



A State Ownership Strategy In Increasing State Revenue: Case Study And Policy Analysis

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ABSTRACT

Keywords:

Policy fiscal, Islamic economics, ghanimah, fa'i , state ownership, management state property.

Fiscal policy in Islamic economics includes various instruments that not only aim to regulate state revenues and expenditures, but also to ensure justice and the economic welfare of society. One of the instruments of fiscal policy in Islam is ghanimah and fa'i , which have an important role in creating a just and sustainable economic structure. This paper aims to examine ghanimah and fa'i as instruments of fiscal policy in Islamic economics, by discussing the three main functions of fiscal policy, namely allocation, distribution, and stabilization. This discussion is conducted through the perspective of the fuqaha, to understand how the implementation of this instrument can play a role in managing state finances. In addition, this paper also raises several issues related to state ownership as state revenue, such as sources of state ownership, how to manage state assets, management of assets that do not have heirs, and assets belonging to apostates. The results of this study are expected to provide a deeper understanding of the management and implementation of fiscal policy in Islamic economics and its impact on the welfare of the people.

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A. INTRODUCTION

The word "fiscal" comes from Latin *fiscus*, which literally means basket or bag. In the context of the economy, fiscal refers to the aspect of income and management of state finance. Policy fiscal is a set of rules or the basis applied by the government to arrange income, expenses, as well as allocation of state power to reach certain economic objectives. Policy that is effective and appropriate will impact directly on the improvement of people's welfare, in particular in the context of a developing country's economy.

In the perspective of Islamic economics, policy fiscal not only focuses on management of state revenue and expenditure, but also includes the state's obligation to arrange affairs of people with the principle of justice and prosperity. As taught by the Prophet Muhammad SAW, a caliph or imam is responsible for the maintenance and setup of affairs for his people. In this case, the state plays an active role in managing the economy of people, including through the Baitul Mal institution that regulates economic transactions as well as a functioning Al Hisbah institution to uphold law and maintain public economic security.

Policy fiscal in Islamic economics includes welfare-oriented instruments for people. One of the main instruments in Islamic fiscal policy is *ghanimah* and *fa'i*. This instrument plays an important role in creating a just and sustainable economy. *Ghanimah* and *fa'i* function as a source of state income taken from the results of war or other legitimate sources according to Islamic law. This concept is highly relevant in the context of state financial management for creating an equalized economy and fair distribution among the public.

The history of Islamic economics provides a deep outlook about the implementation of fiscal policy which is rooted in sharia principles that emphasize social justice and welfare. As time goes by, these principles have adapted to the challenges of social and economic development that continue to develop. Therefore, to understand the evolution of fiscal policy in Islamic economics, in particular through the instruments *ghanimah* and *fa'i*, becomes important. For this study, how these principles are applied in the modern economic system will be discussed.

This study aims to study more deeply about the role of *ghanimah* and *fa'i* as instruments of fiscal policy in Islamic economics. The discussion will be shared

become three part main, namely : first, the function allocation policy fiscal through instrument ghanimah and fa'i ; second, function distribution in policy fiscal and third, the function stabilization that arises from implementation policy fiscal This. Every function will analyzed based on the views of the fuqaha for give better understanding comprehensive about How instrument fiscal in Islam can support achievement objective a fair and sustainable economy.

B. RESEARCH METHODS

Study This use approach analysis qualitative that focuses on sources historical and Islamic law. Approach This involving exploration deep to various text Islamic classics, such as books of fiqh and tafsir, which became base important in understand principles finance Islamic public. In addition, literature academic contemporary used For connect relevance principles the with challenges and needs modern economy.

Study This make an effort identify and analyze instruments fiscal main in finance Islamic public, such as zakat, ghanimah, fai ', khums, and sources income other relevant in context Islamic government. Instruments This No only viewed as mechanism fundraising, but also as tool For support justice social and distribution riches in a way evenly distributed in society.

In context historical, research This to browse How instruments the applied during the time of the Prophet Muhammad SAW, Khulafaur Rashidun, and the subsequent Islamic Caliphate. This study also discusses dynamics social, political and economic influences implementation policy fiscal in each era. On the other hand, the implementation of principles This in modern context explored through study case and analysis policy. Research This try answer how countries with the majority of Muslims can adopt and adapt instruments This Islamic fiscal For overcome challenge global economy, such as inequality economy, poverty and development sustainable.

With integrated approach this, research This aiming For give a comprehensive overview about relevance instruments finance Islamic public in various context, as well as its potential For applied in policy modern state fiscal use reach welfare together.

