

Determination of Zakat Recipient to Flood Victims

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Abstract

Flood is a natural disaster that occurs annually in Malaysia. Every year flood happens at a minor, moderate, and even at a major level. Different levels of this disaster cause different impacts on people, infrastructures as well as nature. At moderate and major floods level, the victims are evacuated from their home to the shelters, there are losses of life due to drowning, the destruction of infrastructures and nature like the death of livestock and animals, the plants are in ruin due to immersion, and there are water contaminations with the spreading of waterborne diseases. This situation causes the victims to suffer huge losses such as sources of income and threats to their lives following the aftermath of the flood. As a result, the victims have difficulty to survive. Hence in this situation, the role of zakat as a mechanism of social security can ease the burden of the flood victims. However, no specific ruling was issued to determine the status of flood victims in any of the categories of zakat recipients. In Malaysia, a fatwa was issued in early 1988, which the flood victims were not categorised in any of the recipients. Meanwhile, in *irshad fatwa* from Mufti of Federal Territory Kuala Lumpur in 2015 inclined to place flood victims under *al-gharimin* recipients. In order to achieve the research objective, this study will conducted the library and field work via interviews with selected informants. Qualitative data collected will be analysed to clarify the severity level of flood and their impact towards deciding qualified recipients according to the situation of the victims. The study found that, the qualified recipients can be determined based on the severity of floods that occur. In other words, expert opinions can be used to determine whether the floods are minor, moderate or major level. Therefore, it was found that only the flood victims at a major level could be placed under the *al-gharimin* recipients, which are comparable with their losses. Thus, this determination is assured to bring justice and help to the flood victims in order for them to continue their lives better, post-flood.

Keywords: Zakat, Flood Victim, Alms Recipient, Social Security, *Al-Gharimin*

Introduction

Flood is one of the natural disasters that affect human life. It occurs when the water level rises above normal levels either in river, lake, reservoir or coastal areas or the presence of water in areas that are dry because of heavy rains, poor drainage system and poor urbanisation process. Flood can affect human health, causing damage to infrastructures and the environment, and lead to high cost of repairing (Menne & Murray, 2013). For example, in 2008, the worst flood that hit China had affected 223 million people and 3004 people were reported dead. In addition, 15 million people were homeless and China suffered economic losses that exceeded USD 23 billion in that year (Khan et al., 2014). In addition, floods in Cambodia and Vietnam in 2000 had claimed the lives of 428 people and an estimated economic losses of more than USD250 million. While in Malaysia, in the late 2014 it had affected 500,000 victims and RM2.85b of losses.

Based on the damage and losses occurred, the victims are facing the biggest challenge due to the losses of their homes and properties, destruction of livelihoods and they need to muster the strengths to build a new life post-flood. This situation creates difficulties for the flood victims. They need the short and long term helps in order to rebuild their lives. This assistance can be in the form of grants from the federal government, corporate or individual. It can be seen in a variety of instruments, such as charitable donations or zakah. The contributions are usually in the form of financial, food and clothing.

Therefore, zakah acts as a social security mechanism that plays a significant role in rebuilding the lives of the victims. In current practice, zakah agencies do contribute to the flood victims. For example, zakah unit program of UKM (Zakah Unit UKM, 2013), zakah of Selangor (Lembaga Zakat Selangor, 2008), zakah of Kedah (Lembaga Zakat Kedah, 2015), zakah of Pakistan (Zakat Foundation, 2011), victims may be qualified for zakah (Utusan Online, 2013).

However, there are no specific recipients related to the flood victims. It is included in the current issue of fiqh (*nawazil fiqhiyyah*), which requires a clear determination of the recipients since it involves the financial allocation from the zakat institute. This is because Malaysia is a flood-prone country beside other natural disasters. This situation requires a proper interpretation of the status of the victims as a specific zakah recipient. The current practice shows no classification assigned to the flood victims. The supports from zakah institute nowadays are one-off provision. It's depending on cases that occurred and there is no specific allocation for recipients group. Based on that scenario, this study attempts to explore fatwa in Malaysia regarding the provision of zakah to the flood victims and the determination of type of recipient of the flood victims. Consideration should be given regarding the flood level and the effects suffered by the victims, not the generalisation of all the floods in Malaysia.

