THE POTENTIAL OF *ZAKĀT* FOR POOR SENIOR CITIZENS IN MALAYSIA: AN ANALYSIS FROM A *MAQĀṢID* PERSPECTIVE

BY

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INTERNATIONAL ISLAMIC UNIVERSITY MALAYSIA

2026

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A dissertation submitted in fulfilment of the requirement for the degree of Master of Islamic Revealed Knowledge and Heritage in *Fiqh* and *Uṣūl al-Fiqh.*

AbdulHamid AbuSulayman Kulliyyah of Islamic Revealed Knowledge and Human Sciences
International Islamic University Malaysia

APRIL 2026

ABSTRACT

Malaysia is projected to become an ageing nation by 2044, with 14% of its population aged 65 and above. This demographic transition poses significant challenges, particularly for the poor elderly citizens whose financial and social vulnerabilities are expected to intensify. Within this context, *zakāt*, as one of the fundamental pillars of Islam, provides an important mechanism for social redistribution and welfare support. While *zakāt* has historically been distributed to the poor and needy, its potential to address the specific needs of the elderly remains underexplored. This study seeks to analyse the potential of *zakāt* for poor elderly citizens in Malaysia from the perspective of *maqāṣid al-sharīʾah*. This research employs a qualitative design, combining library-based inquiry with semi-structured interviews involving *sharīʾah* scholars, Islamic finance experts, and practitioners. Data were thematically and analytically examined to assess how *zakāt* distribution can be structured to safeguard the elderly's welfare in alignment with the higher objectives of Islamic law, namely the preservation of life, intellect, wealth, faith, and dignity. The findings indicate that *zakāt* can play a transformative role in advancing *maqāṣid al-sharīʾah* among the elderly by addressing their economic, social, and spiritual needs. Specifically, *zakāt* has the potential to provide direct financial assistance, support the development of infrastructures and services tailored to the elderly, even fund educational and spiritual programs that promote dignity and inclusion. This research highlights the importance of re-examining *zakāt* distribution policies to expand its coverage, thereby enhancing social justice and public welfare in Malaysia.

Keywords: *zakāt*, elderly, *maqāṣid sharīʾah*, Malaysia.

ملخص البحث

من المتوقع أن تصبح ماليزيا دولةً مُسِنَّة بحلول عام 2044، إذ ستشكل نسبة كبار السن (65 عاماً فأكثر) نحو 14% من إجمالي السكان. ويفرض هذا التحول الديموغرافي تحديات كبيرة، لا سيما بالنسبة لكبار السن الفقراء الذين يُتوقع أن تزداد هشاشتهم المالية والاجتماعية. وفي هذا السياق، توفر الزكاة، بصفتها ركناً أساسياً من أركان الإسلام، آليةً مهمة لإعادة التوزيع الاجتماعي ودعم الرعاية. ورغم أن الزكاة كانت تُصرف تاريخياً للفقراء والمساكين بشكل عام، فإن إمكاناتها في تلبية الاحتياجات الخاصة للمسنين لا تزال غير مستكشفة بما فيه الكفاية. تهدف هذه الدراسة إلى تحليل إمكانات الزكاة في دعم كبار السن الفقراء في ماليزيا من منظور مقاصد الشريعة. اعتمد البحث منهجاً نوعياً يجمع بين الدراسة المكتبية والمقابلات شبه المهيكلة مع علماء الشريعة وخبراء التمويل الإسلامي والممارسين. وقد خضعت البيانات للتحليل الموضوعي لتقييم كيفية هيكلة توزيع الزكاة لضمان رعاية المسنين بما يتوافق مع المقاصد العليا للشريعة الإسلامية، وهي: حفظ الدين، والنفس، والعقل، والمال، والكرامة. وتشير النتائج إلى أن الزكاة يمكن أن تؤدي دوراً جوهرياً في تفعيل مقاصد الشريعة بين كبار السن من خلال تلبية احتياجاتهم الاقتصادية والاجتماعية والروحية. وتحديداً، تمتلك الزكاة القدرة على تقديم دعم مالي مباشر، ودعم تطوير البنية التحتية والخدمات المخصصة للمسنين، وتمويل البرامج التعليمية والروحية التي تعزز الكرامة والاندماج الاجتماعي. وتخلص الدراسة إلى التأكيد على أهمية إعادة النظر في سياسات توزيع الزكاة لتوسيع نطاق تغطيتها، مما يعزز العدالة الاجتماعية والصالح العام في ماليزيا.

الكلمات المفتاحية: الزكاة، كبار السن، مقاصد الشريعة، ماليزيا.

APPROVAL PAGE

I certify that I have supervised and read this study and that in my opinion, it conforms to acceptable standards of scholarly presentation and is fully adequate, in scope and quality, as a dissertation for the degree of Master of Islamic Revealed Knowledge and Heritage in *Fiqh* and *Uṣūl al-Fiqh*.

……………………………….
Saheed Abdullahi Busari
Supervisor

I certify that I have read this study and that in my opinion, it conforms to acceptable standards of scholarly presentation and is fully adequate, in scope and quality, as a dissertation for the degree of Master of Islamic Revealed Knowledge and Heritage in *Fiqh* and *Uṣūl al-Fiqh*.

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Dean, AbdulHamid
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DECLARATION

I hereby declare that this dissertation is the result of my own investigations, except where otherwise stated. I also declare that it has not been previously or concurrently submitted as a whole for any other degrees at IIUM or other institutions.

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This thesis is dedicated to my beloved parents for laying the foundation of what I turned out to be in life.

ACKNOWLEDGEMENTS

In the name of Allah, the Most Gracious, the Most Merciful. All praise and gratitude are due to Allah (SWT) for His boundless blessings, strength, and guidance, without which the completion of this research would not have been possible.

I wish to express my profound and sincere gratitude to my supervisor, Assoc. Prof. Dr Saheed Abdullahi Busari. His invaluable guidance, scholarly insights, and unwavering patience were instrumental in navigating the complexities of this research. His critical feedback and constant encouragement not only shaped this thesis but also deepened my understanding of the subject matter.

My heartfelt appreciation extends to all the esteemed informants who generously shared their time and expertise. I am deeply indebted to the *sharīʾah* experts, Asst. Prof. Dr. Fatimah Karim, Asst. Prof. Dr Khairul Fahmi Jamaludin, Ustaz Aḥmad Husni Abd Rahman, and Assoc. Prof. Dr Habeebullah Zakaria, for their profound juristic insights. I am also immensely grateful to the management and team at Pertubuhan Kebajikan Darul Insyirah for providing a practical, on-the-ground perspective that was vital to this study.

I am eternally grateful to my beloved family. To my parents, whose prayers and unwavering support have been my foundation throughout my life and education. A special and heartfelt thank you to my cherished family for their extraordinary patience and endless motivation. This journey, which extended beyond its intended two years, was filled with challenges. It was your constant encouragement and understanding that guided me through periods of doubt and helped me regain my focus. Your sacrifices made this possible, and this achievement is as much yours as mine.

I would also like to acknowledge the academic staff of the Department of *Fiqh* and Uṣūl al-*Fiqh* and the AHAS Kulliyyah of Islamic Revealed Knowledge and Human Sciences, International Islamic University Malaysia (IIUM), for creating a conducive and intellectually stimulating environment for my postgraduate studies.

I would like to extend my sincere appreciation to Majlis Amanah Rakyat (MARA) for the financial support provided through the Graduate Research Excellence Programme (GREP), which made this postgraduate study possible.

Finally, I acknowledge that any errors or shortcomings in this thesis are my own. May this humble work be of benefit and contribute meaningfully to the discourse on this important subject. Alhamdulillah

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CHAPTER ONE

BACKGROUND OF STUDY

1.1 INTRODUCTION

Zakāt, an Islamic social finance instrument, has been practised for over 1,400 years to alleviate poverty and promote socio-economic growth in various sectors. It is an obligatory act for Muslims with specific income levels and plays a crucial role in the Islamic social finance sector.[1] *Zakāt*, redistributing wealth and offering aid to less fortunate individuals, brings spiritual satisfaction and stimulates economic growth. Maududi regarded *zakāt* as a means of purifying one's wealth by fulfilling the obligation to Allah's servant through paying from the wealth bestowed upon them.[2] The Qur'an and Sunnah emphasise the importance of *zakāt* contribution and distribution, categorizing eligible individuals into eight (8) groups, as indicated in the following verses

> اِنَّمَا الصَّدَقٰتُ لِلۡفُقَرَآءِ وَالۡمَسٰكِيۡنِ وَالۡعٰمِلِيۡنَ عَلَيۡهَا وَالۡمُؤَلَّـفَةِ قُلُوۡبُهُمۡ وَفِى
> الرِّقَابِ وَالۡغٰرِمِيۡنَ وَفِىۡ سَبِيۡلِ اللّٰهِ وَابۡنِ السَّبِيۡلِ‌ؕ فَرِيۡضَةً مِّنَ اللّٰهِ‌ؕ وَاللّٰهُ عَلِيۡمٌ
> حَكِيۡمٌ ﴿9:60﴾
>
> *"Zakāh expenditures are only for the poor and for the needy and for those employed to collect [zakāh] and for bringing hearts together [for Islam] and for freeing captives [or slaves] and for those in debt and for the cause of Allah and for the [stranded] traveller - an obligation [imposed] by Allah. And Allah is Knowing and Wise*". [*Sūrah Al-Tawbah*: 60].

Zakāt is a classical mechanism for wealth distribution, promoting economic activity, and providing Muslims with a basic standard of living. It could also improve the well-being of the elderly in Malaysia by providing them with resources for healthcare, basic needs, and overall quality of life. In addition, the *zakāt* collection and

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[1] Sadam Hussain Kakar Muhammad Hasbi Zaenal, and Fitri Yani Jalil "Islamic Social Welfare and the Role of *Zakāt* and Islamic Charity in the Family- Resilience: The Theoretical Review", Indonesian Conference of *Zakāt* Proceedings (ICONZ), Indonesia, 30 Nov – 1 Dec 2022, pp. 82-98.

[2] Abul A'la Maududi, *First Principles of Islamic Economics*, (United Kingdom: The Islamic Foundation, 2011).

distribution in Malaysia shows a significant increase from the previous year where the Lembaga *Zakāt* Selangor[3] reported an increase of 3 percent surpassing RM791 mil as of November 2023 compared to the same period the previous year while 11 per cent to more than RM1.03 billion have been collected by *Pusat Pungutan Zakāt* as 2023,[4] Majlis Agama Islam Wilayah Persekutuan, exposing its great potential in addressing the issue of poverty aligned with its objective.

Despite the increases in the collection and distribution of *zakāt*, there is still a lack of dedicated programs or means that directly address the well-being of elderly citizens. While *zakāt* funds may be allocated to the elderly care centre, this contribution is often solely given for the administration of the elderly care centre's purposes rather than contributions for programs directly benefiting the welfare of the elderly. Therefore, the role of *zakāt* in providing socio-economic and welfare support for vulnerable members of society requires critical assessment, especially in the rising challenges of subspecialty to basic needs among elderly citizens.

In Malaysia, the ageing population is a significant issue, with the World Bank predicting an "aged society" by 2044 and a "super-aged society" by 2056[5]. According to data from the Department of Statistics Malaysia, the proportion of Malaysians aged 65 and above increased from 7.2% in 2022 to 7.4% in 2023[6]. The government has implemented policies to protect the elderly, including the National Policy for the Elderly, National Health Policy for Older Persons, and Physical Planning Guidelines for the Elderly, to ensure they have sufficient savings so that they can sustain their future life. Despite longer life expectancies, poor health due to chronic diseases and non-communicable diseases (NCDs) is predicted to impact the quality of life[7].

Recognising the demographic shifts and their challenges, it is important to determine a consistent terminological framework to ensure clarity, comprehension, and

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[3] Lembaga *Zakāt* Selangor, "Kutipan *Zakāt* Selangor Jan-Nov 2023", <https://www.*zakāt*selangor.com.my/> (Retrieved on February 17, 2024).

[4] Majlis Agama Islam Wilayah Persekutuan, "Kutipan & Agihan *Zakāt* di Wilayah Persekutuan", <https://maiwpnow.maiwp.gov.my/> (Retrieved on February 17, 2024).

[5] The World Bank, "A Silver Lining: Productive and Inclusive Ageing for Malaysia", <https://www.worldbank.org> (Retrieved on February 17, 2024).

[6] Department of Statistics Malaysia, "Current Population Estimates Malaysia 2023", https://www.dosm.gov.my/> (Retrieved on February 17, 2024).

[7] International Trade Administration, "Malaysia Healthcare Ageing Population", <https://www.trade.gov/> (Retrieved on February 17, 2024).

minimise the misinterpretation of this research. Therefore, this study establishes that the term 'elderly' is used to refer to Malaysian citizens/individuals aged 60 years and above, similar to the definition adopted by the Department of Statistics Malaysia (DOSM) and the National Policy for the Elderly. In addition to that, another term established is the 'vulnerable elderly', which refers to those who are aged 60 years and above, who are classified within the bottom 40% (B40) of the household income category, and also lack adequate financial stability, such as pensions, sufficient Employees Provident Fund (EPF) savings, or support from the family. This differentiation helps in clarifying the specific group of the elderly who require *zakāt* assistance.[8]

However, financial support is crucial for providing healthcare services, caregiver support, and improved public infrastructure. Nevertheless, the mere implementation of policies and schemes is not sufficient without financial support, which stands as the most important aspect in the execution of plans and strategies. Financial support is crucial for providing effective healthcare services, caregiver support, and enhanced public infrastructure to cater to the increasing elderly population.

The ageing population in Malaysia exposes the elderly to poverty due to limited social security, limited job prospects, and high medical costs, leading to increased financial vulnerability for the elderly. The lack of a comprehensive social security system exposes them to poverty, especially among older women and self-employed individuals.[9] Financial difficulties for the elderly are exacerbated by mandatory retirement, lack of savings, decline in social support,[10] high cost of living, inflation, and economic instability.[11] Traditional societal expectations and filial piety are no longer sustainable. These challenges show that the issue of an ageing society in Malaysia is a pressing issue.

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[8] Department of Statistics of Malaysia (DOSM), *Current Population Estimates, Malaysia, 2023* (Putrajaya: DOSM, 2023); Ministry of Women, Family and Community Development, *National Policy for Older Persons* (Putrajaya: JKM, 2011)

[9] Kevin Caraher, "Malaysia: Approaches to Income Security in Old Age", *Social Policy and Society*, (England: Cambridge University), Vol.2, October 2003, pp.295-304.

[10] Masud Jariah, Husna, T. A. H. Tengku Aizan, and Rahimah Ibrahim. "Financial Practices and Problems amongst Elderly in Malaysia". *Pertanika Journal of Social Sciences & Humanities* 20, no. 4 (2012).

[11] Jie Chen, Meizhen Zhao, Renyi Zhou, Wenjing Ou, and Pin Yao. "How heavy is the medical expense burden among the older adults and what are the contributing factors? A literature review and problem-based analysis". *Frontiers in public health* 11 (2023)

It is essential to highlight the financial vulnerability that most of the elderly in Malaysia are exposed to, which increases the chances of them becoming poor and needy and potentially falling into one of the eight categories of *zakāt* recipients. These phenomenal challenges must be addressed as soon as possible, as they concern the country's future welfare. Apart from the government's responsibilities, such as introducing policies and schemes as initiatives, there is also another field that can be explored and looked at to further assist the government in taking measures to face these issues, which is the Islamic financial instrument. Islamic financial instruments include traditional Islamic philanthropic institutions, such as *zakāt*, that are dedicated to alleviating poverty.

Even though numerous studies discuss *zakāt* and its importance in the Islamic financial system, the topic of how *zakāt* can be used to enhance the social well-being of the elderly in Malaysia within the scope of *maqāṣid al-sharīʾah* is under-researched. As previously highlighted, Malaysia is rapidly transitioning into an ageing nation, necessitating financial support from both the government and Malaysian society. This assistance is crucial for the effective implementation of policies aimed at addressing the significant challenges posed by Malaysia's ageing population in the future.

Zakāt, as an Islamic social finance mechanism, undoubtedly has a significant potential to assist the vulnerable, needy, and poor among the elderly. Therefore, the purpose of this research is to study the "Potential of *Zakāt* for Senior Citizens in Malaysia". The study explore the higher objective of *zakāt* in providing facilities and ensuring the well-being of the vulnerable aged citizens who have served the nation and are now in need of socio-economic and medical support. Apart from that, this research also aims to expand public awareness about the global challenges of the ageing population, especially in Malaysia, and the need to make adequate preparations by exploring the mechanism of *zakāt* in dealing with the challenges.

1.2 PROBLEM STATEMENT

Zakāt, an Islamic philanthropic tool, holds immense importance in addressing the challenge of the societal and economic welfare of a country, serving to accomplish the *maqāṣid al-sharīʾah* objectives, encompassing essential human needs which include the preservation of faith (*Dīn),* life (*nafs*), intellect (‘*aql*)*,* lineage (*nasl*), and property (*māl*). Hence, it has the potential to assist in enhancing the lives of the elderly in Malaysia. While previous studies examined the role of *zakāt* in alleviating the financial strains faced by vulnerable populations and promoting social justice, a gap exists in studies that solely focused on utilising *zakāt* for the poor elderly in Malaysia.

Another contemporary juristic gap is amplified given the rapid growth of the older population in recent years, indicating an ageing nation that presents a multitude of challenges that need to be addressed. An ageing nation refers to a country or society in which the major population comprises elderly people, those aged 65 years and above.[12] Among many other challenges faced by the elderly, including financial security, vulnerability, limited access to affordable healthcare, lack of infrastructure facilities and care services, and social isolation. Additionally, the United Nations reported the higher risks of the elderly experiencing poverty due to decreased working hours, limited retirement options, and health challenges.[13] Therefore, exploring the potential of *zakāt* as one of the tools to assist the older population is critical in the condition that they are eligible to receive *zakāt.*

The challenge is further intricated by the fact that the elderly might not belong to any of the eight categories of *aṣnāf*- the groups that are eligible for *zakāt* under Islamic law. This raises critical juristic questions: What is the Islamic legal guideline on the expansion and flexibility of the criteria of the recipient (*aṣnāf*) of *zakāt*? How can *zakāt* be provided to those who don't meet the traditional criteria of *aṣnāf*? An analysis from the *Maqāṣid* perspective is required in addressing these juristic questions. *Maqāṣid* al-*Sharī'ah* highlights the importance of achieving social justice (‘*adalah*), promoting public interest (*maṣlaḥah*), and alleviating hardship (*ḍarūriyyāt*). Analysing the *zakāt* distribution through the *Maqāṣid* framework further explore the possibilities of extending the benefits of *zakāt* to the growing elderly population in Malaysia,

[12] United Nation. *Leaving no one behind in an ageing World*. Leaving no one behind in an ageing World- World Social Report 2023. (2023). Retrieved on February 17, 2024, from: https://www.un.org/development/desa/dspd/wp-content/uploads/sites/22/2023/01/2023wsr-chapter1-.pdf

[13] United Nations Department of Economic and Social Affairs, “Leaving no one behind in an ageing World- World Social Report 2023”, United Nations, < https://desapublications.un.org/> (Retrieved on February 17, 2024).

especially the elderly who face financial hardship and are eligible to be classified under existing traditional *aṣnāf* categories.

The challenge is yet intensified by the demand to include the elderly within the eight existing *aṣnāf* categories. Though the poor and needy elderly are intrinsically classified as *fuqarāʾ* and *masākīn,* crucial juristic questions emanate regarding their prioritisation: should the elderly group receive precedence over other *aṣnāf* due to their special 'age-related' vulnerabilities? In addition to that, the discussion remains on how the *zakāt* can be effectively allocated to address the elderly's unique needs without neglecting other *aṣnāf* needs within these groups.

The more critical challenge is balancing religious obligations with current social realities. Traditionally, in Islam, the responsibility of taking care of elderly parents is borne by the children. However, the transformation of the traditional family institution over the years shifted the family structure to nuclear families, single-parent households, and mixed families, presenting new challenges, e.g., the potential shift in responsibility. These realities raise questions: What happens when the children are capable but still neglect their responsibilities to care for their elderly parents? Should the elderly be left unattended in that situation? How can *zakāt* distribution be utilised to address these situations while ensuring that filial responsibility (*birr al-wālidayn*) is upheld, considering its importance in Islam? This challenge and issues highlight the need for a clear framework to determine eligibility for *zakāt* assistance in such a situation.

A further challenge is determining the most effective mechanism for providing *zakāt* assistance to the elderly. This research specifically inquiries into the optimal distribution mechanisms. Whether *zakāt* should be distributed directly to the elderly individual as direct financial assistance or should be allocated and contributed as institutional support to the elderly care centre facilities or implemented through a combination of healthcare and medical assistance methods.

This research aims to analyse and investigate the gap in *zakāt* distribution in Malaysia to ensure the well-being of the elderly. The study also seeks to contribute to existing research on the potential of utilising *zakāt* for the elderly while proposing solutions to maximise the positive impact of *zakāt* on this vulnerable population by exploring Islamic juristic considerations within the *Maqāṣid* framework, addressing the issue of filial responsibility, identifying the most effective *zakāt* distribution mechanisms, and addressing the challenges of the allocation, prioritisation, and its potential.

1.3 RESEARCH QUESTIONS

1. What are the *Maqāṣid* of *zakāt* in offering socio-economic assistance to the recipients?
2. What are the juristic justifications for using *zakāt* in providing socio-economic assistance for the elderly in Malaysia?
3. How do Malaysian *sharīʾah* experts perceive the utilisation of *zakāt* to provide socio-economic assistance to the poor elderly in Malaysia?
4. What is the effective and permissible mechanism for utilising *zakāt* for the elderly?

1.4 RESEARCH OBJECTIVES

1. To investigate the *Maqāṣid* of *zakāt* in providing socio-economic assistance for the recipients.
2. To analyse the juristic justifications for using *zakāt* in providing socio-economic assistance for the poor elderly in Malaysia.
3. To explore the perceptions of Malaysian *sharīʾah* experts about utilising *zakāt* to provide socio-economic assistance to the elderly citizens in Malaysia.
4. To examine the most effective and permissible mechanism for utilising *zakāt* for the elderly.

1.5 SIGNIFICANCE OF THE STUDY

The importance of this study lies in the realisation that it can give a deeper understanding of how Islamic charitable organisations, or *zakāt*, could enhance the financial assistance provided to the elderly in Malaysia. Through a comprehensive literature review, identifying research gaps, and implementing an effective research strategy, this study intends to make a substantial contribution to Islamic finance and social welfare. In addition, it seeks to provide relevant institutions, *zakāt* institutions, and Malaysian lawmakers with valuable suggestions that will help them improve the beneficial effects of *zakāt* on the welfare of the elderly and, by extension, create social harmony and prosperity for the people. This study aims to study and explore the potential of *zakāt* in enhancing the welfare and well-being of the elderly in Malaysia while adapting to the *maqāṣid al-sharīʾah* framework. *Maqāṣid al-sharīʾah* refers to the fundamental objectives of Islamic law, which include safeguarding and preserving faith, life, intellect, lineage, and property. The research contends that *zakāt* can advance the *maqāṣid al-sharīʾah* among elderly individuals by attending to their economic, societal, and religious requirements. *Zakāt* can be utilised to provide financial assistance to the poor elderly, promote the establishment of infrastructure and services that cater to the unique needs of the elderly citizens, and fund educational and spiritual programs oriented toward the elderly.

1.6 RESEARCH METHODOLOGY

1.6.1 Research Design

The methodology used to perform any research is at the heart of the process and is vital to its success. Choosing the correct method for a research project will leads to positive results and vice versa. The qualitative methodology was employed in this study, which combined the library research method, research interview method, and *maqāṣid* analysis framework. Thus, this section discusses the details of the chosen methods, data collection strategies, and sampling techniques.

1.6.2 *Maqāṣid al-Sharīʾah* Framework

This research adopted the *maqāṣid al-sharī'ah* framework, which highlights the higher intents of Islamic law. *maqāṣid al-sharīʾah*, in this research, is a framework that is designed to analyse and measure how *zakāt* distribution can be utilised to fulfil the *maqāṣid;* objective, which is achieving social justice (*ʿadālah*), promoting public interest (*maṣlaḥah*), and alleviating the hardship (*ḍarūriyyāt*) in safeguarding the welfare of the elderly in Malaysia. This research methodology was used as a guide throughout the entire research process in the selection, analysis, and data processing of the research.

1.6.3 Data Collection

1.6.3.1 Library Research

This study adopts a qualitative approach using library research. The library research enables this study to use comparison and document analysis methodologies. Library research was utilised to gather relevant information regarding the topic, the concept of *zakāt*, its importance, juristic justifications, objectives, and applications to contemporary issues. Resources from the library that include works in English, Arabic, and Malay on *zakāt* were adopted. Additionally, it incorporates articles from reputable journals, magazines, surveys, and reports concerning the scope of utilisation of *zakāt* towards alleviating vulnerability in society. Employing the analysis of *maqāṣid*'s perspective in the research is important to analyse how scholarly resources address the potential utilisation of *zakāt* to achieve the *maqāṣid* objectives regarding the well-being of the elderly.

1.6.3.2 Research Interview Method

Conducting semi-structured interviews with *sharīʾah* experts, Islamic finance and economics experts, and the elderly caretaker allow a better understanding of the impact of *zakāt* on the elderly. The *maqāṣid* framework was utilised at this stage as a guide in developing the interview questions to explore the possibility of *zakāt* distribution to achieve the objectives concerning the elderly. The interview were conducted to gather information on the following subject matters:

i. The impact of *zakāt* on protecting the well-being of the elderly in Malaysia.
ii. The perspective on the expansion of *zakāt* distribution for the elderly population in Malaysia.
iii. The *maqāṣid* perspective and Islamic juristic considerations to include the elderly as the eligible recipients of the *zakāt* distribution.

Secondary data were also be gathered from journals, books, websites, and scholarly publications.

1.6.4 Data Analysis

This study employs a descriptive and analytical method. The descriptive method was adopted by thematically analysing the data from classical and contemporary literature, databases, and articles presented at various conferences, workshops, and seminars related to the concept of *zakāt*, its juristic justification, objectives, and its potential to address contemporary issues.

Analytical methods were utilised to examine:

i. The classical and contemporary juristic views on the role of *zakāt* in poverty alleviation.
ii. The previous reports from the *zakāt* institution and relevant institutions aimed to gather more understanding concerning the official policies, methods of distribution, and the amount of *zakāt* funds allocated to elderly in Malaysia.
iii. The interview transcripts and data from other sources were analysed to identify recurring themes, patterns, and insights regarding the impact of *zakāt* on the elderly.

These data analysis were used to better comprehend the *zakāt* operations, which contributed to identifying the potential areas for improvement, according to the *maqāṣid* framework.

1.6.5 Data Sampling

The importance of data sampling in this research is to ensure that the data collected is reliable and valid. This is to ensure that the research can achieve its objectives in exploring the potential of *zakāt* to safeguard the well-being of the elderly in Malaysia.

1.7 LITERATURE REVIEW

Zakāt, one of the most significant Islamic Financial instruments, has been recognised for its potential to assist in meeting the special requirements of the elderly. Considering the various challenges, the country will encounter, it is vital to acknowledge the significance of exploring the potential of *zakāt* and its ability to offer economic stability in addressing the issue of an ageing population. *maqāṣid al-sharīʾah*, which emphasises the fundamental objectives of Islamic law, provides a thorough method for examining the possibilities of utilising *zakāt* to give adequate assistance to the welfare of the elderly. Hence, this literature review examines and assesses existing literature and published works on *zakāt*, the elderly, and *maqāṣid al-sharīʾah*. The main objective of this literature review is to enhance comprehension of *zakāt* and its potential as a tool for ensuring the well-being of the elderly in Malaysia within the *maqāṣid* framework. This was achieved by synthesising and analysing the relevant literature. This section focuses on reviewing the relevant literature on the potential of *zakāt* for the elderly in Malaysia within the *maqāṣid* framework. It also highlights how to employ *zakāt* Islamic financial instruments to alleviate the challenges of Malaysia's ageing population.

1.7.1 *Zakāt* and Its Importance in Islam

Mahmoud Abu Saud (1988), in his book of "*Contemporary Zakāt",*[14] addressed the problem of *zakāt* that has been circulating for a long time, concerning the subject of the amount, ratio, and *zakāt*-able wealth. The author mentioned that although *zakāt* is established in Muslim society, there are still discussions about the view of each *maẓhab* that highlight the differences in opinions on the practices, regulations, and implementations of *zakāt*. The author makes a critical comment on changes in societies, resulting in the obsolescence of the old concept of income and also critiques the contemporary scholars and experts who only put forward the topic of "Islamic Banking", whilst only a few talks about *zakāt*, as he believe that when *zakāt* is practiced correctly, it will lead to what Islam requires for its adherents: freedom, equality, peace, and prosperity. The book gives the researcher another perspective on the topics of *zakāt* and its challenges. This additional knowledge allow the researcher to address the

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[14] Mahmoud Abu Saud, *Contemporary Zakāt*, (United States: *Zakāt* and Research Foundation, 1988), p. 199.

challenges of *zakāt* and have a better understanding, ensuring that the study on the potential of *zakāt* for the elderly in Malaysia can be executed more systematically.

Following this, the book *"Zakāh, the Third Pillar of Islam",*[15] by Yassen Ibrahim (1994) explains the general concept of *zakāt*. The book contains five chapters, addressing topics such as *zakāt* in the Holy Qur'an and Sunnah, fundamentals of the Islamic Economic System, the status of *zakāt* in Islam, the Concept of *zakāt* and the reforming role of Islam, the wealth subjects to *zakāt*, the *aṣnāf*, the distribution, *zakāt ul-fitr*, and the historical spotlights on the institution of *zakāt*. *Zakāt* is indicated in the Qur'an as a clear manifestation of righteousness and sound faith. It has been explained that the brotherhood formed alongside social and economic justice, equitable distribution of income, and individual freedom within social welfare are among the things that differentiate the Islamic system from capitalism and socialism. Although this book provided the researcher with a better understanding of *zakāt* and its objective, it did not address the area of the researcher's study. Still, the book was referred to in the study.

A more comparative analysis by Yusuf al-Qaradawi (2011) in *"Fiqh Al Zakāh (A Comparative Study)"*[16] provides a clear overview of Islamic statutes (*Fiqh*) on *zakāt*, the obligatory almsgiving in Islam. Al-Qaraḍāwī analyses the various aspects of *zakāt*, referring to authentic Islamic sources while presenting a contemporary perspective, delving into the legal aspects of *zakāt*, its principles, circumstances, and applications. The book also thoroughly examines every aspect of *zakāt*, including who must pay *zakāt*, how much they must pay, and what kinds of wealth are subject to *zakāt* payments. It also covers the *zakāt* collection, its relationship to Muslim governance, and its impact on society. Recognising that this book addresses different aspects of *zakāt* from a contemporary perspective, making it relevant to current society, the researcher profited from some of the concepts presented in this book to discuss the potential of *zakāt* for elderly in Malaysia.

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[15] Yasin Ibrahim Al-Sheikh, *Zakāt, the Third Pillar of Islam***,** (Beirut: Dar Iben Kather, 1st ed, 1994), p. 147.

[16] Yusuf Qaradawi, *Fiqh al Zakāt (A Comparative Study of Zakāh, Regulations and Philosophy in the Light of Qur̉an and Sunnah)*, (Jeddah: Scientific Publishing Centre King Abdulaziz University, 2011).

Furthermore, Muhammad Zulfiqar (2011) in his book *"Zakāh According to the Qur'an & Sunnah: A Comprehensive Study of Zakāh in Modern Perspective",*[17] defined the linguistic meaning of *zakāt* as growth and increase, which can be understood that the person who pays *zakāt* becomes purified, and the blessings in his wealth increase. Meanwhile, the juristic meaning of *zakāt* refers to a determined share of the wealth mentioned in the Qur'an to be distributed among the eight categories of *aṣnāf*. Chapters in this book consist of the background, the obligation, the merits, the conditions, and the rulings for *zakāt*. The author differentiates *zakāt* in Islam from other religions, explaining that *zakāt* is not a voluntary charity but rather an obligation for Muslims. *Zakāt* is not a tool that can be used for temporary relief from poverty; instead, it aims to facilitate them with adequate financial means to enable them to work and sustain their life in the future. From this book, the researcher learned the concept of *zakāt* according to the Qur'an and Sunnah. This book was helpful to the researcher in providing a clearer understanding of *zakāt*.

In the published work "*Economic Role of Zakāt in Reducing Poverty and Income Equality: A Case Study in the Province of DKI Jakarta, in Indonesia",*[18] by Irfan Syauqi Beik (2013), he acknowledged the poverty and income inequality that have been happening in Indonesia for the last few decades. Therefore, this matter needs to be addressed by issuing policies, alleviating poverty, and reducing income inequality. Hence, the writer approached *zakāt* as a mechanism and alternative measure to solve these problems. According to the writer, this case study examines *zakāt*'s role in reducing poverty and income inequality in Indonesia, which found that the *zakāt* fund has increased the monthly income of households by 8.94 per cent, helped lower income inequality, decreased poverty incidence, and reduced the poverty and income gap. Although this work addressed the role of *zakāt* in alleviating poverty in the country, a lack of study exists on the issue of an ageing nation and utilising *zakāt* to safeguard the socio-economic status of the elderly. Thus, amplifying the importance of the study, the potential of *zakāt* for the elderly.

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[17] Muhammad Zulfiqar, *Zakāt According to the Quran & Sunnah: A Comprehensive Study of Zakāt in Modern Perspective*, (London: Maktaba Dar-us-Salam, 1st ed, 2011), p. 335.

[18] Irfan Syauqi Beik, *Economic Role of Zakāt in Reducing Poverty and Income Inequality: A Case Study in the Province of DKI Jakarta, Indonesia*, (Germany: Publisher: Lambert Academic Publishing, 2013).

Meanwhile, "*Zakāt's Role in Enhancing the Economy of the Ummah: Challenges and Future Prospects"*[19] Fuadah Johari et al. (2015) proposed a fundamental understanding of the practice of *zakāt* to bring attention to the issues that the institution is currently facing and will encounter in the future. This book covers a wide range of captivating topics. First, Islamic philanthropy: rationality for a new economic welfare system. Second, the fundamentals of poverty level (*ḥadd kifāyah*) for *zakāt* and evaluations based on *zakāt* management strategies. Third, the role that *zakāt* plays in the socio-economic growth of *aṣnāf*, including *al-masākin* (the poor), *al-fuqarāʾ* (the needy), *al-muʾallafah qulūbuhum*, *ar-riqāb*, and *al-ghārimīn*, and finally, the importance of *zakāt* in education and *zakāt* on crops, according to *maqāṣid al-sharīʾah*. This book presents a genuine depiction of the practice of *zakāt* in the Muslim world, enabling its practical application by all individuals. Although the books have emphasised the significance of *zakāt* and its role in Muslim culture, there are no chapters that talk about the elderly. Hence, this book was utilised as a means of doing research regarding the possibilities of *zakāt* for older citizens in Malaysia.

Apart from that, Mohd Mahyudi Mohd Yusop et al. (2015)[20] raise concerns about *zakāt* and its primary objective of reducing poverty in their book "*Zakāt and Poverty Alleviation"*. In this book, the authors have put importance on the awareness of important issues related to the administration of *zakāt* institutions and innovative programs developed to improve the method of distribution of *zakāt*, which demonstrates the dynamism of *zakāt*. The reasons behind *zakāt* payments, methods for evaluating the efficiency of *zakāt* distribution, housing programs, microfinance, and the impact on reducing poverty are all discussed. The book also dedicates a chapter to discussing policy orientation, explaining the policy implications and recommendations. However, the specific discussion on the potential utilisation of *zakāt* in protecting the socio-economic status of the elderly is not mentioned in the book's chapters. Considering this, the researcher uses this book to develop further studies on the potential of *zakāt* for elderly in Malaysia.

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[19] Fuadah Johari, Mohammad Haji Alias, Asma Abdul Rahman, Muhammad Ridhwan Ab. Aziz, Ahmad Fahme Mohd Ali, *Zakāt's Role in Enhancing the Economy of the Ummah: Challenges and Future Prospects,* (Nilai: USIM Press, 2015), p. 215.

[20] Mohd Mahyudi Mohd Yusop and Naziruddin Abdullah *Zakāt and Poverty Alleviation*, (Kuala Lumpur: IIUM Press, 2015), p. 222.

1.7.2 The *Maqāṣid* of *Zakāt* for the Elderly

The foundational framework of this study is grounded in a book by Ibn Ashur (2006) entitled "*Treatise on Maqāṣid al-Sharīʾah"*,[21] which explains the concept of *maqāṣid al-sharīʾah* exponentially. The author defined *maqāṣid* as the objectives or purposes behind Islamic laws and mentioned that the study of *maqāṣid al-shari'ah* is essential for *mujtahids* because it enables them to comprehend or interpret the text of *sharīʾah*, finding answers to contemporary issues. The notion of *maqāṣid al-sharīʾah* provides a clear direction and framework for the process of *Ijtihād*. The book categorised *maqāṣid al-sharīʾah* into 1. Necessities (*Ḍarūriyyāt*); an essential component for human beings, its absence may lead to harm. Scholars categorise the necessities into five parts of preservation using this classification system. The purpose of Islamic laws is to shield these five components from any potentially harmful effects. The components are the protection of faith, life, lineage, intellect, and wealth or property. 2. Needs (*Ḥājiyyāt*); the level of needs comes after the necessities, as they are needed and help to live without challenges, but not a matter of life and death. Things like marriage, nutritious food, and transportation. Lastly, 3. Luxuries (*Taḥsīniyyāt*); a complementary and desirable feature, contribute to the perfection and additional values that influence human life. This book was beneficial in exploring the potential of *zakāt* for the elderly in Malaysia within the *maqāṣid* framework.

"*Towards Realisation of the Higher Intents of Islamic Law*"[22] is a book by Jamal al-Din Atiyah (2007). This book takes an essential step towards realising the higher intents of Islamic law. To begin, it creates opportunities for integrating modern ideals and worldviews into the terminology of the *maqāṣid*. Next, the author also provides solutions to complex theoretical issues concerning the function of *maqāṣid* in *ijtihād*, the process of juristic theorisation (*uṣūl)*, and the process of Islamisation in human, social, and physical sciences. Lastly, but certainly not least, the book emphasises the significance of a *maqāṣid*-informed mindset on both intellectual and social levels, and the necessity of such a mindset. Additionally, it provides a pioneering and futuristic perspective on this highly significant Islamic knowledge area. The most promising

[21] Muhammad al-Tahir Ibn Ashur*: Treatise on Maqāṣid al-Sharī'ah*, ed. Mohamed Tahar, translated from Arabic by Mohamed El-Tahir El-Mesawi, (Virginia: The International Institute of Islamic Thought, 2006), p. 518.

