Effectiveness of Distribution of Baitul Mal Humanist Action Program (BaGAH) Aceh

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Abstract

This Study Examines The Effectiveness Of The Distribution Of Urgent Financial Assistance For Victims Of Natural Disasters, Humanitarian Disasters, Companions Of Sick People Who Are Referred Out Of Town, Travelers Who Run Out Of Supplies, Or Other Assistance That Is Emergency And Urgent. This Study Is Considered Important Because Every Financial Assistance That Is Disbursed Must Precede The Aceh Revenue And Expenditure Budget (APBA) So That All Activities That Use Zakat Funds Cannot Be Distributed Before The ABPA Is Approved. This Hampers The Distribution Of Urgent Financial Assistance. To Explain This, Two Questions Are Asked: (1) What Is The Description Of The Baitul Mal Aceh Humanist Action Program? (2) What Is The Effectiveness Of The Distribution Of Baitul Mal Aceh Humanist Action Program? The Method Used In This Writing Is Through A Qualitative Study Process Sourced From The Results Of Interviews With Baitul Mal Staff And Data On The Distribution Of Funds That Have Been Distributed By The Baitul Mal Institution Through The Bagah Program Which Has Been Implemented Since The Beginning Of The Bagah Service. The Data Were Analyzed Using The Theory Of Effectiveness And Explained With The Concept Of Baitul Mal And Its Relationship To Zakat, Regulations Related To The Management Of The Aceh Government Budget And The Theory Of Effectiveness. The Results Of The Study Show That Bagah Has Three Classifications In The Distribution Of Funds. First, Isidentil Asnaf (Poor) Namely Sick People And People Who Accompany Sick People. Second, Asnaf (Gharim) Namely Victims Of Natural Disasters Such As Floods. Third, Displaced People Are Included In The Asnaf Ibnu Sabil Namely Migrants From Aceh.

Keywords: *Effectiveness, Distribution, BaGAH*

Introduction

Baitul Mal Aceh (BMA) has a service that is engaged in distributing urgent funds such as assistance for natural disasters, humanitarian disasters, assistance for companions of sick people who are referred out of town, assistance for travelers who run out of supplies, or other assistance that is emergency and urgent. The service is Baitul Mal Humanist Action Program (BaGAH). BaGAH is a BMA work program that is considered good and very beneficial for zakat recipients, because BaGAH can ease the economic burden of recipients who are experiencing problems due to various reasons and are worthy of BaGAH services. In addition, BaGAH is considered better than the general zakat distribution mechanism because it is intended as an effort to quickly move humanitarian assistance. This is in accordance with the meaning of "bagah" in Acehnese, which is "fast". In its implementation, according to the problem, many people who need emergency funds are late in getting funds from the BaGAH service. For example, when someone has a fire, a sick person who meets the criteria for zakat mustahik and needs assistance from the Baitul Mal Institution, and several other emergency and urgent cases do not receive assistance with "bagah" (fast) from Baitul Mal, because the budget has not been approved. Approval of the BMA budget is a must because of regulatory demands, namely the Decree of the Minister of Home Affairs Number 27 of 2021 concerning Guidelines for the Preparation of the Regional Revenue and Expenditure Budget for the 2022 Fiscal Year. This regulation raises the problem of zakat distribution, including BaGAH. Disbursement of the Aceh Revenue Budget based on Aceh Governor Regulation No. 52 of 2021 concerning the Aceh financial management system and procedures involves several steps, namely: request for disbursement, verification, approval and implementation of disbursement.

There are problems in controlling zakat as Regional Original Income in Baitul Mal Aceh, namely in the zakat fund disbursement system which has an impact on the delay in the process of distributing zakat to mustahiq, while mustahiq needs zakat to survive, if it is distributed late it can threaten the life (soul) of mustahiq. This causes the maintenance of mustahiq's soul to be neglected. This is certainly not in accordance with the purpose of zakat law, namely to ensure that the needs of mustahiq are met in order to save human lives. Zakat as a pillar of Islam is an obligation for every Muslim who is able to pay it and is intended for those who are entitled to receive it. With good zakat management, zakat is a potential source of funds that can be used to advance general welfare for the entire community.[1]

