty and promoting economic stability within the Muslim community. This study contributes to the discourse on contemporary Islamic law by offering practical insights into zakat distribution, particularly in navigating the tensions between traditional principles and modern challenges.

Keywords	:	Contemporary Fiqh, The Gharimin, Wahbah al-Zuhaili, Yusuf al-Qaradawi, Zakat
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1. Introduction

Zakat is one of the main instruments in Islam that serves as a welfare distribution mechanism and social justice. As a form of worship as well as an Islamic economic system, Zakat not only helps underprivileged individuals but also plays a role in maintaining the economic balance of society. One of the groups of zakat recipients mentioned in the Qur'an is Gharimin; in QS. At-Taubah/9:60, Allah SWT says:

اِنَّمَا الصَّدَقٰتُ لِلْفُقَرَاۤءِ وَالْمَسٰكِيْنِ وَالْعٰمِلِيْنَ عَلَيْهَا وَالْمُؤَلَّفَةِ قُلُوْبُهُمْ وَفِى الرِّقَابِ وَالْغٰرِمِيْنَ وَفِيْ سَبِيْلِ اللّٰهِ وَابْنِ السَّبِيْلِۗ فَرِيْضَةً مِّنَ اللّٰهِ ۗوَاللّٰهُ عَلِيْمٌ حَكِيْمٌ

'Zakat is only for the Destitute, the poor, the amil Zakat, those who are converted, for (freeing) enslaved people, for (releasing) debtors, for the cause of Allah and for those who are travelling (in need of help), as a duty from Allah. Allah is All-Knowing, All-Wise.' (QS. At-Taubah/9:60)

The term Gharimin refers to those who are in debt and are unable to repay it, whether the debt is taken for urgent personal needs or wider social interests. From the perspective of Islamic fiqh, zakat assistance for Gharimin is an important step to prevent economic injustice and maintain social balance.[1] With Zakat, Islam seeks a solution to the financial problems of individuals and communities, preventing the accumulation of debt that can undermine social stability. Zakat to Gharimin also serves to preserve the dignity and honour of the individual from social degradation due to financial pressures.[2]

The concept of Gharimin remains relevant, given the increasing problem of consumptive debt and financial crisis. In a complex global economic situation, with phenomena such as banking debt, consumer credit, and education debt, the role of Zakat for Gharimin offers a practical and sustainable solution.[3] Apart from being an instrument of wealth redistribution, Zakat also strengthens social solidarity within the Muslim community, ensuring that social welfare and justice are maintained. Ultimately, the concept reflects not only Islam's commitment to economic well-being but also to the values of compassion, shared responsibility and social justice.[4] With these problems, the concept of Gharimin becomes an important category that needs to be considered in the distribution of Zakat. In this context, the definition of Gharimin needs to be expanded to cover the various situations that individuals face today.

A considerable amount of research has discussed the concept of Gharimin in classical fiqh as well as its implementation in modern Zakat. In classical fiqh literature, the discussion of Gharimin is mostly limited to the traditional context without considering modern socio-economic challenges in modern studies, as written by R. Aulia (2022)[5] and Fitri (2021)[6] , which suggests that the management and distribution of Zakat to Gharimin is not optimized. Therefore, a study is needed that examines how this concept can be applied in contemporary reality by considering the dynamics of the global economy.

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[1] Muhammad Abdul Mannan, *Pengantar Ekonomi Islam : Teori Dan Praktik* (Jakarta: Rajawali Perss, 2014).

[2] A. Azhari, *Zakat Dan Perannya Dalam Pembangunan Ekonomi Umat* (Jakarta: Prenada Media., 2019).

[3] M. A. Kholid, "Peran Zakat Dalam Mengatasi Utang Gharimin: Analisis Fiqh Kontemporer.," *Jurnal Fiqh Dan Hukum Islam* 6, no. 1 (2023): 75–90.

[4] A. Abdurrahman, "Pengelolaan Zakat Untuk Masyarakat Gharimin: Solusi Dan Tantangan," *Jurnal Ekonomi Islam* 12, no. 1 (2021): 25–40.

[5] Rizka Aulia, M. Kholil Nawawi, and Syarifah Gustiawati, "Manajemen Distribusi Dana Zakat Dalam Pemberdayaan Asnaf Gharimin Pada LAZ Inisiatif Zakat Indonesia Pusat," *El-Mal: Jurnal Kajian Ekonomi & Bisnis Islam* 4, no. 3 (2022): 662–74, https://doi.org/10.47467/elmal.v4i3.2019.

[6] A Sucita Fitri, "Optimalisasi Lembaga Amil Zakat Untuk Penyaluran Zakat Bagi Golongan Gharimin," Journal of Islamic Law Studies 4, no. 2 (2021), https://scholarhub.ui.ac.id/context/jils/article/10

This research aimed to answer several main questions: namely, How is the concept of Gharimin in Islamic fiqh, and how is its application in the modern socio-economic context? What are the differences and similarities between the views of Yusuf al-Qaradawi and Wahbah al-Zuhaili in understanding and implementing Zakat for Gharimin? What is the relevance of the thoughts of these two scholars in contemporary zakat management to overcome debt problems in the modern era?

This study has both academic and practical significance. From the academic side, this study fills the research gap by offering a comparative analysis between two influential Islamic Law experts regarding the concept of Gharimin. From the practical side, this research can be a foundation for zakat managers and policymakers in formulating zakat distribution schemes that are more adaptive to contemporary socio-economic challenges.

