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Kaedah Pendaftaran Tanah Wakaf di Terengganu: Amalan Dahulu dan Sekarang
(Method for Waqf Land Registration in Terengganu: Past and Present Practice)

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KAEDAH PENDAFTARAN TANAH WAKAF DI TERENGGANU: AMALAN DAHULU DAN SEKARANG

METHOD FOR WAQF LAND REGISTRATION IN TERENGGANU: PAST AND PRESENT PRACTICE

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A PEER-REVIEWED ARTICLE

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ABSTRACT

Although development and administration of *waqf* land in Malaysia are under State Islamic Religious Council, it is still bound to certain allocation in National Land Code 1965 (KTN). Due to this, there are several *waqf* lands which have been cancelled under KTN named KSB 469, KSB 648 and KSB 460 in Kampung Tanjung Kuala Terengganu. This cancellation causes the loss of title for the *waqf* lands and currently the lands are deemed government reserve land status. This article attempts to trail the history of *waqf* land registration in Terengganu since 18th century AD until current implementation. Data obtained were analysed through content analysis method. This article found that: First, method of *waqf* land registration Terengganu in 18th century was dictated through a jawi-written document and proclaimed by the Sultan at that time. Second, after British settlement in 19th century, *waqf* land registration was fully based on KTN and registered through ‘Number Settlement Statement’(KSB) record. Third, registration remains under KTN. However, documentations related to *waqf* pledge are managed by Terengganu State Religious Office and then transferred to Terengganu Islamic Religious and Malay Customs Council (MAIDAM) and full implementation is under Terengganu State *Waqf* Enactment 2016. Implication of this study is important to the Government so that it can handle *waqf* land registration issue by forming a new policy aligning with current legislation to apply in Terengganu.

Keywords: *Waqf* Land Registration, National Land Code 1965, Land Vesting and MAIDAM.

ABSTRAK

Walaupun pembangunan dan pentadbiran tanah wakaf di Malaysia terletak di bawah Majlis Agama Islam Negeri, ia masih terikat peruntukan tertentu dalam Kanun Tanah Negara 1965 (KTN). Atas sebab ini, terdapat beberapa tanah wakaf pernah dibatalkan di bawah KTN iaitu KSB 469, KSB 648 dan KSB 460 di Kampung Tanjung Kuala Terengganu. Kesan pembatalan ini menyebabkan geran atau suratan tanah wakaf tersebut telah hilang dan kini tanah tersebut berstatus tanah rezab kerajaan. Artikel ini cuba menelusuri sejarah pendaftaran tanah wakaf di Terengganu mulai abad ke-18 Masihi sehingga pelaksanaannya masa kini. Data yang diperoleh dianalisis secara kaedah analisis kandungan. Artikel ini mendapati, pertama kaedah pendaftaran tanah wakaf di Terengganu pada abad ke-18 dicatatkan melalui sebuah dokumen bertulisan jawi dan dizahirkan oleh Sultan pada ketika itu. Kedua, setelah kedatangan British pada abad ke-19, pendaftaran tanah wakaf secara sepenuhnya berdasarkan KTN dan didaftarkan melalui rekod ‘Kenyataan Satlement Bilangan’(KSB). Ketiga, pendaftaran masih kekal berdasarkan KTN. Namun begitu, dokumentasi berkait dengan ikrar wakaf diuruskan oleh Pejabat Agama Negeri Terengganu dan kemudiannya beralih kepada Majlis Agama Islam dan Adat Melayu Terengganu (MAIDAM) dan pelaksanaan sepenuhnya di bawah Enakmen Wakaf Negeri Terengganu 2016. Implikasi kajian ini penting kepada pihak Kerajaan agar dapat menanggani isu pendaftaran tanah wakaf dengan mewujudkan dasar baharu yang selaras perundangan semasa untuk diaplikasikan di Terengganu.

Kata Kunci: Pendaftaran Tanah Wakaf, Kanun Tanah Negara 1965, Perletakan Tanah dan MAIDAM.

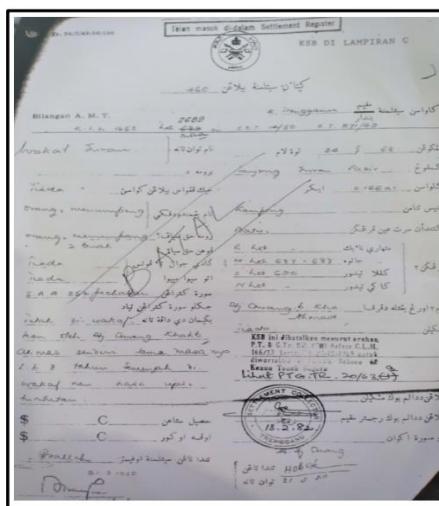
1. PENGENALAN

Tadbir urus yang berkait tentang urusan pendaftaran tanah adalah di bawah kawalan Pejabat Tanah Daerah dan Galian di seluruh negeri. Manakala dari sudut perundangan pula, Perlembagaan Persekutuan di bawah perkara 76 (4) telah memberi kuasa untuk dibentuk suatu perundangan khusus yang digunakan bagi seluruh negeri secara keseragaman yang dinamakan sebagai Kanun Tanah Negara. Sebagaimana termaktub di bawah Kanun Tanah Negara seksyen 40, tanah ‘kerajaan’ adalah merujuk kepada tanah hak mutlak bagi ‘Pihak Berkuasa Negeri-Negeri’. Mengikut tafsiran di bawah seksyen 5 pula, tanah yang berada di dalam negeri adalah terdiri daripada tanah rezab, tanah lombong, tanah hutan simpan, sungai dan pantai (Salleh Buang, 1993). Mengenai sejarah Kanun Tanah Negara pada era kedatangan Inggeris, undang-undang tanah mula dilaksanakan di bawah pentadbirannya pada tahun 1874 di Perak, Selangor dan Negeri Sembilan, manakala di Pahang pula pada tahun 1888. Kemudian Kanun Tanah Negara disatukan di peringkat Persekutuan pada tahun 1896. Pada tahun 1911, undang-undang tanah berjaya dikanunkan dan sebanyak 130 seksyen yang terkandung dalam perundangan tersebut. Proses perundangan terus berkembang sehingga terbentuk Kanun Tanah Negara pada

tahun 1926. Setelah 49 tahun kemudian, undang-undang tanah telah dikuatkuasakan secara komprehensif iaitu Kanun Tanah Negara pada tahun 1965 (Wan Hashim, 1984).

Dalam konteks pendaftaran tanah, ia digunakan mengikut prinsip ‘Torrens’ iaitu ‘Daftar adalah segala-galanya’, (Salleh Buang, 1993). Hal ini termaktub di bawah Seksyen 340 (1) Kanun Tanah Negara 1965 bahawa sesuatu ‘hak milik’ yang sempurna didaftarkan tidak boleh disangkalkan.

‘Hakmilik atau kepentingan mana-mana orang atau badan buat masa itu didaftarkan sebagai tuan punya mana-mana tanah, atau atas nama siapa apa-apa pajakan, gadaian atau esmen adalah buat masa itu terdaftar, hendaklah, tertakluk kepada peruntukan-peruntukan berikut seksyen ini, tidak boleh disangkal’



Rajah 1: KSB Tanah wakaf bertarikh 1950.

Selaras dengan perundangan tanah ini, tanah wakaf di Terengganu telah mempunyai geran hak milik yang didaftarkan di bawah KTN sejak tahun 1950 an dan dikenali sebagai ‘Kenyataan Satlement Bilangan’. Kedudukan KSB adalah berdasarkan kepada ‘Settlement Enactment 65-1356 dan seterusnya ditukarkan kepada ‘Keterangan Register Mukim (KRM)’ di bawah ‘Land Enactment 3/1357’. Beberapa tanah wakaf yang didaftarkan di bawah KRM telah dibatalkan melalui ‘endorsan’ oleh Pihak Berkuasa Negeri bertarikh 13 Februari 1982 (Ridzuan 2022). Contoh KSB yang dibatalkan seperti Rajah 1 di bawah:

Keterangan KSB ini ialah Lot 60 terletak di Kampung Tanjung, Daerah Kuala Terengganu. Dalam endorsan pada tahun 1982 dinyatakan pembatalan hak milik tanah wakaf dan ditukarkan kepada tanah rezab kerajaan sebagaimana catatan berikut:

KSB ini dibatalkan menurut arahan P.T. & G.Tr bil (8) dalam C.L.M 166/53 bertarikh 25.12.1969 untuk diwartakan di bawah Seksyen 62 Kanun Tanah Negara.

Oleh demikian, keberadaan pendaftaran tanah wakaf dalam konteks KTN perlu dilihat secara mendalam bagi memastikan tanah-tanah wakaf dilindungi status pemilikannya. Pada tahun 2009 Pihak Jabatan Wakaf, Zakat dan Haji (JAWHAR) telah mengeluarkan kaedah pendaftaran tanah wakaf sebagai panduan untuk digunakan di seluruh negara, tetapi garis panduan tersebut tidak digunakan sepenuhnya di peringkat Majlis Agama Islam Negri-Negeri (MAIN). Ini kerana pendaftaran tanah di Pejabat Tanah Daerah-Daerah Negeri adalah berbeza mengikut beberapa kaedah pendaftaran tanah yang peruntukkan di bawah KTN sama ada melalui kaedah 'Permohonan Jadual 1' Seksyen 76, Pindah Milik Tanah seksyen 214, Penyerahan keseluruhan tanah Seksyen 197 atau sebahagian tanah Seksyen 200, perletahakan tanah Seksyen 416c atau 415 dan perintah Mahkamah Syariah di bawah Seksyen 421A. Sehubungan itu, objektif kajian ini bertujuan untuk menganalisis kaedah pendaftaran tanah wakaf di negeri Terengganu secara mendalam dimulai dengan sejarah sehingga pelaksanaannya pada masa kini.

2. SOROTAN LITERATUR

Pelbagai kajian mengenai pendaftaran tanah wakaf telah dijalankan. Masih terdapat kelompongan terhadap kajian terdahulu iaitu sejarah pendaftaran tanah wakaf dan pelaksanaannya di Terengganu secara khusus. Kajian tersebut tertumpu kepada skop tertentu dan huraianya seperti mana perincian dalam Jadual 1 di bawah:

Jadual 1. Sorotan Kajian Pendaftaran Tanah Wakaf

Tahun	Pengkaji	Tajuk Kajian	Skop
2020	Ridzuan Mohamad, Zurita Mohd Yusoff & Nadhirah Nordin	Dokumentasi Tanah Wakaf di Negeri Terengganu Sebelum Kemerdekaan Dan Implikasinya Terhadap Keputusan Jawatankuasa Fatwa	Status hak milik tanah wakaf sebelum kemerdekaan. Dalam kajian ini tidak menfokuskan kaedah proses pendaftaran tanah wakaf.
2019	Sayuti Ab Ghani & Burhanuddin Jalal	Isu Pendaftaran Tanah Wakaf dalam Kanun Tanah Negara (KTN) 1965: Satu Kajian Menurut Perspektif Islam	Menjelaskan tentang kedudukan tanah wakaf yang telah didaftarkan mengikut peruntukan di bawah KTN

			secara umum. Seterusnya dibuat perbandingan dengan hukum Islam dari sudut status tanah wakaf tersebut. Dalam kajian ini juga tidak memperincikan kaedah pendaftaran tanah wakaf mengikut perundangan KTN 1965.
2012	Sayuti Ab Ghani, Hasan Al-Banna Mohamed, Mohd Hamran Mohamad & Basri Abdul Ghani	Isu Pendaftaran Tanah Wakaf dan Kanun Tanah Negara 1965.	Kajian ini menfokuskan secara umum proses pendaftaran tanah wakaf beberapa buah Majlis Agama Islam Negeri (MAIN) termasuk di Terengganu. Namun, kajian ini tidak menfokuskan secara mendalam dari sudut sejarah dan pelaksanaan secara keseluruhan.
2010	Mohd Afendi Mat Rani & Sayuti Ab Ghani	Implikasi Perundangan Terhadap Pendaftaran Tanah Wakaf Di Malaysia: Satu Kajian Dari Aspek Akta Pengambilan Tanah 1960	Kajian ini menfokuskan secara khusus mengenai pengambilan tanah di bawah APT 1960 dan kesannya terhadap status pendaftaran tanah wakaf. Kajian ini juga tidak menfokuskan kepada proses pendaftaran tanah wakaf terutamanya di Terengganu.

Berdasarkan Jadual 1 di atas, empat kajian tersebut menggunakan kaedah analisis kualitatif dan hasil kajiannya adalah berbeza. Kajian pertama (Ridzuan, 2020) menjuruskan kepada kedudukan dokumentasi tanah wakaf sebelum kemerdekaan. Hasil kajiannya mendapat terdapat percanggahan berdasarkan keputusan fatwa yang baharu berkait status tanah wakaf yang dikajinya. Kajian kedua (Sayuti Ab Ghani, 2019) mengkaji tentang bentuk pendaftaran tanah wakaf mengikut acuan KTN. Dapatan kajian ini menjelaskan secara umum kaedah pendaftaran dan kemudiannya dibuat perbandingan dengan hukum Islam. Terdapat sedikit ketidakselarasan

terhadap kajian perbandingan tersebut iaitu antara KTN dan hukum Islam. Kajian ketiga (Sayuti Ab Ghani, 2012) mengkaji tentang kaedah pendaftaran di setiap MAIN dan kajian tersebut tidak menjuruskan secara mendalam di negeri Terengganu. Kajian keempat pula (Mohd Afendi, 2010) mengkaji tentang tanah wakaf yang terlibat dengan isu pengambilan di bawah Akta Pengambilan Tanah 1960 (APT). Dapatkan kajian ini menunjukkan status pendaftaran tanah wakaf adalah penting, sekiranya mana-mana tanah tidak didaftarkan di bawah MAIN maka tanah tersebut akan hilang status wakafnya (*mawquf*) jika tanah tersebut diambil oleh pihak kerajaan di bawah APT 1960. Hasil sorotan ini mendapati, jika dibandingkan kajian Ridzuan (2020), Sayuti Abd Ghani (2019) dan Mohd Afendi (2010), skop kajian yang perlu dikaji adalah kaedah pendaftaran tanah di bawah KTN dalam konteks Enkamen Wakaf Terengganu 2016 mengikut amalan pada masa kini.

3. METODOLOGI

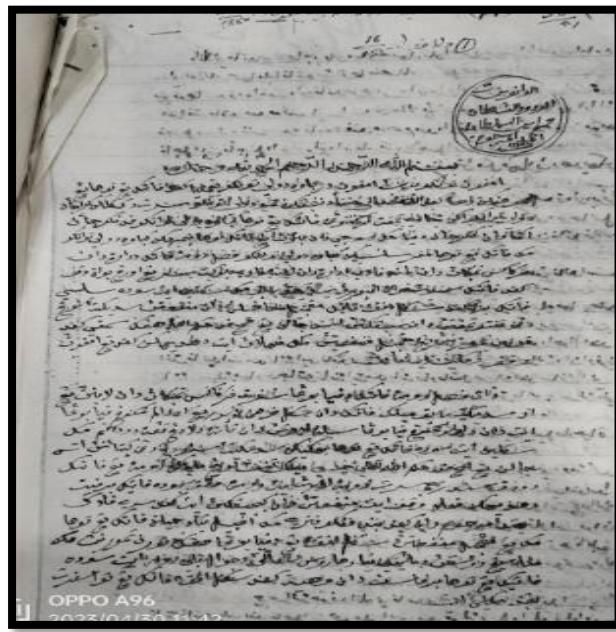
Kajian ini menggunakan kaedah kualitatif menerusi kajian perpustakaan (*library research*). Data dalam bentuk dokumen terutama borang pendaftaran tanah pada sekitar 1980 diperolehi secara langsung di Majlis Agama Islam Dan Adat Melayu Terengganu (MAIDAM). Dalam kajian kualitatif, tema kajian yang terkandung setiap dokumen memerlukan kepada penelitian secara mendalam bagi memperoleh penemuan kajian yang lebih tepat (Burns, 2000). Selaras dengan kaedah ini, bagi memahami tema-tema pendafataran tanah yang dikaji, proses temubual turut dijalankan khususnya kakitangan MAIDAM yang berurusan secara langsung berkait pendaftaran tanah di bawah KTN bagi tujuan untuk mendapat maklumat secara mendalam terutama amalan pedaftaran tanah wakaf di MAIDAM pada masa kini. Data-data yang diperoleh dan dikumpulkan seterusnya dianalisis dengan menggunakan kaedah analisis kandungan.

3.1 DAPATAN DAN PERBINCANGAN

3.1.1 Sejarah Pendaftaran Tanah Wakaf Terengganu

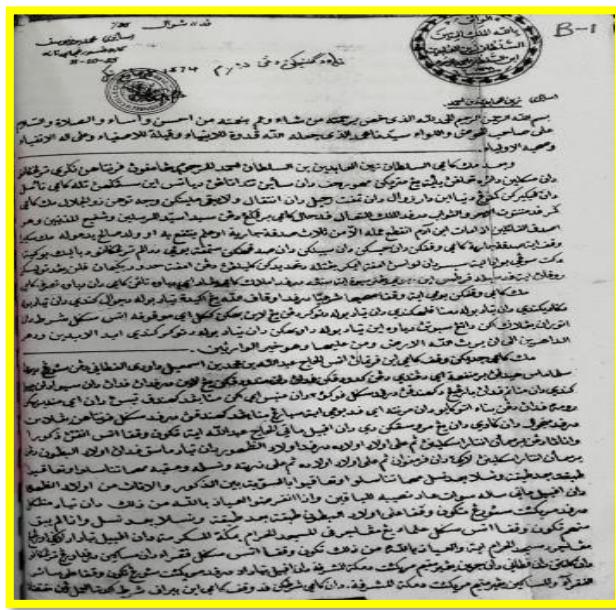
Rekod tanah wakaf yang terawal di Terengganu ditemui ialah pada tahun 1830 iaitu wakaf khas zuriat Syeikh Abdul Kadir (Razak Rahman, 2023). Beliau merupakan Mufti bagi Kerajaan Negeri Terengganu pada zaman Sultan Omar iaitu sultan ke-9. Syeikh Abdul Kadir meninggal dunia pada tahun 1864 di Kampung Paya Bunga dan dimakamkan di Perkuburan Syeikh Ibrahim, Bandar Kuala Terengganu (Zurita Yusoff, 2022).