Related to the theme of Baitul Mal, there are at least three existing research directions. First, the influence of religiosity, knowledge and belief on the awareness of muzakki in paying zakat (Yusniar, 2020; Mahda Yusra, 2020; Haris & Yusra, 2020). Muhammad Haris & Mahda Yusra (2020) proved that the level of muzakki's trust in Baitul Mal Aceh was good. This is evidenced by the high tendency of muzakki's assessment in relying on BMA as an institution that manages zakat. Second, research on the management and distribution of zakat in improving the welfare of mustahiq (Muzakir, 2023; Zurnalis, Khairudin & Husna, 2019; Safinal & Riyadi, 2021; Amrizal, et al., 2024; Akmal, et al., 2022; Jaili, et al., 2021;). Safinal & Riyadi (2021) explained that the distribution of zakat at BMK Banda Aceh was allocated to six zakat asnaf namely poor, poor, muallaf, ibnu sabil, fi sabilillah and gharimin with criteria in accordance with

[1] Forum Zakat, *Direktori Organisasi Pengelola Zakat Di Indonesia: Temukan Peluang Beasiswa Dan Modal Usaha, Profil FOZ, UU Pengelola Zakat*, 2001.

those stipulated in the Standard Operating Procedure (SOP) in each distribution program. Third, the position of Baitul Mal is related to the role of the Aceh Government through Baitul Mal which has played a role in empowering the economy of the people in Aceh in the form of productive zakat, infak & Shadaqah. However, one of the important services in Baitul Mal, namely BaGAH, has not been explored and has not been studied by the literature. In fact, BaGAH still has many shortcomings and has the potential to be developed.

Therefore, the purpose of this study is to explain a service at Baitul Mal Aceh which involves various parties, especially the BMA amil who can work or respond to the various needs of mustahiq more quickly and alertly. For this purpose, 2 research questions are raised: (1) how is the description of the Baitul Mal Aceh Humanist Action Program?, (2) how is the effectiveness of the distribution of Baitul Mal Aceh Humanist Action Program?

Methode

The method used in this writing is through a qualitative study process sourced from (1) the results of interviews with Baitul Mal staff who are responsible for the Baitul Mal Aceh Humanist Action Program (BaGAH) service, and (2) data on the distribution of funds that have been distributed by the Baitul Mal institution through the BaGAH program which has been implemented since the beginning of the formation of the BaGAH service. Then the data will be analyzed using the theory of effectiveness. The data is explained with the concept of Baitul Mal and its relationship to zakat, regulations related to the management of the Aceh government budget and the theory of effectiveness. With these steps, it is hoped that the research questions will be answered.

DISCUSSION

1. Baitul Mal Aceh

The institution that manages state finances in Islamic governance is the Baitul Mal Institution. Baitul Mal has existed since the time of the Prophet Muhammad SAW, but it has not yet been formed into an institution that has an official and special place and administration. During the caliphate of Abu Bakar Ash-Shiddiq, the activities of Baitul Mal remained the same as during the time of the Prophet Muhammad SAW. At the beginning of Abu Bakar's reign as leader, he gave ten dirhams and in the second period of his reign Abu Bakar added another ten dirhams so that it became twenty dirhams for individuals. During the caliphate of Umar bin Khattab, Baitul Mal was established as an official institution founded on the proposal submitted by Wahid bin Hisham, although Umar's actions were strongly criticized by Ali bin Abi Thalib. Caliph Umar appointed Abdullah bin Arqam as a high official of Baitul Mal. In addition, Umar also appointed Abdurrahman bin Ubaydi al-Qari and Mu'ayqib as his assistants. A simple treasury was also established in Medina and all government centers in all regions. Each region had its own treasury and they were free from the control of the governor. When a dispute arose between Sa'ad bin Abi Waqqas, the powerful but wasteful governor of Kufa, and Ibn Mas'ud, the treasury official, Sa'ad bin Abi Waqqas was dismissed by Uthman bin Affan. During the Abbaysiyah era, the government paid great attention to the fields of taxation and social administration. The tax office (Diwan al-Kharaj) or the finance department was set up as it was during the Umayyad dynasty. The person who led the taxation became the most important person in the Abbasid government. [2]This Baitul Mal was something new because considering the taxes and other levies taken from the people were collected by the ruler and the wealth that had been collected was only for the king.

Baitul Mal comes from two words in Arabic, namely bata-yabitu-baytan which means house or residence, and mala-yamulu-mawlun/malun which means wealth. So etymologically Baitul Mal is a house that is used as a place to put, collect or store wealth.[3] According to Abdul Qadim Zallum Baitul Mal in terminology is an institution or party that has a special task to handle all the wealth of the people, both in the form of state income and expenditure. Baitul Mal is an institution that handles state assets (both income and expenditure) and physically can be interpreted as a place to store and manage state revenue assets.[4]

The term Baitul Mal first appeared due to a debate between friends about the division of the spoils produced during the Battle of Badr, namely in the 2nd year of Hijriah of Islamic rule.[5] Based on this event, the Word of Allah SWT was revealed in Surah Al-Anfal verse 41:

