

# ELDER FINANCIAL ABUSE FROM ISLAMIC PERSPECTIVE: A CASE STUDY

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## Abstract

*The aim of this paper is to explore experience of Malaysian elders on financial abuse within families from the perspective of Islam. Currently there is no uniformity in definition of financial exploitation of older persons. Commonly, World Health Organization defined it as 'the illegal or improper use of an older person's cash or other resources'. Evidence from Quran and Hadith has clearly described the demands from children for good treatment and highest respect to parents. This paper discussed the application of Quran and Sunnah through a case study to explore the understanding of financial abuse of older people by their own adult children. The study is a part of a qualitative study, conducted using phenomenology study design via an in-depth interview with the older adults who were purposively sampled through purposive and snowball approach. The NVivo 12 analysis software was used to analyse the thematic analysis. The paper concludes that Islamic perspective contributes to the understanding of the occurrences of financial abuse in families. It provides insight on why Islam encourages good family values in family institution and provides recommendations in practice to reduce the problem.*

**Keywords:** *Elder Financial Abuse, Older People, Islam, Domestic Violence*

## INTRODUCTION

Elder financial abuse of elderly people is a relatively isolated and hidden problem in Malaysia. According to a longitudinal study conducted among community dwellers in rural Kuala Pilah in the year 2016, financial abuse is the second most prevalent form of abuse after psychological abuse. Based on this study, elder mistreatment is prevalent in the community-dwelling population, with 13% experiencing financial exploitation (Sooryanarayana et. al., 2017). Following from that, in 2018, a community-based survey which includes 3977 respondents aged 60 years and more from both urban and rural localities across 13 states in Malaysia, found total of 301 respondents experienced overall abuse (psychological, financial, neglect, physical and sexual) and 37 respondents experienced financial abuse (Sooryanarayana et. al. 2020). The Royal Police Department of Malaysia reported a 20% increase in domestic violence cases involving older parents in the year 2020 compared to the previous year. This increase was attributed to adult children being severely impacted financially during this period because of restrictions to movement and unstable income, or lack thereof (Abd. Halim, 2020). Additionally, it was reported that most cases involved adult children

demanding money from their elderly parents because of sudden unemployment or being physically or socially unable to earn a living (Abd. Halim, 2020; Jayamanogaran, 2020). Although the prevalence of financial exploitation of older adults in Malaysia has been highlighted in the media and empirical studies, the number of reported cases remains surprisingly low (Yunus, Abdullah & Firdaus, 2021).

## **UNDERSTANDING ELDER FINANCIAL ABUSE IN MALAYSIA**

The main concept of this study is based on the definition of the WHO as a starting point to define elder abuse. "Elder abuse is a single, or repeated act, or lack of appropriate action, occurring within any relationship where there is an expectation of trust which causes harm or distress to an older person" (WHO, 2002). The definition is extended by adopting the definition of financial abuse by WHO as "the illegal or improper exploitation of funds or other resources of older persons" (2002, p.3). Based on the above, a relationship of trust necessarily implies that harm is done by people the older person knows or with whom they have a relationship, such as a spouse, partner or family member, a friend or neighbor, or people that the older person relied on for services, support or help (WHO, 2002). Despite this broad and wide definition, this concept of 'trust relationship' in this study only confine to 'family members, include nuclear and extended family and further exclude financial exploitation committed outside any trust relationship such as strangers or incidental criminal behavior.

The broad concept of definition of what constitute financial abuse is developed by professionals and little attention is given to the views of older people. There is a strong consensus between the researchers on the marked differences in professional's views and older people's perceptions in conceptualizing financial exploitation (Conrad et al., 2011b; Gilhooly et al., 2013; Gilhooly et al., 2016; Rabiner et al., 2005). Numerous studies have demonstrated that the culture and belief system of a particular community influences how older adults perceive financial exploitation, particularly when it involves family members (Mohd Yunus, 2021; Tan et. al., 2020; Myusk, Westendorp & Lindenberg, 2016). Strong belief systems in a population and conformity to a traditional culture and practice increase older people's tolerance to any form of exploitation (Sanchez, 1997; Lee et al., 2011; Chane & Adamek, 2015). Based on the literature, cultural consideration and tolerance plays a factor on how older people shape their perspectives. Literature has seen how knowledge and awareness influenced older adults' perception of financial exploitation. Increased levels of education may lead to a higher likelihood of recognition of financially exploitative situations. (Lee et al.,2011; Lee, Lee & Eaton, 2012). Some older population were not aware of such existence and perceived it as a rare occurrence in society, indicating a 'lack of awareness' of the problem (Dong et. al., 2011). This is supported by a study conducted in Malaysia, findings indicated that older adults exhibited an optimism bias and believed that incidents could only happen to wealthy older adults and only involves black magic (Ai Tan et al., 2020).

