

A Distribution of Zakah to Al-Riqab: Critical Analysis of Fatwa and Views of Mufassir

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To Link this Article: <http://dx.doi.org/10.6007/IJARBS/v8-i11/4973>

DOI:10.6007/IJARBS/v8-i11/4973

Published Date: 28 November 2018

Abstract

This paper attempts to discuss the distribution based on the concept of *asnaf al-Riqab*. This paper is also performed to see the definition of *al-Riqab* based on the interpretation of contemporary or classical mufassir. This is because *asnaf al-Riqab* is among the *asnaf* which often became the debate of the scholars because of the ambiguity of his position. There are groups who distribute and there are also who do not distribute zakat to this *asnaf*. The purpose of the paperwork is divided into two. First, identify the concept of distribution of zakah to *al-Riqab*. Second, analyzing the views of classical and contemporary mufassir in interpreting the term *al-Riqab* based on verse 60, surah *al-Taubah*. The data in this study were collected through a document study and then analyzed using content analysis methods. The findings show that contemporary interpretations are widely used in zakat institutions in Malaysia rather than classical interpretations. Although slavery is virtually absent from the classical interpretation, contemporary mufassir views expand the distribution according to current circumstances. Classical and contemporary distribution will be a guide to distributing zakah *al-Riqab*.

Keywords: Fatwa, Distribution, *Al-Riqab*, Mufassir.

Introduction

In surah *al-Taubah*, verse 60, Allah SWT placed the rank of *asnaf al-Riqab* in fifth position. This order is based on *asnaf* entitled to receive zakat starting with *faqir*, poor, *amil*, *mualaf*, *al-Riqab*, *al-Gharimin*, *fi sabilillah* and *ibn al-sabil*. According to IbnKathir (1999: 150/2), the distribution of zakat should be given to eight groups as set out in surah *al-Taubah*, verse 60.

The Arabs in the jahiliyyah era made the slave a merchandise or exchange for a dowry or gift for their offspring (Nasution, 2015: 97). However, the presence of Islam has wiped out the system of slavery created during the jahiliyyah period. According to Sabiq (2003: 132), *al-*

Riqab, if viewed in terms of general definition, means '*makatab*' which is the servant who has been redeemed or purchased to be freed from his master gradually.

According to Ridha (1999: 598), *al-Riqab* is one of the groups who want to escape from slavery or occupation and fight for independence. Furthermore, al-Qaradawi (2011: 416) argues that *al-Riqab* is a bonded servant or bondage that binds one's liberty. Based on observations, there are differences in the definition of *al-Riqab* among scholars'. However, this distinction is not significant, which is still meaningful to slave or liberation.

Thus, the issue of distribution of zakat to *al-Riqab* is nowadays. This is due to the inconsistency of zakat institutions in Malaysia. Therefore, a systematic study should be carried out to see the definition of *asnaf al-Riqab* based on the views of the mufassir. As such, this paper attempts at least to explain in general the distribution of zakat to Bibliography based on the critical analysis of the views of the taxpayer based on their definitions.

Methodology

This study uses a method of documentation to obtain a clear overview of *asnaf al-Riqab* and the method of distribution of zakat to *al-Riqab* based on the critical analysis of the views of the mufassir. To obtain information related to the concept of *al-Riqab*, the definition of *asnaf al-Riqab* is taken on the basis of classical and contemporary mufassir views and interpret the '*fi*' and '*lam*' word based on the surah *al-Taubah* to be examined.

According to Jasmi (2012), this document analysis method is used to obtain clear information in understanding the concepts, issues and problems of a phenomenon occurring. Subsequently, the result of the data collection will be analyzed using the content analysis method. Content analysis is used to examine and explain the interpretation contained in the document. According to Yusof (2004: 34), analyzing content is a research technique by making systematic and objective conclusions through documented data. While Marican (2005: 170) and Lebar (2009: 146) define content analysis as an explanation systematically researching textual expressions. This corresponds to the data collected from the related documents of *asnaf al-Riqab* which analyzed the views of classical and contemporary mufassir in defining *al-Riqab*. Among the works of the mufassirs used are Tafsir of al-Qurtubi, Tafsir of Ibn Kathir, the Tafsir of al-Tabari and the interpretation of al-Razi which represents the classic main interpretation used first. Meanwhile, tafsir *al-Azhar* and contemporary tafsir *al-Manar* are widely used today's interpretation.

