

Legal Construction of Zakat Transactions through E-Commerce Platforms in Indonesia

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Abstract:

This study examines the legal construction of zakat transactions conducted via e-commerce platforms in Indonesia, focusing on the regulation of digital zakat management, as well as its implications on sharia compliance and legal certainty. Although zakat management is governed by Law No. 23 of 2011, the use of e-commerce platforms for zakat collection still faces a significant regulatory gap, creating serious uncertainty for all parties involved. From a sharia perspective, this study highlights the challenges in fulfilling the pillars and conditions of zakat such as intention (qasad), ownership transfer (tamlid), and accurate verification of mustahiq (eligible recipients), which are vulnerable to disruption by digital mechanisms. The research employs a normative legal methodology with literature review and case analysis to formulate a legal construction integrating positive law principles and sharia provisions. The findings indicate an urgent need for updated regulations that are adaptable to technology, emphasizing transparent governance mechanisms, accountability, and digital consumer protection. A comprehensive legal framework is expected to provide legal certainty and sharia legitimacy, promoting the optimization of zakat potential through digital technology as an instrument for poverty alleviation and empowerment of the Muslim community in the modern era.

Keywords: Digital Zakat; Zakat Management Regulation; Legal Certainty

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Introduction

The digital transformation that has swept Indonesia over the last decade has fundamentally changed various aspects of society, including the practice of religious obligations such as zakat. Zakat, as the fifth pillar of Islam, plays a strategic role in the Islamic economic system, not only as a spiritual instrument but also as a wealth redistribution mechanism aimed at creating social justice and alleviating poverty. In Indonesia, home to the largest Muslim population in the world, the zakat potential, which amounts to trillions of rupiah annually, underscores the importance of optimizing zakat management through effective and efficient platforms and

mechanisms. The era of digitalization has brought about significant changes in how society interacts with financial and religious institutions, where ease of access, transparency, and transaction speed have become key factors in choosing zakat management platforms. Initially developed as a medium for commercial transactions, e-commerce platforms have now transformed into comprehensive digital ecosystems, extending beyond conventional buying and selling activities to include sharia financial services, including zakat payment and collection facilities (Risnawati et al. 2023).

The integration of zakat into e-commerce platforms presents complex and multidimensional legal dynamics, given the fundamental differences between digital transactions and traditional zakat management mechanisms. E-commerce platforms operate based on a business model that relies on algorithms, automated systems, and digital infrastructure to facilitate transactions between parties. In contrast, zakat in Islamic law carries dimensions of sanctity and spirituality, requiring adherence to strict and specific sharia provisions. The convergence of modern technology with traditional religious practices raises fundamental questions regarding legal legitimacy, sharia compliance, and the regulatory certainty governing zakat transactions through digital platforms. The lack of specific regulations addressing the mechanisms, procedures, and legal accountability of zakat transactions via e-commerce platforms creates legal uncertainty, which could harm the interests of muzakki (zakat payers), mustahiq (zakat recipients), and the platforms themselves (Rahmawati and Ismail 2025).

The legal foundation for zakat management in Indonesia has been comprehensively regulated through Law No. 23 of 2011 on Zakat Management, replacing Law No. 38 of 1999, supplemented by Government Regulation No. 14 of 2014 on the Implementation of Law No. 23 of 2011. This regulatory framework stipulates that zakat management must be carried out by zakat management organizations that have received official government authorization, whether in the form of the National Zakat Management Agency (BAZNAS) as a governmental institution or private Zakat Management Institutions (LAZ) with operational permits. This regulatory structure is designed to ensure accountability, transparency, and professionalism in managing zakat funds, which are entrusted by the community. However, the rise of e-commerce platforms as intermediaries in zakat

transactions has created a significant legal gap, as these platforms do not fall under the category of zakat management institutions as defined by current legislation (Anisah et al. 2025).

The legal issues become even more complex when analyzing the status and role of e-commerce platforms in the zakat management ecosystem. E-commerce platforms facilitating zakat transactions essentially act as intermediaries, connecting muzakki with authorized zakat management institutions through cooperation or strategic partnerships. However, in practice, there are various models of cooperation, ranging from platforms acting solely as payment gateways to those actively involved in zakat collection, allocation, and even distribution. These differences in operational models have implications for legal risks and responsibilities, while existing regulations have not provided clarity on the roles and responsibilities of each party in the digital zakat ecosystem. This ambiguity could lead to legal disputes, financial losses, and sharia doubts, undermining public trust in the digital zakat management system (Virlana and Tjoneng 2025).