[22] Jamal al-Din Atiyah, *Towards Realization of the Higher Intents of Islamic Law*, (Virginia: The International Institute of Islamic Thought, 2007), p. 293.

instrument for the modernisation of Islamic law and the philosophical foundations upon which it is based is called *maqāṣid al-sharīʾah*, which translates to "Higher Intents of the Islamic Law. "Moreover, as this book illustrates, it is also a promising instrument for implementing Islamic ideals and principles in the realms of the judicial system, society, and even science.

The journal "*The Influence of Human Needs in the Perspective of Maqāṣid al-Sharī'ah on Zakāt Distribution Effectiveness",*[23] by Maheran (2014) investigates the distribution within the five objectives of *sharīʾah*. The study highlights *zakāt*'s role in the Islamic economy and social welfare. The journal discusses and focuses on the previous assessment of *zakāt* distribution, of which the effectiveness only concentrates on the economic metric, neglecting the broader human needs, social, religious, and personal development aspects. This study provides the researcher with critical insights for *zakāt* institutions, policymakers, and the public in advocating for a more holistic approach to assessing and implementing *zakāt* distribution. It also suggests that to ensure the effectiveness of *zakāt*, the adaptation of the *maqāṣid* principle is very much needed.

The journal *"Wealth Protection in The Context of Maqāṣid Syariah: Malaysia's Role in Realising the Concept of Economic Jihad"* by Mohamad Sabri Haron (2017) talks about the importance of wealth protection and how it should be part of *jihad*.[24] According to Imam al-Syatibiy, the goals of *sharīʾah* are to safeguard the interests of humanity in this world and the hereafter. The *al-Ḍarūriyyāt*, *al-Ḥājiyyāt*, and *al-Taḥsīniyyāt* degrees of protection are the three levels a person ought to be concerned with to accomplish these goals. The assets or wealth that fall under the *maqāṣid al-sharīʾah* are goods deemed of material value and permitted to be used in times of distress or normal circumstances. According to Sa'id Hawa, the protection of the wealth or assets of Muslims is substantial and should be included as *jihad*. This is because, to carry on any *jihad*, assets are one of the main requirements that must be arranged first. Later, the authors explain the concept of *jihad* and its practice in Malaysia, the Islamic

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[23] Maheran Zakaria, "The Influence of Human Needs in the Perspective of *Maqāṣid* al- Syari'ah on *Zakāt* Distribution Effectiveness", *Asian Social Science*, (Canada: Canadian Centre of Science and Education), Vol.10, January 2014.

[24] Mohamad Sabri Haron, "Wealth Protection in The Context of *Maqāṣid* Syariah: Malaysia's Role in Realizing the Concept of Economic Jihad", *Jurnal Hadhari Edisi Khas 143*, (Bangi: Universiti Kebangsaan Malaysia), Vol.9, August 2017, p.155.

perspective, and the economic *jihad* based on the paradigm of *tawhid*. The journal provided some beneficial information on the importance of wealth protection based on *maqāṣid al-sharīʾah*. However, the journal doesn't discuss the potential of *zakāt* for the elderly in Malaysia within the *maqāṣid* framework.

The journal "*The Optimalisation of Zakāt in Achieving Maqāṣid Sharia",*[25] by Nabila Kurnia et al. (2020) examine the role of *zakāt* in alleviating poverty and bolstering the economy. Despite *zakāt*'s capability and potential in early Islamic societies, the study has shown that contemporary *zakāt* institutions do not have good performance. The study highlights the concept of the *maqāṣid sharīʾah* framework in reforming and enhancing the *zakāt* administration. Through a comparative analysis of *zakāt* distribution programs in two different countries, Malaysia and Indonesia, the study examines the effectiveness of both institutions in achieving the five objectives of *maqāṣid sharīʾah*. Besides, the study also mentioned other issues concerning *zakāt* distribution, such as inefficient distribution methods that have failed to meet people's needs. This study benefited the researcher in further research on the practical arrangement for managing the *zakāt* distribution.

The journal "*Muslim Elderly Care Based on Maqāṣid Sharīʾah: A Case Study of Pahang State",*[26] by Hasiah Mat Salleh et al. (2022) explores how Islamic principles can be adapted to ensure the welfare of Muslim elderly, which was conducted by the Senior Citizens Activity Centre (PAWE) Pahang Darul Makmur. This journal explores how to implement the principles of *maqāṣid al-sharīʾah* in the Muslim elderly care centre. This Islamic framework emphasises safeguarding the five main principles. in this context, these principles can be adapted by ensuring that their religious needs are met, their health and safety are protected, and their necessities are provided. The journal explores the existing support systems for the elderly that are aligned with the *maqāṣid* framework. This study delves into the areas of *maqāṣid sharīʾah* and the Muslim Care Centre. Through this study, the researcher analyse the *maqāṣid sharīʾah* perspective on how to care for the elderly in depth.

[25] Zahra Nabila Kurnia, Rifka Mustafida, Najim Nur Fauziah, Nur Shazni Subri, and Farihah Amirah Ahmad Faiz. "The Optimalization of *Zakāt* in Achieving Maqashid Sharia". In *Indonesian Conference of Zakāt-Proceedings*, pp. 159-178. 2020.

[26] Hasiah Mat Salleh, Norazmi Anas, Siti Marsitah Mohd Mokhtar, Norhapizah Mohd Burhan, and Rashidi Abbas. "Muslim Elderly Care based on *Maqāṣid* Shariah: A Case Study of Pahang State, Malaysia". (2022).

1.7.3 Ageing Society and Current Challenges

Early research on "*Ageing in Asean: its* Socio-economic *Consequences",*[27] by Chen Ai Ju et al. (1989) covers the primary findings of studies conducted in Indonesia, Malaysia, Philippines, Singapore, and Thailand as part of the Phase 3 ASEAN Population Programmes project "Social-Economic Consequences of Population Ageing". The authors outlined the demographic background of the ageing process in these countries and a projection of the future state of ageing. Then they examined the profile of the elderly and presented a brief explanation of their living arrangements, employment, sources of income, access to healthcare, and the role of their children in ensuring their security in their later years. In the following chapter, the writers also describe an evaluation of the role of elderly persons in the community and an evaluation of the services provided at the national and local levels by the government and relevant institutions. Lastly, a debate is presented on the social and policy consequences of ageing across the nations that participated in the study. Again, the book does not mention or include anything related to Islamic financial instruments, especially *zakāt*, as one of the tools that can alleviate some of the economic instability in this aspect.

Following that, "*Ageing Well: Quality of Life in Old Age",*[28] by Ann Bowling (2005), explores the concept of quality of life in older age through theoretical literature surveys and interviews. The author raises some questions concerning the subject area to further research the meaning of quality of life in older age, including: What exactly does "quality of life" mean? What does having a quality of life mean as you age? What steps may be taken to enhance the quality of life in senior age? These are addressed in the study. In addition to presenting the perspectives of a national sample of adults aged sixty-five and over, this book examines the theoretical literature on the quality of life in later life and offers their perspectives. It provides an in-depth examination of the quality of life that older people in Britain experience by utilising a variety of variables that cover a wide range of topics, such as health, hobbies and interests, home and neighbourhood, income, independence, psychological well-being, and social and familial ties. The book helps researchers understand the special needs of the elderly to

[27] Chen Ai Ju and Gavin W. Jones. *Ageing in Asean: its Socio-Economic Consequences*, (Singapore: Institute of Southeast Asian Studies, 1989), p. 103.
[28] Ann Bowling, *Ageing well: Quality of Life in Old Age*, (United Kingdom: Open University Press, 2005), p. 273.

achieve a comfortable quality of life in old age. However, another study is needed to further assist the researcher in completing her research on the potential of *zakāt* for the elderly in Malaysia.

The book, "*Ageing in Southeast and East Asia: Family Social Protection Policy Challenges",*[29] by Lee Hock Guan (2008), addresses the ageing population and its challenges in Southeast and East Asian countries. There will be tremendous social, economic, and political repercussions because of the ageing of the population. Due to the rapid rate of ageing in the region, the countries cannot afford the luxury of time for the gradual evolution of social and structural support systems and networks for the older population. A critical analysis of national ageing policies and Programmes, the viability of existing pension systems, housing and living arrangements, intergenerational transfer, and aspects that affect the elderly's quality of life are covered. Not only do the findings indicate that most Southeast Asian countries have begun to formulate and implement national ageing policies, but they also indicate that the ones currently in place are, for the most part, inadequate and underdeveloped in meeting the requirements of the elderly population. Much more work needs to be done to prepare for the future. The information from this book was implemented to address the country's current challenges for the elderly. Apart from that, the potential of *zakāt* to assist with these challenges still needs to be further explored.

"*Ageing in East Asia",*[30] edited by Tsung-his Fu et al. (2009), is a journal that analyses how East Asian countries approach and deal with the problems of an ageing population. The ageing population represents significant global challenges to well-being states, including East Asia. The study shows that East Asians are ageing faster than in any other country. This book studies the causes and trends of the ageing population in eight countries: Japan, China, South Korea, Taiwan, Hong Kong, Singapore, Malaysia, and Thailand. Besides, the editors also explore and discuss the challenges and the consequences of the ageing population on public policies, as East Asian countries have been developing new policies facilitating the special needs of the elderly. This includes the healthcare system and services, social care, income

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[29] Lee Hock Guan (ed), *Ageing in Southeast and East Asia: Family Social Protection Policy Challenges,* (Singapore: Institute of Southeast Asian Studies, 2008), p. 247.

[30] Tsung-hsi Fu, and Rhidian Hughes, "Ageing in East Asia", *Asean Economic Bulletin,* (England: Routledge) Vol.27, December 2009, pp. 17-30).

maintenance, employment, and housing. The book also examines the importance of implementing the appropriate and strategically ideal policy context of ageing policies in East Asian countries. This book significantly help the researcher address the challenges that the elderly face and explore what measures have been taken to solve these problems.

The book "*Warga Emas di Malaysia"*[31] "The Elderly in Malaysia" by Selvaratnam et al. (2010) explains the nature of older people and their challenges in the current situation. According to the United Nations, Malaysia is expected to be an elderly country, with 15% of the total population aged 60 years and above by 2035 (compared to 6.3% in 2000). Although the government policies and celebrations proved the government's care for the elderly, this notion might be mistaken because many elderly people are willing to continue working if they are healthy. This represents underlying issues, including health, well-being, and poverty. This book makes an effort to address the difficulties of older people by conducting research on 1,460 elderly people, which reveals the concerns regarding financial, socio-economic status, perceptual challenges, and digital disparities. The study finds that a significant number of elderly individuals are still willing to work due to the issue of poverty and the great societal concern for the care of the elderly. Nevertheless, most of the older people surveyed struggled with financial difficulties and maintaining healthy lifestyles. This book explains to the researcher the nature of the elderly in Malaysia and their problems. Therefore, the information from this book was utilised in further research on the potential of *zakāt* for the elderly in Malaysia.

Next, the journal "*Old Age and Elderly Care: An Islamic Perspective",*[32] by Benaouda Bensaid et al. (2014), provides a proper understanding of the Islamic perspective regarding the elderly. The topics discussed in the journal include the Qur'an perspective on old age in Islam, religious implications of old age in Islam, the position of the elderly in Islam, the legal rights of the elderly in Islam, the Muslim community, and the elderly. The journal mentioned that Islam honours the elderly and that they should be cared for and respected, as they contributed a lot when they were younger.

[31] Doris Padmini Selvaratnam, Nor Aini Haji Idris, and Norlaila Abu Bakar. *Warga emas di Malaysia: ke arah kesejahteraan ekonomi dan sosial*. Penerbit Universiti Kebangsaan Malaysia, 2010.p. 163.

[32] Benaouda Bensaid, and Fadila Grine, "Old Age and Elderly Care: An Islamic Perspective", *Cultura International Journal of Philosophy of Culture and Axiology,* (United States: Philosophy Documentation Centre), Vol.11, January 2014, pp.141-163.

Moreover, Islam views care for old parents as a blessing and wealth for life; therefore, the importance and benefit of taking care of the old parents is emphasised. This journal provides information on old age and elderly care in Islam. Thus, it benefited the researcher regarding the importance of care for the elderly from an Islamic perspective.

The book entitled "*Ageing Matters",*[33] by Catherine Jones Finer, edited by John Doling et al. (2018), is a product of the previous works of the APPLE (Ageing Populations: Policy Lessons from the East) project, which the European Commission funded. Here, John Doling addresses some issues and challenges that will arise in this day and age, resulting from demographic changes, including the falling birth rates, longer life expectancies, and breakdown of extended and nuclear families, which already present challenges to national policymakers. Next, Tony Maltby highlighted the future concerns that policymakers have expressed regarding the country's financial stability. As the cost of catering to the needs of older people increases, policymakers need to explore new, suitable means of financial assistance apart from the current system. What are the best solutions to these emerging problems? Therefore, the authors refer to case studies from fast-developing Asian countries. This book makes an excellent reference in addressing the challenges of an ageing nation. Yet the book does not consider or mention Islamic financial instruments as solutions to economic instability.

Apart from that, the journal "*An Analysis of the Responsibility of a Child Towards Parents Based on Al-Adab Al-Mufrad by Imam Al-Bukhārī",*[34] by Ruslinah Haji Yahanid et al. (2021), highlights the responsibilities of children towards parents per the teachings of the Prophet Muhammad (PBUH) that have been mentioned in the book of al-Adab al-Mufrad by Imam al-Al-Bukhārī. The study addressed how modernisation and globalisation have changed the social responsibility towards parents, which has been left to the caretaker rather than the children themselves. Due to this change, this study analyses the *ḥadīth* of the Prophet (PBUH), emphasising the child's responsibilities towards parents in their life and even after their death. This study explains the contents of *ḥadīth* by making a comprehensive reading and comparing

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[33] John Doling, Catherine Jones Finer, and Tony Maltby, *Ageing Matters*, edited by John Doling, (United Kingdom: Ashgate Publishing Company, 2018), p. 200.

[34] Ruslinah Haji Yahanid, Mohd Rosmizi Abd Rahman, and Muhammad Khairi Mahyuddin, An Analysis of The Responsibility of a Child Towards Parents Based on Al-Adab Al-Mufrad by Imam Al-Al-Bukhārī", *E-Prosiding Seminar Antarabangsa Islam Dan Sains*, Nilai, 9th September 2021, pp.612-623.

ḥadīth from Muslim scholars. This study finds that Islam honours and appreciates children caring for their parents with kindness and respect. The researcher benefited from the study by acknowledging the responsibilities of children toward parents, aligned with the Islamic perspective.

The journal *"Qur'anic Perspective on Caring for the Elderly",*[35] by Zamakhsyari Hasballah Taib (2021) describes the importance of caring for the elderly as stated in the Qur'an. This study analyses the importance of caring for the elderly using the thematic interpretation and induction methods by collecting sentences (ayah) related to the topic. The author defined the meaning and characteristics of the elderly and several principles highlighted in the Qur'an in caring for the elderly, which include glorifying and honouring them. Next, they also mentioned the responsibilities of society and the children's responsibilities of caring for the elderly. The study hopes to be a guideline for care and respect for the elderly. This study is vital for the researcher as it analyses society and children's duty and responsibilities in caring for the elderly. This study was beneficial in analysing the importance of care for the elderly from the Qur'anic perspective.

The journal "*Issues of an Ageing Population: A Comparative Study in Malaysia, Singapore, Maldives, and Pakistan*"[36] (Malaysian Journal of Social Sciences and Humanities), Mahvish Mokal et al. (2023), compares the challenges faced by several Asian countries, including Malaysia, with an ageing population. Topics discussed in the journal include the topic of Family dependency (Filial Piety), Attitudes and Psychological Impact of Retirement, Retirement Preparedness, Financial Literacy and Retirement Planning. This journal also focuses on the social and economic implications, which include the critical need for social security and the potential for labour shortages. The research further emphasises the crucial need to address healthcare, financial security, and social inclusion for the elderly. This study address the gap in policy

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[35] Zamakhsyari bin Hasballah Thaib, "Qur'anic Perspectives on Caring for The Elderly", *MIQOT: Jurnal Ilmu-ilmu Keislaman*, (Indonesia: State Islamic University of North Sumatra), Vol.45, August 2021, pp.1-26.

[36] Mahvish Nawaz Mokal, Zaki Ahmad, Mohd Faizal Bin Yusof, and Mohamed Normen Ahamed Mafaz. "Issues of an ageing population: a comparative study in Malaysia, Singapore, Maldives, and Pakistan". *Malaysian Journal of Social Sciences and Humanities (MJSSH)* 8, no. 9 (2023): e002521-e002521.

frameworks compared to those of developed countries. Hence, this study was beneficial in analysing and addressing policies that can be used for the elderly in Malaysia.

To conclude, *zakāt*, one of the Islamic Financial instruments, has been acknowledged as a significant contributor to the economy, alleviating poverty, reducing social injustice, and providing security in the socio-economic system. However, the lack of effective administration, distribution, allocation, and management of the *zakāt*'s fund undermines the fulfilment of its objectives, as the fund will not reach those with rights to it. Despite these administrative challenges, the inherent capabilities of *zakāt* to redistribute wealth suggest its significance in assisting the government in protecting the social welfare of the elderly. This aid is crucial in addressing the special needs and requirements of the elderly, as Malaysia will soon face the challenge of an ageing nation. This is also in accordance with the *maqāṣid al-sharīʾah*, which aims to protect humankind's religion, life, wealth, intellect, and lineage. Hence, this study explores the potential of *zakāt* for the elderly in Malaysia within the *maqāṣid* framework. From the literature review, it appears that many studies have focused on the importance of *zakāt*, the *maqāṣid* framework, and the current challenges of the elderly. Nonetheless, there remains a gap in the studies, specifically on the juristic eligibility of inclusion of the elderly and the effective mechanisms to address their unique needs. Therefore, this study explores, analyse, and investigate the potentials of *zakāt* in assisting the elderly in Malaysia.

CHAPTER TWO

HIGHER OBJECTIVE OF *ZAKĀT* IN PROVIDING SOCIO-ECONOMIC ASSISTANCE FOR THE RECIPIENTS

2.1 INTRODUCTION

The previous chapter established the critical socio-economic challenges faced by Malaysia's ageing population and highlighted the research gap on the role of *zakāt*. This second chapter shape the foundational framework for the study. To delve into the question of how *zakāt* can be effectively utilised for the elderly, it is crucial to understand its fundamental principles and higher objectives (*Maqāṣid*). Hence, this section lay a comprehensive analysis of the concept of *zakāt*, its juristic justifications from the Qur'an and Sunnah, and its historical significance. By looking into these fundamental aspects, this chapter establishes the required theological and legal basis upon which the application of utilisation of *zakāt* for the elderly in Malaysia, as discussed in previous chapters, is built.

2.2 THE CONCEPT OF *ZAKĀT*

Zakāt, also known as one of the five core acts of worship in Islam, is a mandatory form of charitable giving incumbent upon Muslims that is required to be offered once they meet the necessary wealth qualifications. While it is not as altruistic as it appears, it serves as a religious practice obligation and a system of social welfare.[1] *Zakāt* embodies two main aspects: it helps purify the Muslims of their wealth and everything they own or possess, and it serves as an instrument that assists the underprivileged people in society.

[1] Yusuf Qaradawi, Fiqh al *Zakāt* (A Comparative Study of *Zakāt*, Regulations and Philosophy in the Light of Qur'an and Sunnah), (Jeddah: Scientific Publishing Centre King Abdul Aziz University, 2011).

2.2.1 Etymological Meaning of *Zakāt*

The term *zakāt*, one of the fundamental pillars of Islam, is defined in various Arabic dictionaries and further elaborated upon in Islamic scholarly works. Generally, *zakāt* is commonly understood as an act of almsgiving and charity, which has been made an obligation for Muslims who meet specific criteria. This obligation aligned with what Allah has stated in the Qur’an and Ḥadīth, which provide guidelines and further information on the implementation of *zakāt*.

Etymologically, the term “*zakāt*” is inferred from the Arabic root “ز- ك- و”, which means purity, growth, and increase. A Dictionary of Modern Written Arabic,[2] described that the word *zakāt* comes from the Arabic root (زكو and زكى) زكا *zakā* (زكاء *zakā*’) which means to thrive; to grow, increase; to be pure in heart, be just, righteous, good. From the root word comes the word (زكوة) زكاة *zakāh* pl. زكا *zakan*, زكوات *zakawāt*, which contain the meaning of purity; justness, integrity, honesty; justification, vindication; almsgiving, alms, charity; alms tax (Isl. Law) | زكاة

The meaning of the word ‘*zakāt*’ can also be found in many other Arabic dictionaries, where most of them translate and define *zakāt* terminologically. As such, *Muʿjam al-Wasīṭ* and *Muʿjam al-ʿArabī* both generally stated that ‘*zakāt*’ is an Arabic term that is derived from the Arabic root “ز- ك- و”, which translates into “to grow” or “to increase” or “to purify”, and elaborated as the growth and purification of one’s wealth. This definition highlights its multifaceted role in purifying wealth while nurturing society’s well-being. Apart from that, ‘*zakāt*’ has also been explained in *Lisān al-ʿArab*[3] and *Muʿjam Qāmūs al-Muḥīṭ,*[4] which both similarly elaborate *zakāt* as a financial obligation in the form of almsgiving/charity for Muslims, together with its spiritual aspect: i. Purifying the giver’s wealth and souls, ii. Fulfilling the responsibilities towards society, and iii. Accomplishing one of the obligations of a Muslim, which is an act of worship and faith towards the Creator.

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[2] Wehr. Hans, A Dictionary of Modern Written Arabic, (Beirut: Maktabah Lubnan, 1980).

[3] Jamāl al-Dīn Muḥammad ibn Mukarram ibn Manẓūr, *Lisān al-ʿArab* (Beirut: Dār Ṣādir, 1994), vol. 14, 358.

[4] Majd al-Dīn Muḥammad ibn Yaʿqūb al-Fīrūzābādī, *al-Qāmūs al-Muḥīṭ* (Beirut: Mu’assasat al-Risālah, 2005), 1302.

In addition to the Dictionaries, the definition of '*zakāt*' has also been discussed by many Islamic Scholars in their works to provide further explanation and elaboration of the meaning of '*zakāt*' as it is an obligation and is one of the core fundamentals for those who practice Islam as a religion. As such, one of the greatest Imams, Imām al-Shāfiʿī, specified *zakāt* as an obligatory act of worship, as a medium to purify one's wealth while fulfilling one's responsibilities towards the vulnerable and fostering social equality. Imām al-Shāfiʿī also mentioned that apart from being a financial obligation, *zakāt* also serves as a spiritual tool that contributes to creating a more united community, as well as strengthening the communal bond among Muslims, as it is a means of redistributing wealth within the community to assist the vulnerable, alleviate poverty, and address inequality.[56]

Subsequently, Dr Yusuf al-Qaraḍāwī, in his influential work "*Fiqh al-Zakāh*", offers a comprehensive definition of *zakāt* where he describes *zakāt* as a mandatory act of worship that entails a specified portion of wealth to be distributed to deserving recipients. He further elaborates on *zakāt* as a social worship that serves both as a means to purify wealth and a means of attaining economic justice, social equity, and alleviating poverty, thus benefitting society while fulfilling the crucial responsibilities in the socio-economic sphere of the Islamic community.[7] In addition, Dr Monzer Kahf further elaborates on the concept, affirming the role of *zakāt* as an instrument or tool in redistributing wealth to reduce the social gap between the affluent and destitute, and concurrently encouraging and adapting a more equitable society.[8]

Substantially, *zakāt* is described as an act of charity or almsgiving which has been made mandatory towards Muslims who are qualified, typically calculated as a specific percentage; usually, 2.5 % of one's accumulated wealth of one year, which the charity is intended for the benefit of 8 categories of eligible *zakāt*'s recipients, mainly for the vulnerable group of society including those who are poor and needy.[9],[10],[11]

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5 Muḥammad ibn Idrīs al-Shāfiʿī, *Al-Umm* (Beirut: Dār al-Ma'rifah, 1990), vol. 2, 3.
6 Ibid.
7 Yūsuf al-Qaraḍāwī, *Fiqh al-Zakāh* (Beirut: Mu'assasat al-Risālah, 1973), vol. 1, 44.
8 Monzer Kahf, "The Economic Role of *Zakāt* in the Contemporary World", in *Zakāt and Poverty Alleviation*, ed. Imtiazi et al. (Jeddah: Islamic Research and Training Institute, 2000), 105.
9 Nurhasanah, "*Zakāt* & Sustainable Development Goals (SDGs) 2023.
10 Samantha May. "Islamic Charitable Giving in the UK: A 'Radical Economic Alternative?'", *New Political Economy*, (London: Taylor & Francis), Vol.25 (6) 2019.
11 Yerrou, H., "The Determinants of Institutionalization of *Zakāt*: The Case of Morocco", *Islamic Economic Studies*, (Bradford: Emerald Publishing Limited), Vol. 31 (1/2), August 2023.

Besides, these definitions also illustrate *zakāt*'s multifaceted role as a financial obligation and holistic practice that encompasses spiritual, social, and economic dimensions, intending to promote justice, equity, and communal harmony within society.

2.3 JURISTIC JUSTIFICATION OF *ZAKĀT*

Following the previous topic of the definition of *zakāt*, it is apparent that *zakāt* is an obligation whose execution is mandatory for every qualified Muslim, to be distributed for the designated groups of eligible recipients as prescribed in the Qur'an. Thus, it is essential to ascertain the justification and vindication behind the ruling, ensuring a comprehensive understanding of *zakāt*; why it is made obligatory and the rationale behind it, and thus, no excuses for performing *zakāt* as a Muslim. Therefore, the importance of discussion and explanation of juristic justification of *zakāt*, including legal, theological justification, and mandate as a religious practice and social responsibility in Islam, to ensure fulfilment of its intended spiritual and socio-economic purpose. The basis for these justifications is inferred from the primary and secondary sources of Islamic law, which include the verses from the Qur'an and Ḥadīth, *ijmāʿ al-ʿulamāʾ* (interpretations and consensus of Muslim jurists), and application of *Ijtihād* (independent judgment/reasoning in a legal or theological question, based on interpretation of the Qur'an and Ḥadīth).

2.3.1 Al-Qur'an

Substantiating juristic justifications within the framework of Islamic law demonstrates the vital role of *zakāt* as a fundamental pillar of Islam and an essential tool in promoting social well-being and economic justice within society. Dissimilarly, from other Islamic Social Finance instruments, *zakāt* is not only regarded as an act of charity but also as an act of worship, which has been made an obligation to purify wealth while fostering social equality among Muslims. The obligatory nature and *zakāt*'s role in purifying wealth have been highlighted in numerous verses of the Qur'an. The command of *zakāt* has been explicitly demonstrated in the Qur'an in Sūrah Al-Baqarah, verse 43:

وَاَقِيْمُوا الصَّلٰوةَ وَاٰتُوا الزَّكٰوةَ وَارْكَعُوْا مَعَ الرّٰكِعِيْنَ ﴿٤٣﴾

"*And establish prayer and give zakāh and bow with those who bow [in worship and obedience]*". (Qur'an 2:43, Sahih International)

This verse has been translated and interpreted in Tafsir Al-Qurtubi,[12] This verse justifies the establishment of prayer and *zakāt*, which entail a definite and undisputed obligation. *Zakāt* in this verse is also described as an obligation to purify one's wealth of the liability of the right that is entitled to the poor, as what Allah has levied on him. This Qur'anic verse reveals that *zakāt* is a mandatory act of worship for all Muslims, which serves as an instrument to purify wealth and alleviate poverty. Accordingly, the verse where Allah mentioned the role of *zakāt* as an obligation that serves as an act to purify one's wealth is demonstrated in Sūrah At-Tawbah, verse 103, where Allah articulated:

خُذْ مِنْ أَمْوَالِهِمْ صَدَقَةً تُطَهِّرُهُمْ وَتُزَكِّيهِم بِهَا وَصَلِّ عَلَيْهِمْ ۖ إِنَّ صَلَاتَكَ سَكَنٌ لَّهُمْ ۗ وَاللَّهُ سَمِيعٌ عَلِيمٌ ﴿١٠٣﴾

"*Take, [O Muhammad], from their wealth a charity by which you purify them and cause them increase and invoke [Allah's blessing] upon them. Indeed, your invocations are reassurance for them. And Allah is Hearing and Knowing*".

The dictation to collect *zakāt* and its benefits is discussed in translation in this verse. Ibn Kathir stated that Allah commanded His Messenger to collect *sadaqah* from a part of Muslim's wealth to purify and cleanse them.[13] After this translation, the deliberation of *zakāt* as an obligation was further illustrated in an occurrence during the time of Caliph Abū Bakr al-Ṣiddīq's ruling, when he and other Companions negated and fought against people who reverted to disbelief after the passing of the Prophet Muhammad, refusing to pay *zakāt* as they used to pay at the time of the Prophet Muhammad (PBUH). Narrated by Abu Huraira:

[12] Al-Qurtubi. Abu Abdullah Muhammad Ibn Ahmad, *Tafsir al-Qurtubi – Introduction: The General Judgements of the Qur'an and Clarification of what it contains of the Sunnah and Ayahs of Discrimination*, trans. from Arabic by Aisha Bewley, ed. Abdalhaqq Bewley, (Bradford: Diwan Press Ltd., 2018), Vol. 1, 372.

[13] Ibn Kathir, Abu Al-Fida Ismail, *Tafsir Ibn Kathir*, (Lebanon: Maktab Dar-us-Salam, 2003), Abr. ed. by a group of scholars under the supervision of Syakh Safiur Rahman Al-Mubarakpuri, Vol. 4, 508.

حَدَّثَنَا أَبُو الْيَمَانِ الْحَكَمُ بْنُ نَافِعٍ، أَخْبَرَنَا شُعَيْبُ بْنُ أَبِي حَمْزَةَ، عَنِ الزُّهْرِيِّ، حَدَّثَنَا عُبَيْدُ اللَّهِ بْنُ عَبْدِ اللَّهِ بْنِ عُتْبَةَ بْنِ مَسْعُودٍ، أَنَّ أَبَا هُرَيْرَةَ ـ رضى الله عنه ـ قَالَ لَمَّا تُوُفِّيَ رَسُولُ اللَّهِ صلى الله عليه وسلم وَكَانَ أَبُو بَكْرٍ ـ رضى الله عنه ـ وَكَفَرَ مَنْ كَفَرَ مِنَ الْعَرَبِ فَقَالَ عُمَرُ ـ رضى الله عنه كَيْفَ تُقَاتِلُ النَّاسَ، وَقَدْ قَالَ رَسُولُ اللَّهِ صلى الله عليه وسلم " أُمِرْتُ أَنْ أُقَاتِلَ النَّاسَ حَتَّى يَقُولُوا لاَ إِلَهَ إِلاَّ اللَّهُ. فَمَنْ قَالَهَا فَقَدْ عَصَمَ مِنِّي مَالَهُ وَنَفْسَهُ إِلاَّ بِحَقِّهِ، وَحِسَابُهُ عَلَى اللَّهِ ". فَقَالَ وَاللَّهِ لأُقَاتِلَنَّ مَنْ فَرَّقَ بَيْنَ الصَّلاَةِ وَالزَّكَاةِ، فَإِنَّ الزَّكَاةَ حَقُّ الْمَالِ، وَاللَّهِ لَوْ مَنَعُونِي عَنَاقًا كَانُوا يُؤَدُّونَهَا إِلَى رَسُولِ اللَّهِ صلى الله عليه وسلم لَقَاتَلْتُهُمْ عَلَى مَنْعِهَا. قَالَ عُمَرُ ـ رضى الله عنه ـ فَوَاللَّهِ مَا هُوَ إِلاَّ أَنْ قَدْ شَرَحَ اللَّهُ صَدْرَ أَبِي بَكْرٍ ـ رضى الله عنه ـ فَعَرَفْتُ أَنَّهُ الْحَقُّ.

When Allah's Messenger (ﷺ) died and Abu Bakr became the caliph some Arabs renegade (reverted to disbelief) (Abu Bakr decided to declare war against them), `Umar, said to Abu Bakr, "How can you fight with these people although Allah's Messenger (ﷺ) said, 'I have been ordered (by Allah) to fight the people till they say: "None has the right to be worshipped but Allah, and whoever said it then he will save his life and property from me except on trespassing the law (rights and conditions for which he will be punished justly), and his accounts will be with Allah'. "Abu Bakr said, "By Allah! I will fight those who differentiate between the prayer and the *Zakāt*, as *Zakāt* is the compulsory right to be taken from the property (according to Allah's orders). By Allah! If they refuse to pay me even a she-kid, which they used to pay at the time of Allah's Messenger (ﷺ). I would fight with them for withholding it" Then `Umar said, "By Allah, it was nothing, but Allah opened Abu Bakr's chest towards the decision (to fight) and I came to know that his decision was right".[14] (Ṣaḥīḥ al-Bukhārī1399, 1400)

Both verse 103 from Sūrah At-Tawbah and Ḥadīth from Ṣaḥīḥ al-Bukhārī highlight the importance of performing *zakāt*, which is a mandatory right that ought to be taken from one's wealth, as Allah has commanded.

[14] Al-Al-Bukhārī, Sahih Al-Al-Bukhārī, Vol. 2, Book 42, Hadith 5.

Al-Qaraḍāwī[15] also mentioned that the term "*amwāl*" was originally used to refer to the ownership of gold and silver during the period of the Qur'an. Still, it was later generalised to include all the things that people sought to obtain and acquire, such as land, livestock, and agricultural products. However, there are differences in interpretations of the meaning of "amwāl" within Islam's four major schools of thought.

1. **Ḥanafī's school of thought:**[16] claims that "*amwā*l" encompasses everything a person usually buys, acquires, and utilises. Therefore, to classify an item as "*amwāl*", there are two requirements that must be taken into consideration:
   i. The possibility of earning it, and
   ii. The possibility of using it.

   Consequently, anything that is owned is considered and included in the meaning of "*amwāl*": money, land, animals, furniture, and equipment. In addition, things or items that are not really being obtained, acquired, or used frequently are deemed as "*amwāl*" if there is a possibility of obtaining and using them. Examples of this include lawful things like birds in the sky, fish in the sea, or wild usable animals in the wilderness. In addition, the Ḥanafītes also mentioned that services such as financial and customer services are not deemed as "*amwāl*" as they are not obtainable.
2. **Shāfiʿīs, Ḥanbali's, and Mālikī's schools of thought:**[17] These three schools of thought did not consider the possibility of acquisition as a condition for "*amwāl*". Instead, the condition for something to be considered "*amwāl*" is the possibility of acquiring and obtaining the source of "*amwāl*". It is considered "*amwāl*" after the possibility of obtaining the source of "*amwāl*" is satisfied. Thus, scholars contend that services rendered by a business should be classified as "*amwāl*" based on the

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[15] Yusuf Qaradawi, *Fiqh al Zakāt (A Comparative Study of Zakāt, Regulations and Philosophy in the Light of Qur'an and Sunnah)*, (Jeddah: Scientific Publishing Centre King Abdul Aziz University, 2011).

[16] Ibn Nujaym, Zayn al-Dīn ibn Ibrāhīm, *Al-Baḥr al-Rā'iq Sharḥ Kanz al-Daqā'iq* (Cairo: Dār al-Kitāb al-Islāmī, n.d.), vol. 2, 205; Al-Kāsānī, 'Alā' al-Dīn, *Badā'i' al-Ṣanā'i' fī Tartīb al-Sharā'i'* (Beirut: Dār al-Kutub al-'Ilmiyyah, 1986), vol. 2, 11.

[17] Al-Nawawī, Yaḥyā ibn Sharaf, *Al-Majmū' Sharḥ al-Muhadhdhab* (Jeddah: Maktabat al-Irshād, n.d.), vol. 6, 6; Ibn Qudāmah, Muwaffaq al-Dīn, *Al-Mughnī* (Cairo: Maktabat al-Qāhirah, 1968), vol. 2, 630.

conditions. This is predicated on the condition that, since a car is physically attainable, its utility will be deemed as "*amwāl*" too.[18]

In view of the discussions among Islamic scholars, al-Qaraḍāwī believes that the definition by the Ḥanafī school of thought is the most appropriate since it seems to be closer to the original definition of "*amwāl*" and is hence more relevant. The scholar further explains that since services are not regarded as material assets, it is not appropriate to collect *zakāt* from services and distribute them to eligible recipients. Ibn Nujaim states in his work al-Baḥr that "*amwāl*" is what can be obtained and preserved to be utilised at the time of need, and this only applies to material things, omitting utilities. In addition, based on the author of *Kashf al-Kabīr*, al-Rāzī, says zakāh can only be fulfilled by giving the recipient a material thing of value, so in a case where someone (the *zakāh* payer) allows a poor person to inhabit his house for free, it would not diminish his responsibility of paying *zakāt*, since this utility is not a tangible asset that can be acquired.[19]

Consequently, a verse describing the importance of giving *zakāt* as a religious practice can be discovered in Sūrah Al-Baqarah, verse 110, as Allah stated:

وَاَقِيْمُوا الصَّلٰوةَ وَاٰتُوا الزَّكٰوةَ ۗ وَمَا تُقَدِّمُوْا لِاَنْفُسِكُمْ مِّنْ خَيْرٍ تَجِدُوْهُ عِنْدَ اللّٰهِ ۗ
اِنَّ اللّٰهَ بِمَا تَعْمَلُوْنَ بَصِيْرٌ ﴿١١٠﴾

"*And establish prayer and give zakāh, and whatever good you put forward yourselves- you will find it with Allah. Indeed Allah, of what you do, is Seeing*".

This verse, as explained in Tafsir Ibn Kathir,[20] It is a verse of encouragement to perform good deeds. It is stated in the tafsir that in this verse, Allah encouraged the believers to diligently engage themselves in good deeds, such as performing prayer and *zakāt*, that would benefit them on the Day of Resurrection. This verse underscores the importance of establishing prayers and giving *zakāt* as an act of worship towards the Creator, assuring the reward and blessing of encountering the Day of Judgement. A

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[18] Yusuf Qaradawi, *Fiqh al Zakāt (A Comparative Study of Zakāt, Regulations and Philosophy in the Light of Qur'an and Sunnah)*, (Jeddah: Scientific Publishing Centre King Abdul Aziz University, 2011).
[19] Ibid.
[20] Ibn Kathir, Abu Al-Fida Ismail, *Tafsir Ibn Kathir*, (Lebanon: Maktab Dar-us-Salam, 2003), Abr. ed. by a group of scholars under the supervision of Syakh Safiur Rahman Al-Mubarakpuri, Vol.1, 335.

similar verse emphasising the obligation of *zakāt* can be seen in Sūrah An-Nur, verse 56:

وَاَقِيْمُوا الصَّلٰوةَ وَاٰتُوا الزَّكٰوةَ وَاَطِيْعُوا الرَّسُوْلَ لَعَلَّكُمْ تُرْحَمُوْنَ﴿٥٦﴾

> "*And establish prayer and give zakāh and obey the Messenger – that you may receive mercy*".