Beberapa salinan dokumen wakaf Syeikh Abdul Kadir masih disimpan di MAIDAM berdasarkan rekod fail 03-024/1, simpanan tersebut sebagaimana gambar Rajah 2 di bawah:



Rajah 2: Dokumen wakaf Syeikh Abdul Kadir pada tahun 1830

Berdasarkan Rajah 2 di atas, kaedah pendaftaran tanah wakaf tersebut dicatat secara langsung dengan cop rasmi perkenan oleh Kebawah Duli Yang Maha Mulia Tuanku Sultan pada ketika itu. Sekitar pada tahun awal 1900, beberapa tanah wakaf direkodkan dengan keadaan yang sama seperti wakaf zuriat Muhamad Bin Abdullah Al-Fathani bertarikh 1917 iaitu pada zaman sultan Zainal Abidin III. Dokumen wakafnya masih juga disimpan di MAIDAM seperitimana Rajah 3 di bawah:



Rajah 3: Dokumen wakaf Syeikh Muhammad Bin Abdulla Al-Fathani pada tahun 1917

Setelah pasca penjajahan Jepun di tanah Melayu khususnya di Terengganu, dokumen tanah wakaf ditemui berdasarkan rekod KSB sepetimana Jadual 1 di atas (Razak Rahman, 2023). Mengikut pentadbiran tanah di Terengganu di awal 1940-an, ia dilaksanakan berdasarkan undang-undang tanah yang dinamakan sebagai ‘Enakmen Rezab Melayu Terengganu 1941’ (Salleh Buang, 1993). Enakmen ini dikuatkuasakan pada zaman Sultan Sulaiman Badrul Alam Shah yang merupakan sultan ke-13 bagi negeri Terengganu. Dalam KTN di bawah Seksyen 4 (b) telah menjelaskan kedudukan tanah-tanah yang dikuatkuasakan sebelum KTN adalah terpakai sepetimana dinyatakan:

‘Mana-mana undang-undang buat masa itu berkuatkuasa berhubungan dengan rizab Melayu atau pegangan Melayu’

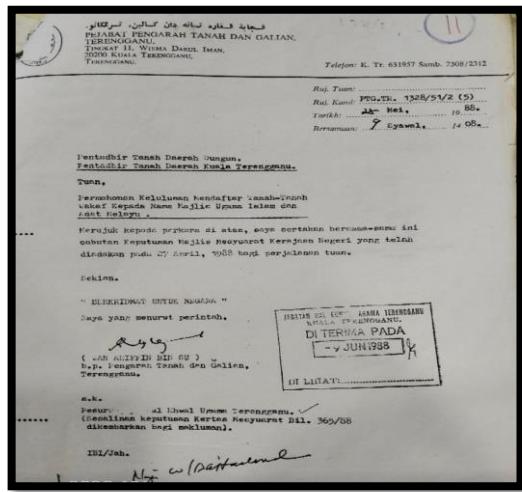
Mengenai KSB yang digunakan mengikut KTN pada peringkat awal, status KSB tersebut ditukarkan kepada ‘Keterangan Register Mukim (KRM). Kemudiannya, setelah KTN dikuatkuasakan dan dibuat pindaan akhir pada 1967, KRM dan KSB tidak lagi digunakan dan digantikan kepada status Geran Mukim ‘GM’, Geran Negeri ‘GN’, Pajakan Mukim ‘PM’, Pajakan Negeri ‘PN’, Hakmilik Sementara Mukim ‘HS(M) dan Hakmilik Sementara Daftar ‘HS(D). (PTG, 2005). Dalam konteks tanah wakaf, kesemua jenis hak milik tersebut seperti GM, GN, PN, PM, HS(M) dan HS(D) telah digunakan dan direkod di MAIDAM (Razak Rahman, 2023).

Kedudukan wakaf di Terengganu telah dimuatkan dalam ‘*Administration Of Muslim Law Enactment (Terengganu) 1955 Section 59*’ iaitu sebelum kemerdekaan lagi (Ridzuan, 2020). Namun demikian, proses pendaftaran ketika itu adalah tertakluk pada KTN dan pihak yang mengurus adalah di Pejabat Tanah. Pejabat Tanah ketika itu telah mencatat hasrat pewakaf dan kemudiannya mendaftar sebagai tanah wakaf tanpa melibatkan MAIDAM (Razak Rahman, 2023). Sebagai contoh catatan KSB 460 (Rajah 1) yang dicatatkan oleh pemeriksa tanah ketika itu:

‘di wakafkan oleh Haji Awang Khatib sendiri lama masanya’

Kemudian pada sekitar tahun 1970 hingga 80-an, pendaftaran tanah wakaf masih diuruskan oleh pejabat tanah. Namun berkait dengan dokumen ikrar wakaf, ia diuruskan pula oleh Pejabat Hal Ehwal Agama. Ketika ini Pejabat Hal Ehwal Agama berfungsi bagi menguruskan segala urusan hal Islam termasuk pengurusan zakat, wakaf dan baitulmal.

Pengawai wakaf ketika ini digelarkan sebagai ‘Nazir Wakaf’. Antara contoh surat Pejabat Tanah dan Galian Terengganu yang meluluskan pendaftaran tanah wakaf bertarikh 29 Mac 1988 seperti mana Rajah 4 di bawah:



Rajah 4: Surat kelulusan PTG bagi mendaftar tanah wakaf

Pada waktu tersebut, kaedah pendaftaran tanah wakaf yang digunakan adalah dua keadaan iaitu kaedah pindah milik tanah di bawah Seksyen 214 dan kaedah penyerahan keseluruhan tanah di bawah Seksyen 197 atau sebahagian tanah di bawah Seksyen 200 dan kaedah permohonan tanah ’Jadual 1’ di bawah Seksyen 76 (Razak Rahman, 2023).

Berdasarkan kaedah pertama iaitu proses pindah milik tanah di bawah Seksyen 214, ia melibatkan syarat-syarat yang ditetapkan di bawah KTN sebagaimana berikut:

- i- Keseluruhan, tetapi tidak sebahagian sahaja, mana-mana tanah beri milik [Seksyen 214 (1) (a)];
- ii- Keseluruhan, tetapi tidak sebahagian sahaja, mana-mana bahagian yang tak dipecahkan dalam dari tanah beri milik [Seksyen 214 (1) (b)];
- iii- Apa-apa pajakan tanah beri milik [Seksyen 214 (1) (c)];
- iv- Apa-apa gadaian [Seksyen 214 (1) (d)]; dan
- v- Apa-apa tenasi yang bebas daripada pendaftaran [Seksyen 214 (1) (e)].

Namun demikian, tanah yang boleh dipindah milik mengikut Seksyen 214 adalah tertakluk pada Seksyen 214 (2) (a) (b) dan (c) iaitu tanah tersebut mestilah tidak terhalang dengan tegahan atau sekatan dengan mana-mana undang-undang bertulis yang lain (Salleh Buang, 1984). Bagi

proses pendaftaran di MAIDAM, jika seseorang hendak mewakafkan tanah maka pemilik tanah perlu menggunakan ‘Borang 14 A’ di bawah seksyen ini. Antara prosedur proses ini adalah:

- i- Proses penyaksian (Tandatangan antara pemberi (pewakaf) dan penerima (MAIDAM) di hadapan Pentadbir Tanah).
- ii- Proses Duti Setem di Lembaga Hasil Dalam Negeri (LHDN) (Borang Seksyen 5) [PDS 15. Pin 1998].
- iii- Pendaftaran geran bagi hak milik baharu.

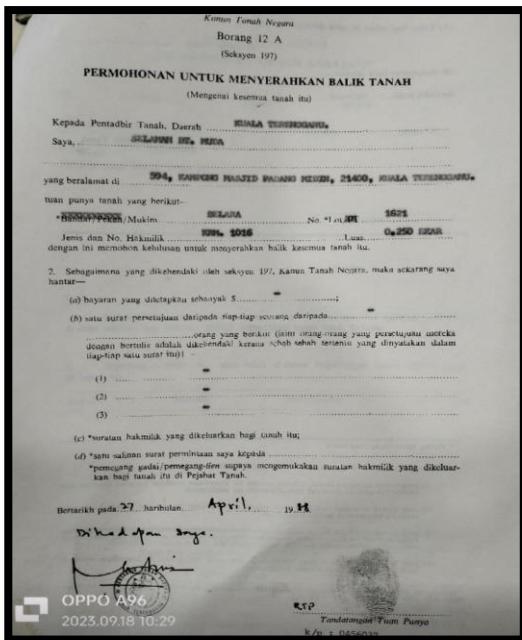
Kaedah kedua pula ialah kaedah Penyerahan Balik Tanah. Kaedah ini bermaksud mana-mana pihak yang memiliki tanah dan ingin menyerahkan tanah tersebut kepada Pihak Berkuasa Negeri (Jabatan Tanah dan Galian Persekutuan, 1980). Dalam hal ini, terdapat dua keadaan iaitu pertama penyerahan tanah secara keseluruhan di bawah Seksyen 197 dan kedua penyerahan sebahagian tanah di bawah seksyen 200. Borang yang diguna pakai ialah Borang 12A bagi penyerahan keseluruhan tanah dan Borang 12B bagi penyerahan sebahagian tanah. Mengikut perundangan tersebut, syarat-syarat bagi penyerahan tanah adalah tertakluk pada Seksyen 196 (1):

- i- Bahawa tiada item hasil tanah yang genap masa berkenaan dengan tanah itu [Seksyen 196 (1) (a)].
- ii- Bahawa tanah itu tidak ada di bawah penahanan oleh mana-mana mahkamah [Seksyen 196 (1) (b)].
- iii- Bahawa tiap-tiap orang atau badan yang dinyatakan dalam Subseksyen (2) telah memberi keizinan secara bertulis untuk pembuatan permohonan itu [Seksyen 196 (1) (c)].

Tanah yang ingin diserahkan mestilah bebas daripada sebarang tunggakan bayaran hasil tanah, tiada sekatan di bawah perintah Mahkamah Sivil dan mendapat keizinan secara bertulis daripada pihak berkaitan. Maksud ‘orang’ atau ‘badan’ dalam syarat di atas dijelaskan oleh Seksyen 43 iaitu tafsiran orang dan badan:

- i- Orang-orang selain remaja [Seksyen 43 (a)].
- ii- Perbadanan-perbadanan yang boleh memegang tanah [Seksyen 43 (b)].
- iii- Raja-raja, kerajaan, organisasi dan lain-lain yang diberi kuasa untuk memegang tanah [Seksyen 43 (c)].
- iv- Badan-badan yang diberi kuasa untuk memegang tanah [Seksyen 43 (d)].

Apabila hendak melaksanakan kaedah ini maka pihak MAIDAM mestilah terlebih dahulu mendapat kelulusan daripada Pihak Berkuasa Negeri. Seterusnya pihak MAIDAM akan memohon semula tanah yang telah diserahkan ini melalui kaedah permohonan semula tanah mengikut borang Jadual 1 [N.L.C.53-PIN.1/86'] seksyen 76. Di bawah seksyen ini, Pihak Berkuasa Negeri akan memberi pemilikan tanah kepada MAIDAM dan didaftarkan tanah tersebut oleh Pejabat Tanah sebagai tanah wakaf (Razak Rahman, 2023). Antara contoh Borang 12 A yang untuk didaftarkan sebagai tanah wakaf pada 1988 sepiptimana Rajah 5 di bawah:



Rajah 5: Proses penyerahan tanah ‘Borang 12A’

4. KAEDAH PENDAFTARAN TANAH PADA MASA KINI

Proses pendaftaran tanah wakaf di bawah Seksyen 214 masih digunakan sehingga hari ini. Oleh kerana proses ini adalah terhad dan mempunyai beberapa sekatan di bawah Seksyen 214, maka pihak MAIDAM cuba menyelesaikan melalui kaedah ‘Perletakan Berkanun’ di bawah Seksyen 416C sepiptimana saranan daripada pihak JKPTG. Pada peringkat awal, proses pendaftaran agak sukar dilaksanakan kerana tatacara khusus tidak dijelaskan dalam KTN. Pada 24 November 1999, pihak JKPTG telah mengeluarkan Pekeliling Ketua Pengarah Tanah dan Galian Persekutuan Bil 8/1999 mengenai pendaftaran tanah wakaf bagi membolehkan pendaftaran tanah wakaf. Kemudiannya, pada 18 November 2016 sekali lagi pihak JKPTG mengeluarkan ‘Surat Pekeliling Ketua Pengarah Tanah dan Galian Persekutuan Bil/2016 berkait format keseragaman permohonan perletakan berkanun tanah wakaf untuk diguna pakai di setiap MAIN (Razak Rahman, 2023). Pelaksanaan bagi kaedah pendaftaran ini juga termaktub

dalam Enakmen Wakaf (Terengganu) 2016 Seksyen 5 (4) iaitu:

‘Jika perletakhakan tersebut melibatkan mana-mana tanah beri milik atau apa-apa bahagian dalam mana-mana tanah beri milik, Pendaftar, selepas menerima permohonan secara bertulis dari pihak Majlis tentang perletakhakan tersebut hendaklah melaksanakan peruntukan-peruntukan dalam Seksyen 416C Kanun Tanah Negara dan perkataan ‘wakaf’ hendaklah diendorskan dalam hak milik tersebut.’

Sekali lagi pada 13 Jun 2023, Pihak JKPTG telah membatalkan pekeliling yang lepas dengan digantikan pekeliling yang baru iaitu proses pendaftaran tanah wakaf dilaksanakan di bawah seksyen 415 mengikut ‘Borang 30A’. Proses ini melibatkan pihak MAIDAM bertindak iaitu:

- i- Pewakaf mengisi borang ‘Permohonan Wakaf’ dan beberapa dokumen yang lain seperti salinan kad pengenalan dll.
- ii- Mengisi ‘Borang 30A’
- iii-Surat Kelulusan daripada PTG (Borang Kebenaran Perletahakan)
- iv-Salinan cukai tanah
- v- Geran asal (Untuk proses mengeluarkan geran baharu)

Proses ini mengambil masa dua hingga tiga bulan untuk dapat diselesaikan kerana melibatkan siasatan tanah oleh Penolong Pegawai Tanah MAIDAM dan urusan dokumentasi di pejabat tanah daerah-daerah (Razak Rahman, 2023). Terbaru pula, pada tahun 2018, tanah-tanah rezab kerajaan di bawah KTN Seksyen 62 akan dibatalkan pewartaannya mengikut Seksyen 64 dan kemudiannya pihak MAIDAM perlu memohon proses ‘Jadual 1’ untuk mendaftarkan tanah tersebut sebagai tanah wakaf di bawah Seksyen 76. Ini berdasarkan keputusan Majlis Mesyuarat Kerajaan Negeri Terengganu (MMKN) Kali Ke-3 Bertarikh 17 Januari 2018 iaitu:

‘Pihak Berkuasa Negeri bersetuju untuk membatalkan mana-mana tanah yang direzabkan / diwartakan menurut Seksyen 62 Kanun Tanah Negara (KTN) bagi tujuan awam iaitu tapak masjid, surau dan kubur. Setelah perjalanan pembatalan selesai, tapak berkenaan boleh dipohon oleh Majlis Agama Islam Dan Adat Melayu

Terengganu (MAIDAM). Manakala tanah-tanah yang belum direzabkan / diwartakan hendaklah dipohon terus untuk diberi milik’

Kaedah terakhir ialah pendaftaran di bawah 420A di bawah seksyen 419 di mana, Pendaftar boleh merujuk kepada pihak Mahkamah Sivil bagi menjalankan kuasa yang diberikan di bawah Kanun Tanah Negara 1965. Namun demikian, ia mestilah terlebih dahulu mendapat kebenaran bertulis daripada Pengarah Negeri atau Pesuruhjaya Tanah Galian Negeri sebagaimana ditetapkan di bawah Seksyen 419 (3). Dalam seksyen 420 (1), pihak Mahkamah Sivil mempunyai suatu hak untuk memberi perintah pendaftaran tanah melalui perletakhkan dan tertakluk pada seksyen tersebut (Jabatan Tanah dan Galian Persekutuan, 1980). Dari sudut pendaftaran tanah, ia dilaksanakan di bawah bidang kuasa Mahkamah Tinggi Syariah selaras di bawah Kanun Tanah Negara Seksyen 420A iaitu:

‘Bagi maksud-maksud Seksyen 417 dan 420, “Mahkamah” termasuklah Mahkamah Syariah.

Antara kaedah pendaftaran ini yang telah dilaksanakan ialah tanah wakaf di Terengganu yang berketerangan Lot 60039 GM 2056 Mukim Cabang Tiga, Daerah Kuala Terengganu dan Lot 281 GRN 5605 Pekan Kampung Raja, Dearah Besut. Tanah wakaf bagi Lot 60039 merupakan wakaf zuriat, manakala Lot 281 pula adalah tanah wakaf khas pendidikan. Sehubungan itu, kaedah pendaftaran ini merupakan kaedah terpencil iaitu jarang digunakan di MAIDAM kecuali jika tanah tersebut mempunyai isu yang perlu dibawa ke peringkat Mahkamah Tinggi Syariah (Razak Rahman, 2023).

5. KESIMPULAN

Dalam konteks sejarah pendaftaran di Terengganu, ia dibahagikan kepada tiga fasa. Fasa pertama merujuk kepada, pendaftaran tanah wakaf pada zaman kesultanan. Ketika ini segala dokumentasi dibuat pengesahan secara langsung oleh Sultan Terengganu. Dokumen ketika ini juga ditulis dalam bentuk tulisan jawi kerana belum ada pengaruh daripada penjajahan pihak British. Fasa kedua pula, iaitu pada abad ke-20, pendaftaran tanah wakaf mula digunakan berdasarkan KTN. Pada peringkat ini, beberapa proses perubahan telah dilakukan terutamanya status KSB ditukarkan kepada KRM. Perubahan ini adalah rentetan daripada pindaan KTN 1967. Fasa ketiga pula ialah di mana KSB ditukarkan kepada Geran Mukim ‘GM’, Pajakan Mukim ‘PM’, Geran Negeri ‘GN’, Pajakan Negeri ‘PN’, Hakmilik Sementara Daftar ‘HS(D)’, Hakmilik Sementara

Mukim ‘HS(M). Setelah pertukaran ini berlaku, terdapat beberapa kaedah pendaftaran yang dilaksanakan seperti ’Permohonan Jadual 1’ Seksyen 76, Pindah Milik Tanah Seksyen 214, Penyerahan Keseluruhan Tanah Seksyen 197 atau Sebahagian Tanah Seksyen 200, Perletakhkan Tanah Seksyen 416c atau 415 dan Perintah Mahkamah Syariah di bawah Seksyen 421A. Artikel ini telah membuktikan bahawa pendaftaran tanah wakaf mengikut KTN perlu mempunyai satu mekanisme kawalan agar rekod pendaftarannya tidak diubah pada masa akan datang sepetimana berlaku ke atas beberapa rekod terhahulu dalam era KSB. Justeru itu, pemerkasaan mekanisme kawalan rekod pendaftaran tanah wakaf perlu diusahakan oleh pihak berkuasa iaitu Pejabat Tanah dan Galian (PTG) Negeri Terengganu supaya pada masa akan datang ia boleh dilaksanakan tanpa melalui dasar KTN dan memadai dengan enakmen wakaf di setiap negeri. Akhirnya, kajian lanjutan masih perlu dilaksanakan oleh para penyelidik yang lain dalam aspek yang sama atau berbeza secara lebih mendalam kerana skop kajian ini hanya tertumpu kepada kaedah pendaftaran di Terengganu sahaja.

