



## Zakat and Tax as Instruments of Fiscal Justice: A Normative Analysis of Yusuf Al-Qardhawi's Thoughts

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### Abstract:

Zakat and taxation are two fiscal instruments that play a significant role in promoting social and economic justice. In contemporary Muslim societies, debates over the relationship between zakat and taxes have become increasingly important, particularly regarding their legal legitimacy and their roles in modern state financial systems. This study aims to analyse Yusuf al-Qardhawi's thought on the concept, legal basis, and relationship between zakat and taxation from the perspective of Islamic law. The research employs a qualitative method with a library research design. Primary data were derived from Yusuf al-Qardhawi's works; secondary data consisted of classical and contemporary fiqh literature, scholarly journal articles, and relevant regulations. Data were analysed using a content analysis approach. The findings reveal two main points. First, Qardhawi distinguishes zakat as a permanent religious obligation (*tsābit*) grounded in the Qur'an and Sunnah. At the same time, taxes are viewed as contextual state obligations (*mutaghayyir*) justified through public interest and the objectives of Islamic law. Second, Qardhawi proposes that zakat and taxes should not be understood as competing obligations but as complementary instruments that can operate synergistically to promote fiscal justice and public welfare. This study concludes that integrating zakat and taxation within a fiscal justice framework can strengthen public finance policies in contemporary Muslim countries by aligning religious values with modern governance and enhancing distributive justice.

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## INTRODUCTION

Zakat and taxes are two fiscal instruments that play a strategic role in regulating wealth distribution, supporting the sustainability of the state, and realizing social and economic justice. From an Islamic perspective, zakat is not merely an individual religious obligation but also a socio-economic instrument that reduces inequality, empowers vulnerable groups, and maintains a balanced distribution of wealth within society (Arum, 2025; Pratama et al., 2024; Safitri et al., 2024). Meanwhile, taxes in the context of a modern state are considered the primary source of state revenue used to finance public services and infrastructure development, and to ensure the collective welfare of citizens (Pratama et al., 2024; Wananda & Aziz, 2025). Although these two instruments originate from different epistemological foundations—zakat from religious obligations and taxes

from state authority—both essentially converge toward the same goal: achieving justice and the public good.

The relationship between zakat and taxes has become increasingly relevant and complex. The transformation of governance systems from traditional Islamic governance to modern nation-states has resulted in fiscal systems that rely heavily on taxation as the backbone of state finances (Fuadi et al., 2021; Muharani et al., 2022; Siregar et al., 2022). This development raises fundamental questions among Muslims about the dual obligation of zakat and taxes, the legitimacy of taxes under sharia (Abidin & Utami, 2020; Ahyani et al., 2024), and the position of zakat within the state's public financial system. These debates are not merely theoretical but also have practical implications for the fiscal compliance of Muslim communities, the effectiveness of zakat management, and the sustainability of national fiscal systems. The urgency of studying zakat and taxes becomes even more evident when linked to the broader challenge of fiscal justice in the era of globalization. Economic inequality, structural poverty, and the concentration of wealth within certain groups are global issues that require fair and sustainable fiscal solutions.

One of the contemporary Islamic scholars who significantly contributed to this discourse is Yusuf al-Qardhawi. Through his monumental work *Fiqh of Zakat*, Qardhawi elaborates on zakat not only as a religious legal obligation but also as a socio-economic mechanism with implications for public financial governance (Ariawan et al., 2024; Supriyadi, 2023). He conceptualizes zakat as a permanent religious obligation (*tsabit*). At the same time, taxes are viewed as a dynamic state obligation (*mutaghayyir*) that may be imposed when necessary for the public interest, provided that it adheres to the principles of justice and does not contradict sharia values. This perspective demonstrates Qardhawi's attempt to harmonize classical Islamic jurisprudence with the realities of modern state governance.

