

# The Digitization of Islamic Philanthropy: Legal Accountability of Amil Zakat Institutions in Zakat Management via E-Commerce

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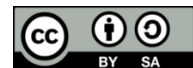
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## ABSTRACT

The digitalization of Islamic philanthropy has compelled amil zakat institutions to adapt to technological advancements, including through partnership with e-commerce platforms such as Shopee. While this collaboration facilitates *muzakki* in fulfilling their zakat obligations, it raises legal questions concerning the accountability of zakat institutions in managing digital zakat funds. This study aims to examine the practice of digital zakat management via e-commerce platforms, the legal relationships among the involved parties, and the form of accountability borne by amil zakat institutions in distributing zakat through digital means. This research employs a normative legal methodology, utilizing statutory and conceptual approaches. The findings indicate that, despite the absence of specific regulations governing zakat through e-commerce, zakat institutions remain fully legally accountable under Law No. 23 of 2011 and Government Regulation No. 14 of 2014. Such accountability encompasses administrative, moral, and social responsibilities. The lack of technical regulations concerning digital zakat transaction mechanisms and standardized reporting indicates weak institutional accountability, potentially undermining public trust in digital zakat practices. Therefore, a regulatory framework is urgently needed one that accommodates digital innovation while ensuring transparency and accountability in accordance with sharia principle.

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## 1. INTRODUCTION

Zakat is one of the principal pillars of the Islamic economic system, carrying both social and spiritual functions. In the context of Indonesia, where the majority of the population adheres to Islam, zakat is not merely regarded as a religious obligation but also as a strategic legal and socio-economic instrument to promote public welfare.[1] With effective and targeted management,

zakat is expected to contribute to economic equity and poverty alleviation. Accordingly, the presence of professional, accountable, and trustworthy amil zakat institutions becomes a critical component in ensuring the achievement of zakat's objectives.

The rapid development of information and communication technology has transformed public consumption patterns and transaction models, including in the collection and distribution of zakat. What was

once conducted through face to face conventional methods has now shifted to digital platforms that offer flexibility, efficiency, and borderless access.[2] Digital zakat encompasses a wide array of innovations, such as online zakat payment platforms, zakat management applications, and educational programs based on digital technologies.[3]

This development presents opportunities for the integrations of zakat management systems with digital infrastructures that are more adaptive and responsive to the needs of modern society. One notable innovation in zakat mobilization is the strategic collaboration between amil zakat institutions and e-commerce platforms, exemplified by partnerships with Shopee. E-commerce is conceptualized as a business transactions medium that leverages digital technology, encompassing both the exchange of goods and services and the facilitation of online payment systems.[4] E-commerce which was initially used for commercial transactions, has now expanded in function by providing new channels for Islamic philanthropic activities, including zakat payments.

Collaboration with e-commerce platforms is considered to enhance the outreach of amil zakat institutions and strengthen partnerships with strategic stakeholders. The utilization of e-commerce for zakat payments also offers various advantages, including ease of access, time efficiency, a diverse range of program options, and improved access to zakat related information.[5] Accordingly, the digitalization of zakat through e-commerce represents a potential strategy for increasing public participation and optimizing national zakat collection.

Data from the National Zakat Agency (BAZNAS) in 2024 indicates that, in 2023, zakat management institutions successfully alleviated poverty for 577,138 individuals, including 321,757 people from extreme poverty zones. The contribution of zakat to national poverty alleviation reached 2.28% of the total 25,90 million people living in poverty

as of March 2024.[6] these figures highlight the significant role of zakat as an alternatives solution to socio-economic challenges. Therefore, zakat given its crucial role in promoting public welfare must be managed by professionally by authorized institutions, as mandated by Law Number 23 of 2011 concerning Zakat Management.[7]

Although regulations governing zakat management in general already exist, the practices of collecting and distributing zakat through digital platforms such as e-commerce have not yet been specifically regulated under the prevailing laws and regulations. Law Number 23 of 2011 and Government Regulation Number 14 of 2014 only regulate the general responsibilities of amil zakat institutions, without addressing the technical aspects of digital zakat management, including audit mechanisms, reporting, and oversight in collaboration with technology based third parties.