With this comparative approach, this research is expected to provide new insights into how fiqh zakat can remain relevant in addressing debt and social welfare issues, as well as bridging the classical fiqh approach and the needs of modern society.

2. Methods

This research uses a qualitative method with a library research approach to examine the concept of Gharimin according to the thoughts of Yusuf al-Qaradawi and Wahbah al-Zuhaili and its relevance in contemporary fiqh. This method was chosen because the research focuses on analyzing the main texts of the two figures and various related literature to understand their views on Gharimin in the modern context. Data were collected from primary sources, such as the works of Yusuf al-Qaradawi (Fiqh Zakat) and Wahbah al-Zuhaili (Fiqh Islamiy wa Adillatuhu), as well as from various secondary literatures that support this study. Data analysis was conducted using a comparative approach to identify similarities and differences in the views of the two scholars, both in terms of classical fiqh and contemporary application. In addition, the hermeneutic method is used to interpret the concept of Gharimin in modern fiqh by considering its relevance in zakat management and debt problems in today's society. This research applies inclusion criteria by considering relevant and authoritative references in the field of fiqh zakat, while references that do not specifically discuss Gharimin in Zakat are excluded. To ensure validity and reliability, the sources used came from recognized books in fiqh studies as well as academic literature that has scientific credibility. The justification for this method is based on the conceptual and analytical nature of the research, where the literature approach is more appropriate than the empirical method in understanding the differences in the thoughts of the two scholars and their implications for contemporary fiqh. With this approach, the research is expected to find a balance between the flexibility of the application of zakat law in modern reality as proposed by al-Qaradawi and the firmness of sharia principles as put forward by al-Zuhaili and contribute to the development of contemporary fiqh related to zakat management for Gharimin. The results of this research are expected to find a balance between the flexibility of the application of zakat law in modern reality (as proposed by al-Qaradawi) and the firmness of Sharia principles (as put forward by al-Zuhaili). Ultimately, this research aims to provide theoretical and practical contributions to the development of contemporary fiqh, especially in the issue of zakat management for Gharimin.

3. Results and Discussion

a. Definition of Gharimin

One of the eight Ashnaf (those who are entitled to receive Zakat) specified by Allah in Surah al-Taubah is Gharimin (people who have debts), namely people who bear debts and are unable to pay them because they have fallen into poverty.[7] They are people who have suffered various disasters and calamities, both to themselves and their property, so they have an urgent need to go into debt for themselves and their families.

In the Qur'an, the term Gharimin refers to individuals who are in debt and unable to repay it; the term is explicitly mentioned in QS. At-Taubah/9:60, which identifies eight groups of zakat recipients, one of which is Gharimin. This verse underlines that Gharimin is one of the groups entitled to receive Zakat due to financial hardship caused by debt.

In the context of fiqh, Gharimin is people who are in debt for legitimate and urgent purposes, such as fulfilling basic needs, helping others, or maintaining social stability. Still, they cannot repay the debt.[8] Therefore, Zakat is given to them as a form of assistance to ease their burden and restore their financial condition, provided that the debt they have does not originate from actions that break the Shari'ah or from non-urgent needs.[9] This approach aims to make Zakat truly an instrument to overcome critical debt problems in the socio-economic life of contemporary Islamic society.

Gharimin in the hadith is also supported by several strong narrations, which emphasise the role of zakat in helping people who are in debt. One of the traditions that explicitly mentions Gharimin as a recipient of zakat is narrated by Imam Ahmad :

عَنْ أَبِي سَعِيدٍ الْخُدْرِيِّ قَالَ: قَالَ رَسُولُ اللَّهِ ﷺ: لَا تَحِلُّ الصَّدَقَةُ لِغَنِيٍّ إِلَّا لِخَمْسَةٍ: لِغَازٍ فِي سَبِيلِ اللَّهِ، أَوْ لِعَامِلٍ عَلَيْهَا، أَوْ لِغَارِمٍ، أَوْ لِرَجُلٍ اشْتَرَاهَا بِمَالِهِ، أَوْ لِرَجُلٍ كَانَ لَهُ جَارٌ مُسْكِينٌ فَتَصَدَّقَ عَلَى الْمِسْكِينِ، فَأَهْدَى لِلْغَنِيِّ

"Abu Sa'id al-Khudri (radhiyallahu 'anhu) said: The Rasulullah (SAW) said: 'It is not permissible to give zakat to the rich except to five categories: to a person who fights in the cause of Allah (ghazi), a person who administers zakat (amil), a person who is in debt (gharim), a person who buys goods with his own money, or a person who has a poor neighbour, then he gives charity to the poor person, then the poor person gives some of it to the rich person.'' (Musnad Imam Ahmad No. 1759).[10]

Ali al-Sabuni, in his Tafsir Ayat in Surah Al-Kahf mentions that Gharimin is a person who is in debt due to urgent circumstances and cannot repay the debt. Gharimin

[7] Sayyid Sabiq, *Fiqih Al-Sunnah*, jilid III (Beirut: Darl al-Fikr, n.d.). h, 120

[8] Q Yusuf, *Hukum Zakat: Studi Komparatif Mengenai Status Dan Filsafat Zakat Berdasarkan Qur'an Dan Hadis" Diterjemahkan Oleh: Harun, Salman, Hafidhuddin, Didin \&Hasanuddin,* (Jakarta: Litera Antar Nusa, 2006).

