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Legal gaps in digital zakat crowdfunding: Positive and Islamic law perspectives

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Abstract

Advances in digital technology have spurred the use of crowdfunding as a more convenient and efficient means of collecting zakat. However, the involvement of crowdfunding platforms raises legal issues regarding legality, authority, and accountability, as Law No. 23 of 2011 grants the authority to collect zakat solely to the National Zakat Agency (BAZNAS) and Zakat Management Institutions (LAZ). This study aims to analyze the regulations and practices of crowdfunding in zakat collection, examine its legality based on positive law and Islamic law, and identify legal gaps that arise in the practice of digital zakat collection. This study is a normative legal study employing legislative, conceptual, and Islamic legal approaches. Legal materials were collected through a literature review and analyzed using a descriptive-qualitative method. The results indicate that crowdfunding no longer functions solely as an intermediary for zakat payments but also performs functions akin to zakat collection activities. This situation creates ambiguity regarding authority and accountability, as there are no explicit regulations defining the role of crowdfunding platforms within the national zakat management system. This study concludes that there is a legal gap between regulations and the practice of digital zakat collection. Therefore, regulatory updates are needed to ensure legal certainty, accountability, and compliance with Sharia principles in the management of digital zakat.
Keywords: Authority, Legality, Maqāṣid al-Syarī‘ah, Zakat Crowdfunding.

Introduction

Zakat is one of the fundamental instruments in Islam that not only has a religious dimension but also serves social and economic functions. In addition to being a form of obedience to Allah SWT, zakat acts as a mechanism for the distribution of wealth aimed at achieving social welfare and reducing social inequality (Muttaqin & Nugraha, 2026). Therefore, zakat is not only viewed as an individual obligation but also as a social financial instrument that contributes to the economic development of the Muslim community.

Indonesia possesses a substantial zakat potential. According to the National Board of Zakat (BAZNAS), the national zakat potential is estimated at approximately Rp327 trillion annually. However, the realization of zakat collection remains significantly below this potential. This condition indicates the need for more effective and innovative zakat collection mechanisms, including the utilization of digital technology to broaden the reach of zakat fundraising. In the context of socio-economic development, zakat holds significant potential in supporting poverty alleviation and community empowerment. Effective and targeted zakat management can improve the welfare of mustahik and strengthen the function of wealth redistribution in society (Wadiastuti, 2019). Therefore, zakat management requires a system capable of ensuring the optimal, transparent, and accountable collection and distribution of funds.

The importance of the zakat function has prompted the state to establish a structured zakat management system. In Indonesia, zakat management has been given a legal basis through Law No. 23 of 2011 on Zakat Management. This regulation stipulates that zakat management is part of social financial governance that falls under state oversight, meaning its implementation is not carried out freely without clear regulatory mechanisms. (Aisyah et al., 2020) Law No. 23 of 2011 grants the authority to collect and distribute zakat to the National Zakat Agency (BAZNAS) and Zakat Management Institutions (LAZ) that have obtained government authorization. These regulations indicate that zakat collection is an activity subject to the principles of legality and accountability. Thus, zakat management is not only oriented toward fulfilling religious obligations but also requires legal certainty and institutional accountability (Nashirudin et al., 2025).

With the advancement of information technology, zakat collection methods have undergone significant changes. Digitalization has brought about various innovations that make it easier for the public to pay zakat. Zakat payments, which were previously dominated by conventional methods, can now be made through various digital services that offer ease of access, fast transactions, and wider reach. One rapidly growing form of digitalization is the use of crowdfunding as a means of collecting zakat funds. Through crowdfunding platforms, the public can channel zakat online through a simpler and more efficient process (Ade Nur Rohim et al., 2021). The presence of crowdfunding not only expands access to zakat payments but also creates a fundraising model distinct from the traditional zakat management patterns long established within the national legal system.