The absence of clear legal regulation regarding zakat through e-commerce may give rise to several issues. First, the lack of standardized mechanisms for digital zakat distribution may result in inconsistent practices among amil zakat institutions. Second, the role of e-commerce platforms, which currently serve only as intermediaries in zakat transactions, has not been legally defined, thereby raising questions about legal liability in cases of fund misuse or inaccurate distribution. Third, the lack of adequate oversight over digital zakat transactions may reduce institutional transparency and accountability, ultimately risking a decline in public trust toward digital zakat distribution models.

Based on the aforementioned background, this paper aims to examine the legal issues arising in the practice of digital zakat. First, how is zakat management practiced by amil zakat institutions through the Shopee e-commerce platform? Second, what is the legal relationship pattern among the parties involved in the digital distribution of zakat? Third, what is the form of legal accountability of amil zakat institutions in managing zakat funds collected through the

e-commerce platform? This study is expected to contribute to the development of a regulatory framework that is adaptive to technological advancements while ensuring that the principles of accountability, transparency, and the protection of the rights of both *muzakki* and *mustahiq* are upheld in digital zakat practices.

## 2. LITERATURE REVIEW

### 2.1 Concept and Legal Aspect of Zakat: Obligatory Conditions and Eligible Recipients

Zakat is one of the principal instruments in the Islamic economic system, embodying both spiritual and social dimensions. Etymologically, the word zakat originates from the Arabic words *al-barakatu* (blessing), *al-namaa'* (growth), and also implies purification, reflecting its multifaceted significance in the life of a Muslim.

As one of the five pillars of Islam, zakat is a religious obligation that must be fulfilled by every Muslim who meets certain legal and financial criteria. Fundamentally, it represents an act of worship involving the allocation of portion of one's wealth, commanded by Allah SWT to those who are rightfully entitled to receive it.[8] This obligation not only serves to cleanse wealth but also functions as a vehicle for spiritual and social justice within the ummah.

The obligation to pay zakat is contingent upon specific legal conditions. According to classical Islamic jurisprudence, the requirements for zakat liability include being a Muslim, being free (i.e., not enslaved), having reached the age of maturity (*baligh*), possessing sound intellect, full ownership and control over wealth, meeting the minimum threshold (*nishab*) and retaining that wealth for one full lunar year (*haul*). In addition to these obligatory conditions, zakat must also meet certain validity requirements, namely the articulation of *niyyah* (intention) at the time of discharge, and the act of *tamlik*, or transfer of ownership, which ensures that the zakat assets are directly and legally received by the rightful beneficiaries.[9]

The Quran clearly stipulates the eligible recipients of zakat in Surah At-Tawbah (9:60), classifying them into eight distinct categories (*asnaf*): the poor (*al-fuqara'*), the needy (*al-masakin*), zakat administrators (*amil*), those whose hearts are to be reconciled (*muallaf*), captives seeking freedom (*riqab*), those in debt (*gharim*), individuals striving in the cause of Allah (*fi sabilillah*), and wayfarers (*ibn sabil*). Each of these groups reflects a particular kind of socioeconomic vulnerability that zakat aims to alleviate.

A closer examination of these categories reveals a gradation in needs and conditions. For instance, *al faqir* refers to individuals who lack any means of livelihood or support, whether in the form of a stable income, tools, or the physical and mental capacity to work in order to meet their basic needs. In contrast, *al miskin* denotes those who are employed or have some income, yet it remains insufficient to meet their basic needs. The term *amil* applies to individuals or institutions entrusted with the administrative responsibility of collecting, managing, and distributing zakat, particularly in the case of *zakat al-fitr*.

Other categories reflect spiritual, legal, and communal considerations. *Muallaf* refers to individuals who have recently embraced Islam and require support to strengthen their faith. *Riqab* encompasses those in bondage or slavery who seek freedom through financial emancipation. *Gharim* are those burdened by debt incurred for morally acceptable purposes. Meanwhile, *fi sabilillah* covers a broad range of effort dedicated to the cause of Allah, including education, da'wah, and defense. Finally, *ibn sabil* refers to travellers who have become stranded or are in need while away from their place of origin.[10]

### 2.2 Zakat Management Institutions in National Regulation

*Amil*, linguistically, is derived from the Arabic verb '*amila- ya'malu*', which means "to do something". The word '*amil*' refers to a person who performs a particular task. Therefore, *amil* can be understood as someone who carries out specific duty. [11] In the

context of zakat, an *amil* refers to an individual or institution entrusted with responsibility of managing the collection, administration, and distribution of zakat. This management role includes various functions such as *su'at* or *jubbat* (collectors), *qassam* (distributors), *katabat* (record keepers), *khazanah* (treasurers), *ru'ut* (caretakers of zakat livestock). Hence, *amil* essentially refers to personnel responsible for zakat administration.[12]