C. RESULTS AND DISCUSSION

Sources State Ownership

Abu Yusuf divided state revenue in three groups : Ghanimah and Khumus, Shadaqoh (Zakat) and Fay (consisting of jizyah, ushr and kharaj). Meanwhile that, Abdul Qadim Zallum in the book of al-Amwal fi Daulah al-Khilafah, dividing source source state revenue in three groups, namely:

1. Parts of Fai and Kharaj (ghanimah, anfal, fai, khums, kharaj, jizyah, ushr, rikaz and taxes (dlaribah).
2. General Ownership Section (facilities / means) general like water, fields grass, road road general, goods like mine oil and gas, gold and metals glorious others, tin, iron , uranium, coal, resources Power natural like sea, river, lake.
3. Shadaqah Section (various) types of zakat). Through the book Al-Amwal, Abu Ubaid divides sources reception to in three group: (1) Shadaqoh (various type types of zakat); (2) Fai (kharaj, jizyah, khums , ushr); (3) Land Tax (iqtha, ihya al-mawat, hima). In the economy capitalist or economy conventional , source main state revenue comes from from taxes and debts. Outside that, the country usually add sources reception from retribution (levy) or customs excise), BUMN profits, fines and confiscations carried out government , printing money, and gifts (grants).

Ghanimah or Anfal

The Misfortune or Anfal is treasure loot war or all something controlled by a group muslims who are obtained through war with the infidels. Treasure ghanimah usually in the form of money, weapons, goods merchandise, materials food and prisoners war . The basis is the word of God in Surah Al Anfal verse 1: " They ask to you about (the division of) property loot war . Say: " Wealth loot war belongs to Allah and the Messenger, because That be pious to Allah and fix it the relationship between one another ; and obey to Allah and His Messenger if You are believers . "

Treasure ghanimah First is the death of Abdullah ibn Jahsy, obtained after Allah permits they to war post migration to Medina, built a mosque and pioneered establishment of the State of Medina. Ghanimah That in the form of part camel race The Quraysh who brought supplies logistics and goods trade.

This happened in the month of Jumadi ats-Tsani year second hijri.

The Misfortune become source large state revenues during the era of the caliphate until the period of Islamic expansion occurred during the Umayyad Dynasty and the Abbasid Dynasty. Abu Yusuf entered ghanimah as source reception a country that is not remains. The Caliphate that spread Islam to all over corners of the world and if succeed do conquest (futuhat) both in previously Islamic lands is at in power pagan nations, as well as in foreign countries the infidel nation alone, then will Lots Baitul Mal's income from anfal or ghanimah, fa'i, and khums . So the more Islam is spread to all over all over the world through preaching and jihad are increasing Lots treasure income for Baitul Mal from treasure loot war. In Qs. Al-Anfal it is explained that "Know, Verily, What only one can You get as loot war, then indeed fifth for Allah, the apostle, the apostle's relatives , children orphans, poor people and ibnussabil, if You believe to God and to what We have sent down to Our servant (Muhammad) on the Day of Furqaan, that is, on the Day meeting of two armies, and Allah is Almighty over all something. (QS Al Anfal (8):41).

In accordance the word of God in Al Anfal letter verse 41, that fifth treasure ghanimah distributed for five groups, namely: a. Allah and His Messenger. b. The Messenger's relatives (Banu Hasyim and Muthalib). c. Children orphan . d. poor. e. Ibnussabil. being four-fifths from ghanimah That shared to those who participate fight. This verse down simultaneously with the meeting of the two armies at the Battle of Badr, on the day Friday 17th Ramadhan year 2nd Hijri. some mufassirin to argue that paragraph This hinting to day the beginning The revelation of Al Quranul Kariem on the night of 17 Ramadhan. Abu Yusuf looked at him that ghanimah not only in the form of treasure loot furious. Ghanimah also includes goods mine, treasure treasures and jewels obtained from oceans. The state has the right one fifth (20%) of mark mine gold, goods findings or treasure treasure from in stomach earth, and goods found at sea like pearls and jewelry other.

Fai

Fai according to Language is ar-rujuu ' which means back . According to term fiqh , fai is is all something that is mastered race Muslim from acquired property of unbelievers with peaceful, without war. Or after war ended, called

fay because God returns treasure to the race Muslims. Abu Ubaid argued kharaj, jizyah, ushr and khums including fai. Allah says in Al Hasyr letter verse 6: "And what just treasure the spoils (fai-i) that Allah gave to His Messenger (from treasure their objects, then for get That You No deploy one a horse and (neither) a horse camel, but Allah gave it power to His Messenger against What only what He wills. and Allah is Almighty over all something."