The distinctive aspect of Yusuf al-Qardhawi's thought lies in his normative-contextual approach to contemporary fiscal realities. Rather than treating zakat and taxes as mutually exclusive obligations, he views them as complementary instruments that can work synergistically to achieve fiscal justice (Senawi et al., 2023; Wenjuan & Zhao, 2023). The relevance of this discourse is particularly evident in Muslim-majority countries such as Indonesia. As the country with the largest Muslim population in the world, Indonesia faces the dual challenge of optimizing the vast potential of zakat while maintaining public tax compliance (Ariawan et al., 2024; Suherli et al., 2025). Various policy discussions have emerged, including the recognition of zakat payments as tax deductions and the possibility of integrating zakat within the broader fiscal framework of the state. Such initiatives require strong normative and religious legitimacy to gain public acceptance. In this regard, Yusuf al-Qardhawi's thoughts provide an important theoretical foundation that combines the authority of Islamic jurisprudence with sensitivity to contemporary socio-economic realities.

From an academic perspective, studies on zakat and taxes have been conducted from various angles. Some research highlights zakat as an effective instrument for poverty alleviation and economic empowerment of marginalised communities. At the same time, other studies focus on taxation within the framework of positive law and public fiscal policy (Aritenang & Chandramidi, 2023; Hung & Thanh, 2022; Usman & Rahman, 2021). Several scholars have also discussed the relationship between zakat and taxes; however, many of these studies tend to analyse the two instruments separately or position zakat merely as an alternative to taxation (Subhan, 2022). Consequently, these approaches

often fail to explore integrative perspectives that reconcile religious fiscal obligations with modern state financial systems.

Furthermore, numerous studies have examined Yusuf al-Qardhawi's intellectual contributions, particularly regarding zakat, maqasid al-shariah, and contemporary Islamic jurisprudence. Nevertheless, research that specifically analyses zakat and taxation as instruments of fiscal justice within a normative analytical framework grounded in Qardhawi's thought remains relatively limited. In many existing studies, taxation is only briefly mentioned in discussions of zakat, without systematically exploring Qardhawi's arguments on the legitimacy of taxation and its relationship to zakat obligations. This indicates a clear research gap in the literature regarding a comprehensive normative analysis of zakat and taxes as complementary fiscal instruments within the framework of Islamic legal thought.

Based on this gap, the novelty of this research lies in its effort to position zakat and taxation within the framework of fiscal justice through a normative analysis of Yusuf al-Qardhawi's thought. Unlike previous studies that tend to separate or dichotomise these two instruments, this research examines their conceptual relationship, legal basis, and socio-economic objectives within an integrated perspective of Islamic jurisprudence and public finance. By doing so, this study aims to enrich contemporary discourse on Islamic fiscal thought and provide a more holistic understanding of how religious and state fiscal obligations can coexist harmoniously.

Therefore, this study aims to normatively analyse Yusuf al-Qardhawi's thoughts on the concept, relationship, and legal basis of zakat and taxation from the perspective of Islamic law. Through this analysis, the research seeks to highlight the principles of justice, welfare, and social responsibility that underlie both fiscal instruments and to demonstrate that zakat and taxes should not be viewed as contradictory obligations. Instead, they can be understood as complementary pillars in realising fiscal justice and promoting societal welfare in contemporary Muslim societies.

## RESEARCH METHOD

This research employs a qualitative approach with a library research design (Ruffa & Evangelista, 2021). A qualitative approach is used because the objective of this study is not to measure variables statistically but to explore, interpret, and understand in depth the conceptual and normative ideas developed by Yusuf al-Qardhawi regarding the relationship between zakat and taxes from an Islamic law perspective. Through this approach, the research emphasises the interpretation of texts, arguments, and legal reasoning contained in scholarly works.

This study focuses on normative and interpretative analysis of Yusuf al-Qardhawi's thoughts. Normative analysis examines the legal foundations and principles underlying the concepts of zakat and taxation in Islamic jurisprudence. At the same time, the interpretative approach aims to understand the meaning, context, and intellectual framework of Qardhawi's arguments. In this regard, texts are positioned as the primary object of analysis, allowing the researcher to explore how Islamic legal reasoning is constructed in addressing contemporary fiscal issues.