From this verse, Ibn Kathir illustrates the degree of solemnity of fulfilling the mandatory obligation, performing prayer, and giving *zakāh* as the religious practice of Muslims.[21] Fulfilling this obligation reflects one's commitment to their faith, and neglect of it is equal to the neglect of Allah's command. Therefore, imposing accountability in paying *zakāh* as an obligation, advocating Allah's command, whilst fulfilling the duty towards society.

A further verse that explained the importance of the redistribution of *zakāt* towards the designated categories of society can be viewed in Sūrah Al-Tawbah, verse 60, where Allah mentioned in the Qur'an:

اِنَّمَا الصَّدَقٰتُ لِلْفُقَرَاۤءِ وَالْمَسٰكِيْنِ وَالْعٰمِلِيْنَ عَلَيْهَا وَالْمُؤَلَّفَةِ قُلُوْبُهُمْ وَفِى
الرِّقَابِ۞ وَالْغٰرِمِيْنَ وَفِيْ سَبِيْلِ اللّٰهِ وَابْنِ السَّبِيْلِۗ فَرِيْضَةً مِّنَ اللّٰهِۗ وَاللّٰهُ عَلِيْمٌ
حَكِيْمٌ﴿٦٠﴾

> *"|Zakāh expenditures are only for the poor and for the needy and for those employed to collect [zakāh] and for bringing hearts together [for Islam] and for freeing captives [or slaves] and for those in debt and for the cause of Allah and for the [stranded] traveller - an obligation [imposed] by Allah. And Allah is Knowing and Wise".* (Qur'an 9:60, Sahih International)

In this verse, Ibn Kathir[22] mainly specified the eight categories of eligible recipients of *zakāt* from this verse, which included: the poor, the destitute, those who collect *zakāt*, those reconciling people's hearts, freeing slaves, those in debt, those spending in the Way of Allah, and travellers. This verse highlights the significance and meticulousness of *zakāt* in comprehensively overseeing the welfare of society,

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[21] Ibn Kathir, Abu Al-Fida Ismail, *Tafsir Ibn Kathir*, (Lebanon: Maktab Dar-us-Salam, 2003), Abr. ed. by a group of scholars under the supervision of Syakh Safiur Rahman Al-Mubarakpuri, Vol.7, 120.
[22] Ibid.

redistributing wealth from the affluent to the vulnerable group, and fostering economic justice within the Islamic community. More verse on the mandate of *zakāt* can be perceived in verse 5 of Sūrah At-Tawbah, which Allah mentions:

فَإِذَا انسَلَخَ الْأَشْهُرُ الْحُرُمُ فَاقْتُلُوا الْمُشْرِكِينَ حَيْثُ وَجَدتُّمُوهُمْ وَخُذُوهُمْ وَاحْصُرُوهُمْ وَاقْعُدُوا لَهُمْ كُلَّ مَرْصَدٍ ۚ فَإِن تَابُوا وَأَقَامُوا الصَّلَاةَ وَآتَوُا الزَّكَاةَ فَخَلُّوا سَبِيلَهُمْ ۚ إِنَّ اللَّهَ غَفُورٌ رَّحِيمٌ ﴿٥﴾

"*And when the inviolable months have passed, then kill the polytheists wherever you find them and capture them and besiege them and sit in wait for them at every place of ambush. But if they should repent, establish prayer, and give zakāh, let them [go] on their way. Indeed, Allah is Forgiving and Merciful".*

The latter part of this verse highlights the importance of establishing prayer and *zakāt*. As translated by Ibn Kathir[23] In the second part of the verse, Abū Bakr al-Ṣiddīq used this and other noble verses in confronting people who refused to pay *zakāt*. Here, Allah mentioned the highest element of Islam that comes after the two testimonials, the prayer, which is the right of Allah, then followed by *zakāt,* which avails for the poor and needy. The frequent repetition of 'prayer' and '*zakāh'* side by side in verses of al-Qur'an affirms these elements as the most honourable act that can be fulfilled by the believers, which is further emphasised in Ḥadīth:

حَدَّثَنَا أَبُو غَسَّانَ الْمِسْمَعِيُّ، مَالِكُ بْنُ عَبْدِ الْوَاحِدِ حَدَّثَنَا عَبْدُ الْمَلِكِ بْنُ الصَّبَّاحِ، عَنْ شُعْبَةَ، عَنْ وَاقِدِ بْنِ مُحَمَّدِ بْنِ زَيْدِ بْنِ عَبْدِ اللَّهِ بْنِ عُمَرَ، عَنْ أَبِيهِ، عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ، قَالَ قَالَ رَسُولُ اللَّهِ صلى الله عليه وسلم " أُمِرْتُ أَنْ أُقَاتِلَ النَّاسَ حَتَّى يَشْهَدُوا أَنْ لاَ إِلَهَ إِلاَّ اللَّهُ وَأَنَّ مُحَمَّدًا رَسُولُ اللَّهِ وَيُقِيمُوا الصَّلاَةَ وَيُؤْتُوا الزَّكَاةَ فَإِذَا فَعَلُوا عَصَمُوا مِنِّي دِمَاءَهُمْ وَأَمْوَالَهُمْ إِلاَّ بِحَقِّهَا وَحِسَابُهُمْ عَلَى اللَّهِ " .

It has been narrated on the authority of Abdullah b. 'Umar that the Messenger of Allah said: I have been commanded to fight against people till they testify that there is no god but Allah, that Muhammad

[23] Ibn Kathir, Abu Al-Fida Ismail, *Tafsir Ibn Kathir*, (Lebanon: Maktab Dar-us-Salam, 2003), Abr. ed. by a group of scholars under the supervision of Syakh Safiur Rahman Al-Mubarakpuri, Vol.4, 378.

> is the messenger of Allah, and they establish prayer and pay *zakāt* and if they do it, their blood and property are guaranteed protection on my behalf except when justified by law, and their affairs rest with Allah.[24]

The Ḥadīth above proficiently describes Allah's command to confront people who did not attest to Allah as the Only God and Prophet Muhammad as His Messenger. The following verses, mentioned after the Testimonials, are prayers and *zakāt*, justifying the aforementioned justifications of both being the most honourable conditions in Islam after Shahadah. Therefore, emphasises the significance of *zakāt* in Islam.

2.3.2 Al-Ḥadīth

Alongside the Qur'an, Ḥadīth is recognised as an Islamic primary source commonly used to affirm the details of the Qur'an's general directives. The role of Ḥadīth includes explaining and clarifying ambiguity in the Qur'anic verses, and providing guidance in interpreting the general Qur'anic verses as what Allah stated in Sūrah al-Naḥl, verse 44:

بِالْبَيِّنٰتِ وَالزُّبُرِۗ وَاَنْزَلْنَآ اِلَيْكَ الذِّكْرَ لِتُبَيِّنَ لِلنَّاسِ مَا نُزِّلَ اِلَيْهِمْ وَلَعَلَّهُمْ
يَتَفَكَّرُوْنَ ﴿٤٤﴾

> "[*We sent them] with clear proofs and written ordinances. And We revealed to you the message [i.e., the Qur'an] that you may make clear to the people what was sent down to them and that they might give thought".* (sahih International)

The translation of al-Qur'an *Muṣḥaf al-Madīnah al-Nabawiyyah* further translated this verse by stating that, similar to what the People of the Book had received 'Clear Signs', inspired Books before, Allah also delivered His Message through the Prophet Muhammad (SAW), His Messenger, by the revelation of al-Qur'an, the primary guide for Muslims. Therefore, ascertaining that both al-Qur'an and Ḥadīth are essential for the believers to comprehend a better understanding of Islamic teachings, as they complement each other. Regarding the subject matter of *zakāt*, Ḥadīth referred to address the spirituality of *zakāt*, proper distribution, legitimate recipients, the

[24] Imam Muslim ibn Al-Hajjaj Al-Naysaburi, Sahih Muslim, Book 1, Hadith 33.

relationship between the rich and the poor, *zakāt* as alms, and the prohibitions against begging.[25]

The mandate of *zakāt* as an obligation is believed to have been prescribed in the second year after migration, before the prescription of fasting (*Ramadhan*), pointed out by al-Nawawī under the chapter of *Siyar al-Rawḍah*.[26] On the other hand, it is authentically reported by Aḥmad ibn Khuzaymah, al-Nasāʾī, Ibn Mājah, and al-Ḥākim:

> أَخْبَرَنَا مُحَمَّدُ بْنُ عَبْدِ اللَّهِ بْنِ الْمُبَارَكِ، قَالَ حَدَّثَنَا وَكِيعٌ، عَنْ سُفْيَانَ، عَنْ سَلَمَةَ بْنِ كُهَيْلٍ، عَنِ الْقَاسِمِ بْنِ مُخَيْمِرَةَ، عَنْ أَبِي عَمَّارٍ الْهَمْدَانِيِّ، عَنْ قَيْسِ بْنِ سَعْدٍ، قَالَ أَمَرَنَا رَسُولُ اللَّهِ صلى الله عليه وسلم بِصَدَقَةِ الْفِطْرِ قَبْلَ أَنْ تَنْزِلَ الزَّكَاةُ فَلَمَّا نَزَلَتِ الزَّكَاةُ لَمْ يَأْمُرْنَا وَلَمْ يَنْهَنَا وَنَحْنُ نَفْعَلُهُ.
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> It was narrated that Qais bin Sa'd said: "The Messenger of Allah commanded us to give Sadaqatul Fitr before the command to give *zakāh* was revealed. When the command to give *zakāh* was revealed, he neither told us to do it nor told us not to do it, and we used to do it". (Sahih)[27]

A prominent Ḥadīth narrated by al-Bukhārī states:

> حَدَّثَنَا عُبَيْدُ اللَّهِ بْنُ مُوسَى، قَالَ أَخْبَرَنَا حَنْظَلَةُ بْنُ أَبِي سُفْيَانَ، عَنْ عِكْرِمَةَ بْنِ خَالِدٍ، عَنِ ابْنِ عُمَرَ ـ رضى الله عنهما ـ قَالَ قَالَ رَسُولُ اللَّهِ صلى الله عليه وسلم "بُنِيَ الإِسْلاَمُ عَلَى خَمْسٍ شَهَادَةِ أَنْ لاَ إِلَهَ إِلاَّ اللَّهُ وَأَنَّ مُحَمَّدًا رَسُولُ اللَّهِ، وَإِقَامِ الصَّلاَةِ، وَإِيتَاءِ الزَّكَاةِ، وَالْحَجِّ، وَصَوْمِ رَمَضَانَ".
>
> "Narrated Ibn 'Umar: Allah's Messenger (ﷺ) said: Islam is based on (the following) five (principles): the testimony that there is no god but Allah and that Muhammad is the Messenger of Allah, establishing prayer, giving *zakāt*, performing Hajj (pilgrimage), and fasting *Ramaḍān"*. (Sahih Al-Bukhārī)

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25 Yusuf Qaradawi, Fiqh al *Zakāt* (A Comparative Study of *Zakāt*, Regulations and Philosophy in the Light of Qur'an and Sunnah), (Jeddah: Scientific Publishing Centre King Abdul Aziz University, 2011), 16-23.

26 Ibid.

27 Sunan an-Nasai 2507 (Book 23, Hadith 73) #17118

This Ḥadīth positions *zakāt* as a fundamental pillar of Islamic practice, alongside core acts of worship. Another Ḥadīth, narrated by Muslim, emphasises the social purpose of *zakāt*:

حَدَّثَنَا أُمَيَّةُ بْنُ بِسْطَامَ الْعَيْشِيُّ، حَدَّثَنَا يَزِيدُ بْنُ زُرَيْعٍ، حَدَّثَنَا رَوْحٌ، – وَهُوَ ابْنُ الْقَاسِمِ – عَنْ إِسْمَاعِيلَ بْنِ أُمَيَّةَ، عَنْ يَحْيَى بْنِ عَبْدِ اللَّهِ بْنِ صَيْفِيٍّ، عَنْ أَبِي مَعْبَدٍ، عَنِ ابْنِ عَبَّاسٍ، أَنَّ رَسُولَ اللَّهِ صلى الله عليه وسلم لَمَّا بَعَثَ مُعَاذًا إِلَى الْيَمَنِ قَالَ "إِنَّكَ تَقْدَمُ عَلَى قَوْمٍ أَهْلِ كِتَابٍ فَلْيَكُنْ أَوَّلَ مَا تَدْعُوهُمْ إِلَيْهِ عِبَادَةُ اللَّهِ عَزَّ وَجَلَّ فَإِذَا عَرَفُوا اللَّهَ فَأَخْبِرْهُمْ أَنَّ اللَّهَ فَرَضَ عَلَيْهِمْ خَمْسَ صَلَوَاتٍ فِي يَوْمِهِمْ وَلَيْلَتِهِمْ فَإِذَا فَعَلُوا فَأَخْبِرْهُمْ أَنَّ اللَّهَ قَدْ فَرَضَ عَلَيْهِمْ زَكَاةً تُؤْخَذُ مِنْ أَغْنِيَائِهِمْ فَتُرَدُّ عَلَى فُقَرَائِهِمْ فَإِذَا أَطَاعُوا بِهَا فَخُذْ مِنْهُمْ وَتَوَقَّ كَرَائِمَ أَمْوَالِهِمْ".

"It is narrated on the authority of Ibn 'Abbas that when the Messenger of Allah (ﷺ) sent Mu'adh towards Yemen (as governor) he said to him: Indeed you might find yourselves in the company of a people of the Books, the first thing that you should command them is the Tawheed (the worship) of Allah, glory be to Him, and when they realize this, you should inform them that Allah has commanded them to pray five times in the day and the night, and when they start doing this, you should tell them that verily, Allah has made *Zakāt* compulsory on them to, and when they submit to it, then collect it from them and avoid (the temptation) of selecting the best (items) of their riches". (Sahih Muslim)

This Hadīth clarifies that *zakāt* is intended to benefit those facing economic hardship.

Therefore, it seems that the Qur'an and Ḥadīth offer transparent rationalisations for the payment of *zakāt*. These sources establish it as an obligatory rite, whose goals are for spiritual cleansing of wealth, assistance to the needy, and the advancement of social justice. This foundation enables *zakāt* to work as one of the most effective and significant tools of socio-economic help in Muslim societies.

2.3.3 Classical *Fiqh*

Ijtihād is an art of interpretation within Islamic jurisprudence (‘*Ilm Uṣūl al-Fiqh*), the process of seeking, judging, and concluding to form correct legal opinions through reasoning from the Qur’an and the Sunna. Whenever there was no clear text on a particular issue, jurists used methods of analogy and consensus and, depending upon the school of thought, custom, public policy analysis, necessity, and judicial discretion to reach a decision consistent with Qur’anic principles”.

2.3.3.1 Ḥanafī

Ḥanafī jurisprudence, like all the other schools of Islamic *fiqh*, relies primarily on the text of the Qur’an. The Sunna of the Prophet (as recorded in the Hadīth) provides context for Qur’anic interpretation and establishes numerous legal standards. By the eleventh century, Ḥanafī jurists had developed an extensive corpus of legal treatises that were analogised from the text of the Qur’an and Ḥadīth.[28] Their use of interpretive techniques in the classical period was broad and expressly allowed for judicial discretion.[29] As mentioned earlier, horses are subject to *zakāt* under certain circumstances (most clearly in Ḥanafī jurisprudence by analogy), even though they are specifically exempted in a Qur’anic reference.[30] While they expanded the class of wealth subject to *zakāt*, Ḥanafī jurists narrowed the class of those who might receive *zakāt*.[31] In particular, the class of “those whose hearts are to be reconciled” did not apply once Islam was firmly established.[32] The significance of these positions depends on their willingness to construe the intent of *zakāt* broadly, without being bound by textual (particularly Ḥadīth) standards that are incongruous with social and economic circumstances. As a result, perhaps more than any other Sunni schools, the Ḥanafī tradition is most amenable to a modern reimagining consistent with the spiritual and redistributive purposes of *zakāt*.

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[28] Fazlur Rahman, ‘Islam & Modernity: Transformation of an Intellectual Tradition’, (London: The University of Chicago Press, 1984).
[29] Shams al-A’immah al-Sarakhsī, *Uṣūl al-Sarakhsī* (Beirut: Dār al-Ma‘rifah, 1973), vol. 2.
[30] ‘Alā’ al-Dīn al-Kāsānī, *Badā’i‘ al-Ṣanā’i‘ fī Tartīb al-Sharā’i‘* (Beirut: Dār al-Kutub al-‘Ilmiyyah, 1986), vol. 2.
[31] Burhān al-Dīn al-Marghinānī, *Al-Hidāyah Sharḥ Bidāyat al-Mubtadi’* (Karachi: Idārat al-Qur’ān, 1996), vol. 2, 205.
[32] Ibid.

Ḥanafī *Fiqh* identifies three categories of *zakāt*-able property: livestock, crops, and gold/silver/trade goods.[33] Although government authorities may collect *zakāt*, they are limited to forcibly collecting "visible" property (generally livestock and crops).[34] "*Zakāt* beneficiaries include the categories listed in Sūrah 9:60, with an emphasis on the poor, needy, wayfarers, and debtors within the Muslim community. The Ḥanafī scholar Abū Yūsuf specifically excludes non-Muslims as possible *zakāt* beneficiaries. Donors may not be given in ways that benefit themselves. As a transfer of ownership, proceeds must go to proper beneficiaries rather than to public purposes such as the building of mosques". Abū Yūsuf also recommended the appointment of a reliable man to oversee all offerings (including *zakāt*). Given this concern for the effective administration of *zakāt*, collectors of *zakāt* receive priority in the receipt of their share.[35].

2.3.3.2 Mālikī

The Mālikī School of Jurisprudence places a distinct emphasis on traditions and rules attributed to the early Muslim community in Medina. The treatise, Al-Muwaṭṭaʾ, by Malik Ibn Anas, contains a significant treatment of *zakāt*.[36] Along with the Shāfiʿīs, the Mālikīs view the beneficiaries of *zakāt* as having an actual in-rem property right. Unlike Ḥanafī jurisprudence, Mālikī jurisprudence considers all *zakāt*-able property to be subject to government collection (with no regard for whether the property is "visible" or not). Authorities also have broader discretionary power to distribute *zakāt* proceeds accordingly.[37] Combined, these elements provide a strong basis for the state's *zakāt* collection to support the poor.

2.3.3.3 Shāfiʿī

In his book *al-Risālah*, Muhammad ibn Idris al-Shāfiʿī, who studied in Medina under Malik ibn Anas, was the first jurist to systematically record the general rules of interpretation, which treat analogy and consensus as explicitly secondary sources of

[33] 'Alā' al-Dīn al-Kāsānī, *Badā'i' al-Ṣanā'i' fī Tartīb al-Sharā'i'* (Beirut: Dār al-Kutub al-'Ilmiyyah, 1986), vol. 2, 30.
[34] Abū Yūsuf Ya'qūb ibn Ibrāhīm, *Kitāb al-Kharāj* (Cairo: Al-Maṭba'ah al-Salafiyyah, 1352 AH), 120.
[35] Ibid.
[36] Mālik ibn Anas, *Al-Muwaṭṭa'* (Abu Dhabi: Mu'assasat Zāyid, 2004), vol. 2, 350.
[37] Ibid.

jurisprudence, subordinate to the Qur'an and Sunna.[38] The Shāfiʿīs do not view debt as an adjustment or limitation on the amount of *zakāt* owed. Although the Shāfiʿīs adopt the Ḥanafī distinction between 'visible' and 'non-visible' goods, nearly all goods are considered 'non-visible', removing them from the collection of government authority. Although al-Ghazālī wrote within the Shāfiʿī *Fiqh* tradition, his book, 'The Mysteries of Almsgiving', is an essential source with broad influence beyond the realm of sectarian legal scholarship. The first section of the book addresses the calculation of *zakāt*. The categories of possessions subject to *zakāt* are livestock, gold/silver, trade goods, buried treasure or mineral wealth, and crops. As described earlier, some of these categories have fixed *zakāt* rates. However, the rate applied to livestock, trade goods, and crops is more complicated. Under the presumption of an annual planting season, *zakāt* is annually owed on crops when mature and ready for market. "Except for buried treasure, a certain base level of ownership *(niṣāb)* is exempted from *zakāt*. In general, *zakāt* is to be paid in kind".[39]

The second section of The Mysteries of Almsgiving identifies three necessary standards for paying *zakāt*. First, payment should be made promptly. This is particularly true for crops that could decompose. Second, *zakāt* should be paid where the owner lives because the poor have a claim to wealth produced in their community. Third, *zakāt* funds are to be divided equally among eligible beneficiaries. Beneficiaries include the eight found in Sūrah 9:60; however, the classification of 'the cause of Allah' is explicitly replaced with a reference to warriors. Consistent with the redistributive values reflected in *zakāt*, al-Ghazālī emphasises the categories of the poor and needy, whom he defines as those unable to make a living and those who do not earn enough to cover their living costs, respectively'. However, Shāfiʿī jurisprudence generally requires equal distribution to the applicable beneficiary categories to avoid human discretion in the allocation process. Significantly, both the acts of giving and receiving *zakāt* are considered in a spiritual context, consistent with the understanding that they are related to worship, such as prayer.[40]

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38 Muḥammad ibn Idrīs al-Shāfiʿī, *Al-Risālah* (Cairo: Muṣṭafā al-Bābī al-Ḥalabī, 1940), 474.
39 Abū Ḥāmid al-Ghazālī, *Iḥyā' 'Ulūm al-Dīn* (Beirut: Dār al-Maʻrifah, n.d.), vol. 1, 215.
40 Ibid.

2.3.3.4 Ḥanbali

Aḥmad ibn Ḥanbal was born in Rabi in 780 and was influenced by the work of Imam Shāfiʿī (whom Ḥanbal is reputed to have met once) as well as prominent Mālikī scholars. His jurisprudence emphasised a literal reading of the Qur'an and Ḥadīth, limiting the use of analogy and other interpretive sources, thereby reducing judicial discretion and innovation.[41] According to the Ḥanbali, *zakāt* liability does not apply to debt owed on gold, silver, or trade goods to avoid the situation in which a person might otherwise owe *zakāt* even when his actual net worth does not exceed the niṣāb.[42]

2.4 THE HISTORICAL CONTEXT AND SIGNIFICANCE OF *ZAKĀT* ALLOCATION IN ISLAM

Historically, *zakāt* has been established as one of the fundamental pillars of Islam, playing a significant role in the Islamic socio-economic system by redistributing wealth to promote social justice and alleviate poverty, thereby affirming its objective aligned with Islamic Law. The allocation, implementation, and administration of *zakāt* evolved to adapt to shifts in political, social, and economic requirements. the progress can be monitored and studied through the historical development of *zakāt* starting from the reign of the Prophet Muhammad, his companions, and subsequent caliphates.

2.4.1 *Zakāt* Allocation During the Time of Prophet Muhammad (SAW)

The foundational framework for *zakāt* allocation was first enacted during the time of Prophet Muhammad (PBUH), when *zakāt* was introduced in Islam through the Makkah revelation, encompassing general directions and advice on *zakāt*.[43] The first regulation and enactment of the law on *zakāt* were revealed during the Medinan period, specifying the determination of types of wealth that need to be imposed *zakāt* on, the requirements for its obligation, the method of calculation, allocation, and administration of *zakāt*. *Zakāt*, one of the fundamental pillars of Islam, was introduced as a spiritual obligation

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[41] Ibn Qudāmah al-Maqdisī, *Rawḍat al-Nāẓir wa Jannat al-Munāẓir* (Riyadh: Jāmi'at al-Imām Muḥammad ibn Sa'ūd, 1399 AH), vol. 1, 120.

[42] Ibn Qudāmah, *Al-Mughnī* (Cairo: Maktabat al-Qāhirah, 1968), vol. 2, 630.

[43] Ganiyev, A. and Umaraliev, S., "The Role of *Zakāt* in The Early Stages of Islamic Civilisation*", (EPRA International Journal of Multidisciplinary Research (IJMR)*, (South India: Epra Publishing Cente), Vol. 6 (6), June 2020, 441-444.

and to eradicate poverty within Islamic society. Apart from that, it is also a means to purify wealth and foster solidarity by addressing economic disparities within the community.[44] The Prophet (SAW) emphasised the importance of *zakāt* as a way to help those less fortunate and to reduce inequality within society. The Prophet also appointed official collectors known as *‘Amil* to oversee the collection and distribution of *zakāt* funds, establishing an organised system for managing the *zakāt* funds. The funds were later distributed to the eight designated recipients specified in the Qur’an, Sūrah al-Tawbah, verse 60:

إِنَّمَا الصَّدَقٰتُ لِلْفُقَرَآءِ وَالْمَسٰكِيْنِ وَالْعٰمِلِيْنَ عَلَيْهَا وَالْمُؤَلَّفَةِ قُلُوْبُهُمْ وَفِى
الرِّقَابِ وَالْغٰرِمِيْنَ وَفِىْ سَبِيْلِ اللّٰهِ وَابْنِ السَّبِيْلِ ۖ فَرِيْضَةً مِّنَ اللّٰهِ ۗ وَاللّٰهُ عَلِيْمٌ
حَكِيْمٌ ﴿٦٠﴾

“Zakāh expenditures are only for the poor and for the needy and for those employed to collect [zakāh] and for bringing hearts together [for Islam] and for freeing captives [or slaves] and for those in debt and for the cause of Allah and for the [stranded] traveller - an obligation [imposed] by Allah. And Allah is Knowing and Wise”. [Sūrah At-Tawbah: 60].

The verses specified the eight categories of recipients eligible to receive *zakāt*, which include the needy (*fuqarā’*), the poor (masākīn), *zakāt*’s administrator *(‘amil*), those whose hearts are reconciled to Islam (*mu’allaf*), the slaves and captives (*ar-Riqāb*), the debtors (*al-Ghārimīn*), for the cause of Allah (*fī sabīl allāh*), and the travellers (*ibn sabil*). The allocation during this period was relatively straightforward, with *zakāt* being distributed directly to those in need within the community, reflecting a direct approach. The leadership of the Prophet (SAW) in *zakāt* distribution was a model of justice, advocating charity, safeguarding the community’s welfare, and fostering an equitable society.

[44] Yusuf al-Qardawi, *Fiqh al Zakāt* (A Comparative Study of *Zakāt*, Regulations and Philosophy in the Light of Qur’an and Sunnah), (Jeddah: Scientific Publishing Centre King Avdul Aziz University, 2011), 10-13.

2.4.2 *Zakāt* Allocation During the Time of the Companions

After the death of the Prophet Muhammad (SAW), the responsibility of managing the *zakāt* funds taken by the companions (*Sahabah*), carrying on the Prophet's practices and regulations, ensuring that *zakāt* collection and distribution remained as one of the vital tools contributing to the development of the Islamic Economy and Financial System. Adhering to the prior regulation and administration of *zakāt* by the Prophet (SAW), *Sahabah* prevailed in managing the distribution of *zakāt* funds, utilising *zakāt* as a tool to enhance the quality of Muslims' lives and allocating funds within the eight categories of *aṣnāf*.[45]

Caliph Abu Bakr's period of reign was short, but it significantly impacted the progress of the *zakāt* administration. The first official framework managing the collection of *zakāt* funds was established during the leadership of Caliph Abū Bakr al-Ṣiddīq r.a., marking the beginning of the development of *zakāt* structures in its administration. Together with the framework, the centralisation of *zakāt* as a state institution was accomplished during the reign of Abu Bakar r.a. Another significant occurrence that significantly impacted the establishment structure of *zakāt*'s administration during Abu Bakar's reign is as narrated in Ḥadīth:

حَدَّثَنَا أَبُو الْيَمَانِ الْحَكَمُ بْنُ نَافِعٍ، أَخْبَرَنَا شُعَيْبُ بْنُ أَبِي حَمْزَةَ، عَنِ الزُّهْرِيِّ، حَدَّثَنَا عُبَيْدُ اللَّهِ بْنُ عَبْدِ اللَّهِ بْنِ عُتْبَةَ بْنِ مَسْعُودٍ، أَنَّ أَبَا هُرَيْرَةَ ـ رضى الله عنه ـ قَالَ لَمَّا تُوُفِّيَ رَسُولُ اللَّهِ صلى الله عليه وسلم وَكَانَ أَبُو بَكْرٍ ـ رضى الله عنه ـ وَكَفَرَ مَنْ كَفَرَ مِنَ الْعَرَبِ فَقَالَ عُمَرُ ـ رضى الله عنه كَيْفَ تُقَاتِلُ النَّاسَ، وَقَدْ قَالَ رَسُولُ اللَّهِ صلى الله عليه وسلم " أُمِرْتُ أَنْ أُقَاتِلَ النَّاسَ حَتَّى يَقُولُوا لاَ إِلَهَ إِلاَّ اللَّهُ. فَمَنْ قَالَهَا فَقَدْ عَصَمَ مِنِّي مَالَهُ وَنَفْسَهُ إِلاَّ بِحَقِّهِ، وَحِسَابُهُ عَلَى اللَّهِ ". فَقَالَ وَاللَّهِ لأُقَاتِلَنَّ مَنْ فَرَّقَ بَيْنَ الصَّلاَةِ وَالزَّكَاةِ، فَإِنَّ الزَّكَاةَ حَقُّ الْمَالِ، وَاللَّهِ لَوْ مَنَعُونِي عَنَاقًا كَانُوا يُؤَدُّونَهَا إِلَى رَسُولِ اللَّهِ صلى

[45] Ganiyev, A. and Umaraliev, S., "The Role of *Zakāt* in the Early Stages of Islamic Civilisation*", (EPRA International Journal of Multidisciplinary Research (IJMR)*, (South India: Epra Publishing Cente), Vol. 6 (6), June 2020, 441-444.

الله عليه وسلم لَقَاتَلْتُهُمْ عَلَى مَنْعِهَا. قَالَ عُمَرُ ـ رضى الله عنه ـ فَوَاللَّهِ مَا هُوَ إِلاَّ أَنْ قَدْ شَرَحَ اللَّهُ صَدْرَ أَبِي بَكْرٍ ـ رضى الله عنه ـ فَعَرَفْتُ أَنَّهُ الْحَقُّ.

Narrated Abu Huraira: When Allah's Messenger (ﷺ) died and Abu Bakr became the caliph some Arabs renegade (reverted to disbelief) (Abu Bakr decided to declare war against them), `Umar, said to Abu Bakr, "How can you fight with these people although Allah's Messenger (ﷺ) said, 'I have been ordered (by Allah) to fight the people till they say: "None has the right to be worshipped but Allah, and whoever said it then he will save his life and property from me except on trespassing the law (rights and conditions for which he will be punished justly), and his accounts will be with Allah'. Abu Bakr said, *"By Allah! I will fight those who differentiate between the prayer and the Zakāt, as Zakāt is the compulsory right to be taken from the property (according to Allah's orders). By Allah! If they refuse to pay me even a she-kid, which they used to pay at the time of Allah's Messenger (ﷺ). I would fight with them for withholding it"*. Then `Umar said, "By Allah, it was nothing, but Allah opened Abu Bakr's chest towards the decision (to fight), and I came to know that his decision was right".[46]

The Ḥadīth from Sahih Al-Bukhārī above, as aforementioned in the section on the justification of jurisdiction of *zakāt*, is a Ḥadīth outlining the significance of performing *zakāt* as one of the obligations mandated by the Creator towards the believer. The Ḥadīth narrated depicts Abu Bakr's firm resolve to enforce the *zakāt* legislation on Muslims as prescribed by Islamic Law, emphasising its importance not just for personal piety, but also for the welfare of the broader community.

Caliph Umar ibn al-Khattab (r.a.) 's reign marked the progression of *zakāt*'s administration through the introduction of new methods for collecting and distributing *zakāt*, known as *al'ashir*. Umar r.a. established several checkpoints on highways and assigned a tax collector to collect *zakāt* payments from the Muslim traders at every checkpoint. On the other hand, import taxes were imposed on non-Muslim traders.[47] Umar r.a. also introduced the concept of *Bayt al-Māl* or Public Treasury to manage the *zakāt* and *waqf* funds in 15 AH [636 CE]. Furthermore, he also extended the list of

[46] Sahih al-Al-Bukhārī 1399, 1400. In-book reference : Book 24, Hadith 5.
[47] Yusuf Qaradawi, *Fiqh al Zakāt (A Comparative Study of Zakāt, Regulations and Philosophy in the Light of Qur'an and Sunnah)*, (Jeddah: Scientific Publishing Centre King Abdul Aziz University, 2011).

zakāt-able items to include several additional sources of wealth that had not been included during the time of the Prophet's (s.aw) reign through the application of *Ijtihād*. Some of the items added include horses, lentils, and chickpeas. Other caliphs and Islamic scholars later followed the *Ijtihād*. It is believed that under the good governance of Umar r.a., the financial management became more structured, as it is often difficult to find an eligible recipient of *zakāt*.[48]

2.4.3 *Zakāt* Allocation During the Time of the Caliphates

The caliphates that followed the companions of the Prophet Muhammad (SAW) continued to build upon the foundation laid during the Prophet's time. As the Muslim empire expanded, the need for a more organised and systematic approach to *zakāt* allocation grew. The role of *zakāt* evolved, becoming more complex as the empire grew and diversified.

***Zakāt* Allocation During the Umayyad Caliphate (661–750 CE):** The Umayyad Caliphate, which ruled from 661 to 750 CE, was the first large-scale Muslim empire after the Rashidun Caliphate. The Umayyads inherited the *zakāt* framework established by the Prophet and his companions but faced the challenge of managing *zakāt* across a vast and diverse empire. The Umayyads appointed provincial governors (*'Amil*) who were responsible for collecting *zakāt* and ensuring its distribution aligned with Islamic guidelines. However, the growing wealth of the Umayyad elite created some disparities in *zakāt* distribution, leading to critiques that *zakāt* was not always reaching the most vulnerable groups. Despite these challenges, the Umayyads continued to uphold *zakāt* as a central institution of social welfare. Their system of *zakāt* was primarily focused on supporting the basic needs of the poor and the needy while ensuring that *zakāt* funds were used for the prescribed categories in the Qur'an.

***Zakāt* Allocation During the Abbasid Caliphate (750–1258 CE):** The Abbasid Caliphate, which succeeded the Umayyads, introduced a more sophisticated and centralised system for *zakāt* collection and distribution. The Abbasids created a network of appointed officials to manage *zakāt* funds and ensure their distribution

[48] Ataina Hudayati and Achmad Tohirin. "Management of *zakāt*: centralised vs decentralised approach". In Seventh International Conference–The Tawhidi Epistemology: *Zakāt* and Waqf Economy, Bangi, pp. 351-374. 2010.

across the empire. *Zakāt* was not only used to provide for the poor but also to fund public welfare initiatives, including hospitals, schools, and infrastructure projects, showcasing the broader social functions of *zakāt* during this period. While the early Abbasid period saw significant efforts to address wealth inequality through *zakāt*, by the later stages of their rule, wealth disparities began to grow once again, and some criticised the inefficiencies in *zakāt* allocation. Nonetheless, the Abbasid period remains one of the most significant in the development of *zakāt* as a public institution that supported a wide range of social services.

***Zakāt* Allocation During the Ottoman Caliphate (1299–1924 CE):** The Ottoman Empire, which lasted for over six centuries, developed a highly organised system of *zakāt* collection and distribution. The Ottomans formalised *zakāt* within their bureaucratic structure, appointing officials to manage *zakāt* funds and ensure their fair distribution. *Zakāt* on agriculture (*'ushr*) was collected as a state tax, and the welfare distribution is administered alongside the religious endowments (*Awqāf*), which funded a range of services including schools, hospitals, and orphanages. The Ottomans also used *zakāt* to promote social justice and reduce inequality within their vast empire. In addition to providing for the basic needs of the poor, *zakāt* was used to fund larger public welfare projects and infrastructure. Despite the challenges posed by the empire's size and diversity, the Ottoman approach to *zakāt* is often regarded as one of the most efficient and organised in Islamic history.[49]

2.4.4 The Significance of *Zakāt* Allocation in Islam's History

Throughout history, the allocation of *zakāt* has evolved to meet society's changing needs. From the time of the Prophet Muhammad (SAW) and his companions to the caliphates, *zakāt* has remained a vital tool for social justice, economic equity, and alleviating poverty. Each era's approach to *zakāt* reflects the growing complexity of the Muslim world, with the core values of *zakāt*—charity, social responsibility, and wealth redistribution—remaining central to its practice. *Zakāt*, in its historical context, continues to serve as a model for ensuring social welfare and supporting vulnerable populations.

[49] Amy Singer, *Charity in Islamic Societies* (Cambridge: Cambridge University Press, 2008), 48-50.

2.5 *MAQĀṢID* OF *ZAKĀT* IN PROVIDING SOCIO-ECONOMIC SUPPORTS

The objective of Islamic law, or the concept of *maqāṣid al-sharīʾah,* serves as a guiding framework for understanding the socio-economic implications of *zakāt*. As mentioned in the previous chapter, *zakāt* is a financial obligation towards Muslims that comprises a multifaceted role: a spiritual obligation to purify wealth and fulfil one's responsibilities towards society.

2.5.1 *Maqāṣid al-Sharīʾah*: A Balancing Act

Scholars such as Ibn ʻĀshur define *maqāṣid al-sharīʾah* as a foundational concept that attempts to interpret and explain the underlying purposes and objectives of Islamic legal rulings[50]. The definition of *maqāṣid al-sharīʾah* is further elaborated by Islamic Scholars, who propose several definitions and frameworks in comprehending the concept, signifying its role as a guide to ethical and moral conduct within Islamic Society.

Imam al-Ghazālī, a prominent Islamic Scholar, in his seminal work, Al-Mustaṣfā, identified *maqāṣid al-sharīʾah* as an objective in preserving the five essential elements in human life (*uṣūl al-khums*), which include the preservation of religion (*al-din*), life (*al-nafs*), intellect (*al-'aql*), lineage (*al-nasl*), and property (al-mal).[51] This framework of *maqāṣid al-sharīʾah* aims to regulate human conduct and promote the holistic well-being of society, highlighting the inclusive nature of Islamic law. According to al-Ghazālī, any execution of conduct intended to preserve the five essential elements is classified as good (*maṣlaḥah*), while any execution of conduct that may abuse the elements *(uṣūl al-khams*) is classified as damage (*mafsadah*)[52]. Regarding the determination of the relevancy of legal rulings, al-Ghazālī preferred the application of *maṣlaḥah*, or the public interest, before the other elements.[53] The

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[50] Muḥammad al-Ṭāhir Ibn ʿĀshūr, *Maqāṣid al-Sharīʿah al-Islāmiyyah* (Tunis: Dār al-Salām, 2009), 251.