Flood Background

Flood has defined by Federal Emergency Management Agency (FEMA) (2012) as a general and temporary condition of partial or complete inundation of 2 or more acres of normally dry land

area or of 2 or more properties (at least 1 of which is the policyholder's property) from: ^o overflow of inland or tidal waters; ^o unusual and rapid accumulation or runoff of surface waters from any source; or ^o mudflow; or collapse or subsidence of land along the shore of a lake or similar body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels that result in a flood as defined above.

Basically, flood stage can be divided into three different levels, namely minor, moderate and major stage. Flood level also depends on the type of flooding that occurs whether river flood, flash flood, storm surge flood and tsunami. Minor flooding is the kind that affects small roads which leads to the temporary closure and submerges low bridges. Flood depth is also just under the floor level of the houses and buildings affected due to the flooding of the adjacent area. Meanwhile, moderate flooding involves a larger area that is detrimental to the main traffic following the rise of water in the building above the floor level subsequently lead to the evacuation of the affected areas. Lastly, vast areas would be inundated due to the major flood and leads to the detriment of utility services and the closure of main roads and evacuation from flooded areas (National Weather Service Manual, 2012).

In addition, according to the (FEMA), flood level can be measured by the value of property losses, the environmental value based on the speed of flood current, debris, bacteria content, the number of victims as well as the cost of cleaning and repairing after the flood. There are various types of flood such as river flood, flash flood, storm surge flood and tsunami (Alam, 2008). River flood occurs due to heavy rains and when the river cannot sustain the runoff water. Normally, warnings will be given to the flood-prone areas such as in Bangladesh and Malaysia. River flood can bring damage to large areas and can affect millions of people (Han, 2011).

Meanwhile, flash flood is a type of flood that occurs suddenly due to prompt heavy rain. It happens without warning but in a small area such as the flood that happened in Segambut Road, Kuala Lumpur in October 2012. Storm surge flooding occurs due to incredible rise of sea level up to eight meters caused by hurricanes and brings major impacts on coastal areas such as Cyclone Nargis in Myanmar, which took place in 2008 involving two million people.

The Impacts of Flood

Flooding is a common disaster that causes extensive damage and disruption. However, these effects can be minimised if adequate emergency plans and mitigation measures were to be implemented at the right moment and coordinated responses were launched during and after the disaster. Flood could have negative effects on social such as economic losses, physical health, lack of clean water, the effect on psychology, migration, affects worship and so on.

Natural disasters affect the economy either in the short or long run and their impacts are difficult to measure because they are not only involving the losses of currency value, but they also include perceptions and emotions of those involved. Floods cause huge losses to the

country. This is because flood would destroy developments and infrastructures such as roads, bridges, buildings, public utilities and so on. A major flood would destroy many homes and infrastructures, which causes high cost for repairing and cleaning the flooded area. In Kuala Krai for example, 1774 houses were destroyed by floods in 2014 (Utusan Online, 2015).

In addition, the government must also provide assistance to flood victims such as food and beverages, medicines, evacuation centres and relief to the flood victims. The government also has to bear the high cost of rebuilding the damaged areas. All the damages are costly to maintain and rebuild. According to the Kelantan Flood Disaster Committee Chairman, Datuk Seri Mustapa Mohamed, losses of infrastructure and public assets were estimated at RM200 million in Kelantan in 2014 (BH Online, 2015). In Pahang, losses were estimated at RM610 million (Utusan Online,). These losses do not include the ones suffered by individuals and businesses. Crops that were destroyed and the compensations received were not necessarily comparable with the losses caused by the floods. If farmers did not replant crops in the region, the losses incurred will increase. Land in the flooded areas will also depreciate in value, which would cause a decline in investment due to fear of loss in the event of recurring flood. This will undoubtedly affect the economy.