The main analytical technique used in this study is content analysis (Taherdoost, 2022). Content analysis is a qualitative research method used to derive meaningful interpretations from textual data by systematically identifying patterns, themes, and conceptual relationships within documents. According to Krippendorff, content analysis

enables researchers to draw reliable conclusions from texts while considering the context in which they are produced and interpreted. In this research, content analysis is applied to examine Yusuf al-Qardhawi’s concepts, arguments, and legal reasoning regarding zakat and taxes, including their theological, juridical, and socio-economic dimensions.

The data sources used in this research consist of primary and secondary data. Primary data are derived directly from the works of Yusuf al-Qardhawi, particularly *Fiqh of Zakat*, which extensively discusses the concept of zakat, its socio-economic function, and its relationship to state financial obligations, such as taxation, in the modern fiscal system. This work is considered the main reference because it represents Qardhawi’s authoritative perspective on contemporary Islamic jurisprudence.

Secondary data are obtained from various relevant sources, including classical and contemporary Islamic jurisprudence texts, scientific journal articles, previous research findings, and relevant regulations on zakat and taxation. These secondary sources support and enrich the analysis, provide broader academic perspectives, and offer comparative insights into the discussion of fiscal obligations in Islamic law and modern state systems.

Data collection in this research is conducted through a documentation study. This technique involves systematically collecting, inventorying, classifying, and reviewing written materials on zakat, taxation, Islamic jurisprudence, and contemporary fiscal discourse. The collected documents are then organised by relevance to the research focus to facilitate a more structured analytical process.

The collected data are analysed qualitatively through several stages. The first stage is data reduction, which involves selecting and focusing on information that is directly relevant to the research objectives. The second stage is data presentation, in which the data are organised as descriptive narratives and analytical explanations to clarify conceptual relationships within Qardhawi’s thought. The final stage is drawing conclusions, which involves synthesising the findings to produce a coherent, systematic interpretation of Yusuf al-Qardhawi’s views on the relationship between zakat and taxation within the framework of Islamic legal thought. Through these stages, the study aims to generate a comprehensive understanding of the normative foundations and contemporary relevance of Qardhawi’s fiscal ideas.

**Table 1. Qualitative Research Method Design**

<b>Research Components</b>	<b>Description</b>
Types of Research	Library-based qualitative research
Approach	Normative–interpretative
Analysis Techniques	Content analysis
Primary Data Sources	The works of Yusuf al-Qardhawi, particularly <i>Fiqh of Zakat</i>
Secondary Data Sources	<i>Fiqh</i> books, scientific journals, previous research, and related regulations
Data Collection Techniques	Documentation study
Analysis Stages	Data reduction, data presentation, and drawing conclusions

Table 1 presents a concise overview of the methodological framework used in this study. Each component reflects the qualitative orientation of the research, which prioritises in-depth textual interpretation and conceptual analysis. Content analysis enables a systematic exploration of Yusuf al-Qardhawi’s arguments. At the same time, integrating primary and secondary sources enhances the validity, depth, and comprehensiveness of the research findings.

## RESULT AND DISCUSSION

### Normative Foundations of Zakat and Tax

The first finding of this study shows that Yusuf al-Qardhawi clearly distinguishes between zakat and taxes based on their normative foundations in Islamic law. Zakat is positioned as a permanent religious obligation (*tsābit*) that derives directly from the textual authority of the Qur'an and Sunnah, while taxes are understood as contextual state obligations (*mutaghayyir*) whose legitimacy depends on public needs and social welfare (Ahyani et al., 2024; Fakhruddin et al., 2024). This distinction demonstrates Qardhawi's normative-contextual approach to Islamic law, which combines textual authority with responsiveness to social realities. In his view, Islamic law cannot be interpreted in a purely literal or static manner; rather, it must remain open to contextual interpretation that addresses contemporary socio-economic challenges.

Zakat therefore occupies a unique position in Islamic law because it combines legal, spiritual, and social dimensions. It is not merely a fiscal mechanism but also a form of worship that strengthens the relationship between humans and God while simultaneously fostering solidarity within society (Aziz et al., 2024; Habibi, 2024; Thamrin et al., 2023). This theological dimension distinguishes zakat from other fiscal instruments and reinforces its irreplaceable status in Islamic teachings.