From the perspective of Islamic law or fiqh, zakat transactions carry the dimension of mahdhah worship, requiring compliance with the specific conditions and pillars set out in both classical and contemporary literature. The pillars of zakat, which include a qualified muzakki, zakatable wealth, eligible mustahiq, and the contract of transferring wealth, demand clarity and certainty at every stage of the transaction process. Implementing zakat through digital platforms presents unique challenges in ensuring that each element of zakat's pillars is perfectly fulfilled, especially with regard to the intention (qasad), the direct transfer (tamluk), and the certainty that the zakat reaches the rightful mustahiq. The technical complexities of information systems and automation in e-commerce platforms could obscure these fundamental aspects of zakat fiqh, requiring a legal construction that integrates sharia provisions with the reality of modern technology without diminishing the substance and spiritual values inherent in zakat worship (Permana et al. 2025).

Consumer protection in e-commerce zakat transactions is another crucial aspect that demands attention in developing a comprehensive legal construction. Law No. 8 of 1999 on Consumer Protection and Law No. 19 of 2016 on Information and Electronic Transactions provide a foundation for consumer protection in digital

transactions, including the right to accurate and clear information, security and safety in consuming goods or services, and the right to compensation for losses incurred. In the context of e-commerce zakat, muzakki, as the consumers of zakat payment services, have rights that must be protected, including assurance that the zakat funds they pay will reach the correct mustahiq and be managed according to sharia and applicable laws. However, the unique nature of zakat transactions, which involve religious and social aspects, requires a more specific protection framework than typical commercial transactions (Utomo 2025).

The urgency of research into the legal construction of zakat transactions through e-commerce platforms has grown in response to the exponential increase in digital zakat transactions in Indonesia. Data shows that the use of digital platforms for zakat payments has significantly increased, especially among millennials and Gen-Z, who are highly digitally literate and prefer ease and speed in transactions. This trend is expected to continue to accelerate with the expanding internet penetration and the behavioral transformation of society post-COVID-19, which has hastened the adoption of digital technology in various aspects of life. Without a clear and comprehensive legal framework, the rapid growth of digital zakat could create systemic risks that may harm the entire zakat management ecosystem in Indonesia (Nazila 2024).

This research aims to develop a legal construction that can accommodate the regulatory needs of e-commerce zakat transactions while maintaining a balance between technological innovation, sharia provisions, and legal certainty. The resulting legal construction is expected to serve as a reference for policymakers in drafting more specific and operational regulations, provide guidelines for e-commerce platforms in developing zakat services compliant with law and sharia, and enhance public trust in the digital zakat management system. Through an interdisciplinary approach that integrates perspectives from positive law, Islamic law, and information technology, this study aims to make a significant contribution to the development of zakat law in the digital age and the optimization of zakat's potential as an economic empowerment instrument for the Muslim community in Indonesia.

Method

Through a literature study (library research) by reviewing primary legal sources such as the Zakat Management Law, implementing regulations, and Islamic legal literature. Additionally, the research adopts a case study approach to observe real-world practices and legal issues that arise in the implementation of digital zakat transactions on several e-commerce platforms. Data analysis is conducted in a descriptive and critical manner to formulate a legal construction that aligns with normative and sharia contexts. This approach is expected to produce a comprehensive legal solution that provides certainty and protection for all parties involved in digital zakat transactions in Indonesia. (Ali 2021).

Regulations and Legal Framework for Zakat Management in E-Commerce Transactions

The regulation of zakat management in Indonesia has been fundamentally outlined in Law No. 23 of 2011 on Zakat Management, replacing Law No. 38 of 1999, and complemented by Government Regulation No. 14 of 2014 on the Implementation of Law No. 23 of 2011 on Zakat Management. This regulatory framework establishes a hierarchical institutional structure, where the National Zakat Management Agency (BAZNAS) serves as the government institution responsible for coordinating zakat management nationwide, while private Zakat Management Institutions (LAZ), authorized by the government, manage zakat, along with Zakat Collection Units (UPZ) that operate at the level of institutions, organizations, or specific regions. This institutional structure is designed to ensure that zakat management is conducted with principles of accountability, transparency, and professionalism, while ensuring that zakat funds, which are entrusted by the community, are managed in accordance with sharia and applicable regulations. However, the rapid development of information technology and the digital transformation, which has introduced e-commerce as a platform for zakat transactions, has created complex regulatory challenges that are not fully addressed by the existing legal framework (Rohmaniyah 2021).