Meaning: *"Know, indeed, whatever you can obtain as spoils of war, then indeed one-fifth is for Allah, the Messenger, the relatives of the Messenger, orphans, the poor and Ibn Sabil, if you believe in Allah and in what we revealed to our servant (Prophet Muhammad) on the day of al-Furqan (distinction), namely the day the two armies met. And Allah is Almighty over all things."*

Imam Asy-Syafi'i said that the spoils of war (ghanimah) can only be divided into five parts, namely the part that already belongs to Allah and the Messenger of Allah SAW and is used for the needs of the Muslim community. While the remaining four are in accordance with QS. Al-Anfal 41. Imam Malik also argued that in regulating the distribution of ghanimah assets, it has become the policy of the government that the government must secure these assets and

[2] Miftah Adebayo Uthman, *Ensiklopedi Islam*, n.d.
[3] Moh Ahyar Maarif et al., "Baitul Mal Pada Masa Rasulullah Saw," n.d., http://bataviase.co.id/node/155545.
[4] Pranadita Nugraha, "Resepsi Dan Harmonisasi Kaidah Syariah Islam Dalam Perlindungan HKI Pada Sistem Hukum Indonesia," 2020, 27.
[5] Ahyar Maarif et al., "Baitul Mal Pada Masa Rasulullah Saw.

distribute them fairly. The government is authorized to give the Messenger's family what is reasonable, and the rest is divided for the needs of the Muslims. QS. Al-Anfal verse 41 is the basis for establishing Baitul Mal which functions as a place to store the assets of the Muslim community and an institution (muassah) to control government expenditure and income.[6]

The concept of zakat management built in the course of Islamic history makes zakat an instrument of fiscal policy that is in line with the provisions of zakat management as Regional Original Income (PAD). Baitul Mal in Aceh is one of the privileges owned by Aceh Province based on the implementation of Law Number 44 of 1999 concerning the Implementation of Aceh's Special Status and Law Number 11 of 2006 concerning the Aceh Government. These two laws are a strong basis for the implementation of Islamic Sharia in Aceh Province. This law indicates that Islamic Sharia is part of the state policy enforced in Aceh Province. Based on the Governor of Aceh Regulation Number 5 of 2000 concerning the Implementation of Islamic Law, since January 12, 2004 BMA (When at that time it was called the Baitul Mal Agency of the Province of Nanggroe Aceh Darussalam) was established and operated based on the Decree (SK) of the Governor of Aceh Number 18 of 2003 until now. The presence of Baitul Mal Aceh signifies the management of zakat from traditional to more professional. This condition is the hope of every Muslim so that the management of zakat will be more focused and coordinated properly, both in terms of collection from muzakki and where the direction of the distribution of zakat funds will be given. So that zakat paid through Baitul Mal Aceh can be influential in answering social problems in Aceh.

Distribution of zakat is the distribution, division, delivery of goods and other things to many people or several places. Distribution of zakat is the distribution of zakat to people who are entitled to receive or mustahiq both productively and consumptively. There are still many institutions that do not optimize the distribution of zakat so that it is less beneficial to mustahiq. Distribution of zakat has clear and directed targets and objectives in accordance with the foundations stated in the Qur'an which are applied to the form of zakat distribution. The target of zakat distribution is people who are entitled to receive zakat funds while the purpose of zakat distribution is to improve economic welfare and in the social sector.

The distribution of zakat funds carried out in improving community welfare is a form of consumptive distribution and a form of productive distribution so as to improve the standard of living of the community. The target of zakat distribution carried out by the Umat Zakat Center is eight asnaf, namely Fakir, poor, amil, Muallaf, riqab, gharimin, fisabilillah, ibnu sabil. The steps

[6] Dede Khoirunnisa, Heni Noviarita, and Evi Eka Elvia, "Media of Law and Sharia Revitalisasi Baitul Maal Wat Tamwil Sebagai Pilar Dalam Meningkatkan Perekonomian Masyarakat" 4 (2023): 361–71, https://doi.org/10.18196/mls.v4i4.47.

for productive zakat distribution carried out are Planning, implementation, monitoring and evaluation, and the form of consumptive distribution is planning, implementation and evaluation without monitoring. So that with the existence of a productive form of distribution in the form of empowerment and the right targets and good stages, it has succeeded in improving community welfare.

