

Potentials Zakat Distribution to Asnaf Ar-Riqab: The Women Protection Centre

Mohd Rilizam Rosli^{1*}; Hussin Salamon²; Arief Salleh Rosman³; Mohd Ali⁴; Mohd Farhan⁵; Mohd Syukri⁶; Sulaiman Shakib Mohd Noor⁷; Nasrul Hisyam Nor Muhamad⁸; Mohammad Naqib Hamdan⁹; Bushrah Bashiron¹⁰; Ezwan Rafiq Hussin¹¹

^{1*}Universiti Teknologi Mara, Pasir Gudang, Johor Campus, Malaysia.

^{1*}rilizam@uitm.edu.my

²Johor Islamic Studies College (MARSAH), Johor, Malaysia.

Universiti Teknologi Malaysia, Skudai, Johor, Malaysia.

³Universiti Teknologi Malaysia, Skudai, Johor, Malaysia.

⁴Universiti Teknologi Mara, Pasir Gudang, Johor Campus, Malaysia.

⁵Universiti Teknologi Mara, Pasir Gudang, Johor Campus, Malaysia.

⁶Universiti Teknologi Mara, Pasir Gudang, Johor Campus, Malaysia.

⁷Universiti Teknologi Malaysia, Skudai, Johor, Malaysia.

⁸Universiti Teknologi Malaysia, Skudai, Johor, Malaysia.

⁹Universiti Teknologi Malaysia, Skudai, Johor, Malaysia.

¹⁰Universiti Teknologi Malaysia, Skudai, Johor, Malaysia.

¹¹Universiti Kuala Lumpur, Unkl, Pasir Gudang Campus, Malaysia.

Abstract

The problem of getting pregnant out of wedlock among the Muslim community is a big issue that is getting worse in this country. The establishment of women's shelters is one of the methods to curb these symptoms. However, the management of this center is often faced with the problem of lack of funds for operations due to the high total management costs. Zakat fund is seen as one of the solutions to this problem, especially for the allocation of asnaf zakat riqab. Therefore, this study aims to identify the interpretation of asnaf zakat riqab according to contemporary Islamic scholars as well as analyze the management of shelters for pregnant women out of wedlock and suggest a model of distribution of zakat asnaf riqab to Women Protection Centers. Qualitative research methods are used to obtain and complete the information of this study. Researchers first examine the reference materials in forming the theoretical framework of this study through the literature review. The results of this study show the management model of the distribution of zakat asnaf riqab to a systematic shelter by the Zakat Institution in Malaysia. It is hoped that with this study, the symptoms of extramarital pregnancy can be curbed and at the same time succeed in making the country free from this problem.

Key-words: Zakat Distribution, Asnaf Riqab, Teenage Pregnancy, Women Protection Centre, Out-of-wedlock Pregnancy.

1. Introduction

The question that arises from the method of zakat distribution in Malaysia is why asnaf al-riqab is not taken into account in the distribution of zakat at this time. Based on the JAWHAR Report (2016) related to the distribution of zakat according to asnaf throughout Malaysia during the year 2012-2015 found that only five states actually distributed zakat consistently to asnaf riqab. The states are Selangor, Negeri Sembilan, Pahang, Terengganu and also Melaka. Apart from these states, they still do not distribute zakat funds through asnaf riqab because maintaining the interpretation of riqab is only for slaves. The collection of zakat by the Johor Islamic Religious Council during the year 2015-2017 amounting to RM 810.3 million has also been successfully distributed to asnafs but does not include asnaf riqab (Johor Zakat Distribution Report, 2015-2017). The allocation is partly used to meet the needs of other asnaf and partly frozen first.

Whereas if examined there are still cases of people trapped and unable to free themselves from abuse and abuse by certain parties. Their lives do not change like the slaves who should have been given zakat assistance to free themselves from the clutches of slavery. In fact, based on a report by the 'Global Slavery Index 2014', Malaysia has been ranked 56th for the modernization of modern slavery and the 34th in the world for the number of people involved in modern slavery (Ministry of Home Affairs, 2014). The Anti-Trafficking in Persons and Anti-Smuggling of Migrants (MAPO) Council, Ministry of Home Affairs (KDN) (2015) also stated that the number of victims of human trafficking in Malaysia from 2008 to 2015 was 2,204 victims. These involve the exploitation of sex, forced labor, forced domestic slavery, the sale of organs and the trafficking of infants.