[51] Abu Hamid Al-Ghazali, *al-mustafa min 'ilm al-usul*, (Cairo: al-Maktabah al-Tijariyah, 1937), vol.1, 174.

[52] Ibid.

[53] Ahmad Zoolhelmi Alias, Maliah Sulaiman, Noraini Mohd Ariffin, and Intan Suryani Abu Bakar. "Malaysian Takaful reporting from a *Maqāṣid* Shariah perspective". *Journal Islamic Philanthrophy and Social Finance* 5, no. 1 (2023): 1-9.

Qur'anic verse indicating *maqāṣid al-sharīʾah* is mentioned in Sūrah *al-Mā'idah*, verse 6:

﴿....مَا يُرِيدُ اللَّهُ لِيَجْعَلَ عَلَيْكُم مِّنْ حَرَجٍ وَلَٰكِن يُرِيدُ لِيُطَهِّرَكُمْ وَلِيُتِمَّ نِعْمَتَهُ عَلَيْكُمْ لَعَلَّكُمْ تَشْكُرُونَ﴾

"*Allah does not intend to make difficulty for you, but He intends to purify you and complete His favour upon you that you may be grateful*".

Al-Shatibi translated the concept of *maqāṣid al-sharīʾah* as God's command, in which the principal objective has been determined, intends to give benefit (*maṣlaḥah*) to mankind, along with avoiding any circumstance that can lead to harm/damage (*mafsadah*).[54] Al-Shatibi further elaborated the concept of *maqāṣid*, classifying them into three separate categories comprising the level of;

1. Necessities *(Ḍarūriyyāt*),
2. Needs (*Ḥājiyyāt*), and
3. Luxuries (*Taḥsīniyyāt*).

This classification demonstrated the prioritisation of human welfare according to Islamic Law, in which the fulfilment of necessities is the utmost priority, followed by the provision of additional, complementary comfort and luxuries.[55] The specification by al-Shatibi portrayed the fundamental purpose of Islamic Law as fulfilling the welfare of mankind and preventing it from harm, which aligns with the purpose of *zakāt* and other Islamic social welfare institutions.[56]

Among contemporary scholars, Ibn 'Ashur describes *maqāṣid al-sharīʾah* as a purpose and wisdom that pertain to the application and execution of conduct that aligns with the Islamic Jurisprudence.[57] Besides, al-Raysuni also defined *maqāṣid al-sharīʾah* as objectives and effects accomplished by the implementation of Islamic rulings,

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54 Imam al-Shatibi, *al-muwafaqat fi usul al-Sharī'ah*, (Beirut: Dar al-Kutub al- 'Ilmiyyah, 2004).

55 Alam, M. M., "Performance of islamic microcredit in perspective of *Maqāṣid* al-shariah", *Humanomics*, (United Kingdom: Emerald group Publishing), Vol. 31(4), November 2015, 374-384.

56 , Akilu A. Shinkafi and Nor Aini Ali. "Contemporary islamic economic studies on *Maqāṣid Sharī'ah*: a systematic literature review". *Humanomics*, (United Kingdom: Emerald group Publishing), Vol. 33, no. 3, August 2017, p. 315-334.

57 Muhammad Tahir Ibn Ashur, *Maqāṣid al-Shariah al-Islamiyyah, (2nd ed.)*, (Amman: Dar al-Naf'is, 2001).

whether it is implemented generally or comprehensively (for each law).[58] Additionally, scholars such as Jasser Auda have expanded the definition of *maqāṣid al-sharīʾah* to address contemporary challenges within the Islamic community, viewing *maqāṣid* as a dynamic framework adaptable to different circumstances while remaining aligned with Islam's fundamental values.[59] This perspective encourages a broader interpretation of *maqāṣid*, allowing for the incorporation of contemporary issues such as environmental sustainability and social justice into the objectives of Islamic law.[60]

Furthermore, the application elements of *maqāṣid al-sharīʾah* have been widely recognised and utilised as the basic guidance for implementing rules or regulations for fields and areas, including Islamic finance and banking. Alluding to *maqāṣid al-sharīʾah* as the basis for the adaptation of rulings, scholars have argued that the performance of Islamic financial institutions should be assessed based on profitability and on the alignment of their performance with the *maqāṣid al-sharīʾah*, which emphasises ethical investment and social responsibility.[61] This approach reinforces the notion that *maqāṣid al-sharīʾah* serves as a guiding principle for achieving a just and equitable society. Additionally, *maqāṣid al-sharīʾah* also represents a comprehensive framework that encapsulates the objectives of Islamic law. By prioritising the preservation of essential human needs and promoting public welfare, *maqāṣid al-sharīʾah* provides a vital lens for evaluating legal rulings and social practices, including *zakāt*. This alignment between *maqāṣid* and *zakāt* underscores the importance of ensuring that social welfare initiatives effectively contribute to the overall well-being of individuals and communities.

The significance of *maqāṣid al-sharīʾah* lies in its ability to provide a holistic framework for evaluating the ethical and moral implications of actions within society. It serves as a compass for policymakers and scholars, guiding the development of laws

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[58] Ahmad Al-Raysuni, *Nazariyyah al-Maqāṣid ʻInda al-Imam al-Shatibi*, (Kuala Lumpur: The International Institute of Islamic Thought, 1995).

[59] Zaprulkhan Zaprulkhan "Maqāṣid al-shariah in the contemporary Islamic legal discourse: perspective of Jasser Auda", *Walisongo: Jurnal Penelitian Sosial Keagamaan*, (Semarang: Institute for Research and Community Services), Vol. 26, No. 2, December 2018, p. 445.

[60] N. M., M. S. Nair Nasir, and P. K. Ahmed. "Environmental sustainability and contemporary Islamic society: a shariah perspective". *Asian Academy of Management Journal*, (Negeri Sembilan: University Sains Malaysia), vol. 27, no. 2, December 2022.

[61] Mustafa Omar Mohammed and Fauziah Md Taib. "Developing Islamic banking performance measures based on *Maqāṣid* al-*Sharīʾah* framework: Cases of 24 selected banks". Journal of Islamic Monetary Economics and Finance 1, no. 1 (2015): 55-78.

and regulations that align with the principles of Islamic Jurisprudence. The objectives of *maqāṣid* and *zakāt* are unintentionally aligned with each other, exhibited through the main objectives of *zakāt*, alleviating poverty and promoting social welfare. By redistributing wealth and providing for the needy, *zakāt* embodies the principles of *maqāṣid*, ensuring that the basic needs of all members of society are met.[62]

To conclude, the significance of *zakāt* utilisation in achieving the *maqāṣid al-sharīʾah* is evident, as it is evident in the interrelated objectives of promoting social justice and the welfare of society. *Zakāt* can serve as a practical manifestation of *maqāṣid al-sharīʾah* when the administration is managed efficiently, thereby addressing economic disparities that exist within the community.

2.5.2 *Zakāt* and *Maqāṣid*

The relationship between *zakāt* and *maqāṣid al-sharīʾah* is significant, as both concepts aim to promote social welfare and justice within the Muslim community. *Zakāt*, as a mandatory form of almsgiving, serves not only as a means of wealth redistribution but also as a tool for achieving the broader objectives of Islamic law, known as *maqāṣid al-sharīʾah*. This section explores how *zakāt* aligns with these objectives, emphasising its role in fostering socio-economic development and addressing the needs of the underprivileged.

2.5.3 The Interplay Between *Maqāṣid* and *Zakāt*

Maqāṣid al-sharīʾah, as conceptualised and elaborated by Islamic Scholars such as Al-Ghazālī and Al-Shātibi, is a framework that serves as a basic guideline in developing or implementing new regulations on a matter. According to this established framework, *zakāt* is categorised under the group of the 'Essentials' *(Ḍarūriyyāt)*, as its implementation is essential to safeguard the spiritual and physical elements of society. Particularly, *zakāt* aims to preserve religion *(al-dīn)*, which is accomplished by fulfilling the obligation as prescribed, preserve life *(al-nafs)*, which is completed by providing

[62] Izlawanie Muhammad and Nur Shahira Mohamad Nor. "The empirical evidence on taxpayers' intention to claim *zakāt* payment as a tax rebate". *International Journal of Business and Society*, (Kota Semarahan: UNIMAS Publisher), vol. 22, no. 2, August 2021, p. 637-652.

sustenance to the poor and needy, and preserve the wealth (*al-māl)*, which is achieved by the purification and redistribution of the wealth. These objectives encompass the five essential elements, which include the preservation of religion, life, intellect, lineage, and wealth/property, that need to be safeguarded to comprehensively achieve the objective of the *sharī'ah*.[63] The significance of *zakāt* as a means to accomplish these objectives is illustrated through its capability and responsibility in alleviating poverty and economic empowerment.

2.6 SUMMARY OF THE CHAPTER

This chapter explored the concept of *zakāt*, a mandatory form of charity in Islam, and its significance in providing socio-economic assistance. We began by examining its historical context in Malaysia, highlighting its evolution from a religious practice to a more centralised system with the potential to address broader social issues. The chapter then delved into the Qur'anic and Ḥadīth justifications for *zakāt*. The Qur'an positions *zakāt* as a core pillar of Islam, emphasising its role in spiritual purification and promoting social justice through wealth redistribution.[64] The Ḥadīth reinforces this notion, highlighting its obligatory nature and its purpose of aiding the underprivileged. Furthermore, we discussed the concept of *maqāṣid al-sharīʾah*, the overarching objectives of Islamic law. Understanding these objectives sheds light on *zakāt*'s underlying purpose.[65] We saw how *zakāt* aligns with several *maqāṣid al-sharīʾah*, particularly those related to social well-being by ensuring necessities are met, promoting responsible wealth management, and fostering social justice within the Muslim community. In conclusion, this chapter established *zakāt*'s firm foundation in Islamic scripture and legal principles. We explored how *zakāt* functions not only as a religious obligation but also as a powerful tool for achieving socio-economic objectives. This understanding paves the way for further analysis in the upcoming chapters, where

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[63] Abū Ḥāmid al-Ghazālī, *Al-Mustaṣfā min 'Ilm al-Uṣūl* (Cairo: Al-Maktabah al-Tijāriyyah, 1937), vol. 1, 174.

[64] Ibn Ashur *Treatise on Maqāṣid al-Sharī'ah*. 2006

[65] Jamaluddin, Jazlan & Baharum, Nurul & Jamil, Siti & Kamel, Mohd. (2021). Doctors Strike During COVID-19 Pandemic in Malaysia: Between Right and Wrong. Voices in Bioethics. 7. 10.52214/vib.v7i.8586.

you can explore the higher objectives of *zakāt* and its effectiveness in providing socio-economic assistance in the Malaysian context.

CHAPTER THREE

UTILISING *ZAKĀT* AS SOCIO-ECONOMIC ASSISTANCE FOR MALAYSIAN ELDERLY: THE JURISTIC JUSTIFICATIONS AND *MAQĀṢID* ANALYSIS

3.1 INTRODUCTION

Building on the previous chapter, this part of the study explores the higher objectives of *zakāt* and its effectiveness in providing socio-economic assistance to the elderly in the Malaysian context.

Given its rapidly growing demographic ageing population,[1] Malaysia faces increasing challenges in ensuring the good well-being of its elderly.[2] This is because its high rates of life expectancy, coupled with smaller family members, have invariably created the demand for higher social and economic support for this increasingly vulnerable category of the Malaysian population. While insightful studies have been carried out on the importance of *zakāt, maqāṣid al-sharīʾah,* its relevance to alleviate socio-economic challenges,[3] and the current challenges of (and need to care for) the elderly[4] across different countries,[5] there is no major attempt considering how *zakāt* could be potentially deployed to support the elderly. In particular, there is a dearth of studies on how the *zakāt* fund could be allocated to address the vulnerabilities of Malaysian elderly based on juristic justification rooted in *maqāṣid al-sharīʾah*. Without denying that *zakāt* has been "recognised as a significant contributor to socio-economic stability, its efficiency in the modern context is frequently limited by administration,

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[1] Malin Jafri Abdullah, Amin Ismail, and Muhamad Saiful Bahri Yusoff. "Healthy ageing in Malaysia by 2030: Needs, challenges and future directions". *The Malaysian Journal of Medical Sciences: MJMS* 31, no. 4 (2024), pp. 2-3

[2] Selvaratnam, Doris Padmini, Nor Aini Haji Idris, and Norlaila Abu Bakar, "Warga Emas di Malaysia" p. 163.

[3] Zakaria, "The Influence of Human Needs in the Perspective of *Maqāṣid* al- Syari'ah on *Zakāt* Distribution Effectiveness" 2014; Hasiah Mat Salleh et al., "Muslim Elderly Care based on Maqasid Shariah" (2022).

[4] Hasballah Thaib "Qur'anic Perspectives on Caring for The Elderly", MIQOT: Jurnal Ilmu-ilmu Keislaman, (Indonesia: State Islamic University of North Sumatra), Vol. 45, August 2021, pp.1-26; Ju and Jones Ageing in Asean: its Socio-Economic Consequences, p. 103; Bowling, Ageing well (2005), p. 273.

[5] See, John Doling, Catherine Jones Finer, and Tony Maltby, Ageing Matters, edited by John Doling, (United Kingdom: Ashgate Publishing Company, 2018), p. 200; Tsung-hsi Fu, and Ridhian Hughes, "Ageing in East Asia", p. 247

distribution, allocation, and management challenges".[6] As a result, Malaysian *zakāt*'s full potential seems less optimally harnessed, as it has not been fully utilised to meet obligations to those who seem more entitled to its benefits,[7] such as the elderly, due to financial hardships arising from demographic shifts.

Therefore, this study examines and analyses the potential of *zakāt* in assisting elderly citizens in Malaysia; to propose a potentially viable alternative, this chapter explores the Islamic juristic justifications aligned with *maqāṣid al-sharīʾah* to discuss the potential of utilising *zakāt* to address the growing vulnerability of impoverished elderly individuals in Malaysia. It attempts to examine relevant Islamic legal principles rooted in *maqāṣid al-sharīʾah* and scholarly opinions to consider the implicit permissibility and appropriate modalities of using *zakāt* funds as potential support for the people in this age bracket. Hence, it considers the fundamental objectives of *zakāt* and its distributive framework to establish a strong basis for arguing that *zakāt* could be validly utilised as a legitimate source of funds to assist vulnerable Malaysian elderly populations, even when they are not categorically mentioned in the Qur'an. With this, the study shall contribute to the ongoing discourse on the role of *zakāt* in contemporary Malaysian society, particularly in the context of the socio-economic welfare of its elderly.

To achieve this, the chapter first establishes the socio-economic vulnerability of the elderly in Malaysia, based on available studies and statistics, examining different aspects of challenges they face. Next, the chapter discusses the opportunities that lie in using *zakāt* as a promising and viable option to support aged citizens while also identifying a few key challenges that may be involved in this. Following this, it presents relevant juristic-ethical arguments that strongly appear to support the allocation of *zakāt* to fulfil the higher objectives of *sharīʾah* (*maqāṣid sharīʾah*) concerning vulnerable

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6 Ieman Sofiyya Adnan and Busari, Saheed Abdullahi (2025) *The potential of zakāt for senior citizens in Malaysia.* In: Contemporary issues in Islamic Law and social practices: gender roles, legal perspectives and family dynamics. Contemporary Fiqh Research Unit, KIRKHS, IIUM and Islamic Book Trust, Kuala Lumpur. p. 19; Muhammad Ikhlas Rosele, Abdul Muneem, Azizi Che Seman, Luqman Haji Abdullah, Noor Naemah Abdul Rahman, Mohd Edil Abd Sukor, and Abdul Karim Ali. "The Status Quo of *Zakāt* Management in Malaysia: Obstacles, Opportunities and Directions". *Labuan e-Journal of Muamalat and Society (LJMS)* 18, no. 1 (2024), pp.105 - 106

7 Desmy Riani, Meutia Meutia, and Muhamad Taqi. "Efficiency and Stability of *Zakāt* Institutions in Malaysia and Indonesia: DEA Window Analysis". TEM Journal 13, no. 1 (2024). pp. 303, 304, 307, 312; Ismail HJ Ahmad, and Masturah Ma'in. "The Efficiency of *Zakāt* Collection and Distribution: Evidence from Two Stage Analysis". Journal of Economic Cooperation & Development 35, no. 3 (2014). pp. 133 -134

Malaysia's aged populations. In conclusion, drawing upon insight from *maqāṣid sharīʾah* of *zakāt*, the chapter holds that the demographic reality of Malaysia seems to strongly suggest that there is a need to rethink the current distributive model of *zakāt* in the country; as there appears the need to imperatively incorporate the vulnerable elderly citizens as a top priority, even when they are not explicitly identified as part of the *aṣnāf*.

3.2 THE REALITY OF VULNERABILITY AMONG THE ELDERLY IN MALAYSIA

This highlights the rapidly increasing proportion of elderly individuals within the Malaysian population, indicating how demographic shifts affect the growing importance of addressing their socio-economic challenges.

3.2.1 Malaysia Ageing Population: A Demographic Trend Analysis

An ageing population is defined as a demographic situation in which 15 % of a country's total population consists of those who are 60 years old and above.[8] While the exponential growth of the elderly population (i.e., 60 years old and above) has become a global issue, particularly in high-income and middle-income countries,[9] Malaysia's demographic structure has shifted towards an ageing population. This is because the proportion of elderly individuals has increased from 4% in 2000 to 7.2% in 2022. Its demographic trend, like other ASEAN countries, has therefore shifted with the percentage of elderly people (aged 60 years and above) increasing over the past two decades,[10] even though this seems to indicate longer.[11] In addition, while the productive working-age population (which ranges between 20- years-old–59-years-old) increased from 49.9% in 2000 to 57.2% in 2022 the old-age dependency ratio of the number of elderly people (who are between ages 65 years old and above per 100 productive working-age population (i.e., 20-years-old–59-years-old) in Malaysia increased by 4.6% to reach 12.6 % in 2022 from 8.0% in 2000).[12] Projections further estimate that

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[8] Abdullah, Ismail, and Yusoff. "Healthy ageing in Malaysia by 2030. p. 2
[9] Ageing | United Nations https://www.un.org/en/global-issues/ageing. Accessed 2/15/2025
[10] ASEAN stats. ASEAN Statistical Brief [Internet]. Vol 3 (December 2023); 2023. Available at: https://www.aseanstats.org/publication/asb202312
[11] Abdullah, Ismail, and Yusoff. "Healthy ageing in Malaysia by 2030. p. 2
[12] Abdullah, Ismail, and Yusoff. "Healthy ageing in Malaysia by 2030. p 2

the old-age dependency ratio will reach approximately 22%, representing nearly double its current level.[13] This drastic demographic transition implies significant intensification of the social and financial challenges in the upcoming decades.

This demographic shift and direction show some benefits and growth, especially in the working population, and a high rate of life expectancy. However, it has inevitably presented many other implications, which constitute major socio-economic challenges facing the elderly population.[14] These include rising demand for healthcare services, increased financial insecurity, the need for more housing and improved living conditions, and growing social isolation among the elderly. In the long run, 15% of the Malaysian population, which is expected to be aged 60 years old and above by 2030, would be adversely affected by the agenda of Sustainable Development Goals that are just 5 years away, as projected for 2030. Therefore, in what follows, some of the ways these adverse effects manifest as major socio-economic challenges is considered.

3.2.2 The Socio-economic Challenges of the Ageing Population of Malaysia

3.2.2.1 Poverty Rates Among Senior Malaysian Citizens

One of the most challenging experiences for the elderly is poverty; this is "because of the changes in demographic patterns and the fact that elderly people have limited capacity and capability for prolonged employment".[15] Despite its successful attempt to achieve high-income status, the issue of poverty remains a major challenge to Malaysia,[16] especially among its elderly population.[17] While "the income of the elderly in Malaysia is very low as most of them have received no formal education or have only

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[13] Department of Statistics Malaysia (DOSM), *Current Population Estimates, Malaysia, 2023* (Putrajaya: DOSM, 2023).

[14] See, Jose Ramon G Albert, Arturo Martinez Jr, Aiko Kikkawa, Donghyun Park, Joseph Albert Nino Bulan, Iva Sebastian-Samaniego, Gemma Estrada, and Mar Andriel Umali. "An examination of Poverty among Elderly in Asia and the Pacific". *A background paper for the Asian Development Policy Report, Manila: Asian Development Bank* (2024).

[15] Saidatulakmal Mohd, Abdelhak Senadjki, and Norma Mansor. "Trend of Poverty among Elderly: Evidence from Household Income Surveys". *Journal of Poverty* 22 (2). 2016. p. 89.

[16] Saidatulakmal Mohd, Abdelhak Senadjki, and Norma Mansor. "POVERTY ISSUES AMONG ELDERLY IN MALAYSIA". p. 2

[17] Jariah Masud, Tengku Aizan Hamid, and Sharifah A. Haron. "Measuring poverty among elderly Malaysians". *Asian Journal for Poverty Studies (AJPS)* 1, no. 1 (2015). p. 73

obtained primary school education",[18] poverty is found to be an age-related issue.[19] Furthermore, the traditional family institutions, which partly serve as social mechanisms to take care of the elderly, have been negatively transformed to be ineffective in playing this significant role.[20]

This is because, without denying several other factors, available data from various sources seem to indicate clearly that elderly citizens are more susceptible to falling into the poverty bracket when there is/are no willing and responsible adult child(ren) to take care of them.[21] The statistical evidence affirms this vulnerability, which is supported by data from the Department of Statistics Malaysia (DOSM, 2023), which reported that approximately 12.3% of the population aged 60 years and above currently fall below the poverty line.[22] This percentage highlights significant deficiencies in current social safety frameworks, leaving a major portion of the elderly without substantial support. Concurrent with rural-urban locations, race and gender appear to mark some disparity and imbalance, unfolding and aggregating to the other factors, including limited social security, limited job prospects, mandatory retirement, a lack of savings, declining social support, a high cost of living, inflation, economic instability, and medical economic burden.[23]

Overall, the reality is that while many factors may contribute to the poverty challenges, ageing is one of the most significant. Therefore, vulnerable elderly Malaysian citizens appear to need more special alternative support.

3.2.2.2 The Challenges of Poor Access to Healthcare for Malaysian Elderly

Closely connected to the poverty challenge facing the elderly is the inaccessibility to affordable and quality healthcare, and this includes affordability of medication, long

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[18] Masud, Jariah, and Sharifah A. Haron. "Income differences among elderly in Malaysia: A regional comparison". *International Journal of Consumer Studies* 32, no. 4 (2008): 335-340. P. 335

[19] Zumilah Zainalaludin, Norehan Saidi, Hui Foh Foong, and Siti Farra Zillah Abdullah. "Relationship between Poverty Levels and Age Categories among Male and Female Consumers in Malaysia". *Jurnal Pengguna Malaysia* 37 (2021): 90-110. P. 90

[20] Adnan and Busari "The potential of *zakāt* for senior citizens in Malaysia" p. 5

[21] Kevin Caraher, "Issues in incomes provision for the elderly in Malaysia". In *The year 2000 international research conference on social security, Helsinki*, pp. 25-27. 2000. P. 4

[22] Department of Statistics Malaysia (DOSM), *Household Income & Basic Amenities Survey Report 2022* (Putrajaya: DOSM, 2023).

[23] Adnan and Busari "The potential of *zakāt* for senior citizens in Malaysia"p. 17.

waiting times, and the availability of geriatric specialists. This is due generally to the fact that the ageing population of Malaysians is generating new health challenges and social service gaps. This is because “the elderly people are less healthy than the young, hence an increase in the proportion of the aged group is associated with an increase in the prevalence of ill health”.[24]

Furthermore, “increasing age of the elderly, is associated with higher morbidity, higher use of health services (number of visits to doctors and hospitalisations), and greater demand for specialised services, including urinary incontinence, instability, falls, and acute confusional states.[25] All these factors are leading to an increase in the complexity of health services required and, consequently, an increase in expenditure or high payment for medical services.[26]

In sum, the foregoing conspicuously and clearly shows the immense health challenge that the elderly face, given the insufficient accessibility to health services, even with the current best practices. This appears to indicate the need to rethink how health services are provided to them in terms of facilities, accessibility, and, more importantly, “this would include being able to afford healthcare costs”.[27] which seems to be a crucial requirement for them, given their age.

3.2.2.3 Challenge of Social Support Systems

Malaysia has not only an ageing population but an increasing number of elderly people who live alone[28] with little or no social support system. This social support system refers to the support in terms of emotions, friends, mental health, care, and management for the elderly, including family support, government programs, and NGO initiatives. This “contributes to the well-being of older adults by addressing the neglect and loneliness they may face, enabling them to maintain active and fulfilling lives. It is to promote

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[24] Mohamed Mafauzy “The problems and challenges of the ageing population of Malaysia”. *The Malaysian journal of medical sciences: MJMS* 7, no. 1 (2000. p. 1

[25] Mafauzy “The problems and challenges of the ageing population of Malaysia”. p. 1

[26] H. A. Karim. “The elderly in Malaysia: demographic trends”. *Medical Journal of Malaysia* 52 (1997): 206-212. P. 211

[27] Mohammad Abu Taher,. “Ensuring the well-being of the elderly: revisiting the role and adequacy of social protection schemes in Malaysia and the Philippines”. (2018). p. 200

[28] Natalie Evans, Pascale Allotey, Joanna D. Imelda, Daniel D. Redpath, and Robert Pool. “Social Support and Care Arrangements of Older People Living Alone in Rural Malaysia”. *Ageing and Society* 38, no. 10 (2018), p. 2061

"active ageing by fostering social connections, enhancing mental and emotional health, and empowering older individuals to participate fully in society".[29] Since children's migration and transformed family structure have created growing independent living in old age, there may be a need to have policies, plans, and resources directed at older people as individuals to support the effort for active living and ageing.[30]

3.2.2.4 Financial Insecurity Challenges

This is closely related to the poverty challenge succinctly discussed above, and in the context of elderly citizens, it implies minimal financial resources, which results in an increasing proportion of seniors struggling with deprivation[31] and access to what they need to live comfortably. "One of the main challenges faced by the elderly in Malaysia is the inadequacy of their savings upon retirement".[32] Hence, their reliance on pensions and family support. While limited savings may be a general issue with Malaysians (especially the 40% with a very low average household income),[33] it makes the elderly more susceptible to financial insecurity. This is because, like the earlier identified socio-economic challenges, the ageing of Malaysian elderly citizens is a major factor that is partly responsible for their financial security. Added to this are inflation and rising living costs, which also impact their financial well-being.

Furthermore, and most importantly, with the proportion of elderly people in poverty being higher than the working-age population, there is a strong indication that more people will fall into poverty as soon as they leave or retire from the workforce.[34] While there appear to be various socio-economic protection schemes in Malaysia, "the coverage remains restricted to a small proportion of the elderly".[35] Overall, it therefore

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[29] Abdul Aziz Marzuki, Nik Norliati Fitri Md Nor, Siti Masayu Rosliah Abdul Rashid, and Suriati Ghazali. "Social support by communities for older adults in Malaysia". *Nurture* 17, no. 3 (2023): p. 272

[30] EVANS, et. al. "Social Support and Care Arrangements of Older People Living Alone in Rural Malaysia". p. 2061

[31] Yugeetha Alphonce, Alphonce Sinnappan, Yashini Sinitharan, Dhivashini Kethiravan, Kavitha Karunanithy, Anbarasi Gunentharan, Mohd Roslan Rosnon, Muhammad Afiq Abdul, Puvaneswaran Kunasekaran Razak, and Rahimah Ibrahim. "Financial Insecurity in Ageing Population". 2024. P. 1657

[32] Abu Taher. "Ensuring the well-being of the elderly" (2018) p. 200

[33] Ibid.

[34] Abu Taher "Ensuring the well-being of the elderly: pp. 175-176

[35] Ibid., 200

becomes imperative “to prepare them for a sustainable quality of life” by ensuring they have reasonable financial security through a more economically inclusive alternative.

3.2.2.5 The Challenges of Housing and Living Conditions for the Elderly Malaysians

The housing and living conditions of elderly individuals in Malaysia constitute another socio-economic attention challenge facing the ageing population,[36] including accessibility, safety, and affordability.[37] “Housing plays an important role in people’s wellbeing, contributing to the physical and psychological health, safety and security outcomes, and love and belongingness needs.”[38] However, the provision of sustainable housing standards that are both adequate and liveable and affordable for the vulnerable elderly population seems to constitute a major challenge.

Without denying the establishment of various housing schemes by the Malaysian government, such as Low-Cost Housing, access to financing has been a cog in the wheel, impeding home ownership among the elderly,[39] even with the formation of the Low-Cost Housing Revolving Fund (LCHRF).[40] There are also several policies from the Ministry of Women, Family, and Community Development through the Department of Social Welfare (DSW) on how housing plans should consider the safety needs of elderly individuals and related issues in conjunction with the Secretariat for the National Advisory and Consultative Council for Older Persons. However, Malaysia has not been able to adequately provide good homes for the elderly as compared to other countries, such as Singapore, because there has not been a good implementation.[41]

While many prefer to co-reside with their adult children, the transformed family structure and high urban movement have seriously exacerbated the poor housing

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[36] Murni Nooraisyilah. “Assessment and comparison of the housing needs and aspirations of urban and rural elderly in Malaysia/Nooraisyilah Murni”. PhD diss., University of Malaya, 2017. p. iii – iv.

[37] Noralfishah Sulaiman, David Baldry, and Les Ruddock. “Issues concerning housing for the elderly in Malaysia”. In *6th International Postgraduate Research Conference*, pp. 125-137. 2006. p.

[38] Shadiya Mohamed Saleh Baqutayan, Aini Suzana Binti Ariffin, and Fauziah Raji. “Describing the need for affordable, livable, sustainable housing based on Maslow’s theory of need”. *Development* (2015). p. 353

[39] Nooraisyilah. “Assessment and comparison of the housing needs” p. 60

[40] See, Yusnani, M. Y. (2006). Accommodating the Malaysian elderly: the cultural recursors. Ageing International, 31(3), 185-202; Abdul Rahman Embong, Jacob Meerman and Joan M. Nelson (eds). *Poverty Eradication, Development and Policy Space in Malaysia. Globalization and Autonomy: The Experience of Malaysia* (2008).

[41] Nooraisyilah, “Assessment and comparison of the housing” pp. 60-61

conditions and the challenging living plight of vulnerable elderly. All of these put together seem to indicate that the elderly need more socio-economic assistance that would address their living conditions, especially the highly vulnerable, who seem to lack viable financial support.

In sum, the foregoing presents compelling evidence, based on the reviewed sources, showing the urgency of addressing the various socio-economic needs of vulnerable Malaysian elderly. As discussed in the subsequent sections and chapters, the *zakāt* fund, constituting one of the viable financial sources in the country,[42] is one of the potential avenues to intervene in this matter. This is even more particularly important as the majority of the teaming population is Muslim, and this appears to justify the exploration of *zakāt* as a potential source of support.

3.3 OPPORTUNITIES AND CHALLENGES IN *ZAKĀT* ALLOCATION FOR THE ELDERLY IN MALAYSIA

While it seems to have a robust distributive structure, Malaysia's *zakāt* cannot ignore the evolving demographic realities of the country that strongly indicate the need to pay attention to the socio-economic needs of its ageing population. The continuously increasing number of vulnerable elderly individuals presents both opportunities and challenges for rethinking the present *zakāt* allocation arrangement; it highlights the need to reconsider current distribution models, particularly through the lens of *maqāṣid al-sharīʾah* (the objectives of Islamic law). This part of the study, therefore, seeks to explore some of these opportunities and challenges that may be involved in establishing the permissibility and the need to rethink *zakāt* distribution. The intention is to lay the basis for the subsequent discussion to explore the juristic justification of proposing that the vulnerable elderly be included as primary recipients of the allocation of *zakāt* funds in Malaysia.

[42] Rosele, et. al. "The Status Quo of *Zakāt* Management in Malaysia" (2024)

3.3.1 Opportunities of Including the Elderly in the *Zakāt* Allocation

The rapid shift in Malaysia's demographic toward an ageing population necessitates attention to the socio-economic welfare of the elderly.[43] This presents an opportunity to efficiently use *zakāt* to address an emerging concern of society, such as vulnerable elders' poor financial security, retirement, limited social support systems, and rising healthcare costs, among others. This involves making *zakāt* available as viable funds to expand the pool of resources needed to cater to the growing financial hardship facing this category of the population.[44] With this, *zakāt* becomes a potent tool for wealth redistribution (Q59:7), thereby playing a crucial role in alleviating the financial burdens of vulnerable people, whom, as an oversight, we easily but wrongly assume their adult child(ren) will take good care of them.[45]

However, the existing distribution data presents a disparity in the allocation, which can be determined from the report of the *zakāt* institutions. For instance, in 2023, the Federal Territory Islamic Religious Council (MAIWP) reported that the total of *zakāt* disbursement is more than RM880 millions, and only approximately RM10 millions of it was channelled for the elderly care programs.[46] This vast disparity highlights the need for a more dedicated and proportional allocation framework.

Apart from addressing the growing socio-economic realities of the needs of a vulnerable group in society, considering the challenges of imminent old-age-related poverty facing the Malaysian elderly[47] as important issues to be partly resolved through *zakāt*[48] seems to foster intergenerational solidarity, therefore demonstrating societal commitment to their well-being. Presenting an opportunity for more productive use of *zakāt*, this seems to align perfectly with Islamic ethics of honouring the elderly. Using

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43 Tengku Aizan Tengku Abdul Hamid "Population ageing in Malaysia: a mosaic of Issues, challenges and prospects". (2015) 1-2

44 Teh Lian Tai and Noraina Mazuin Sapuan. "Retirement planning in Malaysia: issues and challenges to achieve sustainable lifestyle". *Turkish Online Journal of Design Art and Communication* 8, no. SEPT (2018): 1222-1229.

45 Adnan and Busari "The potential of *zakāt* for senior citizens in Malaysia".p. 4

46 Majlis Agama Islam Wilayah Persekutuan (MAIWP), *Laporan Agihan Zakāt 2023* (Kuala Lumpur: MAIWP, 2024); see also "MAIWP Biaya Lebih RM10 Juta Setahun Bantu Warga Emas", *Kosmo!,* Nobember 21, 2023.

47 Khazanah Research Institute. 2021. Building Resilience: Towards Inclusive Social Protection in Malaysia. Kuala Lumpur: Khazanah Research Institute. p. 98-99

48 Muhammad Faris Zulkifli, Roshaiza Taha, Mohd Nazli MOHD NOR, and Azwadi Ali. "Combating poverty in Malaysia: The role of *zakāt*". *The Journal of Asian Finance, Economics and Business* 8, no. 5 (2021): 505-513.

zakāt to re-emphasise this tradition appears to revitalise the spirit of communal responsibility, thereby strengthening the social fabric.

More interestingly, exploring and proposing that the vulnerable elderly be specially recognised (in the Malaysian context) as prospective beneficiaries of *zakāt*, even if they are not specifically mentioned, offers a great opportunity to demonstrate the responsive nature of the Islamic principles to contemporary realities.[49] While studies, especially on *waqf*, *takaful*, etc., have been highlighting this, including *zakāt*, will further demonstrate how Islamic ruling (particularly its juristic aspects on social interactions) is inherently objective-based, and not fixated on mere rules/rulings.

To contextualise the distinct role of *zakāt* from other Islamic Social instruments such as *waqf* and *takaful* in addressing these social challenges, it is essential to distinguish their operational objective and functions. Therefore, Table 3.1 below presents the comparative analysis within these three instruments.

Table 3.1. Comparative Analysis of Islamic Financial Tools

Feature	*Zakāt* (Obligatory Alms)	Waqf (Endowment)	*Takāful* (Islamic Insurance)
Legal Basis	Obligatory *(Farḍ*) upon meeting the requirement of *niṣāb* and *ḥawl.*	Voluntarily *(Sadaqah Jāriyah).*	Voluntarily (with the contract of *Tabarru')*
Eligibility	Only eligible to a specific group of *aṣnāf.*	Eligible to the general public or specific beneficiaries appointed by the *wāqif.*	Only eligible to the contributors, and participants.
Time Horizon	Usually by immediate consumption or annual distribution.	Perpetually (*mu'abbad*); the usufruct is used while the assets remain intact.	Depends on the coverage period or event occurrence.
Example of Malaysian Institutional Bodies	MAIWP, Lembaga *Zakāt* Selangor (LZS)	Yayasan Waqaf Malaysia (YWM), State Religious Council (MAIN).	Takaful Ikhlas, Takaful Malaysia, PruBSN Takaful

[49] See, Rusni Hassan, Adnan Yusoff, Asral Widad Ahmad Asnawi, and Ieman Sofiyya Adnan. "in ensuring holistic senior citizens program development in Malaysia". *Journal of Islamic Finance* 9, no. 2 (2020): 79-88.

Analysis Comparison of Islamic Social Instruments to Address the Elderly Needs

From the established Table 3.1 of the comparison between the three instruments, it is outlined that each of the instruments is distinctly utilised in accommodating the unique needs of the elderly. The utilisation can be categorised into three different classifications of how each instrument best serves for this purpose. Firstly, *zakāt* is most suitable to be utilised as an immediate, critical, and urgent intervention, such as the emergency cash aids, food supplies, or as a substitute assistant for medical expenses for the eligible vulnerable elderly. Secondly, *Waqf*, as it is perpetual, is proper to be utilised by providing assistance for developing sustainable infrastructure, such as the elderly Care Homes (*Pusat Jagaan Warga Emas*), or by funding long-term geriatric clinics. Lastly, the instrument of *Takāful,* which is purposely utilised as a risk-management tool, is excellent as an instrument for health risk pooling for those who can afford early contribution, despite the less accessibility for the elderly with financial challenges.