In practice, digital zakat crowdfunding in Indonesia operates through two different models. The first model consists of crowdfunding platforms that merely function as technological intermediaries by providing payment channels connected directly to BAZNAS or licensed Zakat Management Institutions (LAZ). In this model, the platform does not exercise the authority of an amil but only facilitates electronic transactions. The second model consists of crowdfunding platforms that independently organize zakat fundraising campaigns, package zakat programs, determine fundraising targets, and become actively involved in the collection process. It is this second model that raises legal questions because the functions performed increasingly resemble zakat collection activities, while Law No. 23 of 2011 grants such authority exclusively to BAZNAS and licensed LAZs. Therefore, the legal issue examined in this study is not the use of digital technology itself, but the expansion of crowdfunding functions beyond their role as technological intermediaries into activities that may constitute zakat collection (Mustafid, 2025).

It should be emphasized that this study does not examine crowdfunding platforms operating solely as technological partners of BAZNAS or licensed LAZs in facilitating electronic zakat payments. Instead, the analysis focuses on independent crowdfunding platforms that perform functions extending beyond payment facilitation by organizing fundraising campaigns, curating zakat programs, or otherwise participating directly in zakat collection without a clearly defined legal status under the national zakat management framework.

The rapid growth of national zakat collection further demonstrates the increasing role of digital transformation in zakat management. BAZNAS reported that national zakat collection reached Rp22.475 trillion in 2022 and continued to show a positive trend in subsequent years. In 2024, the collection of ZIS-DSKL reached Rp26.13 trillion, reflecting significant growth and indicating the increasing public acceptance of digital-based zakat services.

The development of crowdfunding in the practice of zakat collection raises legal issues that are worth examining. On the one hand, crowdfunding is viewed as an innovation capable of enhancing the effectiveness of zakat collection. However, the involvement of crowdfunding platforms in the fundraising process raises questions about their status within the zakat management system, which, by law, grants authority solely to BAZNAS and LAZ (Sugeng et al., 2024). This situation indicates a potential mismatch between the development of digital practices and the existing legal framework.

A study conducted by Sujanu Harto Mulyono et al. (2022) titled "Digital Fundraising Strategies in Zakat Collection: A Case Study of the Global Zakat Zakat Collection Agency" shows that the use of digital media can increase the effectiveness of zakat collection by expanding the reach of fundraising efforts. However, this study focuses more on the strategic and effectiveness aspects of fundraising, and thus does not address the issue of the legality of crowdfunding within the zakat collection system.

Holilur Rahman's (2021) study titled "Innovations in Zakat Management in the Digital Age (A Study on Digital Access in Zakat Collection)" highlights the use of digital technology to improve access and ease of zakat payment. The results of the study indicate that digitalization contributes positively to the optimization of zakat management. Nevertheless, this research remains focused on the aspects of innovation and the effectiveness of digital services without examining the legal status of crowdfunding as part of the zakat collection mechanism.

Meanwhile, a study by Ahmad Hudaifah et al. (2022) titled "Giving Behavior of Zakat through Crowdfunding Platforms: Evidence from Indonesia" examines public behavior in using crowdfunding platforms as a means of paying zakat and highlights the factors influencing the interest and decisions of zakat payers in using crowdfunding. However, the research focus remains limited to aspects of user behavior and has not yet addressed the issue of crowdfunding's legality or the legal gaps arising from the involvement of digital platforms in zakat collection.

Unlike previous studies that focused on the effectiveness of digital zakat collection, innovations in zakat services, and the behavior of zakat payers in using digital platforms, studies that specifically analyze the legality of crowdfunding in zakat collection and identify legal gaps between regulations and practices from the perspectives of positive law and Islamic law remain relatively limited. This study focuses its analysis on the legality of crowdfunding as an actor involved in zakat collection and its implications for authority and accountability within the national zakat management system. Based on the above, this study aims to analyze the regulations and practices of crowdfunding in zakat collection in Indonesia, examine the legality of crowdfunding from the perspectives of positive law and Islamic law, and identify the forms of legal gaps that arise in the practice of zakat collection through digital crowdfunding.

The urgency of this study is further strengthened by the increasing reliance on digital platforms in zakat collection amidst the absence of explicit regulations governing the legal status and authority of crowdfunding platforms. As digital fundraising practices continue to expand, the lack of regulatory clarity may create uncertainty regarding authority, accountability, and the protection of zakat funds. Therefore, examining crowdfunding through the perspectives of positive law and Islamic law becomes increasingly relevant for ensuring that technological innovation remains aligned with legal certainty and Sharia objectives.