[9] Wahbah Az-Zuhaili, *Fiqih Islam Wa Adillatuhu, Jilid 3, Cetakan 10* (Jakarta: Gema Insani Press, 2011).

[10] Imam Ahmad bin Hanbal, *Musnad Ahmad Bin Hanbal, Hadis Nomor 1759* (Beirut, Lebanon.: Dar al-Fikr, 1434).

are included in the group of zakat recipients because they experience financial difficulties.[11] Muhammad al-Jaziri, in his book defines Gharimin as a person who is trapped in debt due to urgent needs and unable to pay it.[12] Imam Nawawi stated that Gharimin is a person who is in debt to fulfil a need that is justified by sharia and is unable to repay his debt. Gharimin who are entitled to receive Zakat are those who are trapped in debts that are needed for legitimate purposes, such as basic needs, not for purposes that are not urgent or violate sharia. According to Imam Nawawi, giving Zakat to Gharimin is a noble act that helps ease their burden and restore their difficult financial condition. Zakat is a means of maintaining social welfare and solidarity among Muslims.[13]

In Indonesian National Law No. 23 of 2011, Gharimin is defined as people who are in debt for permissible purposes according to Islamic law but are unable to pay off the debt; in Article 2, it is written Zakat can be given to eight groups, including Gharimin. In this context, Gharimin must fulfil certain conditions, namely that the debt owned does not come from an act that violates sharia and the debt is taken for legitimate and urgent purposes.[14]

b. Terms of Gharimin as a recipient of Zakat

1. Having Debt: The recipient of Zakat must have a clear debt, which has matured and must be repaid. In the Qur'an, surah At-Taubah chapter 60 mentions that gharimin is one of the groups entitled to receive Zakat.
2. Unable to Pay Debt: The recipient of Zakat must be in a condition of being unable to repay the debt. This condition reflects the principle of social justice in Islam, where people in difficulty should get help. Imam Nawawi states in Al-Majmu that gharimin are those who are unable to pay their debts due to an emergency and should be supported by Zakat.[15]
3. Debt for Legitimate Purposes: The debts should be used for purposes that are justified by Shariah, such as fulfilling basic needs or helping others in need. Debts related to prohibited activities, such as riba, do not fulfil this condition. Yusuf al-Qaradawi, in the Law of Zakat, emphasizes that the debt acquired must be for a legitimate need.
4. No Sanctions or Sins: Zakat recipients should not be involved in debts related to prohibited activities, such as usury debts or debts for haram matters. This principle is in line with the Shari'ah principle, which emphasizes that Zakat should be given to those who are in good standing and not involved in immoral activities. The fatwa of the Indonesian Ulema Council (MUI) states that Zakat should not be given to those who are involved in haram debts.[16]

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[11] Ali Sabuni, *Tafsir Ayat Al-Kahfi* (Jakarta: Pustaka Alvabet, 2012).

[12] Muhammad Al-Jaziri, *Fikh Zakat* (Jakarta: Gema Insani Press, 2005).

[13] Muhammad bin Yahya Nawawi, *Al-Majmu' Syarh Al-Muhadzdzab, Juz 6* (Beirut, Lebanon.: Dar al-Fikr, 1997).

[14] Undang-Undang, "“Undang-Undang Nomor 23 Tahun 2011 Tentang Pengelolaan Zakat (Lembaran Negara Republik Indonesia Tahun 2011 Nomor 115).” (2011).

[15] Nawawi, *Al-Majmu' Syarh Al-Muhadzdzab, Juz 6*.

[16] Fatwa Majelis Ulama Indonesia, “Fatwa Majelis Ulama Indonesia (MUI) Tahun 2003 Tentang Zakat Penghasilan,” in *Musyawarah Nasional Tarjih XXV*, vol. 1421, 2003.

5. Have the Intention to Pay Off Debt: Zakat recipients should have a good intention to pay off their debt when their financial condition improves. This intention is important so that zakat recipients do not depend constantly on zakat assistance.
6. Have been working on a solution: Zakat recipients must show that they have endeavoured to find a solution to their debt before asking for Zakat assistance. This guidance shows their goodwill and effort in overcoming difficulties.

These criteria aim to ensure that the Zakat given to the gharimin category is truly beneficial and in accordance with the principles of social justice in Islam.

c. The Concept of Zakat in Islam

Zakat in Islam is an obligation that must be fulfilled by every Muslim who has the financial ability and is one of the five pillars of Islam. Zakat functions spiritually and socially as a means of purifying the soul and wealth of the giver, as well as a form of solidarity that minimizes economic disparities in society. Linguistically, Zakat means 'purification' and 'growth,' which indicates that the purpose of Zakat is to purify and improve the quality of life of the people.[17] The Qur'an and hadith establish eight groups of zakat recipients as mentioned in QS. At-Taubah/9:60, namely fakir, poor, amil, converts, enslaved people, gharimin, fi sabilillah, and ibnu sabil. Overall, Zakat is a manifestation of Islam's concern for economic and social balance, as well as a form of support and concern for those who need help.[18]

1. The role of Zakat in the economy and wealth distribution.

   Zakat has an important role in the economy and wealth distribution with the aim of balancing social conditions and reducing poverty. As an Islamic economic instrument, Zakat channels a portion of wealth from the wealthy to those in need, thereby reducing economic disparities in society. Through distribution to the eight eligible asnaf, such as fakir, miskin, and gharimin, Zakat helps stabilize purchasing power and reduce income inequality, which overall improves social welfare. In this sense, Zakat is not only an individual act of worship but also a social mechanism to achieve economic justice in Islam.[19]
2. The relationship between zakat and poverty alleviation.