According to Yusuf Qardhawi, *amil zakat* refers to all individuals involved in the administrative function of zakat, including its collection, storage, recordkeeping, calculation, and the distribution of zakat funds to eligible recipients (*mustahiq*).[13] Meanwhile, the Fatwa of the Indonesian Ulema Council (Majelis Ulama Indonesia/MUI) Number 8 of 2011 defines *amil zakat* has an individual or group appointed by the government to manage zakat affairs; or individuals or groups formed by the community and subsequently authorized by the government to carry out zakat management.

In practice, the role of *amil zakat* goes beyond merely acting as intermediaries between the *muzakki* (zakat payers) and the *mustahiq* (zakat recipients). *Amil zakat* also plays a strategic role in identifying those obligated to pay zakat, determining the types of wealth subject to zakat, selecting eligible recipients, scheduling zakat payments, and formulating criteria for distributing zakat based on the needs and conditions of each *mustahiq*. [14] Therefore, *amil zakat* are required to possess integrity, trustworthiness (*amanah*), and a thorough understanding of zakat jurisprudence as well as other matters relevant to their responsibilities.

From a legal standpoint, the management of zakat in Indonesia is governed by Law Number 23 of 2011 on Zakat Management. Article 1 paragraph 1 defines zakat management as the activities of planning, implementation, and coordination in the collection, distribution, and utilization of zakat. The institution authorized to carry out zakat management at the national level is

the National Amil Zakat Agency (Badan Amil Zakat Nasional or BAZNAS), as stipulated in Article 6 of the law. Furthermore, Article 17 of the same law provides that the public may establish Zakat Management Institutions (Lembaga Amil Zakat) to assist BAZNAS in the collection, distribution, and utilization of zakat. Additionally, Article 7 paragraph (1) of BAZNAS Regulation Number 2 of 2016 concerning the Establishment and Working Procedures of Zakat Collecting Units states that zakat collecting units are tasked with assisting in the collection of zakat for BAZNAS at the national, provincial, or district / city levels.

The administrative obligations of zakat institutions are further emphasized in Government Regulation Number 14 of 2014, particularly Article 73 and 74, which require Zakat Management Institutions to submit periodic reports on zakat management to BAZNAS and local governments. These provisions underscore the importance of accountability and transparency principles in zakat management, especially in the context of digital transformation, which presents new challenges for modern zakat practices.

### 2.3 The Development of E-Commerce and the Transformation of Digital Islamic Philanthropy

Advancements in information technology have driven significant changes across various sectors, including trade activities and the management of religious social funds. E-commerce, or electronic commerce, refers to the exchange of goods or services through digital platforms or the internet. Through e-commerce, consumers and businesses can conduct transactions in real time without being limited by physical space or time.

This system enables the rapid and efficient exchange of goods, services, and payments. E-Commerce not only facilitates consumers shopping but also allows business actors to significantly expand their market reach, even at the international level.[15] Transactions conducted via e-commerce offer convenience, efficiency, and lower operational costs compared to conventional methods.[16]

In Indonesia, electronic commerce activities are regulated by Law Number 11 of 2008 concerning Information and Electronic Transactions (ITE), as amended by Law Number 19 of 2016. This legislation provides a strong legal foundation for the safe use of information technology and electronic transactions. Additionally, Government Regulation Number 80 of 2019 concerning Trade Through Electronic Systems (PMSE) offers a more technical legal framework regarding business actors' obligations, consumer protection, and dispute resolution in electronic transactions.

The development of e-commerce has also accelerated the digitalization of Islamic philanthropic practices. Several *amil zakat* institutions have collaborated with e-commerce platforms such as Shopee, Tokopedia, and Bukalapak to offer digital zakat features. This innovation not only simplifies the zakat payment process for *muzakki* but also has the potential to expand the distribution coverage of zakat and increase public participation in zakat collection through information technology-based platforms.

### 3. METHODS

This study is normative legal research, which refers to a method that examines law as a system of norms prevailing in society, including legislation, legal doctrines, and general principles of law.[17] This method is employed because the research focuses on analyzing the legal accountability of *amil zakat* institutions in managing zakat through e-commerce platforms from the perspective of the applicable positive law in Indonesia.