In addition, including vulnerable elderly populations as part of *zakāt* recipients has the potential to reduce the dependency rate of the elderly, thereby offering means that seem more sustainable.[50] This will not only empower them but also reduce their reliance on family, who may also be struggling with their finances. That is, while it is very encouraging and appears honourable for adult children to take care of their aged parents,[51] some of them may not seem to live responsibly, and others may not have enough means to adequately provide all the necessary help required by the vulnerable elderly citizens.[52] Therefore, rethinking the *zakāt* structure in the Malaysian context because of its demographic shift towards the elderly may not only offer opportunities to provide sustainably[53] for the vulnerable ones among the elderly, but it will also serve

50 Zainulbahar Noor, and Francine Pickup. "The role of *Zakāt* in supporting the sustainable development goals". *UNDP Brief, United Nations Development Programme, New York* (2017). P. 7

51 Benaouda Bensaid, and Fadila Grine. "Old age and elderly care: An Islamic perspective". *Cultura* 11, no. 1 (2014): 141-163; Expert: Mandate kids to care for parents | New Straits Times https://www.nst.com.my/news/nation/2022/07/816766/expert-mandate-kids-care-parents#google_vignette

52 See, Rachel Yue, David Tan and Subash Jai Devaraj. Navigating the future of care for older persons in Malaysia by 2040: From community support to technological integration. *UNDP Malaysia Accelerator Lab 2024* https://www.undp.org/malaysia/blog/navigating-future-care-older-persons-malaysia-2040-community-support-technological-integration

53 See, Md Mahmudul Alam and Norazlina Abd Wahab, M. Ashraf Al Haq, and Siti Aznor Ahmad. "Sustainable development status of *zakāt* recipients: empirical investigation based on Malaysia's Kedah State". *Journal for Global Business Advancement* 14, no. 5 (2021): 612-639.

as timely relief to many families whose resources may not be enough to provide adequate socio-economic support for the aged.[54]

Following the above, the elderly will be provided a dignified source of income,[55] which allows them to have a good sense of independence and control over their lives. This is because they would not have to explain to every potential benefactor who wants to assist them to do things they want to do within the limit of their finances. Interestingly, this seems to align very perfectly with Islam’s emphasis on preserving human dignity and self-respect.

More broadly, rethinking the *zakāt* distributive model in the Malaysian context seems to offer an opportunity to promote financial inclusion and awareness. That is, the inclusion of elderly in *zakāt* distribution may be coupled with financial literacy programs that are intentionally directed to their individual needs. This has the potential to expose them to managing their finances[56] as one of the challenging issues in today’s complex financial landscape. This may include providing them with access to financial education and guidance[57] to help them make informed decisions about how to use their *zakāt* funds and other resources; protecting them from financial scams and exploitation, which are unfortunately common among the elderly; and contributing to their financial security while also empowering them.

The above are a few of the several opportunities that are invaluably embedded in rethinking Malaysian *zakāt* models to consider the elderly citizen; however, these are not without potential challenges that may need to be considered. Some of these are discussed in the following.

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54 See, Sitti Nadhirah, Riding the silver wave – economic impact of an older populace 2024 https://www.kwap.gov.my/media-centre/riding-the-silver-wave-economic-impact-of-an-older-populace-2/

55 UNFPA, H. “Ageing in the twenty-first century: a celebration and a challenge. London: United Nations Population Fund”. (2012). p. 4

56 See, Raudha Md Ramli, Sanep Ahmad, Hairunnizam Wahid, and Farra Munna Harun. “Understanding aṣnaf attitude: Malaysia’s experience in quest for an effective *zakāt* distribution programme”. In International *Zakāt* Conference: Sustainable *Zakāt* Development in the Poverty Alleviation and Improvement of Welfare of the Ummah. 2011.

57 bin Wan Yusoff, Wan Sulaiman. “Modern approach of *zakāt* as an economic and social instrument for poverty alleviation and stability of ummah”. *Jurnal Ekonomi & Studi Pembangunan* 9, no. 1 (2008): 105-118. p. 105

3.3.2 Challenges in Including the Elderly in the *Zakāt* Allocation

One of the most possible challenges that may need to be considered is how to define the eligibility and needs of the vulnerable elderly. That is, since it will not be reasonable to enlist/onboard all the Malaysian elderly individuals for *zakāt* funds, determining who qualifies is an issue that needs to be addressed. This is because the criteria to establish "vulnerable" elderly[58] who genuinely need *zakāt* assistance may be complex. It would require careful consideration of several factors apart from age that seem general and broad.[59] These may include existing support systems, income/pension, health status, and living arrangements, among others. Developing clear objective criteria for eligibility is, therefore, crucial to ensure not only fairness and equity but also to prevent abuse of the system in achieving the good intent of the initial program.

A thorough needs assessment process may be essential in this case to ensure that *zakāt* funds are effectively distributed and used, assessing the specific needs of individual elderly. This may be very challenging, as some might require, for instance, financial assistance for daily expenses, assistive devices, etc., while some only need help with healthcare costs, housing challenges, etc.[60]

With this, data collection and management are needed for effective *zakāt* distribution to ensure accurate and up-to-date data on the elderly population. Without a doubt, collecting this data may be challenging, particularly in reaching vulnerable elderly who may be isolated or lack access to technology, and in the continuous management and tracking process. Closely related issues with this are data privacy and security, which are also important considerations. *Zakāt* institutions would therefore need to make improvements in activities and structures to establish robust systems in managing the challenges related to data collection, storage, and analysis,[61] ensuring

[58] Mohamad Ezri b Abdul Wahab. One Story is Far Too Many — Law Reforms for Senior Citizen Rights. 2024. https://www.malaysianbar.org.my/article/about-us/president-s-corner/pressstatements/press-release-one-story-is-far-too-many-law-reforms-for-senior-citizen-rights

[59] How to Apply for Senior Citizen Allowance in Malaysia. https://rumahkebajikanserícahaya.com/how-to-apply-for-senior-citizen-allowance-in-malaysia/ Accessed 20/02/2025

[60] See, Raudha Md Ramli, Sanep Ahmad, Hairunnizam Wahid, and Farra Munna Harun. "Understanding aṣnaf attitude: Malaysia's experience in quest for an effective *zakāt* distribution programme". In International *Zakāt* Conference: Sustainable *Zakāt* Development in the Poverty Alleviation and Improvement of Welfare of the Ummah. 2011.

[61] Noor Lees Ismail, Z. Ismail, O. Musa, and C. K. Loy. "Malaysia *Zakāt* Smart Contract Architectural Framework Design". *International Journal of Academic Research in Business and Social Sciences* 13, no. 5 (2023). p. 2654

compliance with relevant regulations on data protection and privacy issues, as long as the prospective beneficiaries are concerned.

Beyond the above, providing long-term support for the elderly through *zakāt* would require a sustainable and innovative funding plan. This is because, as the population ages, there will be a growing demand for *zakāt* assistance. *Zakāt* institutions, therefore, need to explore various productive and innovative means to increase *zakāt* collection, ensuring long-term and sustainable financial programs. This challenge involves not only raising awareness about the importance of *zakāt* and expanding the base of *zakāt* payers but also developing transparent *zakāt* management systems with optimal competency.[62]

Considering that *zakāt* assistance is not to replace or substitute for existing governmental social welfare programs for seniors, effective collaborative coordination with various schemes or different actors is essential to avoid duplication of efforts.[63] That is, the challenge of having a good communication channel and productive collaboration to effectively address the needs of elderly, which often requires a multifaceted approach involving various stakeholders, needs to be considered in particular. This is to ensure efficient use of resources and also to ensure that deserving seniors receive comprehensive support.[64]

Overall, while some tenable challenges may ensue in the attempt to include vulnerable Malaysian citizens as *zakāt* recipients, the inherent opportunity to consider this is enormous. That is, the above strongly suggests that the realities of the Malaysian population shift may necessitate the need to overhaul its socio-economic policies from all dimensions. With the Malaysian *zakāt* generally doing well in terms of collecting and raising funds,[65] the distributive model needs to be reconsidered as a viable means that is to be deliberately rethought to explicitly include the vulnerable elderly, who face

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62 Shamsher Mohamad, and Zulkarnain Muhamad Sori. "Governance Issues in Managing *Zakāt* Funds: The Experience of Selected *Zakāt* Management Institutions in Malaysia". *I-iECONS e-proceedings* (2023): 960-965.

63 Zulkifli, et. al. "Combating poverty in Malaysia" p. 506

64 Johari, Mohamad Noor Sahidi Bin. "Impact Assessment for *Zakāt* Distribution: The Importance of its Implementation in *Zakāt* Authority in Malaysia". *AZKA International Journal of Zakāt & Social Finance* (2023): 145-160. p. 154

65 Rosele, et. al. "The Status Quo of *Zakāt* Management in Malaysia (2024); Riani, Meutia, and Taqi. "Efficiency and Stability of *Zakāt* Institutions in Malaysia and Indonesia (2024); Ahmad and Ma'in. "The Efficiency of *Zakāt* Collection and Distribution"

challenges identified above. Given this, the juristic basis that may validly serve as justification for prioritising the elderly as beneficiaries of *zakāt* is explored next.

3.4 THE UTILISATION OF *ZAKĀT* AS SOCIO-ECONOMIC ASSISTANCE FOR THE ELDERLY: JURISTIC ARGUMENTS AND *MAQĀṢID* ANALYSIS

While *zakāt* is a major act of worship, representing one of the fundamental pillars of Islam, and fulfilling several spiritual purposes, its primary socio-economic objectives include alleviating poverty,[66] providing financial assistance, promoting socio-economic support, and facilitating financial inclusion,[67] among others.[68] Unlike other acts of worship (*ibādah),* such as *salat*, *sawm,* and *hajj*, which require strict compliance with their rules in worship, this may partly explain the flexibility and amenability frequently found in its rulings, which are often based on certain economic realities and social contexts.[69]

Although a few studies have identified *waqf*, *takaful,* and allocating *zakāt*[70] as support for the Malaysian elderly, there are no specific attempts to consider *Maqāṣid* as the basis of the justification, particularly focusing on *zakāt* as socio-economic support. Hence, this part of the study explores the juristic arguments and *fatwas* on utilising *zakāt* funds to address Malaysia's rapidly ageing population, which consists of financially vulnerable elderly. It draws on the principles of *Maqāṣid* (the objectives of Islamic law) to discuss this.

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66 Farah Aida Ahmad, Nadzri, Rashidah AbdRahman, and Normah Omar. "*Zakāt* and poverty alleviation: Roles of *zakāt* institutions in Malaysia". International Journal of Arts and Commerce 1, no. 7 (2012): 61-72.

67 Norazlina Abd Wahab, Md Mahmudul Alam, Ashraf Al Haq, Suraiya Hashim, and Zairy Zainol. "Towards empowering *zakāt* recipients: an assessment on effectiveness of *zakāt* institutions from the *zakāt* recipients 'perspective". *Journal of critical reviews* 7, no. 8 (2020): 1586-1597.

68 Zulkifli, et. al. "Combating poverty in Malaysia"

69 Mohammad Hashim Kamali. "'Maqāṣid Al-Sharī'ah': The Objectives of Islamic Law". *Islamic Studies* 38, no. 2 (1999): 193–208. p. 204

70 See, Hassan, et. al. Takaful, *Zakāt* and Waqf Instruments in Ensuring Holistic Senior Citizens 79–88.

3.4.1 Juristic Arguments for *Zakāt* Allocation to the Elderly

3.4.1.1 Qur'anic Basis

The Qur'anic text identified eight (8) different categories of people/areas to which *zakāt* funds could allocated in Sūrah At-Tawbah (9:60). These include (a) the poor, (b) the needy, (c) those employed to work on *zakāt* management, (d) those whose hearts are to be reconciled, (e) those under captivity and needing finance to gain freedom, (f) those who could pay their debts, (g) for those on the cause of Allah and (h) the wayfarers needing financial support to get back to their ways.

While the "elderly" are not explicitly mentioned among the identified categories, the elderly who are facing financial hardships are inherently included in the categories of *fuqarāʾ* (poor) and *masākīn* (needy).[71] These included the elderly individuals, who are facing various challenges such as low income, poor financial security, healthcare costs challenges, housing problems, and lack of other socio-economic support, etc., due to their age. In other words, the verse appears to implicitly indicate an instructive general principle, highlighting the necessity of rendering support to the vulnerable members of the community. This seems to logically extend to elderly individuals who have socio-economic support that may be addressed through special consideration in *zakāt* allocation. Furthermore, it appears that the verse emphasises this as an obligation from Allah, indicating the importance of fulfilling the needs of these categories.

Although the Qur'an emphatically exhorts that children are responsible for their aged parents, the realities of contemporary life have shown how challenging it has become to fulfil this responsibility for various reasons. First, the differing economic capacities of children seem to hinder their ability to sustain elderly care. Second, the growing 'nuclearization' of family structure, demonstrated by increased spatial distance and a shift from extended to more individualised living arrangements, has further

[71] Classical jurists distinguish between the two: *Fuqarāʾ* (the poor) are defined as those who lack property or income entirely, or whose income is less than half of their sufficiency (*kifāyah*). *Masākīn* (the needy) are those who possess some property or income that covers half or more of their needs but does not reach full sufficiency. In the context of this study, both groups are referred to as the vulnerable elderly who are incapable of sustaining a dignified livelihood without aids. See: Al-Nawawī, *Al-Majmūʿ Sharḥ al-Muhadhdhab* (Jeddah: Maktabat al-Irshād, n.d.), vol. 6, 191; Al-Shirbīnī, *Mughnī al-Muḥtāj* (Beirut: Dār al-Kutub al-ʿIlmiyyah, 1994), vol. 4, 173.

complicated the former traditional caregiving structure. Consequently, it becomes overly burdensome for the children to bear this responsibility without adequate support.

Neglecting these facts would amount to deliberately subjecting the elderly individuals to other challenges they cannot address, which, alternatively, contradicts the *maqāṣid al-Sharī'ah* of the preservation of life (*ḥifẓ al-nafs*) and dignity (*ḥifẓ al-'ird*). Recognising these challenges does not imply encouraging filial neglect but rather reflects a pragmatic understanding of contemporary socio-economic conditions. In this light, the existing *zakāt* provisions mentioned in the Qur'an should be re-examined and contextualised to extend *zakāt* as a legitimate mechanism in upholding the welfare of the elderly, aligning with the higher objectives of the *Sharī'ah*.

Furthermore, while the verse on filial piety towards parents primarily emphasises the importance of honouring, respecting, and caring, especially when they are old (Q17:23), it also establishes a broader, general ethical framework that reminds society of its collective responsibility to be merciful and compassionate (Q17:24) towards them. In the Malaysian context, this principle can be demonstrated through *zakāt* distribution by recognising and supporting the elderly as a vulnerable group deserving of priority assistance.

3.4.1.2 Prophetic Traditions (Ḥadīth):

Similarly, to the above, several Ḥadīth emphasise respecting and caring for the elderly, for instance,

حَدَّثَنَا أَحْمَدُ بْنُ عِيسَى، قَالَ: حَدَّثَنَا عَبْدُ اللهِ بْنُ وَهْبٍ، عَنْ أَبِي صَخْرٍ، عَنِ ابْنِ قُسَيْطٍ، عَنْ أَبِي هُرَيْرَةَ، عَنِ النَّبِيِّ صلى الله عليه وسلم قَالَ: مَنْ لَمْ يَرْحَمْ صَغِيرَنَا، وَيَعْرِفْ حَقَّ كَبِيرِنَا، فَلَيْسَ مِنَّا".

> Abu Hurayra reported that the Prophet, may Allah bless him and grant him peace, said, "Anyone who does not show mercy to our children nor acknowledge the right of our old people is not one of us. (Al-Adab Al-Mufrad 353/ Book 18, Ḥadīth 1)

The above Ḥadīth indicates the importance of recognising the rights of elders, including providing for their needs, particularly when they are vulnerable. It also establishes a strong ethical basis for prioritising them within the community to care for their socio-economic needs, which can be seamlessly addressed through allocating *zakāt* funds for them.

Overall, while there is no explicit textual evidence in the Qur'an or Ḥadīth that particularly authorises priority for the poor and needy elderly people, giving special attention to them in Malaysia's *zakāt* allocation based on the Qur'anic and Ḥadīth general principle will serve not only Islam's intent to take care of the needy but also extend to the vulnerable ageing population. Simultaneously, able to demonstrate the relevance of Islamic principles in addressing the contemporary social challenges related to an ageing population, particularly towards the vulnerable. Most importantly, reconsidering *zakāt*'s distributive model in this manner does not contradict and is consistent with the provisions of Islamic law.[72]

Central to the foregoing interpretation is the application of *maqāṣid al-sharīʾah*. Hence, in what follows, a relatively elaborate discussion is attempted on how allocating *zakāt* to vulnerable elderly individuals aligns with the five (5) essential objectives of *sharīʾah* involving preserving religion (*al-Dīn*), life *(al-Nafs*), wealth (*al-Māl*), family (*al-Nasl*), and intellect (*al-ʿAql*), by ensuring socio-economic well-being.

3.4.1.3 Contemporary Fatwas and Institutional Precedents

Besides the two primary sources of Qur'an and Hadith, the contemporary consensus also corresponds to the inclusion of the elderly in financial hardships under the categories of *fuqarāʾ* and *masākīn.* Among the consensus that have been made regarding the matter, such as the Islamic Fiqh Academy (IIFA), which has affirmed that the elderly individuals with financial hardships qualify to receive *zakāt* support.[73] Correspondingly, Egypt's Dār al-Iftā'and the Saudi Fatwa Council have issued a

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[72] Fahlefi, Rizal, and Alimin Alimin. "*Zakāt* for the Elderly: A Survey of Mustahiks and An Islamic Law Perspective". *Madania: Jurnal Kajian Keislaman* 24, no. 2 (2020), pp. 179, 186: 179-190.

[73] Majma ʻal-Fiqh al-Islāmī al-Duwalī, *Qarārāt wa Tawṣiyāt Majma ʻal-Fiqh al-Islāmī* (Jeddah: Organisation of Islamic Cooperation, 2000), Resolution No. 165 (3/18).

resolution that permits the utilisation of *zakāt* towards the social support and healthcare programs dedicated solely for the elderly.[74]

In addition to that, Malaysia's Department of *Wakaf*, *Zakāt* and *Haji* (JAWHAR) also specifically identifies the vulnerable elderly as one of the groups within the scope of *aṣnāf,* based on the principle of *Kifāyah* (sufficiency).[75] Another contemporary consensus made by state-level bodies, such as the Lembaga *Zakāt* Selangor (LZS), which has already operationalised it by establishing the elderly care centres (*Bait al-Mawaddah*), illustrates an acknowledged utilisation of *zakāt* funds for a specific group, which in this case is the needy elderly.[76]

Apart from that, prominent scholars such as Sheikh Yusuf al-Qardawi also promote a better and more effective approach to managing the *zakāt* distribution. He argues that 'age' itself is not a hindrance for an individual to be classified as an eligible *asnāf*, if they fulfil the criteria as one of the eight *aṣnāf.*[77]

3.4.2 The *Maqāṣid al-Sharīʾah* Framework on Utilising *Zakāt* Allocation to Support the Elderly

Maqāṣid al-sharīʾah entail overarching objectives of Islamic law[78] aiming not only at protecting but also at promoting and facilitating the well-being of individuals and society.[79] These objectives, which are rooted in the Qur'an and prophetic traditions,[80] provide a framework for interpreting and applying Islamic dictates in diverse contexts[81] without negating the fundamental principles of Islam.[82] *Maqāṣid*, therefore, provides a

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[74] Dār al-Iftā' al-Miṣriyyah, *Fatāwā Dār al-Iftā'* (Cairo: Dār al-Iftā', 2010), vol. 22, 105; Al-Lajnah al-Dā'imah lil-Buḥūth al-'Ilmiyyah wa al-Iftā', *Fatāwā al-Lajnah al-Dā'imah* (Riyadh: Dār al-Mu'ayyad, 2003), vol. 9, 345.

[75] Jabatan Wakaf, *Zakāt* dan Haji (JAWHAR), *Manual Pengurusan Agihan Zakāt* (Putrajaya: Jabatan Wakaf, *Zakāt* dan Haji, Prime Minister's Department, 2013), 15.

[76] Lembaga *Zakāt* Selangor, *Laporan Tahunan Lembaga Zakāt Selangor 2022* (Shah Alam: Lembaga *Zakāt* Selangor, 2023), 45.

[77] Yūsuf al-Qaraḍāwī, *Fiqh al-Zakāh* (Beirut: Mu'assasat al-Risālah, 1973), vol. 2, 535.

[78] Jasser Auda. *Maqāṣid* al-shariah: A beginner's guide. Vol. 14. International Institute of Islamic Thought (IIIT), 2008.

[79] Ibn 'Ashur, M. A. T. *Maqāṣid* al-*Shari'ah* al-Islamiyyah, ed., al-Misawi, Muhammad al-Tahir, al-Basa'ir, Kuala Lumpur. (2006).

[80] KAMALI. "'MAQĀṢID AL-SHARĪ'AH". p. 193

[81] Imam Al-Shatibi. *Al-Muwafaqat* (2004).

[82] Marina Abu Bakar and Ahmad Khilmy Abdul Rahim. "*Maqāṣid* Al-Shariah Theory: A Comparative Analysis Between the Thoughts of Al-Shatibi and 'Izz Al-Din Ibn 'Abd Al-Salam". International Journal of Academic Research in Business and Social Sciences 11, no. 2 (2021): 180-193.

dynamic and amenable approach to Islamic jurisprudence[83] on various socio-economic matters, allowing it to address contemporary challenges and emerging societal issues.[84]

Against this backdrop, the five core objectives of Islamic Law (*Maqāṣid al-Sharīʾah*), classified under essential need, are discussed concerning how they may be employed as a framework to inform how the *zakāt* distributive model might be reinterpreted to prioritise the elderly. It is intended to emphasise that, as a special population group, the rapidly growing elderly Malaysians should be given the utmost attention beyond merely being generally subsumed into categorically stated *Aṣnāf*, without a deliberate mechanism ensuring they constitute a major target group.

3.4.3 Implications of *Maqāṣid Sharīʾah* Values in the Allocation of *Zakāt* to Alleviate Socio-economic Realities of the Elderly

The five higher objectives of the *sharīʾah*, as identified by early scholars, include: the preservation of religion (*al-Dīn*), life (*al-Nafs*), wealth (*al-Māl*), family (*al-Nas*l), and intellect (*al-ʿAql*). These objectives form the ground of the discussion in this part of the study. Without disregard for the other objectives later articulated[85] by prominent Muslim scholars, these five essential elements are prioritised because any behaviour and activity that preserves them generally constitutes the highest form of *maṣlaḥah* (benefit), and any conduct that undermines them amounts to the highest form of *mafsadah* (harm).[86] As Jaseer Auda observes, "there is also a general agreement that the preservation of these five necessities is the 'objective behind any revealed law".[87]

83 Ahmad Al-Raysuni. Imam al-Shatibi's theory of the higher objectives and intents of Islamic law. International Institute of Islamic Thought (IIIT), 2005. p. xviii

84 Abdul-Malik Al-JuwaynĪ, *al-Burhan fĪ Usul al-Fiqh*, ed. Abdul-Azim al-Deeb, 4th ed. (Mansurah: al-Wafa', 1418 ah/1998 c.e.), vol. 2, pp. 621, 622,747; KAMALI. "'MAQĀṢID AL-SHARĪ'AH' p. 206

85 KAMALI. "'MAQĀṢID AL-SHARĪ'AH' p. 201; Moch Cholid Wardi, Abd A'la, and Sri Nurhayati. "Contextualisation of al-*Maqāṣid* al-kulliyat according to the objectives of the individual, family, society and humanity: an analysis on Jamaluddin Athiyah's perspectives". *Malaysian Journal of Syariah and Law* 11, no. 1 (2023): 109-121.

86 Mohd Harifadilah Rosidi, Ahmad Wifaq Bin Mokhtar, and M. N. A. Majid. "The Role of *Maqāṣid* al-*Sharī'ah* as a Fundamental Ethics in Social Media Use". International Journal of Academic Research in Business and Social Sciences 12, no. 4 (2022): p. 1287

87 Jasser Auda. *Maqāṣid Al-shariah as Philosophy of Islamic Law: A Systems Approach*. International Institute of Islamic Thought (IIIT), 2008. p. 5

3.4.3.1 Ḥifẓ al-Dīn (Preservation of Faith)

This objective encompasses protecting the right to freely practice religion, particularly Islam, without any challenges or hindrances. It also involves facilitating conditions that enable the fulfilment of religious obligations and safeguarding the faith of individual Muslims from influences or anything that may weaken their religious commitment, negatively distort their understanding of *al-Dīn*, or negatively affect their Islamic character and conduct.

In view of this, many elderly individuals face financial constraints due to inadequate income security that hinders their ability to fulfil certain religious obligations and duties. These may include performing *Hajj*, fasting, paying expiation (*kaffārah*) for missed fasts, or maintaining a modest standard of living consistent with Islamic principles. *Zakāt*, therefore, could provide the necessary financial support for them in practising their faith without undue hardship. It can also ensure that they have access to basic religious resources and community support, safeguarding their spiritual well-being.

3.4.3.2 Ḥifẓ al-Nafs (Preservation of Life)

This objective implies the protection of human life and well-being, in all its ramifications, including ensuring security from harm and access to necessities that can sustain a good life, which include adequate food, shelter, clothing, and healthcare. It emphasises the need to adopt necessary preventive measures to protect human lives, whether it is an individual or society, from physical, social, and environmental harms before they occur. More importantly, it entails facilitating all necessary conditions that allow for the nurturing and flourishing of human life to its fullest potential.[88] In summary, the preservation of life aims to ensure dignified survival through access to halal and pure food/drink, suitable clothing, and a habitable living place.

Based on this, elderly Malaysians who lack financial security are particularly more vulnerable to various health-related issues, often requiring specialised medication care and nutritious food. Correspondingly, *zakāt* funds can be used to support their

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[88] Ibn ʻAshur, M. A. T. *Maqāṣid* al-*Sharī'ah* al-Islamiyyah, ed., al-Misawi, Muhammad al-Tahir, al-Basa'ir, Kuala Lumpur. (2006). p. 120

healthcare needs, provide access to healthy meals, and ensure safe and comfortable housing and suitable clothing. In line with this objective, all of these are essential for preserving their lives and well-being.

3.4.3.3 Ḥifẓ al-'Aql (Protection of Intellect)

This objective refers to safeguarding the intellect and promoting knowledge; it includes facilitating intellectual capacity to support good rational disposition and ensure a sound mind in human persons. "The preservation of the intellect means the protection of people's minds from being affected by anything that puts them in disorder. This is because any disorder of the intellect leads to serious corruption consisting of improper and perverted human conduct".[89] Thus, any defect affecting the mind of an individual leads to partial corruption and evil, while any defect affecting the minds of large groups or the entire community results in total and devastating evil.

Cognitive decline and mental health issues are common among the elderly; therefore, *zakāt* could be utilised to support the intellectual and psychological well-being of elderly Malaysians. This may involve organising educational programs, funding community centres that provide mental stimulation and social interaction, or access to assistive technologies and resources that promote cognitive health.

3.4.3.4 Ḥifẓ al-Nasl/Nasab (Preservation of Progeny/Lineage)

This objective involves the importance of protecting the family, preserving procreation, and the continuation of the human race in the most dignified and organised manner. These are very vital concerns in Islam, seeking to ensure well-organised family units that productively thrive in society, and they take on "various dimensions depending on specific aspects of human life and society".[90] While some scholars are interested in making distinctions between preserving *nasab* (lineage) and preserving *nasl* (progeny),[91] others prefer to discuss all these under the umbrella of preserving all

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[89] ibid.

[90] Rosidi, Mokhtar, and Majid. "The Role of *Maqāṣid* al-*Sharī'ah* as a Fundamental Ethics in Social Media Use". p. 1290

[91] Wardi, Abd A'la, and Sri Nurhayati. "Contextualisation of al-*Maqāṣid* al-kulliyat" p. 116

family-related issues.[92] That is, it will include not only the preservation of affairs concerning children together with the parents.

This perspective is particularly relevant to the context of this study, which focuses on the elderly within the family structure. This study argues that *zakāt* can have a crucial impact in protecting families from disruptive intergenerational relationships that may ensue from financial hardship to which the elderly are/is susceptible. With this, vulnerable elderly individuals, who play vital roles in transmitting knowledge, values, and family heritage to younger generations, are protected and preserved. *Zakāt* may also help to maintain family ties by providing financial support to elderly individuals and their dependent families, enabling them to live together and maintain close contact. Overall, such support will not only preserve the integrity of the family but also foster intergenerational relations, which are fundamental to cohesive and resilient family units in society.

3.4.3.5 Ḥifẓ al-Mal (Protection of Wealth)

This objective refers to the productive management of both individual and communal wealth, which entails its preservation and effective circulation, ensuring economic justice and preventing its undue concentration in the hands of a few. That is, it means protecting society's wealth from destruction, illegal transfer, and misappropriation[93] while safeguarding the people's property and financial rights.[94],[95] It also entails a prohibition against economic injustice and the protection of resource wastage and unethical distribution of wealth.[96]

As discussed earlier, many Malaysian elderly experience a decline in income after retirement and therefore face financial insecurity. As a result, the objective of preserving wealth through its effective management and productive circulation

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92 Rosidi, Mokhtar, and Majid. "The Role of *Maqāṣid* al-*Sharī'ah* as a Fundamental Ethics in Social Media Use". p. 1290

93 Ibn 'Ashur, M. A. T. *Maqāṣid* al-*Sharī'ah* al-Islamiyyah, ed., al-Misawi, Muhammad al-Tahir, al-Basa'ir, Kuala Lumpur. (2006).

94 Al-Shatibi, *Al-Muwafaqat* (2004).

95 Al-Ghazali, M. M. Shifa' al-Ghalil fi Bayan al-Shabah wa-al--Mukhil wa-Masalik al-Ta'lil. Damascus: Dar Ninawa (2019).

96 Rosidi, Mokhtar, and Majid. "The Role of *Maqāṣid* al-*Sharī'ah* as a Fundamental Ethics in Social Media Use". p. 1291

becomes significantly relevant to this vulnerable group. *Zakāt*, therefore, provides a crucial safety net by preventing them from falling into poverty; by providing some level of financial security, enabling access to necessities that require monetary resources. This will not only benefit but also reduce their dependency on their families, thereby contributing to the overall economic stability of the society.

The foregoing discussion illustrates how each of the five objectives relates to the challenges faced by elderly and how *zakāt* can be a significant tool in addressing these challenges. It must, however, be noted that while these five objectives are interconnected, some of them offer a stronger basis than others in reinterpretations of the *Maqāṣid,* justifying the prioritisation of Malaysia's elderly in *zakāt* allocation. Nonetheless, they all emphasise the importance of rethinking *zakāt* from a *Maqāṣid*-based perspective, one that accords due prominence to the welfare of the elderly in *zakāt* distributions.

3.4.4 Scholarly Objections and *Maqāṣid*-Based Rebuttals

Supposing that the proposition of prioritising the vulnerable elderly aligns with the *Maqāṣid* framework, this proposal needs to be rigorously evaluated against established juristic objections. In pursuit of a comprehensive discussion, it is essential to address these three primary objections: the principle of exclusivity (*Ḥaṣr)* regarding *aṣnāf*, the risk of fund dilution, and the probability of moral hazard.

3.4.4.1 The Exclusivity (Ḥaṣr) Argument and the Validity of Inclusion

This primary objection pertains to the exclusivity (*Ḥaṣr*) principle, which limits and restricts the discussed proposal by implying that the eight categories of *aṣnāf* defined in the Qur'an in Sūrah At-Tawbah (9:60) are a divine injunction, which are fixed *(tawqīfī)* and closed. This view is supported and upheld by institutions such as the National Fatwa Council (Majlis Fatwa Kebangsaan), which warned against the unreasonable expansion of *aṣnāf* that contradicts the text. They argue that expanding the classification by adding a “ninth” group exclusively to accommodate the elderly can be considered as an act that constitutes impermissible alteration *(taḥrīf).*[97]

Rebuttal of the Argument

This argument of juristic objection is predicated on the basis that this study proposes to expand the categorisation by establishing a new, distinct category of *aṣnāf.* However, the inclusion of the elderly within the eight designated categories is not an addition of a “ninth” *aṣnāf* but rather is a contextual implementation of the designated categories of *fuqarāʾ* and *masākīn.* This implementation aligns with Ibn Ashur’s view, who stated that *sharīʾah* rulings are not confined to specific categories of legal rulings; instead, they are predicated on the underlying attributes (*waṣf)* and causes (*ʻillah*).[98] Based on this concept, supposed that in this context that the defining attribute for *masākīn* is financial incapability, then the vulnerable elderly are the main feature of this attribute. Additionally, Sheikh Yusuf al-Qaradawi also promoted the dynamic interpretation of *aṣnāf* to achieve its higher purpose. In practice, he reinterpreted one of the *aṣnāf* categories, which is ‘*zakāt al-riqāb’* (freeing slaves). He reinterpreted it in a modern context, extending the definition to include liberating nations and/or individuals from insufferable debt.[99] Similarly, the prioritisation of the elderly can be seen as an administrative mechanism that is used to better accommodate and address the poor and/or needy groups of society, assuring that *zakāt* reaches its intended beneficiaries, remains responsive to demographic realities without contradicting the text.

3.4.4.2 The Dilution Risk: Balancing Conflicting Priorities

The second objection is regarding the risk of dilution, or the concern that the inclusion and prioritisation of the elderly will affect the allocation of the *zakāt* fund, neglecting the needs of other beneficiaries. Upon this, an ethical question arises: whether

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[97] See generally: Majlis Fatwa Kebangsaan, “Hukum Agihan *Zakāt* Kepada Asnaf”, Muzakarah Jawatankuasa Fatwa Majlis Kebangsaan Bagi Hal Ehwal Ugama Islam Malaysia Kali Ke-92 (Putrajaya: JAKIM, 2010).

[98] Muhammad al-Tahir Ibn ‘Ashur, *Maqāṣid al-Sharīʿah al-Islāmiyyah*, ed. Muḥammad el-Tahir el-Mesawi (Kuala Lumpur: al-Fajr, 1999), 224-225.

[99] Yūsuf al-Qaraḍāwī, *Fiqh al-Zakāh*, trans. Monzer Kahf (Jeddah: Scientific Publishing Centre, King Abdulaziz University, 2000), 2:67.

prioritising the allocation for the elderly will inadvertently marginalise other beneficiaries? And whether the *zakāt* can be distributed equally?

Rebuttal of the Concerns

These socio-economic challenges are addressed through the *Fiqh al-Awlawiyyāt* (Jurisprudence of Priorities). This study does not propose a 'blanket distribution' to each of the elderly individuals; instead, the eligibility depends on strict means-testing that requires a tiered precedential system. Alternatively, the 'kinless elderly' will be given priority over the elderly who lack family support. Strictly identifying the most eligible elderly will ensure that the assistance of *zakāt* reaches its intended recipients and eliminates the risk of *zakāt* misallocations.

3.4.4.3 Moral Hazard: Navigating Filial Duty

The last objection is correlated to the sociological objection, which refers to the 'moral hazard'. A dissenting opinion is that the substitution of the *zakāt* institution as the 'guarantor' or 'guardian' of the vulnerable elderly, providing an opportunity for the adult children or family to neglect their religious duty (*birr al-wāladayn*) to care for their ageing parents, which eventually contributes to the erosion of the familial institution (*ḥifẓ al-nasl*).

Rebuttal to the Opinion

This argument views *zakāt* as a substitute for family support, whereas this study strictly views *zakāt* as a tool for the social safety net. As evidence based on the interview findings, the beneficiaries regard *zakāt* as a support system that guards and/or restores their dignity rather than as a substitute that replaces filial piety.[100] To mitigate the risk of neglect, *zakāt* disbursement can be made restricted only to elderly individuals with incapable children, which is contingent upon the assessment to prove the children's genuine incapacity. In this way, *zakāt* provides the financial stability and security within the family.

[100] Based on field interviews conducted with elderly care center managers and residents. See Chapter 4, Section 4.3 for detailed discussion.

3.5 SUMMARY OF THE CHAPTER AND CONCLUSION

This chapter considers how *zakāt* allocations can be reconsidered to provide much-needed socio-economic support for vulnerable elderly Malaysian citizens. This proposal, which is predicated on the overall socio-economic objectives of *zakāt* based on *maqāṣid sharīʾah*, is prompted by several emerging demographic realities and evolving issues in Malaysia.

According to reviewed studies and available data, Malaysia is fast becoming an ageing nation, with the proportion of elderly citizens (aged 60 and above) having more than doubled from 4% in 2000 to 7.2% in 2022, resulting in a projection that by 2030, 15% of its population will be 60 years and above. With this demographic shift, Malaysia is experiencing a growing old-age dependency ratio, indicating an imbalance, where fewer working-age individuals need to support an increasing number of retirees and elderly citizens. Furthermore, social isolation is another rising concern where many elderly people live alone and experience loneliness and neglect due to limited social connections.

As a result, Malaysian elderly are highly susceptible to several socio-economic challenges, including poverty, limited savings, rising living costs, and a decline in traditional family support systems. Many elderly individuals struggle to meet their basic needs, including food, housing, and healthcare, due to financial instability. They also often experience difficulties affording medication and long waiting times for medical appointments, and a shortage of geriatric specialists.

The most pressing dilemma faced by the elderly is related to financial insecurity; inadequate retirement savings, reliance on unstable pension schemes, rising living costs, and a lack of committed socio-economic support from family. The poverty rate among the elderly is higher than that of the working-age population, leaving retirees at risk of financial hardship. This often results in inadequate housing and poor living conditions for the elderly, due to the inability to afford an accessible home or necessary modifications.

As mentioned earlier, even government housing schemes can be challenging to access due to financial barriers. This circumstance is further complicated by the decline of multigenerational households and the increase of urbanisation, exacerbating the vulnerability of the elderly.

Acknowledging the various challenges of the elderly, the chapter discusses how *zakāt* funds can be leveraged to assist and address the growing socio-economic vulnerability of the elderly. Drawing upon Islamic juristic principles, it posits that although elderly individuals are not explicitly mentioned among the beneficiaries entitled to *zakāt* funds in the Qur'anic verses, they can be justifiably included within the existing categories of "poor" (*fuqarāʾ*) and "needy" (*masākin)*. In view of the foregoing realities, they clearly qualify for the utmost priority.

More specifically, the chapter explores this juristic perspective by elaborately grounding it within the *Maqāṣid* framework. Considering the five essential elements, it demonstrates utilisation of the *zakāt* fund to support the growing socio-economic challenges encountered by the elderly, aligned with the higher objectives of *zakāt*.

This is not to be oblivious to other challenges that may be encountered in the attempt to prioritise elderly as *zakāt* recipients, including determining eligibility criteria for "vulnerable" elderly individuals, ensuring thorough needs assessments, data management, adapting sustainable funding models for an ageing population, and efficient coordination with existing government schemes. However, incorporating elderly citizens, especially the financially vulnerable, into the priority list of potential *zakāt* beneficiaries seems to reflect one of the best ways to ensure *zakāt* funds in Malaysia's context are efficiently utilised.