   Zakat has a significant role in poverty alleviation by being one of the instruments of wealth distribution in Islam. Through Zakat, a portion of the wealth of those who are well-off is allocated to help the underprivileged, such as the fakir, poor, and gharimin. Economically, Zakat can increase the purchasing power of recipients, reduce income inequality, and strengthen social cohesion in society. As part of Islamic teachings that encourage social justice, Zakat not only provides

[17] Yusuf, *Hukum Zakat: Studi Komparatif Mengenai Status Dan Filsafat Zakat Berdasarkan Qur'an Dan Hadis" Diterjemahkan Oleh: Harun, Salman*.

[18] Nawawi, *Al-Majmu' Syarh Al-Muhadzdzab, Juz 6*.

[19] Muhammad Syafii Antonio, *Ensiklopedia Leadership & Manajemen Muhammad SAW* (Jakarta: Tazkia Publishing, 2012).

material assistance but also aims to empower recipients to be financially independent so that it has a long-term impact on poverty alleviation.[20]

Contemporary fiqh is a discipline that focuses on the application of Islamic law in a modern context, accommodating social, economic and cultural changes not found in the classical period. This approach aims to answer new problems in society while still referring to the principles of sharia. According to Yusuf al-Qaradawi, contemporary fiqh must be able to adapt to changing times without losing the essence and basic values of Islam so that it remains relevant in responding to the challenges of modern life.[21]

In the application of Zakat, contemporary fiqh faces significant challenges. These challenges include adjusting zakat collection and distribution in the digital age, addressing the needs of the wider community, such as victims of natural disasters, and integrating zakat management with modern financial systems.[22] In addition, zakat institutions in the contemporary era need to present more transparent and accountable management to build public trust and align zakat management with government social assistance programmes, thus reducing the potential overlap that can reduce the effectiveness of zakat distribution.[23]

With the complexity of financial and social structures, such as consumptive debt that leads to the basic needs of society, contemporary fiqh can offer a more adaptive perspective so that Zakat is not only a financial aid but also a solution to address broader social problems.[24]

d. Yusuf al-Qaradawi's Thought about Gharimin

Yusuf al-Qaradawi perceives gharimin as an important group in the distribution of Zakat, given the role of Zakat in overcoming various forms of economic and social difficulties. According to al-Qaradawi, gharimin does not only include people who are in debt for basic needs but can also include those who are in debt for the public interest or to help others legitimately, provided that the debt is not related to activities prohibited by sharia.[25] In his perspective, the definition of gharimin should be flexible and up to date so that Zakat can play an effective role in assisting in the wider context of modern society.[26]

Al-Qaradawi also emphasizes that Zakat for Gharimin aims not only to relieve them of the burden of debt but also to maintain social stability by preventing the negative

[20] Ibrahim Ismail, *Ekonomi Islam Dan Zakat Dalam Pengentasan Kemiskinan* (Jakarta: Kencana, 2016).

[21] Andri Muda Nasution, "Zakat Madu Dalam Perspektif Imam Syafi'i Dan Yusuf QardhawI," *Hukumah* 3 (2020), https://doi.org/http://dx.doi.org/10.55403/hukumah.v3i2.226.

[22] Ismail, *Ekonomi Islam Dan Zakat Dalam Pengentasan Kemiskinan*.

[23] G H Was'an et al., *Manajemen Zakat Dan Wakaf. PT* (Jakarta: Gema Insani Press, 2023).

[24] Muhammad Syafi'i Antonio, *Manajemen Zakat Dan Wakaf Modern* (Jakarta: Gema Insani Press, 2010).

[25] Yusuf Qardhawi, *Fiqh Al-Zakah. Beirut: Mu'assasat Al-Risalah* (Beirut, Lebanon.: Mu'assasat al-Risalah, 2002).

[26] Yusuf, *Hukum Zakat: Studi Komparatif Mengenai Status Dan Filsafat Zakat Berdasarkan Qur'an Dan Hadis" Diterjemahkan Oleh: Harun, Salman*.

impact of economic pressures experienced by this group. With this approach, Zakat can be a tool to overcome poverty and maintain social welfare more thoroughly.[27]

Yusuf al-Qaradawi developed his perspective on gharimin in a rapidly changing social and economic context, especially amidst the emergence of modern economic challenges such as inflation, structural poverty, and complex credit systems. Al-Qaradawi sees that the socio-economic conditions of today's society give rise to different types of debts compared to classical times, such as debts for education, health, and other urgent needs. For him, Zakat must be able to reach a broader and more dynamic category of gharimin, so that it remains relevant to the demands of the times and is able to overcome new economic problems.[28]

Al-Qaradawi emphasizes that the increasingly complex financial situation demands a flexible approach to zakat distribution. He argues that the fiqh of Zakat must be able to accommodate the needs of contemporary society, including, in this case, an understanding of gharimin that is not only limited to traditional debts. Thus, Zakat can fulfil its role as an instrument of social justice that not only serves to alleviate economic burdens but also maintains overall social stability.[29]

