**INTERNATIONAL JOURNAL OF LAW,
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(IJLGC)**www.ijlgc.com**MAQASID SHARI'AH FOR ELDERLY COHOUSING
DEVELOPMENT IN MALAYSIA**

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Abstract:

This paper presents the integrating elements of the principle of Maqasid Shari'ah in the context of elderly cohousing development in Malaysia. The concept of Maqasid Shari'ah, which refers to the objectives and goals of Islamic law, serves as a guiding framework for creating sustainable and inclusive living environments for the elderly population. The aging population in Malaysia is rapidly growing, necessitating the exploration of innovative solutions that address the needs for elderly to have an active living lifestyle. The findings proved that most elderly supported and agreed that the suggested cohousing development is beneficial towards the community, particularly the Muslim community. The study's objective is to find out Muslim's elderly views and support towards cohousing development for an active aging living. Primary data is collected from questionnaire distribution towards Muslim elderly in Selangor and Johor states in Malaysia. Qualitative data was collected from 641 respondents, and content analysis was applied to the interview data. The results indicate that the majority of respondents agreed on the suitability of cohousing development for Muslim elderly individuals with adherence to Maqasid Shari'ah governance. This research contributes to the emerging field of Islamic gerontology and presents a practical approach to designing and

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implementing elderly cohousing developments rooted in Maqasid Shari'ah principles.

Keywords:

Maqasid Shari'ah, Cohousing, Elderly Cohousing, Islamic Gerontology, Active Aging, Well-Being

Introduction

The aging population is a global phenomenon that presents unique challenges and opportunities for societies worldwide. Malaysia, like many other countries, is experiencing a rapid increase in its elderly population, leading to a growing need for innovative approaches to address the specific needs of the elderly (Tobi et al., 2017). In line with the principles of Islamic law, the concept of Maqasid Shari'ah provides a comprehensive framework that emphasizes the preservation of human well-being, social harmony, and justice. This study included the integration of the principles of Maqasid Shari'ah into the design and development of housing solutions for the elderly with a holistic and culturally sensitive approach to promote their overall well-being.

The concept of Maqasid Shari'ah encompasses the overarching objectives and goals of Islamic law, which include the preservation of faith, life, intellect, progeny, and wealth. While Islamic teachings emphasize the importance of respecting and caring for the elderly, there is a need to translate these principles into practical solutions that address their specific needs and challenges within the context of housing and community development. By incorporating the principles of Maqasid Shari'ah into the planning and design of elderly cohousing developments, Malaysia can take significant strides towards creating inclusive and sustainable communities that cater to the unique needs of its aging population.

This paper aims to present a comprehensive framework for the implementation of Maqasid Shari'ah in the development of elderly cohousing in Malaysia. Through an exploration of existing literature, best practices, and case studies, this research seeks to identify key principles and strategies that can guide the design and development of cohousing communities specifically tailored for the elderly population. This study offers practical insights and recommendations to create sustainable, inclusive, and culturally sensitive living environments for the elderly in Malaysia.

The integration of Maqasid Shari'ah principles in elderly cohousing development aligns with the broader concept of Islamic gerontology, which emphasizes the holistic well-being and dignified aging of individuals within an Islamic framework. By considering the physical, social, psychological, and spiritual dimensions of elderly residents, this approach goes beyond mere housing provision and fosters an environment that promotes active engagement, social integration, and a sense of purpose among the elderly.

By implementing Maqasid Shari'ah in elderly cohousing development, Malaysia can not only address the pressing needs of its aging population but also contribute to the broader discourse on sustainable and culturally sensitive housing solutions for the elderly in Muslim-majority countries. Furthermore, this research serves as a foundation for policy development and to

inspire future initiatives that prioritize the well-being and dignity of the elderly population while upholding Islamic principles.

In summary, this paper aims to explore the implementation of Maqasid Shari'ah in elderly cohousing development in Malaysia. By integrating Islamic principles, architectural design, and social considerations, the framework presented in this study seeks to create sustainable, inclusive, and culturally sensitive living environments for the elderly. The subsequent sections will delve into the key principles of Maqasid Shari'ah and their application in the design, planning, and implementation of elderly cohousing communities, offering practical insights and recommendations for policymakers, developers, and designers in Malaysia.

