

Mechanisms of Islamic Philanthropy in Addressing the Issue of Abandoned Children in Malaysia

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Abstract

Abandoned children are a vulnerable group who suffer from a lack of access to self-protection, quality education, healthcare services, and secured future opportunities. This situation exposes abandoned children to various risks that can adversely affect their physical, emotional, and intellectual development. Therefore, this study aims to examine the concept and mechanisms of Islamic philanthropy in addressing the issue of abandoned children in Malaysia. Using a qualitative approach, the study employed document analysis and interviews as data collection methods. The findings were analyzed through content and thematic analysis to achieve the study's objectives. The results indicate that *zakat*, *waqf*, *sadaqah*, and *hibah* are among the Islamic philanthropic mechanisms capable of addressing the issue of abandoned children in Malaysia. These mechanisms operate through principles of compassion, generosity, concern, and charity within community life. This study is expected to contribute to the development of programs and initiatives aimed at improving the lives of abandoned children, particularly in Malaysia.

Keywords: Islamic Philanthropy, Abandoned Children, Zakat, Waqf, Sadaqah, Hibah

Introduction

Child abandonment is a complex social phenomenon with multiple dimensions, requiring serious attention from various stakeholders. It encompasses a range of neglect, including physical, emotional, educational, and healthcare neglect, all of which significantly impact the holistic development of children. Abandoned children are often the tragic result of a complex interplay of societal factors, with one significant contributor being the illegitimate births (Othman et al., 2023). Additionally, factors such as poverty, lack of access to education, and inadequate support systems exacerbate this issue, compelling some parents to make the

heartbreaking decision to abandon their offspring rather than face the challenges of raising them in an unsupportive environment (Bakar, 2019). In Islamic discourse, the discussion of abandoned children is often explored under the concept of *al-laqit* (Al-Khind et al., 1998). According to Ibn-Manzur (1990), *al-laqit* refers to children left abandoned, whose parents or guardians are unknown. The term also includes variants like *malqut* and *manbuz*, referring to abandoned children found on the streets, with no claim of parentage (Al-Syirbini, 1997). Al-Zuhaili (1985), added that *al-laqit* refers to children abandoned by their parents due to social stigma, such as being born from illicit relationships, leaving their parentage unknown. Based on the discussion, the definition of *al-laqit* predominantly refers to children whose origins are unknown, and whose parents remain unidentified.

The Child Act 2001 (Act 611) of Malaysia which consolidated Juvenile Courts Act 1947, Women and Girls Protection Act 1973, and the Child Protection Act 1991, made a clear distinction between a neglected child and an abandoned child. A neglected child refers to a child whose basic needs, such as food, shelter, education, medical care, or protection, are not adequately provided by their parents or guardians, often due to indifference or inability to care for the child. Neglect can occur while the child remains under the care of their family or guardians but suffers due to lack of attention or support. On the other hand, an abandoned child is one who has been deliberately left alone or deserted by their parents or guardians, without any intention of returning or continuing to care for them. Abandonment implies a complete severance of responsibility, whereas neglect may involve inadequate but ongoing involvement. Thus, the law treats these two conditions differently, addressing abandonment as a more severe form of child maltreatment.

While the Child Act 2001 lays a foundational framework for addressing the plight of abandoned children in Malaysia, its effectiveness hinges on robust implementation and societal commitment to improving the lives of these vulnerable individuals. This study delves into the issue of abandoned children, highlighting on the significance of philanthropy particularly in addressing the situation in Malaysia.

The Concept of Philanthropy in Community Practices

Social welfare plays a crucial role in fostering a compassionate and inclusive society that ensures access to basic needs. For abandoned children, whose basic needs are often unmet, various forms of welfare can offer a safeguard for their well-being. The foundational ideology of philanthropy aligns with the inherent human nature of mutual care and compassion. Moreover, philanthropy encompasses the role of society and charitable institutions, guided by principles taught in religion.

The term originates from the Greek word "philanthropia," which is a combination of "philia" (friendship or love) and "anthropos" (human) (Muukkonen, 2010). Together, these words signify a love or care for humanity, benevolence and kindness. In the al-Mawrid (2005), philanthropy is defined as kindness, humanity, and charity. Its purpose is to bring benefit to all people while fulfilling the needs of the underprivileged. This concept is not only embraced by the Muslim community but also by followers of other religions who apply philanthropic principles in their lives. According to Rizal and Mukaromah (2021), philanthropy is also referred to as al-'atta' al-ijtima'i (social giving), al-takaful al-insani (humanitarian solidarity),

or 'ata' khayri (giving for good). It is a philosophical concept primarily focused on human relationships and the love or care one person or a group extends to others (Latief, 2013).