In determining the definition of Gharimin, Yusuf al-Qaradawi refers to the main sources of Islamic law, namely the Qur'an and Sunnah, as well as the ijtihad of previous and contemporary scholars. The Qur'an becomes the main foundation by referring to QS. At-Taubah/9:60, which explicitly mentions gharimin as one of the groups of zakat recipients. Al-Qaradawi interpreted this verse by expanding the definition of gharimin to include modern socio-economic conditions.[30]

Apart from the Qur'an, al-Qaradawi also refers to traditions that discuss aspects of debt in the context of social justice. He uses these traditions to show the importance of helping those who are in debt for legitimate or urgent needs. In addition, al-Qaradawi relies on ijtihad and the views of classical scholars, such as Imam Shafi'i and Imam Malik, but he modifies them to suit the modern context better. Thus, the legal sources used by al-Qaradawi include the Qur'an, Sunnah, and ijtihad, which take into account contemporary conditions so that the definition of gharimin, in his view, is relevant to the dynamics of society today.[31]

Yusuf al-Qaradawi interprets the category of gharimin in the modern context with a broader and more flexible view to suit current socio-economic conditions. According to him, gharimin is not only limited to people who are in debt due to basic needs or business failure but can also include those who are in debt for legitimate purposes, such as medical treatment, education, or the impact of natural disasters and economic crises.

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[27] Yusuf.

[28] Qardhawi, *Fiqh Al-Zakah. Beirut: Mu'assasat Al-Risalah*.

[29] Yusuf, *Hukum Zakat: Studi Komparatif Mengenai Status Dan Filsafat Zakat Berdasarkan Qur'an Dan Hadis" Diterjemahkan Oleh: Harun, Salman*.

[30] Yusuf.

[31] Jamal Abdul Aziz, "Dekonstruksi Paradigmatik Pengembangan Zakat: Analisis Kritis Pemikiran Yusuf Al-Qaradawi," *Ijtihad : Jurnal Wacana Hukum Islam Dan Kemanusiaan* 17, no. 2 (2018): 191, https://doi.org/10.18326/ijtihad.v17i2.191-215.

Al-Qaradawi emphasizes that the notion of gharimin must be adaptive in order for zakat distribution to remain relevant in helping people who are experiencing economic difficulties in various new situations that have emerged in the modern era.[32]

In addition, al-Qaradawi expanded the category of gharimin to include individuals who are in debt for the sake of helping others or the interests of society. This approach suggests that Zakat for gharimin has a broader social dimension so that it can support the welfare of society as a whole. Thus, contemporary fiqh serves to ensure that Zakat can be an instrument in tackling various forms of poverty and modern economic pressures.

Yusuf al-Qaradawi offers a solution to the problem of debt and poverty in contemporary society through a more inclusive and adaptive approach to Zakat. According to al-Qaradawi, Zakat should be the main instrument in addressing poverty and helping indebted individuals (gharimin) so that they can escape the financial burden that undermines social welfare. He argues that the distribution of Zakat to the Gharimin category should include those who go into debt for legitimate purposes, such as fulfilling basic needs, medical expenses, or education, and not for purposes that are against the Shariah.[33]

Al-Qaradawi also emphasizes the importance of managing Zakat professionally and transparently so that it can reach the needy groups with the right target. He encourages zakat institutions to use Zakat as a tool for economic empowerment, for example, through micro-enterprise financing or job training programmes, so that zakat recipients are not only helped financially but also gain the ability to improve their economic conditions. Thus, Zakat does not only function as a temporary relief but also as a strategic step in sustainably alleviating poverty in modern society.[34]

e. Wahbah al-Zuhaili's Thoughts about Gharimin

Wahbah al-Zuhaili interprets the definition of Gharimin by referring to the main sources of Islamic law, namely the Qur'an, Hadith, and the views of classical scholars. In his book, Al-Fiqh al-Islami wa Adillatuhu, al-Zuhaili emphasizes that Gharimin is a group that is entitled to receive Zakat because they have difficulty in paying off legitimate debts, which are taken for urgent needs or for interests that are justified by sharia, such as basic needs or helping others. According to al-Zuhaili, the QS. At-Taubah/9:60 is the main basis that mentions Gharimin as one of the eight groups of zakat recipients, with the aim of alleviating the burden of those who are burdened with debts.[35]

In addition, al-Zuhaili also adds that in understanding the definition of gharimin, it is important to refer to the traditions that emphasise the importance of relieving debt for people in difficulty, as long as the debt is taken with the right intention and purpose in accordance with sharia principles. In his view, zakat for gharimin is not only a form

[32] Eja Armaz Hardi, "Gharim Sebagai Penerima Zakat Perspektif Yusuf Al-Qaradawi (Studi Distribusi Zakat Pada Badan Amil Zakat Nasional Provinsi Jawa Timur)," *Disertasi* (2021), http://digilib.uinsby.ac.id/id/eprint/48697.

[33] Hardi.

[34] Yusuf Al-Qaradawi, *Economic Security in Islam* (Kairo: Islamic Book, 1999).

