

THE PRACTICE OF DISTRIBUTING MITRA ZAKAT SCHOLARSHIP YAYASAN PONDOK PESANTREN HIDAYATULLAH BALIKPAPAN

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Abstract

The practice of distributing Mitra Zakat scholarships to STIS Hidayatullah Balikpapan students, Mitra Zakat Agency (The first party) provide scholarships to STIS Hidayatullah Balikpapan Students (the second party). The distribution is through the intermediary of STIS Hidayatullah Balikpapan Management who selects 10 selected students with 4 steps, i.e., Mitra Zakat agency distributed scholarship to Management of STIS Hidayatullah for students, interviews student's parents, commitment letter as agreement, and releasing consumption cost as a scholarship fund. Review of Sharia Economic Law regarding the practice of distributing Mitra Zakat scholarships that the first step need evaluation, The second step need socialization in front of all students to fair subjectivity, the existence of the Mitra Zakat scholarship has not had a detailed socialization and the STIS Management only determines unilaterally which can create confusion in determining its objectivity. The third step is commitment letter as agreement with the conditions contained therein valid. According to the Maqashid Sharia concept, the student is still required to replace the replacement fee with a waiver from STIS Hidayatullah Balikpapan, then these conditions should be evaluated because Mitra Zakat scholarship which is assessed as a conditional scholarship. And the last step is also clear and nothing false step.

Keywords: *Agreement, Conditional Scholarship, Maqashid Sharia*

A. Introduction

Zakat is worship that must be performed for every Muslim if he meets certain conditions, by giving a certain amount of property that has been determined and serves to cleanse the soul or property, where *Muzakki* (people who pay zakat) can distribute their zakat through the Zakat Institution and can be given directly to people who are entitled to receive it as gratitude to God and can prosper economic life and eradicate poverty. One of the utilizations of productive zakat itself is for education or commonly called scholarships, which the Amil Zakat Institute distributes to students of knowledge. In this case, education and poverty are closely related, where they are not easy to get an education because they are trapped in poverty. So that the distribution of scholarships from the Amil Zakat Institution is expected to provide a way for people who cannot afford to continue their education.

Scholarships are financial assistance given to individuals that aim to be used for the continuation of the education they are pursuing. Scholarships can be categorized as free

giving or giving with a work bond (commonly called an official bond) after the completion of education. The length of this service bond varies, depending on the institution that provides the scholarship following the regulations that have been determined by the school to obtain the scholarship, so criteria are needed to determine who will be selected to receive the scholarship.¹

Currently, many scholarship programs have been rolled out, be it from private or government Amil Zakat institutions. Including the scholarship program rolled out by the Amil Zakat Institute. One of the institutions with a scholarship program is Mitra Zakat, Institute of Sharia Science Hidayatullah Balikpapan. This institution provides scholarships to students in the form of subsidized consumption costs of Rp. 500,000/month for 4 years of studying at Institute of Sharia Science Hidayatullah Balikpapan. One type of scholarship is the Mitra Zakat Scholarship (MZ) for 10 selected students from each batch at STIS Hidayatullah Balikpapan. According to STIS Management Hidayatullah Balikpapan, that in this scholarship there is an agreement. Where both parties (scholarship givers/zakat partners and scholarship recipients/students) have agreed and established satisfaction with the conditions that apply in this scholarship.²

The Director of Mitra Zakat of the Hidayatullah Islamic Boarding School Balikpapan Foundation (YPPH) also emphasized that the terms contained in the agreement were signed by both parties and mutually binding commitments. These conditions are: *First*, the second party submits a certificate of incapacity from (RT/Origin of Hidayatullah branch), and original high school/high school/MA diploma or equivalent to STIS Hidayatullah Balikpapan as collateral. *Second*, the first party is obliged to provide consumption subsidies for 4 years of studying at STIS Hidayatullah Balikpapan. *Third*, the second party is committed to always complying with academic and dormitory regulations. Obtain a minimum IP score of 2.50 and submit a photocopy of KHS every semester. *Fourth*, the second party is willing to revoke the consumption subsidy from the first party, if in the future the second party cannot fulfill the agreement. *Fifth*, the second party is obliged to replace all consumption costs incurred by Mitra Zakat YPPH Balikpapan, if the second party has left / cannot complete lectures at STIS. All the conditions stated in the agreement letter by the first party and the second party shows that the contract in this scholarship is binding.³

Where in a muamalah system there is an *Akad* (contract) in it of course there is a

¹ Bagas Dista Ariyadi, "Sistem Pendukung Keputusan Seleksi Penerima Beasiswa Pada SMA 1 Boja dengan Menggunakan Metode Analytical Hierarchy Process (AHP)", (Skripsi: Universitas Dian Nuswantoro).