The study adopts both a statutory approach and a conceptual approach. The data used is secondary data, comprising primary legal materials, secondary legal materials, and tertiary legal materials. The primary legal materials include statutes and regulations such as Law Number 23 of 2011 on Zakat Management, Government Regulation Number 14 of 2014 on its implementations, Law Number 11 of 2008 as amended by Law

Number 19 of 2016 on Electronic Information and Transactions, and Government Regulation Number 80 of 2019 on Trade through Electronic Systems (PMSE). The secondary legal materials consist of academic literature such as legal book, scholarly journal, and publications from BAZNAS or other relevant institutions. Tertiary legal materials, including legal dictionaries, encyclopedias, and other supporting references, are also utilized to clarify legal terms and concepts.

Furthermore, this research is descriptive-analytical in nature, aiming to provide a comprehensive overview of the prevailing legal conditions. The data analysis is conducted qualitatively by examining and interpreting the contents of statutory provisions and relevant doctrines in order to formulate answer to the research questions that have been identified.

## 4. RESULTS AND DISCUSSION

### 4.1 Zakat Management Practices by Amil Zakat Institutions through Shopee E-Commerce

The advancement of digital technology has brought significant changes across various aspects of life, including religious practices such as zakat management. Fundamentally, only three institutions are legally authorized to collect zakat funds: BAZNAS, Amil Zakat Institutions (LAZ), and Zakat Collecting Unit (UPZ), as stipulated in Article 7 paragraph (1) and Article 17 of Law Number 23 of 2011 on Zakat Management in conjunction with Article 7 paragraph (1) of BAZNAS Regulation Number 2 of 2016.

In recent years, however, *amil zakat* institutions in Indonesia have begun utilizing e-commerce platforms as an alternative channel for zakat fundraising. This model emerged in response to the growing public preference for fast, user-friendly, and location-independent digital transactions.

Partnership between *amil zakat* institutions and e-commerce platforms such as Tokopedia, Shopee, and Bukalapak are conducted through dedicated digital zakat

services integrated into their mobile applications. Through these features, users can select the type of zakat, whether *zakat fitrah*, *zakat maal*, or charitable donations determines the payment amount, choose the distribution institution, and complete the payment using digital wallets or other online payment methods. As a result, processes that were previously manual and geographically limited have become more flexible and inclusive.

In practice, the zakat distribution partners that collaborate with Shopee are typically registered and government authorized institutions operating under the coordination of BAZNAS, such as Rumah Zakat, Dompot Dhuafa, LAZISNAS Rumah Yatim, PPPA Daarul Qur'an. These institutions are responsible for receiving, recording, and distributing the funds collected through digital platforms. Several of them also provide digital receipts or notifications to *muzakki* as part of their accountability measures.

The zakat fundraising model through e-commerce has significantly expanded the reach of amil zakat institutions, particularly to segment of society previously underserved by conventional approaches.[3] Moreover, this collaboration is seen as more responsive to the lifestyle of a society that demands fast, convenient, and transparent transactions.[18] On the other hand, the digitalization of zakat via e-commerce offers amil zakat institutions the opportunity to enhance public trust and accountability by providing digital fund distribution reports to *muzakki*.

Despite its technical efficiency, this system still faces practical challenges, particularly concerning the legal validity of zakat payment via e-commerce, the clarity of reporting mechanisms, and guarantees for accurate and targeted distribution.

#### **4.2 Legal Relationships Structures Among Parties in Zakat Management via E-Commerce**

In managing zakat through e-commerce, it is essential to thoroughly understand the legal relationship structured established among the involved parties. This

understanding helps delineate the boundaries of accountability for each actor and ensures that zakat's collection and distributions processes comply with both sharia principles and applicable legislations. Generally, three parties are actively involved in e-commerce based zakat: the *muzakki*, the e-commerce platform, and the zakat distributing institutions (*mitra penyalur zakat*), described as follows:

##### **a. Muzakki**

According to Article 1 point 5 of Law Number 23 of 2011 concerning Zakat Management, *muzakki* defined as a muslim individual or business entity that is obligated to pay zakat after upon fulfilling certain requirements. These requirements include being Muslim, having reached the age majority (*baligh*), earnings income, and meeting the minimum threshold (*nishab*), and completing the holding period (*haul*).