Cohousing Development

Cohousing development is an innovative housing model that emphasizes community, social interaction, and shared resources among residents. Originating in Denmark in the 1960s, cohousing has gained popularity worldwide as a response to the social isolation and disconnection prevalent in conventional housing arrangements. Cohousing communities are typically designed to foster a sense of belonging, mutual support, and sustainable living, making them particularly appealing to various demographic groups, including families, young professionals, and seniors (Williams, 2008).

The concept of cohousing revolves around the principle of creating intentional communities where individuals or families live in separate private units while sharing common spaces, facilities, and responsibilities (Williams, 2008). These shared areas often include communal kitchens, dining spaces, gardens, and recreational facilities. Residents actively participate in the decision-making process, governance, and maintenance of the community, encouraging a strong sense of ownership and connection (McCamant and Durrett, 2011).

Cohousing offers numerous benefits to its residents. It promotes social interaction, reduces social isolation, and provides a support network, particularly for individuals or groups who may be vulnerable to loneliness, such as the elderly (Glass and Norris, 2022; McCamant and Durrett, 2011). The shared spaces and collaborative atmosphere enable residents to engage in meaningful relationships, exchange knowledge and skills, and support each other as they navigate the challenges and joys of daily life (Brenton, 2011).

Within the context of an aging population, cohousing has emerged as a promising housing solution for the elderly. As individuals age, elderly housing needs often change, and conventional options may not adequately address their preferences and requirements (Tobi et al., 2017). Cohousing provides an alternative that prioritizes aging in place, community engagement, and social connections, promoting a higher quality of life for seniors.

Furthermore, cohousing can address specific challenges faced by the elderly, such as accessibility, affordability, and the provision of supportive services (Glass et al., 2009). By integrating universal design principles, cohousing communities can create living environments that are accessible and adaptable to the changing needs of elderly residents. Additionally, shared resources and economies of scale can help reduce costs, making cohousing an affordable option for seniors seeking housing alternatives (McCamant and Durrett, 2011).

In recent years, cohousing developments tailored to the specific needs of the elderly have gained attention worldwide. These communities often incorporate features like age-friendly design, healthcare facilities, social and recreational spaces, and support services to enhance the well-being and independence of their elderly residents (Bamford, 2005). By fostering a sense of belonging and social integration, these developments promote active and healthy aging, reducing the risks of social isolation and age-related health issues (Tobi et al., 2017).

Given Malaysia's rapidly aging population, there is an increasing need to explore housing models that cater to the unique needs and aspirations of the elderly (Jumadi et al., 2019). Cohousing development presents an opportunity to address these challenges by creating sustainable, inclusive, and socially connected communities (Lietaert, 2010). By integrating the principles of Maqasid Shari'ah into the design and implementation of elderly cohousing, Malaysia can further enhance the well-being and dignity of its elderly population while aligning with Islamic values and principles.

Active Aging Living

Active aging living is a concept that promotes the physical, social, and mental well-being of individuals as they age. It emphasizes maintaining an active and engaged lifestyle, enabling older adults to lead fulfilling lives and contribute to society. Active aging living aligns with the principles of Maqasid Shari'ah by focusing on the preservation of life, well-being, and dignity, as well as fostering social integration and productive engagement.

Within the context of elderly cohousing development, incorporating active aging living principles is crucial to creating an environment that supports the holistic well-being of elderly residents. By designing cohousing communities that facilitate active aging, the principles of Maqasid Shari'ah can be upheld and promoted in several ways:

Table 1: Active Aging with the Principles of Maqasid Shari'ah

Active Aging Elements	Active Aging with the Principles of Maqasid Shari'ah
Physical Well-being	The physical health of elderly residents should be prioritized through accessible design, exercise facilities, walking paths, and wellness programs. Ensuring that the living environment promotes physical activity, healthy eating, and easy access to healthcare services aligns with the principle of preserving life and well-being in Maqasid Shari'ah.
Social Integration	Active aging living recognizes the importance of social connections and interaction in maintaining overall well-being. Cohousing communities can provide shared spaces, communal dining areas, and social activities to encourage meaningful social engagement among residents. This promotes the preservation of relationships, social harmony, and productive interaction, which are integral to the principles of Maqasid Shari'ah.
Lifelong Learning	Creating opportunities for continuous learning and personal growth is another essential aspect of active aging living. Cohousing communities can offer educational programs, workshops, and skill-sharing activities that cater to the diverse interests and aspirations of elderly residents. By fostering intellectual stimulation and personal development, these

initiatives align with the principle of preserving intellect in Maqasid Shari'ah.