This approach will address several societal issues while also reflecting the realistic nature of Islamic law, particularly the socio-economic objectives, such as *zakāt*. For instance, it will not only foster intergenerational solidarity but also reduce the financial burden on low-income families, provide a dignified source of income for the elderly, and promote economic inclusion. Hence, it will demonstrate the adaptability of Islamic principles to contemporary challenges and address pressing socio-economic concerns. Overall, the chapter concludes that the rapidly ageing Malaysian population necessitates a comprehensive re-evaluation of existing policies, particularly those related to the elderly. It therefore argues that the juristic justification based on *Maqāṣid* for restructuring the current *zakāt* distribution model as a tool to address the socio-economic needs of vulnerable elderly citizens, resulting from the evolving demographic landscape.

CHAPTER FOUR

EXPERTS' PERCEPTION ON THE UTILISATION OF *ZAKĀT* AS SOCIO-ECONOMIC ASSISTANCE FOR MALAYSIAN ELDERLY: A THEMATIC ANALYSIS

4.1 INTRODUCTION

In the previous chapter, the study broadly discussed the juristic justification for *zakāt* utilisation within the context of Malaysia's demographic transition toward an ageing population. Building upon that, this chapter presents a comprehensive and in-depth analysis of the qualitative data collected from expert interviews and a focus group discussion (FGD) regarding the explicit utilisation of *zakāt* proceeds for the ageing population in Malaysia.

The objective is to critically examine the socio-economic potential of *zakāt* in assisting the poor elderly in Malaysia by synthesising expert opinions with on-the-ground realities. The data is drawn from two primary sources: (a) Interviews with four *sharīʾah* experts in Malaysia, providing scholarly and theoretical perspectives on the juristic, economic, and policy-related aspects of *zakāt*; and (b) a focus group discussion (FGD) with the management team of *Pertubuhan Kebajikan Darul Insyirah*, serving as a crucial case study, offering practical insights into operational realities and challenges of elderly care in Malaysia.

These are explored thematically through a structured discussion, analysis, and interpretation of the findings, which present a nuanced and multidimensional understanding of *zakāt*'s potential role in addressing the socio-economic needs of Malaysia's ageing population.

4.2 DEMOGRAPHIC DATA OF THE INFORMANTS

The chapter involved interviews and a focus group discussion (FGD) with a total of seven informants from two distinct groups: *Sharīʾah* experts and elderly care professionals. The *sharīʾah* experts comprised four prominent Malaysian scholars selected for their extensive knowledge and experience in Islamic jurisprudence, finance, and *zakāt* administration. The elderly care professionals consisted of the management team from *Pertubuhan Kebajikan Darul Insyirah*, a Malaysian elderly care centre. This team, which included the founder and chief executive officer, operations officer, and other key personnel, was chosen for an in-depth case study due to their direct involvement in managing an elderly home.

The selection of informants was strategic, aiming to gather diverse and comprehensive perspectives on the topic. The *sharīʾah* experts were chosen based on their academic credentials and professional experience in Islamic law, finance, and *zakāt*, ensuring their insights were grounded in both theoretical and practical applications.

Simultaneously, the management team of Darul Insyirah was selected for a focused case study, being recognised as a successful, exemplary, and innovative care centre for the elderly within Malaysia. Their practical experience provided valuable on-the-ground insights into the challenges and potential solutions related to using Islamic philanthropic tools for elderly care. The session, which was initially planned as an interview, was converted to an FGD due to multiple representatives from the organisation being present, allowing for a more dynamic and comprehensive discussion.

However, it is also important to acknowledge the limitations and constraints of the empirical scope of the data set. Due to time and logistical access limitations, this study mainly focused on the theoretical insights of *shari'ah* experts and the operational perspectives of care centre managers. Therefore, a lack of direct input from the elderly beneficiaries and *zakāt* administrators (operational officers) in this dataset. Although the current data establishes a substantial jurisdictional and administrative basis, future research should include these groups to capture a wider range of ground-level experiences.

Table 4.1. Demographic Table of Respondents

Sharīʾah Experts			
Informant	Gender	Higher Qualification	Specialisation
Asst. Prof. Dr F.B.K.	Female	PhD in Islamic Revealed Knowledge and Heritage	Islamic Jurisprudence, Islamic Property Law

Sharīʾah Experts			
Informant	Gender	Higher Qualification	Specialisation
Asst. Prof. Dr K.F.J.	Male	Ph.D. in Law	Islamic Law, Civil Law, Islamic Banking
Ustaz A.H.A.R.	Male	Bachelor's degree in *Sharīʿah* (master's candidate)	*Fiqh Zakāt*, *Fiqh ʻIbādah, Fiqh Ḥajj wa ʻUmrah*
Assoc. Prof. Dr H.Z.	Male	PhD in Islamic Revealed Knowledge and Heritage (*Fiqh* and *Uṣūl Fiqh*) - Doctor of Philosophy, International Islamic University Malaysia	*Zakāt* categories, Islamic Social Finance, and Islamic Financial Instruments
Darul Insyirah Team			
Informant	Gender	Specialisation	Detail
Pn. Hjh. A.W. A. A	Female	Founder and Chairperson of *Darul Insyirah*	Strategic Leadership, Governance, and Organisational Vision
Mr. M.S.A.	Male	Chief Executive Officer	Organisational Management, Strategic Operations
Miss S.A.B.S.	Female	Care Centre Manager	Oversight of Resident Care Programs, Staff Supervision, and Quality Assurance
Miss N.H.B.H.	Female	Operations Officer	Daily Centre Management, Resident Welfare
HR Manager	Female	Management Team Roles	Human Resources, Elderly Care Operations

4.3 THE THEMES AND SUBTHEMES FROM THE INTERVIEWS AND FOCUSED GROUP DISCUSSION

Guided by the research objectives and literature review, the chapter explores the experts' views and opinions through a thematic analysis. Six major themes were identified, supported by sub-themes that capture the different yet interrelated aspects of the study's focus on juristic considerations and practical realities of *zakāt* utilisation for Malaysia's ageing population.

The implications of these six themes correspond directly with the study's research objectives; each represents important aspects of the overall inquiry: the *maqāṣid* of *zakāt,* the *juristic justifications* for elderly inclusion, the *perceptions of Sharī'ah experts*, and the *mechanisms for effective implementation*. The *maqāṣid*-based objectives of *zakāt* are reflected in Themes One and Four, while the *juristic reasoning* substantiating its utilisation appears in Theme Three. The remaining three themes capture the experts' perspectives on socio-economic, economic, and pragmatic approaches for applying *zakāt* to support the elderly. Together, these themes contribute to a comprehensive understanding of how

The first theme, *Maqāṣid al-Sharī'ah and the Socio-economic Role of Zakāt*, with three subthemes:

(a) Alignment of *Zakāt* with *Maqāṣid* for Socio-economic Justice,
(b) Prioritisation: Long-Term Poverty Alleviation vs. Short-Term Financial Relief
(c) Integrating *Maṣlaḥah* and *Raf ʻal-Ḥaraj* into Distribution Strategies.

The second theme is *The Socio-economic Needs of Elderly Citizens and the Role of Zakāt,* with the following three subthemes:

(a) Challenges in Financial Security and Healthcare Access
(b) Potential Role of *Zakāt* as a Financial Guarantor
(c) Structuring *Zakāt* for Sustainable Elderly Care as its subthemes.

Next is the third theme of the *Juristic Justifications for Including the Elderly in Zakāt Distribution,* with its subthemes consisting of:

(a) *Ijtihād*-based Juristic Principles for Inclusion of the Elderly
(b) Precedents for Expanding *Zakāt* Eligibility in Classical Jurisprudence
(c) Addressing Concerns about *Zakāt* Threatening Familial Bonds
(d) Existence of *Fatwas* or Scholarly Discourse on *Zakāt* for Seniors.

Then, the fourth theme, *Sharīʾah Compliance and Policy Mechanisms for Zakāt Policy Development*, includes two subthemes:

(a) *Zakāt*'s Evolving Role in an Ageing Society

(b) Juristic Conditionings for Including the Elderly.

The Fifth theme is the *Economic Framework and Sustainability of Zakāt and the Elderly*, which is supported by three subthemes:

(a) *Zakāt* as a Financial Tool for the Ageing Population

(b) Key Economic Barriers to *Zakāt* Allocation for the Elderly

(c) Structuring *Zakāt* for Sustainable Benefits for the Elderly as its subthemes.

Lastly, the *Comparative Mechanisms and Best Practices* is the sixth, with one subtheme, which is:

(a) International Case Studies for *Zakāt* in Elderly Welfare.

The table below illustrates how the themes and subthemes are formulated, showing the emerging codes and their respective illustrative quotes from the interviews and the focus group discussion.

Table 4.2. Summary of Thematic Analysis from Expert Interviews and FGD

Theme	Subtheme	Codes	Illustrative Quotes
1. *Maqāṣid* al-*Sharī'ah* and the Socio-economic Role of *Zakāt*	a) Alignment of *Zakāt* with *Maqāṣid*	*Maqāṣid -aligned, social justice, poverty alleviation, ḍarūriyyāt*	Ustaz A.H.A.R.: "Generally, the administration of *zakāt* in Malaysia implements the collection and distribution agenda based on the goals and general principles of *Maqāṣid* al-Shari'ah". "The distribution methods particularly encompass important aspects of *maqāṣid*, especially those related to social justice and poverty alleviation, and this aligns with the aspects of *Maqāṣid ʻĀmmah* related to *ḍarūriyyāt*, ḥājiyyāt, and taḥsīniyyāt". Asst. Prof. Dr K.F.J: "The *zakāt* system's targeted approach to poverty, using funds for education, health, and economic empowerment, aligns closely with the *Maqāṣid* al-*Sharī'ah*, which promote socio-economic justice". "Overall, the *zakāt* distribution framework in Malaysia is structured to fulfil the *maqāṣid al-sharīʿah* by promoting socio-economic justice, reducing poverty, and enhancing community welfare". Asst. Prof. Dr F.B.K:

Theme	Subtheme	Codes	Illustrative Quotes
			"The ultimate goal of *zakāt* is to achieve social justice and economic stability. The Malaysian *zakāt* system, with its structured collection and distribution, is a testament to this, aiming to uplift communities and ensure no one is left behind". Assoc. Prof. Dr H.Z: "To a certain extent, the framework is well in line with *Maqāṣid* al-*Sharī'ah*, especially in promoting socio-economic justice. Of course, it is not yet at the level we aspire to achieve".
	b) Prioritisation: Short-term vs. Long-term	*Immediate relief*, *long-term development*, *empowerment programs*, and *balancing needs*	Ustaz A.H.A.R: "The current *zakāt* system emphasises both aspects: long-term poverty reduction and short-term financial assistance. This is evident in the *aṣnāf* development programs implemented in the Federal Territory, such as entrepreneurship assistance and educational scholarships". Asst. Prof. Dr K.F.J: "The current *zakāt* system in Malaysia seems to lean more toward short-term financial relief, though there are growing efforts to incorporate long-term poverty alleviation. Despite these initiatives, short-term aid still dominates overall distribution". Asst. Prof. Dr F.B.K:

Theme	Subtheme	Codes	Illustrative Quotes
			"While Malaysia has improved *zakāt* distribution through direct financial aid, educational sponsorships, and microfinance programs, some scholars argue that it remains short-term focused rather than strategically developmental". "The challenge lies in balancing immediate needs, which are often life-or-death, with a long-term strategy for empowerment. Both are essential, but the scales often tip towards providing immediate financial aid". Assoc. Prof. Dr H.Z: "There are many cases where they aim to turn *aṣnāf* recipients into *muzakkī* payers, such as by supporting entrepreneurs. However, if you put it in percentage, it's less than 50% [the long-term]. Much of the distribution still caters to short-term relief for the needy. This reflects a systemic imbalance in approach".
	c) Integrating *Maṣlaḥah* and *Raf 'al-Haraj*	*Public interest, alleviating hardship, flexible policies, needs-based approach*	Ustaz A.H.A.R: "The administration of *zakāt* must consider the principle of *maṣlaḥah* to ensure the greatest good for the community... This means being able to adapt to emerging social issues such as an ageing population". Asst. Prof. Dr K.F.J: "The decision to include new categories of recipients or to allocate funds for new programs is often based on the principle of *maṣlaḥah*, assuring *zakāt* serves broader good for the society".

Theme	Subtheme	Codes	Illustrative Quotes
			Asst. Prof. Dr F.B.K: "*Maṣlaḥah* (public interest) and *Raf'al-Haraj* (alleviation of hardship) are two key principles that should guide *zakāt* distribution. The principle of *rafʿ al-ḥaraj* directly applies to the elderly who face significant hardship due to illness, immobility, or lack of income. The *zakāt* system must be flexible enough to recognise and alleviate such suffering". Assoc. Prof. Dr H.Z: "We should apply a structured weightage system that focuses on alleviating the hardships of vulnerable groups, including the elderly. This approach would allow for applying both principles in *zakāt* administration systematically".
2. The Socio-economic Needs of Elderly Citizens	a) Financial Security and Healthcare Challenges	*Financial insecurity*, *high medical costs*, *lack of family support*, and *care centre barriers*	Ustaz A.H.A.R: "The financial challenges for the elderly are increasing. They face issues with healthcare costs, housing, and a lack of proper support from their families or the government". Asst. Prof. Dr K.F.J: "Many elderly people face financial insecurity because their pensions are insufficient to cover their high living costs, especially in urban areas". Asst. Prof. Dr F.B.K:

Theme	Subtheme	Codes	Illustrative Quotes
			“The rising cost of healthcare and long-term care for the elderly has become a significant burden that often exceeds the capacity of both pensions and family support”. “For many, a single medical emergency can deplete their life savings, pushing them into poverty”. Assoc. Prof. Dr H.Z.: “Many elderly people have been left without family support, and this is a major issue that our *zakāt* system needs to address”. FGD Participant (*Darul Insyirah* Representative): “Our centre cannot accept the most vulnerable elderly unless a guardian agrees/available to sign the admission and ensure monthly payments... This is a major gap, as those without family are often the ones most in need”.
	b) *Zakāt* as a Financial Guarantor	*Formal guardian role, monthly payments, legal responsibility, institutional evolution*	Ustaz A.H.A.R.: “*Zakāt* institutions can and should evolve their role to become more than mere funders but also act as direct providers of care. Acting as a guarantor is a logical and necessary progression moving forward”. Asst. Prof. Dr K.F.J:

Theme	Subtheme	Codes	Illustrative Quotes
			"The *zakāt* institution can act as a formal guarantor by providing a commitment to pay for the care of an elderly person. This represents a modern and necessary interpretation of *zakāt*'s institutional role". Asst. Prof. Dr F.B.K: "*Zakāt* can be utilised to provide free medical services, subsidised medication, and elderly-friendly healthcare programs". "Traditional family-based elder care is decreasing due to urban migration and changing lifestyles". Assoc. Prof. Dr H.Z.: "The *zakāt* institution can serve as a safety net, filling the void where family or government support is absent. This integrates contemporary application of the principle of *maṣlaḥah* that allows the adaptation to modern societal structures". FGD Participant (*Darul Insyirah* Representative): "If the *zakāt* officer can act as the *war*is (guardian) and commit to a monthly payment, our centre would consider the admission of elderly individuals who have no family. This is the only practical solution to solve this problem".

Theme	Subtheme	Codes	Illustrative Quotes
	c) Structuring *Zakāt* for Sustainable Care	*Sustainable models, zakāt-waqf hybrid, community-based care, integrated funding*	Ustaz A.H.A.R: "*Zakāt* should be utilised to adopt long-term programs accommodating nutritional support, health check-ups, and even recreational activities, which would address the holistic needs of the elderly". Asst. Prof. Dr K.F.J: "Sustainable models would shift the focus from one-time handouts to continuous support systems that intensively address the elderly's needs. *Zakāt* funds could also be used for the development of community-based centres". Asst. Prof. Dr F.B.K: "The integration of *zakāt* with *waqf* and other Islamic social finance instruments will substantially enhance the long-term impact of *zakāt* for elderly". Assoc. Prof. Dr H.Z.: "As Malaysia transitions into an ageing society, strategically aligning *zakāt* distribution with this national challenge is a keyway to serve the public interest (*maṣlaḥah*)". "We need a more sophisticated system, one that becomes beyond merely distributing funds, but also developing a long-term plan and solution; of which, a hybrid model combining *waqf*, *zakāt*, and microfinance could be the answer".

Theme	Subtheme	Codes	Illustrative Quotes
			FGD Participant (*Darul Insyirah* Representative): "Our suggestion is to use *zakāt* as a form of 'top-up' fund while other instruments such as *waqf* and public fundraising ensure the long-term sustainability of the centre".
3. Juristic Justifications for Inclusion	a) *Ijtihād*-based Principles for Inclusion	*Dynamic aṣnāf, juristic reasoning, qiyās, maṣlaḥah*	Ustaz A.H.A.R: "Scholars can and must apply ijtihad by referring the new contemporary issues to existing laws or justifications… in this context, the elderly who have become poor can be included within the existing *aṣnāf* categories of *faqīr* or *miskīn*". Asst. Prof. Dr K.F.J: " "Because the elderly people are vulnerable and in need, they are analogous to the *faqīr* and *miskīn*. Apportioning *zakāt* to them administers to the principle of *maṣlaḥah*, grounded by significant justification of their inclusion". Asst. Prof. Dr F.B.K. "Although elderly are not explicitly listed among the eight *aṣnāf*, *ijtihād* (juristic reasoning) allows for their inclusion based on the initial objectives of *zakāt*, to alleviate poverty and hardship…based on this condition, the elderly, when in a state of need, fit this core purpose regardless of whether they are specifically listed within the existing *aṣnāf* category".

Theme	Subtheme	Codes	Illustrative Quotes
			"Some scholars argue that *aṣnāf* categories should be contextually reinterpreted using *Ijtihād* (juristic reasoning)". Assoc. Prof. Dr H.Z: "The primary justification to include the elderly as *aṣnāf* zakāt based on the category of attributes rather than fixed 'names as mentioned in *Sūrah al-Tawbah*. This allows for flexibility in interpretation". "While *Ijtihād* is necessary, thorough consideration and extensive studies are to be carried out, not to expand the categories arbitrarily overdue".
	b) Precedents for Expanding Eligibility	*Historical precedents, reinterpreting 'illah, new applications of fiqh*	Ustaz A.H.A.R: "In classical times, scholars allowed distributing *zakāt* funds to poor students for educational purposes, setting a precedent for applying the contextualisation of *zakāt* to a new extended categorisation, previously not mentioned". Asst. Prof. Dr K.F.J: "The expansion of *zakāt* to support students and seekers of knowledge is another example of well-documented precedent, illustrating inherent dynamism and flexibility of *fiqh*". Asst. Prof. Dr F.B.K:

Theme	Subtheme	Codes	Illustrative Quotes
			"Historical Islamic governance displays a high degree of flexibility in *zakāt* distribution". "The tradition of the establishment of *awqāf* (endowments) for the poor and elderly throughout Islamic history also serves as a precedent for dedicated care and social support". Assoc. Prof. Dr H.Z.: "The concept of *wa fi al-riqāb'* (freeing slaves) has been reinterpreted in contemporary jurisprudence, allowing the inclusion of freeing people from debt (*dayn*), as debt is viewed as a modern form of slavery. This demonstrates historical precedent for adapting the *'illah* (effective cause) to address the evolving social realities".
	c) *Zakāt* and Familial Responsibilities	*Complementary aid, safety net, gaps in family care, means-testing*	Ustaz A.H.A.R: "*Zakāt* should not replace the duty of children to care for their parents, but it can serve as a vital support system when families are unable to cope with the financial or caregiving burden". Asst. Prof. Dr K.F.J:

Theme	Subtheme	Codes	Illustrative Quotes
			"The existence of *zakāt* aid does not negate the personal responsibility of the young generation. Rather, *zakāt* serves to fill the gaps when families are unable to provide adequate care to their elderly members". Asst. Prof. Dr F.B.K: "Elderly recipients should be limited to those who do not have children or relatives who can support them". "*Zakāt* should complement, not replace, familial obligations". "*Zakāt* should be utilised as a last resort, yet a necessary one, to ensure the dignity of the elderly is not compromised when the family support fails". Assoc. Prof. Dr H.Z: "The accessible assistance from *zakāt* or *waqf* does not negate individuals or their personal responsibility". "We must conduct a thorough means test to ensure family members do not shirk or neglect their duties….as *zakāt* provides a safety net, not a substitute for filial duties". FGD Participant (*Darul Insyirah* Representative):

Theme	Subtheme	Codes	Illustrative Quotes
			"A few of the elderly we assisted even have no family at all, so this concern is not even applicable to them. For others, *zakāt* could be the only form of support they receive".
4. *Sharīʾah* Compliance and Policy Mechanisms for *Zakāt* Distribution	a) Evolving Role in an Ageing Society	*Proactive role*, *holistic welfare*, *dynamic policy*, *strict conditions*	Ustaz A.H.A.R: "The role of *zakāt* must evolve beyond merely as a tool providing food and money…it should become part of a more holistic welfare system that addresses the long-term needs of the elderly". Asst. Prof. Dr K.F.J: "For *zakāt* to remain relevant, it must be dynamic and proactive, adapting to demographic transitions such as the ageing population". Asst. Prof. Dr F.B.K: "Both Malaysian and international *fatwas* emphasise the importance of integrating elderly into *zakāt* policies". "The growing number of the ageing population in Malaysia requires *zakāt* institutions to adapt their distribution strategies".

Theme	Subtheme	Codes	Illustrative Quotes
			"As Malaysia's ageing population increases rapidly, the role of *zakāt* must progress to address the financial, medical, and social challenges faced by elderly Muslims". Assoc. Prof. Dr H.Z.: "The elderly people are necessarily to be taken into consideration as a priority group, but with strict conditions that align them with the existing *aṣnāf*... The policy and justification must remain grounded within established categories, without introducing a ninth *aṣnāf*".
	b) Juristic Conditionings for Inclusion	*Clear criteria, juristic classification, means-based approach, Sharīʾah committee oversight*	Ustaz A.H.A.R: "The justification for providing *zakāt* to the elderly depends on their condition, whether illness, disability, poverty, or whichever condition compels them to fit into any of the established categories, forming the juristic justification for their eligibility. While commonly, *faqīr* or *miskīn* are the two categories of many of the elderly, who involuntarily meet the criteria". Asst. Prof. Dr K.F.J: "The determination of who is eligible must be based on a clear, well-defined set of criteria established by a state-level *sharīʾah* committee. The criteria must be transparent, justifiable, and consistent across jurisdictions".

Theme	Subtheme	Codes	Illustrative Quotes
			Asst. Prof. Dr F.B.K: "A needs-based approach is crucial, evaluating not only income, but also health status, family support, and living conditions to determine eligibility and qualification as recipients". Assoc. Prof. Dr H.Z: "Old age can be considered a form of disability that requires specific consideration... This justification allows for the provision of the funds in assisting the access to items such as mobility aids, specialised care, and essential medication". "Flexibility/adaptation must stay within *sharīʾah* principles"
5. Economic Framework and Sustainability of *Zakāt* for the Ageing Population	a) Significance as a Financial Tool	*Wealth redistribution, financial lifeline, complementary support, top-up funds*	Ustaz A.H.A.R: "*Zakāt* can serve as the 'top-up' funds that a senior citizen's pension cannot cover, especially for specialised medical care or unexpected expenses, thereby acting as a crucial safety net". Asst. Prof. Dr K.F.J: "As a financial instrument, *zakāt* plays a significant role in wealth redistribution and enhancing the purchasing power of the poor, which is especially important for the elderly who lack a reliable source of income".

Theme	Subtheme	Codes	Illustrative Quotes
			Asst. Prof. Dr F.B.K: "*Zakāt* is one of the most effective tools to mitigate the economic strain faced by the elderly. Particularly when they have high medical costs and no income". Assoc. Prof. Dr H.Z: "The main economic objective of *zakāt* is the distribution and redistribution of wealth and to enhance the financial means of the poor. For the elderly, this is interpreted as providing a reliable source of income to meet their essential needs".
	b) Key Economic Barriers to *Zakāt* Allocation for the Elderly	*Juristic classification, fund scarcity, high costs of care,* and *administrative assumptions*	Ustaz A.H.A.R: "One of the biggest barriers is the high cost of long-term care. *Zakāt* funds alone are insufficient to afford all of these expenses, and therefore, necessitate exploring other Islamic social finance instruments as complementary sources". Asst. Prof. Dr K.F.J: "There is a substantial challenge in balancing demand and supply; the number of *aṣnāf* grows each year, while *zakāt* funds do not grow at the same rate, making it difficult to allocate adequate funds for new priority groups such as the elderly". Asst. Prof. Dr F.B.K: "The costs of long-term care for the elderly are extremely high, and *zakāt* funds alone are often insufficient to cover them comprehensively. In addition, there's

Theme	Subtheme	Codes	Illustrative Quotes
			an administrative presumption that other government programs already provide sufficient support, consequently limiting proactive utilisation of *zakāt* for elderly welfare". Assoc. Prof. Dr H.Z: "The primary hindrance is mostly related to the issue of *takīf al-fiqhī* (juristic classification). If a senior citizen is financially well-off and does not fall under any of the prescribed categories, there is no justification to provide them with *zakāt* assistance".
	c) Structuring *Zakāt* for Sustainable Benefits	*Dedicated funds, zakāt-waqf integration, strategic collaboration, national plan*	Ustaz A.H.A.R: "There must be a proper and systematic method of distributing *zakāt* funds for the elderly in the future, achieved through the collaboration among various institutional and community stakeholders". Asst. Prof. Dr K.F.J.: "*Zakāt* funds can be utilised to establish *waqf* properties, such as homes for the elderly, where the rental income from other tenants could subsidise the costs for the *zakāt* beneficiaries, creating a self-sustaining and socially responsible model". Asst. Prof. Dr F.B.K:

Theme	Subtheme	Codes	Illustrative Quotes
			"We should establish a specialised 'medical *zakāt* fund', addressing the high medical costs of the elderly. Such a dedicated fund would represent a more targeted and effective approach to their welfare". Assoc. Prof. Dr H.Z: "We need to explore an integrated method, combining zakāt, *waqf*, and *takaful* to develop a comprehensive and sustainable social protection system for the elderly".
6. Comparative Mechanisms and Best Practices	a) International Case Studies	*BAZNAS Indonesia*, *centralised management*, *holistic programs*, *waqf integration*	Ustaz A.H.A.R: "Indonesia's BAZNAS provides a strong case study of a nationally managed *zakāt* institution with a special focus on the welfare of the elderly. Malaysia can learn valuable lessons from its success". Asst. Prof. Dr K.F.J.: "Many countries in the Middle East have a long history of charitable endowments (*awqāf*) dedicated to the elderly, and this is a model we should study and integrate with our existing *zakāt* system". Assoc. Prof. Dr H.Z: "To date, I have not seen any specific case studies, either locally or internationally, that focus exclusively on elderly welfare utilising *zakāt*. In some

Theme	Subtheme	Codes	Illustrative Quotes
			countries, such as Qatar, *zakāt* and *awqāf* are managed under a single administrative entity, which may provide indirect assistance. Still, there are no dedicated models for elderly welfare from *zakāt* that I am aware of". Asst. Prof. Dr F.B.K. has issued several *fatwas* and scholarly discussions, both in Malaysia and internationally, that support the use of *zakāt* for the elderly, who lack financial stability. These rulings are based on *Ijtihād* (juristic reasoning) and the principles of *maqāṣid al-sharīʾah* to ensure that *zakāt* fulfils its purpose of promoting social welfare.

To summarise, this thematic structure guides the analysis of *zakāt*'s socio-economic potential in assisting the elderly, in the Malaysian context, from foundational principles to practical implementation, providing a holistic and robust discussion. This, therefore, culminates in a synthesis of the findings, which are drawn upon to highlight some recommendations that can be practically implemented with necessary modifications based on the Malaysian socio-economic realities and contexts.

4.4 THEMATIC ANALYSIS OF THE RESPONDENTS' VIEWS ON UTILISING *ZAKĀT* FOR THE AGEING POPULATION IN MALAYSIA

4.4.1 Theme 1: *Maqāṣid al-Sharīʾah* and the Socio-economic Role of *Zakāt*

This section examines the extent to which Malaysia's *zakāt* framework aligns with Islamic objectives for socio-economic justice. It explores the degree to which it reflects the balance between short-term relief and long-term empowerment, while integrating *maqāṣid* principles such as *maṣlaḥah* and *raf 'al-ḥaraj*, among other juristic principles. These are considered through the following three emerging subthemes from the questions posed to the four *sharīʾah* experts as respondents.

4.4.1.1 Alignment of Zakāt with Maqāṣid for Socio-economic *Justice*

In Islamic jurisprudence, *maqāṣid al-sharī'ah* provides the philosophical foundation for *zakāt*, transforming it from a mere religious obligation into a powerful instrument for social and economic justice.[1] It ensures that the practice of *zakāt* aligns with the higher objectives of preserving essential human interests, such as life and wealth, for the holistic welfare of society.[2]

According to Asst. Prof. Dr F.B.K., *zakāt* in Malaysia is overseen by State Islamic Religious Councils (Majlis Agama Islam Negeri, MAIN) and distributed based on the eight categories (*aṣnāf*). However, aligning *zakāt* with the *maqāṣid* al-*sharī'ah*

[1] Zakaria. "The influence of human needs in the perspective of *Maqāṣid* al-Syari'ah on *Zakāt* distribution effectiveness". (2014), p. 165.

[2] Hafizd, Jefik Zulfikar. "Position and Optimization of the Economic Benefits of *Zakāt* for Empowerment of the People". *Jurnal Studi Sosial Keagamaan Syekh Nurjati* 1, no. 1 (2021): 116-131.

extends beyond fulfilling the legal obligation (*farḍ);* It encompasses promoting socio-economic justice, poverty alleviation, and empowerment.[3]

Discussion and Analysis of The Respondents' Views

In response to the question on the degree to which Malaysia's *zakāt* administration reflects and aligns with *Maqāṣid*, all four *Sharī'ah* experts agree that Malaysia's *zakāt* framework broadly aligns with the *Maqāṣid al-Sharī'ah* in promoting socio-economic justice, although there remains room for improvement.

Ustaz A.H.A.R. explains that "the administration of *zakāt* in Malaysia implements the collection and distribution agenda based on the goals and general principles of *Maqāṣid al-Shari'ah*". He notes that "although not explicitly outlined, the distribution methods particularly encompass important aspects of *Maqāṣid*, especially those related to social justice and poverty alleviation". In his view, Malaysia's *zakāt* framework "aligns with the aspects of *Maqāṣid 'Ammah* related to *ḍarūriyyāt*, *ḥājiyyāt*, and *taḥsīniyyāt*". More specifically, he highlighted that the distribution system contributes to the preservation of the five necessities *(al-ḍarūriyyāt al-khams):* religion, life, lineage, intellect, and property, through the provision of food, shelter, healthcare, and education to recipients. For example, he noted that the assistance is rendered in the form of monthly distributions or one-off programmes for food (monthly food aid, food pantry, online purchases schemes), clothing, housing (rental, housing projects, deposits and utility bills), education (university assistance, school aid, scholarships), transportation (vehicle or taxi rental), debt management assistance (*ghārimīn*), and healthcare services and bill payments.

Similarly, Asst. Prof. Dr K.F.J. emphasised that Malaysia's targeted system approach "aligns closely with the *Maqāṣid al-Sharī'ah,* which later addresses and promotes socio-economic justice". He added that *zakāt* funds allocated for education, health, and economic empowerment directly support the preservation of intellect, life, and wealth, which are within the primary objectives of *Maqāṣid.* Reinforcing this view, Asst. Prof. Dr F.B.K. indicates that Malaysia's *zakāt* system fulfils "the ultimate goal of *zakāt*" to achieve "social justice and economic stability" through a "structured

[3] Muhamad Firdaus Ab Rahman, Hussein Azeemi Abdullah Thaidi, and Azman Ab Rahman. "Regulation of *Zakāt*: An Analytical Study in The Light of Maqāṣid Sharīʿah". *AL-MAQĀṢID: The International Journal of Maqāṣid Studies and Advanced Islamic Research* 1, no. 1 (2020): 17-29.

collection and distribution" model[4] aiming "to uplift communities and ensure no one is left behind".

However, Assoc. Prof. Dr H.Z. offers a more cautious perspective, observing that while Malaysia's "framework is well in line with *Maqāṣid al-Sharī'ah*, especially in promoting socio-economic justice ... it is not yet at the level we want". He points out that although "the intention is there, the practical application often falls short of the ideal, particularly concerning a balance between short-term relief and long-term empowerment.[5] Echoing this concern, participants in the focus group discussion (FGD) highlighted that the exclusion of vulnerable seniors from care due to financial constraints represents a significant gap in achieving socio-economic justice. They argue that a more proactive and structural role for *zakāt*, particularly as a guarantor, is essential to fulfil the *Maqāṣid* of preserving life and ensuring dignity for the elderly.

Ustaz A.H.A.R. noted that, in 2024, the Federal Territories Islamic Religious Council *(Majlis Agama Islam Wilayah Persekutuan, MAIWP)* disbursed RM703 million in *zakāt* funds, benefiting approximately 123,000 individuals classified as destitute and poor. MAIWP employs the *ḥadd al-kifāyah* (sufficiency limit) method to determine the type and amount of aid distributed to eligible *aṣnāf* groups. This approach involves setting a sufficiency threshold to systematically identify and assist those in need, ensuring that *zakāt* distribution remains both effective and targeted. Additionally, MAIWP offers a total of 38 assistance schemes encompassing welfare, medical, education, housing, economic development, and religious propagation, to comprehensively address the diverse needs of the *aṣnāf*. [6]

Overall, the experts' views converge on the notion that, while *zakāt* administration in Malaysia is fundamentally sound and aligns with the higher objectives of Islamic law, its full potential remains untapped.[7] The consensus suggests *Maqāṣid*

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[4] See also Ashraf M. Al Haq. "Effective *zakāt* distribution: highlighting few issues and gaps in Kedah, Malaysia". *Al-Iqtishad: Journal of Islamic Economics* 9, no. 2 (2017): 259-288.

[5] See also Johari, Mohamad Noor Sahidi Bin. "Impact Assessment for *Zakāt* Distribution: The Importance of its Implementation in *Zakāt* Authority in Malaysia". *AZKA International Journal of Zakāt & Social Finance* (2023): 145-160.

[6] Azmi, Mohammad Shahid, Abdelhafid Ahjij, Adham Zaib, and Habeebullah Zakariyah. "The Role of *Zakāt* Institutions During Covid-19 Pandemic to Enhance the Well Being of Aṣnaf in Malaysia (MAIWP As a Case Study)". *al-Qanatir: International Journal of Islamic Studies* 33, no. 2 (2024): 108-119.

[7] Paulina Paulina, Muhammad Erwan, and Dik Dik S. Sadikin. "*Zakāt* And Its Impact on Economic Growth in Indonesia and Malaysia". *Seybold. org* 18, no. 10 (2023): 1187-1206.

alignment within Malaysia's *zakāt* system is currently more implicit than explicit, functioning through a general commitment to social welfare rather than a formalised, strategic framework. As a result, the foregoing suggests that a more deliberate, *Maqāṣid-driven* approach is needed to further enhance *zakāt*'s impact on socio-economic justice to achieve optimal alignment.

4.4.1.2 Prioritisation: Long-term Poverty Alleviation vs. Short-term Financial Relief

As discussed above, *zakāt* funds have traditionally been utilised to provide immediate financial relief to the poor.[8] There is, however, a growing discourse on whether greater emphasis should be placed on long-term poverty alleviation strategies[9] that empower recipients to achieve self-sufficiency.[10] Therefore, this sub-theme explores how Malaysian *zakāt* institutions are balancing these two critical priorities.

Discussion and Analysis of The Respondents' Views

Regarding the above, the respondent experts offer nuanced perspectives on *zakāts'* objectives within the Malaysian context. While acknowledging that short-term relief still dominates Malaysia's *zakāt* distribution, all four experts agreed that there are significant, growing efforts incorporating long-term poverty alleviation.

Asst. Prof. Dr K.F.J. observes that "The current *zakāt* system in Malaysia seems to lean more toward short-term financial relief, though there are growing efforts to incorporate long-term poverty alleviation". He explains that "despite the existence of long-term programs, short-term aid still dominates, mainly because the system prioritises fulfilling immediate needs, which aligns with the spirit of *zakāt* as a safety net". This observation is consistent with existing studies on *zakāt* administration, which reveal that distribution efforts often prioritise certain categories and immediate welfare needs over broader, developmental objectives. [11] Nevertheless, he provided examples of emerging long-term efforts such as educational support and entrepreneurship

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[8] See also Norazlina, et. al. "Towards empowering *zakāt* recipients"

[9] Nasim Shah Shirazi and Toseef Azid. "An Empirical Work on the Relationship between *Zakāt* and Development". *Islamic Economics, Growth and Development* (2025): 180.

[10] See Solahuddin Abdul Hamid and Mohd Liki Hamid. "*Zakāt* and the empowerment of the hardcore poor in the 21st Century". *Journal of Critical Reviews* 7, no. 5 (2020): 136-139.

[11] See also Haji-Othman, Yusuf, Mohd Sholeh Sheh Yusuff, and Mohammadtahir Cheumar. "The Role of *Zakāt* Distribution in Hunger and Poverty Elimination in Kedah". *International Journal of Academic Research in Business and Social Sciences* 10, no. 10 (2020): 1178-1184.

training, indicating that the *maqāṣid al-sharīʾah* framework encourages both relief and development of individuals and communities. He suggests that greater emphasis on sustainable development would better align with Islamic social justice goals.

This is what is happening in Malaysia now, where both short-term and long-term programs are running concurrently, but it seems that most *zakāt* institutions are developing more long-term programs to stop over-reliance on *zakāt* funds and become more independent by giving these people training and courses.[12] Asst. Prof. Dr F.B.K. similarly observes that "both are essential, but the scales often tip towards providing immediate financial aid". She added, "The challenge is balancing immediate needs, which are often life-or-death, with a long-term strategy for empowerment". While acknowledging that Malaysia has improved *zakāt* distribution through direct financial aid, educational sponsorships, and microfinance programs, she noted that "some scholars argue that it remains short-term focused rather than strategically developmental". According to her, this accentuation on immediate relief is a pragmatic decision, as *zakāt* administrators must prioritise saving lives over long-term projects.