However, in the context of digital zakat, particularly on platforms such as Shopee, the term *muzakki* is not explicitly referenced in the platform's terms and conditions. Instead, Shopee employs the term *donor*, which is defined in its user agreement as a registered donor who engages in activities such as opening a shop and/or offering goods or services to Shopee users, and/or meeting other criteria determined by Shopee from time to time.[19]

This means that within Shopee's service terms, the designation *donor* does not specifically refer to a zakat payer. Rather, the term may generally refer to any individual engaging in charitable acts, including sellers involved in philanthropic initiatives.

This distinction indicates that the term *donor* as used in e-commerce platforms cannot be equated directly with *muzakki* as understood within Islamic jurisprudence or national regulatory frameworks. Therefore, it is crucial for digital platforms to exercise caution in employing terminology to avoid legal ambiguity, particularly in matters related to determining legal responsibilities and the formal recognition of zakat obligations. Aligning terminology and *fiqh* based approaches with digital zakat practices

is essential to ensure the validity of the religious obligation and to maintain public trust in the digital zakat ecosystem.

b. E-commerce Platform

In this context, the term e-commerce platform refers to entities such as PT. Shopee International Indonesia, which operates the website [www.shopee.co.id](http://www.shopee.co.id). Shopee qualifies as a business actor that provides electronic communication facilities used for commercial transactions, as stipulated in Government Regulation Number 80 of 2019. Shopee functions as a technical service provider that enables users to conduct digital transactions, including zakat payments. However, Shopee does not serve as a collector or distributor of zakat funds, instead, it merely acts as an intermediary facilitating the transaction process between the *muzakki* (zakat payer) and the amil zakat institution.

In general, the responsibility for managing zakat funds does not lie with Shopee, but remains with the amil zakat institutions that receive and administer those funds. This is consistent with the provisions of Law Number 23 of 2011 on Zakat Management, which stipulates that only BAZNAS and officially designated amil zakat institutions are authorized to carry out the collection, distribution, and utilization of zakat.

c. Zakat Distribution Partners

Zakat distribution partners, in this context, refer to amil zakat institutions that have obtained official authorization from the government and have entered into partnership with e-commerce platforms for the management of digital zakat funds. These partners are responsible for receiving, naggingng, and distributing zakat funds collected through digital platforms.

Within this partnership, platforms such as Shopee provide service channel for *muzakki* (zakat payers), while the amil zakat institutions serving as distribution partners bear full responsibility for the proper use of the funds in accordance with applicable sharia principles and legal provisions. Shopee is also obligated to ensure that its partner

institutions comply with all relevant legal and administrative requirements.[19]

After understanding the roles of each party, the following section elaborates on the legal relationship established among the parties involved in the practice of digital zakat through e-commerce:

a. Legal Relationship Between *Muzakki* and E-Commerce Platform

The relationship between *muzakki* and the Shopee platform is contractual in nature. This is because, prior to making a zakat payment, users must agree to the terms and conditions provided by Shopee. These terms are presented in the form of a standard agreement commonly classified as a *click wrap agreement*, a type of contract where users indicate their consent by clicking an “agree” button before accessing the services.[20]

Although such agreements are unilateral and non-negotiable, they are legally valid and binding on the parties, provided they meet the requirements under Article 1320 of the Indonesian Civil Code on the validity of agreements. Furthermore, these agreements are recognized as electronic contracts as stipulated in Article 1 point 17 Law Number 19 of 2016 which amends Law Number 11 of 2008 on Electronic Information and Transactions, in conjunction with Article 46 and 47 of Government Regulation Number 71 of 2019 on the Implementation of Electronic Systems and Transactions.

By providing consent, *muzakki* effectively authorize Shopee to forward their personal data and transaction details to the zakat distribution partner as part of the reporting mechanism. This indicates that a legal relationship exists between the user and the platform that extends beyond mere technical service use, creating legal consequences in term of data and transaction management.