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**KESAN INTERVENSI BANTUAN LANGSUNG TUNAI BERSYARAT
TERHADAP ISU KEMISKINAN DAN PEMULIHARAAN ALAM SEKITAR:
ULASAN SKOP**

**IMPACT OF CONDITIONAL CASH TRANSFER INTERVENTION ON
POVERTY AND ENVIRONMENT CONSERVATION:
A SCOPING REVIEW**

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A PEER-REVIEWED ARTICLE

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ABSTRACT

Poverty and pollution are two important worldwide issues that are inextricably linked. The goal of this research is to determine the impact of Conditional Cash Transfer (CCT) interventions on poverty and environmental conservation. The research employs scoping review analysis to ensure that the study's objectives are met. Procedures include protocol review processes and study question design, as well as systematic search strategies using databases such as Web of Science, Scopus, and Google Scholar. The next process is data extraction and analysis. The study's themes are divided into four categories: (1) reducing deforestation, (2) CCT & PES Program Synergy, (3) Changing Beneficiary Attitudes to the Environment, and (4) CCT Effects on Poverty and Environmental Conservation. The study provides a thorough evaluation of the development of CCT programs for poverty eradication and protecting the environment. Finally, this research will be valuable for policymakers especially zakat institutions in developing more comprehensive poverty eradication and environmental conservation policies.

Keywords: Conditional Cash Transfer, Poverty, Environment, Zakat Institution

ABSTRAK

Kemiskinan dan pencemaran merupakan dua isu global yang saling berkait rapat. Objektif kajian ini adalah bagi menentukan kesan campur tangan program Batuan Langsung Tunai Bersyarat terhadap kemiskinan dan pemuliharaan alam sekitar. Kajian ini menggunakan analisis ulasan skop bagi memastikan objektif yang telah ditetapkan akan tercapai. Metodologi kajian adalah termasuk proses semakan protokol dan reka bentuk soalan kajian, strategi pencarian sistematis menggunakan

pangkalan data seperti Web of Science, Scopus dan Google Scholar. Proses seterusnya ialah pengekstrakan dan analisis data. Tema kajian dibahagikan kepada empat kategori: (1) Pengurangan penebangan hutan, (2) Sinergi Program CCT & PES, (3) Kesan perubahan sikap penerima bantuan terhadap pemeliharaan alam sekitar, dan (4) Pengaruh program CCT kepada hubungan kemiskinan dan alam sekitar. Kajian ini menyediakan penilaian menyeluruh terhadap pembangunan program CCT untuk pembasmian kemiskinan dan pemuliharan alam sekitar. Akhir sekali, penyelidikan ini akan memberi manfaat kepada penggubal dasar terutamanya institusi zakat dalam membangunkan dasar pembasmian kemiskinan dan pemuliharaan alam sekitar secara lebih menyeluruh.

Kata kunci: Bantuan Langsung Tunai Bersyarat, Kemiskinan, Alam Sekitar, Institusi Zakat

1. PENGENALAN

Bantuan langsung tunai bersyarat/ *conditional cash transfer* (CCT) merupakan bantuan kewangan yang diberikan oleh pihak Kerajaan kepada golongan miskin melalui intervensi syarat tingkah laku (*conditionality*). Syarat tingkah laku bermaksud tanggungjawab yang perlu dilaksanakan oleh penerima bantuan bagi memastikan bantuan tersebut tidak ditamatkan. Objektif sebenar program ini adalah secara bersepada iaitu mengurangkan kadar kemiskinan dan jurang kekayaan serta pembangunan modal insan golongan tersebut. Di peringkat global, antara syarat tingkah laku yang popular dalam program CCT adalah melalui dimensi pendidikan seperti tanggungjawab memastikan kehadiran anak-anak penerima bantuan ke sekolah mengikut peratusan kehadiran terentu biasanya di antara 80-90% manakala bagi dimensi kesihatan pula tanggungjawab memastikan kehadiran anak-anak ke pemeriksaan kesihatan secara berkala (Fiszbein & Schady, 2009; Ford et al., 2020; Hartarto et al., 2021; Kabeer et al., 2012; Saucedo Delgado et al., 2018; Son, 2008). Program ini mula dibangun di negara-negara Amerika Latin. Kini program CCT telah dilaksanakan oleh lebih 60 negara di peringkat global.

Pembasmian kemiskinan dan isu pemanasan global merupakan dua cabaran utama yang berlaku pada masa ini serta saling berkaitan. Sungguhpun banyak kajian secara meluas yang menunjukkan perubahan iklim menghalang kepada usaha pembasmian kemiskinan, malah tiada konsensus mengenai dapatan kajian sebaliknya berkemungkinan disebabkan oleh limitasi kajian lepas (Malerba, 2020). Kajian hubungan antara pelbagai bentuk *outcome* pembangunan mampan adalah kunci untuk memahami peralihan kemampunan. Walau bagaimanapun, bukti yang kukuh mengenai *outcome* bersepada antara dimensi sosial dan alam sekitar melalui matlamat pembangunan mampan masih terhad (Dyngeland et al., 2020).

Bayaran untuk perkhidmatan ekosistem (*payment for ecosystem services*) (PES) merupakan program yang diberi gelaran sebagai bantuan langsung tunai bersyarat berhubung alam sekitar.

Pelaksanaan program PES berlaku dengan insentif kewangan diberikan kepada pengurus sumber semula jadi (biasanya pemilik tanah) dengan syarat tingkah laku perkhidmatan berkenaan pemeliharaan alam sekitar atau penjagaan tanah. Menurut (Fripp, 2014), PES berlaku apabila pihak berkepentingan dalam perkhidmatan ekosistem tersebut membuat pembayaran terhadap perkhidmatan yang dibekalkan. Idea asas program adalah pihak yang menyediakan perkhidmatan ekosistem akan dibayar oleh pihak berkepentingan contohnya pihak Kerajaan sebagai pembekal dana kepada program ekosistem tersebut. Antara contoh perkhidmatan ekosistem yang dilaksanakan adalah peningkatan kualiti air di bandar New York, Amerika Syarikat dan program penyerapan karbon di Costa Rica (Fripp, 2014). PES merupakan program perintis di peringkat global bagi melindungi biodiversiti dan kawasan tadahan air, serta mengurangkan perubahan iklim melalui pengurangan aktiviti penebangan hutan. Polisi yang dibangunkan menerusi program PES bertujuan untuk meningkatkan pemuliharaan dan kesejahteraan ekosistem (Avila-Foucat et al., 2021). Di samping itu, wujud persamaan di antara program CCT dan PES antaranya kedua-dua program menyediakan insentif kewangan kepada penerima dengan syarat tingkah laku tertentu bagi mengubah sikap penerima bantuan dalam mencapai matlamat kesejahteraan sosial.

Kajian lepas menunjukkan wujud hubungan langsung di antara kemiskinan dan alam sekitar. Kajian yang dilaksanakan oleh Castañeda et al. (2018) melaporkan kebanyakan keluarga berpendapatan rendah tinggal di kawasan miskin dan bergantung kepada sumber daripada alam sekitar. (Alix-Garcia et al., 2013) mendapati berlakunya peningkatan dalam penebangan hutan dalam program CCT, Oportunidades di negara Mexico. Dapatan kajian ini kebarangkaliannya berpunca daripada peningkatan dalam penggunaan daging lembu dan susu. Selain itu, kajian oleh (Zwane, 2007) mendapati di negara Peru, dapatan kajian menunjukkan korelasi positif antara pertumbuhan pendapatan dalam keluarga berpendapatan rendah dengan penebangan hutan. Melalui program di negara Uganda, (Jayachandran et al., 2017) mendapati bagaimana bagaimana pemilik tanah yang menerima bantuan langsung tunai bersyarat dengan dimensi pemuliharaan alam sekitar, keputusan yang positif dapat diperolehi. Semua dapatan kajian menunjukkan hubungan yang wujud di antara masalah kemiskinan dan alam sekitar serta peranan yang dimainkan oleh program CCT dalam memberi impak kepada kedua-dua isu tersebut. Oleh itu, kajian ini akan menilai kesan intervensi program CCT terhadap isu kemiskinan dan pemeliharaan alam sekitar.

2. METODOLOGI

2.1 *Pembentukan persoalan kajian*

Pembentukan persoalan kajian yang dibentuk berperanan sebagai garis panduan bagi ulasan skop: Apakah kesan intervensi bantuan langsung tunai bersyarat terhadap isu kemiskinan dan alam sekitar?”

2.2 *Strategi pencarian sistematik*

Tiga prosedur sistematik yang terlibat dalam strategi pencarian sistematik melibatkan proses pengenalan, saringan dan penentuan kelayakan. Fasa-fasa ini dilakukan bagi memastikan proses pencarian dilaksanakan dengan teliti (Rajah 1).

2.2.1 *Pengenalan*

Kata kunci yang digunakan dalam kajian ini berdasarkan persoalan kajian yang dibentuk adalah *conditional cash transfer*, *climate change*, *environment* dan *payment for ecosystem* dengan pencarian dilaksanakan melalui pengkalan data Scopus dan Web of Science serta carian manual pada Google Scholars. Menerusi usaha pencarian, sebanyak 167 artikel diperolehi.

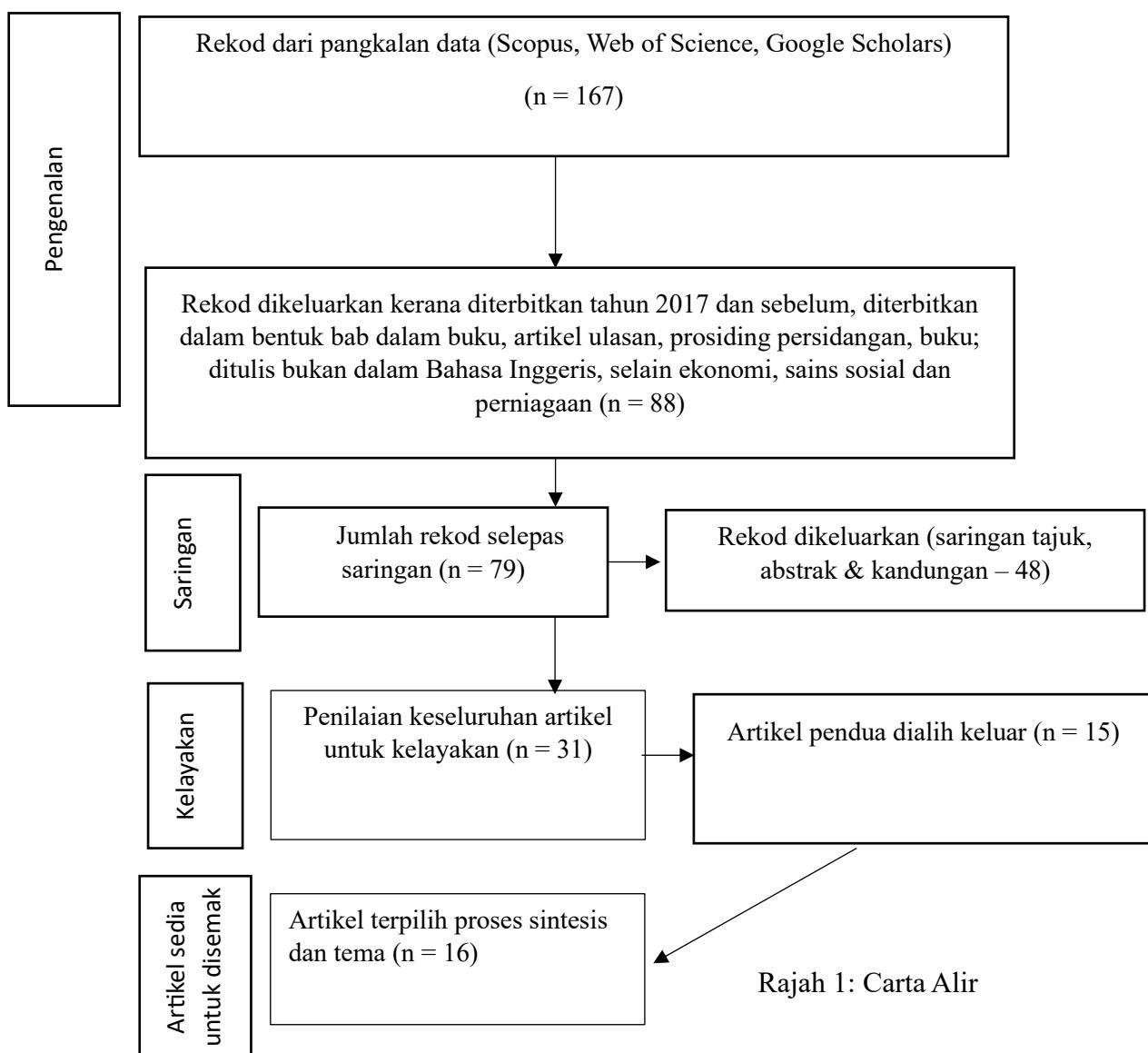
2.2.2 *Saringan*

Proses saringan merupakan prosedur kedua yang dilaksanakan dalam strategi pencarian sistematik bagi memastikan hanya artikel berkaitan dengan persoalan kajian dipilih. (Kitchenham & Charters, 2007) menekankan bahawa mana-mana kriteria boleh dipilih oleh pengarang selagi kriteria dapat menerangkan persoalan kajian. Saringan yang dilaksanakan mengambilkira artikel dalam tempoh 5 tahun terkini bagi mengenalpasti dapatan kajian terbaru berkaitan program CCT, kemiskinan dan alam sekitar, dokumen berbentuk artikel sahaja dipilih, medium Bahasa Inggeris bagi mengelakkan kesilapan terjemahan serta topik berkaitan topik ekonomi, sains sosial dan pengurusan perniagaan sahaja dipilih bagi memfokuskan impak berkaitan

ekonomi. Proses saringan telah mengeluarkan sebanyak 88 artikel manakala baki 79 artikel dikenalkan.

2.2.3 Kelayakan

Proses tapisan akhir merupakan proses pembacaan abstrak bagi memastikan artikel yang berkaitan dengan persoalan kajian sahaja dipilih. Sejumlah 48 artikel dikeluarkan kerana tidak memenuhi kata kunci dan persoalan kajian. Selain itu, proses mengeluarkan artikel pendua iaitu artikel yang sama dari pengkalan data berbeza serta artikel yang tidak boleh dicapai. Proses ini menapis keluar 15 lagi artikel manakala baki 16 artikel kekal untuk proses semakan dan analisis skop.



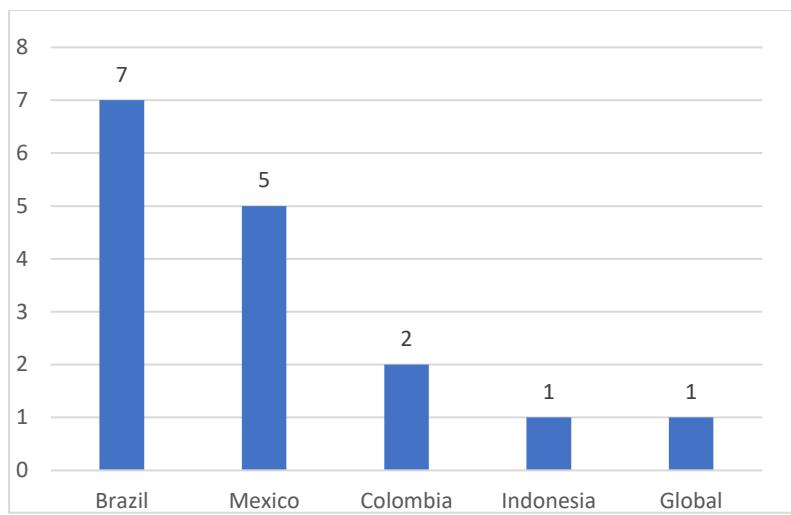
2.3 *Pengekstrakan dan analisis data*

Proses pengekstrakan data dipandu oleh persoalan kajian. Kajian kualitatif menggunakan analisis tematik untuk menilai data yang telah diekstrak. Analisis ini mengenal pasti tema berdasarkan corak yang diperolehi daripada kajian yang dipilih berdasarkan persamaan dan korelasi antara data yang diabstrakkan (Braun & Clarke, 2006). Pada peringkat pertama sintesis, data yang serupa atau berkaitan antara satu sama lain telah dikumpulkan dalam tema tertentu. Pada peringkat ini, enam utama tema telah dikenalpasti. Pada peringkat kedua, tema telah diperiksa semula untuk memastikan kegunaan dan ketepatan tema mewakili data. Semasa proses ini, empat tema akhir telah dipilih iaitu: pengurangan penebangan hutan, sinergi program CCT dan PES, kesan perubahan sikap penerima bantuan terhadap pemeliharaan alam sekitar dan pengaruh program CCT kepada hubungan kemiskinan dan alam sekitar.

