

Infaq Of Expertise For The Post Crisis Of Covid-19: Risk Taker Proposition

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Abstract

The economic risk of a pandemic such as crisis of Covid-19 is very distinct from the health risk. Since the economic and public health risks are distinct, the evaluation and design of policies to ameliorate them should be pursued separately. One of the measures to minimize the Covid-19 risk is through infaq mechanism which has been mandated in Islam. Infaq is a kind of alms giving intended to assist the needs of a man in his daily life. The spirit of giving is promoted by Islam as a means to develop the ummah in the economic and social sector. Some Muslim classical jurists are of the view that the properties endowed or infaq may not necessarily be in physical or tangible forms, but they may be in intangible and various forms. In today's world, our societies demand the contribution in wider forms including contribution in the form of skills and expertise from the professional experts. Infaq of professional expertise aims to utilize professional experts in order to fulfil those demands craved by the society in many fields such as medical, accounting, law, engineering and architecture. The objective of this case is to expose students on the benefit and potential of infaq of expertise. The purpose is not to disclose weaknesses nor the incompetency on any of the individual or organization, but to provide basis for academic discussion. The methodology of research used is qualitative method using case study approach with related to the Manual of Infaq and Waqf of Expertise. The general finding of this article shows that a good comprehension and application of the unique concept of Infaq of Expertise able to provide various benefits to many people.

Keywords: Infaq, Infaq of Expertise, Islamic Social Finance, Islamic Finance

1.0 PROLOGUE

Dr Suraya, 41 years old, a certified accountant with ACCA qualification and Phd in Accounting from local university, was sitting on her sofa at 4.35 p.m. on 1 April 2020 and watched daily update on Covid-19 cases in Malaysia by the Director General of Health (DG), Ministry of Health Malaysia. The DG urged all Malaysian to contribute as the volunteer in helping government to cope with the Covid-19 pandemic in various means. Under the current Movement Control Order (MCO) period, no individual is free to move from one place to another except for those who are involved in the essential sectors. Most companies are affected by the pandemic and many businesses have been closed down and some of their staff have been terminated. Dr Suraya thought that as one of the experts in the field of accounting, did she also able to contribute and be one of the volunteers in any means? Did this intention and deed will be considered as an infaq? In what ways can she contribute? Who were the parties that may gain benefit from this voluntary work and in which business and industry?

2.0 CONVERSATION WITH EXPERT

Suddenly, Dr Suraya thought one of her colleagues in her university namely Prof Wan, that she may asked to clarify this issue. Below was the dialogue between Dr Suraya and her colleague on the same day (1 April 2020), at the time of Movement Control Order (MCO):

Dr Suraya: Hello, Assalamualikum Prof, How are you? Sorry for disturbing you in this afternoon.

Prof Wan: Hello, Waalaikumsalam. I am fine Alhamdulillah.

Dr Suraya: I just wondering to contribute as a volunteer in this challenging time and after the Covid-19 pandemic. Does my contribution as a volunteer can be considered as one of the good deeds and infaq in Islam?

Prof Wan: Yea, of course, you are expert in your field and able to use it for benefiting others.

Dr Suraya: Does it considered as Waqf of Expertise as you explained in one of your articles in newspaper before?

Prof Wan: Either it is considered as waqf or not, in my opinion, it is still under infaq or sadaqah. I will send you through email the Manual for Managing Infaq and Waqf of Professional Expertise for your reference, some specific decision by the Fatwa Committee of Negeri Sembilan is inside the manual.

Dr Suraya: Thanks Prof Wan. Will contact you again if I have anything to clarify.

Prof Wan: Of course. Stay safe and healthy Dr.

Dr Suraya: Thanks Prof, Assalamualaikum.

Prof Wan: Waalaikumsalam.

3.0 MANUAL FOR MANAGING INFAQ AND WAQF OF PROFESSIONAL EXPERTISE

3.1 Purpose of the Manual

The Manual was intended to:

- a) Provide clear procedures for managing Infaq and Waqf of Expertise for all State Islamic Religious Council;

- b) Provide clear understanding to those who were involved in the management of Infaq and Waqf of Expertise.
- c) Provide an understanding on the procedure for registration of professional expert by the State Islamic Religious Council.