The distribution of zakat in its implementation from muzakki is channeled to mustahiq appropriately according to the needs of mustahiq. The distribution of zakat has undergone many changes along with the development of an increasingly modern era. In general, the provision of zakat is only consumptive. However, currently there is a productive provision of zakat which aims to improve the welfare of mustahik.[7] In Law Number 23 of 2011 concerning Zakat Management and Aceh Qanun Number 10 of 2018 concerning Baitul Mal, it is explained that the distribution of zakat is carried out based on a priority scale by considering the principles of equality, justice and territoriality. The form of zakat distribution can be divided into two forms, namely:

1. **Temporary Assistance.**

Temporary assistance here is not only assistance that is only given once but also the absence of a target for the independence of the mustahiq. This is because the mustahiq is not able to achieve independence, such as elderly people, disabled people or people affected by disasters

2. **Productive Assistance**

In this productive assistance for community empowerment or zakat funds provided have economic value in order to improve community welfare.

Imam An-Nawawi stated that the distribution of zakat is divided into two, namely productive and consumptive distribution.[8] The difference between consumptive zakat and productive zakat is:

Consumptive Zakat

Consumptive Zakat is the giving of cash to the zakat recipients to fulfill the needs of food, clothing and shelter without any specific purpose for the long term and is temporary in nature.[9]

[7] Ayu Rahmatul Ainiyah and Airlangga Bramayudha, "Kegiatan Pendistribusian Zakat Produktif Pemberdayaan UMKM Di LAZIZMU Kabupaten Gresik," *Journal Of Islamic Management* 1, no. 2 (2021), http://jurnalfdk.uinsby.ac.id/index.php/JIM.

[8] Yuhasnibar, "Persyaratan Dalam Pendistribusian Zakat Produktif Menurut Mazhab Syafi'i," 2020.

Productive Zakat

Productive zakat means giving zakat to mustahik in order to prevent poor mustahik from the trap of usury and to be used as business capital that can become their livelihood, with this business it is hoped that they will be able to meet their own living needs.[10]

Until now, Baitul Mal Aceh has many excellent programs, one of which is the assistance program for the poor. This program is the third stage that has been distributed since 2015 which aims to help the poor (mustahik) in increasing the income of mustahik who have difficulty obtaining funds for work needs. This program is divided into 5 (five) sectors, namely the carpentry sector, workshops, home industry, agriculture and trade. The criteria for recipients of this assistance are for the poor, namely those who earn less than 2/3 of the zakat nisab (income below Rp. 2,600,000), have their own place of business, are domiciled in the residential area and do not receive assistance in the same form from other parties.

Before distributing aid, Baitul Mal Aceh first takes several steps: first, data collection of prospective aid recipients; carried out by the Implementation Team for the Poor Community Assistance Program. Furthermore, prospective aid recipients must meet the requirements and administrative provisions set by Baitul Mal Aceh, namely: Photocopy of KTP, Photocopy of Family Card, Certificate of Poverty from Keuchik, Business certificate from Keuchik, Attaching a photo of the place of business, 1 sheet of 3x4 photo, Filling out the available form. The files and data received will be collected and summarized into primary data and submitted to the supervision sector for verification and validation.

Second, verification and validation; carried out by the Supervision Division of Baitul Mal Aceh. The Supervision Division receives the Minutes of Submission of data on poor people who need assistance from the Distribution and Utilization Division. The Supervision Division through the Program Implementation Team forms a Verification Team through a Letter of Assignment from the Head of Baitul Mal Aceh. The team carries out verification by conducting interviews and direct visits to mustahik and related parties and conducting price surveys. Then the Team submits a report and list of verification results (DHV) to the supervision division. Based on the report and list of verification results (DHV) of the team, the supervision division through the Program Implementation Team compiles the names of mustahik who are eligible to receive assistance in the form of a Decree of the Head of Baitul Mal Aceh and submits it to the Distribution and Utilization Division as the basis for distribution.

[9] Angga Prayudi, Rosyetti, and Misdawita, "Pengaruh Zakat Konsumtif, Zakat Produktif, Dan Program Keluarga Harapan Terhadap Kemiskinan Di Kabupaten Rokan Hulu," 2023.
[10] Prayudi, Rosyetti, and Misdawita.

Third, distribution; carried out collectively by the Implementation Team of the Work Tools Assistance Program for the poor, assistance provided based on the business needs of the community. Distribution of this assistance is carried out at the Baitul Mal Aceh office by handing over assistance directly to the mustahik. Before handing over the assistance, a briefing is first given regarding the position of the assistance to be distributed, the existence of the Baitul Mal, and others. Each mustahiq will receive cash assistance in accordance with the Decree of the Head of Baitul Mal Aceh, by signing the list of assistance recipients and signing a Statement Letter that has been stamped with Rp. 6000.