Literature Review

The Theory of Legality

The theory of legality is one of the fundamental principles of the rule of law, asserting that every action, authority, and policy that produces legal consequences must have a clear basis in legislation. This principle aims to create legal certainty, prevent the abuse of authority, and ensure that every activity related to the public interest is carried out in accordance with applicable legal provisions. In the context of public administration, legality serves as the benchmark for determining the validity of an action taken by an individual or an institution (Rahim et al., 2023).

In Indonesia's zakat management system, the principle of legality is reflected in Law No. 23 of 2011 on Zakat Management, which grants the authority to collect and distribute zakat to the National Zakat Agency (BAZNAS) and Zakat Management Institutions (LAZ). This regulation indicates that zakat collection activities cannot be carried out freely by any party but must be conducted by institutions that have legal legitimacy. Thus, the existence of BAZNAS and LAZ is not only based on religious grounds but also receives legal recognition within the national legal system.

The theory of legality is used in this study to analyze the role of crowdfunding in zakat collection. The development of digital technology has given rise to various platforms that play a role in the zakat collection process. However, the involvement of these platforms raises questions regarding the basis of their authority within the zakat management system. Therefore, the theory of legality is used to assess whether crowdfunding practices in zakat collection align with the applicable legal framework or, conversely, give rise to legal issues due to the absence of a clear basis of authority (Hadjon, 2019).

The Theory of Authority

The theory of authority holds that every legal act performed by an institution or official must be based on lawful authority. In administrative law, authority is understood as the power granted by law to a legal entity to perform specific acts that give rise to legal consequences. The existence of authority is crucial because, without a clear basis of authority, an act may be deemed unlawful and could lead to legal uncertainty (Rezah, 2023).

Theoretically, authority can be derived from three sources: attribution, delegation, and mandate. Attribution is the direct conferral of authority by legislation upon an institution or official. Delegation is the transfer of authority from one institution to another, accompanied by the transfer of responsibility for the exercise of that authority. A mandate, on the other hand, is the delegation of the exercise of authority to another party without transferring responsibility from the grantor of the mandate. These three forms of authority serve as the basis for determining the validity of an action within the administrative legal system (Gandara, 2020).

In this study, the theory of authority is used to analyze the role of crowdfunding in zakat collection. Law No. 23 of 2011 explicitly grants the authority for zakat collection to BAZNAS and LAZ. However, developments in digital practices indicate that crowdfunding platforms also play a role in the zakat fund collection process. Therefore, the theory of authority is used to examine whether the involvement of crowdfunding has a basis of authority derived from attribution, delegation, or mandate, as well as to assess the possibility of an abuse of authority in the practice of digital zakat collection (HR, 2006).

The Theory of Maqāṣid al-Syarī'ah

Maqāṣid al-Syarī'ah is a theory that explains the objectives and wisdom that Islamic law seeks to achieve in each of its legal provisions (Nurhikmah, 2024). This theory places public interest as the primary orientation of Islamic law, so that every policy and activity carried out by Muslims must be directed toward realizing benefits and preventing harm. In the development of Islamic legal thought, Maqāṣid al-Syarī'ah has become an important instrument for addressing various contemporary issues not explicitly regulated in the textual sources.

One of the primary objectives of maqāṣid al-syarī'ah is the protection of wealth (ḥifẓ al-māl). This principle emphasizes that wealth must be managed safely, responsibly, and protected from all forms of misuse. In the context of zakat, the protection of wealth is not only related to the security of the collected funds but also encompasses the proper distribution to the mustahik who are entitled to receive it (Lutfi, 2023). Therefore, zakat management must be carried out through mechanisms capable of ensuring transparency, accountability, and certainty in the management of funds.

In addition to the protection of assets, the maqāṣid al-syarī'ah also emphasizes the importance of the principles of amanah and public interest in zakat management. Amanah requires every party involved in the collection and distribution of zakat to act honestly, professionally, and responsibly. Meanwhile, public interest demands that the zakat management system be capable of providing optimal benefits to society. In this study, the maqāṣid al-syarī'ah theory is used to assess whether crowdfunding practices in zakat collection align with Sharia objectives, particularly in upholding amanah, protecting the community's assets (ḥifẓ al-māl), and realizing public interest for both the zakat giver (muzakki) and the recipient (mustahik) (Ikhlas et al., 2021).