E-commerce platforms acting as intermediaries in zakat transactions present multidimensional legal dynamics, as the status and position of these platforms are not explicitly regulated in the Zakat Management Law. In practice, e-commerce

platforms often function similarly to Zakat Collection Units (UPZ) in collecting zakat funds from muzakki via digital systems, but they lack formal legitimacy as zakat management institutions as defined by the law. This creates a significant legal gap, especially concerning the authority, legal responsibility, and oversight mechanisms for zakat collection activities carried out by digital platforms. The lack of clarity on their legal status could lead to systemic risks in zakat management, ranging from the security of funds, transparency of allocations, to ensuring the distribution of zakat to the rightful mustahiq. Additionally, there are issues related to the cooperation mechanisms between e-commerce platforms and authorized zakat management institutions, where some partnership agreements contain clauses that may conflict with consumer protection provisions and the principles of zakat management accountability (Muhammad Allan Ginastiar 2024).

The legal complexity is further amplified when analyzing consumer protection in e-commerce zakat transactions. Law No. 8 of 1999 on Consumer Protection provides a framework for protecting consumers in various transactions, including the right to accurate and clear information, the right to security in transactions, and the right to compensation for losses incurred. In the context of e-commerce zakat, muzakki, as consumers who make zakat payments through digital platforms, have consumer rights that must be protected. However, the unique nature of zakat transactions, which involve religious and social aspects, requires a more specific protection framework (Uyun 2022).

Issues arise when there are exoneration clauses or liability limitations in the e-commerce platform's terms of service, potentially harming muzakki, such as disclaimers about the failure to deliver zakat funds to mustahiq or limitations on access to information about zakat fund allocations and distributions. Such conditions contradict the principles of transparency and accountability, which are fundamental in zakat management, and could potentially violate consumer protection laws that prohibit businesses from excluding liability for negligence leading to consumer harm (Pasya et al. 2025).

From the perspective of Islamic law (fiqh), zakat transactions through e-commerce platforms face challenges in ensuring that the pillars and conditions of zakat, as established in both classical and contemporary literature, are met. The

pillars of zakat, which include a qualified muzakki, zakatable wealth, eligible mustahiq, and the contract for transferring wealth (tamluk), require clarity and certainty at every stage of the transaction process. Implementing zakat through digital platforms raises questions about how to ensure that the intention (qasad) of the muzakki is properly conveyed, how to guarantee the process of tamluk or transfer of zakat ownership to mustahiq, and how to verify that zakat distribution reaches the eight categories of mustahiq as prescribed in the Quran and Hadith. The technical complexities of information systems, process automation, and algorithmic involvement in e-commerce platforms could obscure these fundamental aspects of zakat fiqh, thus requiring a legal construction that integrates sharia provisions with modern technological realities without undermining the spiritual substance and religious values inherent in zakat worship (Septiandani et al. 2024).

The aspects of accountability and transparency in digital zakat management also become critical considerations in developing a comprehensive legal construction. The Zakat Management Law stipulates that zakat management institutions must submit reports on the implementation of zakat management to the government and the public, including audited financial statements by public accountants. However, in the practice of zakat e-commerce, the mechanisms for reporting and auditing are often unclear, especially concerning the division of responsibilities between e-commerce platforms as intermediaries and zakat management institutions as official managers (Achir and Muhtar 2023).

This lack of clarity could create opportunities for non-accountable practices, such as fund mismanagement, misallocation, or even embezzlement, which could harm the interests of mustahiq and undermine public trust in the overall zakat management system. Therefore, regulations are needed to specifically govern the reporting, auditing, and oversight mechanisms for zakat collection through digital platforms, including the imposition of strict penalties for violations of accountability and transparency requirements (Sulton et al. 2025).

The ideal legal construction for e-commerce zakat transactions must accommodate a balance between technological innovation, sharia provisions, and legal certainty. This requires an adaptive regulatory approach that responds to technological developments while remaining firmly grounded in the fundamental

principles of zakat management. The required regulation should include the establishment of technical standards for e-commerce platforms offering zakat services, certification and licensing mechanisms, procedures for cooperation with authorized zakat management institutions, and a continuous monitoring and evaluation system. Additionally, provisions related to the protection of muzakki's personal data, the security of digital transactions, and dispute resolution mechanisms specific to zakat transactions must be formulated. Education and digital literacy for the public are also crucial components of a comprehensive legal construction, given the importance of proper understanding of how to perform zakat through digital platforms to avoid doubts from both a sharia and positive law perspective. Thus, the resulting legal construction is expected to provide legal certainty for all parties involved, encourage the optimal use of zakat as an economic empowerment tool, and maintain the integrity and credibility of the zakat management system in the digital era.