Furthermore, self-employed victims cannot do their routine work due to the aftereffect of the flood, which limits their daily routines. The total annual turnover also decreases during the flood which results in losses to the traders. While, the sources of clean water are also affected by the floods. This is because water is very important resource in everyday life such as for drinks and it is important for purification and food preparation as well. However, flood has cut the water supply and people are left with floodwater (Shimi et al., 2010). As a result, they cannot receive clean water due to the water supplies to their respective houses are contaminated by the floodwater (Ram et al., 2007).

For example, in December 2014, the worst flood occurred and it was known as "*bah kuning*" and had affected numerous water treatment plants in three states, namely Kelantan, Pahang and Perak, causing the water treatment plant to cease operations because of the rise in the water level and due to mechanical and electrical equipment malfunction. 218,736 households of water treatment plant of the three states were affected by the floods and 46 water treatment plants had to be closed. The worst happened in Kelantan where 27 out of 32 water treatment plants had to close causing 76% of the total users without water supplies (SPAN, 2015).

Water supplies and sanitation are responsibilities that should be maintained and strengthened when societies are affected by the floods. These actions should be taken seriously so that the health of victims can be kept safe and out of diseases, especially those are vulnerable to them (Ahern et al., 2005; Meusel & Kirch, 2005). According to UNICEF (2009), there are six ways to provide clean water in rural areas, which are the use of water tanks, water storages, water bottles, recovery wells, rainwater harvesting and cleaning the pool (Sow, 2009).

So does the impact of disease on flood victims. They are exposed to water-borne diseases due to the floodwater carrying debris, faeces, chemicals and bacteria that can harm the population (Health Protection Agency, 2012). Victims will be susceptible to water-borne diseases such as gastrointestinal, hepatitis A and E, skin and respiratory tract infections, and leptospirosis (Watson et al., 2006). In addition, electrical power interruption can lead to the increase in outbreaks of waterborne diseases (Alderman et al. 2012).

In Bangladesh for example, as much as half of the population had been exposed to diarrheal diseases and fever in the 1998 and 2004 floods because two-thirds of the drains and 97% sanitations were severely affected (Shimi et al., 2010). Although flooding is moderate, diseases can strike children and flood victims who live in urban areas suffering from severe pollution (Alam, 2008).

In January 2015, leptospirosis and melioidosis were found to increase after flood which 753 cases were reported in Peninsular Malaysia. Meanwhile, there were 20 melioidosis cases confirmed in Pahang, Kelantan, Perak and Johor (Director-General of Health Malaysia, 2015). As a result, flood victims and volunteers are advised not to expose the wound in the body to water as cleanliness cannot be ascertained (Sinar Harian, 2015).

Floods may also cause mental stress and fatigue due to physical stress. However, various reports regarding health hazards of flooding are focusing on mental stress or psychological stress caused by excessive exposure to disasters (Norris, 2005). Flood victims who suffered devastating floods and who had to witness their loved ones being injured or lost their homes could cause long term psychological trauma. Moreover, flood victims would need expensive cost for the cleaning and restoration of their homes. This is certainly would be a burden to them, especially those who have financial difficulties and their homes do not have insurance. In addition, long time recovery of the flood would cause mental disorders to the flood victims such as anxiety, anger, depression, lethargy, hyperactivity, insomnia, and in extreme conditions can lead to suicide. Moreover, children behaviours can easily affected by the flood (Warchal & Graham, 2011).

Floods can also increase the level of stress and anxiety among victims and this is due to the climate change. Climate change is an indication that there will be another disaster forthcoming. Therefore, due to the failure and inability to control the situation and their vulnerabilities to threats, the victim will show signs of depression, sadness, frustration, feelings of being overwhelmed with emotion because of lack in physical and emotional strength to cope with the situation. Often victims find it very difficult to focus their attention on things like completing any task. Their concerns are also rising due to uncertain future following post-flood life (Mustaffa et al., 2014).