Fourth, the supervision sector forms a Monitoring and Evaluation Team, the Team monitors and evaluates the implementation of the program from the beginning of planning, the process to reporting. Seeing the suitability of the implementation of the established plan and the impact of assistance on the recipients of assistance. Formulating conclusions and determining recommendations for improving program implementation. Then the Supervision Sector submits reports and recommendations to the Head of Baitul Mal Aceh and interested parties.

Fifth, reporting; consists of financial reports and activity reports. The expenditure treasurer helps to create a financial report that includes the number of aid recipients, the amount of funds and tools received per mustahiq and the total funds distributed. Then the financial report is attached with a list of aid receipts. The Distribution and Utilization Sector creates an Activity Report that includes an introduction, activity realization, results achieved, conclusions and suggestions.

Baitul Mal Aceh has many programs that are run every year. There are 36 programs in Baitul Mal that are divided into eight senifs that are entitled to receive zakat (mustahik zakat).[11] Distribution of zakat in Baitul Mal Aceh is divided into eight senifs, namely (1) senif fakir (Al-Fuqara), the poor are people who do not have any property and they also do not have jobs. Or even if they have income, their income cannot cover half of their daily needs.[12] The program of Baitul Mal Aceh for senif fakir is monthly assistance for the poor. (2) Senif miskin (Al-Masakin), poverty is a condition or situation where someone does not have the ability to meet their life needs, in this case the needs of clothing, food and shelter.[13]

Distribution of zakat for the poor at Baitul Mal is the distribution of zakat funds to the Zakat Collection Unit (UPZ), Ramadan assistance for poor families, financial assistance for

[11] Wawancara Bersama Yarah Baitul Mal Aceh, pada 4 maret 2024
[12] Muhammad Anis, "Zakat Solusi Pemberdayaan Masyarakat," n.d.
[13] Angga Maulana and Muhammad Iqbal Fasa, "PENGARUH TINGKAT KEMISKINAN TERHADAP PERTUMBUHAN EKONOMI DALAM PERSPEKTIF ISLAM" 15, no. 01 (2022), https://doi.org/10.46306/jbbe.v15i1.

cancer sufferers, Thalassemia and other chronic diseases, incidental financial assistance, family-based zakat empowerment (Zakat Family Development/ZFD), financial assistance for overcoming stunting, financial assistance for improving sanitation and clean water, ultra-micro business capital assistance and assistance for victims of domestic violence and neglected children. (3) senif Amil (Al-Amilin), amil are the administrators or committees of zakat.[14]

Those who receive zakat funds from senif amil are Amil UPZ Aceh non-government institutions/agencies, Amil volunteers of Baitul Mal Aceh, non-permanent assistants, JKK and JKM Amil insurance (non-permanent assistant volunteers), Amil database assistants (30 villages x two months). (4) senif Muallaf (Al-Muallafah), which is included in this senif is a full scholarship for children from convert families at high school/MTs and high school/MA levels, a full scholarship for children of converts at junior high school/MTs and high school/MA levels (continuing mustahik in 2020 to 2022), a full scholarship for children of converts at D3/S1 level and assistance for empowered converts. Senif Riqab, Al-Riqab is freeing slaves, but nowadays it is very rare to hear of slaves or even none at all. Senif Gharimin, Al-Gharimin is a group that is in debt to fulfill basic needs for the benefit of themselves, their dependent families or society which requires immediate or urgent resolution and is justified by sharia law.[15]

Al-Gharimin is entitled to receive distribution of zakat funds at BMA, namely financial assistance for victims of natural disasters, humanitarian disasters and other disasters. Senif Fisabilillah, Sabilillah is a person who likes to fight in the way of Allah SWT to defend the Islamic religion.[16]

Sabilillah in BMA includes financial assistance for seminar/discussion/research activities of ZISWAF, development of da'wah and other Islamic propagation activities, financial assistance to support Education, Health and Islamic propagation, financial assistance to support facilities and infrastructure of Education, Health, social Islamic propagation and financial assistance for solidarity of the Islamic world. Senif Ibnu Sabil, Ibnu Sabil is a person who is on a journey, who receives zakat funds from BMA, namely financial assistance for people who are abandoned and have run out of supplies, financial assistance to meet the basic needs of mustahik in shelters, full scholarships for memorizing the Al-Qur'an for junior high school/MTs and high school/MA levels, full scholarships for one family one bachelor, scholarships for children with special needs, scholarships for students of memorizing the Al-Qur'an, financial assistance for education for

[14] Muzayyanah and Heni Yulianti, "MUSTAHIK ZAKAT DALAM ISLAM" 4, no. 1 (2020).
[15] Mohd Faisol Ibrahim and Muhammad Sahrim, "PERANAN AGIHAN ZAKAT SEBAGAI ALAT KEWANGAN SOSIAL ISLAM BAGI MELANGSAIKAN HUTANG GOLONGAN AL-GHARIMIN DI MALAYSIA," 2019.
[16] Faisol Ibrahim and Sahrim.

students, scholarships for scholars, scholarships for regional representatives, scholarships for Dayah Manyang (Ma'had Aly) scholarships, vocational scholarships and final assignment scholarships.