Nevertheless, it is important to emphasize that this legal relationship is confined to technological and administrative aspects. Shopee does not assume the role of a zakat management institution and bears no substantive responsibility for the effectiveness of zakat distribution performed

by its partner institutions. Accordingly, Shopee act solely as a digital intermediary providing infrastructure, not as a legal subject bearing the obligation to manage zakat funds. This limited role should be critically examined, as users, particularly *muzakki*, may not fully comprehend the legal boundaries of responsibility assigned to each party involved in digital zakat transactions.

b. Legal Relationship Between the E-Commerce Platform and Zakat Distribution Partners

The relationship between the Shopee platform and zakat distribution partners is established in the form of a strategic partnership. In legal terms, this partnership aligns with the definition provided in Article 1 point 13 Law Number 20 of 2008 on Micro, Small, and Medium Enterprises which describes a partnership as a business relationship either direct or indirect based on principles of mutual need, trust, empowerment, and benefit. In this arrangement Shopee provides access and digital payment system, while the amil zakat institutions are responsible for receiving and managing the zakat funds. The primary object of this collaboration is the collection of zakat.

Although such partnerships may not always be formalized through publicly disclosed contracts, in practice, Shopee is obligated to ensure that its zakat distribution partners are duly registered and authorized institution. This obligation is essential to ensure that the collection and distribution of zakat through the platform are conducted securely, in compliance with applicable regulations, and in accordance with sharia principles. On the other hand, zakat distribution partners bear the responsibility to ensure that the zakat funds are used appropriately in line with Islamic law and the prevailing legal framework, including Law Number 23 of 2011 on Zakat Management.

c. Legal Relationship Between *Muzakki* and Amil Zakat Institutions

The legal relationship between *muzaki* and zakat distribution partner in the context of digital zakat is not characterized by a direct contractual agreement. This is because their

interaction occurs through an intermediary digital platform, such as Shopee. Although no formal written agreement exists between the *muzakki* and amil zakat institution receiving the funds, this relationship may nonetheless be classified as a fiduciary or *wakalah* (agency based) arrangement. In practice, the *muzakki* knowingly submit their zakat through a digital system and delegates authority to the amil zakat institution to manage and distribute the funds to eligible recipients (*mustahiq*).

This *wakalah* based approach aligns with civil law doctrines, particularly Article 1729 of the Indonesian Civil Code, which defines agency as an agreement in which one party grants authority to another to manage certain affairs on their behalf. Although such authority is not granted explicitly, the digital service system agreed upon by the *muzakki* implies the delegation of a mandate to the zakat distributor to act in their name in the allocation of zakat funds.

Within the framework of positive law, full responsibility for zakat funds lies with the amil zakat institutions. This is affirmed by 19 of Law Number 23 of 2011 on Zakat Management, which obliges amil zakat institutions to submit periodic reports on the collection, distribution, and utilization of zakat to BAZNAS. This requirement applies equally to zakat received through conventional means or digital platforms.

Therefore, even though zakat payments are made via e-commerce platforms, the principles of accountability and transparency remain inherent in the amil zakat institution as entrusted fiduciaries. In fact, within the digital context, such accountability becomes even more crucial, given the *muzakki's* separation from the distribution. Without clear regulations and standardized operational procedures for digital zakat, public trust in digital zakat systems may decline, particularly if reporting failures, fund misuse, or misaligned distributions with sharia principle occur.[15]



#### 4.3 Legal Accountability of Amil Zakat Institutions in the Distribution of Zakat Through E-Commerce

The accountability of amil zakat institutions in the distribution of zakat via e-commerce in Indonesia plays a crucial role. Theoretically, according to Mohammad Mahsun, accountability is defined as the obligation to explain, report, or be answerable for certain actions, decisions, or outcomes to an authorized or interested party.[21]

In the digital zakat management system, amil zakat institution remain the primary entities legally responsible for the funds collected. This obligation is affirmed in Article 19 Law Number 23 of 2011 on Zakat Management, which requires all amil zakat institutions to submit periodic reports on the collection, distribution, and utilization of zakat to BAZNAS. This requirement is further clarified in Article 73 of Government Regulation Number 14 of 2014, which stipulates that such reports must be submitted biannually and annually to both BAZNAS and the regional government.

Accordingly, amil zakat institutions have a legal obligation to ensure that zakat funds collected through e-commerce are managed in accordance with both sharia principles and the applicable regulatory framework. This includes the mandatory recording, auditing, and transparent reporting of funds, including those distributed through digital intermediaries.

The existing regulations do not explicitly distinguish between zakat funds collected through conventional means and those gathered via e-commerce platforms. Therefore, the practice of digital zakat distribution does not diminish, let alone eliminate, the legal responsibilities borne by amil zakat institutions.