Moreover, floods can increase the risk of death by drowning. Flash floods for example, the rapid increase in water levels is extremely dangerous for the population. Many examples of drowning incidents involve motorcyclists who try to cross the floodwaters. Other incidents that

lead to death or serious injuries are hypothermia, electrocution, fire and carbon monoxide poisoning (related to the use of gasoline-powered generators and washing machine, which operate in less ventilated areas) (Centers for Disease Control and Prevention, 2000).

Besides, the flood had caused an estimated of 53,000 deaths worldwide over the past 10 years (The International Disaster Database, EM-DAT, 2011). Most deaths occurred in poor countries and communities that were lack of preventive measures and poor flood management (Alderman et al., 2012). In Malaysia, at the end of 2014, the floods had claimed the lives of 21 people (Asia One, 2014).

Meanwhile, in agricultural areas, prolong stagnant floodwater can contribute to plants deaths and it can damage the roots system because of a reduction in oxygen in soil, changing the pH, sedimentation and barriers at the root (Kreuzwieser et al., 2002). A long period of flooding and stagnant water will cause roots to rot; the trees to fall and wither for lack of air in the system. There are two types of wilt; one is due to physiological stress caused by either water or stagnant water and the second is due to pathogenic fungal infections (Basak et al., 2015). Among the plants that are easy to die which are rubber, cocoa, palm oil and rice. Destruction of crops will be detrimental to the farmers. In addition, high current of floodwaters will cause fallen trees to be swept away by flood. Next, natural disasters can also contaminate the environment. Sewage, toxic bodies and animal carcasses will float alongside the current and this is evident during flooding. This will cause water pollution and consequently will affect the people. In addition, this situation will add to air pollution which causing the victims to feel uncomfortable.

However in fiqh issues pertaining into flood disaster, flooding also affects act of worship like purification (*taharah*), prayers and funeral preparation. The lack of clean water and limited clean water sources would cause difficulties to the victims to purify themselves apart from the need of clean water to drink. While floodwaters are categorised as pure water, the victims are afraid to use it due the bacteria and water-borne diseases that are brought together by the flood. The limited water bottles supplied force the flood victims to share with other families and other victims, especially when at evacuation centres (Ibrahim, 2016).

Furthermore, the dirty evacuation centres with stagnant water affect the flood victims to perform their prayer perfectly. Flood victims are also lack of clean clothes and need to use existing clothing so that prayers can still be done. Flooding also makes it difficult for funeral preparation especially when floods hit at roads making them impassable except by boats. As happened in Kelantan, which closed many roads (The Star, 2014), and disrupted the service of trains such as *Keretapi Tanah Melayu (KTM)*, which is train service along the East Coast (The Malaysian Insider, 2014). Stranded flood victims also had to be rescued by boats and helicopters. The number of victims across the country reached more than 200,000 by December 28, 2014, with 21 people killed. It was considered the worst flood in decades (Reuters, 2014; al-Jazeera, 2014a).

Therefore, flood victims also need the help, especially alms (zakah) which plays a big role for Muslims. After the disaster, victim's life is not like before. This is because the victims are likely to suffer huge economic losses as houses were destroyed, sources of livelihood such as plants and stores were destroyed and they need financial help. Thus, victims may need zakah so that they are assured of life and can return to normal (Khafidz et al., 2015). Additionally, the floods raise issues relating to properties, buying and selling crops or properties affected and endowment benefits that have been destroyed.

Flood Factors in Malaysia

Generally, Malaysia experiences monsoon and flash floods. Monsoon flooding occurs during the northeast monsoon from November to March with heavy rains on the East Coast, in the northern part of Sabah and south of Sarawak (Hassan et al., 2006). A major factor in flooding in Malaysia is due to heavy rains, causing flash floods in the cities and villages. In addition, the drainage systems are not good because of their small size that cannot accommodate the runoff in addition to human attitude like throwing garbage in the river, which blocks the water flow into the sea.