2.The Baitul Mal Aceh Humanist Action Program (BaGAH)

BaGAH comes from the Acehnese language which if translated literally into Indonesian means "fast". However, the BaGAH program in question is Baitul Mal Aceh Humanist Action Program. This program is an innovation to accelerate the entire process of distributing Zakat, Infaq, Sadaqah and other religious assets. BaGAH responds more quickly to programs that are urgent or pressing such as:

First, asnaf (poor) namely sick people and people who accompany sick people are included in the isidentil program. The isidentil program is very helpful for mustahik who need help from BaGAH funds. This can be seen from the number of mustahik who are helped by the isidentil program. people who accompany sick people who come from areas in Aceh and are referred to Zainoel Abidin Hospital (RSZA), Meuraxa Hospital, and other hospitals in Banda Aceh-Aceh Besar or who are referred outside the area, the majority of those assisted are those who live outside Banda Aceh-Aceh Besar. This incidental is not always for sick people, orphans who drop out of school, the assistance can be in the form of cash or included in the program (given cash per month).

Second, asnaf (Gharim), namely victims of natural disasters such as floods. In this case, BaGAH has a difference with the Aceh Disaster Management Agency (BPBA), BPBA has logistical preparations that are ready to be distributed at any time, but BaGAH only distributes in the form of cash. BaGAH officers will provide something needed by flood disaster victims and focus on emergency disaster posts. One of the victims receiving the most funds is from fire victims. This is because recipients of funds for house fires do not have any requirements. According to the Sharia Advisory Council (DPS), people who experience a fire disaster will be poor for one to three days. The person in charge of BaGAH does not look at the victim's wealth, but if it is known that there is a fire disaster in an area, the person in charge of BaGAH will still interview the disaster victim, after getting the interview results, the person in charge of BaGAH will hold a discussion with the person in charge of the natural disaster sector and submit the files. After the file verification is complete, the mustahik will receive zakat money from BMA through the Bank Aceh account of the mustahik submitted by the mustahik when submitting the files. BaGAH also helps with natural disasters and other humanitarian disasters such as tornadoes, volcanic eruptions, abrasion and other disaster victims.

Third, displaced people are included in the asnaf Ibnu Sabil, namely migrants who come from Aceh, but live outside the region or abroad, or people who live outside Aceh and migrate to Aceh who want to return to their hometown but do not have the money for transportation to return to their hometown. BaGAH is here to provide assistance for transportation costs to return to their hometown.[17] BaGAH responds to things like this because if the problem is not responded to more quickly, it will have a bad impact on the mustahik. The funds managed by the BaGAH program come from Zakat. However, BaGAH funds cannot be distributed before the budget is approved.

3. Effectiveness of BaGAH

a. Source of Funds

The BaGAH budget comes from zakat, infaq and sedekah.[18] Based on Article 4 of Law Number 18 of 2001 concerning Special Autonomy, it is stated that "the original source of income of the Nanggroe Aceh Darussalam Province, as referred to in paragraph (1) letter a, consists of: Regional taxes; Regional levies; Zakat; Results of regionally owned companies and results of management of other separated regional assets; and other legitimate regional income.[19]

Then in Article 180 paragraph (1) of Law Number 11 of 2006 concerning the Government of Aceh, it states that:[20] "The sources of Aceh's Original Regional Income (PAD) and Regency/City PAD as regulated in Article 179 paragraph (2) letter a consist of: Regional taxes; Regional levies; Results of management of regional assets separated from Aceh/Regency/City and capital results of Aceh/Regency/City; Zakat; and other regional income of Aceh and original income of Regency/City."

The management of zakat as PAD is also mentioned in Article 24 paragraph (2) to 5 of Aceh Qanun Number 10 of 2007 concerning Baitul Mal which states that:[21] "Original Regional Income (PAD) is income obtained by regions based on regional regulations in accordance with statutory regulations and the results are used for the implementation and development of independent regional autonomy."