The problem of the new interpretation of asnaf al-riqab is also associated with the existence of women's shelters that house mothers and babies who are abused due to sexual slavery and various other crimes. These social institutions often face financial problems and rely only on public fund contributions. While the distribution of zakat worth billions of ringgits every year cannot be utilized to this group. Fatwa Committees in several states such as the Selangor State Fatwa Committee which convened on 14 June 2011, have decided that the recipients of asnaf riqab are those related to social problems and moral problems (Azman Abd Rahman, 2014).

Therefore, a study on the reinterpretation of asnaf al-Riqab is important to identify those who fall into this category. The views of past and contemporary scholars need to be examined to renew the

interpretation of al-riqab for current needs, especially for the state of Johor. In this case, the creation of women's shelters is very significant, especially to provide moral support, education and spiritual content after going through the dark moments due to the birth of illegitimate children and couples who refuse to be responsible, rape and incest. Therefore, a specific study to expand the interpretation of al-riqab and its distribution to women's shelters should be expedited so that the deserving can be defended and educated to return to the straight path.

2. Distribution of Zakat to Asnaf Riqab

The term al-riqab is interpreted as a way of using zakat funds to help a mukatab servant to raise enough money to redeem himself with the consent of his master (al-Nawawi, 1983). However, contemporary scholars try to redefine the term al-riqab through the method of al-Qiyas to suit the current situation (Abd Wahab Khalaf, 2009). Dr Yusuf al-Qaradhawi (2010) states that the meaning of asnaf riqab is not just my servant, but it includes the liberation of various forms of slavery. He also argues that prisoners of war can also be released through asnaf riqab because I'llah (reason) the eligibility to receive zakat riqab is slavery.

Similarly, the view put forward by Sheikh Mahmud Syaltut (2004) states that slavery today is slavery to human values. Slavery like this has ruined the lives of mankind. Therefore, the provision of zakat through asnaf al-riqab is very suitable to be used to address these problems.

Dr Aliuddin Za'tari (2010), is of the view that asnaf riqab needs to be expanded in its meaning and concept so that it continues to be relevant in practice today. The meaning of riqab is the liberation of a nation from all the shackles of colonial thought, property, government and the freedom to live in their own homeland. Similarly, the view expressed by Dr Ali Muhiy al-Din al Qurrah Daghi (1992) al-Riqab not only means mukatab slaves, my slaves and the release of prisoners of war but it also means the release of kidnappers (ikhtitof).

In the context of the latest study, there are also many ijthahds that expand the definition of zakat asnaf riqab. Among them is a study conducted by Arieff Salleh Bin Rosman et.al (2013) who stated that rajih opinion is riqab consists of three groups. These groups are mukatab slaves, my slaves who want to be liberated and also Muslims who are exploited. The word 'wa fi al riqab' in verse 60 of surah al-Taubah is a general word that has no other word that specializes or limits it to only one purpose. Zakat is seen as the most powerful instrument in solving the problems of the ummah, especially those who are burdened with various problems of life (Mohd Faisol Ibrahim et.al, 2019).

The opinion of current scholars who specialize in the word al-riqab only to the meaning of the servant is seen as less consistent. This is because there is several ijthad related to those who are eligible to receive zakat involving asnaf 'fi sabilillah' extended to outside the military purpose and preparation for war (Azman Ab Rahman et.al, 2014). Asnaf riqab is also seen to have the opportunity to be expanded as asnaf 'fi sabilillah' uses 'illah which is more general to the meaning of riqab i.e., exploitation and manipulation (Khairul Azhar Meerangani, 2017). This aspect of exploitation and manipulation should be addressed immediately in accordance with the goal of the provision of zakat worship as a mechanism in solving the problem of human relations (Muaz Bin Omar et.al, 2016).

Apart from that, Zulkifli al-Bakri (2012) also expanded the definition of asnaf riqab to those who are plagued by prostitution. Those involved in these prostitution activities need to be freed from the shackles and grip they are facing. The effectiveness of the distribution of zakat in dealing with the problems of such a society often gets public attention, especially zakat payers who have fulfilled their obligations to those responsible (Hafizah Zainal et, al, 2019).

Similarly, a study has been done by Khairani Ishak (2016) who suggested that zakat funds through the provision of asnaf riqab be channeled to prisoners through vocational training in prisons. The results of a study conducted at the Kajang Women's Prison found that there was a positive change in the attitude of detainees after attending vocational training and start-up capital assistance as an entrepreneur from the Selangor Zakat Board.

Therefore, researchers are of the view that the ijthad and the opinions that have been put forward by these contemporary scholars need to be studied and researched in more depth to provide a new, more comprehensive interpretation. This process of ijthad is in line with the maqasid syariah which looks at changes in current, local values, 'urf and maslahah ummah (Azman Ab Rahman, 2019). It can also be adopted by all zakat management institutions that still maintain the definition of asnaf al-riqab in its traditional form. In this way the distribution of zakat funds can be fully utilized to help all eight groups of asnaf prescribed by the Islamic law.