In addition, an unplanned urbanisation causes flash flooding in urban areas. Furthermore, floods in Malaysia also occur, because of the water released from the dam since it cannot hold the increasing volume of water due to heavy rains (Akasah & Doraisamy, 2015). The Malaysia geographical location receives a heavy rain during northeast monsoon from November to March causing floods in the east coast of the peninsular, Sabah and Sarawak. Continuous and heavy rains will cause flood especially in low areas. Rainwater will flow into the drainage system and rivers but they will overflow and flood the river plains. For example, floods in 2014 in Gua Musang, 1295mm of rain had fallen in three days compared with an average annual rainfall of 2500mm caused major flooding in December 2014 (SPAN, 2015). In addition, due to heavy rains in Kelantan and Terengganu, 3390 and 4209 people respectively were forced to relocate as a result of the rising water (The Nation, 2014). At the end of 2014, many rivers in Kelantan, Pahang, Perak and Terengganu had reached dangerous levels too.

Besides, land use and other human activities influences the flood peak discharge by changing how the rain is stored and released from the ground surface into the river. In areas that are not developed such as forests and grasslands, rain is collected and stored in the plants, in the soil or in surface indentation. When the storage capacity is full, the runoff will flow slowly through the soil as a sub-surface flow. In contrast, in urban areas where more ground has been covered by roads and buildings will cause a lack of ability to store the rainwater. Constructions of roads and buildings often involve removal of vegetation, soil, and pressure from the ground. Permeable soil is replaced with impervious surfaces such as roads, roofs, parking lots, and walkways that retain a small amount of water, reducing water flow into the soil, and this would accelerate runoff into drains and rivers (Zebenbergen, 2010). A dense network of drains and sewers in cities reduce the distance to reach the runoff and river flows. When water enters the drainage network, it flows faster whether on land or in sub-surface flow and ultimately results

in floods (Konrad, n.d.). For example, floods in Klang when the river is no longer able to cover a lot of water due to the shallow depth of the river due to urbanisation. In addition, the construction of the Mass Rapid Transit (MRT) in the capital city is also one of the causes of flash floods in some roads in Kuala Lumpur on May 10, 2016 in addition to the drainage problem, which is not large enough to accommodate the rainwater (Astro Awani, 2016).

River erosion often occurs due to two factors, the natural erosion and caused by domestic human waste disposal. Natural erosion happens when it rains heavily and the water will flow and erodes riverbanks. Finally, land banks will collapse and form sediments at the bottom of the river. There will be a shallow river (Wee & Ariffin, 2011). Similarly, human activities like dumping domestic garbage and industrial wastes into the river can cause river siltation and blocking the water flow. When it rains heavily, the shallowed river that was due to natural erosion or pollution cannot cope or accommodate the rainwater flow that much. Finally, the water will overflow to the banks and ultimately causing the flood. As happened in Manjung, shallow river is the main cause of Kampung Serai having to face flood every rainy season, causing them to be evacuated to relief centres (Sinar Harian, 2012b).

The next factor that causes a flash flood is a human attitude, which is irresponsible by throwing garbage everywhere including in the drain (Zebenbergen, 2010). Many piles of garbage clogged the drainage system and caused a blockage. Water cannot flow smoothly due to the blockage. Finally, when the rainy season, the water cannot flow directly into the nearby river and this would be complicated when flood occurs as a result (Sinar Harian, 2012a).

The Practice of Giving Zakah to the Natural Disaster's Victims

Zakah plays a big role as rehabilitation assistances for victims of natural disasters. There are some practices in some countries, which are using the zakat money as assistance to victims of natural disasters. According to Muslim Aid (2001), zakat is also channelled to emergency relief during natural disasters. In 1991, food aid, shelter and medicines were given to flood victims in Punjab, Pakistan. In 2001 in Gujarat, 100,000 people died when an earthquake occurred. Zakat of £ 500,000 was given for short-term and long-term recovery. As well as in Northern Pakistan when earthquake occurred in 2005, assistances were provided in order to develop an emergency assistance program and plans for long-term projects, which are sustainable and emergency camps were set up for people who are homeless. In 2010 in Haiti, Muslim Aid provided relief of £ 350,000 and carried out development for long-term projects in response to the earthquake (Muslim Aid, 2010).