Sharia Implications and Legal Certainty in Digital Zakat Transactions

Zakat transactions via digital platforms present profound complexities in fulfilling sharia requirements, considering zakat is a mahdhah worship with rigid pillars and conditions established in classical and contemporary fiqh literature. The fundamental pillars of zakat include the presence of a muzakki (zakat payer) who fulfills the obligation criteria, zakatable wealth according to nisab and haul, mustahiq (eligible recipients) from the eight categories mentioned in the Quran, and the process of tamlik (transfer of ownership) from the muzakki to the mustahiq. In the context of digital transactions, each of these elements faces technical and conceptual challenges that require in-depth analysis to ensure sharia compliance. The aspect of niat (intention), a fundamental condition for the validity of zakat, presents a problem concerning how to ensure that the muzakki's intention can be fully conveyed through digital interfaces, which are often automated and impersonal. Unlike conventional zakat transactions where muzakki can directly express their intention to amil or mustahiq, digital transactions require a mechanism to ensure that the intention is formulated correctly and at the appropriate time according to fiqh requirements (Febrilyantri 2024).

The sharia issue that is equally complex is the aspect of tamlik or the transfer of zakat ownership, which in classical fiqh requires direct submission from the muzakki to the mustahiq or their legitimate representative. In e-commerce transactions, the tamlik process involves multiple parties, including the digital platform as an intermediary, the zakat management institution as the official recipient, and the mustahiq as the final recipient. This complexity raises questions about when tamlik is considered valid according to sharia—whether at the moment the muzakki transfers funds to the e-commerce platform, when the platform transfers the funds to the zakat management institution, or when the zakat management institution distributes zakat to the mustahiq. This lack of clarity could lead to sharia doubts that affect the validity of the zakat paid. Furthermore, in some models of cooperation between e-commerce platforms and zakat management institutions, there is a time lag between the zakat payment by the muzakki and the distribution to the mustahiq, which in classical fiqh could raise issues related to the principle of immediacy (fauriyyah) in zakat distribution (Febrilyantri 2024).

The verification and validation of mustahiq in digital zakat transactions also face significant challenges from a sharia perspective. The Quran explicitly mentions the eight categories of people entitled to receive zakat (asnaf tsamaniyah), namely the poor, the needy, zakat collectors, new Muslims, slaves, debtors, those in the way of Allah, and travelers. In the traditional system, zakat collectors can directly verify the condition and status of mustahiq to ensure they belong to the rightful category. However, in the digital system, this verification process faces technical and methodological limitations that could affect the accuracy of targeting and the precision of zakat distribution. E-commerce platforms, acting as intermediaries, often lack the capacity or authority to comprehensively verify mustahiq, relying instead on data and information provided by zakat management institutions. This condition creates a gap in the verification system, which could lead to misdistribution of zakat, potentially affecting the sharia validity and blessings of the zakat paid by the muzakki (Febrilyantri 2024).

From a legal certainty perspective, digital zakat transactions face multidimensional challenges that involve national regulation, sharia provisions, and the protection of the rights of all parties involved. Legal certainty is a fundamental principle of the legal system, ensuring that every legal action has a clear, consistent,

and predictable basis. In the context of digital zakat, legal certainty becomes crucial given the involvement of multiple stakeholders with different interests and responsibilities. Muzakki, as zakat payers, need certainty that the zakat funds they pay through digital platforms will reach the rightful mustahiq and be managed according to sharia and applicable laws. E-commerce platforms need clarity regarding the limits of their authority, legal responsibilities, and mechanisms to protect against risks that may arise during the collection and distribution of zakat. Zakat management institutions require certainty regarding the status and role of e-commerce platforms in the zakat management ecosystem, as well as effective coordination and oversight mechanisms (Ratnasari et al. 2025).

The legal construction that can provide certainty in digital zakat transactions must integrate national positive law principles with Islamic sharia provisions in a harmonious and complementary framework. This integration requires a sophisticated approach given the philosophical, methodological, and operational differences between the two legal systems. Indonesian positive law, derived from the civil law tradition, emphasizes certainty, consistency, and predictability through codification and structured regulation, while Islamic law is characterized by flexibility, adaptability, and contextual reasoning through ijtihad and qiyas. In the context of digital zakat, the integration of these two legal systems can be achieved by developing regulations that accommodate sharia principles within the national legal framework, as well as strengthening the role of the National Sharia Council of the Indonesian Ulema Council (DSN-MUI) in providing fatwas and guidelines that can serve as references in the implementation of digital zakat (Alwi et al. 2023).