These three theories are used complementarily in this study. The theory of legality is used to assess the conformity of crowdfunding practices with applicable positive law provisions. The theory of authority is used to analyze the basis and limits of the authority of the parties involved in zakat collection. Meanwhile, the theory of maqāṣid al-syarī'ah is used to assess whether crowdfunding practices in zakat collection align with Sharia objectives, particularly in safeguarding trust, protecting assets (ḥifẓ al-māl), and achieving public welfare. The integration of these three theories serves as the analytical foundation for examining the legality and legal gaps in zakat collection through digital crowdfunding.

Research Methods

This study is a normative legal study that examines the legal norms governing the collection of zakat through digital crowdfunding in Indonesia. Irwansyah (2024) chose a normative legal study because the subject matter relates to statutory provisions, legal principles, and legal concepts relevant to zakat management and the development of digital technology. Through this approach, the study aims to analyze the alignment between existing legal regulations and crowdfunding practices in zakat collection, as well as to identify legal gaps arising from the development of digital technology.

The approaches used in this study include the statute approach, the conceptual approach, and the Islamic law approach (Yati Nurhayati et al., 2021). The statute approach is used to examine various legal provisions governing zakat management, particularly Law No. 23 of 2011 on Zakat Management and its implementing regulations. The conceptual approach is used to analyze legal concepts related to legality, authority, and legal gaps in the practice of zakat crowdfunding. Meanwhile, the Islamic law approach is used to examine zakat crowdfunding practices based on sharia principles, particularly those related to amil, amanah, public interest, and maqāṣid al-syarī'ah.

The legal sources in this study consist of primary and secondary legal materials (BenuF & Azhar, 2020). Primary legal materials include Law No. 23 of 2011 on Zakat Management, implementing regulations related to zakat management, as well as fatwas relevant to zakat management and the use of digital technology in sharia financial activities. Secondary legal materials consist of books, scientific journals, research findings, academic articles, and various literature relevant to the research theme. All of these legal materials were collected through library research to obtain a comprehensive theoretical and normative foundation.

The analysis of legal materials was conducted using a descriptive-qualitative approach through the stages of inventory, classification, and interpretation of the collected legal materials (Rosidi et al., 2024). This analysis aims to gain a deep understanding of the legal framework and practices of crowdfunding in zakat collection, to examine the legality of crowdfunding platform involvement based on positive law and Islamic law, and to identify legal gaps that require regulatory updates. The results of the analysis are then systematically organized to produce legal arguments capable of comprehensively addressing the research questions.

Results and Discussion

Legal Framework and Practices of Crowdfunding in Zakat Collection in Indonesia

Zakat management in Indonesia has been provided with a clear legal foundation through Law No. 23 of 2011 on Zakat Management. This law positions zakat not only as a religious obligation but also as a social financial instrument that plays a strategic role in improving public welfare (Aan Anisah et al., 2025). Therefore, the collection and distribution of zakat are not left entirely to individuals but are carried out through an institutional system under state supervision.

Within this legal framework, the authority to collect zakat is granted to the National Zakat Agency (BAZNAS) and Zakat Management Institutions (LAZ) that have obtained permits in accordance with applicable laws and regulations. This regulation reflects the application of the principle of legality, which requires that the collection of public funds be carried out by institutions possessing a legitimate legal basis. Furthermore, this regulation aims to ensure accountability, transparency, and legal certainty in the management of zakat funds (Hosen et al., 2022).

Advances in information technology have driven a transformation in the zakat collection system. Digitalization offers various conveniences for the public to fulfill their zakat obligations without being constrained by time or place. The use of technology not only changes the mechanism of zakat payment but also gives rise to a faster, more flexible, and more widely accessible model of fund collection (Yfiz, 2026). One rapidly growing form of digitalization is the use of crowdfunding as a medium for zakat collection. Crowdfunding is a digital platform-based fundraising mechanism that allows the public to collectively participate in funding a program or activity. In the context of zakat, crowdfunding serves as a means of connecting zakat payers with zakat management institutions through a digital technology-based collection system (Suryamana, 2024).