3.2 Scope of the Manual

The manual discussed the management of infaq and waqf of professional expertise based on the infaq of knowledge and services under the Negeri Sembilan Wakaf Enactment (2005).

3.3 Infaq of Knowledge

Infaq of knowledge was to teach, educate, share knowledge and serve the public voluntarily. This Infaq can be done by devoting themselves, time and energy to knowledge and services by giving benefits to others. Infaq of knowledge gave new breath to the dynamics of the infaq and waqf sectors. At the same time, experts and professionals should always be ready to contribute to the community to share and provide knowledge to those in need without expecting any return and the intention was to gain blessing from Allah SWT.

3.4 Advantages of Infaq of Knowledge

There were several advantages for infaq of knowledge:

- a) Open up opportunities for experts and professionals

With the infaq of knowledge, experts and professionals have the opportunity to contribute and serve the community based on the knowledge gained. It was a priority for experts and professionals to continue serve the community in whatever means.

- b) Share knowledge to those in need

Sharing knowledge to those in need was important because the process of acquiring knowledge nowadays took time and money. This was a better way for people in need in gaining knowledge through infaq initiatives without to spend and incur any costs.

- c) As a mechanism for acquiring knowledge

Infaq of knowledge had become a new source of information for all. There was no denying that the need for knowledge was a way to increase people's understanding in various disciplines.

- d) The continuation of knowledge can be preserved from generation to generation

Infaq of knowledge provided opportunity for experts and professionals to continue the legacy of knowledge in developing a knowledgeable society and it may protect future benefits from one generation to the next.

3.5 The Wisdom of Infaq of Knowledge

- a) To eliminate greedy and stubbornness of a man of his knowledge and wealth.
- b) To provide everlasting understanding and benefits for Muslims in the future.
- c) To create awareness that even though the knowledge was belong to a particular person, the knowledge needed to be shared to the public.
- d) To realize that life in the hereafter required sufficient preparation in this world.

- e) To be able to contribute to the life of Muslims in economic, education, social and cultural.
- f) To emphasize the value of Islamic brotherhood among the donors.
- g) As a token of gratitude for the favour given by Allah SWT.
- h) The reward that continues to flow as long as the knowledge was benefited even after the donor had passed away.
- i) To enhance glory and elevate the rank of the contributor more honorably in the eye of God.

3.6 Definition of Professional

Referring to the Kamus Dewan Bahasa dan Pustaka, Fourth Edition (2010), 'Professional' means:

- a) Engage in the areas of the profession such as law, medicine as a group or individual;
- b) Based on the specific skills or skills required to perform them, be competent (organized) and demonstrate specific skills: every manager or executive in a firm must know the management professionally;
- c) Involve payment as a source of income;
- d) People who practice (because of their knowledge, expertise, and skills) in a particular field of profession; becomes professional.

3.7 Definition of Infaq and Waqf of Expertise

Infaq and Waqf of Expertise referred to an expert and professional team who have knowledge, expertise and skills and willing to contribute through various forms and methods of contribution for the benefit of Muslims.

Among the things that can be contributed are lectures, sharing of knowledge, writing articles and books. In addition, skills such as consultation and counselling are also fall into the category of professional expertise. This includes providing care and counselling services as well as professional volunteers who may benefit the public.

Meanwhile, Waqf of Expertise only referred to design plan as it can be used for future building construction. It was also considered as waqf of expertise if the value of the waqf was included in the cost of the construction project (Based on the Minutes of Meeting of Muzakarah Negeri Sembilan Mufti Department No. 8/2018).

3.8 Objectives of Infaq and Waqf of Expertise

Among the objectives of infaq and waqf of expertise were:

- a) Open up opportunities for professionals to contribute consistently through infaq and waqf activities.
- b) Helping experts and professionals to contribute through infaq and waqf as an alternative to cash and immovable waqf for the benefit of Muslims.
- c) Muslims can receive infaq and waqf donations of all kinds and were not limited to immovable property.