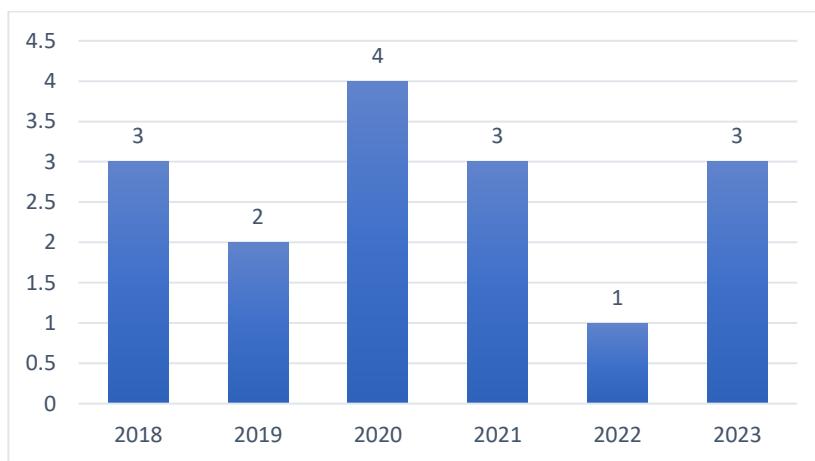
3. DAPATAN KAJIAN

3.1 *Latar belakang*

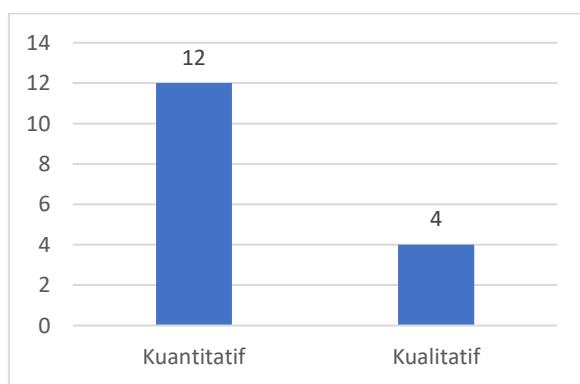
Kajian ini melibatkan 16 artikel. Majoriti kajian dilaksanakan di negara Brazil (7 kajian), Mexico (5 kajian) seterusnya diikuti oleh Colombia (2 kajian). Seperti sudah dijangka, kebanyakan kajian berlaku di negara Amerika Latin kerana program CCT bermula di benua tersebut manakala baki kajian adalah di negara Indonesia (1 kajian) dan melibatkan banyak negara global (1 kajian). Kebanyakan artikel diterbitkan pada tahun 2020 (4 kajian), diikuti oleh tahun 2018, 2021 dan 2023 (3 kajian), 2019 (2 kajian) dan 2022 (1 kajian). Dari sudut metodologi, majoriti kajian menggunakan kaedah kuantitatif (12 kajian) manakala selebihnya menggunakan kaedah kualitatif (4 kajian) (Graf 1, Graf 2 dan Graf 3).



Graf 1 : Bilangan kajian mengikut negara



Graf 2 : Bilangan kajian mengikut tahun



Graf 3 : Bilangan kajian mengikut metodologi kajian

3.2 Pembentukan Tema

3.2.1 Pengurangan Penebangan Hutan

Secara umumnya, kajian lepas menunjukkan program CCT memberi impak positif kepada pemeliharaan hutan seterusnya mengurangkan kadar penebangan hutan (Alix-Garcia et al., 2018; Avila-Foucat et al., 2021; Ferraro & Simorangkir, 2020; Malerba, 2020; Rigolini, 2022; Rønningstad & Jelsness, 2020). Sebagai contoh, di negara Brazil, program CCT Bolsa Famillia berjaya mengurangkan kadar penebangan pokok sebanyak 30% dalam komuniti miskin di kawasan pedalaman (Rigolini, 2022) serta pada peratusan yang sama turut berlaku di negara Indonesia (Ferraro & Simorangkir, 2020). Walau bagaimanapun, kajian oleh (Rocha & Meyer, 2023) mendapati berlaku peningkatan penebangan hutan di kawasan Amazon dan Cerrado di negara Brazil. Kajian juga membincangkan mengenai keberkesanan kos program (Alix-Garcia et al., 2019; Alix-Garcia et al., 2019; Costa, 2023; Ferraro & Simorangkir, 2020; Rønningstad & Jelsness, 2020). Kajian yang dilaksanakan oleh Ferraro & Simorangkir (2020) mendapati nilai ekonomi bagi pelepasan karbon yang dielakkan dianggar lebih tinggi berbanding dengan kos pelaksanaan program. Manakala kajian lain yang dilaksanakan oleh (Alix-Garcia et al., 2019) mencadangkan pendekatan yang lebih kos efektif dalam melaksanakan program CCT yang mensasarkan perubahan sikap penerima bantuan terhadap penebangan hutan. Kajian lain oleh Costa (2023) pula merumuskan pihak Kerajaan wajar mengambil kira aktiviti lain yang lebih menarik berbanding penggunaan sumber hutan dengan kesan kos melepas bagi mengurangkan penebangan hutan seterusnya meningkatkan pemeliharaan alam sekitar. Seterusnya kajian yang dilaksanakan oleh Rønningstad (2020) di Brazil mendapati kesan daripada program CCT berjaya mengurangkan penebangan hutan serta merumuskan faedah yang diperolehi adalah tiga kali ganda berbanding kos program. Selain itu, kajian lain oleh Malerba (2020) turut mendapati komuniti yang menerima bantuan program memberi impak kepada pemeliharaan penebangan hutan berbanding dengan awasan komuniti yang tidak menerima bantuan program CCT manakala kajian oleh Costa (2023) merumuskan bahawa impak yang

berbeza akan diperolehi daripadaumpulan komuniti yang berbeza dalam merabentuk program CCT.

3.2.2 Sinergi Program CCT & PES

Bagi tema kedua, perbincangan tertumpu kepada kerjasama dan sinergi di antara program CCT dengan program PES. Terdapat kajian yang menilai interaksi dan penyelarasannya di antara program CCT khusus berkaitan pemeliharaan alam sekitar dengan program CCT sedia ada (Avila-Foucat et al., 2021; Izquierdo-Tort, 2020). Interaksi program PES dengan program CCT melibatkan bentuk skop liputan, pengurusan, perbelanjaan dana dan impak sosioekonomi kepada penerima di negara Mexico (Izquierdo-Tort, 2020). Kajian lepas turut mendapati wujud dapatan positif interaksi sosioekonomi kedua program melibatkan pelbagai peringkat kerana penerima bantuan dapat meningkatkan pendapatan seterusnya pertumbuhan sosioekonomi keluarga hasil dari kedua-dua bantuan yang diterima. Kajian lepas turut mencadangkan supaya pembuat polisi mengambilkira isu di peringkat mikro dan makro bagi menyesuaikan peranan program PES dalam penggabungan polisi bagi membentuk program yang lebih efektif (Izquierdo-Tort, 2020). Kajian lain turut mencadangkan PES sebagai program pemeliharaan alam sekitar dengan elemen CCT yang boleh dipromosikan ke peringkat global (Alix-Garcia et al., 2018). Selain itu, melalui program PES di negara Mexico, kontrak program CCT dengan model yang diperkenalkan iaitu kesanggupan menerima (WTA) berupaya menjimatkan bajet. Kontrak tersebut merupakan model cadangan kerjasama program berkaitan pemeliharaan alam sekitar bagi meningkatkan impak program dengan penggunaan bajet yang lebih rendah (Alix-Garcia et al., 2019). Kajian lain turut mendapati bukan program CCT alam sekitar seperti program PES sahaja yang memberikan impak tetapi pelaksanaan perkhidmatan kesihatan alam sekitar dengan kombinasi bantuan tunai program Bolsa Familia di negara Brazil memberi impak positif dalam meningkatkan pencegahan penyakit cirit-birit seterusnya mengurangkan kadar kematian kanak-kanak di bawah 5 tahun akibat penyakit tersebut (de Souza et al., 2021).

3.2.3 Perubahan Sikap Penerima Bantuan Terhadap Alam Sekitar

Kajian lepas mendapati bantuan program CCT berupaya meningkatkan aktiviti pengurusan tanah yang lebih baik antaranya meronda untuk aktiviti haram, membina tempat memadam kebakaran, mengawal serangga perosak, atau menggalakkan pemuliharaan tanah dengan penambahbaikan sebanyak 50%. Kajian turut mendapati bantuan CCT mengubah sikap penerima kepada lebih positif serta impak terhadap aktiviti yang tidak dibayar juga tidak menurun. Kajian turut merumuskan program CCT menyokong kepada pengurusan tanah dan sikap penerima bantuan ke arah yang lebih baik (Alix-Garcia et al., 2018; Alix-Garcia et al., 2019). Kesan program CCT kepada aspek permintaan dalam ekonomi sama ada positif ataupun negatif. Sebagai contoh, permintaan boleh meningkatkan untuk penggunaan bahan mentah daripada alam sekitar atau mengelakkan penggunaan sumber alam kesan daripada peningkatan pendapatan isirumah (Costa,2023). Kajian lain turut merumuskan bahawa dengan syarat tingkahlaku yang betul, program CCT boleh mempengaruhi sikap penerima bantuan dalam menguruskan alam sekitar di samping meningkatkan konsumtif (Rigolini, 2022). Seterusnya, kajian terhadap masyarakat orang asli di negara Brazil turut mengambil kira kesan bantuan CCT terhadap impak alam sekitar. Dapatkan kajian merumuskan bantuan tunai yang diterima mengubah peruntukan masa masyarakat tersebut daripada masa untuk aktiviti sara hidup kepada aktiviti masa lapang dijangka memberi impak berbeza kepada alam sekitar (dos Reis Cunha et al., 2018).

3.2.4 Pengaruh CCT terhadap kemiskinan dan pemeliharaan alam sekitar

Kajian lepas turut mendapati impak positif program CCT terhadap alam sekitar melalui pelaburan dalam memastikan isi rumah memperolehi air bersih, pembekalan perkhidmatan sanitasi dan sisa pepejal berupaya mengurangkan insiden kematian akibat kekurangan zakat makanan dan cirit-birit (de Souza et al., 2021; Souza et al., 2021). Kajian oleh Malerba (2020) mendapati penerimaan bantuan tunai oleh isirumah mempunyai hubungan dengan peningkatan pembelian tanah bagi tujuan peningkatan sara hidup. Sungguhpun begitu, kajian mendapati kadar penebangan hutan tidak meningkat malah menunjukkan penurunan berbanding di kawasan komuniti yang

tidak menerima bantuan melalui program CCT. Sungguhpun begitu, kajian oleh (Arena et al., 2023) mendapati program CCT bukan merupakan program yang memberi solusi universal dalam mengurangkan kemiskinan dan perubahan iklim. Kajian lain yang dilaksanakan di negara Brazil oleh (Rønningstad & Jelsness, 2020) mendapati program CCT Bolsa Familia berjaya menurunkan tekanan penerokaan hutan dengan menyediakan bantuan kepada golongan berpendapatan rendah bagi mengurangkan kemiskinan mereka. Kajian turut merumuskan bahawa program pembasmian kemiskinan berupaya memberi faedah kepada pemeliharaan alam sekitar. Seterusnya kajian oleh Rocha & Meyer (2023) mendapati berlaku peralihan pembangunan di kawasan hutan kesan bantuan CCT iaitu peningkatan penerokaan hutan kerana berlakunya perluasan kawasan aktiviti untuk pertanian dan penternakan. Peranan dalam menangani masalah ekonomi melibatkan pemeliharaan alam sekitar dan masalah sosial merupakan masalah yang perlu difikirkan bersama oleh pihak korporat dan kerajaan (Pereira Junior & Moroni, 2022). Selain itu, kajian lain turut merumuskan bahawa program pembasmian kemiskinan yang mensasarkan golongan miskin tegar dapat membantu mencapai matlamat pemeliharaan alam sekitar peringkat global dengan syarat-syarat tertentu (Ferraro & Simorangkir, 2020). Akhir sekali, data daripada program PES menunjukkan berlaku peningkatan tanggungjawab sosial masyarakat melibatkan sikap, jalinan kerjasama, peringkat institusi sebanyak 9% berbanding kumpulan masyarakat yang tidak menerima bantuan (Alix-Garcia et al., 2019).

3.3 *Perbincangan Kajian*

Menerusi dapatan kajian lepas, perbincangan mengenai peranan program CCT sememangnya berfokuskan pembasmian kemiskinan sama ada menerusi kesan jangka pendek maupun jangka panjang. Oleh yang demikian, program CCT yang dibangunkan meletakkan syarat tingkahlaku yang sesuai dengan matlamat tersebut. Program-program yang dilaksanakan oleh kebanyakan negara meletakkan dimensi pendidikan dan kesihatan sebagai syarat tingkahlaku. Sungguhpun begitu, kajian demi kajian dijalankan ke atas pelbagai impak lain selain daripada kemiskinan dan pembangunan modal insan. Dari situ, program CCT terus berkembang kepada rekabentuk syarat tingkahlaku pekerjaan seperti yang dilaksanakan oleh negara Amerika Syarikat menerusi program Family Rewards. Kini, elemen syarat tingkahlaku

tersebut turut digunakan bagi membangunkan program CCT yang mensasarkan *outcome* pemeliharaan alam sekitar seperti program PES.

Kajian lepas berkenaan hubungan di antara program CCT dengan pemeliharaan alam sekitar tertumpu kepada isu penebangan hutan. Didapati banyak kajian lepas merumuskan bahawa program CCT mampu memberikan impak kepada penurunan kadar penebangan hutan tersebut (Alix-Garcia et al., 2018; Avila-Foucat et al., 2021; Ferraro & Simorangkir, 2020; Malerba, 2020; Rigolini, 2022; Rønningstad & Jelsness, 2020). Sungguhpun begitu, terdapat sebahagian kajian yang lain mengatakan berlaku peningkatan tetapi bilangan kajian agak kecil. Terdapat program CCT yang hanya memfokuskan impak kepada alam sekitar seperti PES selain wujud program CCT yang memfokuskan kepada pembasmian kemiskinan dan modal insan. Melalui kerjasama dan sinergi kedua-dua program ini, penyelarasaran gerak yang lebih efektif mampu menggerakkan kedua-dua program bagi mencapai semua objektif yang telah ditetapkan.

Perbincangan terhadap syarat tingkahlaku juga penting kerana peranan syarat tersebut berupaya meningkatkan kesedaran penerima bantuan terhadap kepentingan menjaga dan mengekalkan pemeliharaan alam sekitar. Penerimaan dana bantuan akan meningkatkan pendapatan dan kuasa berbelanja golongan miskin. Penekanan kepada mentaliti untuk berbelanja tanpa memberi impak negatif kepada alam sekitar. Seterusnya, program CCT mampu membasi kemiskinan dan meningkatkan pemeliharaan alam sekitar secara serentak. Melalui bantuan yang diagihkan, pengurusan sanitasi dan sisa pepejal dapat diuruskan dengan baik seterusnya memberi impak kepada tahap kesihatan golongan miskin serta mengurangkan kadar kematian akibat penyakit berjangkit (de Souza et al., 2021; Souza et al., 2021). Pelaksanan bantuan berbentuk CCT juga turut meningkatkan pendapatan penduduk, mengurangkan kadar kemiskinan di samping meningkatkan pemeliharaan hutan dan alam sekitar (Ferraro & Simorangkir, 2020; Rønningstad & Jelsness, 2020).

3.4 *Implikasi dan Jurang Kajian*

Perbincangan kesan intervensi program CCT kepada isu kemiskinan dan pemeliharaan alam sekitar membuka lembaran baru dalam merencanakan polisi berkaitan pembasmian kemiskinan terutama oleh pihak institusi zakat. Melalui program CCT yang bersepada dengan

mengambilkira matlamat pembasmian kemiskinan, pembangunan modal insan dan pemeliharaan alam sekitar, impak yang lebih holistik berpotensi untuk dicapai. Antara program yang boleh dilaksanakan adalah dengan meletakkan tingkahlaku bersyarat untuk penjagaan alam sekitar oleh penerima bantuan zakat. Dari sudut maqasid syariah, penekanan bahawa kejadian alam dan segala merupakan hak mutlak Allah SWT manakala manusia bertanggungjawab menguruskannya mengikut ketetapan hukum syarak (Mustafar et al., 2020). Impak bantuan bukan sahaja secara langsung kepada penerima bantuan, tetapi elemen pembangunan modal insan dan pemeliharaan alam sekitar akan memberikan kesan kepada komuniti dalam tempoh jangka masa pendek, sederhana dan jangka masa panjang. Kajian ini membuktikan bahawa dengan pelaksanaan program CCT yang sesuai dengan golongan sasaran serta rekabentuk syarat tingkahlaku yang betul, program yang dibangunkan mampu memberi impak positif. Walau bagaimanapun, isu dan kelemahan yang berlaku dalam pelaksanaan program sebelum ini wajar diambilkira bagi memastikan pembangunan program CCT oleh institusi zakat adalah berkesan.

Berdasarkan dapatan ulasan skop, antara jurang kajian yang diperolehi adalah kajian lepas banyak memfokuskan *outcome* berkenaan kemiskinan dan penebangan hutan kerana program bantuan CCT dilaksanakan di kawasan pedalaman negara Brazil dan Mexico. *Outcome* kemiskinan dan pemeliharaan alam sekitar di kawasan bandar seperti isu pencemaran air dan udara wajar menjadi pertimbangan kajian pada masa hadapan.

4. KESIMPULAN

Matlamat utama kajian ini adalah bagi menyediakan ulasan skop impak program CCT terhadap isu kemiskinan dan pemeliharaan alam sekitar. Kajian ini menyumbang kepada input yang signifikan dalam korpus ilmu serta cadangan praktikal untuk dilaksanakan oleh pembuat polisi. Berdasarkan dapatan kajian, pihak berkepentingan terutamanya institusi zakat boleh membangunkan polisi pembasmian kemiskinan yang lebih bersepada. Dapatan kajian turut mendapati pelaksanaan program CCT di peringkat awal memfokuskan kepada isu penebangan hutan melibatkan kawasan komuniti pedalaman negara Amerika Latin dan Indonesia. Pelaksanaan program CCT sama ada secara langsung dengan sasaran pemeliharaan alam sekitar (program PES) ataupun tidak langsung (Program CCT seperti Bolsa Familia) bukan sahaja memberi impak positif kepada kemiskinan dan pemeliharaan alam sekitar tetapi perubahan sikap penerima bantuan dalam menjaga dan mengekalkan

kelestarian alam sekitar. Akhir sekali, dapatan kajian memberi sumbangan penting kepada pembuat polisi dalam merencana program pembasmian kemiskinan yang lebih komprehensif dan menyeluruh.