Islamic history, philanthropy symbolizes the virtue of fostering and strengthening relationships, regardless of social status or rank. Furthermore, philanthropy inspires compassion in individuals, prompting a desire to alleviate the burdens of others. This is evident in the story of Abu Dzar Al-Ghifari, who vehemently advocated for the poor and traveled across the Arabian Peninsula (Al-Afifi, 2002). The disparity between the rich and the poor can disrupt societal harmony, with social imbalances potentially leading to the rise of capitalist economies (Murti, 2017). Islam teaches its followers to share the wealth they acquire collectively. In the Malaysian context, the Malay proverb "cubit paha kanan, paha kiri terasa juga" (when the right thigh is pinched, the left feels it too) emphasizes the importance of empathy and concern in communal life, where an individual's hardship is shared by the whole community. This illustrates how the actions or consequences affecting one member of society can impact the entire community. Hence, it is essential to internalize and cultivate philanthropic principles to create a harmonious and unified society.

The practice of philanthropy also plays a significant role in promoting justice within society, particularly through the wisdom of leadership. By implementing philanthropic principles, leaders can equitably distribute resources to those in need, thereby narrowing the gap between the wealthy and the underprivileged. The effectiveness of such practices pivots around the integrity and sincerity of leaders in managing public welfare. Wise leaders ensure that all forms of aid are properly directed to those who are most in need, maximizing the use of resources for the collective good. In doing so, social justice is fostered, contributing to the development of a more balanced, harmonious, and resilient society.

Based on the discussion above, it is evident that the concept of philanthropy refers to an interconnected framework. Herlina (2020) emphasizes that philanthropy embodies the conceptualization of giving, services, and association, all conducted voluntarily as expressions of compassion for those in need. Moreover, in the context of contemporary societal shifts, philanthropy rooted in kindness and empathy toward others falls within the broader definition of philanthropy (Tajudin et al., 2021). According to Othman (2017), philanthropy also aligns with the concept of volunteerism, utilizing a charitable approach to address social inequalities grounded in empathy and compassion.

It can therefore be observed that the concept of philanthropy encompasses interrelated principles, which can be illustrated in the figure below:

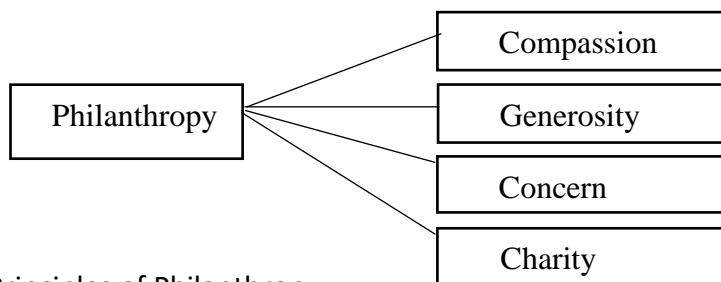


Figure 1: Principles of Philanthropy

The principles of philanthropy within society are grounded in four core values: compassion, generosity, concern and charity. These values collectively foster a culture of selfless giving, empathy, and a commitment to the well-being of others, driving positive social impact and community development.

Application of Islamic Philanthropic Mechanisms in Providing Protection for Abandoned Children in Malaysia

In Malaysia, the application of Islamic philanthropic mechanisms plays a crucial role in offering protection and support for abandoned children. The practices of *zakat*, *waqf*, charity (*sadaqah*), and gifts (*hibah*) are commonplace among the Muslim community, particularly among the Malay population. This prevalence is largely due to the strong cultural sensitivity surrounding social welfare within the Malay community. These mechanisms are also deeply rooted in Islamic teachings which emphasize the importance of social responsibility, compassion, and community support.

The significance of these philanthropic practices not only reflects the community's commitment to social welfare but also underscores the cultural and religious imperatives that drive them. By engaging in *zakat*, *waqf*, *sadaqah*, and *hibah*, the community fosters a spirit of solidarity and mutual support, reinforcing the social fabric and ensuring that vulnerable members of society are not left to fend for themselves. These acts of generosity are seen as both a moral duty and a means of fulfilling religious obligations, thereby enhancing community cohesion and promoting a culture of compassion.