² KM, Direct Interview, Balikpapan, 18 March 2021.

³ HA, as the Director of Mitra Zakat Agency, Interview by phone, Balikpapan, 1 April 2021.

consequence for the contract which all conditions must be met, and if it is denied by one of the parties there will be accountability as a consequence of the *Akad* (contract). As in the YPPH Balikpapan Mitra Zakat (MZ) scholarship, where the contract contained in it, as well as the consequences of the terms, have been attached and agreed upon by both parties. Then, how is the practice of distributing funds in the scholarship, which scholarship is the implementation of consumptive zakat? However, there are conditions imposed by Mitra Zakat YPPH Balikpapan and STIS Management. How about the law on the practice of distributing scholarships, a review of Sharia Economic Law?

Therefore, the researcher is very interested in researching this problem because from the data that the researcher can find that many second parties cannot complete education with several different factors. Of course, with that, the binding commitment between the first and second parties will have a consequence, namely replacing the consumption costs of the Mitra Zakat scholarship while studying, while scholarship recipients who cannot continue their STIS studies do not change their status as poor or part of the zakat asnaf who are entitled to receive zakat assets.

B. Literature Review

Thesis was written by Ica Marlisa from UIN SUSKA Riau with a thesis entitled "Utilization of Zakat Funds by Pariaman Smart Scholarship Recipients in Pariaman City Baznas".⁴ help the welfare of society, especially in the field of education. The problem in this research is how is the utilization of zakat funds by Pariaman Cerdas scholarship recipients at BAZNAS Pariaman City. The results of the study concluded that the use of zakat funds by Pariaman intelligent scholarship recipients at BAZNAS Kota Pariaman had a significant role in improving education and also had an effect on motivation in learning achievement. The same with my thesis that zakat is the solution for economic problem, especially in education.

Journal was written by Fitrianto from UIN Kuantan Singingi (UNIKS) Riau with research entitled "Zakat Untuk Pemberdayaan Ekonomi Mustahik Di BAZNAS Kabupaten Kuantan Singing Riau". The result that the accumulated zakat funds are distributed by BAZNAS Kuantan Singingi in various program models such as consumptive zakat program, health services in the form of medical aid, educational scholarships, and habitable housing development for asnaf, and productive zakat programs such as asnaf skills training and venture capital in various businesses. This research has the same result, one of consumptive and productive zakat fund for education is very effective.

⁴ Ica Marlisa." Pemanfaatan Dana Zakat oleh Penerima Beasiswa Pariaman Cerdas Di Baznas Kota Pariama", (Skripsi: UIN SUSKA riau, 2020).

C. Research Method

The type of research used in this research is field research, to obtain data, by making direct observations of real events that occur in the community,⁵ in this field research is more often used to solve problems in people's daily lives. With this field research, the researchers obtained data regarding the Agreement in Mitra Zakat scholarship YPPH Balikpapan in The Institute of Sharia Science Hidayatullah Balikpapan, using a qualitative approach. Qualitative research is research that uses a natural setting, interpret phenomena that occur by involving various existing methods.⁶

The nature of this research is descriptive, which is a research method aimed at describing existing phenomena that are ongoing or occurred in the past.⁷ by describing and analyzing the form of the practice of distributing Mitra Zakat scholarship of the Hidayatullah Islamic Boarding School Balikpapan Foundation (YPPH) to STIS Hidayatullah Balikpapan students.

The subject of this research is the Mitra Zakat Agency of the Hidayatullah Islamic Boarding School, Balikpapan. The object of research in this case is the practice of distributing Mitra Zakat scholarship of the Hidayatullah Islamic Boarding School Balikpapan. There are several techniques in data collection, which are used in this study, such as Observations with direct observations made by researchers on the symptoms of the subject and object of research, in this observation technique the researcher uses the Observation Participant type of observation (*In-depth Interview*) by frankly revealing the purpose of the researcher to the data source.⁸

Data analysis is an effort to compile, categorize data, determine patterns or themes, to understand the meaning of the data found, and also data analysis is a creative activity.⁹ Descriptive Analysis, the stages in analyzing data according to Milles and Huberman¹⁰ are data reduction, data display, verivication. *Maqashid Syari'ah*, 5 concept are Maintaining Religion (*Hifdzud Deen*), Maintaining Soul (*Hifdzun Nafs*), Maintaining Intellect (*Hifdzul 'Aql*), Maintaining Descendants (*Hifdzun Nasab*), Maintaining Assets (*Hifdzul Maal*).

D. Result

⁵ Muhammad Nazir, *Metode Penelitian*, (Jakarta: Ghalia Indonesia, 2003), 122.