Different with ghanimah which is 80% portion shared to those involved in war, treasure fay shared finished to five groups, namely: (1) Allah and His Messenger; (2) the Messenger's relatives (Banu Hasyim and Muthalib), (3) the children orphan.; (4) poor; (5) Ibnussabil.

Imam Ahmad has to narrate from 'Umar ra, he said, "Treasure Bani Nadhir objects include treasure the spoils that Allah gave to His Messenger without A raid with deploy horse or camel, then treasure That special for the Messenger of Allah. He use as living For One year-in One chance He said : to food main his family during a year-and the rest he use For horses and equipment for jihad in the way of Allah. Ibnu Kathir argued, passing distribution treasure fai, Allah wills existence turnover and distribution treasure among human. God regulates distribution treasure fai ' that such that appearance, so that wealth That No only monopolized by rich people, then they use it For vent air lust and desire they just without pay attention to the poor.

Khumus

Khums according to Abu Ubaid is fifth ghanimah from expert harbi, rikaz and luqathah. Type of property Khums Can originate from a number of kinds. First, the part fifth ghanimah as the word of God in Al Anfal letter verse 41. Namely part for the poor, needy, ibn sabil. After the Prophet Muhammad died, the part fifth for Allah and His Messenger also became part from khums. Second, it is obtained from findings treasure hidden. There is a story from the time of Caliph Umar narrated by Mujahid from Ash Sya'bi that somebody man find treasure 1,000 dinars buried outside city. He came to the caliph and Caliph Umar took one fifth (200 dinars) for the state (treasures) people muslim), the rest given to the person who finds it. According to Abu Ubaid, to findings treasure hidden, Caliph Umar once enforce three type law. First, it is taken

khums (1/5), the rest (4/ 5) for inventor; second , taken all for the country (enter Baitul Mal), si inventor No get part; third, property That fully given to the inventor.

State Property in the Form of Land, Buildings , Public Facilities, and Income

Every span land and related buildings with the country is right all over Muslims. If not including ownership general, means classified as owned by country. Owned by country is something which also includes to in owned by individuals, such as land, buildings, and goods that can be moved. But, if relate with right Muslims then the settings become state duties. The arrangement handed over to Caliph, Because He Which have authority in arrange all something related with all over right Muslims. During things earlier No classified as ownership general, then the Caliph may own the thing and the benefits for certain people. While owned by general No may owned by anyone, either individual and group. Therefore, objects the become state-owned, because the state has the authority in arrange its use. This is meaning from ownership.

Even though the country is the same as the managing party ownership general And Also manage owned by country, will but There are differences between the two ownerships. Every object that is classified as public property, such as petroleum, gas and mining goods in large quantities, seas, rivers, springs, fields, thickets, pastures and mosques;-for the Caliph-all of this cannot be transferred to anyone, whether individual or other group. Because, everything owned by all over race Muslims. The types of state property are:

1. Deserts, mountains, beaches and land dead that is not There is the owner Every field sand, mountains, hills, valleys, beaches, dead land that is not looked after, that has never been planted with plants, or that on at first Once planted Then changed become abandoned Because left behind the manager, all in all is state- owned. Caliph Which set it up in accordance with opinion and his ijihad in frame welfare race Muslim. Caliph can give (share) it. He also allowed it (somebody) For turn on And free him.

2. River Sediment Soil Namely lands Which covered water, like Which there is in between Kufa and Basrah. Lands is covered by the water of the Euphrates River and Tiger. Area Which sandwiched by two river That flooded by water until it covers the area, so that the land is no longer suitable for agriculture. Whereas previously, the land was a park area, a place to live and agricultural land. Sediment river This start appear on time Kubad bin Fairus, then increased and expanded because he neglected to manage the lands, and was busy with the war between the Muslims and the Persians. Until finally the area of the land reached 27,225 square kilometers. The lands covered by water became unsuitable for agriculture, because the water inundated the land. This kind of land is classified as dead land. Although there used to be buildings on the land or agriculture, the land remains the property of Baitul Mal and the state, as long as it is not owned by someone. This river sediment land could previously be forests, fortifications, salty soil, peat soil and the like. The law The same with land dead.
3. Building That is every palace, building, hall Which mastered by liberated countries. Previously used exclusively for the structure of liberated state institutions, for their administrative affairs, for organizations and supervisory bodies, college tall, schools, House Sick, museums, companies, factories, or (buildings) that owned country the, building Which owned for the ruler and leader of the country, people who are killed on the battlefield, people who flee from war, or (buildings) belonging to the people of a country because they are afraid to the Muslims then ran away from him. All palaces, buildings or halls become *ghanimah* and *fai* for Muslims Baitul Mal rights and become state-owned.
4. Including state owned is every building or a hall built by the state and purchased from the Baitul Mal funds, then specifically designated for state officials/institutions, for the benefit of country, For sexy-sexy And bureau owned by country, for college tall, schools, House Sick, And means anything that the state builds. In addition, any building or hall that awarded or granted to country, or bequeathed to the state, or that No own expert