The following outlines how these mechanisms are implemented to safeguard the welfare of abandoned children:

a. *Zakat* (Almsgiving)

In Islamic law, *zakat* refers to the obligation of giving a specific portion of wealth to designated categories of people according to certain conditions. The obligation of *zakat* is prescribed by Allah in the Qur'an, as highlighted in the following verse:

Translation: "*Zakat expenditures are only for the poor, the needy, those employed to collect it, to bring hearts together [for Islam], for freeing captives [or slaves], for those in debt, for the cause of Allah, and for the [stranded] traveler – an obligation [imposed] by Allah. And Allah is Knowing and Wise.*"(Qur'an, 9: 60)

This verse outlines the categories of people eligible to receive *zakat*. However, it does not explicitly mention children as a specific group eligible for *zakat*. This has led to discussions around the interpretation of the term "*fi sabilillah*", or striving in the path of Allah, commonly understood as engaging in military efforts to defend Islam from oppression by non-believers. However, Al-Qardhawi (1973) and some contemporary Islamic jurists argue that the use of *zakat* can extend to charitable projects such as building mosques, funding orphanages, providing education for orphans, and offering vocational training. This broader interpretation of "*fi sabilillah*" is justified on the grounds that all acts of goodness that contribute to the welfare of the community fall under this category.

Funds collected through *zakat* can be allocated to organizations and initiatives that specifically cater to the needs of these vulnerable children, providing them with essential services such as shelter, education, healthcare, and psychological support. By fulfilling their *zakat* obligations, Muslim individuals contribute to the welfare of society, ensuring that the most vulnerable members, including abandoned children, receive the assistance they require. This interpretation underscores the adaptability of *zakat* to address the contemporary social issues affecting vulnerable groups, including abandoned children, in line with the broader objectives of Islamic philanthropy and social justice.

b. *Waqf* (Endowment)

Waqf refers to any asset where the donor retains ownership of the asset while relinquishing all rights related to its sale, inheritance, *hibah* (gifting), and bequest. The physical source of the asset is maintained, and the asset is dedicated for charitable purposes with the intention of bringing the donor closer to Allah SWT.

This concept of *waqf* serves as a long-term philanthropic mechanism in Islam. The benefits or proceeds from the endowed asset are used for welfare purposes such as supporting the needy, education, healthcare, or religious activities, while the original asset remains intact, ensuring continuous benefit for society. Through *waqf*, the donor achieves both spiritual and social goals, contributing to the well-being of the community while seeking closeness to Allah.

In Malaysia, the practice of *waqf* is typically associated with the development of infrastructure on endowed land, such as the construction of mosques, schools, universities, and orphanages. These buildings primarily serve to safeguard the physical well-being of children by providing shelter, education, and religious guidance. In the context of abandoned children, *waqf* can be established to create orphanages, educational institutions, and rehabilitation centers. This sustainable funding model ensures that resources are available in the long term to provide necessary care, shelter, and education for abandoned children, thereby promoting their overall development and well-being.

Apart from that, cash *waqf* is seen as a more flexible and relevant mechanism that can be socialized. Cash *waqf* allows for donations in monetary form, which can then be utilized to directly meet the welfare needs of abandoned children. Funds from cash *waqf* can be allocated to support education, healthcare, nutrition, and other essential social services required by these children. Cash *waqf* can as well be more effectively managed to provide long-term assistance, such as educational scholarships, vocational training programs, and social counseling, ensuring that the well-being of abandoned children is maintained across various aspects of their lives.

In addition to cash *waqf*, the implementation of *waqf musytarak* is also appropriate for addressing the issue of abandoned children. *Waqf musytarak*, or mixed *waqf*, refers to a form of *waqf* where part of the endowment is allocated to family members, while the remaining portion is dedicated to the general public (Don, 2019).

This form of *waqf* is executed through contributions collected from the community into a *waqf* trust fund, which is then converted into permanent assets, referred to as *badal* or substitutes for cash. For instance, the proceeds from this *waqf* could be used to construct a

school fully equipped with infrastructure specifically designed to cater to the needs of abandoned children. This approach would provide long-term, sustainable support to address both their educational and welfare needs, fostering an environment conducive to their holistic development.

c. *Sadaqah* (Charitable Donations)

Sadaqah encompasses voluntary charitable giving and plays a significant role in providing immediate relief to abandoned children. The concept of *sadaqah* (charity) is broad and not limited to physical contributions such as money and property. Even without material wealth, individuals can engage in charity by doing good deeds and avoiding prohibited actions. In this context, *sadaqah* refers to the voluntary giving by a Muslim to another person without restrictions on time or amount. This form of philanthropy fosters a culture of giving and encourages community involvement in supporting the welfare of abandoned children. According to the verse from the Qur'an:

Translation: "They ask you what they should spend in charity. Say, 'Whatever you spend should be for parents, close relatives, orphans, the needy, and travelers.' And whatever good you do, surely Allah knows it well." (Qur'an, 2:215).