Spiritual Well-being	Maqasid Shari'ah emphasizes the preservation of faith, which encompasses spiritual well-being. Cohousing communities can incorporate prayer spaces, mosques, or gardens that provide a serene and contemplative environment for residents to nurture their spiritual connection. Engaging in spiritual activities and fostering a sense of transcendence aligns with the principle of preserving faith.
Purposeful Engagement	Active aging living encourages older adults to remain active contributors to society by engaging in meaningful roles and activities. Cohousing communities can create opportunities for residents to volunteer, mentor younger generations, or participate in community initiatives, enabling them to make meaningful contributions and fulfill their social responsibilities, which resonates with the principles of Maqasid Shari'ah.

Source: (WHO, 2015; McCamant and Durrett, 2011; Brenton, 2011; Radhi and Arumugam, 2019)

By incorporating the principles of active aging living within the framework of Maqasid Shari'ah, elderly cohousing developments can provide a supportive and enriching environment for elderly residents. This approach acknowledges the importance of holistic well-being and aligns with the Islamic principles of preserving life, well-being, faith, and social harmony. It reinforces the notion that aging should not be seen as a decline but as a stage of life to be embraced with purpose and active engagement.

Cohousing Development with the Compliance of Maqasid Shari'ah

In this study, the implementation of cohousing is concentrated on the Muslim elderly in Malaysia. Therefore, to enhance the suitability of cohousing towards the locality and culture of Malaysian Muslim elderly, the application of Maqasid Shari'ah is considered to be coherent with the cohousing development. Islamic Shari'ah is the Islamic principle that aims to enhance the well-being and peacefulness of human lives. There are three main components of Maqasid Shari'ah, which are the needs of daruriyyah (human necessities), hajiyyah (needs to ease human life), and tahsiniyyah (complementary purposes that lead to a better life). From the three human needs, the Maqasid Shari'ah filter the needs to five essential elements known as religion (ad-din), life (an-nafs), intellect (al-aql), descendants (an-nasl), and property (al-mal) (JAKIM, 2015).

Cohousing development that adheres to the principles of Maqasid Shari'ah aims to create inclusive, sustainable, and socially responsible communities that align with Islamic values. Table 2 represents the key considerations for cohousing development with compliance to Maqasid Shari'ah.

Table 2: Key Considerations for Cohousing Development with the Compliance of Maqasid Shari'ah

Principle of Maqasid Shari'ah	Cohousing Development with the Compliance of Maqasid Shari'ah
Preservation of Faith (<i>Hifz al-Din</i>)	Cohousing communities should provide spaces and facilities that enable residents to practice their faith. This includes designing prayer areas, dedicated spaces for religious gatherings, and access to religious resources. Encouraging religious observance and providing opportunities for spiritual growth and connection within the community are essential aspects of preserving faith.
Preservation of Life (<i>Hifz al-Nafs</i>)	Safety and security measures should be incorporated into the design of cohousing developments. This includes well-designed pathways, lighting, and accessibility features to minimize risks and accidents. Health and emergency services should be easily accessible to ensure the well-being and preservation of life for all residents.
Preservation of Intellect (<i>Hifz al-'Aql</i>)	Cohousing communities promote lifelong learning and intellectual stimulation. Incorporating libraries, learning centers, and educational programs regarding the needs and interests of elderly. These can contribute to the residents' intellectual growth and preservation of intellect. Encouraging knowledge exchange and providing opportunities for intellectual engagement are integral to the compliance of Maqasid Shari'ah.
Preservation of Progeny (<i>Hifz al-Nasl</i>)	Cohousing developments can incorporate family-friendly spaces and amenities that cater to intergenerational living. Creating environments that facilitate strong family bonds and intergenerational interactions that promote the well-being and preservation of the family unit. This includes common areas for family gatherings, children's play areas, and facilities that foster a sense of family cohesion.
Preservation of Wealth (<i>Hifz al-Mal</i>)	Cohousing communities should prioritize affordability, resource-sharing, and sustainable practices. Shared facilities and economies of scale can help reduce costs and promote efficient use of resources. Encouraging environmentally friendly practices, such as renewable energy and waste management systems, can contribute to the preservation of wealth for both individual residents and the community.
Social Harmony (<i>Hifz al-'Ard</i>)	Cohousing developments should foster a sense of community, inclusivity, and social cohesion. Creating shared spaces and organizing communal activities can promote social interaction and harmony among residents. Encouraging mutual support, cooperation, and participation in decision-making processes within the community are essential elements for achieving social harmony.