Findings Study

This study divides the discussion into *al-Riqab* concept based on the mufassir.

The concept of *al-Riqab* is based on the mufassir

a) Definition of *al-Riqab*

The word *al-Riqab* is plural, his sole name is '*raqabah*'. According to the etymological point of view the neck, the end of the head or body part. While the terminology '*raqabah*' means the slave possessed (al-Razi, 1999: 86; al-Zamakhsyari, 1986: 283). Based on the study of researchers there is no specific interpretation of the definition of *al-Riqab* from both sides of the language or terminology.

The definition of *asnaf al-Riqab* based on classic and contemporary mufassir experts

There are some views expressed by classical mufassirs. This paper explains the views of Ibn Kathir, al-Qurtubi, al-Tabari and al-Razi. According to al-Qurtubi (1946: 182 & 183), slaves freed from the colony are slaves 'mukatab', not real slaves. The servant of 'mukatab' means the servant who made an agreement with his master to pay a gradual release as a liberation from slavery. Therefore, the zakat or zakat payer may use zakat for *asnaf al-Riqab* to liberate 'mukatab' slaves from slavery.

Ibn Kathir (1999: 168), as quoted by Ibn Abbas and Hasan, stated that the slave deserved the share of zakat. In other words, the slave in general from the perspective of the term means, is not the slave of the 'mukatab' alone, even the whole. Zakah property can be freed to free slave.

Besides, al-Tabari (2011: 186) states that slaves are individuals who want to redeem themselves from the slavery of their master. Allah SWT makes zakat as a mandatory obligation to withdraw from the property. This is because liberating slaves from slavery benefits from liberating from slavery and restoring human nature born with freedom.

Furthermore, al-Razi (1999) defines *asnaf al-Riqab* as a Muslim slave who pays gradually to his master to redeem himself. This is because the property they own is not enough to live despite hard work. Therefore, the distribution of zakat is granted or purchased from his master to free himself from the bondage. This view is based on opinion in *madhhab Shafi'i*.

In conclusion, the difference views of the classic mufassir on the definition that shows the summary of classical scholars' *ijtihad* related to the definition of *al-Riqab*. Al-Qurtubi (1946: 182-183), al-Tabari (2011: 186) and al-Razi (1999), *ijtihad al-Riqab* means the 'mukatab' slave or slave servant. While the opinion of Ibn Kathir (1999: 168), the definition of *al-Riqab* began to be expanded with not merely slaves, even slaves. But the definition of *al-Riqab* which is cited in the view of the mufassir based on slaves, because in those times, slaves had not been completely abolished.

In addition to classic views, this paper also explains the definition of *al-Riqab* through contemporary interpretations. According to HAMKA (1984), religious councils are still using a system of slavery, in which the share of zakat is allocated to 'mukatab' slaves. This is because part of the property is allocated to buy slaves to liberate slaves. As an example of the master to the servant said, if you can pay my losses then you are released. The slave can claim his freedom at the zakat institution to request the release of his master.

According to Ridha (1999: 598), *al-Riqab* is one of those nations who want to escape from slavery, colonization and fight for independence. This is because the shackles of the colonization are more harmful to the humanitarian value that involves the slavery of the nation that influences thought, possessions and government.

In conclusion, the views of contemporary mufassir also have differences from the definition described above. HAMKA's view (1984), explains the division of zakat allocated to the servant of 'mukatab' by using *al-Riqab* zakat division at the religious ceremony. While Rasyid Ridha's view extends the definition of *al-Riqab* which states that despite the general angle of the corner servant does not exist, modern slavery is more dangerous to humans. The slavery involving the group is shackled from the point of thought, wealth, freedom and power.

Table 1:

Interpretation of al-Riqab according to classical and contemporary mufassir.

No	Classic Tafsir	Contemporary Tafsir	Distributed to <i>al-Riqab</i>
1	Tafsir al-Qurtubi		Slave ' <i>mukatab</i> '.
2	Tafsir Ibn Kathir		Not counting slaves ' <i>mukatab</i> ' or ordinary slaves, but altogether
3	Tafsir al-Tabari		Slave ' <i>mukatab</i> '.
4	Tafsir al-Razi		Slave ' <i>mukatab</i> '.
5		Tafsir al-Azhar	Slave ' <i>mukatab</i> '.
6		Tafsir al-Manar	Slaves bonded out of the colonies involving slavery of groups influencing thoughts, possessions and governments.