In practice, crowdfunding-based zakat collection has evolved through various digital platforms that collaborate with zakat collection agencies. The emergence of these platforms demonstrates that digital transformation has shifted zakat collection patterns from a model based on direct interaction to one based on information technology. This model provides easier access, expands the scope of collection, and increases public participation in fulfilling zakat obligations (Putra, 2025).

In practice, zakat fundraising through crowdfunding is commonly conducted through digital platforms such as Kitabisa and other online fundraising platforms that collaborate with BAZNAS and licensed LAZ. The involvement of these platforms demonstrates that crowdfunding has become an integral component of Indonesia’s digital zakat ecosystem, facilitating wider public participation in zakat payments through online channels.

However, the development of crowdfunding does not merely bring changes to the technical aspects of payment. In certain practices, crowdfunding platforms no longer merely provide a transaction medium but are also involved in campaign management, information dissemination, and the organization of fund collection (Oktandi et al., 2025). This involvement indicates that the function of crowdfunding has evolved beyond its role as an intermediary and has begun to play a part in the zakat collection process.

This situation indicates that technological advancements have introduced new actors into the zakat management ecosystem that existing regulations have not yet fully anticipated. Crowdfunding no longer functions merely as a technological tool but has become an integral part of modern zakat collection mechanisms. Based on this analysis, it is clear that the development of crowdfunding has brought significant changes to zakat collection mechanisms in Indonesia. However, this development has not been accompanied by regulations specifically accommodating the role of digital platforms within the zakat management system. This situation highlights a mismatch between evolving practices and existing legal frameworks, thereby creating the initial grounds for issues regarding the legality and authority of technology-based zakat collection. Therefore, further research is needed to assess the alignment of these practices with the existing legal system governing zakat management in Indonesia.

The Legality of Crowdfunding in Zakat Collection from the Perspectives of Positive Law and Islamic Law

Legality is a fundamental principle in any activity related to the collection of public funds, including zakat. From a legal perspective, legality is not only related to the existence of written rules but also concerns the clarity of authority that determines who is entitled to perform a legal act (Luthfi et al., 2026). Therefore, zakat collection as an activity involving public funds must be carried out by parties possessing a legitimate legal basis to ensure legal certainty and the protection of public interests.

Within Indonesia’s legal system, the legality of zakat collection is explicitly regulated by Law No. 23 of 2011 on Zakat Management. This regulation stipulates that the authority to collect zakat lies with the National Zakat Agency (BAZNAS) and Zakat Management Institutions (LAZ) that have obtained government permits. This provision indicates that zakat collection is not merely a religious activity but rather part of social financial governance that must be carried out by institutions possessing legal legitimacy (Khoiriyah & Hidayat, 2025).

The development of crowdfunding in zakat collection presents a reality not explicitly addressed within this legal framework. On one hand, crowdfunding serves as a digital platform that facilitates the public in fulfilling their zakat obligations. However, various crowdfunding platforms not only provide payment services but also manage campaigns, organize fundraisers, and actively facilitate the zakat collection process (Kurniawati & Hidayat, 2025). This expansion of functions raises questions regarding the legal status of crowdfunding within the national zakat management system.

From the perspective of positive law, it is necessary to distinguish between crowdfunding platforms that merely function as technological payment facilities and those that actively perform zakat collection activities. A digital platform that only provides electronic payment services, such as QRIS, payment gateways, bank transfers, or other digital payment channels directly connected to BAZNAS or licensed LAZs, does not exercise the authority of an amil. In this situation, the platform merely facilitates transactions, while the authority to collect, administer, and distribute zakat remains entirely under officially authorized zakat institutions as stipulated in Law No. 23 of 2011 (Mega Ilhamiwati et al., 2026).