⁶ Ibid., 7

⁷ Muhammad Fitrah, Luthfiah, *Metodologi Penelitian; Penelitian Kualitatif, Tindakan Kelas & Studi Kasus*, (Sukabumi, CV Jejak, 2017), 36.

⁸ Sugiyono, *Memahami Penelitian Kualitatif*, (Bandung: Alfabeta, 2014), 72.

⁹ [Wayan Suwendra, *Metode Penelitian Kualitatif Dalam Ilmu Sosial, Pendidikan, Kebudayaan, Dan Keagamaan, Cet Ke 1*, \(Bandung: Nilacakra, 2018\), 79.](#)

¹⁰ Sugiyono, *Memahami Penelitian Kualitatif*, 92.

a. Zakat (Obligatory charity)

Epistemologically, Zakat (الزكاة) means growth (النماء) and increase (الزيادة). It is said (الزراع زكا) "the plant grows" that is when it grows. In syar'i terms, zakat is an expression of an obligatory right on assets that have reached a certain nisab with special conditions for certain groups.¹¹ Zakat is one of the religious obligations and one of the pillars of Islam, the position of zakat is equivalent to the position of the creed, prayer, fasting and pilgrimage which can strengthen one's faith and religion. The provisions of zakat are comprehensively regulated and apply to all Muslims and the distribution is certain.¹²

Allah Ta'ala has clearly stated in His word regarding zakat. As stated in the word of Allah Ta'ala Q.S At-Taubah verse 103:

خُذْ مِنْ أَمْوَالِهِمْ صَدَقَةً تُطَهِّرُهُمْ وَتُزَكِّيهِمْ بِهَا وَصَلِّ عَلَيْهِمْ إِنَّ صَلَاتَكَ سَكَنٌ لَهُمْ وَاللَّهُ سَمِيعٌ عَلِيمٌ

Based on the words of the Prophet Muhammad Shalallahu 'alaihi Wasallam in which he made a will to Mu'adh when he sent him to go to Yemen,

صحيح البخاري ١٣٠٨ : حَدَّثَنَا أَبُو عَاصِمٍ الضَّحَّاكُ بْنُ مُحَمَّدٍ عَنْ زَكْرِيَاءَ بْنِ إِسْحَاقَ عَنْ يَحْيَى بْنِ عَبْدِ اللَّهِ بْنِ صَيْفِيٍّ عَنْ أَبِي مَعْبُدٍ عَنْ ابْنِ عَبَّاسٍ رَضِيَ اللَّهُ عَنْهُمَا أَنَّ النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بَعَثَ مُعَاذًا رَضِيَ اللَّهُ عَنْهُ إِلَى الْيَمَنِ فَقَالَ ادْعُهُمْ إِلَى شَهَادَةِ أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَأَنَّي رَسُولُ اللَّهِ فَإِنْ هُمْ أَطَاعُوا لِذَلِكَ فَأَعْلِمُهُمْ أَنَّ اللَّهَ قَدْ افْتَرَضَ عَلَيْهِمْ خَمْسَ صَلَوَاتٍ فِي كُلِّ يَوْمٍ وَلَيْلَةٍ فَإِنْ هُمْ أَطَاعُوا لِذَلِكَ فَأَعْلِمُهُمْ أَنَّ اللَّهَ افْتَرَضَ عَلَيْهِمْ صَدَقَةً فِي أَمْوَالِهِمْ تُؤْخَذُ مِنْ أَعْيَانِهِمْ وَتُرَدُّ عَلَى فُقَرَائِهِمْ

Sahih Bukhari 1308: It has been narrated to us Abu 'Ashim Adl Dlahhak bin Makhlad from Zakariya' bin Ishaq from Yahya bin 'Abdullah bin Shayfiy from Abu Ma'bad from Ibn 'Abbas radiyallahu 'anhuma that when the Prophet shallallahu 'alaihi wa sallam sent Mu'adh radiyallahu 'anhu to the land of Yemen, he said: "Invite them to the shahadah (witness) that there is no god worthy of worship except Allah and that I am the messenger of Allah. If they have obeyed, then tell them that Allah has made it obligatory for them to pray five times a day and night. And if they obey it, then they are poor."¹³

¹¹ Syaikh Shalih bin Abdul Aziz asy-Syaikh Alu. *Al-Fiqh al-Muyassar*. (Jakarta: Daarul Haq),2018.

¹² Ali Muchasan, Jurnal, (Dosen Fakultas Tarbiyah STAI Hasanuddin Pare, 2015), Volume 1 Nomor 2.