Justice (*‘Adl*) Ensuring fairness and equity within the cohousing community is crucial. This includes transparent governance structures, equitable allocation of resources, and addressing the diverse needs and concerns of residents. Upholding principles of justice in the distribution of responsibilities, decision-making processes, and access to community resources is fundamental to compliance with Maqasid Shari’ah.

Source: (Lak et al., 2020; Bosman, 2015; JAKIM, 2015; Kalache and Gatti, 2003)

By integrating these considerations into the design, planning, and implementation of cohousing developments, Malaysia can create communities that not only meet the housing needs of the elderly but also uphold the principles of Maqasid Shari’ah. These communities can serve as models of sustainable, inclusive, and spiritually enriching environments that prioritize the well-being and dignity of their residents, contributing to a more harmonious and socially responsible society.

Research Methodology

As stated by Creswell (2012), the research methodology flow started with the identification of research problem, literature review, formation of research objectives, data collection, data analysis, and the results and discussion. The main objective of this study is to identify the Muslim's elderly views and support regarding the cohousing development for active aging living alongside Maqasid Shari'ah compliance. The data collected are primary and qualitative data that contained the respondents' viewpoints towards the cohousing development. The respondents consist of Muslims elderly aged 50 to 70, staying in either Selangor or Johor state in Malaysia. The study area focuses on Selangor and Johor because the Department of Statistics Malaysia projects that the numbers of elderly are mostly from Selangor (16%) and Johor (12%) in the year 2020. The qualitative data collected are from the open-ended questions stated in the questionnaire, and the data are analyzed using Microsoft Excel. The data collected are analyzed and grouped among the same categories, then calculated and summed up with the frequency method. The analysis of demographic data of the respondents are stated in the next section.

Demographic Data

The respondents' demographic data are analyzed using the descriptive statistic, frequency analysis from the Statistical Package for Social Sciences (SPSS). The total data collected are 641, which are 308 from Selangor and 333 from Johor state. The first section of the questionnaire contained the question regarding the demographic information of respondents. The respondents' demographic data consist of variables regarding the gender, age, status, number of children, educational level, working status, working sector, state residents, and monthly income of the respondents. Table 3 simplified the demographic data of respondents with numbers of total frequency and percentage of the variables.

Table 3: Demographic Data of Respondents

Variables	Frequency	%
Gender		
Male	284	44.3%
Female	357	55.7%
Age		
50-55	267	41.7%

56-60	177	27.6%
61-65	127	19.8%
66-70	70	10.9%
Status		
Married	545	85%
Single	18	2.8%
Widow/Widower	78	12.2%
Number of children		
None	33	5.1%
1-3	218	34%
4-6	307	47.9%
7 and above	83	12.9%
Education level		
No formal education	28	4.4%
SPM and below	286	44.6%
Certificate/Diploma	118	18.4%
Degree	139	21.7%
Master/ PhD	70	10.9%
Working status		
Unemployed/Retired	275	42.9%
Working	366	57.1%
Working Sector		
None/Not related	275	42.9%
Government	102	15.9%
Private	101	15.8%
Self employed	100	15.6%
Business	63	9.8%
State resident		
Johor	333	52%
Selangor	308	48%
Monthly income		
Less than RM3,000	298	46.5%
RM3,000-RM6,000	194	30.3%
RM6,000-RM9,000	69	10.8%
RM9,000-RM12,000	34	5.3%
RM12,000-RM15,000	10	1.6%
More than RM15,000	15	2.3%
Missing	21	3.3%