Different legal consequences arise when a crowdfunding platform independently designs zakat campaigns, determines fundraising targets, curates mustahik programs, receives or manages zakat funds within its own system, or independently deducts operational fees that constitute amil rights without a statutory basis or formal authorization from BAZNAS or a licensed LAZ. Under such circumstances, the platform effectively assumes functions reserved for legally recognized amil institutions, thereby raising issues of authority and accountability under Law No. 23 of 2011 (Makarim, 2024).

This distinction is essential because the legality of crowdfunding cannot be assessed solely on the basis of its digital nature. Rather, the determining factor lies in the functions actually performed by the platform. If crowdfunding merely facilitates payment to an officially authorized zakat institution, no conflict with the statutory allocation of authority arises. However, when the platform independently assumes functions characteristic of an amil, including fundraising management, beneficiary selection, and the collection of operational fees, the legal relationship changes substantially. Under such circumstances, the platform requires clear legal legitimacy and an appropriate accountability mechanism to ensure legal certainty, institutional responsibility, and the protection of zakat funds (Paizin, 2021).

In administrative law theory, an action by a party performing functions beyond the authority granted by law can be categorized as an abuse of authority (ultra vires). This concept is relevant for analyzing the role of crowdfunding in zakat collection. Although crowdfunding platforms do not hold the status of zakat administrators, in certain practices, these platforms perform functions that substantially resemble fundraising activities. This situation highlights the lack of clarity regarding the boundaries between intermediary functions and collection functions within the digital zakat system (Qutaiba et al., 2024). Therefore, the application of the ultra vires doctrine should not be directed toward all crowdfunding platforms, but only toward those that perform zakat collection functions without obtaining legal authority under the national zakat management system.

This issue of legality also needs to be analyzed from the perspective of Islamic law. In zakat jurisprudence, an amil is a party granted authority to manage zakat, from collection to distribution to the mustahik. The position of an amil is not merely about performing administrative tasks but also entails a religious responsibility to ensure that zakat is managed in accordance with established provisions (Nabila Nur Aulia et al., 2024). Therefore, clarity of authority is a crucial aspect in the management of zakat under Islamic law.

In addition to the aspect of authority, Islamic law establishes the principle of amanah as the primary foundation for the administration of zakat. Zakat funds are the right of the mustahik and must be managed responsibly, transparently, and in a targeted manner. When crowdfunding is involved in the collection of zakat without clear legitimacy as an amil, questions arise regarding who is responsible for managing these funds. This lack of clarity regarding responsibility has the potential to create risks that conflict with the principle of amanah and the objective of protecting wealth (ḥifẓ al-māl), which is part of the maqāṣid al-syarī‘ah (Huda, 2025).

From the perspective of authority theory, these activities reveal a discrepancy between normative authority and factual authority. Normatively, the authority to collect zakat is granted only to BAZNAS and LAZ, whereas in practice, some collection functions are also carried out by crowdfunding platforms. It is this discrepancy that serves as the starting point for the emergence of legal issues in the practice of digital zakat collection (Fauzia et al., 2021). This divergence between normative authority and actual practice illustrates the existence of a legal gap within Indonesia's zakat governance framework. The legal issue therefore lies not in the adoption of digital technology itself, but in the expansion of crowdfunding functions into areas that are legally reserved for authorized zakat institutions. Accordingly, clearer regulatory boundaries are required to define the permissible scope of crowdfunding activities while preserving legal certainty, institutional accountability, and the integrity of the national zakat management system.

Thus, the legality of crowdfunding is not determined solely by its status as a digital platform, but also by the extent of its involvement in zakat collection activities. The greater the collection functions performed, the stronger the need for legal legitimacy and clear oversight mechanisms. In the author's view, the primary issue in zakat collection via crowdfunding does not lie in the use of digital technology as a means of fundraising, but rather in the absence of regulations explicitly governing the transformation of a digital platform's function from merely an intermediary medium to a party actively participating in zakat collection activities.

From the perspective of the theory of legality, every public fundraising activity must have a clear legal basis. From the perspective of the theory of authority, the involvement of crowdfunding in functions resembling those of zakat collectors has the potential to create overlapping authority with BAZNAS and LAZ. Under such conditions, the legal issues that arise are not matters of technological innovation, but rather matters of authority and accountability. Therefore, the development of zakat crowdfunding practices requires more adaptive regulations so that digital innovation can continue within a legal framework that provides legal certainty and protection for all parties.