Assoc. Prof. Dr H.Z. provides a quantifiable perspective, estimating "that if one puts it into a percentage, it is less than 50%", adding that "much of the distribution is for the needy and for short-term relief". He categorised this as a systemic issue, observing *zakāt* administrators often prioritise the most immediate and visible needs. In addressing this imbalance, he suggests applying a "weightage system", allocating capital for business ideas while simultaneously alleviating the hardships of vulnerable groups, including the elderly. This method, he explains, would permit and enable a systematic application of both short-term and long-term principles in a single policy framework.

Ustaz A.H.A.R., who supports this balanced method, explains that "the current *zakāt* system emphasises both aspects, namely long-term poverty reduction and short-term financial assistance". Drawing on his experience as a practitioner in the *zakāt* industry, he cited examples of programs managed by the Federal Territories Islamic Religious Council (MAIWP), including entrepreneurship development, *agro* and urban-

[12] Maheran Zakaria and Norhayati Samba Mohamad. "Effectiveness of *zakāt* in fulfilling daruriyat/basic needs and elevating the *zakāt* recipients standard of living to hajiyat/comfortable life in the perspective of *Maqāṣid* al-Syariah". *Jurnal Pengurusan* 56 (2019): 145-154.

farming projects, educational support, and career development. These include short-term courses with guaranteed employment, such as the *Sijil Kemahiran Malaysia* (Malaysian Skills Certificate) programs, the MAIWP *Aṣnāf* Service Program training for persons with disabilities, and graduate training programs that include incentives for academic excellence. He also implied that "From the aspect of short-term financial assistance, it can be viewed by continuous aid throughout the year, such as monthly assistance and on a case-by-case basis".

Everything considered, the experts' perspectives infer that the balance between immediate, prompt relief and long-term empowerment remains a critical and continuous challenge. A key insight is the implicit prioritisation of short-term aid as a necessary first step,[13] must be met before any long-term development can be initiated. Ultimately, the experts recommend a more systemic, possibly two-tiered approach to *zakāt* funds administration; one that encompasses both short-term philanthropical aid and long-term socio-economic development, in establishing a more comprehensive and *Maqāṣid*-driven model for poverty alleviation.

4.4.1.3 Integrating Maṣlaḥah and Raf 'al-Ḥaraj into Distribution Strategies

The principles of *Maṣlaḥah* (public interest) and *Raf 'al-Ḥaraj* (alleviation of hardship) are central to the dynamic application of Islamic law.[14] They empower jurists to make decisions that serve the greater public good and remove undue difficulty, thus making *zakāt* a responsive and compassionate social tool.[15]

Discussion and Analysis of The Respondents' Views

In view of the above, the experts provided insights into the comprehensive framework for integrating *Maṣlaḥah* and *Raf 'al-ḥaraj* into *zakāt* distribution. Although the elderly people are not explicitly categorised as *aṣnāf,* Asst. Prof. Dr F.B.K. discusses that

[13] Hassan, Rusni. "Prioritization of *Zakāt* Distribution in Selangor and the Federal Territory of Malaysia: Are They Following the Right Distribution Principles According to Shariah?". *Intellectual discourse* 24 (2016).

[14] Darihan Mubarak, Norfaizah Othman, Mariani Abd-Majid, Suhaila Nadzri, and Universiti Kebangsaan Malaysia. "*Maqāṣid*-Shariah and Well-Being: A Systematic". In *Proceedings of the 1st International Conference on Islamic Economics,* 2022

[15] Ab Rahman, et. al. "Regulation of *Zakāt*: An Analytical Study in The Light of Maqāṣid Sharīʿah"..

ijtihād (juristic reasoning) allows their inclusion based on the following Juristic principles:

(a) *Maṣlaḥah* Mursalah (unrestricted public interest), which focuses on ensuring the elderly's well-being aligns with the *sharīʾah's* intent to remove hardship *(raf'al-haraj)*; thereby, elderly individuals who lack financial support may be rightfully classified under *fuqarāʾ* or *masākin*.

(b) *Sadd al-Dharā'i* (blocking the means to harm) focuses on preventing the neglect of the elderly by ensuring they have access to financial aid and care.

(c) *Istiḥsān* (jurist preference); this implies prioritising their needs based on social realities rather than strict textual interpretation.

Elaborating further, Asst. Prof. Dr F.B.K. explains that *Maṣlaḥah* and *Raf ʿal-Ḥaraj* are "two key principles that should guide *zakāt* distribution". She opines that the principle of *Raf ʿal-ḥaraj* is particularly relevant to the elderly, stating that it "directly applies to the elderly who face significant hardship due to illness, immobility, or lack of income". The *zakāt* system, therefore, must be flexible enough to recognise and alleviate such suffering.

Holding a similar view, Ustaz A.H.A.R. mentioned that *zakāt* institutions can integrate the concept of *Maṣlaḥah* and *Raf ʿal-ḥaraj* by establishing systematic guidelines, objectives, and planning through the distribution of *zakāt*. According to him, "The aspects of balancing economic disparities, creating job opportunities, and the development of *aṣnāf* must align with the central objective of *sharīʾah*, which is the welfare of people and their relief from hardships".

Collectively, *maṣlaḥah* refers to considerations of public interest and welfare, promoting benefits and preventing harm within the community. In the context of *zakāt*, *maṣlaḥah* amplifies the optimal allocation of resources to serve the collective good, addressing issues such as poverty, education, and healthcare[16]. Meanwhile, *Raf ʿal-ḥaraj* refers to the alleviation of undue hardship, advocating for flexibility and ease in the application of Islamic rulings to prevent unnecessary difficulties. Applying this

[16] Hapsari, Meri Indri, and Zainal Abidin. "*Zakāt* distribution in *Maqāṣid* al-shariah framework". *Journal of Islamic Financial Studies* 2, no. 02 (2016).

principle in *zakāt* distribution ensures accessibility and practicality, particularly for those in dire need.[17]

Contextualising into perspective, Asst. Prof. Dr K.F.J. confirms that these principles are already utilised, citing that "the decision to include new categories of recipients or to allocate funds for new programs is often based on the principle of *Maṣlaḥah*, to ensure the greatest good for the community". He further notes that applying these principles allows *zakāt* to adapt effectively to evolving societal needs.

Integrating these principles into *zakāt* distribution strategies is essential for enhancing the effectiveness and relevance of *zakāt* institutions in addressing contemporary socio-economic challenges.[18] Rooted in Islamic jurisprudence, they provide a framework that ensures *zakāt* fulfils its religious obligations, enhances societal benefits, and diminishes hardships.

The Focus Group Discussion (FGD) participants shared the same perspectives, emphasising the integration of *Maṣlaḥah* and *Raf 'al-ḥaraj* in addressing the critical financial and care insecurities encountered by Malaysian' elderly people. The solution proposed for *zakāt* institutions to act as guarantors, providing consistent, long-term funding to care centres, is described as direct realisation of *Maṣlaḥah,* as it serves the public good and removes hardships. One of the interviewees' frustrations with the lack of *zakāt* support is palpable in their statement, "We have actually tried to take on *zakāt* cases, but we asked if the *zakāt* officer could become the sole guardian because I do not want to have to beg...we would be willing to take them, but they were unwilling...".

Asst. Prof. Dr K.F.J. posits that by integrating *Maṣlaḥah* and *Raf 'al-ḥaraj* into *zakāt* distribution strategies, institutions should be able to shift towards a more flexible, needs-based approach, balancing immediate relief with structural, long-term support. He proposed the following measures for operationalising these principles:

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[17] Sarah Nursaadah Mohd Zameri, Sharifah Faigah Syed Alwi, Mohammad Firdaus Mohammad Hatta, and Aula Ahmad Hafidh Saiful Fikri. "Maṣlaḥah and its Application in Islamic Finance". *International Journal of Islamic Business (IJIB)* 9, no. 1 (2024): 82-94.

[18] Awang, Mohd Zubir, Nor Faridah Mat Nong, Wan Mohd Yusof, and Wan Chik. "Integrating Islamic Social Finance with the United Nations Sustainable Development Goals through *Maqāṣid* Al-Shariah Principles".

Integration of *Maṣlaḥah* in *Zakāt* Distribution

1. Needs Assessment: Conducting comprehensive assessments to identify the most critical issues, assuring *zakāt* allocation generates beneficial impacts.
2. Prioritisation: Developing a framework that allocates funds to projects and individuals based on long-term benefits and overall community welfare.
3. Sustainable Programs: Investing in sustainable development programs such as education, healthcare, and economic empowerment initiatives, aiming to create lasting improvements in the quality of life for recipients.
4. Community Involvement: Engaging with community leaders and beneficiaries to ensure participatory, reliable, and practical distribution of the *zakāt* fund.

Integration of *Raf' al-Ḥaraj* in *Zakāt* Distribution

1. Immediate Relief: Ensuring a portion of *zakāt* funds is reserved for immediate relief efforts, such as providing food, shelter, and medical care.
2. Flexible Distribution: Developing flexible mechanisms that can respond to emergencies and unforeseen circumstances.
3. Debt Relief Programs: Establishing specialised programs or initiatives, assisting the elderly burdened by debt, preventing economic exploitation, and providing a pathway to financial stability.
4. Monitoring and Evaluation: Regularly monitoring and evaluating *zakāt* progress, ensuring it is effectively addressing the hardship, while adapting strategies based on feedback and outcomes.

Collectively, the experts' insights demonstrate that a strict, literal interpretation of *zakāt* distribution would be detrimental to its purpose. Alternatively, integration of the principles of *Maṣlaḥah* and *Raf 'al-ḥaraj* allows necessary flexibility to adapt *zakāt* to modern societal needs, such as those of the elderly. This reflects a dynamic and pragmatic jurisprudential approach, where the intent of the law guides its application to maximise public good and minimise suffering.

Ultimately, integrating *Maṣlaḥah* and *Raf' al-Ḥaraj* into *zakāt* governance is significant to ensure that the mechanisms remain adaptive, impactful, and transformative; not merely alleviating hardship, but systematically addressing its root causes, thus achieving its objective as a pillar of social justice and public welfare.

4.4.2 Theme 2: The Socio-economic Needs of Elderly Citizens and the Role of *Zakāt*

This theme integrates on-the-ground challenges in elderly care with the potential socio-economic role of *zakāt*, focusing on financial insecurity, healthcare access, and sustainable care provision. The interview session with the focus group reveals that the biggest challenges faced by elderly individuals are a lack of affordable, high-quality care options and an absence of consistent family support. The analysis is constructed under three subthemes: (1) Challenges in Financial Security and Healthcare Access, (2) The Potential Role of *Zakāt* as a Financial Guarantor, and (3) Structuring *Zakāt* for Sustainable Elderly Care.

4.4.2.1 Challenges in Financial Security and Healthcare Access

The demographic shift towards an ageing nation in Malaysia presents a unique set of socio-economic challenges, particularly for the vulnerable elderly.[19] These include financial insecurity, a lack of access to healthcare, and a dependency on family or government support, which is often inadequate. These challenges concurrently enlighten the correlation between financial insecurity and barriers to accessing dignified care.

Discussion and Analysis of The Respondents' Views

The FGD with *Pertubuhan Kebajikan Darul Insyirah* reveals a critical paradox in elderly care in Malaysia. While care centres aim to help the vulnerable, operational sustainability forces them to exclude those who are financially insecure. A significant organisational barrier is the requirement for residents to have a "financially responsible guardian (*waris*)". As the FGD leader explained, "Our centre cannot accept vulnerable elderly without a guardian to sign letters and ensure monthly payments". This is a significant gap, as those without family are often the ones most in need".

[19] Shazreen Nadia Zulkipli, Ramalinggam Rajamanickan, and Muhamad Helmi Md Said. "Elderly as a Vulnerable Group: A Legal Review in Malaysia". *Akademika* 95, no. 1 (2025): 373-390.

Asst. Prof. Dr F.B.K. reinforces this concern, noting that "the high cost of healthcare and long-term care for the elderly is a significant burden that often exceeds the capacity of pensions and family support". Therefore, for many, "a single medical emergency can deplete their life savings, pushing them into poverty".[20] She further highlights the disparity between urban and rural elderly people, implying that urban seniors often face higher living costs and a greater sense of isolation.

The main observation inferred from both FGD, and expert views is the disparities between the arising need for elderly care and the practical mechanisms to fund it. Whilst the FGD demonstrates this concern through practical operational constraints, Asst. Prof. Dr F.B.K's analysis contextualises it within the broader economic challenges. Both views provide that the most vulnerable elderly who are kinless, without guardians, are often excluded from private and institutional care due to flaws in current *zakāt* mechanisms that have yet to be appropriately addressed.

4.4.2.2 Potential Role of Zakāt as a Financial Guarantor

The traditional role of *zakāt* is to provide financial assistance. However, to address the challenges of elderly care, a more innovative and active role is needed, one that moves *zakāt* from being a passive funder to an active guarantor of care.

Discussion and Analysis of The Respondents' Views

The FGD participants vigorously support *zakāt* institutions to act as a financial guarantor. The management of *Darul Insyirah* clarifies that they cannot accept residents without a "financially responsible guardian *(waris*)", yet conveyed willingness to accept *zakāt*-eligible individuals "if the *zakāt* officer could become the sole guardian, because I don't want to have to beg...". This statement displays both ethical and institutional pressure underlying elderly care: *zakāt* institutions hold the financial ability to address this gap; however, the existing authorization limits its administration.

[20] Roshanim Koris, Norashidah Mohamed Nor, Sharifah Azizah Haron, Tengku Aizan Hamid, Syed Mohamed Aljunid, Amrizal Muhammad Nur, Normaz Wana Ismail, Asrul Akmal Shafie, and Suraya Yusuff. "The cost of healthcare among Malaysian community-dwelling elderly". *Jurnal Ekonomi Malaysia* 53, no. 1 (2019): 89-103.

The advocacy for *zakāt* institutional organization as a formal guardian (waris) would immediately address this issue. An FGD participant mentioned, "If the *zakāt* officer is willing to take up the role as a sole and commits to monthly fees, we are willing to take the vulnerable elderly who have no family. This is the only solution to this problem. But they were unwilling to take up that job". Such models would allow care centres to accept the most vulnerable elderly individuals, having financial stability to provide long-term care and ensure their continuous welfare.

Assoc. Prof. Dr H.Z. supports this approach from a theoretical standpoint, explaining that, "the *zakāt* institution can act as a safety net, filling the void where family or government support is absent. This is a modern interpretation of *Maṣlaḥah* that allows us to adapt to modern societal structures".

Unfortunately, the FDG participants uncover a major institutional barrier: *zakāt* bodies are hesitant to take up the role of legal and administrative, affiliated with being the formal guarantor. This tension demonstrates a huge disparity between theoretical justification and institutional practice. Taking all into consideration, the analysis emphasises the crucial development for *zakāt* bodies, evolving beyond the noninterventionist model into a more direct, policy-driven method which encompasses both financial support and administrative accountability. Thereafter, *zakāt* is able to effectively serve its objective as a holistic safety net for the elderly.

4.4.2.3 Structuring Zakāt for Sustainable Elderly Care

As Malaysia's population ages rapidly,[21] the role of *zakāt* must evolve to address the growing financial, medical, and social challenges faced by elderly Muslims.[22] Statistics from the Department of Statistics Malaysia (DOSM, 2016) present that the ratio of Malaysians aged 60 years and above stood at 7.9% in 2010 and is projected to reach 15.3% by 2030. The evolving demographic composition towards an ageing nation enlightens the country to make adequate preparation, addressing socio-economic

[21] Muneeza and Kunhibava. "Providing Provision and Protection to Ageing Population via Cash Waqf Takaful Model in Malaysia".
[22] Yakubu, Abubakar, and Fatihi Tahir Usman. "Population Ageing and the Potentialities of Islamic Values of Support and Care for the Elderly". (2020).

challenges such as sustainable financial assistance, healthcare access, and social support.

Key socio-economic challenges include:

(i) Lack of Sustainable Income: Many elderly Malaysians do not have pensions or long-term savings, making them economically vulnerable,[23] especially those who serve in the informal sector.

(ii) High Healthcare costs: This includes chronic illnesses such as diabetes, heart disease, and arthritis, which extensively increase medical expenses.

(iii) Declining Family Support: Traditional family-based elder care is decreasing due to urban migration and changing lifestyles. More elderly Muslims are left alone or in nursing homes, requiring external financial aid. [24]

To move beyond one-off, short-term aid, *zakāt* needs to be structured to provide long-term, sustainable benefits, such as free medical services, subsidised medication, and elderly-friendly healthcare programs. This, however, requires creative, integrated funding models that systematically support the high costs of long-term care.[25]

Discussion and Analysis of The Respondents' Views

The FGD participants suggested a hybrid funding model that integrates *zakāt* with *waqf* (Islamic endowments) and modern crowdfunding. This innovative approach proposes that *zakāt* is utilised as a key part of a sustainable, self-funding ecosystem, financing elderly welfare, particularly for elderly individuals with financial difficulties, obstructing access to private services.[26]

Ustaz A.H.A.R. affirmed this view, emphasising the importance of structuring *zakāt* to support long-term programs, including nutritional supports, routine health check-ups, and recreational activities that promote comprehensive care of well-being. Similarly, Asst. Prof. Dr K.F.J. noted that, "sustainable models would shift the focus

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[23] Teh Lian Tai and Noraina Mazuin Sapuan. "Retirement Planning in Malaysia: Issues and challenges to achieve sustainable Lifestyle". *Turkish Online Journal of Design Art and Communication* 8, no. SEPT (2018): 1222-1229.

[24] Salleh, et. al. "Muslim Elderly Care based on *Maqāṣid* Shariah" (2022).

[25] Hassan, et. al. "Takaful, *zakāt* and waqf instruments "

[26] Tengku Aizan Hamid and Chai Sen Tyng. "Meeting the needs of older Malaysians: expansion, diversification and multi-sector collaboration". *Malaysian Journal of Economic Studies* 50, no. 2 (2013): 157-174.

from a one-time handout to a continuous support system that addresses all the needs of the elderly". He adds that *zakāt* funds are also utilised for "the development of community-based centres that provide day care and social activities for the elderly, which can be a much more cost-effective solution than institutional care".

The FGD further discussed, suggesting the integration of the "*waqf* and business" approach with crowdfunding, as a practical example of a sustainable framework. In this model, *zakāt* serves as a "top-up" fund, supplementing the costs for those financially constrained, while the *waqf* fund and community fundraising are used to bear the operational costs. This framework would evolve beyond the traditional, short-term distribution model towards a resilient model for social finance development.

Asst. Prof. Dr F.B.K. proposes four strategic roles for *zakāt* in addressing the challenges of sustainability in *zakāt* for the elderly:

1. Dedicated *Zakāt* Programs for the Elderly: Allocating specific *zakāt* funds for elderly Muslims who lack financial means, catering for monthly stipends, healthcare, and home assistance.
2. Integration of *Zakāt* with *Waqf* (Islamic Endowments): Developing a hybrid model of *zakāt & waqf*-based elderly care homes, ensuring long-term sustainability, as seen in models from Turkey and Morocco.
3. Medical *Zakāt* Programs: Providing free or subsidised healthcare and nursing services for poor elderly Muslims, succeeding Jordan and Sudan, where *zakāt*-funded hospitals provide free medical check-ups and treatment.
4. *Zakāt*-Based Entrepreneurship for the Elderly: Establishing programs to help elderly individuals engage in small-scale business ventures, such as those initiated by Indonesia BAZNAS's Authority, by financing elderly artisans using *zakāt* capital.

The analysis shows the need for a restructuring, from traditional charity to a sustainable social finance system. Although not consensually agreed upon, the proposal integrating *zakāt* with *waqf* and other Islamic finance instruments demonstrates potential development of a more sophisticated and sustainable approach to elderly welfare. This highlights a key insight: achieving an effective solution will require the cooperation between the two subjects: *zakāt* and the collaborative ecosystem of Islamic social finance instruments.

4.4.3 Theme 3: Juristic Justifications for Including the Elderly in *Zakāt* Distribution

This theme addresses the juristic and legal basis for providing *zakāt* to the elderly, focusing on the principles of *Ijtihād*, historical precedents for expanding eligibility, and scholarly discussions addressing concerns about *zakāt*'s impact on familial responsibilities. In summary, these discussions demonstrate the practical implementation of Islamic Jurisprudence *(fiqh)* in resolving contemporary challenges.

4.4.3.1 Ijtihād-based Juristic Principles for Inclusion of the Elderly

The Qur'anic verse (9:60) identifies eight categories of *zakāt* recipients (*aṣnāf*). Since the elderly are not explicitly mentioned, a legal basis must be established to justify their inclusion. This is achieved through *Ijtihād* (juristic reasoning), authorising a dynamic and proficient application of Islamic law.[27]

Discussion and Analysis of The Respondents' Views

All experts present a compelling argument for including the needy elderly through *Ijtihād*. The consensus is that the eight *aṣnāf* categories are not fixed names but rather a set of attributes reflecting socio-economic requirements. Assoc. Prof. Dr H.Z. explains, "The primary justification is that the *aṣnāf* mentioned in *Sūrah al-Tawbah* are 'categories' based on attributes, not fixed names". This attribute-based categorisation allows for a flexible interpretation; an elderly individual can qualify as *faqīr* (destitute), *miskīn* (poor), or *ghārimīn* (indebted) depending on circumstances at the moment. He reminds, though, that while *Ijtihād* is necessary, the expansion or contextualisation of the categories requires disciplined and rigid implementation. Misapplication of any of the existing *aṣnāf* to an inappropriate, unrelated purpose will undermine the principle

[27] Asrizal Saiin. "Methodological And Applicative Ijtihad Yusuf Al-Qardhawi in Solving Contemporary Issues". *Tasamuh: Jurnal Studi Islam* 13, no. 2 (2021): 249-274.

of restriction (*ḥaṣr*). He later added, "If an elderly person does not qualify for any category, it is better to source funds from *bayt al-māl* or *waqf*".

Ustaz A.H.A.R. further elaborates this reasoning, adapting the concept of *al-indirāj* (insertion under an existing rule), and reinforces that, "the scholars can and must insert a new problem into an old law". He illustrates a Ḥadīth narrated by Ziyād ibn al-Ḥārith as-Sudā'ī, in which the Prophet ﷺ asserted that any circumstances aligning *zakāt*'s entitlement with one of the eight categories, indicating that any individuals who possess those attributes, including the vulnerable elderly, qualify as recipients. The narrated hadith is as follows: "… *The Messenger of Allah (ﷺ) said: Allah is not pleased with a Prophet's or anyone else's decision about Sadaqat (zakāt) till He has given a decision about them Himself. He has divided those entitled to them into eight categories, so if you come within those categories, I shall give you what you desire".* Hence, the elderly who face challenges such as financial insufficiency, medical debt, and/or inadequate support can justifiably fall within *faqīr, miskīn, ghārimīn, or fī sabīlillāh* categories.

Build upon this by justifying the inclusion of the principles of *Qiyās* (analogical reasoning) and *Maṣlaḥah Mursalah* (public interest), Asst. Prof. Dr K.F.J. explains that "because the elderly are vulnerable and in need, they are analogous to the *faqīr* and *miskīn*, and giving *zakāt* to them serves the public interest". Similarly, this view is echoed by Asst. Prof. Dr F.B.K., who emphasises that "the core reason for giving *zakāt* is to alleviate poverty and hardship. The elderly, when in a state of need, perfectly fit this core purpose, regardless of whether they are explicitly named within *aṣnāf* category".

The FGD further adds to the pragmatic value of these arguments, simultaneously suggesting new ijtihad that corresponds to the modern demographic realities. The previous statement by the FGD participant, "if the *zakāt* officer could become the sole guardian", reflects the practical disparity that needs to be addressed through the application of juristic reasoning, specifically to provide justification that permits extending *zakāt* assistance to the kinless, unattended elderly.

The discussion reveals a collective understanding, viewing *aṣnāf* as a dynamic category that catered to adaptable interpretation. This collective understanding, rooted in *Ijtihād*, provides a robust theoretical foundation for modern *zakāt* policy[28] that includes the elderly, demonstrating that Islamic jurisprudence possesses the pragmatic flexibility to respond to modern demographic social transition.[29]

4.4.3.2 Precedents for Expanding Zakāt Eligibility in Classical Jurisprudence

The flexibility of Islamic jurisprudence in adapting to new societal needs is not a modern phenomenon. Throughout history, scholars have practised *Ijtihād* to broaden the application of *zakāt*, providing a crucial historical basis for including new groups of recipients, such as the elderly, within the contemporary *zakāt* framework.

Discussion and Analysis of the Respondents' Views

The experts mutually confirm that classical jurisprudence consistently shows a pattern of expanding *zakāt* eligibility in response to societal changes. Affirming this view, Ustaz A.H.A.R. cites a ruling permitting utilisation of *zakāt* for specialised housing programs for the poor, noting that, despite the difference of opinion among scholars, schools such as Shāfiʿī and Ḥanbalī, notably Ibn Taymiyyah, who supports broader applications when public welfare demands it (*Mughn*ī *al-Muḥtāj,* 4/185; *al-Majmū',* 6/123). He later mentioned rulings permitting utilisation of *zakāt* for students who face financial difficulties during their journey in seeking knowledge, which is endorsed by both Shāfiʿī and Ḥanbalī jurists (*Nawāzil al-Zakāh,* 362-363).

In addition to the above, Assoc. Prof. Dr H.Z. provides another classical example: the reinterpretation of the concept *wa fi al-riqāb* (freeing slaves) to include freeing people from debt, as "debt is seen as a modern form of slavery". This reinterpretation shows a historical precedent for adapting the '*illah* (legal rationale) to contemporary issues.

Asst. Prof. Dr F.B.K. cited an instance of Caliph 'Umar ibn al-Khaṭṭāb's expansion of *zakāt* for new Muslim converts beyond its initial political context, and of

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[28] , Dhika Tabrozi. "Ijtihad Maqashid Sharia in the Thought of Asy-Syatibi and Muhammad At-Tahir Ibn Ashur". *Al-Mazaahib: Jurnal Perbandingan Hukum* 13, no. 1 (2025): 1-28.

[29] Azahari, Raihanah, Asmak Ab Rahman, Raihanah Abdullah, and Mardhiah A. Rahim. "The Philosophy of the Objective and Purpose of Islamic Law: Economic Protection of the Elderly". In *Ethics and Decision-Making for Sustainable Business Practices*, pp. 239-257. IGI Global Scientific Publishing, 2018.

Imam Abū Yūsuf's views that *zakāt* can be used for public welfare if it ultimately benefits the poor. Correspondingly, Mālikī jurists permitted the utilisation of *zakāt* funds for public infrastructure when necessary to serve the communal inquiry.

Asst. Prof. Dr K.F.K. highlights that "the expansion of *zakāt* to support students and seekers of knowledge is another well-documented precedent that demonstrates the dynamism of *fiqh*".

Taking all into consideration, these historical precedents illustrate the pragmatic flexibility of jurisprudence, providing a basis for the inclusion of the elderly as eligible *aṣnāf*. As Assoc. Prof. Dr H.Z. reminds, however, that this expansion must remain within the bounds of juristic justification and public interest. The consideration to include the elderly as eligible *aṣnāf* recipients is, therefore, not a radical departure but rather a continuation of a well-established juristic tradition grounded in the *maqāṣid*, safeguarding human welfare and dignity.

4.4.3.3 Addressing Concerns about Zakāt Threatening Familial Bonds

A common concern regarding state-administered aid for the elderly is that it might weaken the traditional family structure and relieve children of their religious duty to care for their parents.[30] This sub-theme, therefore, examines how *zakāt* can complement rather than undermine these familial responsibilities.

Discussion and Analysis of The Respondents' Views

All the four experts acknowledge the validity of this concern but argue that *zakāt*, when properly implemented, will complement rather than replace familial responsibilities. Ustaz A.H.A.R. opines that, while this concern ultimately needs to be addressed, a balance and appropriate approach is required in solving this issue, particularly as this relates to a sensitive subject: allocating *zakāt* aid for the elderly parents may ease the burden on children that has limited capability to support their parents, yet allocating it

[30] Zulkhairol Shukri, Nik Norliati Fitri Md Nor, and Nurul Raffiza Norzehan. "The Issue of the Elderly Homeless in Kuala Lumpur: Family Neglect and Its Contributing Factors". *Intellectual Discourse* 30, no. 1 (2022): 59-81.

to the elderly with wealthy children, could unintentionally allow the opportunity of neglection to their filial responsibilities.

Giving a deeper insight, Assoc. Prof. Dr H.Z. states that the existence of *zakāt* aid "does not negate personal responsibility". While acknowledging that the fear is a valid concern, he emphasises that the practical response in solving this issue relies on moral education, which involves nurturing filial piety from an early age. He then added that: "the risk of misuse is not unique to *zakāt*; it also exists in systems like *Takaful*", where some people may try to exploit it for financial gain, noting that "however, we do not prohibit *Takaful* because of it".

Indicating that in Islam, caring for parents is a sacred duty, as highlighted in the Qur'an: *"And We have enjoined upon man [care] for his parents"*. (*Sūrah al-Ahqāf*: 15), Asst. Prof. Dr K.F.J. agrees that *zakāt* should be utilized to safeguard welfare, ensuring the elderly live with dignity, not to replace the filial duty: "it fills the gaps when families are unable to provide adequate care, thus acting as a safety net for seniors with limited or no family support". In addition to that, "elderly as *zakāt* recipients do not weaken familial bonds; it actually strengthens them". He highlighted that neglecting elderly care out of fear negates the *maqāsid* of protecting life and dignity.

The FGD supports this view by reaffirming their role as elderly care centers and viewing themselves as "a backup for the family, not a substitute". Their compulsory visitation policy indirectly ensures the continuous family involvement. Correspondingly, the suggestion to have the *zakāt* institution as a substitute legal guardian *(waris)* is a practical consideration, especially for elderly individuals without relatives or incapable of family support.

Sharing the same views, Asst. Prof. Dr F.B.K. posits that this concern can be addressed in many ways. She then suggests the following policy:

(a) Prioritising *zakāt* for elderly individuals without family support.
(b) Offering incentives (e.g., tax benefits) for families that care for elderly parents.
(c) Establishing elderly *waqf*-based elderly care homes, supported by *zakāt* funds.

She adds a final perspective, citing, "*zakāt* should be utilised as a last resort, but a necessary one, to ensure the dignity of the elderly is not compromised when their family fails them".

To conclude, insights from respondents reassert the perspective that, guided by appropriate, justified assessments, *zakāt* strengthens rather than dismisses familial responsibility. This proportional cooperation between legal provision and religious obligation underscores the application of the Islamic principle of *ta'āwun*, depicting a compassionate equilibrium among individual, family, and societal responsibilities.

4.4.3.4 Existence of Fatwas or Scholarly Discourse on Zakāt for Seniors

The existence of formal *fatāwā* (legal opinions) and scholarly discussions provides a critical layer of legitimacy for the contemporary application of *zakāt*. This sub-theme explores whether such rulings exist to support the specific allocation of *zakāt* to the elderly.

Discussion and Analysis of the Respondents' Views

The interview findings correspond to the juristic precedents that were discussed in Chapter 3, affirming that there is a nuanced consensus on the permissibility of utilising *zakāt* for the elderly. While the respondents agreed that the non-existence of a specific *fatwā* established exclusively for the elderly as a distinct juristic group, they affirmed the positions held by both local and international institutions that the vulnerable elderly are inherently and adequately safeguarded under the existing *aṣnāf* categories.

Asst. Prof. Dr K.F.J. and Asst. Prof. Dr F.B.K. confirms this by explaining that the absence of a specific *fatwa* is due to its inclusion, which is accordingly covered under general *faqīr* and *miskīn*. Ustaz A. H. A. R. concurs, mentioning Lembaga Selangor's efforts, *Baitul Mawaddah,* which provides shelter and care for the impoverished elderly. However, it may not necessarily adopt the formal elderly-specific ruling.

Contrarily, Asst. Prof. Dr F.B.K. and Asst. Prof. Dr K.F.J. observes the occurrence of various relevant *fatāwā* of the elderly. They outline that Malaysia's authorities have provided the authorisation of inclusion of the poor and financially distressed elderly under *fuqarāʾ* and *masākīn*, stressing that the elderly welfare should not be neglected.[31] Among the instances are Lembaga *Zakāt* Selangor (LZS) and the Federal Territory *Zakāt* Collection Centre (PPZ-MAIWP), which allocate *zakāt* to the impoverished elderly, providing medical assistance, monthly aid, and food support. Additionally, state-level fatwa bodies such as those in Selangor, Johor, and Terengganu have approved the allocation of *zakāt* for elderly welfare homes.

Asst. Prof. Dr F.B.K. identifies several precedents that exist, such as:

- *Majma' al-Fiqh al-Islāmi* (OIC): Declares that elderly individuals facing financial difficulties qualify under *zakāt*'s *masākin* category.
- Egypt's *Dar al-Iftā*': Allowing *zakāt* for elderly care centres and healthcare.
- Sheikh Yusuf al-Qaraḍāwi (*Fiqh al-Zakāh*): advocates for a dynamic approach to *zakāt* distribution, which includes elderly individuals lacking self-sufficiency.
- Saudi Fatwa Council: Permitting *zakāt* for healthcare and social support programs for the elderly.

These *fatāwā* draw on *maqāṣid al-sharīʾah* (the objectives of Islamic law) to preserve life and dignity, acknowledging that societal changes necessitate a broader interpretation of *zakāt* categories.

Asst. Prof. Dr K.F.J. further acknowledges that the *Majlis Islam Perak* (MAIPk) and International Islamic *Fiqh* Academy (IIFA) both support similar rulings. The Selangor Islamic Religious Council **(**MAIS) justifies the inclusion of elderly in *zakāt* distribution by adapting the principles of *istiḥsān* (juristic preference) and *istislāḥ* (public welfare), grounded in *ijtihād* and *maqāṣid*.

He adds by citing scholar Sheikh Yusuf al-Qaradawi, who has also issued rulings on this matter, further cementing the legitimacy of the practice, stating, "The scholarly consensus is that age itself is not a barrier to receiving *zakāt* if the individual meets the criteria of one of the eight *aṣnāf*".

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[31] Jabatan Wakaf, *Zakāt* dan Haji (JAWHAR), *Manual Pengurusan Agihan Zakāt* (Putrajaya: Jabatan Wakaf, *Zakāt* dan Haji, Prime Minister's Department, 2013), 15.

Conclusively, these *fatāwā* and scholarly perspectives deduce that allocation of *zakāt* funds for the welfare of the elderly is both juristically justified and consistently aligned with *shāri'ah* objectives. Instead of mere innovation, it reflects an established understanding that serves the principles of preserving life, dignity, and social justice for the vulnerable of the ummah. This simultaneously simulates a strong, authoritative basis for *zakāt* institutions in Malaysia to formalise and expand their support for the elderly.

4.4.4 Theme 4: *Sharīʾah* Compliance and *Zakāt* Policy Development

This theme explores how *zakāt* policy can evolve to meet the challenges of an ageing society while remaining compliant with Islamic law, focusing on the necessary juristic conditions for including seniors as recipients.

4.4.4.1 Zakāt's Evolving Role in an Ageing Society

As Malaysia transitions into an ageing nation, its *zakāt* institutions framework must simultaneously develop to address the multidimensional challenges exhibited by the elderly population. While *zakāt* has traditionally served as an instrument to alleviate poverty, its socio-economic potential extends beyond immediate, short-term relief to include long-term welfare, healthcare, and community empowerment.

Discussion and Analysis of The Respondents' Views

From the *Shari'ah* expert perspectives, this evolution must, however, remain within its juristic limitations, in line with the evolving societal context. As Ustaz A.H.A.R. indicated, "*when discussing matters relating to fiqh, it is closely intertwined with the condition of the mukallaf (legal subjects). The law and jurisprudence may also change with the passage of time*". This view is consistent with the *fiqh* maxim "*Taghayyur al-aḥkām bi taghayyur al-azmān lā yunkar*" (changes in law due to the change of time are not denied).

Supporting this, Asst. Prof. Dr F.B.K. notes that "As Malaysia's population ages rapidly, the role of *zakāt* must evolve to address the growing financial, medical, and social challenges". This suggests that this evolution is to develop *zakāt* from a temporary safety net to a holistic, long-term social welfare system that incorporates direct financial support, healthcare, and community programs.

Assoc. Prof. Dr H.Z. agrees to this but adds a crucial condition that such expansion must not contravene existing juristic boundaries. He concurs with the consideration of specialised policy prioritising the welfare of the elderly, but it must be rooted in the existing categories and not create a ninth *aṣnāf*. As he cited, "Elderly should be considered a priority group, but with stringent conditions that align them with the existing *aṣnāf*".

Similarly, Asst. Prof. Dr K.F.J. views *zakāt* as a powerful tool for fostering dignity, care, and social justice for the elderly, given its comprehensive nature, which encompasses a strategic, structured framework that aligns with *Maqāṣid al-Shari'ah*. More specifically, he suggests that the institutions extend the *zakāt* assistance channelled through medical allowances, including medications, regular check-ups, and assistive devices, and/or housing subsidies under the *miskīn* or *ghārimīn* categories to prevent homelessness and unsafe living conditions.

From a broader *maqāṣid* perspective, these efforts collectively illustrate a consensus view of *zakāt* as a pragmatic and dynamic institution that integrates religious obligations and social realities. Conclusively, all experts agree that *zakāt* must function as a responsive institution, correspond to contemporary needs, and uphold *Shari'ah* integrity. This delicate balance between innovation and tradition that *zakāt* institutions must navigate in establishing an ethical foundation for *zakāt* policy in an ageing society.

4.4.4.2 Juristic Conditionings for Including the Elderly

To ensure the inclusion of the elderly is prioritised, specific, transparent, and legally justified criteria must be established. Accordingly, this sub-theme identifies the specific juristic conditions that would govern this process, ensuring both effectiveness and *sharīʾah* compliance.

Discussion and Analysis of The Respondents' Views

Correspondingly, the experts provided converging insights on the 'juristic conditionings' for including seniors, emphasising adherence to *sharīʾah* while adapting to modern needs. These conditions include aligning seniors with the existing *aṣnāf*, based on identifiable causes *(ʻillah*) such as poverty, debt, or incapacity to work. Ustaz A. H. A. R. affirms that, "*the conditions need to be in line with the existing aṣnāf, based on ʻillah, so that the process of Ijtihād through qiyās and similar methods can be accurately applied*". He further identifies the categories the elderly might fall into, including *faqīr, miskīn,* or *ghārimīn* due to financial difficulties, physical limitations, and inability to earn income.

Extending this, Asst. Prof. Dr K.F.J. infers that eligibility must be determined by transparent, legitimate criteria established by scholars and/or *shāri'ah* committees, to ensure transparency and legitimacy. Echoing this view, Asst. Prof. Dr F.B.K. advocates a "needs-based approach", one that considers income level, health status, family support, and living conditions.