3.9 Types of Professional Expertise

According to the Kamus Dewan Bahasa dan Pustaka, Fourth Edition (2010):

a) Doctor

Doctor means qualified person to practice medicine. From the point view of education, it is the person who has the highest degree in any study.

b) Lawyer

The person whose job is to file a lawsuit in court or provide legal advice or assistance to their client.

c) Accountant

An accountant means a person who manages and oversees the preparation of financial accounts/statements for a company or organization. He / She is responsible for providing reports on financial position from time to time.

d) Engineers

People who are trained in, manufacture and use machinery or are trained in any branch of engineering. Civil engineers are people who are trained in building public facilities such as roads, bridges, dams, canals, ports and large buildings. Electrical engineers are people who are trained in maintaining electrical and electrical equipment.

e) Architects

The architect is responsible for designing a plan and overseeing the development of the construction. He / She is also a designer and inventor.

4.0 HYPOTHETICAL OF INFAQ AND WAQF OF EXPERTISE

Although there was no clear provision pertaining to legality of waqf in the form of services (waqf of expertise), either in Islamic textual sources or jurists' opinion, it can be concluded that this form of waqf was permissible and accepted according to Islamic perspective as it was still within the objective of Shariah or Maqasid al-Shariah since the concept of waqf itself embodies both dimensions which was to worship Allah and to satisfy social needs of the ummah.

According to Muhammad Ridhwan Ab. Aziz and Mohammad Haji Alias (2019), one of the means to do charity or infaq is by providing special services such as pro-bono case, free counselling, health care, construction planning and free legal advice. All of these services can be achieved by contributing professional expertise among the professional experts. This form of waqf can be materialized if experts are willing to contribute their knowledge, skills and expertise in order to improve socio-economic development of the country.

It is noteworthy to mention here that usufruct is an important element in waqf which until nowadays is often viewed as something physical or immovable to the point it fails to significantly deliver the impact of waqf towards the socio-economic and well-being of ummah. In fact, Islam allows waqf to be endowed in other forms such as intangible and movable forms in order to serve the objective (Fahmi Medias, 2010). One of the scopes of waqf given in Wakaf (Negeri Sembilan) Enactment No. 5 2005 is *“the provision of of expertise and services from which may be enjoyed any benefit, interest or profit”* (Government of Negeri Sembilan Gazette).

Suryani and Yunal Isra (2016) state that most Indonesian Muslims are still striving with the understanding of old waqf concept which is restricted to immovable and real property only. This situation makes it difficult for them to digest new dimension and rulings pertaining to productive waqf. This concept might be very new and alien to them. They also maintain that waqf instrument

should and ought to suit and fulfil the current demands such as property alleviation, social welfare and improving socio-economy of the public.

Given the wisdom of waqf which was started by Islam since the times of the Prophet (peace be upon him), the western civilization had adopted it since long time ago. They even adopted the concept of waqf to set up their own educational institutions for the benefit of their society. This can be seen in the establishment of Oxford University in the United Kingdom where the concept of endowment or waqf is the foundation of the institution itself. In today's world, there is increasing attention and adoption of waqf in both eastern and western countries. From the Islamic perspective, some jurists opined that waqf is an ijihadi matter, which is flexible, open for innovation, dynamic and futuristic that has a potential to be extended and applied to fulfil the needs and improve the socio-economy of the ummah. The waqf instrument can be changed or innovated in various forms to suit the needs in today's societies (Nurul Asykin Mahmood and Ruzian Markom, 2016).

Based on the Enactment of Wakaf in Negeri Sembilan 2005, it clearly stated that waqf has many ways to be contributed. One of them was services or giving the expertise to the public, which means that the Muslim scholars have discussed about how dynamic waqf can be explored in the future. In empowering waqf, all selected institution must brainstorm the idea to make the waqf as one of the new Islamic economic agendas for the ummah.

The useful words and knowledge will be rewarded in hereafter whereby the useful knowledge spread to the entire of world. The knowledge was enduring to its owner and benefits to the person in the hereafter. Similarly, with the writing of books, it will be rewarded for the good intention and it was considered as type of waqf. Al-Azhar said that it was a waqf which will bring benefits similar to sadaqah jariyah. Beneficial knowledge will be rewarded after the death of the person (Mubarakfuri & Zubair, 1998 & 2007)

Jalaluddin al-Sayuti (2012) shared the same thought that words and knowledge which were inherited from teaching and writing or similar to it such as interviews, writing papers, publication, or knowledge that he or she was able to acquire by listening, buying books and as long as they are beneficial, will continue to be a constant reward to them.

