Chapter 14
The Philosophy of the Objective and Purpose of Islamic Law: Economic Protection of the Elderly

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ABSTRACT

Population and life expectancy of the elderly are increasing in Malaysia, while the birth rate is declining. Increasing age results in physical and psychological changes. Life at this age can be challenging, especially from an economic standpoint. Economic protection refers to a sense of safety and protection derived from a solid income or other resources to support present and future needs. People need food, clothing, shelter, and good health to survive. In Islam, this is a basic requirement for human life. Inadequate economic protections contribute to increased poverty and affect the quality of life, contrary to the philosophy of the objectives of Islamic law, which seek to preserve its five major interests: religion, life, property, lineage, and intellect. As a holistic religion, Islam does not ignore economic protection and its role in preserving human life, including for the elderly. This chapter discusses forms of economic protection for the elderly that ensure achievement of the objectives of Islamic law.

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INTRODUCTION

The elderly proportion of the global population is increasing annually. The world’s population aged 60 years is expected to increase from 12.3% in 2015 to 21.5% in 2050. Many see the increase as a phenomenon of the 21st century, due to the impact of technological advances in medical science, decreased mortality, and declining fertility (United Nations, 2014). Malaysia is no exception. Based on the projections of the Department of Statistic, Malaysia will reach aging-nation status in 2035, when its population aged 60 years and above is expected to reach 15% of the total population. (Department of Statistic Malaysia, n. d.).

Aging affects the elderly in many ways, economic effects prominent among them. Longer life expectancy means that the elderly must spend more, especially on health and daily necessities. Many senior citizens lose their main source of income after retirement, and need other resources to satisfy their economic needs.

Changes in demographic trends can have a major impact on a country. An increasing elderly population can place additional strains on the labour force to care for senior citizens, and also to fill the void in the economy that their retirement creates. At the same time, family structures will also change, due to the forced migration of children who must find jobs to support their family. Changes in family structure will reduce the dependence of senior citizens on their children, and have an economic impact on the elderly (Mahadi, 2009).

To deal with the economic problems of the elderly, the International Labour Organisation (ILO) has been strengthening social protection systems to provide economic security for the elderly. Social protection focusing on pensions and health services is a key requirement for senior citizens (Ortiz, 2014). The goal of social protection is to reduce the stress faced by the poor and those at risk of losing revenue (P. Mathiu & E. Mathiu, 2012).

According to Handayani (2012), the pension scheme and health services introduced in social protection has reduced poverty among the elderly, and helps safeguard their socioeconomic position. However, the retirement scheme still has drawbacks, because senior citizens who work in the formal sector are the only beneficiaries (Evans & Hackness, 2008). This means that many senior citizens still suffer from poverty. Data obtained by Masud and Haron (2014) confirm this fact, showing that based on revenue, 70% of seniors are below the poverty line. In fact, most seniors do not get economic protection, particularly from children. The fourth population and family census (National Population and Family Development Board, 2013) shows that nearly 600,000 seniors in Malaysia have never received financial help from children Yeung and Xu (2012) found that economic pressures can have an adverse impact on quality of life, and lead to death.

Islam sees poverty as harmful to individuals, families, and society (Al-Qaradawi, 1977). As a holistic religion, Islam does not ignore aspects of economic protection, including for the elderly. Economic protection is also one of the actions to achieve the five objectives of the Islamic law stressing the fundamental importance of care (al-daruriyyat al-khams) religion, life, property, lineage, and intellect.

This chapter discusses the position of the elderly in Islam, the Islamic concept of economic protection, and economic protection mechanisms for seniors, according to Islam.

THE ELDERLY IN ISLAM

The elderly are referred to as al-Musin in Arabic (Ibn Manzur, 1990) or as advanced in age (al-Sheikh, al-Ajuz) and extremely old (al-harim). These terms have different meanings corresponding to the changes