¹³ Bukhari, Abdullah Muhammad bin Ismail al-, *Shahih al-Bukhari*, (Beirut: Dar al-Kitab al-'Ilmiyah,1992), Juz V, No.1308.

Allah Ta'ala through His word explains who is entitled to receive zakat, which is stated in Q.S At-Taubah verse 60:

إِنَّمَا الصَّدَقَاتُ لِلْفُقَرَاءِ وَالْمَسْكِينِ وَالْعَامِلِينَ عَلَيْهَا وَالْمُؤَلَّفَةِ فُلُوقِهِمْ وَبِئْسَ مَا كَانُوا يَفْعَلُونَ
السَّبِيلِ فَرِيضَةً مِّنَ اللَّهِ وَاللَّهُ عَلِيمٌ حَكِيمٌ

b. Scholarship

Scholarships are assistance to help people, especially those who are still in school or college so that they can complete their assignments knowledge to completion. This assistance is usually in the form of funds to support the costs or expenses that must be incurred by school children or students during their education period at the desired study place.¹⁴ Scholarship has several types, such as Award Scholarship, these scholarships are usually awarded to candidates who have academic excellence. Aid Scholarship, this type of scholarship is to fund the academic activities of students who are less fortunate, but have merit. Full Scholarship, many people think that scholarships are given to recipients to cover their overall academic needs. If you are really lucky, surely you will get a scholarship like this. Scholarships will be awarded to cover living expenses, books, and tuition fees. Amil Zakat scholarship, Many Amil Zakat Agencies and Amil Zakat Institutions are now rolling out programs to distribute funds for education, assisting to school or college children so that they can continue their education.¹⁵ One example is the Mitra Zakat Baitul Maal Pondok Pesantren Hidayatullah Balikpapan (YPPH) which provides consumption scholarships for student of STIS Hidayatullah Balikpapan.

c. The practice of distributing Mitra Zakat scholarship to STIS Hidayatullah

Mitra Zakat Agency itself is an institution in charge of collecting zakat, infaq, and alms funds. So, the funds given as scholarships come from zakat, infaq, and alms funds. However, most of the funds provided came from infaq funds.¹⁶ The practice of distributing Mitra Zakat is a form of education financing planning carried out by Mitra Zakat Agency in the form of financial assistance given to selects 10 STIS Hidayatullah Balikpapan students in the form of a consumption subsidy of IDR.500,000/month.

Based on the results of the interview with H.A as the director Mitra Zakat Agency,

¹⁴ Anne Ahira, "Beasiswa Arti Tujuan dan Syaratnya", Artikel diakses pada tanggal 30 April 2021.

¹⁵ Indra Akuntono, "Mengenal Jenis-jenis Beasiswa", Kompas.com, (1/5/2021) Edukasi.kompas.com.

¹⁶ HA, as a director of Mitra Zakat Agency, Direct Interview by Phone, 22 June 2021.

that the MZ scholarship fund itself is related to the effectiveness of the scholarship object, it is considered appropriate as a recipient of zakat funds because it is classified as *fii sabilillah* and underprivileged as well, it is a standard in receiving the Mitra Zakat scholarship. Mitra Zakat limits the recipients of Mitra Zakat scholarships according to the capacity of the funds given to the management of STIS Hidayatullah Balikpapan. However, considering that the majority of funds are infaq funds, while zakat funds are only surplus or additional, the researcher feels that all students are entitled to receive Mitra Zakat scholarships.

The process of distributing the MZ scholarship was directly delegated by Mitra Zakat Agency to the Management of STIS Hidayatullah, where the management section would later provide provisions for the recipient of the scholarship. 4 Steps of distribution Mitra Zakat scholarship to STIS Hidayatullah Balikpapan below:

The First, Mitra Zakat as the provider MZ scholarship distributing to STIS Hidayatullah Balikpapan Management as the distributor. The fund from mitra zakat is zakat, *infaq*, alms that the nominal is different every period (month). The first period is Rp.20.000.000 and the last period in this year is Rp.7.500.000, - for consumption subsidy. Mitra Zakat Agency give a scholarship to upgrade education of students, one of participation to build islamic education for STIS Hidayatullah students.

The Second, Management of STIS Hidayatullah as distributor scholarship decide to students who deserve to be a recipient of MZ scholarship. STIS Management doing interviews with student's parents according the data fund. The result decides for recipient such as *fakir* and poor, orphan, around citizens of YPPH Gunung Tembak. The major standar is Hidayatullah kader. Capacity of recipients MZ scholarship is 10 student every year.