(Source: The Books of the Mufassir).

The results of the books of mufassir show the interpretation made by al-Qurtubi (1946: 182 & 183), al-Tabari, al-Razi (1999) and HAMKA (1984), giving to the slaves '*mukatab*' only. Ibn Kathir said slaves, while the whole of Ridha (1999: 598), expanding by looking at the shackles of the bondage colonization instead the bondage from slavery.

In conclusion: al-Riqab according to the views of the classical mufassir is more using the liberating approach of slaves than the jahiliyyah system of slavery. The system demands a servant who wants to be released to pay some money to free them. Therefore, because Islam sees a need to abolish this slavery system. Meanwhile, the views of contemporary mufassir use the approach to expanding al-Riqab. This is because the servants of today do not exist from the general point of view; however, modern-day slavery is more dangerous to humans because of the slavery of people, races or groups involving thought, wealth, freedom and power.

Analysis and Discussion

Based on the discussion on asnaf *al-Riqab*, the mufassir divided into several categories. The categories are divided into three namely slave in general, servant '*mukatab*' and slave in fetters by thought, wealth, freedom and power.

The first category, according to IbnKathir (1999: 168), states the definition of slaves in general. Slaves are not just slaves of the '*mukatab*' but entirely. Slavery is generally more beneficial to the community or the nation.

Apart from general interpretation of slaves, slave for the second category is slaves '*mukatab*'. This is because the servant of '*mukatab*' has an agreement with his master to pay off the debt gradually. The allocation of zakat *al-Riqab* can escape the slavery. The views of the mufassir are based on al-Qurtubi (1946: 182-183), al-Tabari (2011: 186), al-Razi (1999) and HAMKA (1984).

While the third category, Ridha (1999: 598), stated that slaves should be freed from the shackles of thought, wealth, freedom and power from the ruler. This is more dangerous and harmful to the group. Freedom from slavery can lift the rank and get rid of humiliation.

In conclusion: according to the views of the classical and contemporary *mufassir*, *al-Riqab* is based on the slave, either a general servant or an '*mukatab*' servant. This is because the Islamic revival eliminates the system of slavery made during the days of ignorance. Yet a slight difference made by Ridha (1999: 598) states slavery freedom from the shackles of thought, wealth, freedom and power from the ruler.

But Ridha (1999: 598) views are in line with Shaltut (n.d) views stating that this group should be helped and more dangerous than actual slavery. This is because the slavery is based on the shackles of slavery in the form of thought, wealth, freedom and power of government. This slavery demonstrates compassion and responsibility for liberating modern slavery.

IbnKathir's views (1999: 168), al-Qurtubi (1946: 182-183), al-Tabari (2011: 186) and al-Razi (1999) state that the slave is bound by debt including of the slaves in general or mukom slaves. This slavery should be assisted by the use of *zakat al-Riqab* because bondage bonded by debt can harm the slave who has no property to liberate himself from slavery through their owners.

Hence, the views of the mufassir still maintain the interpretation of *al-Riqab* to the servant. While Ridha (1999: 598) states that the slave does not exist in the present day. Hence the interpretation is intended for them, referring to the group bound by the thinking, wealth, freedom and power of the government. This is because this slavery is more dangerous than actual slavery.

Conclusion

This paper attempts to refine the discussion on the study of the position and distribution of zakat to *al-Riqab*: a critical analysis of the views of the mufassir. This paper concludes with some conclusions on this study:

1. The difference in the definition of classic mufassir based on the jahiliyyah bondage system. While the definition of contemporary mufassir is aimed at slavery from a modern angle involving slavery of form of thought, wealth, freedom and power.
2. *Asnaf al-Riqab* requires a broader definition. This is because *asnaf al-Riqab* is a general *maslahah*. *Al-Riqab* should be studied in various angles so that *asnaf al-Riqab* can be given to people who are truly entitled.

Acknowledgement

This project was funded by the Special Research Grant Scheme (SRGS) from UniSZA (UniSZA/2017/SRGS/07). We would like to thank UniSZA for the financing provided.

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