Legal Gaps and Regulatory Models for Crowdfunding in Zakat Collection

A legal gap occurs when existing legal norms are unable to accommodate evolving practices in society. This phenomenon generally arises because social and technological developments proceed more rapidly than the formulation or updating of regulations. In the context of zakat collection, the development of digital crowdfunding has given rise to new practices that have not yet been fully and clearly regulated within the existing legal system. Consequently, there is a gap between the legal norms governing zakat collection and the reality of zakat collection as it evolves through digital platforms (Harahap, 2025).

This gap is evident in the discrepancy between legal regulations and on-the-ground practices. Normatively, Law No. 23 of 2011 stipulates that the authority for zakat collection lies with BAZNAS and LAZs that have obtained government permits (Zaenal, 2026). However, in practice, crowdfunding functions not only as a payment method but also plays a role in organizing campaigns, connecting donors with specific zakat programs, and actively facilitating the fundraising process. This development indicates that zakat collection practices have expanded beyond the institutional framework explicitly regulated by law.

A gap is also evident regarding authority. Within the zakat legal system, the authority to collect funds is granted to institutions possessing clear legitimacy and accountability. Conversely, crowdfunding platforms do not hold the status of zakat collectors (amil zakat), yet in practice, they perform functions with characteristics similar to those of zakat collection activities. This situation creates ambiguity regarding the boundaries of authority between zakat institutions and crowdfunding organizers. Consequently, questions arise regarding which party is responsible should issues arise in the management or distribution of funds collected through digital platforms (Firdaus et al., 2026).

This issue becomes even more complex when linked to aspects of accountability and oversight. BAZNAS and LAZ are fundamentally subject to an oversight system regulated through specific reporting and accountability mechanisms. Meanwhile, oversight of crowdfunding activities in zakat collection has not yet been subject to specific regulations. This lack of clarity has the potential to create risks in the form of weak transparency, overlapping responsibilities, and difficulties in determining which party should be held accountable in the event of irregularities (Mohammad Iqbal et al., 2022). Thus, the development of zakat crowdfunding presents not only legal issues but also governance issues related to the protection of the public interest.

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From the perspective of Islamic law, this situation is closely tied to the principle of amanah in the administration of zakat. Zakat funds are the right of the mustahik and must be managed responsibly and distributed in accordance with Sharia provisions. Therefore, clarity regarding authority and responsibility is an inseparable aspect of zakat management. When the collection function is carried out by a party that does not have a clear position within the zakat system, there is a potential for the principle of amanah, which serves as the primary foundation of zakat management in Islam, to be compromised (Gunawan, 2026).

Furthermore, the lack of clarity in regulations regarding zakat crowdfunding also has the potential to affect the achievement of Sharia objectives (maqāṣid al-syarī'ah), particularly the protection of wealth (ḥifẓ al-māl) and distributive justice. Zakat management lacking the certainty of authority and adequate oversight mechanisms can increase the risk of fund misuse or misallocation to beneficiaries. Although such risks do not always materialize in practice, their existence underscores the importance of legal certainty to ensure that zakat remains managed in accordance with its Sharia objectives and social functions (Awang, 2026).

Based on the overall analysis, it can be concluded that current zakat crowdfunding practices exist in a legal gray area arising from the misalignment between regulations, technological advancements, and societal needs. Existing regulations have not explicitly defined the status or scope of authority for crowdfunding within the zakat collection system, while the practice continues to evolve and is increasingly adopted by the public. This situation indicates a legal gap that impacts not only legality but also accountability, the protection of zakat funds, and the fulfillment of Sharia principles. Therefore, more adaptive regulatory updates are needed so that the development of zakat crowdfunding can align with the principles of positive law and Islamic law.