The Third, after decide the recipient MZ scholarship. Then Management of STIS Hidayatullah make a commitment letter for students as recipient MZ scholarship. Commitmen letter is a *Memorandum of Agreement* (MoA) between STIS Hidayatullah Balikpapan and students MZ scholarship recipient. Contents of commitment letter is requirements of scholarship who need agreement from both parties (STIS Management and STIS students), both parties have consuquences for this scholarship.

1. The second party submits a certificate of incapacity from (RT/Origin of Hidayatullah branch), and the original high school/high school/MA diploma or equivalent to STIS Hidayatullah Balikpapan as collateral.

2. The first party is obliged to provide consumption subsidies for 4 years studying at STIS Hidayatullah Balikpapan.
3. The second party is committed to always complying with academic and dormitory regulations. Obtain a minimum IP score of 2.50 and submit a photocopy of KHS every semester.
4. The second party is willing to revoke the consumption subsidy from the first party, if in the future the second party cannot fulfill the agreement.
5. The second party is obliged to replace all consumption costs incurred by YPPH Zakat Partners, if the second party has left/unable to complete lectures at STIS

The Fourth, Releasing funds of MZ scholarship to STIS students after validate commitmen letter. Every recipient get the cost for consumption cost every month as the nominal Rp.500.000,-. The students who receive this scholarship get free consumption costs for 4 years learning at STIS Hidayatullah Balikpapan.

Period of Distribution of Mitra Zakat Scholarships to STIS Hidayatullah Balikpapan Students:

Tabel 1
The first period of distributing Zakat Partners scholarships in 2019 with a total fund of IDR. 20,000,000, -

No	Name	Nominal
1.	Anika Sribeti	Rp.500.000, -
2.	Susilawati	Rp.500.000, -
3.	Hariani	Rp.500.000, -
4.	Zulaeha	Rp.500.000, -
5.	Yuliana S. Batania	Rp.500.000, -
6.	Nur Azizah Riska	Rp.500.000, -
7.	Nur Maghfirah Akas	Rp.500.000, -
8.	Rahmawati	Rp.500.000, -
9.	Baiq Ulfah Luthfiah	Rp.500.000, -
10.	Siti Hajar	Rp.500.000, -

Tabel 2
The second period of distributing Zakat Partners scholarships in 2020 with a total fund of IDR 10.000.000, -

No	Name	Nominal
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1.	Siti Hajar	Rp.500.000, -
2.	Ainun Muthmainnah	Rp.500.000, -
3.	Nauratun Nahdhah	Rp.500.000, -
4.	Zahratunnisa	Rp.500.000, -
5.	Saudah Kurun	Rp.500.000, -
6.	Nur Fadhillah	Rp.500.000, -
7.	Khaira Ummah	Rp.500.000, -
8.	Humairah	Rp.500.000, -
9.	Asri Hafifi Fabrianti	Rp.500.000, -
10.	Fitriani	Rp.500.000, -
11.	Siti Radhiah Umar	Rp.500.000, -
12.	Musayyidah Luthfiyyah	Rp.500.000, -
13.	Nur Hijriah	Rp.500.000, -

Tabel 3

The third period of distributing Zakat Partners scholarships in 2021 with a total fund of IDR. 7.500.000, -

No	Name	Nominal
1.	Siti Hajar	Rp.500.000, -
2.	Ainun Muthmainnah	Rp.500.000, -
3.	Nauratun Nahdhah	Rp.500.000, -
4.	Zahratunnisa	Rp.500.000, -
5.	Saudah Kurun	Rp.500.000, -
6.	Yuliana S. Batania	Rp.500.000, -
7.	Khaira Ummah	Rp.500.000, -
8.	Humairah	Rp.500.000, -
9.	Asri Hafifi Fabrianti	Rp.500.000, -
10.	Fitriani	Rp.500.000, -
11.	Siti Radhiah Umar	Rp.500.000, -
12.	Musayyidah Luthfiyyah	Rp.500.000, -
13.	Nur Hijriah	Rp.500.000, -
14.	Andi Miftahul Khairiyah	Rp.500.000, -
15.	Khairiyah Jamal	Rp.500.000, -
16.	Ismi Nur Sakinah	Rp.500.000, -

E. Analysis

However, in the process of distributing this scholarship, we certainly need to pay attention to the direction of the funds used, how the subject works in the distribution, and the object of the scholarship. As in the distribution of Mitra Zakat (MZ) scholarships, it comes from zakat funds, *infaq*, and alms. Then, how about the fourth step distribution of MZ scholarship in sharia economic law analysis?