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NON-PHARMACEUTICAL STRATEGIES FOR CONTAINING INFECTIOUS DISEASES AMONG PILGRIMS

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ABSTRACT

Hajj is one of the largest religious mass gatherings in the world that occurs once a year. Whereas umrah is a smaller scale gathering that occurs all-year round. Mass gatherings in Hajj and Umrah present unique challenges to both the host and travellers' countries. Transmission of communicable diseases, primarily, airborne agents are facilitated by the nature of the hajj which includes long stay at holy sites, fatigue, high temperature and cramped accommodation. While mandatory meningococcal vaccination has proven highly effective in curtailing such diseases among pilgrims, a spectrum of other infectious threats persists. This article endeavours to shed light on existing infection control protocols while offering forward-looking recommendations to further fortify infectious diseases management. By diligently addressing these concerns, we can ensure the health and well-being of pilgrims, safeguarding these sacred journeys for generations to come.

Keywords: hajj, umrah, infection control

1. INTRODUCTION

In the final month of the Islamic lunar calendar, millions of Muslims worldwide converge for Hajj, a pilgrimage to Mecca and other revered Islamic sites, making it one of the world's largest religious gathering (Memish et al., 2019). Hajj, an obligatory rite for capable Muslims, must be observed between the 8th and 12th days of Dhu Al-Hijja (Katz, 2004). pilgrims meticulously replicate the Prophet Muhammad's worship and rituals in Mecca, including circumambulating (Tawaf) the Kaabah, traversing (Sai'e) Safa and Marwah, and performing the symbolic cutting or shaving of hair. The journey proceeds to Arafat, with stops in Mina and Muzdaliffah. Upon return to Mina, pilgrims engage in the symbolic stoning of pillars representing Satan. A customary animal sacrifice marks the completion of Hajj. The pilgrimage culminates with a

farewell Tawaf before departure from Mecca. Pilgrims typically stay in the vicinity for a few weeks to a month post-Hajj, an experience often regarded as a once-in-a-lifetime event. Many pilgrims extend their journey to Medina, visiting the Mosque of the Prophet, housing the tomb of Prophet Muhammad. In contrast, Umrah, a year-round pilgrimage to Mecca, requires prayer at the Miqat and Tawaf with Sai'e and can be completed in one to two weeks. Increased accessibility and travel options have led to congestion, particularly during Ramadan and the (Hoang et al., 2020)

Both Hajj and Umrah present unique challenges to host and traveller nations. Infectious diseases pose a significant threat among pilgrims due to the unique conditions of mass gatherings that create an environment conducive to disease transmission, with proximity, shared accommodations, and communal rituals fostering the spread of pathogens. Respiratory infections, such as influenza and coronaviruses like COVID-19, Middle East Respiratory Syndrome Coronavirus (MERS-CoV), are of particular concern due to their airborne nature and potential for rapid dissemination in densely populated pilgrimage sites (Hoang & Gautret, 2018). Contaminated food and water sources can lead to outbreaks of gastrointestinal diseases such as Salmonellosis (Hoang et al., 2020) . Furthermore, rituals like head-shaving, if not conducted under sterile conditions, may increase the risk of blood-borne infections e.g. hepatitis B and C (Samo et al., 2021). This article emphasizes non-pharmaceutical infection control measures and provides recommendations for enhanced disease management.

2. HAND HYGIENE

Hand hygiene is an important intervention at Hajj particularly as it complements Muslims' purification cleansing five times a day before prayers. This ritual cleansing serves as a foundational aspect of Islamic worship, emphasizing the significance of cleanliness in spiritual devotion. In light of the global COVID-19 pandemic, the importance of hand hygiene has been further underscored. A Cochrane review lends support to this, emphasizing that simple and cost-effective interventions, particularly hand hygiene, play a crucial role in reducing the transmission of epidemic respiratory viruses (Jefferson T, et al 2010). This finding has profound implications for Hajj, where large crowds converge, making it essential to implement robust infection control measures.

Pilgrims are strongly advised to adhere to rigorous hand hygiene practices. In addition to the customary pre-prayer cleansing, it is imperative for individuals to use alcohol-based hand rubs after coughing, sneezing, and visiting washroom facilities (Boyce & Schaffner, 2021). This additional layer of protection not only aligns with religious principles but also aligns with evidence-based public health strategies, reflecting a holistic approach to safeguarding the health and well-being of the entire Hajj community.

3. COUGH ETIQUETTE

Respiratory tract infections emerge as the predominant health concern among Hajj pilgrims (Petersen et al., 2020), with the notorious "Hajj cough" being a common grievance, as noted by pilgrim de Riquer. A longitudinal study conducted among African pilgrims showed that respiratory symptoms were the most experienced symptoms during (70.2%) and post-Hajj (82.2%) (Mushi et al., 2021). Notably, advanced age and the presence of co-existing medical conditions were significant factors associated with hospital admissions. Respiratory infections that are caused by various viruses and bacteria such as influenza, SARS CoV-2, rhinovirus and *Streptococcus pneumoniae* are transmitted primarily via airborne or/and respiratory droplets. The risk of transmission is compounded by various factors, including close contact in densely populated mosque areas during prayers, communal sleeping arrangements, and heightened levels of air pollution (Karampourian et al., 2019)

The Centre for Disease Control and Prevention (CDC) advocate a comprehensive cough etiquette, which encompasses the use of tissues to cover both nose and mouth when coughing, followed by proper disposal of used tissues in designated bins, and meticulous hand hygiene. Given the elevated incidence of coughing during Hajj and Umrah, pilgrims are strongly advised to carry essential items like tissue or handkerchief, cough suppressants, antiseptic sprays, gargles, and lozenges. These measures not only help alleviate symptoms but also play a crucial role in reducing the potential spread of infections during this sacred pilgrimage.

4. GARGLING

Gargling to wash the throat is commonly performed in Japan. Many studies have been done to assess the effectiveness of gargling in reducing upper respiratory tract infections. A randomized controlled trial proved that gargling with plain water was effective to prevent upper respiratory tract infections in healthy people (Goodall et al., 2014; Satomura et al., 2005). A previous

study has shown that povidone-iodine based preparations (1% and 7.5% gargle and 0.45% throat spray) were highly effective against all relevant oral bacteria (MRSA and *P. aeruginosa*, *S. mutans* and *S. sanguinis* as compared to chlorhexidine 0.2% and Hexetidine 0.1% mouthwash. A laboratory study done by Egger et al demonstrated virucidal activity of povidone-iodine against Modified Vaccinia Virus Ankara (MVA) and MERS-CoV at room temperature, within only 15 seconds of exposure (Eggers et al., 2015). Another study showed that most commercially available gargle formulations have good activity against SARS-CoV2 (Tiong et al., 2021).

Based on the above reports, it is beneficial to encourage pilgrims to gargle routinely especially after coming back from crowded areas. More frequent gargling is suggested during symptomatic period.

5. FOOD HYGIENE

Food safety is one of the main issues during mass gathering. The preparation of food in large quantities presents a distinctive challenge in safeguarding against foodborne illnesses. The sheer scale of food production for events like the Hajj introduces specific complexities. This encompasses the careful management of handling, storage, and distribution of considerable amounts of perishable goods, demanding rigorous adherence to hygiene and sanitation practices.

Historically, the occurrence of cholera outbreaks following the Hajj was a substantial worry. However, with notable enhancements in water supply and sewage infrastructure, cholera outbreaks have been effectively eliminated, marking the last recorded epidemic in 1989, which affected 102 pilgrims (Aldossari et al., 2019). A recent study found that enteric bacteria such as *E. coli* that are frequently associated with traveler's diarrhea due to the consumption of contaminated food and drink were frequently found in pilgrims (Hoang et al., 2021).

To proactively mitigate the risk of diarrhoea, several recommended measures should be heeded. These include comprehensive education on proper hand hygiene practices, discouraging the consumption of food from street vendors, and exercising caution with dishes containing fresh eggs. Pilgrims must also be well-informed about self-treatment options for diarrhoea and understand the critical importance of timely rehydration.

6. SHAVE SAFE

At the end of the hajj, male Muslim would shave their heads marking its completion. While this communal shaving ritual holds deep spiritual meaning, it also presents a potential risk for the transmission of blood-borne diseases, including hepatitis B, hepatitis C, and HIV infections (Patwa et al., 2021). Although there are no prevalence reports of those blood borne infections among pilgrims, the act of shaving poses a risk of minor cuts or abrasion and bleeding. The exposure of blood presents a potential pathway for transmission of HIV, hepatitis B and C. While instances of infections related to shaving are not widely reported, it is imperative to recognize the potential risk and take appropriate precautions to ensure the safety and well-being of pilgrims. This highlights the importance of implementing stringent infection control measures, such as the use of sterile equipment and the promotion of proper wound care, to mitigate any potential risks associated with this ritual. Recognizing this risk, regulatory measures have been put in place to safeguard pilgrims' health. Barbers participating in post-Hajj ritual are mandated to undergo regular testing for blood-borne viruses and are strictly required to use disposable, single-use blades (CDC, 2023) . Despite these regulations, it remains distressingly common to encounter unlicensed barbers offering their services on roadsides, employing non-sterile blades on multiple scalps. As a crucial preventative measure, it is strongly recommended that pilgrims receive a full series of hepatitis B vaccinations before embarking on their journey to Hajj. Additionally, pilgrims are advised to exercise utmost caution and avoid unlicensed barbers for their head-shaving needs. Furthermore, it is imperative to educate pilgrims about the potential risks of blood-borne infections associated with using unlicensed barbers. By disseminating this crucial information, we aim to empower pilgrims with the knowledge they need to protect their health and well-being during this sacred journey.

7. CAUTION AND REFRAIN TO VISIT CAMEL FARM

Pilgrims embarking on their journey to Saudi Arabia for Hajj and Umrah are at a heightened risk of contracting Middle East Respiratory Syndrome (MERS). Since its initial identification in September 2012, a total of 2624 laboratory-confirmed cases have been reported across 27 countries, with a significant mortality rate of 36%, accounting for 945 recorded deaths (WHO, 2023) . These cases have been predominantly concentrated in Africa and the Middle East, with Saudi Arabia reporting around 80% of all human cases. Notably, MERS identified outside the

Middle East typically involve individuals who were infected during their travels in the region before subsequently moving to areas beyond the Middle East (Willman et al., 2019).

This respiratory illness is attributed to the MERS Coronavirus (CoV), a zoonotic virus capable of transmission between animals and humans. Extensive studies have revealed that the primary mode of transmission to humans occurs through close contact with infected dromedary camels, which serve as a major reservoir host for MERS-CoV (Killerby et al., 2020). The virus is primarily transmitted from camels to humans through close contact with infected animals or their bodily fluids. This can occur during activities like milking, herding, slaughtering, or even through direct contact with camels, especially those exhibiting respiratory symptoms. Additionally, consumption of raw camel products, such as milk or undercooked meat, can also pose a risk of transmission.

To mitigate the risk, it is imperative to advise both travel agents and pilgrims to exercise caution and refrain from visiting camel farms during their pilgrimage. Furthermore, in their respective home countries, healthcare providers should diligently inquire about travel history, particularly any visits to the Middle East, when attending to individuals exhibiting symptoms consistent with respiratory syndromes. This measure is paramount in facilitating early isolation and accurate diagnosis, ensuring prompt and effective intervention.

8. CONCLUSIONS

Efforts to prevent infections during Hajj and Umrah necessitate a collaborative approach involving authorities, travel agencies, and the pilgrims themselves. While mandatory and recommended vaccinations are crucial, it is equally important to ensure that every pilgrim is well-informed about the potential risks of infections they may encounter and the measures to prevent these diseases. We recommend a proper module on ‘Infectious Diseases and Prevention’ to be taught during Pre-Hajj and Umrah courses. This module would cover fundamental knowledge about common infectious diseases and effective prevention strategies. By equipping pilgrims with this essential information, they can take proactive steps to protect their health during the Hajj and Umrah seasons. Ultimately, the aim is to realize every pilgrim’s dream of embarking on these sacred journeys in good health and well-being. With the right knowledge and adherence to proper infection control practices, most infectious diseases can be effectively prevented. This educational initiative not only enhances the safety of pilgrims but also upholds the integrity and sanctity of the Hajj and Umrah experiences.

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THE MECHANISMS AND IMPACT OF ISLAMIC GENEROSITY (WAQF) BEHAVIOUR IN ISLAMIC SOCIAL FINANCE INSTITUTION

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ABSTRACT

Islam is a comprehensive religion that provides guidance for Muslims on how to live in this world while also preparing for the hereafter's eternal life. Islam has established a system of distributing resources via mandatory and voluntary acts of generosity, with the aim of maintaining social stability within the Ummah and simultaneously seeking eternal benefits in the hereafter. This study aims to explore the mechanisms and impact of Islamic generosity, namely via the practice of *Waqf* and other instruments include *Zakat*, Mandatory *Infaq*, *Sadaqah*, *Wasiyyah*, and *Hibah* in Islamic social finance institutions. The ultimate purpose of this contribution is to earn Allah's pleasure. This present study is grounded on a comprehensive examination of previous scholarly investigations pertaining to the phenomenon of Islamic generosity. By examining the historical and contemporary significance of Islamic generosity mechanism, this research seeks to shed light on the ways in which this behaviour contributes to the functioning and development of Islamic social finance institution. Subsequently, this paper also provides suggestions for further investigations pertaining to the phenomenon of Islamic generosity behaviour.

Keywords: *Islamic generosity, generosity behaviour*

1. INTRODUCTION

Generosity is a ubiquitous notion seen in all civilizations (Fauzia, 2008). Throughout the history of Islam, the concept of charity has evolved into a significant and dynamic mechanism for effectively resolving the socioeconomic issues faced by society. Generosity is a viable strategy for achieving positive outcomes for all individuals. The fundamental concept of generosity is rooted in the principles of fraternity and reciprocal assistance, with the aim of promoting justice and benevolence towards all individuals. Undoubtedly, each religion worldwide advocates for

the cultivation of virtue via various humanitarian endeavours. Acts of generosity have the potential to greatly benefit both personal growth and the economic prosperity of the Ummah. According to the study published by the United Nations High Commissioner for Refugees (2020), the global landscape of generosity encompasses a vast network of over 260,000 foundations, which together own assets worth at an estimated USD1.5 trillion. Furthermore, it is expected that the annual charitable contributions provided by Muslim communities worldwide will vary between USD250 billion and USD1 trillion, as stated by (Alam, 2012).

The vast array of available resources has potential for several sectors, such as economics, healthcare, education, infrastructure, comforts, and necessities, among other fields. This alternate kind of financing has the capacity to alleviate the unsustainable reliance of the aforementioned sector on government resources in emerging nations like as Malaysia, where monetary policies are being tightened. As a result, the redistribution of government funding to other essential sectors has the potential to stimulate economic growth. The purpose of this article is to enlighten readers about the mechanisms of Islamic generosity and the consequential impacts of this behaviour. This article discusses the following subtopics: the methodology utilized in this study, the conceptualization of generosity, the mechanism of generosity within the Islamic framework, and the impact of generosity behaviour from an Islamic view. The article concludes with a conclusion and offers suggestions for future research endeavours.

2. METHODOLOGY

This article is based on a careful examination of existing research on Islamic generosity, with a particular emphasis on domestic and international literature available via internet sources. The search for relevant material began with a keyword selection from online databases. Smith et al. (2011) state that the pertinent literature retrieval strategy began with the identification of appropriate keywords, as Cronin et al. advised (2008). According to Smith et al. (2011), relevant literature will result in a successful systematic review. Thus, various keywords were identified for the purpose of this research, including generosity or philanthropy, generosity behaviour, Islamic generosity, charitable giving, and donating money. To locate supporting materials and resources, several electronic databases were examined, including Scopus, Emerald Insight, Microsoft Academic, Google Scholars, and Research Gate. The analysis incorporated 25 articles culled from more than 100 articles.

3. THE CONCEPT OF GENEROSITY BEHAVIOUR

Generosity behaviour is the action and trait of virtuous Muslims. According to Rameli et al., (2014), generosity behaviour is one of the fundamental codes of moral behaviour in Islamic ethics apart from truthfulness, trustworthiness, leniency, commitments, fair, and avoidance of evil practices. In verse 90 of Surah *An-Nahl*, Allah SWT reveals explicitly the commandment to act generously towards humanity.

إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ وَإِيتَاءِ ذِي الْقُرْبَىٰ وَيَنْهَا عَنِ الْفَحْشَاءِ وَالْمُنْكَرِ وَالْبَغْيِ ۚ يَعِظُكُمْ لِعَلَّكُمْ تَذَكَّرُونَ
“Behold, God enjoins justice, and the doing of good, and generosity towards [one's] fellow-and He forbids all that is shameful and all men; as well as envy; that runs counter to reason, [and] He exhorts you [repeatedly] so that you might bear [all this] in mind.”

(Surah *An-Nahl* 16:90)

From the above verse, Allah SWT command man to be justice, to do good and to be generous towards other fellow men. Allah SWT also prohibits are indecency, immorality, and aggression among humans. Generosity behaviour can be attributed to the acts of doing charity for the cause Allah. This argument can be found in interpretation (tafsir) Surah *Al-Layl* verse 5 as below:

فَأَمَّا مَنْ أَعْطَىٰ وَآتَقَىٰ
“As for the one who is charitable, mindful of Allah.”
(Surah *Al-Layl* 92:5)

According to *Maarif-UL-Quran* in Quran.com (1995b), the interpretation of Surah *Al-Layl* verse 5 stated that humanity can be divided into two distinct groups on the premise of their contending efforts. Each of the two groups has three distinct characteristics. The first group is classified as the successful Muslims which possess three characteristics include (i) they give charity for the sake of Allah SWT; (ii) they fear Allah SWT and try to avoid violating Allah's injunctions in every aspect of life; and (iii) they believe in the word of '*iman*' "there is no God except Allah SWT". The second group is regarded as unsuccessful Muslims for three reasons: (i) they are such misers that for example they fail to pay zakat and other obligatory alms; (ii) they believe themselves to be self-sufficient; and (iii) they deny the word of '*iman*'. Therefore, Muslims who engage in generosity behaviour such as through giving donation or helping others in need can be classified as a successful Muslim in the sight of Allah SWT. Given that, being generous for charity is one of attribute of good Muslims, all Muslims in this world must strive to acquire this quality and practicing it throughout their lifetimes. According to Asad (1980), all the revelations in the Quran about the nature of charity among believers and

the instructions of Allah SWT for people to do charity are proof of the importance of charity among Muslims to ensure the well-being of life in this world and hereafter. In addition to that, generosity behaviour is one of the most essential qualities a Muslim should exhibit in their daily life. To guide Muslims on this matter, Allah SWT specifically revealed in Surah *Al-Ahzab* verse 35 regarding the qualities that Muslim men and women should strive to acquire.