As stated in Table 3, most respondents are female and aged around 50 to 55 years old. The range of respondents aged 50 to 60 years old is included in this study to expected the acceptance of the elderly in the future ten years. Most of the respondents are married, with 85 percent of the respondents are married. The number of children is considered under this demographic data to presume the size of the respondent's family. Surprisingly, many respondents are considered to have a large family with around 4 to 6 children. Since the respondents are Muslims elderly, the number of children is deemed to be acceptable. This is because Islam emphasizes the build of family through legal marriages and encourage the number of children with the safe right of children, as stated in the Maqasid Shari'ah elements of descendants (an-nasl).

The respondents' education level is mostly the Malaysian high-school certificate Sijil Pelajaran Malaysia (SPM) and below. The working status of the respondents is mainly working with 57.1 percent. Meanwhile, 42.9 percent are unemployed or retired. Therefore, the working sector stated that the not related or none working sector is the same as the non-working respondents with 42.9 percent. The number of governments, private, and self-employed working sectors is almost the same, around 100 respondents. Lastly, as stated in Table 1, respondents' monthly income is less than RM3,000 (46.5%), followed by RM3,000 to RM6,000 (30.3%). The respondents' range of monthly income has proven that the development of cohousing is supposedly affordable for middle to low-income people. The demographic data represents the state of most elderly, and it is essential to study the conditions and suitability of the cohousing development with the current or future state of the elderly.

Results and Discussions

The viewpoints of the elderly are obtained from the answers of the four open and ended questions regarding the development of cohousing that are aims to encourage the active aging living alongside the application of Maqasid Shari'ah elements. The specification of the questions is as stated in the Table 4.

Table 4: Questions Regarding the Elderly Views and Support on Cohousing

Question	Specification
Q1	What is your view on cohousing based on Maqasid Shari'ah? Is this suggest development could enhance the elderly active aging living?
Q2	Does the community development based on cohousing could improve the lifestyle of the elderly? What is your opinion on this matter?
Q3	What is your opinion on religious activities? Does it enhance the spiritual needs and become the fundamental aspect for cohousing development?
Q4	Does the proposal design of cohousing development based on social, physical, and religious factors develop a good neighborhood? What is your opinion on this matter?

Table 4 specified the questions regarding the elderly views and support on the cohousing development for active aging living with Maqasid Shari'ah compliance. The first questions is considering the respondents view on cohousing based on Maqasid Shari'ah and whether the suggested development would enhance the elderly active aging living. Figure 1 until 4 represented the elderly viewpoint. The figures shown the percentage of each group of answers by the respondents. The result for the first questions is shown in Figure 1.