[35] Wahbah Az-Zuhaili, *Fiqih Islam Wa Adillatuhu, Jilid 3, Cetakan 10*.

of financial assistance, but also an attempt to maintain the honour and social stability of those in economic hardship, especially when the debt is not taken for consumption in violation of Shariah.Wahbah al-Zuhaili cenderung mengambil pendekatan moderat dalam melihat *gharimin* sebagai penerima zakat, meskipun ia tetap berpegang pada prinsip-prinsip syariah yang kuat. Dalam *Al-Fiqh al-Islami wa Adillatuhu*, al-Zuhaili menjelaskan bahwa definisi *gharimin* harus tetap dibatasi pada individu yang berutang untuk keperluan yang sah dan mendesak, seperti memenuhi kebutuhan dasar atau membantu orang lain secara sukarela. Dengan pendekatan ini, ia menolak konsep yang terlalu luas mengenai *gharimin* agar tidak disalahgunakan, namun di sisi lain, ia juga membuka ruang untuk menyesuaikan kategori ini sesuai dengan tantangan sosial-ekonomi yang dihadapi umat Islam kontemporer.[36]

Al-Zuhaili asserts that Zakat for gharimin aims to maintain social stability and honour, as well as to help those in debt for urgent needs and not for consumption that violates sharia. This moderate approach can be seen from his view that Zakat must be able to address real problems in society without ignoring the established sharia restrictions. According to al-Zuhaili, by maintaining this balance, Zakat can function effectively in helping Gharimin while maintaining the integrity of sharia as the legal basis of Zakat.

Wahbah al-Zuhaili sees the application of gharimin in the present context by emphasizing the social relevance and fairness of zakat distribution while maintaining the principles of sharia. In his work, Al-Fiqh al-Islami wa Adillatuhu, al-Zuhaili explains that in the modern era, the definition of gharimin can be expanded to include individuals who are in debt due to essential needs, such as education, medical treatment, or basic living expenses that are urgent and sharia-compliant. He considers that sensitivity to modern socio-economic conditions is important in the application of Zakat in order to respond to the increasingly complex challenges of the current era.

Al-Zuhaili argues that Zakat for gharimin must be managed as a professional so that it is right on target and effective in overcoming poverty and debt difficulties in society. In his view, the concept of gharimin can be applied flexibly but remains within the corridors of sharia, which limits the distribution of Zakat to those who are truly in need and do not use the funds for unauthorized purposes. Thus, this gharimin approach supports zakat policy as an effective, relevant, and adaptable instrument of social justice according to the needs of modern society.[37]

He also critiques the challenges of fiqh zakat in the modern era by highlighting the need for flexibility and adaptation in the application of Zakat in order to remain relevant to contemporary socio-economic needs. In Al-Fiqh al-Islami wa Adillatuhu, he criticizes the overly rigid approach in fiqh zakat that often fails to address new issues faced by modern society, such as debts for education, medicine, or other social needs.

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[36] Desi Ratnasari, Muhammad Iqbal Fasa, and A. Kumedi Ja'far, "Pandangan Hukum Islam Terhadap Status Muflis (Debitur Pailit) Sebagai Gharimin (Mustahik Zakat)," *Reslaj : Religion Education Social Laa Roiba Journal* 4, no. 3 (2022): 528–44, https://doi.org/10.47467/reslaj.v4i3.807.

[37] Wahbah Al-Zuhaili, *Al Fiqh Al-Islamy Wa Adillatuhu*, ed. juz IV (Beirut: Darl al- Fikr, 1989).

Al-Zuhaili emphasizes that the understanding of Zakat must be able to respond to the dynamics of today's economy, where poverty and debt are no longer limited to basic needs but also to other aspects that are important for survival and welfare.[38]

As a solution, al-Zuhaili suggests that zakat institutions adopt a professional management approach supported by transparency and accountability in their management. He proposes that zakat funds, particularly for the gharimin category, be strategically allocated to empower zakat recipients to become economically independent, for example, through skills training or micro-enterprise financing. This approach not only fulfils immediate needs but also helps to create self-reliance for zakat recipients in the long run so that Zakat can truly function as an instrument to reduce poverty sustainably.[39]

f. Comparative Analysis of the Thought of Yusuf al-Qaradawi and Wahbah al-Zuhaili

The thoughts of Yusuf al-Qaradawi and Wahbah al-Zuhaili regarding the concept of Gharimin show some agreement between these two figures. First, both al-Qaradawi and al-Zuhaili agree that Gharimin are individuals who are trapped in debt and unable to pay it, so they are entitled to receive Zakat as a form of assistance. Al-Qaradawi, in his book, states that Gharimin should be defined as those who are in debt for legitimate purposes, such as urgent or social needs. Meanwhile, al-Zuhaili emphasizes the importance of intention and the type of debt held by the Gharimin, underlining that the debt should not be derived from acts that contravene sharia.[40]

The two figures also agree that Zakat should serve as a tool to alleviate social burdens, helping Zakat recipients not only in the short term but also in re-establishing their economic independence. Al-Qaradawi and al-Zuhaili agree that effective management of Zakat, including Gharimin, can contribute towards poverty alleviation and the creation of social justice in society. They both emphasize the need for a transparent and accountable system in the management of Zakat to achieve this goal.

Yusuf al-Qaradawi and Wahbah al-Zuhaili have similarities in their methodological approach to Zakat, especially in terms of understanding and applying the concept of Gharimin. Both use a comparative approach that integrates sources of Islamic law, such as the Qur'an, Hadith, and ijma' (consensus of scholars), to understand the definition and criteria of zakat recipients, including the Gharimin category.