Furthermore, Qardhawi emphasizes that the obligation of zakat cannot be substituted by other fiscal mechanisms, including taxation, regardless of how important taxes may be for modern state finance. Replacing zakat with taxes would remove the element of worship and transcendental value embedded in zakat as a pillar of Islam. Zakat contains ethical and spiritual meanings that extend beyond its economic function, including wealth purification, social responsibility, and compassion toward vulnerable members of society (Safitri et al., 2024). Therefore, even in a modern fiscal system dominated by taxation, zakat must remain an autonomous religious obligation. Qardhawi also criticizes the tendency in some Muslim countries to marginalize zakat by prioritizing purely secular taxation systems without recognizing its spiritual and social significance (Fuadi et al., 2024; Saad & Foori, 2020). From his perspective, such an approach risks weakening the moral and religious foundations of economic justice within Muslim societies.

In contrast, Yusuf al-Qardhawi interprets taxes as fiscal instruments derived from the authority of the state to regulate public affairs and finance collective needs. Although taxes do not have explicit textual foundations in Islamic sources, their legitimacy can be justified through the principles of *maslahah mursalah* (public interest) and the objectives of Islamic law (*maqāṣid al-sharī'ah*). This perspective reflects a dynamic understanding of Islamic jurisprudence in which legal rulings may evolve in response to changing social circumstances (Harahap et al., 2023; Raimi & Bamiro, 2025). However, Qardhawi emphasizes that tax legitimacy depends on its implementation in accordance with the principles of justice, transparency, and accountability. Taxes must not become instruments of exploitation or oppression but should instead serve as mechanisms for fulfilling public needs such as education, healthcare, infrastructure, and social protection. This framework shows that taxation in Islamic legal thought is not rejected outright but must be guided by ethical and normative considerations to ensure that it contributes to social welfare (Suherli et al., 2025).

**Table 2. Differences in the Characteristics of Zakat and Tax in the Thinking of Yusuf al-Qardhawi**

Aspect	Zakat	Tax
Legal basis	Nash Al-Qur'an dan Sunnah	State policy and public welfare
Nature of Obligation	Fixed (tsābit)	Contextual (mutaghayyir)
Subject	Qualified Muslims	Citizens
Main purpose	Worship and distributive justice	Public interest financing
Dimensions	Spiritual and social	Administrative and social

The findings summarized in Table 2 demonstrate that zakat and taxes possess distinct normative identities in Yusuf al-Qardhawi's thought. Zakat is fundamentally rooted in divine revelation and therefore remains constant in its legal status and basic provisions. Taxes, on the other hand, derive their legitimacy from state authority and social necessity, making them more flexible and adaptable to changing socio-economic conditions. This distinction highlights that zakat and taxes should not be interpreted as competing fiscal obligations. Instead, they represent different institutional mechanisms that operate within separate yet complementary normative frameworks. Zakat functions primarily as a religious instrument of distributive justice, while taxes function as a state instrument for managing public finance.

### **Integration of Zakat and Tax as Instruments of Fiscal Justice**

The second finding of this research reveals that Yusuf al-Qardhawi does not conceptualize zakat and taxes within a dichotomous or antagonistic framework. Instead, he views both instruments as potentially complementary mechanisms that can work together to achieve fiscal justice and public welfare. Zakat and taxes have different sources of legitimacy and institutional functions, but they ultimately share the same ethical objective: the realization of social justice. This perspective allows Islamic legal thought to accommodate modern fiscal systems without undermining religious principles (Fakhrudin et al., 2024; Nst et al., 2025). By acknowledging the legitimacy of both instruments, Qardhawi seeks to avoid two opposing extremes: the religiously conservative view that rejects taxation entirely and the secular perspective that marginalizes zakat in favor of purely state-based fiscal policies (Arum, 2023). His moderate approach offers a balanced framework in which religious and state obligations can coexist harmoniously within the public financial system.