3. Extramarital Pregnancy Issues among Adolescents

Instinct in the form of sexual attraction between men and women is human nature and is recognized in Islam. In fact, it is not considered something disgusting, instead Islam provides guidelines in meeting the biological needs. In fact, marriage is a channel prescribed to every mukalaf individual that produces peace of mind, avoids endless worry and anxiety and subsequently obtain

pious and pious offspring (Nurul Husna, 2016). It coincides with one of the Maqasid Syariah Islam itself which is to preserve the lineage and lineage as stated by al-Ashatibi (1997).

Appreciating the religious way of life is also seen as the best way to curb sexual desire without marriage. Islamic law emphasizes on the question of honor and purity of self-esteem while not allowing any form of oppression and tyranny among human beings. Clearly, Islam only recognizes legal bonds through marriage vows only when talking about the need for sex to human beings. Behavior and sexual experimentation outside of marriage bond is strictly prohibited and at the same time categorizes it as adultery.

However, the problem of sexual misconduct such as free sex, extramarital pregnancy, pornography, rape crime to the issue of abortion seems to have no point in the life of society today. Looking at the statistics shown in the newspapers related to this case of sexual misconduct is very worrying even though it has been declared as one of the Shariah criminal offenses in this country. According to the Ministry of Health Malaysia (2019), the rate of extramarital pregnancies from 2014 to 2018 is more than 20,000 cases. For 2017 alone, a total of 3,694 cases were recorded. If taken on average, 300 cases are estimated to occur within a month. This means that 10 pregnancy cases were recorded daily during the year.

This social conflict indirectly leads to subsequent problems such as the issue of abortion, abandonment and trafficking of innocent babies. Based on statistics released by the Division of Sexual Investigation, Abuse and Children (D11), PDRM for the year 2014 to 2018, there are 577 cases of infant and fetal abortion have been recorded nationwide. Where 435 of them are babies, while the other 142 are baby abortions (PDRM, 2019). Most of these cases like to make the residential area as a location to commit the crime other than in toilets, garbage collection centers, mosques and suraus, drains, plants, sewage centers, shop and building edges, roadside and even in the bushes.

4. Implications of Extramarital Pregnancy

Out-of-wedlock pregnancies are often associated with several implications of the consequences of such illicit acts. Among the main implications are abortion, abortion, threats to personal health, social isolation and abortion as well as the naming of illegitimate children. Most of these risks have to be faced alone by those who are pregnant out of wedlock without the help of their partner because they are known to the general public.

The tendency to abort a fetus among women living in rural areas is very high compared to women in large cities and have education and support from immediate family members (Shveta Kalyanwala, 2010). In family planning methods for those who are married, abortion is one of the solutions. But for those who are already the result of adultery, abortion is seen as a way out of the stigma and pressure from society that considers them a group that has embarrassed themselves and their families and the local community. There are various methods used to perform the abortion of the fetus such as eating certain herbs or sharp foods in addition to meeting with a traditional midwife to perform a special massage to remove the unborn fetus. There are also those who use modern services learned only through the internet such as using suction tools (content) for content that is still in the early stages or through the method of inhalation and curating (Dilation & Extraction D&E) for content that is more than 23 weeks (Adolescent Pregnancy, 2013).

The news of baby abandonment that is often served in the press and also in the mass media today shows that these symptoms have great implications for pregnant women out of wedlock. The locations often found by these unfortunate babies are in drains, garbage piles, bushes, house and public toilets, sewage plants and rivers that are not safe for their children. This act of being outside the bounds of humanity is definitely due to the deadlock and the feeling of being very afraid of the continuity that has been done. In addition, the feeling of anger towards the couple who do not want to be responsible for the unborn baby also encourages a person to act to kill the baby apart from facing postpartum depression known as 'post-natal / postpartum depression or in society often referred to as wind (Rabiah Abdul Latif et al, 2013).

The World Health Organization (WHO) records about 16 million cases of children aged 15 to 19 giving birth every year worldwide. Where part of the figure has died due to complications during or after childbirth due to not having any preparation to give birth to the child, she is pregnant with. Those who are stuck with extramarital pregnancies are also at risk of sexually transmitted diseases such as gonorrhea, herpes, AIDS, HIV, hepatitis and syphilis (Yatimin, 2013). The same goes for the threat to their mental health because there are many reports that have been issued by the authorities such as the Royal Malaysian Police who report attempts to injure and commit suicide due to this terrible pressure among adolescents who are pregnant out of wedlock.