[17] Wawancara Bersama Fajri Penanggung Jawab BaGAH BMA, pada pukul: 10.56, 26 Maret 2024

[18] Wawancara Bersama Chairai Yarah, Kasubag Sosialisasi dan Advokasi Sekretariat BMA, pada pukul: 10.53, 4 Maret 2024.

[19] " Wawancara Bersama Chairai Yarah, Kasubag Sosialisasi dan Advokasi Sekretariat BMA, pada pukul: 10.53, 4 Maret 2024..

[20] Indonesia, *Undang-undang Nomor 11 Tahun 2006 tentang Pemerintahan Aceh,* Pasal 180 ayat (1)

[21] Khairuddin & Fajri Husna Zurnalis, "Efektivitas Pendistribusian Zakat Dalam Meningkatkan Kesejahteraan Mustahiq Di Baitul Mal Aceh Selatan (Analisis Periode 2015-2017)," n.d.

b.Distribution of Baitul Mal Humanist Action Program (BaGAH)

BaGAH is an innovation of Baitul Mal Aceh in providing fast service to people who need sudden assistance. BaGAH consists of several Baitul Mal Aceh amils who are tasked with receiving information from various sources, both from social media, mass media, or those who report directly an incident and the condition of the community that needs a helping hand. The BaGAH program has been running for the past two years in providing excellent service to the community. There are several incidents that have always required fast assistance, including natural disasters, humanitarian disasters, assistance for the sick, and companions for the sick from poor families.

In the review of Islamic tanfidziyah, it is obligatory for the rich to pay zakat. Then the zakat assets are distributed to eight groups, most of whom are poor people and need help. In an effort to distribute zakat funds to mustahik, Islam requires amil zakat (managers). Amil zakat is tasked with taking, collecting, and receiving zakat from muzakki (people who pay zakat), guarding and maintaining it and then distributing it to mustahik. The importance of this distribution is such that Islam is very concerned about the amil zakat so that in addition to requiring the appointment or formation of amil zakat, Islam also pays attention to the welfare of amil zakat by including amil zakat in one of the ashnaf (groups) of the 8 groups of mustahiq zakat. According to Yusuf Qardhawi, the attention of the Qur'an by including amil zakat in the mustahiq zakat after the poor and needy, shows that zakat is not merely a personal matter that relies on the awareness of the muzakki, but the state is obliged to manage and appoint amil zakat who are trustworthy and professional (meet the requirements) to be appointed as amil zakat. An important rule in the distribution of zakat is to make the poor and needy the main group of zakat recipients. This is intended so that the purpose of zakat, namely to meet the needs of the poor and needy and make them not dependent on others, can be achieved.

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[22] Faridatun Najiyah et al., “Manajemen Zakat Di Indonesia (Tantangan Dan Solusi),” *Insight Management Journal*, vol. 2, 2022, https://journals.insightpub.org/index.php/imj.

needy the main group of zakat recipients. This is intended so that the purpose of zakat, namely to meet the needs of the poor and needy and make them not dependent on others, can be achieved.

According to the Syafi'i school of thought, zakat must be distributed through amil zakat that has been formed by the government, on the condition that the government is fair to its people.[23] This is done because amil zakat has complete data on mustahiq zakat, so that with the distribution by amil, the mustahiq zakat does not feel indebted to the muzakki. The Malikiyah school of thought states that amil zakat must be formed by an imam or the government. If the imam is fair, the zakat must be submitted to the imam. whereas if the imam is not fair, then the muzakki must submit the zakat himself to the recipient. According to the Hambali school of thought, the best distribution of zakat is to distribute zakat to the recipient himself, but if distributing zakat through amil zakat is still permissible and valid.[24]

Constraints are a problem that will be faced by most or even all programs in a government agency. BaGAH has several constraints, based on the author's interview with Fajri as the Person in Charge (PJ) of BaGAH on March 24, 2024. First, the main obstacle faced by Baitul Mal Aceh in running the BaGAH program is the ineffective Regional Financial Regulation, the regulation stipulates that the disbursement of the Aceh Revenue and Expenditure Budget (APBA) must go through a ratification mechanism that takes time. Because zakat funds are included in Aceh's Original Regional Income (PAD), they must go through this mechanism. Therefore, it is difficult to distribute BaGAH funds quickly. If there is a case that requires quick assistance, before the budget is ratified, BaGAH really cannot help instantly so it is postponed until the budget is ready to be ratified. Second, related to language constraints. Some mustahik can only use regional languages (Acehnese and Gayo); cannot speak Indonesian. Third, transportation for mustahik in processing documents to Baitul Mal. Fourth, mustahik neglects the requirements that hinder the disbursement of BaGAH assistance.