Al-Qaradawi, in his book 'Hukum Zakat', emphasizes the importance of the socio-economic context in understanding the needs of zakat recipients, including Gharimin. He encourages that Zakat should not only be seen as an individual obligation, but as a tool to achieve social justice and help indebted individuals to restore their

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[38] Z Musthafa and A Wulmurtiah, "Zakat Saham Dan Obligasi Telaah Pemikiran Wahbah Az Zuhaili Dan Yusuf Al-Qardhawi", (Ejournal.Iainata.Ac.Id, 2022),<https://Ejournal.Iainata.Ac.Id /Index.Php /Kabilah/Article/View/175>," *Kabillah: Journal of Social …*, n.d.

[39] Wahbah Al-Zuhaili, *Al Fiqh Al-Islamy Wa Adillatuhu*.

[40] Wahbah Al-Zuhayly, *Zakat Kajian Berbagai Mazhab*, *Bandung: Remaja Rosdakarya* (Bandung: Remaja Rosda Karya, 2008).

financial condition.[41] Meanwhile, Wahbah al-Zuhaili in 'Al-Fiqh al-Islami wa Adillatuhu' also states the importance of implementing Zakat that is responsive to the dynamics of society. He emphasizes that Zakat should be earmarked for those who are truly in need, including Gharimin, and should be managed with the principles of transparency and fairness. His approach emphasizes the need for zakat institutions to understand the situation of the recipients and provide appropriate support.[42]

On the other matter, Yusuf al-Qaradawi and Wahbah al-Zuhaili have different views on the criteria and application of gharimin in the context of Zakat. However, they both recognize the importance of this category in poverty alleviation efforts.

Yusuf al-Qaradawi emphasizes the social and economic aspects of defining Gharimin. He argues that the main criterion for classifying someone as Gharimin is the existence of a debt that cannot be repaid due to an emergency or a legitimate, urgent need. In his book Hukum Zakat, al-Qaradawi emphasizes that Zakat should be given to those who are in debt for sharia-compliant reasons, such as meeting basic needs or helping others, and not for extravagance or unproductive activities. This approach allows Gharimin to gain wider access to zakat assistance without being burdened by overly strict conditions.

In contrast, Wahbah al-Zuhaili focuses more on the legal and regulatory dimensions of defining Gharimin. In the book Al-Fiqh al-Islami wa Adillatuhu, al-Zuhaili explains that Gharimin are people whose debts are legitimate and do not come from actions that violate sharia law. He also underlines the need for concrete evidence that the debt makes the individual unable to fulfil their basic needs.[43] This methodological difference shows that al-Qaradawi is more inclusive in understanding Gharimin, while al-Zuhaili tends to be conservative with a more formalistic approach.

In terms of application, al-Qaradawi tends to encourage zakat institutions to be more responsive to the social needs of the community and encourage wider intervention. At the same time, al-Zuhaili prioritizes compliance with legal norms and strict procedures in distributing Zakat to Gharimin. Both views show how important the role of Zakat is in a broader social context, but they offer different approaches to understanding and applying the Gharimin criteria.

The different social backgrounds, education, and legal methodology between Yusuf al-Qaradawi and Wahbah al-Zuhaili have a significant impact on their views regarding the criteria and application of Gharimin in Zakat. Al-Qaradawi, who was born in Egypt and is actively involved in social and religious organizations, adopts an approach that is more responsive to social realities and community needs. He views Zakat as an instrument to overcome poverty and promote social justice, emphasizing the importance of giving to those who are in debt due to legitimate needs.

[41] Yusuf, *Hukum Zakat: Studi Komparatif Mengenai Status Dan Filsafat Zakat Berdasarkan Qur'an Dan Hadis" Diterjemahkan Oleh: Harun, Salman.*

[42] Wahbah Al-Zuhaili, *Al Fiqh Al-Islamy Wa Adillatuhu.*

[43] Yusuf, *Hukum Zakat: Studi Komparatif Mengenai Status Dan Filsafat Zakat Berdasarkan Qur'an Dan Hadis" Diterjemahkan Oleh: Harun, Salman.*

On the other hand, al-Zuhaili, who has a strong academic background and a focus on fiqh studies, takes a more conservative approach. He emphasizes adherence to established legal norms and is more sceptical of flexibility in the application of the law. His approach is reflected in his stricter criteria for Gharimin, focusing on legal evidence and clear situations, thus helping to ensure that Zakat is channelled appropriately. These differences show how social and educational contexts shape each scholar's views towards the application of Zakat and the category of Gharimin. The difference in views between Yusuf al-Qaradawi and Wahbah al-Zuhaili regarding Gharimin has a significant impact on the application of Zakat in the contemporary context.

The impact of this difference is evident in the way Zakat is managed by institutions that refer to the views of each scholar. Institutions that follow al-Qaradawi are more likely to innovate in the collection and distribution of Zakat, for example, through the use of technology to reach Zakat recipients. In contrast, institutions following al-Zuhaili may be more cautious in the distribution of funds, focussing on adherence to traditional fiqh principles. These two approaches also influence the way society views Zakat. With al-Qaradawi's more open view, Zakat is understood as an instrument for active social change, encouraging people to participate in poverty alleviation. Meanwhile, al-Zuhaili's approach may be more limiting to people's understanding of Zakat, focusing on legal compliance, which may feel rigid in today's dynamic context.