إِنَّ الْمُسْلِمِينَ وَالْمُسْلِمَاتِ وَالْمُؤْمِنِينَ وَالْمُؤْمِنَاتِ وَالْفَانِتِينَ وَالْفَانِتَاتِ وَالصَّادِقِينَ وَالصَّادِقَاتِ وَالصَّابِرِينَ وَالصَّابِرَاتِ وَالْخَلِيلِينَ وَالْخَلِيلَاتِ وَالْمَتَصَدِّقِينَ وَالْمَتَصَدِّقَاتِ وَالصَّابِرِينَ وَالصَّابِرَاتِ وَالْحَفِظِينَ فُرُوجُهُمْ وَالْحَفِظَاتِ وَالذَّكَرِينَ اللَّهُ كَثِيرًا وَالذَّكِيرَاتِ أَعَدَ اللَّهُ لَهُمْ مَغْفِرَةً وَأَجْرًا عَظِيمًا

“The truthful men and the truthful women, the patient men and the patient women, the humble men and the humble women, the charitable men and the charitable women, the fasting men and the fasting women, the men who guard their chastity and the women who guard their chastity, the men who remember Allah much and the women who remember Allah much - for all these Allah has prepared forgiveness and a great reward”

(Surah *Al-Ahzab* 33:35)

Based on the above verse, scholars further elaborated the Muslims code of behaviour based on the injunction available in the Holy Quran and the Hadith of Prophet Muhammad (PBUH). Early scholars, under The Lahore Ahmadiyya Movement (1914) outlined thirteen principal qualities a Muslim should display in their live which include truthfulness, sincerity, unselfishness, humility, patience, forgiveness, purity and cleanliness, honesty, goodness and kindness toward others or generosity, consideration and respect for others, courage, moderation and cheerfulness. Since all of which are very much part of the Quran and Hadith of Prophet Muhammad (PBUH), these behaviours can be regarded as a framework of moral values for Muslims and are capable of distinguishing between outrageous and moderate (*wasatiyyah*) Muslims. These behaviours also important for the mankind in order to achieve a moral and economic balance as the caliph of Allah SWT on this earth (Ab Rashid et al., 2020). Moreover, contemporary scholars Witjaksono et al. (2019) emphasize that consumer behaviour in Islam is governed by five fundamental principles, namely the principles of justice, the principle of simplicity, the principle of cleanliness, the principle of morality, and the principle of generosity.

4. ISLAMIC GENEROSITY MECHANISMS

Islam is a comprehensive religion that guides humans on how to lead their lives in the present world, while also emphasizing the need to prepare for the eternal life that awaits them in the

hereafter. Among the important responsibility set forth by Islam is spending wealth for the charitable giving. Charitable giving is the simplest way for a Muslim to assist a fellow Muslim in hardship. The objective of the charitable giving is not just wealth and spiritual purification, the ultimate objective is seeking for Allah's SWT *mardhatillah* (the pleasure of Allah SWT). Muslims are encouraged to give generously and engage in acts of charity, including both obligatory and voluntary giving. The Quran and Hadith strongly recommend and emphasize charitable giving as the most honourable way to spend wealth. There are numerous Quranic verses that reflect the compulsory nature of charitable behaviour. Allah SWT states in the Holy Quran:

وَفِي أَمْوَالِهِمْ حَقٌّ لِلصَّابِرِينَ وَالْمَحْرُومُونَ

"And in their wealth, there was a right for one who asks and for one who is deprived."

(Surah Al-Dhariyat, 51:19)

The above verse indicates that there is a right for the needy on every wealth given by Allah SWT to his servants. The right of the needy also mentioned in Quran in verse 7 of Surah *Al-Hashr*. Allah SWT says:

مَا أَفَاءَ اللَّهُ عَلَى رَسُولِهِ مِنْ أَهْلِ الْفَرْزِيَّ فَلَهُ وَلِلرَّسُولِ وَلِذِي الْقُرْبَى وَالْمُسْكِنِيَّ وَالْمُتَّهِبِّنِ وَأَبْنَ الْسَّبِيلِ كُنْ لَا يَكُونَ دُولَةً بَيْنَ الْأَغْنِيَاءِ مِنْكُمْ وَمَا أَئْتَكُمُ الرَّسُولُ فَخُدُوهُ وَمَا نَهَاكُمْ عَنْهُ فَانْتَهُوا وَأَنَّ اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ

"Whatever fai' Allah has passed on to His Messenger from the people of the towns is for Allah and for the Messenger, and for the kinsmen and the orphans and the needy and the wayfarer, so that it may not circulate only between the rich among you. And whatever the Messenger gives you, take it, and whatever he forbids you from, abstain (from it). And fear Allah. Indeed Allah is severe in punishment."

(Surah Al-Hashr, 59:7)

The verse specifies that Allah SWT commands that the booty must be distributed fairly to Prophet Muhammad (PBUH) and his family, the orphans, the needy, and the wayfarer. This is to ensure equitable circulation of wealth among all parties. The encouragement of voluntary charity in which the practice will be rewarded is also clearly stated in Surah *Ali Imran* verse 92 as follows:

لَنْ تَنْلُوَا أَلْبِرَ حَتَّىٰ تُنْفِقُوا مِمَّا تُحِبُّونَ وَمَا تُنْفِقُوا مِنْ شَيْءٍ فَإِنَّ اللَّهَ يَعْلَمُ

"[They] will not attain righteousness till [they] spend in charity of the things [they] love."

(Surah Ali Imran, 3:92)

Another verse containing a command for charity can be found in Surah *At-Taubah*, verse 104. This verse contains Allah SWT's command to perform Sadaqah as a way of purifying oneself specially for those who repent for their sins.

اَلْمِنْ يَعْلَمُو اَنَّ اللَّهَ هُوَ يَقْبُلُ التَّوْبَةَ عَنْ عَبْدِهِ وَيَاخُذُ الصَّدَقَاتِ وَأَنَّ اللَّهَ هُوَ الْتَّوَابُ الْرَّحِيمُ
"Do they not know that it is Allah who accepts repentance from His servants and receives charities and that it is Allah who is the Accepting of repentance, the Merciful?"
 (Surah *At-Taubah*, 9:104)

In addition to the Quran, a few hadiths also discuss charitable giving on a voluntary basis (Awang et al., 2017). The following hadith discusses various forms of charitable giving, ranging from the emancipation of a slave to the provision of charity to those in need. Nonetheless, this Hadith emphasizes that mandatory charitable giving to family members is highly rewarded and prioritized.

عَنْ أَبِي هُرَيْرَةَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ
 " دِينَارٌ أَنْفَقْتُهُ فِي سَبِيلِ اللَّهِ وَ دِينَارٌ أَنْفَقْتُهُ فِي رَقْبَةٍ وَ دِينَارٌ تَصَدَّقْتَ بِهِ عَلَى مُسْكِينٍ وَ دِينَارٌ أَنْفَقْتُهُ عَلَى أَهْلَكَ أَعْظَمَهَا أَجْرًا
 الَّذِي أَنْفَقْتُهُ عَلَى أَهْلِكَ "

Abū Hurayrah reported Allah's Messenger as saying: "Of the dinar you spend as a contribution in Allah's path, or to set free a slave, or as a sadaqa given to a needy, or to support your family, the one yielding the greatest reward is that which you spent on your family." (Sahih Muslim, 2:91)

Remarkably, generous giving in Hadith is very broad in meaning as according to the Prophet Muhammad (PBUH), every good deed is deemed to be charity.

عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ - رَضِيَ اللَّهُ عَنْهُمَا - عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ
 كُلُّ مَعْرُوفٍ صَدَقَةٌ " .
"Narrated Jābir bin 'Abd Allah: The Prophet said "Enjoining, all that is good is a Sadaqa" (Sahih Al-Bukhari, 4:107)

The Prophet Muhammad (PBUH) always encourage Muslim to embark on charitable behaviour. In one Hadith, the Prophet Muhammad (PBUH) emphasized the reward that a person will receive after his or her death for performing good deeds during life.

وعنه قال : قال رسول الله صلى الله عليه وسلم : "إذا مات ابن آدم انقطع عمله إلا من ثلاثة : صدقة جارية ، أو علم ينتفع به ، أو ولد صالح يدعوه له" ((رواه مسلم)).
"When a person dies, his/her acts come to an end, except three: sadaqah jariah (recurring or ongoing charity), useful/beneficial knowledge, or a pious child who prays for the deceased" (Sahih Muslim, 13:4005)

According to the above Hadith, Allah SWT has promised Muslims who engage in charitable giving perpetual rewards even after their death. Charitable giving is a mechanism to purify one's soul and as well as a tool for wealth sharing and distribution among Muslims. From an economic point of view, charitable giving is an instrument for attaining social reforms and socio-economic sustainability, which improves the well-being of an individual and a society both now and in the hereafter (Yusof, 2017). Charitable giving should therefore be the norm for every Muslim in this world. Mandatory charitable giving and voluntary charitable giving are the two primary types of charitable giving in Islam. *Zakat* and mandatory *Infaq* are examples of mandatory charitable giving, whereas *Sadaqah*, *Wasiah*, *Hibah*, and *Waqt* are examples of voluntary charitable giving related to material spending of wealth. In addition to material spending of wealth, voluntary charitable giving can also be done in the form of non-material (good deeds), such as doing good towards others, doing good towards oneself, and doing good towards other creatures (Awang et al., 2017). The beneficial effects of both types of charitable giving are similar in terms of eradicating poverty, closing the wealth disparity, and fostering a thriving community. Figure 1 illustrate Islamic mechanisms of generosity.

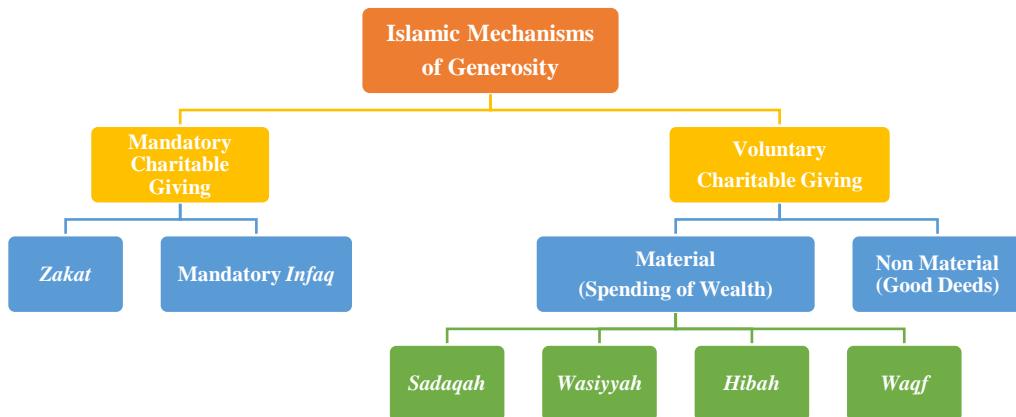


Figure 1
Islamic Mechanisms of Generosity
Source: Awang et al. (2017)

Waqf, *Zakat*, Mandatory *Infaq*, *Sadaqah*, *Wasiyyah*, and *Hibah* are all forms of Islamic charitable giving. This section highlights these six primary Islamic mechanisms of generosity.

4.1 Waqf

Waqf is an Arabic term that refers to the giving or contribution of valuable assets to the public usually for religious cause and benefit of others. *Waqf* (religious

endowment) is an Arabic words *Waqfa*, *al-habs* or *al-man* that literally means “to confine”, “to stop”, “to preserve”, or “to hold” (Ibn Manzur, 1990). Technically *Waqf*, refers to the perpetual dedication of assets for charitable purposes or the creation of income for designated beneficiaries such as the donor's family or other individuals. Legality of the charitable giving in the form of *Waqf* is based on the story of Saidina 'Umar al-Khattab found in the following Hadith from Sahih Muslim:

عَنْ أَبْنِ عُمَرَ، قَالَ أَصَابَ عُمَرٌ أَرْضًا بِخَيْرٍ فَأَتَى اللَّهُ عَلَيْهِ وَسَلَمَ يَسْتَأْمِرُهُ فِيهَا فَقَالَ يَا رَسُولَ اللَّهِ إِنِّي أَصْبَثُ إِنْ شِئْتَ حَسَنَةً أَصْنَلَهَا وَتَصْدَقُ بِهَا " . قَالَ أَرْضًا بِخَيْرٍ لَمْ أَصِبْ مَالًا قَطْ هُوَ أَنْفُسُ عِنْدِي مُلْهُ فَمَا تَأْمُرُنِي بِهِ قَالَ فَتَصْدَقَ بِهَا عُمَرُ أَنَّهُ لَا يُبَاغِثُ أَصْنَلَهَا وَلَا يُوْرِثُ وَلَا يُتَبَاخُ وَلَا يُوْهِبُ . قَالَ فَتَصْدَقَ عُمَرُ فِي الْفُرَاءِ وَفِي الرِّقَابِ وَفِي سَبِيلِ اللَّهِ وَابْنِ السَّبِيلِ وَالضَّيْفِ لَا جُنَاحَ عَلَى مَنْ وَلَيْهَا أَنْ يَأْكُلَ مِنْهَا بِالْمَعْرُوفِ أَوْ يُطْعَمَ صَدِيقًا غَيْرَ مُتَمَوِّلِ فِيهِ . قَالَ فَحَدَّثْتُ بِهَذَا الْحَدِيثَ مُحَمَّدًا فَلَمَّا بَلَغْتُ هَذَا الْمَكَانَ غَيْرَ مُتَمَوِّلٍ فِيهِ . قَالَ مُحَمَّدٌ غَيْرَ مُتَمَوِّلٌ مَالًا . قَالَ أَبْنُ عَوْنَ وَأَبْنَيَانِي مَنْ قَرَأَ هَذَا الْكِتَابَ أَنْ فِيهِ غَيْرَ مُتَمَوِّلٌ مَالًا .

Ibn Umar reported: Umar acquired a land at Khaibar. He came to Allah's Apostle (ﷺ) and sought his advice in regard to it. He said: "Allah's Messenger, I have acquired land in Khaibar. I have never acquired property more valuable for me than this, so what do you command me to do with it? Thereupon he (Allah's Apostle) said: If you like, you may keep the corpus intact and give its produce as Sadaqa. So 'Umar gave it as Sadaqa declaring that property must not be sold or inherited or given away as gift. And Umar devoted it to the poor, to the nearest kin, and to the emancipation of slaves, aired in the way of Allah and guests. There is no sin for one, who administers it if he eats something from it in a reasonable manner, or if he feeds his friends and does not hoard up goods (for himself). He (the narrator) said: I narrated this hadith to Muhammad, but as I reached the (words)" without hoarding (for himself) out of it." he (Muhammad' said: " without storing the property with a view to becoming rich." Ibn 'Aun said: He who read this book (pertaining to Waqf) informed me that in it (the words are)" without storing the property with a view to becoming rich."

(Sahih Muslim, 3:83)

The Hadith above clarified that the Prophet Muhammad (PBUH) advised Muslims on how to distribute and use their wealth to please Allah SWT. Thus, the Prophet Muhammad (PBUH) advised his companion to retain the land in Khaibar as *Waqf* so that his companion could use the harvest for the benefit and well-being of all humanity. This charitable behaviour can occur during one's lifetime or be left in one's will, but it cannot surpass one-third of the value of the assets. When the contribution is made, it becomes Allah's property, subject to regulations, and its beneficiaries must remain those designated as the cause, such as the destitute, orphans, students, or people of a specific area. *Waqf* assets can be beneficial to non-Muslims as well. Allah SWT promised to grant perpetuity reward to the *Waqf* donors in return for their kindness, even after their death, for as long as the property continues to benefit others (Yusof, 2017).

4.2 Zakat

Zakat (alms donation) is one of Islam's five pillars and is a form of worship directed toward Allah SWT. According to Islamic law zakat is a defined proportion of a Muslim's gross wealth that must be donated to those who deserve it during a specified period (Ismail, 2019). Muslims can purify their wealth and souls through this philanthropic behaviour. This is clearly revealed in the Holy Quran, where Allah SWT says:

وَأَقِيمُوا الصَّلَاةَ وَءَاتُوا الزَّكُوَةَ وَمَا تُقْرِبُوا لِأَنفُسِكُمْ مِنْ خَيْرٍ تَجِدُوهُ عِنْدَ اللَّهِ إِنَّ اللَّهَ بِمَا تَعْمَلُونَ بَصِيرٌ

“And establish prayer and give Zakat, and whatever good you put forward for yourselves – you will find it with Allah.”

(Surah Al-Baqarah, 2:110)

Zakat does not impoverish a person; rather, it ensures that a person's property continues to grow in kindness and favour from Allah SWT. *Zakat* is classified into two categories: *Zakat* based on wealth (*Zakat Al-Mal*) and *Zakat* based on need (*Zakat Al-Fitrah*). Muslims are obligated to pay *Zakat Al-Fitrah* during Ramadan or, at a minimum, on the morning of *Eid al-Fitrah*. This requirement is intended to cleanse the soul of sinful behaviour during Ramadan fasting (Fauzia, 2008). Additionally, *Zakat Al-Fitrah* acts as a charitable contribution for the needy and those eligible to charity on *Eid Al-Fitrah*. Interestingly, the need to pay *Zakat Al-Fitr* does not apply only to the wealthy, but to all Muslim, rich or poor, who remains alive after meeting their basic needs. *Zakat* on wealth, which is commonly practised in Malaysia, is composed of the following components: *Zakat* on income, *Zakat* on business, *Zakat* on savings and investments, *Zakat* on gold and silver, and *Zakat* on crops and livestock. *Zakat* on wealth is subject to regulations regarding who should pay, what type of money should be considered *Zakat*, how much and when it should be paid, and who should benefit (Awang, 2017).