Initiating this framework, Asst. Prof. Dr F.B.K. elaborately proposes the following juristic guidelines for the distribution of *zakāt* to the elderly:

i. Financial Hardship Condition (*Ḥājah Shadīdah*); Elderly individuals must demonstrate genuine financial distress due to lack of savings, pensions, or income.
ii. Absence of Family Support (*Lā ʿā'il lahum*); The elderly who are kinless or without a guardian to support them. *Zakāt* functions as assistance rather than replacing familial responsibility.[32]
iii. Health Condition and Disability (*Maraḍ wa ʿAjz*); Prioritisation of elderly individuals with chronic illnesses or incapacities, identifying them under *masākin*.
iv. Continuous Eligibility Assessment (*Murāqabat al-Ḥālah al-Iqtiṣādiyyah*); Regular evaluation of *zakāt* recipients' status, ensuring *zakāt* remains utilised for those in genuine need.
v. Prioritisation in Allocation (*Afḍaliyyat al-Tawzīʿ*); Prioritisation assistance toward the elderly instead of those younger, capable of earning income.

[32] While this may appear good, it is not the best thing to do in this situation. *Zakāt* may fill in the gap, while legal action may be taken against such neglectful individuals to ensure they do their duties to their aged parents

Partly corroborating the above, Assoc. Prof. Dr H.Z. opines that "old age itself can be considered a form of disability that necessitates special consideration". This justification allows for funding mobility aids, specialised medical care, and homes for the elderly.

Aligning with the foregoing, Asst. Prof. Dr K.F.J. offers a juristic classification model:

- The elderly lacking income, family support, or incapable of self-sufficiency can be categorised under *miskīn.*
- Those struggling with medical or personal debts fall under *ghārimīn.*
- Efforts and initiatives safeguarding the well-being of the elderly align with the broader interpretations of contemporary contexts under *fi sabīlillāh.*

The discussion reveals that a systematic, criteria-based approach of inclusion of the elderly within existing categories, overseen by a *sharīʾah* committee, without introducing a new category of *aṣnāf*, is the most robust and compliant way to ensure that *zakāt* reaches the most deserving elderly. This method secures both juristic legitimacy and administrative transparency, upholding *zakāt*'s role as a dynamic instrument of social welfare that serves the *maqāṣid.*

4.4.5 Theme 5: Economic Perspectives on *Zakāt* and the Elderly

This theme discusses *zakāt*'s significance as a financial tool for the ageing population, identifies key economic barriers to its allocation, and proposes structured strategies for sustainable implementation. To conclude, these perspectives illustrate *zakāt*'s dual functions as an inclusive and redistributive Islamic social welfare system.

4.4.5.1 Zakāt's Significance as a Financial Tool for the Ageing Population

Zakāt plays a significant role, redistributing wealth and promoting socio-economic welfare[33]. In the context of an ageing nation, it provides assistance to safeguard the

[33] Imron Mawardi, Tika Widiastuti, Muhammad Ubaidillah Al Mustofa, and Fifi Hakimi. "Analyzing the impact of productive *zakāt* on the welfare of *zakāt* recipients". *Journal of Islamic Accounting and Business Research* 14, no. 1 (2023): 118-140.

well-being of the elderly from challenges such as loss of reliable income, medical debt, and inadequate support. According to the Department of Statistics Malaysia (2023), Malaysia's demographic composition is shifting, with the fertility rate declining from 6.7 children per woman in 1957 to 1.6 in 2022, and the elderly population is projected to increase significantly, amplifying their vulnerability to poverty and social exclusion. Recognising *zakāt*'s objective and potential to alleviate poverty and promote equity, this sub-theme examines its significance for the ageing population, considering how it can serve as a crucial financial lifeline that complements government and family support.

Discussion and Analysis of The Respondents' Views

The experts' respondents concur that *zakāt* can serve as a complementary financial tool to existing state welfare mechanisms. Assoc. Prof. Dr H.Z. states that, "Its main economic functions are to redistribute wealth and to boost the purchasing power of the poor". He further explains that this involves ensuring the welfare of the elderly who face significant financial hardships in maintaining a standard of living. Concurrently, Asst. Prof. Dr F.B.K. notes that *zakāt* is "one of the most effective tools to mitigate the economic strain on the elderly, especially when they have high medical costs and no income".

Despite that, all experts emphasise that *zakāt* must operate as part of an integrated system. Ustaz A.H.A.R. explains that *zakāt* can serve as a 'top-up' mechanism for the elderly whose financial resources are inadequate, supplementing the pension or government aid. This perspective aligns with the *maqāṣid* principle of *raf' al-ḥaraj* (removal of hardship), establishing *zakāt* as an intermediary between the state and familial support.

The analysis highlights a sophisticated understanding of *zakāt*'s economic role. The collective insight is that *zakāt's* economic efficiency is measured not by replacing the current welfare system but by complementing it. It can be systematically utilised to supplement existing pension schemes, improve access to healthcare, and support elderly programs. Concurrently, the experts determine that embedding *zakāt* in a broader welfare ecosystem, including *waqf*, *takāful*, and government assistance, forms a cornerstone of sustainable economic equity for Malaysia's ageing population.

4.4.5.2 Key Economic Barriers to Zakāt Allocation for the Elderly

Despite its potential, several significant economic and administrative barriers hinder the complete application of *zakāt* for the elderly.[34] This sub-theme, hence, identifies and examines the key barriers observed at the juristic, administrative, and financial levels to ensure comprehensive efficiency of *zakāt*'s assistance to the vulnerable.

Discussion and Analysis of The Respondents' Views

In line with the discussion, the experts identify a multi-layered set of barriers; for instance, Ustaz A.H.A.R. observes that among the most significant challenges is *Rigid Categorisation of Aṣnāf,* which does not explicitly distinguish elderly people as a distinct category. He cited that, "*zakāt* distribution only follows the eight *aṣnāf*, whereby the elderly as a distinct group are not explicitly mentioned". This means their eligibility lies in whether they qualify as *faqīr* or *miskīn*. However, the strict criteria classification often excludes the elderly who do not meet the ultimate poverty threshold but still struggle with financial hardship. Elaborating on it, Assoc. Prof. Dr H.Z. mentions that this issue is basically aligned with one of the *takyīf al-fiqhī* (juristic classification): "if an elderly person does not fall under any of the prescribed categories, there is no justification to allocate *zakāt* funds".

Another main barrier is the *Limited Zakāt Collection Relative to Growing Needs*. That is, although *zakāt* collection has been increasing annually, there's also a growing demand for funds, which accelerates alongside economic pressures.[35] As Ustaz A.H.A.R notes, "with Malaysia's ageing population expanding, the 'competition' for *zakāt* funds among different *aṣnāf* groups, such as education, healthcare, and social welfare, restricts allocation for elderly care". This statement is reinforced by the Asst. Prof. Dr F.B.K., who analyses that "the costs of long-term care for the elderly are astronomical, and *zakāt* funds cannot meet them comprehensively".

Closely connected to this is *Healthcare Costs and Financial Sustainability*. Asst. Prof. Dr K.F.J. highlights the disparity in terms of demand and supply, indicating

[34] Roshaiza Taha, Mohd Nazli Mohd Nor, Mohd Rodzi Embong, and Muhammad Faris Zulkifli. "*Zakāt* fund in Malaysia: where does it all go?" *Management & Accounting Review (MAR)* 16, no. 1 (2017): 137-166.

[35] Azhar, Zubir, Muhammad Kamil Kader Mydin, and Anwar Allah Pitchay. "*Zakāt* distribution priorities in Malaysia: An analytic hierarchy process analysis". *Asian Journal of Business and Accounting* (2023): 69-87.

that “the number of *aṣnāf* grows every year, but *zakāt* funds do not grow at the same rate”. In consequence, the elder beneficiaries’ access to sustainable and social assistance is reduced.

In the same vein, *Dependence on Government and Other Welfare Mechanisms* weakens institutional motivation to prioritise elderly care. Asst. Prof. Dr F.B.K. observes that administrative assumptions, such as government pensions, EPF savings, and government programs, are sufficient, which often leads *zakāt* institutions to (in)validly prioritise other vulnerable groups. This misplaced premise results in an under-allocation of funds for the elderly welfare programs.

Lastly, *Administrative and Distribution Challenges,* such as incomplete data, absence of dedicated programs, and lack of coordination, further worsen this issue. Elderly people without the necessary documentation and/or guardianship are making it difficult to verify their eligibility. In the absence of structured data collection and targeted programs, *zakāt* distribution remains fragmented and inconsistent. As Ustaz A. H. A. R. notes, “without clear policies prioritising elderly assistance, *zakāt* allocation remains scattered across broader welfare initiatives”.

Overall, the foregoing discussion reveals that, while juristic flexibility exists, structural barriers within *zakāt* administrations, such as strict interpretations and financial limitations, hinder the effective inclusion of the elderly. In conclusion, all experts collectively agree that without structural reform, the economic potential of *zakāt* will not be fully utilised.

4.4.5.3 Structuring Zakāt for Sustainable Benefits for the Elderly

Given the above barriers, which may negatively affect the elderly’s full benefit from *zakāt’s* socio-economic potential. This sub-theme delves into actionable strategies for structuring *zakāt* to provide not just temporary relief but also sustainable, long-term benefits for the elderly, thereby maximising its impact.

Discussion and Analysis of The Respondents’ Views

To overcome these barriers, *zakāt* institutions must develop initiatives that are consistent with both *Sharī’ah* and sustainability principles. Correspondingly, the experts propose a synergistic strategy that includes dedicated funding, incorporation with other Islamic financial instruments[36], empowerment initiatives, and multisector collaborations[37] .

For instance, Ustaz A.H.A.R. suggests establishing *Dedicated Elderly Welfare Zakāt Funds* to ensure continuous financial support for essential services such as healthcare, housing, and daily sustenance. He also requests a “systematic and coordinated distribution plan developed through collaboration with multi-stakeholders”.

Accordingly, Asst. Prof. Dr F.B.K. proposes establishing a *Medical Zakāt Fund* to explicitly address the healthcare costs, including chronic disease and home nursing services. This would promptly solve one of the most critical financial challenges encountered by elderly citizens.

The integration of *Zakāt-Waqf-Based Projects* emerges as a vital strategy in developing long-term sustainability. Asst. Prof. Dr K.F.J. agrees with this, stating that “*zakāt* funds can be used to establish *waqf* properties, such as elderly care homes, where rental income from non-beneficiary tenants could cover the costs for *zakāt* beneficiaries, creating a self-sustaining model”. This model has been successfully executed in countries such as Indonesia and Turkey, demonstrating that integrating *zakāt* and other Islamic financial instruments can develop a self-sustaining financial ecosystem.

In contrast to most experts’ perspectives on integration, Ustaz A.H.A.R**.** raises a juristic reservation, reminding that *zakāt* must be strictly allocated for *aṣnāf.* He cautions that integrating *zakāt* with state pensions or non-*aṣnāf* beneficiaries could create ambiguity in legal boundaries. Despite that, he supports alternative approaches such as strategic partnerships and joint programs with the government and NGOs to ensure that *zakāt* continues to fulfil its original purpose while supplementing the national welfare framework.

[36] Rusni Hassan, Adnan Yusoff, Asral Widad Ahmad Asnawi, and Ieman Sofiyya Adnan, “Takaful, *Zakāt* and Waqf Instruments in Ensuring Holistic Senior Citizens Programme Development in Malaysia”, *Journal of Islamic Finance* 9, no. 2 (2020): 85.

[37] Norhayati MohdAlwi, Intan Aidura Alias, and Fatimah Mat Yasin. “Alternative Service Delivery for Senior Citizen Care Services in Malaysia”.

Apart from that, both Asst. Prof. Dr F.B.K. and Ustaz A.H.A.R**.** propose *Microfinance and Skill-Based Programs* that are targeted to elderly individuals capable of economic participation. This approach is consistent with the *maqāṣid* objective of *taqwiyat al-mustafīdīn* (empowering beneficiaries) and promotes financial independence. As elaborated by Asst. Prof. Dr F.B.K.: "*Zakāt* must shift from being purely 'charity-based' to a structured welfare and empowerment system for the elderly".

In addition, the experts also emphasise Leveraging Technology and Data Systems to ensure the efficiency of *zakāt* collection, monitoring, and outcome evaluation. Incorporating fintech solutions and digital databases into the current framework would enhance transparency, minimise duplication, and gain trust in *zakāt* institutions.

To summarise, the analysis shows a collective vision for *zakāt* to evolve from a mere reactive, short-term mechanism to a proactive, adaptable system. The key insight, they argue, is that sustainability is achieved through diversification, collaboration, and institutional transition grounded by Shari'ah principles, yet responsive to contemporary socio-economic challenges.

4.4.6 Theme 6: Comparative Models and Best Practices

This theme examines international case studies of *zakāt* utilisation for elderly welfare. Drawing on insights from the experts' interviews, this places Malaysia's *zakāt* administration within a global context, comparing different experiences informs the policy framework and operational breakthroughs. The theme highlights the significance of implementing a centralised, structured, and innovative *zakāt* framework that aligns both the *maqāṣid* and contemporary welfare needs.

4.4.6.1 International Case Studies for Zakāt in Elderly Welfare

Discussion and Analysis of the respondents' views

Examining the global experience of *zakāt* implementation offers valuable lessons for Malaysia's current system approach to elderly welfare. Throughout the Muslim world, countries such as Qatar, Turkey, Jordan, and Indonesia have established structured models that incorporated *zakāt* into their broad social welfare systems. These models reflect the evolution of *zakāt* beyond a mere traditional charity tool to a strategic instrument for sustainable social welfare.

From the interviews, Ustaz A.H.A.R. emphasises Indonesia's *Zakāt* Agency (BAZNAS) as a particularly instructive framework. He highlights BAZNAS's success in operationalising *zakāt* collection and distribution through a centralised system that accentuates transparency, consistency, and measurable social impact. For example, BAZNAS's "Elderly Welfare Programme" provides systematic financial support, subsidised healthcare, and at-home services for vulnerable elderly citizens. He observes that "Malaysia can learn many things from BAZNAS's success, particularly in centralising *zakāt* management to create a more efficient and impactful distribution system". The Indonesians' model shows how a unified national body, supported by religious and governmental authority, is determined to coordinate *zakāt* allocations efficiently to meet specific demographic needs.

Additionally, Asst. Prof. Dr F.B.K. notes that Middle Eastern models, particularly in Qatar and the United Arab Emirates, demonstrate that integrating *zakāt* and *waqf* can ensure long-term sustainability. She elaborates that "Many countries in the Middle East have a long history of charitable endowments (a*wqāf*) for the elderly"; waqf-based assets funds for medical services and care homes. This integration indirectly enables *zakāt* to assist the immediate needs of vulnerable elderly citizens, while *waqf* income sustains the infrastructure over time. This dual mechanism thus interrelates short-term relief and long-term welfare, forming a model that can serve as a reference for the development of the Malaysian policy framework.

Similarly, Asst. Prof. Dr K. F. J mentions Turkey's *waqf*-elderly Housing Projects, where it has been funded jointly by *zakāt* and *waqf venture*, to provide accessible accommodation and healthcare to elderly Muslims. These types of projects help with economic relief and strengthen community unity, which closely align with the principles of preserving life (*ḥifẓ al-nafs*) and dignity (*ḥifẓ al- ʻird*).

Contrarily, Assoc. Prof. Dr H. Z. notes the limitation on the specialised elderly focused *zakāt* case studies, indicating that "many successful *zakāt* systems do not distinguish the elderly as a distinct category but serve them within broader poverty frameworks". Nevertheless, he supports the view that centralised, structured institutional coordination is a primary factor in the success of international models.

Synthesising these insights, the comparative analysis shows the three most effective implementations:

1. Centralised Management and Accountability; demonstrated by BAZNAS, a national, integrated *zakāt* operational system, improves efficiency, prevents duplication, and ensures equal distribution.
2. Integration with Other Islamic Social Finance Instruments; demonstrated by models from Qatar, Turkey, and the UAE, integrates *zakāt* with *waqf* and *takāful*, creating financially sustainable socio-economic welfare.
3. Systematic targeting and measurable outcomes; globally, *zakāt* programs have transitioned from short-term relief to sustainable, systematic welfare initiatives.

Altogether, the experts' insights suggest that Malaysia can benefit from adopting all the international best practices by institutionalising *zakāt* into a collective, adaptive welfare model. Such an approach would develop *zakāt* administration from a reactive charity system into a proactive, integrated tool for the nation's socio-economic framework.

4.5 FINDINGS FROM THE DISCUSSION AND ANALYSIS OF RESPONDENTS' VIEWS

The research findings present a nuanced picture of *zakāt*'s potential for Malaysia's ageing population, revealing a critical tension between foundational juristic principles and institutional operational realities. This analysis synthesises the key insights from the expert interviews and the focused group discussion (FGD) to highlight this core challenge.

The expert consensus is clear: there is a strong and flexible legal basis for using *zakāt* to support the elderly. The interviewees consistently emphasised that the eight *aṣnāf* categories are not rigid, but rather dynamic classifications based on attributes of need. Principles such as *Maqāṣid al-Sharī'ah* (the higher objectives of Islamic law), which prioritise the preservation of life and dignity, and *Ijtihād* (juristic reasoning), which allows adaptation to new circumstances, provide the necessary framework.

As Assoc. Prof. Dr H.Z. noted that the *aṣnāf* are "categories based on attributes, not fixed names". This scholarly perspective is further supported by historical precedents where classical jurists expanded *zakāt*'s application to address new societal problems. These findings establish that the challenge is not a theological one; Islamic law is fundamentally capable of accommodating the needs of an ageing society.

However, a significant gap exists between this robust legal theory and its practical implementation. The FGD with the elderly care centre revealed a significant operational barrier: the institutional reluctance of *zakāt* bodies to move beyond their traditional, passive roles. The care centre's need for a formal guardian (*waris*) who can provide a legal and financial guarantee for residents without family directly conflicts with the current ad-hoc, short-term model of *zakāt* distribution. *Zakāt* institutions, in their current form, are not structured to assume such a formal, long-term legal responsibility.

This institutional inertia means that the most vulnerable seniors, who are often without family and thus cannot meet the care centre's "guardian" requirement, are excluded from the very support they need. The problem, therefore, is not a lack of funds or juristic justification, but a lack of administrative will to evolve the institution's role.

Overall, the collective insights point to a clear path for *zakāt* to fulfil its potential, requiring, however, a strategic and institutional evolution from a reactive charity model to a proactive social welfare system. More specifically, the analysis suggests that *zakāt* institutions must embrace innovative models that integrate short-term relief with long-term, sustainable solutions. This includes adopting hybrid financial models that combine *zakāt* with other financial instruments to fund long-term infrastructure like elderly care homes and leveraging technology to enhance transparency and efficiency. Also, by assuming the role of formal guardian, *zakāt* institutions will not only provide crucial financial support but also fill the legal and administrative void left by failing or absent family structures. Working with many of these would transform *zakāt* from a temporary lifeline into a permanent and dignified safety net for Malaysia's elderly.

CHAPTER FIVE

CONCLUSION AND RECOMMENDATION

5.1 INTRODUCTION

This study investigates the potential of *zakāt* as an Islamic socio-economic tool to address the financial and welfare challenges faced by Malaysia's ageing population. While *zakāt* has historically been used to alleviate poverty, a significant research gap remains regarding its specified utilisation for the welfare of elderly citizens. This study, therefore, underscores the deficiency, while Malaysia is one of the countries where *zakāt* funds are effectively collected and distributed, there appears to be no dedicated socio-economic programs that sustainably safeguard the well-being of the elderly. This shortfall is particularly alarming given that Malaysia is soon to be an ageing nation.

5.2 SUMMARY OF THE STUDY

Available data indicate that many older Malaysians experience financial vulnerability due to limited social security benefits, high medical costs, and mandatory retirement. This strain increases their risk of poverty and highlights the limitations of traditional support systems. This study aims to explore the potential of *zakāt* to mitigate contemporary challenges by providing financial assistance, access to healthcare, and supporting elderly welfare infrastructure. Ultimately, the study seeks to provide a deeper understanding of how *zakāt* can effectively enhance financial aid for the elderly, offering valuable suggestions to Islamic charitable organisations, *zakāt* institutions, and Malaysian policymakers. By doing so, it aims to contribute to social harmony and national welfare.

Guided by *maqāṣid al-sharīʾah*, the higher objectives of Islamic law, including preserving life and property, this study identifies three primary challenges that prevent *zakāt* from fully benefiting the elderly:

5.2.1 Juristic Gaps and *Aṣnāf* Categories

The primary challenge is that many elderly individuals in need may not fit the traditional eight categories of *aṣnāf* (*zakāt* recipients) defined in Islamic law. The study explores the interpretive flexibility of these classifications from the perspectives of the *maqāṣid al-sharīʾah*, which emphasises promoting public interest (*maṣlaḥah*) and alleviating hardship (*ḍarūriyyāt*). It establishes juristic justification for expanding *zakāt* eligibility to include elderly people who are financially vulnerable and who fall outside the conventional classifications.

5.2.2 Shifting Family Structures and Filial Responsibility

Traditionally, care for the elderly falls under *birr al-wālidayn* (dutifulness to parents). However, modern family structures have weakened, leading to a lack of traditional family support. Hence, the study investigates the effective utilisation of *zakāt* in addressing neglected elders without undermining the Islamic principle of filial piety. This calls for a framework that balances religious obligations with modern social realities.

5.2.3 Effective Distribution Mechanisms

The study also seeks to identify the most practical approach to distribute *zakāt* funds to the elderly. It examines various methods, including: (i) direct individual financial assistance, (ii) institutional allocation to elderly care facilities, and (iii) hybrid approaches, combining both methods. The goal is to develop a framework that maximises the positive impact of *zakāt* on the well-being of this vulnerable population.

5.3 FINDING AND IMPLICATIONS OF THE STUDY

The core findings of this research revolve around the potential of *zakāt* as a robust solution to the financial vulnerability faced by Malaysia's elderly population. The study posits that a more strategic application of *zakāt* funds, guided by the principles of *maqāṣid al-sharīʾah*, can provide crucial socio-economic and welfare support. It identifies that the elderly are increasingly vulnerable to poverty due to limited social security, healthcare costs, and the erosion of traditional family support systems, which makes them prime candidates for *zakāt* assistance.

By analysing the *maqāṣid al-sharīʾah*, particularly the principles of promoting public interest (*maṣlaḥah*) and alleviating hardship (*ḍarūriyyāt*), the research provides legal justifications for expanding *zakāt* eligibility to this group. The experts' insights affirm that *zakāt*'s juristic flexibility significantly complements efforts to address evolving societal challenges and that the institutional framework should be developed accordingly.

Furthermore, the study's findings acknowledge that contemporary family structures have eroded the traditional safety net for the elderly, leading to the urge to identify an appropriate, practical framework that can assist neglected elderly while upholding the ethical spirit of *birr al-wālidayn* (dutifulness to parents). Concurrently, the findings also identify primary insights for developing *zakāt*'s role, moving from short-term, instance-based funding relief to a more integrated, sustainable, and comprehensive long-term approach that includes medical support, economic empowerment, and social assistance for the vulnerable elderly.

In summary, the study concludes that *zakāt*'s potential remains underutilised, despite Malaysia's recognition of *zakāt* as a powerful tool for poverty alleviation and socio-economic welfare enhancement. Utilising *zakāt*, aligned with *maqāṣid al-shāri'ah*, provides a holistic and robust instrument that promotes social equity and improves elderly welfare provision in Malaysia.

5.4 RECOMMENDATION FOR IMPLEMENTATION

Based on the synthesis of expert opinion and on-the-ground challenges, the following recommendations are put forth to enhance the role of *zakāt* in supporting the elderly in Malaysia. These proposals are grounded in the principles of Islamic jurisprudence and designed to address the key operational barriers identified in the research.

5.4.1 Adopt a Formal Guardian Role

Zakāt institutions advocated for formally adopting the role of a legal and financial guardian (*waris*) for elderly individuals who lack and/or are without family support. This initiative addresses the key operational barrier as identified by the focused group discussion (FGD) participants, where care centres were unable to admit vulnerable elderly individuals due to the lack of a legal and financial guarantor. Assuming the role of a formal guardian is in line with the *maqāṣid'*s principle of preserving life and dignity, as affirmed by Assoc. Prof. Dr H.Z's view noted that the *zakāt* institution can act as a safety net, filling the void where family or government support is absent.

Feasibility of Implementation

Formalizing *zakāt* bodies as official guardians is a theoretically viable strategy that requires legal alignment between the *shari'ah* principles and civil law. Achieving this would specifically entail amending relevant legislation, such as Section 3(2) of the Maintenance of Parents Act (modelled after the Singaporean benchmark), to legally recognise *zakāt* institutions as 'approved entities' for institutional admission and formal consent.[1] To pioneer this initiative, a collaborative framework between MAIWP and established NGOs like Darul Insyirah, vetted by the *shari'ah* Committee, could serve as a temporary solution or medium for the abandoned elderly, bridging the gap of the current social protection framework and future statutory requirements.

5.4.2 Establish a Two-Tier *Zakāt* Fund System

A two-tier *zakāt* fund system should be implemented to address the tension between immediate, short-term efforts and a sustainable, long-term approach, as highlighted by all the experts, which involves:

(i) *Zakāt* Relief Fund: Dedicated to providing immediate financial aid for basic needs such as food, housing, and medical emergencies.

[1] Referencing the *Maintenance of Parents Act* (Chapter 167B, Section 6(2)), Singapore Statutes Online, revised edition 2020. This statute allows a tribunal to appoint approved persons or organisations as guardians for destitute parents.

(ii) *Zakāt* Elderly Empowerment & Care Fund: Dedicated to strategic, long-term development initiatives such as Medical *Zakāt* Programs, as proposed by Asst. Prof. Dr F.B.K., and *Zakāt-Waqf* Hybrid Projects, an entrepreneurship program as suggested by Asst. Prof. Dr K.F.J.

This two-tier structure formalises both short-term and long-term initiatives under a single policy and incorporates experts' recommendations and insights.

5.4.3 Feasibility of Implementation

The initiatives to establish the two-tier funding system are operationally viable within the current ecosystem. The '*Zakāt Relief Fund'* would operate as an exclusive extension of the Bantuan Kewangan Bulanan (BKB), necessitating only minor administrative adjustments to operate. Contrarily, the Empowerment Fund would focus on the long-term capacity building, which requires a specific endorsement from the Majlis Fatwa Wilayah to authorise the utilisation of *zakāt* for this purpose. The initiative calls for a dedicated allocation of 10% of total *zakāt al-m**ā**l* annual revenue (excluding the fixed *zakāt al-fiṭr* to fund these programs. This allocation is juristically justified by the principle of *maṣlaḥah mursalah* (public interest), ensuring the sustainable well-being of the vulnerable elderly.[2]

5.4.4 Enhance Juristic and Policy Flexibility

State *Zakāt* Authorities should issue official, legitimate, and institutional-level *fatwas* and policy guidelines that recognise elderly people as a priority group within the existing *aṣnāf* framework, providing a juristically sound and consistent approach nationwide. The formalisation should be based on the principles of *ijtihād* and *al-indirāj* (legal insertion), a dynamic interpretation of the eight *aṣnāf* categories, as Assoc. Prof. Dr H.Z., Assist. Prof. Dr K.F.J. and Ustaz A.H.A.R**.** suggest. This is to ensure uniformity and transparency in implementation, and also to ensure that the eligibility criteria of the classification are clearly outlined, focusing on financial difficulties and the lack or absence of family or guardian support.

[2] For the juristic basis of allocating *zakāt* based on *maṣlaḥah*, see: Al-Qaraḍāwī, *Fiqh al-Zakāh*, 2:88.

5.4.5 Leverage Technology and Partnerships

To improve efficiency, transparency, and impact, *zakāt* institutions must leverage technology and strategic partnerships. A key finding from the research is that *zakāt* cannot be an isolated solution; it must be part of a larger, integrated social welfare system. This recommendation entails:

i. FinTech Solutions: This involves utilising modern technology for the collection, distribution, and impact measurement of funds to create a more efficient and transparent system, as suggested by several experts.[3]

ii. Institutional Partnerships: *Zakāt* Institutions should collaborate with government social security systems and NGOs. This unified, holistic approach would avoid the duplication of efforts and ensure comprehensive care. The success of BAZNAS (Indonesia)[4] and Qatar's *Zakāt-Waqf* integration[5] demonstrate compelling case studies, how a centralised and holistic system can effectively manage and distribute funds for the welfare of the elderly on a national scale.

5.5 CONCLUSION

The expert interviews and the focused group discussion collectively reflect a vision of *zakāt* that is both deeply rooted in Islamic tradition and responsive to modern social challenges. Guided by *maqāṣid al-shari'ah*, *zakāt* would be distributed fairly and efficiently to those in genuine need, including the elderly. Specifically, the findings demonstrate through a thematic exploration of the respondents' views that the juristic principles of *zakāt* are flexible enough to address the needs of Malaysia's ageing

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[3] Aisyah Abdul-Rahman, Shifa Mohd Nor, and Salmy Edawaty Yaacob. "Technological integration within *zakāt* institutions: A comprehensive review and prospective research directions". *International Journal of Islamic Thought* 24 (2023): 31-43.

[4] Mukhlis Rahmanto, Asmak Ab Rahman, and Zaidi Mohd Daud. "Healthcare Waqf and Socio-Economic Development in Indonesia: Case Study of Hospital Roemani Muhammadiyah". *Jurnal Syariah* 31, no. 3 (2023): 308-349.; Suhaili Sarif, Nor Aini Ali, and Nor 'Azzah Kamri. "*Zakāt* for generating sustainable income: an emerging mechanism of productive distribution". *Cogent Business & Management* 11, no. 1 (2024): 2312598; Hak, Nurul, Romi Adetio Setiawan, and Adi Setiawan. "Synergising normative and cultural frameworks in reforming core principles for effective *zakāt* supervision in Indonesia". *Manchester Journal of Transnational Islamic Law & Practice* 20, no. 3 (2024): 302-316.

[5] Al-Reem Yasser Al-Ali, . "The Islamic Social Finance and Its Contribution to Sustainable Development Goals 2030: The Case of Qatar". Master's thesis, Hamad Bin Khalifa University (Qatar), 2023; Brik, Anis Ben. *Social Welfare in Qatar*. Springer Nature Singapore, 2025.

population. For instance, it shows that the increasing number of the elderly population in Malaysia requires *zakāt* institutions to adapt their distribution strategies. Although not yet explicit and generally adopted, *fatwas* from Malaysia and international scholars affirm the eligibility of poor elderly individuals for *zakāt*.

However, realising this potential requires institutional innovation and strategic development. The primary challenge, therefore, lies in the institutions moving beyond a traditional, short-term-focused interpretation of *aṣnāf* to a dynamic, developmental, and strategic approach. This requires *zakāt* institutions to (a) balance short-term relief with long-term empowerment; (b) acknowledge and strategically address the specific needs of seniors, which may not be entrepreneurial; (c) leverage technology for enhanced transparency and efficiency and (d) explore bold new partnerships and roles, such as acting as a formal guardian and collaborating with NGO and similar organisations.

In the final analysis, the collective insight from the foregoing thematic analysis indicates that Islamic jurisprudence provides a comprehensive, adaptive, and responsive framework that allows for the utilisation of *zakāt* as a sustainable tool to safeguard the well-being of the elderly. The development and enhancement of *zakāt* institutions that align with *maqāṣid al-sharī'ah* is, therefore, significant to ensure that Malaysia's elderly population is well taken care of and supported with dignity, compassion, and justice without being left behind.

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APPENDIX A:

INTERVIEW QUESTIONS

TITLE: "THE POTENTIAL OF *ZAKĀT* FOR POOR SENIOR CITIZENS IN MALAYSIA: AN ANALYSIS FROM *MAQĀṢID* PERSPECTIVE"

(REVISED INTERVIEW QUESTIONS)

Research Objective 1: To investigate the *Maqāṣid* of *Zakāt* in providing socio-economic assistance for recipients.

1. How does the current *zakāt* distribution framework in Malaysia align with the *Maqāṣid* al-*Sharī'ah* principles, particularly in addressing socio-economic justice and public welfare?
2. Do you believe the current allocation of *zakāt* funds is optimized for long-term poverty alleviation, or does it primarily function as short-term relief?
3. What structural or policy limitations prevent *zakāt* institutions from expanding their focus to address the growing needs of the elderly?
4. How do you assess the effectiveness of *zakāt* in comparison to other social welfare programs in Malaysia in supporting marginalized communities?

Research Objective 2: To analyse the juristic justifications for using *zakāt* in providing socio-economic assistance for elderly citizens in Malaysia.

5. Given that the elderly citizens do not explicitly fall under the traditional *aṣnāf* categories, what juristic principles or *Ijtihād*-based interpretations could justify their inclusion?
6. What precedents (historical or contemporary) exist in Islamic jurisprudence regarding the expansion of *zakāt* eligibility criteria to address emerging societal challenges?
7. How can classical Islamic juristic discussions on *maṣlaḥah* (public interest) and *istiḥsān* (juridical preference) be applied to justify the allocation of *zakāt* for the elderly?
8. What are the primary concerns among *sharīʿah* scholars regarding the inclusion of elderly citizens as *zakāt* recipients, and how can these concerns be addressed within Islamic jurisprudence?

Research Objective 3: To explore the perceptions of Malaysian *sharīʾah* experts about utilising *zakāt* to provide socio-economic assistance to elderly citizens in Malaysia.

9. How do *sharīʾah* scholars in Malaysia perceive the role of *zakāt* in addressing elderly poverty, especially considering the shifting socio-economic landscape?
10. With changing family structures and increased financial burdens on younger generations, should Islamic scholars advocate for redefining filial responsibility (birr al-wālidayn) in the context of modern society?
11. Are there existing *fatwas* or scholarly discourses in Malaysia or internationally that support utilising *zakāt* for the elderly, and how have these rulings been received by *zakāt* institutions?
12. From a *maqāṣid* al-*sharī'ah* perspective, how can *zakāt* policies evolve to address contemporary societal needs while maintaining fidelity to classical Islamic legal principles?

Research Objective 4: To propose the most effective and permissible mechanism for utilising *zakāt* for elderly citizens in Malaysia.

13. What mechanisms of *zakāt* distribution (direct cash assistance, medical aid, institutional support, etc.) do you believe would be most effective in supporting the elderly while ensuring transparency and sustainability?
14. Should *zakāt* distribution for elderly citizens focus on direct individual aid, or should it be integrated into broader state welfare programs? What are the advantages and disadvantages of each approach?
15. Can you provide examples of successful *zakāt*-based programs—either in Malaysia or internationally—that have significantly improved the well-being of elderly populations?
16. How can *zakāt* institutions incorporate modern financial tools (such as *waqf-zakāt* integration, fintech solutions, and microfinance models) to enhance the impact of *zakāt* for elderly citizens?

INTERVIEW QUESTIONS BY RESPONDENT CATEGORIES

A. Questions for *Sharīʾah* Experts (*Fiqh* scholars, Muftis, and Islamic jurists)

1. *Maqāṣid* al-*sharī'ah* and the Socio-economic Role of *Zakāt*
   a) How does the current *zakāt* distribution framework in Malaysia align with *maqāṣid al-sharī'ah*, particularly in promoting socio-economic justice?
   b) In your opinion, does the current *zakāt* system prioritise long-term poverty alleviation or function primarily as short-term financial relief?
   c) How can *zakāt* institutions better integrate the *maqāṣid* principles of *maṣlaḥah* (public interest) and *raf 'al-ḥaraj* (alleviation of hardship) in their distribution strategies?

2. Juristic Justifications for Including Elderly Citizens in *Zakāt* Distribution
   a) Given that the elderly do not explicitly fall under the traditional *aṣnāf* categories, what juristic principles or *ijtihād*-based interpretations could justify their inclusion?
   b) In classical Islamic jurisprudence, are there any precedents where *zakāt* eligibility was expanded due to changing societal needs?
   c) How do you respond to concerns that including elderly citizens as *zakāt* recipients could weaken traditional familial responsibilities in Islam?
   d) Are there existing *fatwas* or scholarly discourses in Malaysia or internationally that support utilising *zakāt* for the elderly?

3. *Sharīʾah* Compliance and *Zakāt* Policy Development
   a) How should Islamic scholars and jurists engage with policymakers and *zakāt* institutions to ensure a more inclusive and effective *zakāt* system?
   b) What are the ethical and religious considerations in balancing individual *zakāt* disbursement versus institutional funding (e.g., funding elderly care centres)?
   c) How do you foresee the role of *zakāt* evolving in response to the growing challenges of an ageing society?

B. Questions for Islamic Finance & Economic Experts (Academics, economists, *zakāt* administrators, policymakers)

1. The Economic Role of *Zakāt* in Addressing Ageing Population Challenges
   a) How significant is *zakāt* as a financial tool in addressing Malaysia's ageing population?
   b) What are the key economic barriers preventing the allocation of *zakāt* funds specifically for the elderly?
   c) From an economic perspective, how can *zakāt* be structured to provide sustainable and long-term benefits for the elderly?
   d) Do you think current *zakāt* collection and distribution mechanisms are financially optimized to meet the increasing needs of elderly citizens?

2. Comparative Models and Best Practices
   a) Are there any international case studies where *zakāt* has been successfully utilised for elderly welfare? What lessons can Malaysia learn from them?
   b) Should *zakāt* be integrated into a broader social security framework, such as a pension fund or national healthcare support?
   c) How can Islamic financial tools like *waqf-zakāt* integration, fintech solutions, and microfinance models enhance *zakāt*'s impact on the elderly?
   d) What strategies should be implemented to improve transparency and efficiency in the distribution of *zakāt* funds for elderly welfare?

C. Questions for Elderly Caretakers (Nursing home administrators, caregivers, social workers, healthcare professionals)

1. The Socio-economic Needs of Elderly Citizens in Malaysia
   a) What are the biggest challenges faced by elderly individuals under your care, particularly in terms of financial security and healthcare access?
   b) Based on your experience, how do financial constraints impact the well-being of elderly residents in Malaysia?
   c) Have you observed cases where elderly individuals lacked sufficient family support? If so, how did they cope with financial difficulties?
   d) What kind of additional financial assistance (if any) do elderly individuals require beyond what is currently provided by government programs?

2. Potential Role of *Zakāt* in Elderly Welfare
    a) To your knowledge, have elderly individuals under your care received financial assistance from *zakāt* institutions? If so, what has been their experience?
    b) How can *zakāt* institutions collaborate with elderly care centres to provide more targeted assistance?
    c) Would you support a model where *zakāt* funds are allocated directly to elderly care centres rather than individual recipients? Why or why not?
    d) What practical suggestions do you have for improving financial aid programs for the elderly, particularly through *zakāt*?