From an academic perspective, this research enriches contemporary fiqh discourse by comparing the methodologies of two major scholars in understanding Gharimin. Previous studies, such as those written by Yayuli (2021), [44] show that al-Qaradawi's approach is more adaptive to social and economic changes, while research conducted by Nahara (2023)[45] highlights that al-Zuhaili's approach is stricter in legal aspects but still relevant in the context of legal certainty of Zakat. Thus, this research confirms the position of the two figures' thoughts in the academic discourse of fiqh zakat and provides insight into their practical implications in the management of Zakat in the modern era.

This methodological difference affects how Zakat is managed in various countries, including Indonesia. In practice, al-Qaradawi's approach is more relevant to the zakat model developing in Indonesia, especially with the increasing number of private zakat institutions trying to empower Mustahik economically through productive programmes. Some major zakat institutions, such as Dompet Dhuafa and Rumah Zakat, have adopted an empowerment-based zakat distribution strategy, which allows Gharimin to receive not only financial assistance but also business capital and skills training.

However, the bureaucratization of zakat management by the state is often more in line with al-Zuhaili's approach, which emphasizes compliance with formal laws in

[44] Yayuli Yayuli, Fauzul Hanif Noor Athief, and Dewi Nur Utari, “Studi Komparatif Pemikiran Yusuf Qardhawi Dan Sahal Mahfudh Tentang Zakat Produktif Sebagai Sarana Pemberdayaan Ekonomi,” *Profetika: Jurnal Studi Islam* 23, no. 1 (2021): 98–113, https://doi.org/10.23917/profetika.v23i1.16798.

[45] Nahara Eriyanti and Abrar Khadafi, “Zakat Kekayaan Harta Yang Immaterial: Studi Perbandingan Wahbah Al-Zuhaili Dan Yusuf Al-Qaradhawi,” *Syarah: Jurnal Hukum Islam & Ekonomi* 12, no. 2 (2023): 150–66, https://doi.org/10.47766/syarah.v12i2.2181.

zakat distribution. Strict regulations often cause zakat distribution to be slow and less flexible in responding to pressing social needs. Many Gharimin finds it difficult to get access to Zakat due to complicated procedures and lengthy verification, as emphasized in al-Zuhaili's perspective, that demands legal certainty before zakat distribution is done.

Zakat management in Indonesia is still stuck in a dilemma between the traditional philanthropic approach and the need for social innovation. A system that is too legalistic can actually hamper the effectiveness of Zakat as an instrument of poverty alleviation. Suppose we want to follow al-Qaradawi's idea. In that case, the state needs to be more flexible in zakat management policy, for example, by expanding the definition of Gharimin to include individuals who have debts due to structural economic inequality, such as victims of layoffs or small farmers who are in debt to a moneylender.

Conversely, if we follow al-Zuhaili's approach strictly, the state must strengthen supervision and accountability mechanisms so that zakat funds are not misused. However, this approach risks making Zakat an overly bureaucratic instrument and less responsive to the evolving socio-economic dynamics. In this case, the balance between flexibility and legal compliance becomes the main key in the reform of zakat management in Indonesia.

Considering Indonesia's sharp economic disparity and dependence on social assistance, al-Qaradawi's idea of Zakat as a tool for economic empowerment seems more relevant. Radical reforms in zakat management should include cutting bureaucracy, applying digital technology to accelerate distribution, as well as expanding the definition of Gharimin to suit the economic realities faced by society today. Thus, Zakat is not only an instrument of generosity, but also part of a systemic solution in overcoming economic inequality in Indonesia.

4. Conclusion

This study reveals the views of Yusuf al-Qaradawi and Wahbah al-Zuhaili in Contemporary Fiqh Perspective' as complementary approaches to understanding the category of Gharimin as zakat recipients. Yusuf al-Qaradawi carries a flexible approach by expanding the scope of Gharimin to include debt situations that are relevant to modern social realities, such as urgent needs or projects that have broad benefits. His views show sensitivity to contemporary socio-economic dynamics, making Zakat a more adaptive and solutive instrument of poverty alleviation. In contrast, Wahbah al-Zuhaili maintains a conservative approach based on classical legal principles. He emphasizes the importance of maintaining the integrity of sharia by setting stricter criteria for zakat recipients in the Gharimin category so that Islamic law maintains its authenticity in various conditions. From the perspective of contemporary fiqh, this difference reflects the need to strike a balance between responsiveness to changing times and commitment to sharia. This study emphasizes the importance of ijtihad as a means to ensure Zakat remains relevant in responding to modern challenges. The combination of contextual and traditional approaches provides strategic guidance for realizing social justice and eradicating poverty without neglecting core Islamic values. The main contribution of this study is to reveal that the effectiveness of Zakat depends not only on the understanding of classical fiqh but also on far-reaching distribution innovations. However, this study is still limited in exploring the practical application of both scholars' views on zakat systems in various countries, including Indonesia. Further research needs to evaluate the effectiveness of policies based on this approach in order to provide more applicable recommendations for zakat management in the modern era.

The writing is far from perfect. The study focuses on theoretical comparisons and lacks empirical evaluation of the practical implementation of both scholars' views in real zakat institutions, particularly in diverse country contexts such as Indonesia or other Muslim-majority societies.

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