4.3 Mandatory *Infaq*

Apart from *Zakat*, another term that found commonly used in the Quran to convey the command of doing mandatory charity is *Infaq*. The word *Infaq* is derived from the Arabic word of *Nafaqa*, which literally means “to spend” (Awang et al., 2017). Technically, *Infaq* is the practice of spending one's wealth

to seek Allah's pleasure and at the same time to benefit the society which also include the donor and their family members. Validity of *Infaq* based on the following Quranic verses:

الَّذِينَ يُؤْمِنُونَ بِالْغَيْبِ وَيُقْيمُونَ الصَّلَاةَ وَمَمَّا رَزَقْنَاهُمْ يُنفِقُونَ وَالَّذِينَ يُؤْمِنُونَ بِمَا أُنْزِلَ إِلَيْكَ وَمَا أُنْزِلَ مِنْ قَبْلِكَ وَبِأُخْرَجَةٍ هُمْ يُوقِنُونَ

“Who believe in the unseen, establish prayer, and spend out of what We have provided for them, And who believe in what has been revealed to you, [O Muhammad], and what was revealed before you, and of the Hereafter they are certain [in faith].”

(Surah Al-Baqarah, 2:3-4)

The word *infaq* in this verse covers both mandatory charitable giving, which is *Zakat*, and *Infaq* to those people most deserving of charity, which include the relatives, the spouse, the servants, and then the rest of the people (Awang, 2017). Mandatory *infaq* based on this verse refers to mandatory spending for the family (*Nafqah*), which is giving from a husband to the wife because it is the foremost spending for sustaining the family. The head of the family should prioritize mandatory charitable giving to the family because Allah SWT highly rewards this good deed (Awang et al., 2017). This is supported based on the Hadith narrated by Sahih Muslim below:

عَنْ أَبِي هُرَيْرَةَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ "دِيَنَارٌ أَنْفَقْتُهُ فِي سَبِيلِ اللَّهِ وَدِيَنَارٌ أَنْفَقْتُهُ فِي رَبِّهِ وَدِيَنَارٌ تَصَدَّقْتُ بِهِ عَلَى مُسْكِينٍ وَدِيَنَارٌ أَنْفَقْتُهُ عَلَى أَهْلَكَ أَعْظَمُهَا أَجْرًا الَّذِي أَنْفَقْتُهُ عَلَى أَهْلَكَ".

Abū Hurayrah reported Allah's Messenger as saying: “Of the dinar you spend as a contribution in Allah's path, or to set free a slave, or as a sadaqa given to a needy, or to support your family, the one yielding the greatest reward is that which you spent on your family.”

(Sahih Muslim, 2:91)

4.4 *Sadaqah*

Sadaqah (donation) is the act of giving charitable gifts willingly out of kindness or charity with the purpose of benefiting others. In Islam, the term *Sadaqah* is synonymous with the term generosity (Ismail et al., 2013). *Sadaqah* literally translates as any act of kindness, whether it is as basic as offering a stranger a smile or donating precious assets with the goal of alleviating the burden of someone in need (Fauzia, 2008). Legality of the *Sadaqah* can be based on the following Quranic verse:

فَلَمَّا دَخَلُوا عَلَيْهِ قَالُوا يَاهُوا الْعَزِيزُ مَسَّنَا وَأَهْلَنَا الْضُّرُّ وَجِئْنَا بِيَضْلَاعَةٍ مُّرْجَلَةٍ فَأَوْفِ لَنَا الْكِيلَ وَتَصَدَّقْ عَلَيْنَا إِنَّ اللَّهَ يُحِبُّ الْمُتَصَدِّقِينَ

“So when they entered upon Joseph, they said, “O ‘Azeez, adversity has touched us and our family, and we have come with goods poor in quality, but give us full measure and be charitable to us. Indeed, Allah rewards the charitable”.

(Surah Yusuf, 12:88)

From this verse, Allah SWT promised to give rewards to whom practice charitable acts through giving *Sadaqah*. Remarkably, this verse does not link charity to any particular form of giving or material gifts, but rather to the act of being kind, leading to a broader definition of charity. *Sadaqah* is regarded as the most adaptable type of Islamic generosity, as it is not restricted by specific norms or institutions, including the state government. This adaptability enables *Sadaqah* to be extensively practiced as a type of social security across Muslim communities worldwide, from the socioeconomic elite to the exceedingly destitute, and can be tailored to the giver's circumstances (Fauzia, 2008).

4.5 *Wasiyyah*

Voluntary charitable giving also can be made in the form of *Wasiyyah*. *Wasiyyah*, also known as Islamic wills, it is an important instrument of Islamic estate planning. A will is a written document created by a living person to give or transfer the ownership of assets or anything in his or her possession after his death (Muhammad Daud & Azahari, 2022). The validity of *Wasiyyah* is reported in Sahih Muslim's hadith as below:

عَنْ عَائِشَةَ، أَنَّ رَجُلًا، أَتَى النَّبِيَّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ فَقَالَ يَا رَسُولَ اللَّهِ إِنِّي أَفْلَمْتُ نَفْسَهَا وَلَمْ تُوْصَ وَأَطْنَمْهَا لَوْ تَكَلَّمَتْ تَصَدَّقَتْ أَفْلَهَا أَجْرٌ إِنْ تَصَدَّقَتْ عَنْهَا قَالَ "نَعَمْ".

“Āisha said that a person came to the Messenger of Allah and said: “My mother died suddenly without having made any will. I think she would have definitely given Sadaqa if she had been able to speak. Would she have a reward if I gave Sadaqa on her behalf? He (the Holy Prophet) said: Yes.” (Sahih Muslim, 2:94)

According to *Shariah* law of Islamic estate planning, originally a person is only eligible for an inheritance if they have a blood relationship and a marital relationship with the deceased. However, through the testator's Islamic will, a non-legal heir may also be entitled to an inheritance. Other than these three groups of people, an individual cannot inherit any wealth from the deceased (Moechthar et al., 2022). The wisdom behind Islamic will allow the testator to make a bequest while they are still alive. This bequest can be made to either

family members or non-family members. Therefore, if a person desires something to be done with his property or other possessions after his death, he can create a will. However, upon their demise, their property transfers are immediately subject to *Faraid* law (Abd Wahab et al., 2019).

4.6 *Hibah*

Hibah is an essential instrument for Islamic estate planning. Through *Hibah*, the provider or donor is able to share his wealth with those in need. According to Muda (2008) and Bakar et al. (2020), *Hibah* is defined as a voluntary gift of tangible or intangible assets during the lifetime of the donor without any retribution. There are four pillars of *Hibah* that must be met to assure the validity of the *Hibah* contract. The pillars of *Hibah* are the *Hibah* provider, the *Hibah* recipient, the *Hibah* property, and the offer (*Ijab*) and acceptance (*Qabul*) of *Hibah*. The practice of *Hibah* is recommended (*Sunat*), particularly to the close family or their loved ones based on the rule of Islamic law either revealed in Quran and Hadith, as well as supported by consensus of *Ulama*. The legitimacy of *Hibah* in the Quran is based on the verse below:

وَإِنْ اُنْسَاءَ صَدَقَتْهُنَّ بِخَلْمٍ فَإِنْ طَبِّنَ لَكُمْ عَنْ شَيْءٍ مِّنْهُ نَفْسًا فَكُلُوهُ هَنِئُوا مَرِبًّا

“And give the women [upon marriage] their [bridal] gifts graciously. But if they give up willingly to you anything of it, then take it in satisfaction and ease.”

(Surah An-Nisa, 4:4)

The above verse discloses the obligatory for the groom (men) to give wedding gift to the bride (women). However, the women can share a portion from the wedding gift to the men. This act of giving is called as *Hibah*. The encouragement of the practice of *Hibah* also stated in Surah *Al-Baqarah* verse 177.

لَيْسَ الْبِرُّ أَنْ تُؤْلِمُوا وَجُوَهُكُمْ قَبْلَ الْمَشْرِقِ وَالْمَغْرِبِ وَلَكِنَّ الْبِرُّ مَنْ ءاْمَنَ بِاللَّهِ وَالْيَوْمِ الْآَخِرِ وَالْكِتَابِ وَالنَّبِيِّنَ وَءَاتَى الْمَالَ عَلَى حُجَّةٍ دُوِيَ الْفُرْبَى وَالْيَتَمَى وَالْمُسَاكِينَ وَأَبْنَى السَّبِيلَ وَالسَّائِلِينَ وَفِي الرَّقَابِ وَأَقَامَ الصَّلَاةَ وَءَاتَى الزَّكَوَةَ وَالْمُؤْمِنُونَ بِعَهْدِهِمْ إِذَا عَاهَدُوا وَالصَّابِرِينَ فِي الْبُلْسَاءِ وَالصَّرَّاءِ وَحِينَ الْبُلْسَاءِ أُولَئِكَ الَّذِينَ صَدَقُوا وَأُولَئِكَ هُمُ الْمُنْتَقِرُونَ

“Righteousness is not in turning your faces towards the east or the west. Rather, the righteous are those who believe in Allah, the Last Day, the angels, the Books, and the prophets; who give charity out of their cherished wealth to relatives, orphans, the poor, needy, travellers, beggars, and for freeing captives; who establish prayer, pay alms-tax, and keep the pledges they make; and who are patient in times of suffering, adversity, and in the heat of battle. It is they who are true in faith, and it is they who are mindful of Allah.”

(Surah Al-Baqarah, 2:177)

Through this verse, Allah SWT emphasizes on the most valuable gift ever. That is giving charity even if we love that property. This verse also recommends the priority of giving to family members first, followed by orphans, the needy, traveller, and others.

The present analysis reveals that a considerable portion of prior scholarly investigations pertaining to Islamic philanthropy has predominantly concentrated on the determinants that influence mandatory acts of charitable giving especially in area of *Zakat*. Conversely, there has been a relatively limited amount of research conducted on voluntary forms of giving, such as cash *waqf* (Awang, 2017; Masrizal et al., 2022). The aforementioned observation aligns with the results of a bibliometric study performed by Uluyol et al. (2021) pertaining to three decades of research on *Waqf*. The insufficiency of the current corpus of foundational research on *Waqf* has been determined by the researchers, limiting the comprehensive exploration of the potential of this Islamic social finance instrument. Therefore, this study proposes that future research should prioritise the examination of voluntary philanthropic contributions, specifically in the context of *Waqf*, in order to foster a social environment that encourages participation in voluntary charitable donations.

5. IMPACT OF GENEROSITY BEHAVIOUR FROM ISLAMIC PERSPECTIVE

Generosity is an effective mechanism for the redistribution of resources, which ultimately has a positive impact on social welfare. From Islamic economic perspective, generosity behaviour has a multiplier impact on the wealth of the giver as found in the following Surah in Quran:

مِثْلُ الَّذِينَ يُنفِقُونَ أَمْوَالَهُمْ فِي سَبِيلِ اللَّهِ كَمَثْلُ حَبَّةٍ أَنْبَتَ سَبْعَ سَنَابِلَ فِي كُلِّ سَنَبِلَةٍ مَائَةُ حَبَّةٍ وَاللَّهُ يُضَاعِفُ لِمَنْ يَشَاءُ
وَاللَّهُ وَسِعٌ عَلَيْهِ

“The example of those who spend their wealth in the cause of Allah is that of a grain that sprouts into seven ears, each bearing one hundred grains. And Allah multiplies ‘the reward even more’ to whoever He wills. For Allah is All-Bountiful, All-Knowing.”
(Surah Al-Baqarah 2: 261)

In the above verse, Allah SWT declares the consequences of charitable giving like a seed that grows from a small seed into seven spikes, each of which contains one hundred grains (Awang, 2017). In addition to that, based on *Maarif-UL-Quran* in (Quran.com, 1995a) the interpretation of this verse also indicates that Allah SWT promised to reward those who performed this good deed ten to seven hundred times. This is evidence that acts of generosity have an estimated 700-fold multiplier effect on the giver and eventually the society as a whole.

The multiplier impact of charitable giving is also addressed in the verse 265 of the Surah *Al-Baqarah* as follows:

وَمِثْلُ الَّذِينَ يُنفِقُونَ أَمْوَالَهُمْ أَتْبِاعَاءً مِّرْضَاتٍ اللَّهُ وَتَبَيَّنَ مِنْ أَنفُسِهِمْ كَمَنِلٌ جَنَّةٌ بِرْبُوٌّ أَصَابَهَا وَإِلٌ فَإِنَّ أَكْلَهَا ضِعْفَيْنِ فَإِنْ لَمْ يُصِبْهَا وَإِلٌ قَطْلٌ[۝] وَاللَّهُ بِمَا تَعْمَلُونَ بَصِيرٌ

“And the example of those who spend their wealth seeking means to the approval of Allah and assuring [reward for] themselves is like a garden on high ground which is hit by a downpour - so it yields its fruits in double. And [even] if it is not hit by a downpour, then a drizzle [is sufficient]. And Allah, of what you do, is Seeing”

(Surah Al-Baqarah 2: 265)

According to *Maarif-UL-Quran* in Quran.com (1995b), through this verse, Allah SWT illustrates the soul of a generous being as a fruitful tree on the highest ground with an abundance of water and sunlight, which continually gives more in good times and whatever it can in bad times. When a philanthropist donates to those in need in the form of charitable giving, the multiplier effect on the Islamic economy can also be described. As recipients utilize the charitable giving fund to meet their needs, the fund will continue to circulate throughout the economy. Since the recipients do not rely on government funding to seek assistance, the government can allocate the funds to other vital economic sectors. Eventually, this will stimulate the economic development of the nation, and it will undoubtedly contribute to a greater availability of government funds to assist society in the future as the nation becomes prosperous. The ultimate positive impact is that the government will share the surplus country's resources for the benefit of society by providing better government services not only to those in need of assistance, but also to donors who are able to reap the benefits.

6. CONCLUSION AND RECOMMENDATION FOR FUTURE RESEARCH

In conclusion, the concept of generosity in Islam diverges from the conventional understanding of charity, which primarily focuses on assisting the less fortunate for the sake of humanity. In contrast, generous giving in Islam serves the dual purpose of aiding the poor not only to benefit mankind but also to cultivate a sense of devotion and affection towards Allah SWT. The categorizations of generosity in the context of Islamic teachings may be delineated into two primary divisions: mandatory charitable giving and voluntary charitable giving. The Islamic generosity mechanisms include a range of practices, including *Waqf*, *Zakat*, Mandatory *Infaq*, *Sadaqah*, *Wasiyyah*, and *Hibah*. Charitable giving has the potential to provide benefits for several stakeholders, including the donor, beneficiary, and the society as a whole. Given the

potential universal benefits of generosity, it is imperative for future studies to investigate the underlying factors that might predict Islamic generosity behaviour. Such an investigation would enhance our comprehension of the intricacies surrounding this behaviour, particularly within the context of Muslim donors.

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UNDERSTANDING MUSLIM FRIENDLY HOSPITALITY¹

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ABSTRACT

Muslim Friendly Hospitality has spread to every part of the world with different tags such as Islamic-friendly, Halal, or Islamic tourism. Muslim-friendly hospitality management has gained popularity since the service sector has become one of the main sectors contributing greatly to the economy. The statistical department of Malaysia stated that almost 50.82 per cent of the Gross Domestic Product (GDP) is from the service segment. The development of the Muslim-friendly hospitality and tourism industry has encouraged travellers to spend approximately USD225 billion on global outbound travel. Understanding the concept of Muslim-friendly hospitality based on al-Qur'an and hadith is important to strengthen the recognition and support towards this industry. This paper aims to explore the niche segment of Muslim-friendly hospitality with the objectives of sharing and providing an understanding of Muslim Friendly Hospitality (MFH) with its newly developed concept. Document research is used as the methodology to obtain different types of theories and concepts with traditional content analysis in answering its objectives. The outcome exposes that the friendly hospitality concept has been carried out in Islamic practices a long time ago as stated in the al-Qur'an and hadith is in line with the need to develop MFH. This study will also help to provide stakeholders with the knowledge and tools to cater to the unique concept of MFH , an effort that will benefit the Muslim travel market and the broader travel industry.

Keywords: Islamic hospitality, Islamic tourism, Muslim-friendly hospitality

1. INTRODUCTION

The history of contemporary hospitality management originates with the word hospitality derived from the French word *hospice*, meaning providing good care for those travelling (Mabalot, 2015). Hospitality has become part of many cultures around the world. In India, they believe in the principle of *Atithi Devo Bhava* meaning ‘the guest is God’ (Tripathi, 2014) whereas hospitality is often categorised by an ancient set of ethics in Asia and the Middle East

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(Marcus, Karl and David, 2010). Hospitality is the act of kindness in welcoming and looking after the basic needs of guests or strangers, mainly in relation to services, food, drink and accommodation. The history of the hospitality industry can be traced back to the 1700s in the colonial period. The hospitality industry has experienced significant development over the years as it has faced the World War, the Depression and various social changes (Hendrick, 2018). The hospitality industry began to take form in the early 1950s and continuing to lead the way for growth into more dynamic industry today.

The early story of hospitality exists in the Greek and Roman culture as early as 40 BC. It serves as the major social and religious purposes. In the ancient Greek, guest right was an established set of conventions that were accepted amongst the different cultures in the Greek world. Whereas in the ancient Roman, Roman businessmen travelled as the Romans were the first pleasure travellers. After the fall of the Roman Empire, public hospitality fell into religious orders leaving the history of hospitality behind. In the 20th century, travelling began after World War II, starting in the 1950s with the introduction of cross-continental flights and trans-Atlantic flights. Then travelling boomed in the 1960s and beyond with mass tourism, the introduction of package travel, growth of chain restaurants and hotels.

From a basic personal view of the world economy, most countries have their service industry as one of the main contributors to the economy. The service industry has created the tourism and hospitality sector to be part of it. The development of the hospitality industry has grown from year to year in order to cater for the rising demand from travellers. Hospitality generally means treating people to feel most welcome especially when travelling. The first impression of good hospitality will create a good feeling of ambience. According to Sunil (2005), hospitality activities include offering attentive and good services. Muslim Friendly hospitality on the other hand means indulging guests to feel most welcome in any situation with the guidance from Qur'an and hadith.

In Islam, Muslim-friendly hospitality represents a bigger scope that covers the needs of the travellers or people in the world and the hereafter. It focuses on the vertical and horizontal relationship between the Creator; Allah SWT and the servant; human beings and the relationship among human beings and other creatures (including nature). Since Muslim Friendly hospitality is a new unexplored field in the service industry, the need to understand the significance of Muslim Friendly hospitality has become pertinent. This paper generally aims to initiate the understanding of Muslim-friendly hospitality. More specifically, this conceptual paper intends to identify the real understanding of the friendly hospitality concept based on the main source of the Qur'an and hadith.