The first step, for zakat funds, this issue has been discussed among scholars and *jumhur*, contemporary scholars allow scholarships from zakat funds, but must meet

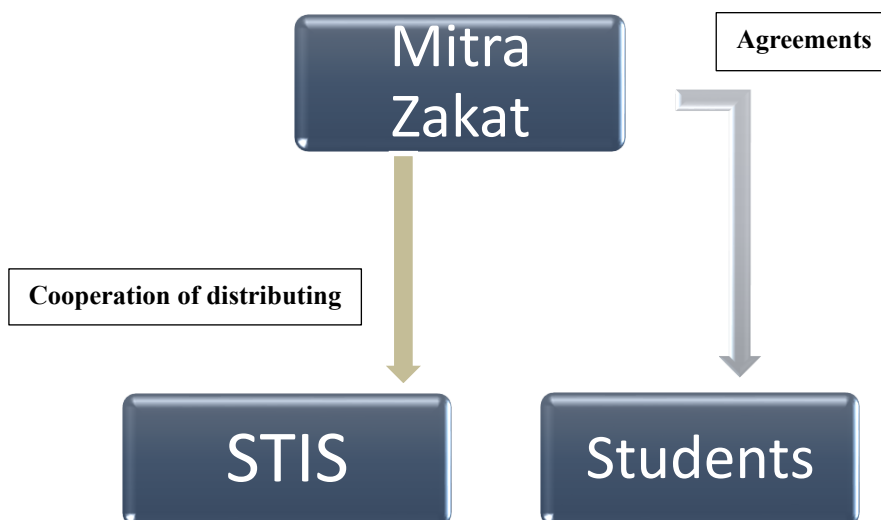
several terms and conditions, namely:

1. Some scholars require that the field of knowledge studied is syar'i science *fii sabilillah* category.
2. Poor to improve their standard of living.
3. people who are studying the sciences who is cadre of Muslims. For example, someone who is recruited by a da'wah institution or an institution that fights for the lives of Muslims. They can get scholarships from *fii sabilillah* stocks.¹⁷

So, the practice of distributing Mitra Zakat scholarships according to the above discussion is considered appropriate, that STIS Hidayatullah students are entitled and worthy to receive these scholarships because they are included in the 8 *Asnaf* zakat.

The following is the distribution scheme for Mitra Zakat scholarships to STIS Hidayatullah students in Balikpapan:

Picture 1



Looking at the findings of the existing data, that in the scheme of the distribution of the Mitra Zakat scholarship there is confusion. Although structurally the

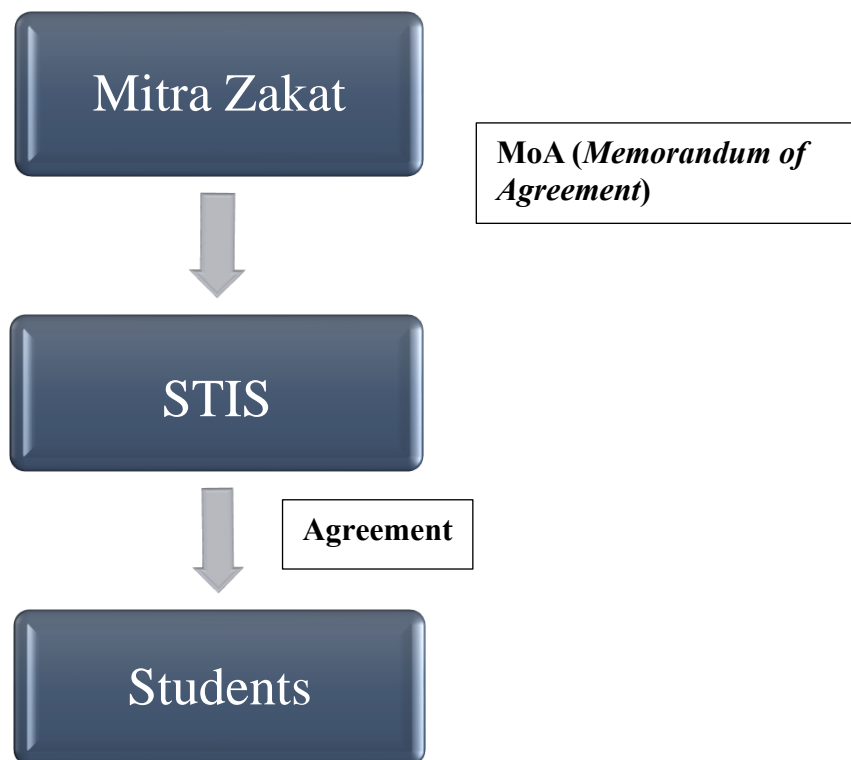
¹⁷ Zid Harsta Firdausi. Penyaluran Dana Zakat Melalui Beasiswa di Baitul Maal Muamalat, Jurnal Az-Zarqa, vol. 10 No 1, 2018.

educational scholarship cooperation between Mitra Zakat and STIS Hidayatullah runs according to the distribution mechanism of zakat assistance in general, but the realization in the field from data findings and interviews, that contract engagement as a conditional consequence between scholarship recipients and STIS Hidayatullah does not occur. As illustrated in the scheme above, the realization of the agreement that occurred actually took place between the Mitra Zakat and the student.