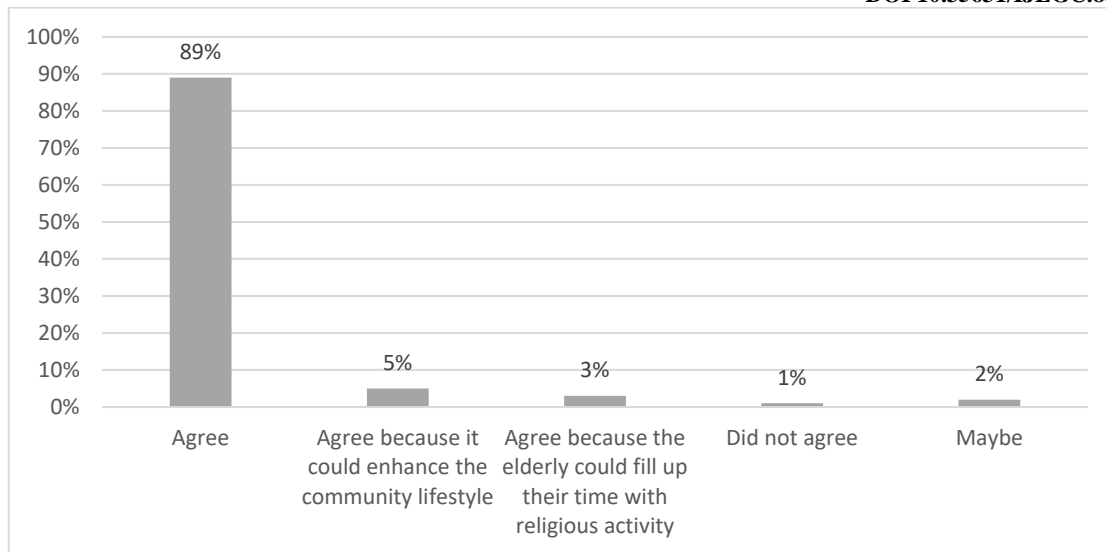


Figure 1: Elderly Views on Cohousing Based on Maqasid Shari'ah and The Enhancement of Active Aging Living

Figure 1 represents the group of answers from question one regarding the elderly views on cohousing based on Maqasid Shari'ah and how the suggested development could enhance the active aging living. Majority of respondents (89%) answer with the solid "Agreed" with the statement. Secondly, followed by the answer "Agree because it could enhance the community lifestyle". This statement supports the livelihood element of cohousing as it is favour by the elderly. The next view is that around 3% of the respondents answered with "Agree because the elderly could fill up their time with religious activity". It is known that cohousing provided support towards the residents with various activities (Sanguinetti, 2014), and religious activity could be considered part of the community engagement activities together. Around 1% of respondents did not agree with the statement, and 2% answered with the solid "Maybe". The respondents that did not agree with the statement stated that they prefer to live among others with different race or beliefs. Therefore, to simplify, the application of cohousing for Muslim elderly might not be preferable for every Muslim. However, the suggested development is preferred for most Muslims since most respondents stated that they agreed with the cohousing development.