2. EMBRACING MUSLIM FRIENDLY HOSPITALITY

In contrast from the contemporary hospitality, Muslim-friendly hospitality can be considered as the main contributors in the service management industry. It has become more important today because travelling has become as part of living. Unleashing the potential of Muslim-friendly hospitality management is a huge challenge in order to bring out the real Islamic services that emphasise Islamic philosophical underpinning. Based on the Global Muslim Travel Index 2023 (GTMI 2023), a total of 110 million Muslims travelled abroad in 2022, making up 12% of all foreign tourists. This represents a significant increase of over 68% over the pre-pandemic levels observed in 2019. In the Malaysia context, Malaysia has become one of the world's favourite destinations among Muslim travellers. Malaysia has been one of the world's top destinations for Muslim travellers. In 2022, the growth of tourist arrivals in Malaysia improved at 10.07 million with the tourist receipt contributing to RM28.2 million to Malaysia's revenue (Tourism Malaysia, 2023). This post-pandemic growth pattern in the Malaysian tourism industry has created a bigger potential for Malaysia to become the major player in the hospitality and tourism industry to offer the best Muslim-friendly hospitality services for both Muslim and non-Muslim travellers.

According to the Department of Statistics Malaysia (DOSM) (2023), in quarter three, 2023, the percentage of Muslim population in Malaysia is 58% of the total population of 33.4 million with an annual growth of 0.6%. By the means of the large population of Muslims living and residing in Malaysia has opened up a massive potential and opportunities for Islamic services especially Muslim-friendly hospitality to develop. The increasing number of Muslims worldwide, including Malaysia, means that providing halal food and locations to pray is not enough. It demands a thoughtful approach in light of Muslim tourists' unique cultural customs, religious beliefs, and sensitivities. Muslim arrivals are predicted to surpass 230 million by 2028, propelling the Muslim tourism market to previously unheard-of heights. This is a notable increase from the year 2019, suggesting that the Muslim travel market is expanding rather than just recovering. Furthermore, it is estimated that by 2028, Muslim visitors will have spent USD 225 billion. This highlights the economic significance of this market segment and its ability to support the expansion and recovery of the travel and tourism sector worldwide (GTMI 2023).

According to a study conducted by Cresent Rating (2023), Muslim tourists are spending more money on experiences—such as dining out, entertainment, and outdoor activities—than on items like jewelry, clothes, and electronics. People are searching more and more for

authentic experiences that link them to their passions, particularly those that they were unable to pursue due to travel restrictions. Muslim travelers have also been identified as having a relatively high spending capacity, particularly in travel, accommodation, and dining, as they generally tend to travel as families. Since then, the industry's rapid growth can be seen clearly without any doubt. Having a step ahead from the growth, Tourism Malaysia (2015) classifies Malaysia due to its unique multi-ethnic character population. The uniqueness of the multi-ethnic character population did not prevent Malaysia from being a country that is leading and advancing in the introduction of Muslim-friendly hospitality. Due to this, Malaysia to claim the joint top position this year in the GTMI 2023 followed by Saudi Arabia, UAE, Turkey, and Qatar.

3. METHODOLOGY

The aim of this study is to examine the concept of Muslim Friendly Hospitality. This study used qualitative method to gain information and opinions from the previous research on the related field. Basic qualitative study is used to understand the concept of hospitality by using secondary document analysis as the method of collecting data. According to Merriam (2009) the goal of basic research is to expand knowledge and is driven by an intellectual curiosity about a phenomenon. Basic research aims to learn more about a phenomenon, even though it may eventually inform practice. The principle of basic qualitative research is proper and reasonable with the aim of this study. This study is conducted to identify the real meaning of hospitality and conceptualise Islamic hospitality management based from al-Qur'an and Hadith through library research. This study grouped the data collection from two main sources which are from the primary source and secondary source. The data will be collected through a three tier data collection method. The first tier is the data collected from the primary source of al-Qur'an and Hadith. Meanwhile, the second tier involves the data collected from the secondary source of three exegeses of al-Qur'an and one exegesis of Hadith. The third tier of data collection of this study is the secondary data which represents the data that available from materials such as thesis, journals, articles and other sources of secondary data. Content analysis is used to allowed the research analysis to be in depth with the examination and explanation of the contents of documents that are being studied is done in a systematic manner.

4. THE NEW CONCEPT OF MUSLIM-FRIENDLY HOSPITALITY

The early research on hospitality in the early 1980s by Tideman (1983), Khan and Olsen (1988) and Edgar and Umbreit (1988) are focusing on a narrower, commercial and economic perspective in defining hospitality. Tideman (1983), defined hospitality as the way to gather the needs of guests in order to make them happy at most in supplying goods and services in an excellent quality desired by the guest at a value worth paying the price for. This definition has been used in almost any hospitality economic activity. Five years later in 1988, Khan and Olsen and Edgar and Umbreit have called for hospitality management research community to raise the outline in the importance of hospitality research because the current definition of hospitality is imprecise. A decade after that, Brotherthon (1999) mentioned that hospitality is closely related to tourism and leisure most of the time. He also agreed that the restriction line for hospitality is also drawn to other service industries that include financial services, marketing, transportation and storage, communication and government services.

In the later study done by Abdul Aziz (2018) Muslim friendly hospitality and tourism has been identified as all tourist-related services and facilities that comply to Shariah law, with a focused-on hotels, food and beverages and travel events. There has been some confusion in the use of several terminologies used to generally describe services offered to Muslim tourists and travellers (Zawawi & Ramli, 2016). Prior to the emergence of the terms "Muslim friendly hospitality services" and "Shari'ah compliant hospitality services," the most widely used terms were "Islamic tourism" and "halal tourism" (Battour, M. and Nazari, M., 2015). In Malaysia, the term muslim-friendly has been used to describe touristic products or services that are suitable for Muslim tourists travelling to Malaysia (ITC, 2019).

However, there is a lack of the terms, concept, structure and data of muslim-friendly hospitality because the basic nature of hospitality itself remains unclear. From the few researches mentioned, it can be surmised that the structure and definition of hospitality are more general with a social scientific approach taken by these researchers to define hospitality that has some merit as it seeks to reflect the holistic nature of the concept.

On the other hand, apart from the contemporary definition of hospitality, Abdul Aziz (2017) discovered the definition of Muslim-friendly hospitality can be sourced from the primary book of Islam, the al-Qur'an. The scholar found out that from Surah Adh-Dhariyat, 51:23-27, the definition of hospitality should be welcoming guests with the utmost respect, greet them politely and providing them with the best facilities that we could offer immediately.

Then, by the Lord of the heaven and the earth, it is the truth (i.e. what has been promised to you), just as it is the truth that you can speak. Has the story reached you, of the honoured guests [three angels; Jibrael (Gabriel) along with another two] of Ibrahim (Abraham)? When they came in to him, and said, "Salam, (peace be upon you)!" He answered; "Salam, (peace be upon you)," and said: "You are a people unknown to me,"Then he turned to his household, so brought out a roasted calf [as the property of Ibrahim (Abraham) was mainly cows]. And placed it before them, (saying): "Will you not eat?"

(Surah Adh-Dhariyat, 51:23-27)

Ibn Kathir (1998), mentioned that in the verse in Surah Adh-Dhariyat, Allah SWT told the story of honoured guests of Prophet Ibrahim PBUH the words honoured guests is referring to the angels who came to bring good news to Prophet Ibrahim PBUH. The honoured guests greet Prophet Ibrahim with *Salam*. He answered, *Salamun* that means, "Upon you." In Ibn Kathir explanation, scholars have said that Prophet Ibrahim PBUH answered the greet with alludes to affirmation and eternity. Afterwards Prophet Ibrahim PBUH left in rush in order to serve them food which was a roasted calf and placed it before them. Ibn Kathir mentioned that the verse of 26 and 27 of Surah Adh-Dhariyat contains many aspects of the etiquette of hosting guests. Ibn Kathir clearly explained in verses 24 to 27 in Surah Adh-Dhariyat embraces the real definition of hospitality as well as the way of honouring and providing services to guests.

In the similarity, Abdul Aziz (2017) discovered that Prophet Muhammad PBUH also shows a good example in treating guest. The hospitality of Prophet Muhammad PBUH is not only focused on serving the Muslims only, but also to anyone, whether they are Muslim or not (Afzalur Rahman, 1992). The basic belief that Prophet Muhammad PBUH taught us that has been passed through many religions and traditions is to be generous and nice in entertaining guest. Prophet Muhammad PBUH is reported to have said that Abu Hurairah r.a, reported, Prophet Muhammad PBUH said:

"He who believes in Allah SWT and the Last Day, let him show hospitality to his guest; and he who believes in Allah SWT and the Last Day, let him maintain good relation with kins; and he who believes in Allah SWT and the Last Day, let him speak good or remain silent!"
(Hadith al-Bukhari, No, 1704)

From the *syarah* of *Fathul Baari* by Ibn Hajar Al Asqalani (2009), Imam Bukhari mentioned in the hadith that whoever believes with absolute faith in Allah SWT specifically focusing on devoted oneself to Allah SWT and the hereafter, Allah SWT will grant him with reward for his good deeds. Imam Bukhari also revealed that by honouring guests or be kind to

guests has been mentioned in hadith narrated by At-Thabarani from Baz bin Hakim has the same meaning where when he mentioned on *akhlak* on the rights towards neighbour where Prophet Muhammad PBUH said,

“It is to give help if he asks for your help, to lend him if he asks to borrow from you, to satisfy his needs if he becomes poor, to console him if he is facing any hardship, to congratulate him if has good fortune, to visit him if he becomes ill, to attend his funeral if he dies, not to make your house higher than his without his consent, to offer him fruit when you buy some or keep it clandestinely if you do not have anything to offer, or letting your children out just to create jealousy to his children, or to bother him by the tempting smell of your food unless you want to share by sending some to him”.

It shows that showing good hospitality towards neighbour also is a good deed. In this hadith, it consists of three significant which are good *akhlak*, good words and good deeds. Whoever has a complete faith which is *Iman*, will have the love towards all living things created by Allah SWT either by showing good *akhlak*, saying only good words or presenting good deeds. In the history and practice of Muslim-friendly hospitality or *Diyafah* of Prophet Muhammad PBUH, he often entertained guests by providing the best accommodation, best food and other facilities needed by the guests based on his capabilities even though the socio-economy condition at that point in time was not as stable and sophisticated as today. The most important thing Prophet Muhammad PBUH has shown a good example in welcoming guests is to be always prepared and gesture to them with an open mind as well as showing compassion towards them regardless of the status of the guests or where the guests are from (Abdul Aziz, 2017).

In Islam, hospitality is an essential devotion towards Allah SWT. The fundamental nature of Muslim-friendly hospitality prove that guests should be welcome without any sense of negativity and an arrangement of good hospitable services should be offered to the guests. The real Muslim-friendly hospitality is to serve the guests with optimism, just like when Prophet Ibrahim PBUH served his strangers guests. Also, the scope of hospitality practiced by the Prophet Muhammad PBUH is holistic in nature, covering all segments of the society; including both Muslims and non-Muslims. Welcoming guests willingly with pleasure, entertaining guest with the utmost capacity and have full regard to their comfort is generally carry out the meaning of Islamic hospitality. Hospitality for Muslims is to accommodate a guest for a day and a night; hospitality extends to three days; and what is beyond that would be considered charity. Prophet Muhammad has the best *akhlak* a human can have. He taught love and kindness and was seen to be the most loving and compassionate of all of them. Al-Quran mentioned Prophet Muhammad kindness and goodness attitude in Surah Ali ‘Imran:

“And by the mercy of Allah, you dealt with them gently. And had you been severe and harsh-hearted. They would have broken away from you; so pass over (their faults) and ask (Allah’s) forgiveness for them, and consult them in the affairs. Then when you have taken a decision but your trust in Allah, certainly Allah loves who put the trust in me!”

(Surah Ali ‘Imran 3:159)

In Muslim-friendly hospitality, the services provided are in line with the Islamic principle with the base of *Aqidah*, *Akhlaq* and *Shariah*. Hospitality in Islam means services provided by an individual serve as a duty and obligation to honour the guest and act with honourable attitude. Apart from tauhid, the added important element in hospitality is morality or good behaviour (*akhlaq*) towards Allah SWT and towards human being and nature. This shows the concept of horizontal (*habluminAllah*) and vertical (*habluminanas*) relationships take place even in managing hospitality. The first role of human in the Islamic perspective is the relationship with Allah SWT. This is a vertical relationship, where man is a khalifah, a servant of Allah SWT.

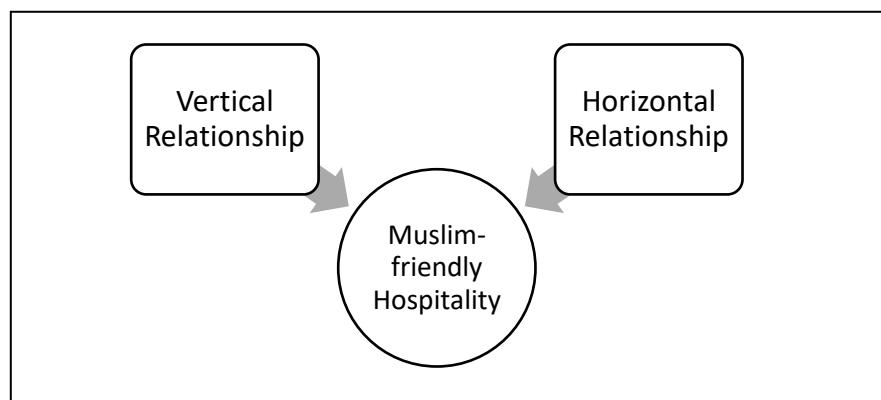


Figure 1: The Objectives of Islamic Hospitality (Abdul Aziz, 2017)

Muslim Friendly hospitality concept should be given a huge attention as the field is expanding in the contemporary hospitality industry. The concept of Muslim-friendly hospitality should be in accordance with the view of Islam or in simple words we say comply with the Shari’ah. Hospitality in Islam includes the way to honour guests, amiable and outgoing attitude of the host, providing a comfortable atmosphere to guest and making the guest feel welcome and happy with their stay by helping them mix and introduce them to another friend. The concept of muslim-friendly hospitality is summarised in the figure 2.

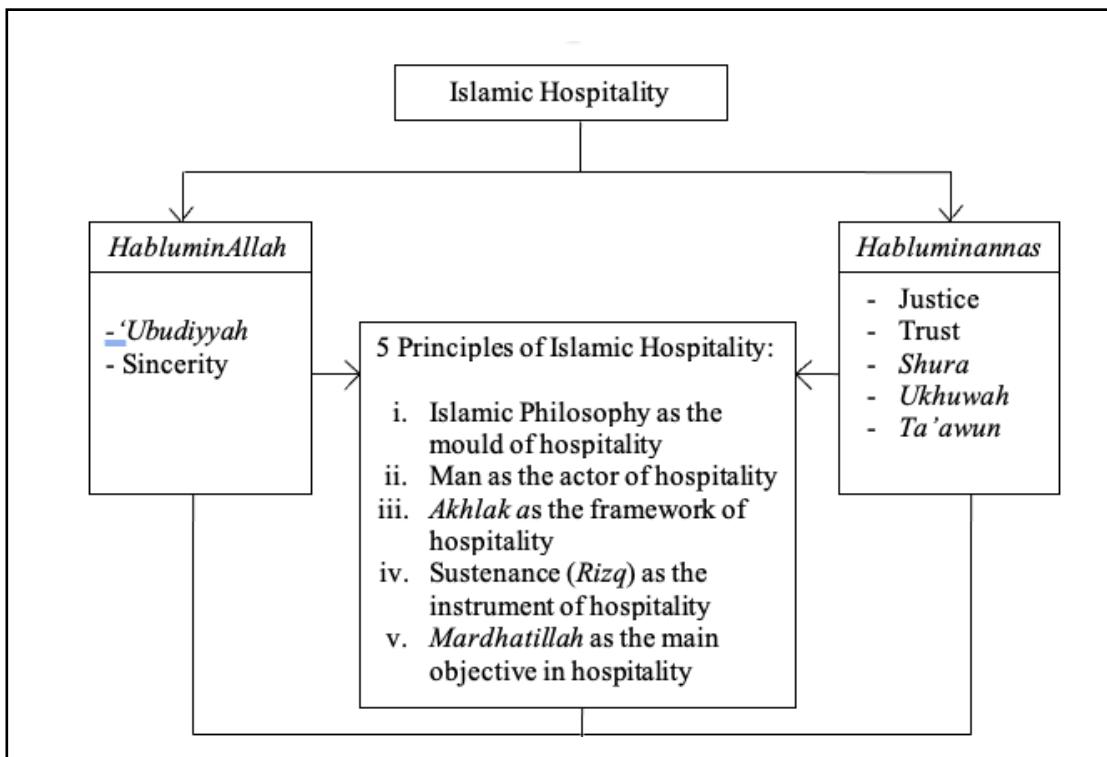


Figure 2: The Concept of Muslim-friendly Hospitality (Abdul Aziz, 2017)

5. CONCLUSION

Muslim-friendly hospitality has become an important sector in the economy nowadays since the demand for Muslim-friendly accommodation and tourism services is on the rise too. Managing hospitality based on Islamic philosophical underpinning is a must in order to cater and fulfil the needs of either Muslim and non-Muslim tourist. Muslim-friendly hospitality means managing hospitality based on the Islamic principle with the base of Aqidah, Akhlak and Shariah that are based on Qur'an and Hadith. Muslim-friendly hospitality has the necessary ingredients to develop such a unique approach in hospitality industry. A comprehensive and complementary Islamic approach hospitality practiced by the Prophet Muhammad PBUH and Prophet Ibrahim PBUH is holistic in nature, covering all parts of the world. Setting up the real basic structure of Muslim-friendly hospitality nowadays is the major challenges but the need in developing Muslim-friendly hospitality based on the Muslim-friendly philosophical underpinning fall into a crucial responsibility for Muslim to show the huge potential for Muslim-friendly hospitality to develop in the near future. Future research should explore and consolidate the Muslim-friendly hospitality structure to ensure the stability of the tourism and hospitality sector. For this, more research in Muslim-friendly hospitality must be created to

fulfil the growing industry's needs. It also will serve as a guideline to the hospitality industry towards achieving the ultimate objective of gaining *mardhatillah* in the world and the hereafter.

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