In fact, some recipient not appropriate with classify on requirements. So, this MZ Scholarship is due to the absence of socialization in its procurement, so that subjectivity is fair and objectivity is appropriate.

If sorted according to the contract mechanism in a sharia economic approach, the mechanism for distributing scholarships for the Mitra Zakat scholarship education to STIS Hidayatullah Balikpapan students is correct as shown in the following picture:

Picture 2



In this mechanism, that the STIS Management plays a role in distributing scholarships from Mitra Zakat Agency to STIS Hidayatullah Balikpapan Students in a pledge to the agreement in Mitra Zakat Agency scholarship. STIS management also in determining students who are eligible to receive scholarships must prioritize the principle

of fairness so that the objectivity of the scholarship recipients is correct and has tangible benefits, and provides rules in the conditions contained in the agreement, such as determining the amount of replacement fees when the second party does not complete their studies.

The Interviews step is clear, management STIS Hidayatullah calls every student's parent to decide MZ scholarship recipients. But Mitra Zakat agency is still following how management STIS consider the recipient to avoid unfair subjectivity. Management STIS consider as most important is student who cannot pay consumption cost. After selected 10 students, then Management STIS meeting up with them. The meeting is to discuss and signature on commitment letter.

The third step that commitment letter Mitra Zakat Agency must not be contributed to make it. Management STIS Hidayatullah is only can make contents of commitment letter. But infact, Mitra Zakat Agency contributed to make the contents in the fourth and fifth point. Then management STIS in the first, second, and third points. If Mitra Zakat contributed to make requirements, then this scholarship categories the conditional scholarship.

Scholarship cannot be conditional because it is from zakat, *infaq*, and alms funds. Students deserve to have this scholarship without conditional because categorized in *Mustahik zakat* as explained above. But, Managements STIS make conditional to upgrade education quality STIS Hidayatullah students, to complete its education in 4 years. So based on the results of the research study, it was found contextually that the distribution of educational scholarships by Mitra Zakat to STIS Hidayatullah students was considered a conditional scholarship because in its distribution Mitra Zakat Agency included the conditions contained in a letter of commitment to the STIS Management, which conditions these conditions are a form of agreement to STIS Hidayatullah students who receive scholarships.

Regarding the conditions in Mitra Zakat scholarship agreement, that the feasibility and accuracy of these conditions can be analogized in a fiqh rule. As based on one of the rules of fiqh formulated in a hadith:

عن أبي هريرة قال قال رسول الله -صلى الله عليه و سلم- الصَّلح جاز بين المسلمون, زاد أحمد-
 الا صلحا احل حراما أو حرم حلالا, وزاد سليمان بن داود و قال رسول الله - صلى الله عليه
 و سلم - المسلمون على شروطهم

Hadith narrated by Abu Hurairah, the Prophet sallallaahu 'alaihi wa sallam.

Saying "Making peace with fellow Muslims is permissible", Ahmad added, "unless peace makes lawful what is unlawful or forbids what is lawful." Sulaiman ibn Daud added with the hadith of the Prophet sallallaahu 'alaihi wa sallam." The Muslims are bound by the agreement they made."¹⁸

Regarding the rules of fiqh contained in the hadith, that a Muslim is bound by the agreement made. If it is associated with the practice of distributing this Mitra Zakat scholarship, then this is realized from the contract that occurs in the scholarship. Psychologically and sociologically, the use of contracts between parties leads people to respect each other and maintain the mandate given, and to prioritize the principle of justice in the mechanism. Thus, the conditions contained in the MZ scholarship are the implementation of the mandate in the contract. That both parties are required to maintain the mandate bound in the scholarship contract. No one violates the agreement, and is ready to accept the consequences if this happens

Following is the researcher's analysis based on the results of the study in terms of the three components of the *Maqashid sharia* level of the requirements in the YPPH Mitra Zakat scholarship:

1. Protection of Intellect (*Hifdz al'Aql*)

Mitra Zakat Agency participates in planning financing in education, especially at STIS Hidayatullah Balikpapan in providing Mitra Zakat scholarships to STIS Hidayatullah students. This Mitra Zakat Scholarship is only limited to 10 students. If viewed only from zakat funds, the percentage value of scholarship recipients is correct for STIS Hidayatullah Student, which is classified as *Mustahik*, namely *fii Sabilillah* and poor. However, the funds in the Mitra Zakat scholarship are a combination of funds other than zakat, namely infaq and alms. So, objectivity is not only measured because the student is not capable, and the choice is unilateral from the STIS side. All students are considered eligible to register as recipients of this scholarship.