Zakat Foundation of America was also assisting victims of natural disasters such as the earthquake in Haiti in 2010, the flood victims in Bosnia in 2014 and the flood victims of Pakistan in 2014 in the form of food aid, medical goods, water, and so on. In Brunei, the management of zakat also provided assistances to victims of natural disasters and fires with a total of \$200 per person plus additional help for school uniforms, stationeries, books and other helps needed (Abdullah, 2010). In Malaysia, the major flood occurred in late 2014, which caused damage

totalling RM2.85 billion. A total of RM3.8 million from the Majlis Agama Islam Wilayah Persekutuan was divided into several states affected by floods (Baitulmal MAIWP, 2015). Besides, Majlis Agama Islam Kelantan had also allocated RM32 millions of zakat to repair the damages and the new house aid as well as a one-off charity of RM500 to each one of the listed victims (Pasir Mas Land and District Office, 2015).

Determination of Zakah Recipients to Flood Victims

The Quran and the Sunnah of the Prophet specified the recipients of zakat. This determination can be seen in the words of Allah:

“As a matter of fact, Zakat collections are only for the needy and the indigent, and for those who are employed to collect them and for those whose hearts are to be won over and for the ransoming of slaves and for helping the debtors and for the way of Allah and for the hospitality of the wayfarers. This is an obligatory duty from Allah: and Allah is All-Knowing, All-Wise”.
Surah al-Taubah (9):60

Based on this verse, the recipients had been categorised in eight groups with a clear base. Tarimin (2005) reclassified the eight divisions into three basic categories, or distributions, namely: 1. the distribution based on need. It includes indigent, poor, slaves, debtors and *ibn sabil*. 2. The distribution is based on nurturing and encouragement of religious and moral life. It includes converts and *fi-sabilillah*. 3. The distribution is based on incentives and motivation for charity managers. It includes *amil*.

The determination of these people even seems rigid, but the interpretation can be adapted with the times, social change, and the needs of society. This is because in the current reality, there are always new events occur that can be attributed to the generality of the texts related. In the context of the flood victims, there are no evidences specifically explain their position as recipients of charity. This is because of differences in geography and climate of the central revelation of the tropics. Because of that, the Qur'an only mentions recipients in general, without any specification. Flood issues can be categorised as local and regional issues for the areas that receive high rainfall.

In the literature review conducted, researchers found that there were two main views regarding the position of victims as recipients of zakah. The first view was a fatwa from mufti Terengganu decided in 1988 where the victims do not fall within the category of recipients (www.e-fatwa.gov.my). While the second view from Irsyad Fatwa of Mufti of Federal Territory Kuala Lumpur, which allows giving zakat to the flood victims (www.muftiwp.gov.my). He tends to put the flood victims in *al-gharimin* categories of recipients. There is also a view that puts victims as poor recipients (On Islam, n.d.).

Flood victims can be categorised as *al-gharimin* recipients or poor recipients. In determining the recipients of *al-gharimin*, it is based on the hadith stated by Qabisah bin Mukhariq al-Hilali that said:

“Qabisah ibn Mukhariq al-Hilali reported: "I had a debt. I went to the Messenger of Allah, upon whom be peace, and asked for his help. He answered: 'Wait until we have funds for sadaqah, then we will give you some.' He also said: 'O Qabisah, sadaqah is justified only for the following three: first, a man who is in debt, for his case makes it permissible to receive (alms) until his difficulty is resolved; second, a man who is struck by calamity which destroys his holdings, which also makes it permissible for him to receive (alms) until he is in a position to earn a sustenance (or he said, '... what satisfies his needs and makes him self-sufficient'); and third, a man who has been reduced to poverty and three persons of caliber from among his people testify to his desperate situation will receive until he finds for himself a means of support [or he said, '... what satisfies his needs and makes him self-sufficient']. Other than these cases, O Qabisah, it is not permissible (sahat). A person receiving it (sadaqah) will be consuming forbidden holdings.” (Muslim, 1978)

In addition, Mujahid also made a statement that the *al-gharimin* recipients can be divided into three groups, namely those whose properties were washed by the flood, those suffering from fire that destroyed their properties and those who did not have properties to give to their dependents (al-Suyuti, 2003).