As a response to this legal gap, a regulatory model is needed that can accommodate the development of digital technology without neglecting the principle of legality in zakat management. Such a regulatory model must at least cover three main aspects. First, crowdfunding platforms used for zakat collection must partner with BAZNAS or LAZ that hold official licenses. This requirement is necessary to ensure that the authority to collect zakat remains with institutions that have legal legitimacy as stipulated in Law No. 23 of 2011. Second, a registration and certification mechanism is required for crowdfunding platforms involved in zakat collection. This certification aims to ensure that the platforms meet standards for transparency, system security, data protection, and accountability in the management of zakat funds. Third, there is a need to establish obligations for periodic reporting and auditing of zakat funds collected through digital platforms. This regulation is crucial to guarantee transparency in fund management while strengthening public trust in the technology-based zakat collection system (Nur Fadhilah et al., 2025).

A regulatory model for crowdfunding in zakat collection must be developed through a collaborative approach involving regulators, zakat collection agencies, and digital platform operators. First, a partnership model, whereby every crowdfunding platform that collects zakat must collaborate with BAZNAS or a licensed LAZ so that the authority to collect zakat remains within the applicable legal framework. Second, a registration and certification model, whereby crowdfunding platforms are required to obtain recognition and certification from the competent authorities to ensure compliance with standards of security, transparency, and accountability. Third, a supervision and reporting model, requiring the periodic submission of reports on the collection and distribution of zakat funds to the competent supervisory body. Fourth, the Sharia audit and financial audit model, conducted periodically to ensure that zakat fund management not only meets public accountability principles but also aligns with Sharia principles (Santoso, 2025). Through these models, crowdfunding can function as an innovative tool to support zakat collection while remaining within the framework of legality and good governance.

This regulatory model is not intended to restrict digital innovation but rather to create a balance between technological development and legal certainty. With clear regulations in place, crowdfunding can evolve as an optimal instrument to support the optimization of zakat collection without compromising accountability and the protection of the community's funds. Based on the theory of legality, every zakat collection activity must have a clear legal basis to ensure legal certainty and protect public interests. From the perspective of the theory of authority, the normative function of zakat collection falls under the authority of BAZNAS and LAZ; therefore, the involvement of crowdfunding must be situated within a framework of legitimate and measurable authority. Meanwhile, based on the maqāṣid al-syarī'ah, the use of crowdfunding in zakat collection is justifiable as long as it achieves public benefit, safeguards the trust, and protects the community's assets (ḥifẓ al-māl). Therefore, the regulation of zakat crowdfunding must be directed toward achieving a balance between technological innovation, legal certainty, and the fulfillment of Sharia objectives in zakat management.

This study found that zakat crowdfunding is essentially a hybrid entity situated between the functions of a digital intermediary and a zakat collector. This position creates a legal gray area because existing regulations do not explicitly address the status, scope of authority, and oversight mechanisms for crowdfunding platforms. This finding also highlights that legal gaps in digital zakat collection are not limited to legal validity but also concern accountability, the protection of zakat funds, and the fulfillment of Sharia objectives. Thus, this study proposes that the regulation of zakat crowdfunding should be directed toward a partnership model integrated with official zakat collection agencies, accompanied by adequate certification, oversight, and audit mechanisms.

Conclusion

This study shows that the development of digital crowdfunding has transformed zakat collection mechanisms in Indonesia by introducing digital platforms as new actors within the zakat management ecosystem. Although crowdfunding provides broader access and enhances the effectiveness of zakat collection, current practices indicate that some platforms have evolved beyond their role as technological intermediaries and perform functions that closely resemble zakat collection activities. This development creates a gap between legal regulations and social practices, as Law No. 23 of 2011 does not explicitly regulate the status, scope of authority, and oversight mechanisms of crowdfunding platforms in zakat collection.

The novelty of this research lies in its analysis of crowdfunding as a hybrid entity positioned between the functions of a digital intermediary and a zakat collector, thereby raising issues of legality, authority, and accountability that have received limited attention in previous studies. From the perspective of positive law, this condition reflects a regulatory gap that may lead to legal uncertainty. From the perspective of Islamic law, the unclear status of crowdfunding may affect the principles of amanah, the protection of wealth (ḥifẓ al-māl), and the realization of public welfare as the primary objectives of maqāṣid al-syarī'ah. Therefore, regulatory reform is necessary to ensure that digital innovation in zakat management remains aligned with the principles of legality, accountability, legal certainty, and Sharia values.

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