The protection of the rights and interests of muzakki in digital zakat transactions requires special attention, as muzakki occupy a potentially vulnerable position in the digital ecosystem. The rights of muzakki that need protection include the right to accurate and transparent information regarding the collection, allocation, and distribution of zakat, the right to security and confidentiality of personal and financial data, the right to receive confirmation and reports on the distribution of zakat paid, and the right to file complaints and receive resolutions for any issues that arise. Protecting these rights requires the development of integrated mechanisms between e-commerce platforms, zakat management institutions, and regulatory authorities to ensure that the interests of muzakki are optimally safeguarded.

Additionally, there is a need to develop digital literacy and education mechanisms for muzakki to understand their rights and obligations in digital zakat transactions, as well as to evaluate the quality and credibility of the platforms they use (Elizatun and Ridho 2024).

The technical challenges in implementing digital zakat also have significant sharia and legal implications, particularly regarding issues such as system downtime, technical failures, cybersecurity threats, and data integrity. From a sharia perspective, technical failures that prevent zakat from reaching mustahiq within a reasonable time could raise issues concerning the fulfillment of the muzakki's zakat obligation. Similarly, cybersecurity threats that result in the theft or misuse of zakat funds raise questions about the responsibility and liability of each party. A comprehensive legal construction must anticipate these scenarios by developing contingency mechanisms, risk management strategies, and dispute resolution frameworks that protect all parties involved. This includes developing minimum technical standards for e-commerce platforms providing zakat services, requirements for business continuity plans, and insurance and compensation mechanisms to protect the interests of muzakki and mustahiq from technical and operational risks (Fuad et al. 2025).

The dimensions of accountability and transparency in digital zakat have direct implications for sharia validity and legal certainty. The principle of accountability in zakat management encompasses not only financial aspects but also spiritual and social dimensions, as zakat is a trust that must be accounted for both before people and Allah SWT. In the digital context, this accountability requires the development of reporting and monitoring systems that provide real-time visibility of zakat funds from muzakki to mustahiq. E-commerce platforms and zakat management institutions must be able to provide comprehensive and verifiable audit trails for each zakat transaction facilitated, including information on payment time, amount paid, and the identities of muzakki and mustahiq (while maintaining privacy), as well as evidence of distribution. This transparency should also include disclosures on operational costs, platform fees, and the allocation of zakat funds according to sharia provisions that allow zakat management institutions to use a portion of zakat to cover operational costs (Aradimas and Efendi 2025).

The development of an ideal legal construction for digital zakat transactions requires a holistic approach that integrates multiple perspectives and stakeholders in the formulation and implementation process. This legal construction must accommodate the dynamic nature of technological development while upholding the fundamental principles of zakat as established in sharia. It requires the development of an adaptive and responsive regulatory framework that can be updated and refined as technology evolves and digital zakat practices continue to evolve. Furthermore, this legal construction should consider international best practices in digital finance and Islamic fintech so that Indonesia can become a reference point for the development of sharia-compliant digital zakat that provides optimal benefits for Muslims globally.

Conclusion

Based on in-depth analysis of the legal construction of zakat transactions through e-commerce platforms in Indonesia, it can be concluded that there is a significant legal gap in the regulation of digital zakat management. Law No. 23 of 2011 on Zakat Management does not specifically regulate the role and responsibility of e-commerce platforms as intermediaries in zakat transactions, creating legal uncertainty for muzakki, digital platforms, and zakat management institutions. From a sharia perspective, digital zakat transactions face challenges in fulfilling the pillars and conditions of zakat, particularly concerning the aspects of intention (qasad), tamlik (transfer of ownership), and accurate verification of mustahiq. The legal construction required must integrate the principles of national positive law with Islamic sharia provisions in a harmonious framework, including the establishment of technical standards for platforms, certification mechanisms, cooperation procedures with official zakat institutions, and continuous oversight systems. Key recommendations include the drafting of specific regulations for digital zakat, strengthening consumer protection, improving transparency and accountability, and developing effective dispute resolution mechanisms. With a comprehensive legal construction, it is hoped that a digital zakat ecosystem will be created that provides legal certainty, sharia validity, and optimizes the potential of zakat as an instrument for the economic empowerment of the Muslim community in Indonesia.

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