2. Protection of the Soul (*Hidfx al-Nafs*)

As has been explained, if it is associated with the practice of distributing this Mitra Zakat scholarship, then this is realized from the contract that occurs in the scholarship. Psychologically and sociologically the use of contracts between parties leads people to respect each other and maintain the mandate given. Thus, the conditions

¹⁸ Abu Daud, Sulaiman ibn al-Asy'ats ibn Syadad ibn Umar al-Azdi, *Sunan Abu Daud*, Juz 10, Kairo: Mawqi Wizarah al-Auqaf al-Mishriyah, 466, Hadits ke-3596.

contained in the MZ scholarship are the implementation of the mandate in the contract. That both parties are required to maintain the mandate bound in the scholarship contract. No one violates the agreement, and is ready to accept the consequences if this happens. However, based on the findings of available data, that sister Z left STIS Hidayatullah because she was married. According to him and the family, this marriage could not be postponed until sister Z graduated from STIS Hidayatullah. When it is postponed then the existing Mudharat is greater.

3. Protection of Assets (*Hifdz al-Maal*)

If it is related to the practice of distributing Mitra Zakat scholarships, that one of the conditions, namely paying a replacement fee for students who leave is considered inappropriate based on this principle. Seeing that the condition of sister Z is underprivileged, whether she is still a student of STIS Hidayatullah or not, her condition remains the same. Therefore, he feels very, very burdened by the terms of the replacement fee and this scholarship is like a conditional scholarship because it requires a replacement fee in the contents of the agreement. In some points, the contents of the agreement are a condition for receiving the scholarship, but the replacement fee is a condition that makes the scholarship considered inappropriate if the main standard for the recipient of the scholarship is an underprivileged student.

Meanwhile, the allocation of funds used is a combination of zakat, infaq, and alms funds. Merging these funds is not good because it can include *gharar*. The location of *gharar* is if the fund is only zakat funds, then it has limitations in its distribution and cannot be cashed or replaced with the price of the staple food. However, because the use of funds is a combination of zakat, infaq, and alms funds, the determination of the recipient of this scholarship is not only from *Mustahik*, all students are considered entitled to this scholarship, even though the quota of recipients of this scholarship is limited. Students can have the opportunity to apply for this scholarship to STIS Hidayatullah Management, not only unilaterally from STIS Management.

F. Conclusion

The practice of distributing Mitra Zakat scholarships to the Hidayatullah Islamic Boarding School Foundation is a form of education financing planning carried out by Mitra Zakat Agency in the form of financial assistance given to STIS Hidayatullah Balikpapan students in the form of a consumption subsidy of IDR.500,000/month. This scholarship contains several steps to distribution. The first step is how Mitra Zakat Agency

distributing scholarship funds to Management STIS Hidayatullah, the second step is interviews with student's parent to decide 10 selection students to be recipient MZ scholarship, the third step is conditions contained in the commitment letter, which is a form of agreement between the recipient and the scholarship provider. These conditions are binding on both parties and give rise to a consequence if these conditions are not met or one of the parties violates them. That from the results of the research, the first party is unable to complete the lecture and is obliged to replace the cost of consumption, while he is unable to replace it due to the condition of not being able to pay the replacement fee. And the last step is releasing funds to students, this step nothing false. Students gets free consumption cost in 4 years that facilitate in their education.

Review of Sharia Economic Law regarding the practice of distributing Mitra Zakat scholarships that the first step need evaluation, that figure it out in the scheme. The second step need socialization in front of all students to fair subjectivity, the existence of the Mitra Zakat scholarship has not yet had a detailed socialization to female students and the STIS Management only determines unilaterally without any socialization which can create confusion in determining its objectivity. The third step is commitment letter with the conditions contained therein valid, according to the rules of fiqh which are contained in the Prophet's hadith. However, seeing the condition of the scholarship recipients who feel burdened by one of the conditions, namely to replace costs and are not happy with it, then these conditions should be evaluated because Mitra Zakat scholarship which is assessed as a conditional scholarship. Therefore, based on a review of the *Maqashid Sharia* concept, it is necessary to evaluate the conditions contained in the scholarship provider or Mitra Zakat Agency and Management of STIS Hidayatullah Balikpapan for the benefit of both parties in the Mitra Zakat scholarship. And the last step is also clear and nothing false step.

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