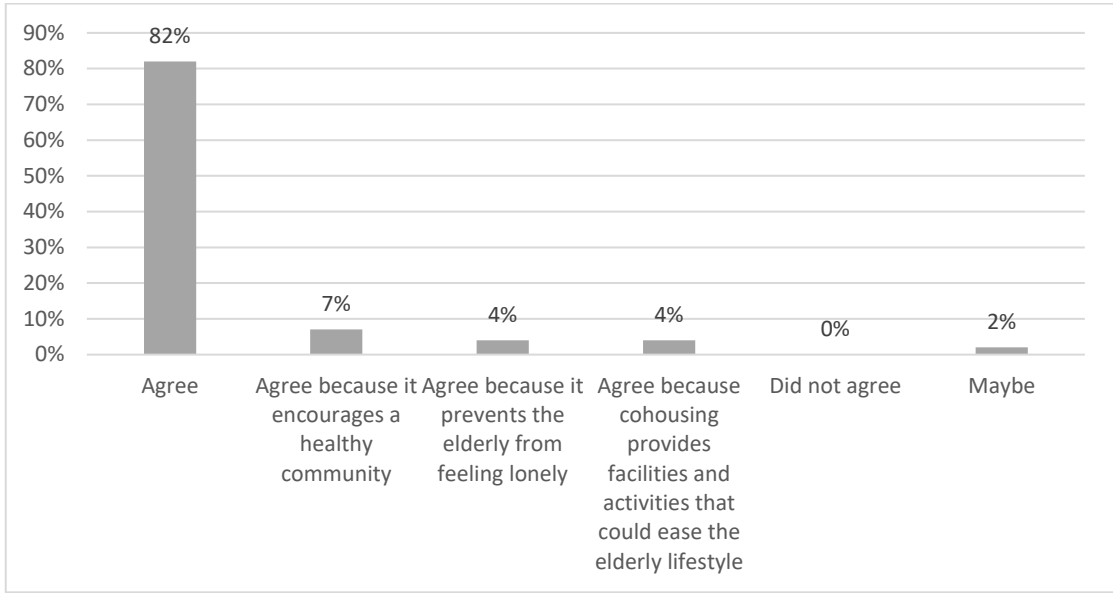


Figure 2: Elderly Views on The Improvement of Elderly Lifestyle from Cohousing

The respondent's answers for question two are portrayed in Figure 2. The elderly views on the improvement of lifestyle from the cohousing community show positive feedback since almost none of the respondents disagreed with the statement. Around 82% of respondents who represented the majority agreed that the cohousing community led to a better lifestyle. Meanwhile, 7% of respondents stated that they agreed with the statement because it encourages a healthy community. Moreover, about 4% of the elderly agreed because the cohousing community would prevent the elderly from being lonely. Another 4% of respondents agree because the cohousing development provides the facilities and activities that could ease the elderly's daily lifestyle. Only around 2% of respondents are uncertain about the outcome of the cohousing community. Therefore, most elderly approved the beneficial function of the community from cohousing.

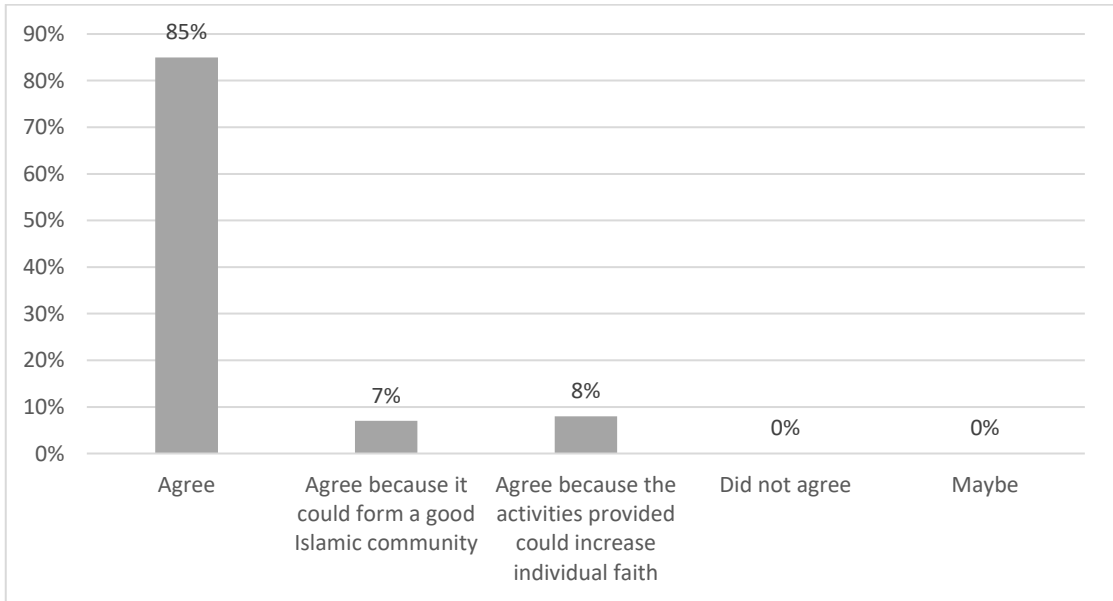


Figure 3: Elderly Views on The Important of Religious Activities as Part of The Cohousing Development

The elderly perspectives towards the importance of religious activities as part of spiritual needs on cohousing development are shown in Figure 3. The spiritual or religious activities became the fundamental of this suggested cohousing development when the application of Maqasid Shari'ah is implemented to develop and manage the cohousing. This statement received positive feedback from the respondents since none of the respondents disagree or uncertain about the outcome. Most of the respondents (85%) agreed that religious activities are crucial as part of the cohousing development. Around 7% of respondents stated that they agreed with the statement because it is possible to form a good Islamic community from the cohousing development. Meanwhile, about 8% of the elderly agree because religious activities could increase personal faith and belief. A significant part of Islamic values is considered vital among Muslims. Therefore, the application of Maqasid Shari'ah are highly supported and beneficial towards the Muslim lifestyle.