As noted by Al-Jazairi (1990), any form of good deed is recognized by Allah SWT, and such acts of kindness can be regarded as *sadaqah*, as the objective of *sadaqah* is to ease the burdens of others.

Nofiaturrahmah (2018) deliberates that *sadaqah* has the potential to cultivate a generous character. The mechanism of *sadaqah*, through the principles of Islamic philanthropy, can be used to establish foundations or charitable funds to support community welfare initiatives. This approach aligns with the broader goals of promoting social justice and care for the underprivileged, making *sadaqah* a powerful tool for fostering a compassionate and generous society.

d. *Hibah* (Gifts)

The application of *hibah* serves as a financial instrument that helps resolve issues related to asset distribution. According to scholars like al-Khind et al. (2015), *hibah* refers to a voluntary gift that is legally tradable, where an item of value, such as a document or other asset, is given by an individual in the spirit of charity, without any form of exchange. This means that a *hibah* involves an asset that holds value in contemporary terms. It underscores the voluntary nature of the transfer, indicating that it is given freely without coercion.

Hibah also represents a legitimate transfer of ownership that benefits the recipient, provided that it is done voluntarily (Frenz et al., 2010). The cancellation of a *hibah* generally occurs through mutual agreement between the parties involved. According to Muda (2023), *hibah* encompasses the concepts of gifts and charity, as they share similar meanings. However, the key difference between the three lies in the purpose of the giving. Charity (*sadaqah*) is typically given to alleviate someone's financial burden or meet basic needs, often occurring between the wealthy and the less fortunate. In contrast, a gift is given as a token of appreciation, honor, or to win someone's favor for a specific purpose.

These distinctions highlight the nuanced ways in which *hibah*, gifts, and charity serve different social and financial functions within a community, each playing a role in fostering goodwill and addressing various societal needs. Individuals can utilize *hibah* to support specific children or families in need. This can include funding educational expenses, healthcare needs, or providing basic necessities, ensuring that abandoned children have access to a better quality of life.

Community Engagement and Awareness on Philanthropy

As part of Islamic philanthropy, organizations and community groups have a vital role in engaging the public through outreach programs aimed at raising awareness on abandoned children. These initiatives serve not only to inform the community about the realities faced by these vulnerable individuals but also to highlight the moral and ethical responsibilities that society holds toward them. By educating the public on the importance of compassion and care for abandoned children, these programs foster a culture of empathy and understanding. This awareness is crucial in dispelling myths and misconceptions surrounding abandonment, ultimately encouraging more individuals to take action in support of these children.

Fostering a sense of community responsibility is crucial for mobilizing collective action towards philanthropy (Gilothe, 2018). Heightened awareness of the difficulties faced by abandoned children may lead to a stronger commitment within the community to provide necessary protection and aid. Effective outreach initiatives, such as workshops, seminars, and community events, serve not only to disseminate information but also to facilitate direct engagement with local NGOs and charitable organizations. Through participation in volunteer activities and fundraising efforts, community members can actively contribute to the well-being of abandoned children, reinforcing the collective societal responsibility to care for vulnerable individuals.

Collaboration between Islamic organizations, governmental agencies, and non-governmental organizations (NGOs) may significantly enhance the impact of philanthropic efforts aimed at addressing the needs of abandoned children (Azhari et al., 2023). By leveraging combined resources, expertise, and networks, these entities can establish comprehensive support systems tailored to the multifaceted needs of these children. This collaborative approach ensures that abandoned children receive not only immediate care and protection but also long-term support, including access to education, mental health services, and pathways for social integration. Such a holistic framework is critical in empowering abandoned children to achieve brighter futures, thereby fostering a more compassionate and inclusive society.

Conclusion

Studies related to child abandonment primarily focus on the enforcement of child protection laws and their rights according to shariah principles and legal frameworks. It should be noted that the application of Islamic philanthropic mechanisms in Malaysia provides a practical and effective opportunities for offering protection and support to abandoned children. *Zakat*, *waqf*, *sadaqah*, and *hibah* are among the mechanisms of Islamic philanthropy that may assist the government in addressing the increasingly critical issue of abandoned children. While mechanism provide a steady stream of funding, these resources can be limited which raises the issue on the sustainability of philanthropic efforts. Securing long-term funding and diversifying revenue streams are essential for maintaining the continuity of support services

for abandoned children. The approach of utilizing these four mechanisms can have a positive impact on the nation. Philanthropic practices rooted in the principles of compassion, generosity, concern, and charity thus underscore the critical importance of sharing blessings throughout society. Ultimately, these philanthropic efforts not only fulfill religious obligations but also foster a compassionate and inclusive community that prioritizes the well-being of its most vulnerable members.

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