Such legal accountability is not limited to administrative duties, it may extend to criminal and civil liability in the event of misappropriation or misuse of funds. For instance, if an amil zakat institution distributes zakat without verifying the eligibility of the recipients (*mustahiq*), fails to accurately record the inflow and outflow of

funds, or neglects to report fund utilization transparently, it may be subject to legal sanctions. Articles 372 and 378 of the Indonesian Penal Code on embezzlement and fraud, respectively, can serve as the legal basis for prosecuting serious violations in zakat management. However, law enforcement against amil zakat institutions remains weak, and existing oversight mechanisms are yet to be supported by an integrated and responsive digital audit system tailored to the contemporary digital zakat model.

The absence of specific regulations governing the legal accountability of amil zakat institutions in digital zakat schemes through e-commerce has created a significant legal vacuum. Moreover, there are no standardized rules addressing the mechanisms for reporting, digital transaction evidence, *muzakki* identity validation, or guarantees ensuring that funds are truly received by the *mustahiq*. In contrast, within modern financial systems, such processes can be effectively mitigated through transparent electronic systems with automatic recording capabilities.

This stands in stark contrast to the digital financial sectors, which falls under the supervision of the Financial Services Authority (OJK) and Bank Indonesia, where all digital financial services providers are required to implement sound governance principle, risk management, cybersecurity, consumer protection, and transaction traceability.[22] As entities entrusted with managing public religious funds, amil zakat institutions should be subject to equally rigorous standards of good governance, particularly when engaging third-party technology platforms.[23]

In addition to their normative obligations, amil zakat institutions also bear moral and social responsibilities. As religious institutions, they carry a moral duty to ensure that zakat is administered with trustworthiness (*amanah*), fairness, and transparency.[24] Collaborating with e-commerce platforms should not reduce amil zakat institutions to mere fund recipients, rather, they must verify the credibility of the

platforms, ensure the availability of transaction records, and monitor real-time reporting of digital zakat funds. In this context, accountability must go beyond formal reporting and involve the capacity to establish an auditable digital accountability system that align with both sharia principles and applicable legal norms.

As the use of e-commerce platforms for zakat payments increases, regulatory reformulation has become imperative. Law Number 23 of 2011 and its derivative regulations have yet to anticipate the complexities and evolving dynamics of digital zakat via e-commerce, such as transaction data storage, platform authorization, fund encryption, and shared accountability between platforms and amil zakat institutions.

Therefore, the government through the Ministry of Religious Affairs or BAZNAS should initiate derivative policies in the form of ministerial regulations or BAZNAS regulations to establish technical standards for managing zakat through digital platforms. Such regulation must strike a balance between the flexibility of digital innovation and the protection of *muzakki* and *mustahiq* rights. Without these safeguards, the digitalization of Islamic philanthropy risks creating a vulnerable space for misuse and may erode public trust in the digital zakat system.

## 5. CONCLUSION

The digitalization of zakat management, particularly through collaborations between amil zakat institutions and e-commerce platform such as Shopee, has created significant opportunities for optimizing the collection and distribution of zakat in Indonesia. However, this development also presents complex legal

challenges, especially concerning the accountability of amil zakat institutions as the primary custodians of public zakat funds.

In this context, amil zakat institutions retain full legal responsibility for all aspects of zakat collection, distribution, and reporting, even when such funds are channeled through third-party platforms like e-commerce providers. This responsibility extends not only to administrative obligations as outlined in 19 Law Number 23 of 2011 on Zakat Management, but also encompasses moral and social duties to uphold the principle of sharia, transparency, and accountability.

The limited regulatory framework surrounding zakat management via e-commerce risks creating legal voids that may weaken oversight and accountability standards. Therefore, amil zakat institutions must not only comply with formal regulations but also take proactive measures to develop real-time digital audit systems that ensure legal certainty for both *muzakki* and *mustahiq*.

Additionally, e-commerce platforms should not merely act as facilitators but share responsibility in safe guarding the integrity of the digital zakat process. This includes the appropriate use of Sharia-compliant terminology and the enforcement of transaction security standards aligned with consumer protection and data privacy principles.

In conclusion, the success of digital zakat hinges not only on technological innovation but also on the clarity of legal accountability structures among all stakeholders. Policy reform and enhanced supervisory mechanisms are urgently needed to ensure that zakat management through e-commerce remains consistent with the objectives of *maqasid al-shariah* and the core values of social justice that underpin the institution of zakat.

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