According to Mufti of Federal Territory (2014) flood victims can be included in *al-gharimin* recipients. This is supported by statements made by al-Qaradawi who said that the victims of natural disasters are *al-gharimin* recipients as being in debt to deal with losses due to natural disasters. In addition, the Department of Wakaf, Zakat and Haj of the Prime Minister Department (2007) also issued criteria for *al-gharimin* recipients that included victims of natural disasters who were forced into debts but have no other sources to pay them off. As stated by Khafidz et al. (2015), it is allowed to give zakah to the flood victims based on “*tuqaddar biqadariha*” fiqh method, which allows emergencies to be tended as needed. They backed the view that the Federal Territory Mufti said that the distribution of zakah to the victims should be placed under *baitulmal* so that *baitulmal* can identify those who are really in dire need.

Table 3: Flood Stage and Recipients Category

Type of flood	Characteristics	Effects	Distribution of Zakat
Minor	<ul style="list-style-type: none"> - Level floor flood - The roads are not closed, - Short term traffic congestion 	None	No need for Zakat distribution.
Moderate	<ul style="list-style-type: none"> - The water rises up, which requires evacuation. - The main roads close in the short period. 	The effect is minimal but there are losses and properties damage.	Zakat is given as one-off to those in need.
Major	<ul style="list-style-type: none"> - Places are flooded heavily and cut off in term of communication and road access. - Closed roads - High contents of mud, sand and debris. 	<ul style="list-style-type: none"> - Destruction of properties. - Residential places are destroyed - Provision Loss - Water and Electricity supply cut off - Lack of food and drinks - Difficult for helps to reach - Victims evacuate to relief centres - Exposure to water-borne diseases 	Zakah is given under <i>al-gharimin</i> recipients because the victims lose their livelihoods and homes are destroyed.

Sources: Researchers Analysis

Based on Table 3 above, not all the victims can be categorised as recipients of zakah, but major flood victims are eligible to be construed as recipients of *al-gharimin* without denying the rights of other victims from different categories to receive zakat as a one-off. This is because the damages suffered are different according to the level of the flood and those in major flood are in debts and need help the most to make ends meet. One-off zakat can be given to the flood victims in the moderate flood while for the major flood victims that lose their shelters and livelihoods are put under *al-gharimin* recipients by assessing the amount of money needed by the victims.

Therefore, the victims under *al-gharimin* recipients also the victims who are forced into debt to buy provisions, to repair the houses or their damaged shops and victims in need of treatment from water-borne diseases during floods. In addition, people who are in debt for

repairing flood damages such as mosques and roads can also be categorised as *al-gharimin* recipients. This categorisation is also relevant because the study found that the ratio of the three recipients to zakat distribution amount is too small. For example, the distribution of *al-riqab* recipients in 2007, almost all states except Negeri Sembilan, the percentage distribution to recipients does not exceed 1 percent and in some states, there are no distributions to the recipients. The overall average for all states is only 1.53 per cent. For *ibn-sabil* recipients, the overall average is only 0.37 per cent and *al-gharimin* is 3.55 percent (Wahid et al., 2009).

Conclusion

Determination of flood victims as zakat recipients is not a simple act, but a comprehensive study that should be carried out with the help of experts in the field of hydrology and social sciences. This is because the determination of the appropriate recipients can be done by looking at the level of the floods, the impact to the victims post-flood, and the type of losses suffered by the victims. With clear data obtained, a fair fatwa (decision) can be made without generalisations to all circumstances and the level of flooding that occurs.

Giving zakat based on the level of flooding is to guarantee the lives of flood victims after suffering damage from the flood disaster. By placing major flood victims under *al-gharimin*, the authority can assess the needs of victims more thoroughly than the one-off assistance. This is due to one-off aid may not be able to bear the damage suffered by victims as they lose their homes and source of incomes. By this determination of zakat, flood victims would get the justice they deserve.

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