inheritance, or belonging to an apostate Which dead or punished dead
Because his apostasy, all of it belongs to the state.

Management State Property

Because the Shari'a (Allah and His Messenger) has given the Caliph (authority) to regulate the affairs of the Muslims, to achieve their welfare. they, fulfil needs they, in accordance with his ijthihad in achieving goodness and benefit; then Caliph must manage treasures owned by country as much as possible maybe, so that income Baitul Malls are growing, and can utilized Muslims. Thus (property) belonging to the state does not become in vain , lost its benefits and income disconnected.

Management (property) owned by country No means country change into a trader, producer, or entrepreneur, so that the state carries out activities like a trader, producer or entrepreneur. The state is (remains as) the regulator. Therefore, what is emphasized in the management (of assets) is its regulation (aimed at) affairs public, achieve their welfare And fulfill their needs. So, the main goal is regulation (ri'ayah), not seeking profit. Management of state property (property) is carried out with various ways, including:

- Sale or rental.
- Management Land Field Which Tree-lined .
- Management on lands agriculture Which very wide, done by employing farmers For manage land the.
- Turning on land sediment rivers, swamps, forests shrubs, ponds, soil that retains water, salty soil, by renewing the water channels, irrigating it with half the water, drying it, until the soil is suitable for land agriculture and can planted trees.
- Distribution Land.

Assets for which there are no heirs .

Every property , good move or No moving, the owner of which already died and there is nothing expert his heir based on the law *of faraidh*, There isn't any (the rest of) his family, because Which also meant has died, there is no heir either his wife, children, fathers, mothers, brothers, sisters, or *ashabah*, then the property is put into the Baitul Mal. From Miqdam al-Kindi from the

Prophet saw, that he said: *I am a guardian for every believer compared to himself, so whoever (dies and then) leaves a debt or burden Which abandoned so come on to me. And whoever leaves property, inherit it (to his heirs). I am the guardian of those who have no guardian, I am the one who inherits their property and sets them free.* (HR. Bukhari, Muslim And Tirmidhi).

Hadith This is instruction Which clear And firm, that if somebody dead And No There is expert his heirs, so expert His heir is the Messenger of Allah, because he is the guardian of all the believers and *a guardian* for those who do not have *a guardian* . After he died, so affairs This switch to Caliph. This means Caliph become guardian on all over race Believer And *maula* for a person who does not have *a maula* , an heir for a person who does not have a maula expert inheritance. Caliph inherit treasure person the No For himself but for the baitul mal of the Muslims. Thus, there is a transfer of inheritance of the property of people who do not have heirs, which was originally owned specifically then becomes the property of the state. The property is stored in the baitul mal in the *fai* and *kharaj sections* . This property is managed by the Caliph according to his views for the benefit and goodness of the Muslims. The Caliph can sell it, rent it, endow it, grant it, distribute it. Its use is carried out to achieve the benefit Muslims according to with his views.

Like as with property a Muslims who do not have heirs, on the property of *the infidels dhimmi* who No having heirs applies the same law. Therefore, if a *dhimmi disbeliever* dies and leaves treasure, Good treasure move or No move, And there are no heirs, then his property becomes *fai* for the Muslims. This also applies to the excess inheritance of a Muslim, such as a person Which dead And No own expert inheritance except Wrong one of the husband/wife, because the husband/wife does not have the right to the remaining inheritance after taken (shared) in accordance with Which must they (both) get. So, the excess of this inheritance becomes *fai* for Muslims and is stored in the Muslim baitul mal. Because, wealth that has no clear mustahik becomes *fai*, just like a person's wealth muslims who don't There is expert his heirs.