In this framework, Qardhawi argues that the integration of zakat and taxes should be guided by the principle of fiscal justice. Fiscal justice is understood not only as the equal distribution of financial burdens among citizens but also as proportionality and sensitivity toward vulnerable groups in society (Arum, 2025). Zakat inherently embodies distributive justice because its allocation is specifically directed toward eight categories of beneficiaries (*mustahiq*), ensuring that wealth circulates within society and reaches those most in need. Taxes, on the other hand, can serve as instruments of structural justice if they are designed progressively and implemented transparently (Afifah et al., 2025). When combined effectively, these two mechanisms can strengthen the overall fiscal capacity of the state while simultaneously preserving the ethical values of Islamic economic principles.

Another important implication of this finding is the relevance of Qardhawi's ideas for contemporary Muslim-majority countries facing complex public finance challenges. Modern states require stable and sustainable sources of revenue to provide public services, develop infrastructure, and maintain social welfare systems. Relying solely on

zakat would be insufficient due to its limited scope and fluctuating revenue potential (Febriandika et al., 2023). Conversely, ignoring zakat within state fiscal systems could weaken the religious legitimacy of public finance policies in Muslim societies (Ibrahim et al., 2023; Idrus, 2024). Therefore, integrating zakat and taxes offers a pragmatic and normatively grounded solution that recognizes the strengths of both instruments. Such integration may include recognizing zakat as a tax deduction, improving coordination between zakat management institutions and tax authorities, and incorporating Islamic ethical values into fiscal policy design (Mohammed et al., 2021; Nst et al., 2025).

**Table 3. Implications of Zakat and Tax Integration on Fiscal Policy of Muslim Countries**

Policy Aspects	Implications of Integration
Policy Legitimacy	Increasing social and religious acceptance
Fiscal Justice	Strengthening redistribution and social protection
Taxpayer Compliance	Increasing public awareness and participation
Public Financial Management	More inclusive and welfare-oriented
Social Stability	Reducing inequality and social conflict

Table 3 illustrates the broader implications of integrating zakat and taxes within the fiscal policies of Muslim countries. The integration of these instruments can significantly enhance the legitimacy of fiscal policies because they align state financial mechanisms with religious values widely accepted by Muslim communities. In addition, such integration can strengthen redistributive justice by combining the targeted social assistance provided through zakat with the broader fiscal capacity generated by taxation. This approach also has the potential to increase public compliance with fiscal obligations, as individuals are more likely to support policies that resonate with their ethical and religious beliefs. Furthermore, integrating zakat and taxes can contribute to more inclusive public financial management by ensuring that economic policies prioritize social welfare and equity. Ultimately, this framework supports social stability by reducing economic disparities and minimizing potential conflicts arising from perceived fiscal injustice. Through this perspective, Yusuf al-Qardhawi's thought offers a comprehensive normative framework for addressing contemporary fiscal challenges in Muslim societies.

## CONCLUSION

This study concludes that Yusuf al-Qardhawi's thought positions zakat and taxes as two distinct yet complementary fiscal instruments within the framework of Islamic fiscal justice. Zakat is understood as a permanent religious obligation (*tsābit*) rooted in the Qur'an and Sunnah with clear principles of distributive justice and social solidarity. At the same time, taxes are contextual state obligations (*mutaghayyir*) justified through public interest (*maṣlaḥah*) and the objectives of Islamic law. The findings indicate that Qardhawi's normative-contextual approach enables both instruments to function synergistically to support equitable wealth distribution, strengthen social protection, and sustain modern public finance systems in Muslim societies. However, this study is limited by its reliance on library-based normative analysis and its focus primarily on Qardhawi's writings. It thus does not empirically examine how zakat and tax integration operate within contemporary fiscal institutions. Therefore, future research is recommended to expand this study through empirical approaches, comparative analyses across Muslim-majority countries, or policy-based studies that evaluate the practical implementation of zakat-tax integration in national fiscal systems, particularly in contexts such as Indonesia,

where both instruments play an important role in public welfare and economic governance.

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