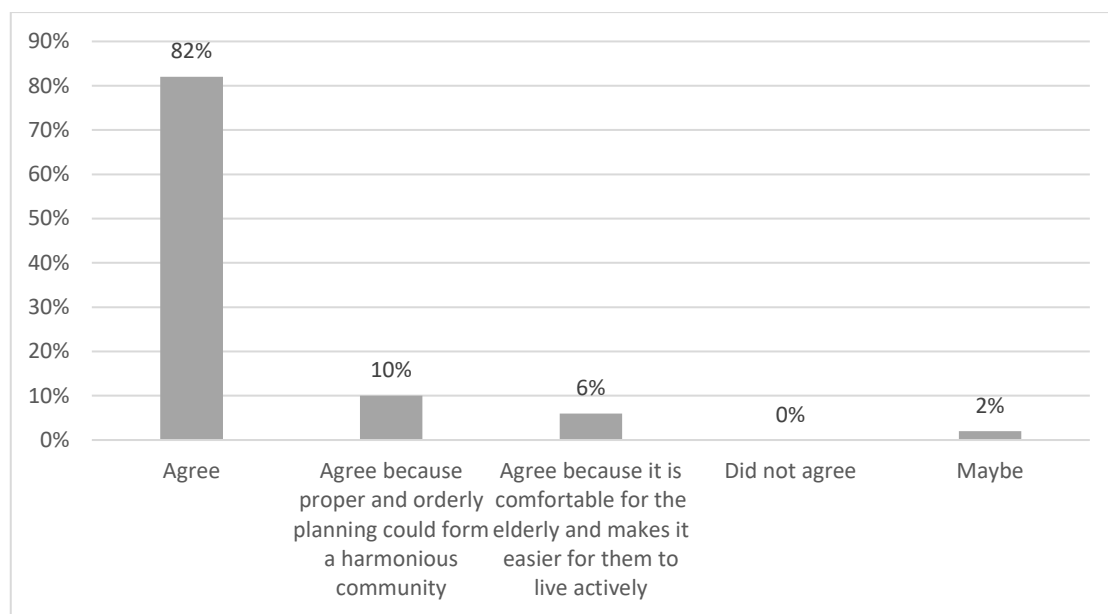


Figure 4: Elderly Views on The Proposal Development of Cohousing based on Social, Physical, and Religious Factors

Figure 4 addresses the answers of the elderly from the functional of the proposed development of cohousing based on the social, physical, and religious factors in developing a good neighborhood. Most elderly (82%) agreed that the proposed development could positively initiate a good neighborhood among Muslims. Around 10% of respondents agree because they view that the cohousing's proper and orderly planning could form a harmonious community. Meanwhile, about 6% of the elderly agree because cohousing could make the elderly comfortable and ease them to live actively every day. None of the respondents disagree, and about 2% of respondents are uncertain of the cohousing development outcomes. The respondents who unsure about the outcome stated that the development result might be varied among the elderly since different people have their own preferences in life. However, most respondents show positive feedback towards the suggested development of cohousing with the social, physical, and religious factors as the fundamental to develop a good neighborhood surroundings.

Conclusions

In conclusion, implementing Maqasid Shari'ah principles in the development of cohousing for the elderly in Malaysia offers a comprehensive framework that aligns with Islamic values, promotes inclusive living environments, and enhances the well-being of the elderly. By incorporating the preservation of faith, life, intellect, progeny, wealth, and social harmony into the design, planning, and implementation of cohousing communities, Malaysia can create sustainable, culturally sensitive, and socially responsible housing solutions. The integration of active aging living principles further reinforces the holistic approach, emphasizing physical, social, and spiritual well-being for elderly residents. The findings proved that most elderly supported and agreed that the suggested cohousing development is beneficial towards the community, particularly the Muslim community. The improvement of active aging living among the elderly could improve their physical health and positively impact their role in society. The proposed development covered the social, physical, and spiritual needs of the Muslim elderly from establishing the cohousing community. Islamic values are closely related to cohousing elements since individuals' needs to be a part of the community is always encouraged in Islamic teachings. Ultimately, this approach contributes in creating the communities that prioritize the well-being, happiness, and meaningful engagement with the elderly. Together in fostering a society that upholds Islamic principles and values.

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