The Wealth of the Apostates

Apostasy is go out from religion Islam, return become ungrateful. Allah Swt said: *Whoever among you (Muslims) turns apostate from his religion*

(Islam), Then he dead, so he die an infidel. They That Which all over his charity deleted in world And the afterlife, and they are the eternal inhabitants of hell therein. (TQS. al-Baqarah [2]: 217).

Someone (good) man and women) who apostate from religion Islam, And enter to religion other, like Jewish, Christian, Zoroastrian, Buddhist or others such as Communists, then their blood and wealth are not preserved (become halal). This is because the haram of the person's wealth follows the haram of his blood. If the haram of the person's blood disappears because of apostasy, then the wealth is the same.

The spill blood Because *please* No The same with case *muharibah*, zina *muhshan* (married) or because of intentional killing. Because, both *muharibah*, zina *muhshan* and intentional killing do not cause a Muslim to become an infidel, so that his wealth still forbidden (awake). Even a *muharib*, adulterer *muhshan* , murderer intentionally remains a muslim, And entitled to inherit as well as to obtain inheritance. As for If a person apostatizes, his property and blood will be lost . become halal.

Blood And treasure person apostasy owned by race Muslim. However, the obligation to kill an apostate and take his property ceases if the person concerned repents. If given chance For repent during 3 day, but the person don't do it And not back to in religion Islam, then it must be executed immediately and his wealth must be confiscated. The status of the person's wealth is *fai* and is stored in the Muslim treasury in the *fai* and *kharaj sections*. The wealth of this apostate is managed as well as possible. The wealth of an apostate cannot be inherited, because if one of a husband and wife apostatizes before *dukhul* (having intercourse) husband and wife-*ed*) instantly That Also the contract damaged. They both cannot inherit from each other. Likewise, if the apostasy occurs after *the dukhul*, then the marriage is broken. If one of them dies, then the one who inherits others can't be mutual inherit it. Because, one of them is a Muslim and the other is an infidel. Likewise, an apostate, if he dies and his heirs a Muslim, so he No entitled inherit expert his heirs. Because although expert his heir a Muslim, but because he is an apostate, then the infidel still cannot inherit from the Muslim. His wealth is still divided for some of the heirs if there are heirs, but if there are no heirs then all of his inheritance

becomes *fai wealth* for the Muslims and is stored in the Baitul Qadar. mall. If person apostasy become expert inheritance his son, his father, mother or siblings are Muslims, then they have no right to inherit that person. Because Muslims are not allowed to pass it on to infidels, so all their wealth becomes *fai* for Muslims and is kept in Baitul Mal.

Likewise, if If someone apostates together with all his heirs, then his property and their (his heirs) property becomes halal and has the status of *fai* for Muslims, because they are one not the same as each other Can each other inherit.

If a group people (*congregation*) apostatize, then they settle in a land and appoint a ruler and certain laws for them, then that land becomes *darul harbi*. This means that their blood and property become halal, and it is obligatory to fight them just as it is obligatory to fight the original infidels. In fact, fighting them (the apostates) must be more severe and must be prioritized. Because, from person infidel Which of course the origin infidel Can accepted three matter, that is they enter Islam, or accept peace, or pay jizyah. As for the apostates, it cannot be accepted from them unless they convert to Islam. So from the apostates No Can accepted peace or tax. For they there are only two choices, they either embrace Islam or are fought. This is what Abubakar and his companions did when they fought the apostates. Nothing is accepted from the apostates except returning to Islam completely or being fought.

If person apostasy return to in Islam so treasure which he controls (formerly) returned Also. If return to in Islam, it occurs after the heir dies but before the inheritance left by the heir is divided, then he can take part of the inheritance. If the return to Islam occurs after the inheritance of the heir is divided, then he has no rights, and does not given whatever from treasure inheritance That.

D. CONCLUSION

Ghanimah and fa'i is one of instrument policy fiscal that started applied in the later era of the Prophet Muhammad SAW followed by the friends. Research aiming For to study function allocation, distribution and stabilization

policy fiscal ghanimah and fa'i from the time of the Prophet Muhammad SAW until to friend from various opinion of scholars. Islamic economics has become solutions that deliver prosperity and well-being for all its people. Various sources reception start from zakat, ghanimah, fai, kharaj, fai, ushr, khums, nawaib, amwal tax, tax special, duty entry, customs out, grant, gift, kafarat, and several sanctions other financial has moved become source very large state revenue big. If you want and are willing do effort adaptation, reactualization and revitalization sources reception that, succession similar Can applied today by any country, including Indonesia.

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