In the context of the religious community in Malaysia, all life management procedures must be based on what has been outlined by religion. Therefore, any form of conduct that is contrary to the guidelines is considered rejected. Similarly, with a baby born outside of marriage, especially in Islam. So, the baby cannot be directly related to his biological father. Therefore, family matters such as

naming bin or binti and also the division of inheritance will be hindered because there is no legal bond in terms of religion (Lukmanul Hakim Hanafi et al, 2011).

5. Extramarital Pregnant Women Protection Center

Following various disturbances caused by the symptoms of out-of-wedlock pregnancy, the authorities as well as non-governmental organizations have mobilized various initiatives to curb this matter. Among the initiatives is the establishment of shelters and rehabilitation of women throughout Malaysia. Despite facing an oblique view from the community because its establishment is related to the cultural and local sensitivities in the country, but the government has been working on it since 1975 under the auspices of the Department of Social Welfare Malaysia (JKMM) through 14 non-governmental organizations (NGOs) that have expertise in handling troubled adolescents (Nurul Husna, 2016).

Care Centers Act 1993 / Care Centers Act (2007) The amendment explains the need for every shelter set up by the government, non-government and private to register their institutions with the Social Welfare Department (Haslinda, 2016). Among the shelters and rehabilitation centers established in Malaysia such as the Johor Islamic Religious Council Women's Shelter, Baitul Ehsan Women's Shelter, Baitus Solehah Shelter, Baitul Fiqh Shelter, Puteri Arafiah House, Dar Assadah Federal Territory Islamic Religious Council, Women's Shelter Baitul Ehsan, Kewaja Human Capital Camp and several other shelters and rehabilitation centers have been registered and some have not yet registered with the authorities. In addition, there is also Sekolah Harapan Rumah Harapan (SHRH) which is fully operated by the Malacca Islamic Religious Council (MAIM) to provide special protection to teenagers who are involved in extramarital pregnancies.

The main purpose of placing pregnant women out of wedlock in this women's shelter is to control their movement so that they are not exposed to the outside environment which can cause them to repeat the same mistakes. Parents also need not worry about the education of their children because in addition to the rehabilitation modules, the shelter also emphasizes on their education and education. Apart from providing protection to the women, protection is also given to their babies (Haslinda, 2016). The Ministry of Health Malaysia has also established a Generation Care Center (GKS) in each state in an effort to ensure that pregnant teenagers out of wedlock receive protection and rehabilitation.

6. Cost of Operation of Women Protection Center

The women's shelter is a reference to an institution created to house a number of pregnant women out of wedlock, including adolescents for the purpose of protection, protection, preservation by the government or non-governmental organizations. The standard for a shelter must be a safe place for the occupants, including their children, as well as access to police, health and psychosocial support. The size of the shelter depends on the funds available to the organization of the women's shelter.

In general, the operating costs of a shelter are high. According to the Women's Aid Organization, the average annual operating cost is in the range of RM800,000. A strong source of funds is crucial for the continued operation of a shelter. The service provider must determine the estimated number of women and children who can be included at one time. Such information is important to determine the number of rooms and beds required for protection. The guidelines set by the Social Welfare Department must be adhered to at all times (KPWKM, 2016).

The need for health care for shelter residents is one of the priorities as most of them are pregnant and need intensive care. Staff need basic training in providing first aid to residents and their children. Therefore, it is necessary for service providers to provide sufficient and skilled staff. All of this requires a high amount of funds to achieve the goal of protection and rehabilitation for women who are pregnant out of wedlock.

7. Conclusion

The issue of extramarital pregnancies has become a global issue that requires special intervention in dealing with it especially in terms of protection and rehabilitation. Implications from these symptoms such as abortion and abortion of innocent fetuses prompted the authorities and the community to mobilize efforts to create a Women's Shelter. In reality, the operation of a shelter requires a large amount of funds to ensure the continuity and smooth running of the institution. Zakat fund through asnaf ar riqab which so far has only been frozen because it is defined as zakat for asnaf slaves to see the best solution to this problem. The expansion of the definition of ar riqab should be in line with current developments, especially in releasing human shackles which are not only in the aspect of my slaves in the traditional discussion theory of zakat distribution but should also cover other aspects of shackles such as social symptoms and drug discovery. It is hoped that this zakat fund

will not only be able to eradicate poverty in terms of property but also be able to eradicate the poverty of the human soul from the shackles of negative symptoms in all aspects.

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