In addition, there are internal and external problems, some internal problems are; Human Resources (HR) has 3 elements, namely, a small part of the work duties outside of expertise or skills, empowerment of amil has not been maximized, and mutation of structural employees that do not match their expertise. Then the legal and governance problems have 5 elements, namely, the transfer of zakat funds from cash to non-cash (transfer), not yet having a comprehensive mustahik database, the distribution of some zakat that is not on target, lack of coordination

[23] Dewi Warna, Doly Nofiansyah, and Sekolah Tinggi Ekonomi dan Bisnis Syariah Indo Global Mandiri Palembang, "IMPLEMENTASI HUKUM ISLAM TERHADAP PELAKSANAAN PENYALURAN ZAKAT DI DESA BETUNG KECAMATAN LUBUK KELIAT KABUPATEN OGAN ILIR," *Research Journal on Islamic Economics*, vol. 9, 2023.

[24] Muhammad, "PENYALURAN ZAKAT SECARA LANGSUNG KEPADA MUSTAHIK," *Jurnal Tahqiqa* 18, no. 2 (2024).

between Baitul Mal and Private Zakat Amil Institutions (LAZ), and the absence of an information and technology system in Baitul Mal. External aspects are aspects that come from outside the institution. In this study, the external side is the community and government. There are several aspects of internal problems, including; Social problems have 3 elements, namely, lack of synergy with Private LAZ, environmental factors and geographical conditions, and the khilafiah of contemporary zakat problems. Meanwhile, economic problems have 2 elements, namely, the lack of productive zakat to the community and the lack of assistance in developing productive zakat for MSMEs.

4. BAGAH According to the Theory of Legal Effectiveness

Indonesia is a country of law, meaning that the law in Indonesia has the power to bind all citizens and the government. According to Hans Kelsen, "law is a coercive order against human behavior". Law has broad aspects and scope, because law exists to regulate all areas of community life. Not only the people of a nation, but also the world community also needs law, because people in any part of the world will always experience development and change continuously. Before humans knew the law, law was identical to customs and traditions that have been guidelines for community life since ancient times.[25]

The purpose of making a regulation is to achieve justice, legal certainty and legal benefits. Legal benefits must be considered because everyone certainly expects benefits from the implementation of law enforcement of a law. Do not let law enforcement actually create unrest in society. When talking about law, we tend to see regulations, a rule that is sometimes imperfect and not aspirational with people's lives.[26]

The effectiveness of law according to Prof. Anthony Allot is how the law can realize its objectives or in other words how the law can fulfill its objectives. BaGAH is a very beneficial program for mustahik, however, if referring to the tanfidziyah of Aceh Governor Regulation Number 49 of 2022 Article 2 it is stated that "This Governor Regulation is intended as a guideline for regional expenditures prior to the determination of the Aceh revenue and expenditure budget for the 2023 fiscal year" of course BaGAH becomes ineffective in distributing the zakat budget because the zakat funds are included in the APBA and before the APBA is ratified, the BaGAH program cannot distribute the zakat budget. To respond to this problem, the author provides a solution to provide specialization to the BaGAH program so that zakat funds are distributed quickly and accurately to mustahik.

[25] Serlika Aprita, Okprianti Reny, and Yudistira, *Pengantar Ilmu Hukum* (Jakarta: Kencana, 2024).

[26] Cahya Palsari, "Kajian Pengantar Ilmu Hukum: Tujuan Dan Fungsi Ilmu Hukum Sebagai Dasar Fundamental Dalam Penjatuhan Putusan Pengadilan," n.d.

Conclusion

Baitul Mal Humanist Action Program (BaGAH) comes from the Acehnese language which if translated literally into Indonesian means "fast". BaGAH Aceh is a program from Baitul Mal Aceh (BMA) which is if not given on time then the mustahik who is entitled to receive zakat from this program will experience major problems or even cause death. BaGAH has three classifications in the distribution of funds, first, isidentil asnaf (poor) namely sick people and people who accompany sick people, second, asnaf (Gharim) namely victims of natural disasters such as floods and third, displaced people are included in the asnaf Ibnu Sabil namely migrants from Aceh.

The BaGAH program is ineffective because the Aceh Governor Regulation, Aceh Governor Regulation Number 49 of 2022 Article 2 states that "This Governor Regulation is intended as a guideline for regional expenditures prior to the determination of the Aceh revenue and expenditure budget for the 2023 fiscal year" of course this will always be an obstacle for the BaGAH program in distributing zakat to mustahik. Because mustahik do not know when they will experience a disaster.

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