حدثنا علي بن حجر , أخبرنا إسماعيل بن جعفر , عن العلاء بن عبد الرحمن , عن أبيه , عن أبي هريرة رضي الله عنه , أن رسول الله صلى الله عليه وسلم , قال : “ إِذَا مَاتَ الْإِنْسَانُ انْقَطَعَ عَمَلُهُ إِلَّا مِنْ ثَلَاثٍ : صَدَقَةٌ جَارِيَةٌ , وَعِلْمٌ يُنْتَفَعُ بِهِ , وَوَلَدٌ صَالِحٌ يَدْعُو لَهُ ” (رواه مسلم .) . قال أبو عيسى : هذا حديث حسن صحيح

“The Messenger of Allah (SAW) said: “When a man dies, his deeds come to an end except for three things: Sadaqah Jariyah (ceaseless charity); knowledge which is beneficial; or a virtuous descendant who prays for him (the deceased).”

In this hadith, it was a proposition to explain the great reward for those who convey a knowledge and benefit from the knowledge was conveyed whether the knowledge was delivered in the form of teaching, authored books or lectures and speeches (Al-Qurtubi, 1964).

According to Syed (1999), there were Muslim Scholars who explained about this hadith namely Imam Sayuti and Iman Sanadi. Imam Sayuthi said that there were three great rewards after the death which were benefited. Al-Qadi Iyad mentioned that all of charities in the world would

be disconnected except the prayer of son and the knowledge conveyed by him during the life time. Imam Sanadi debated the same thing that useful knowledge will continue to be rewarded.

Ibn Malik said that beneficial knowledge that gives constant reward was the knowledge of Allah and His attributes, His actions and His angels such as Ilm Kalam (theology), social science and health sciences as well as knowledge relating to Prophet Muhammad, Hadith, Islamic Jurisprudence, and Usul Fiqh (Syeikh 'Ali Bin Sultan Muhammad Al-Qari, 2001).

وروى ابن ماجه (224) عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ قَالَ : قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ : (إِنَّ مِمَّا يَلْحَقُ الْمُؤْمِنَ مِنْ عَمَلِهِ وَحَسَنَاتِهِ بَعْدَ مَوْتِهِ : عِلْمًا عَلَّمَهُ وَنَشَرَهُ ، وَوَلَدًا صَالِحًا تَرَكَهُ ، وَمُصْحَفًا وَرَّثَهُ ، أَوْ مَسْجِدًا بَنَاهُ ، أَوْ بَيْتًا لِابْنِ السَّبِيلِ بَنَاهُ ، أَوْ نَهْرًا أَجْرَاهُ ، أَوْ صَدَقَةً أَخْرَجَهَا مِنْ مَالِهِ فِي صِحَّتِهِ وَحَيَاتِهِ ، يَلْحَقُهُ مِنْ بَعْدِ مَوْتِهِ) حسنه الألباني في صحيح ابن ماجه

Another Hadith from Ibn Majah was the hadith mentioned about seven uninterrupted things. In other quotes, there was also hadith mentioned about 10 continuing religious practices such as the knowledge that he has spread, the prayer from sons, planting the crops and distributing it, providing the mashaf, making a canal, dug a well, draining rivers, building a house of ibn sabil, and building a place of remembrance and knowledge (Jalauddin As-Sayuti (2012) and Hafiz Abu Tahir Zubair 'Ali Za'i (2007).

Therefore, it can be claimed that knowledge was one type of beneficial thing that will benefit to its owner indirectly and will be rewarded in the hereafter. It was the same concept of infaq and waqf of expertise which were to utilize for fulfilling the need of ummah. The new innovation of type of infaq and waqf were required in present day in order to improve the changing needs of the current requirement.

5.0 EPILOGUE

Dr Suraya scrutinized the Manual for Management of Infaq and Waqf of professional Expertise as sent by Prof Wan to her by email. Somehow, it was really easy to understand the manual as the manual spelled out everything with regard to the infaq and waqf of expertise inclusive the procedure to implement it by the State Islamic Religious Council. Nevertheless, to try to be volunteer through this novel idea of infaq and waqf of expertise for a first time was somewhat complicated for Dr Suraya. Who will be the beneficiary of the infaq?, which industry?, were they accepted it and how to manage with the most effective time to carry out volunteer work and when to start and where to go?

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