Numerous researchers have stressed the importance of older adults in perceiving their financial exploitation experiences by considering contextual or situational factors especially if the older parents lived together with adult children. In the context of family, older respondents did not identify an act of borrowing money with no intention of repayment as abusive act especially if the money was borrowed by their adult children. Here, we can see how older people exercise their own personal view rather than agreeing with the socially desirable opinions as agreed in the literature (Lee et al.,2011). Similarly, a study conducted by Ploeg, Lohfeld and Walsh (2013) the older male respondents' interpretation of financial abuse leaned towards 'denial' that it occurred within the community, whereas the women respondents leaned towards 'tolerance' for fear of losing state assistance which benefit them especially if they are not in good health. It is crucial to recognize the complexity in understanding elder financial exploitation especially involving family relationship.

### **ISLAMIC PERSPECTIVE ON RIGHTS OF PARENTS**

Islam is a beautiful religion which governs relationship between children and their parents. Parents are recognized to have high position in the family, based on Islamic family values. Evidently, Quran and Hadith of the Prophet place importance of recognizing the rights of parents. Children are required to be good and faithful to parents. It is the right of parents to be treated with kindness, obeyed, and honoured by their children. Children should avoid upsetting them and should seek their pleasure as much as possible. Pleasing parents is one of the most virtuous acts that is encouraged in Islam.

Islam put emphasize on the importance of respecting and providing good treatment to the parents. This can be seen in numerous verses in the Quran and Hadith describing the duty and responsibility of a child to his parents. The rights of parents have been enshrined in the Quran for example: Surah Al-Ankabut 29:8, "And We have enjoined upon man goodness to parents. But if they endeavour to make you associate with Me that of which you have no knowledge, do not obey them..." This verse has shown the importance of obeying parents' wishes but not to the extent that it defy the teaching of Islam. A child is also encouraged to give good treatment to his parents due to difficulty and sacrifices made by a mother during the gestational period of 9 months and also the difficulty of raising the child until fully grown after birth.

In Surah Al-Ahqaf 46:15, "And We enjoined upon man, to his parents, good treatment. His mother carried him with hardship and gave birth to him with hardship, and his gestation and weaning (period) is thirty months. [He grows] until, when he reaches maturity and reaches the age of forty years, he says, "My Lord, enable me to be grateful for Your favor which You have bestowed upon me and upon my parents and to work righteousness of which You will approve and make righteous for me and my offspring...". Notably, this verse has highlighted the importance of this value in a generational context where an adult child who reaches forty years of age is encouraged to continue being grateful for the blessings of his parents and pray that

his own children will reciprocate to being grateful and respectful toward him as a parent.

This message has been repeated in Surah Luqman 31:14 ; "We have enjoined on the human beings to be kind to his parents. In travail upon travail, did their mother bore them and in years twain was their weaning" (Saeidi et al., 2014). In one hadith of the Prophet (PBUH) narrated by `Abdullah bin `Amr: A man said to the Prophet, "Shall I participate in Jihad?" The Prophet PBUH said, "Are your parents living?" The man said, "Yes." the Prophet PBUH answered, "Do Jihad for their benefit." (Hadith. Al-Bukhari, Bab Al-Adab Juz 98:#5972). This hadith described the best form of Jihad that a child can exercised is to serve their parents.

Islam also teaches not only in terms of general context of being respectful towards parents but also the manner and the right communication to be practiced with parents especially older parents. Al-Isra:23, "And your Lord has decreed that you not worship except Him, and to parents, good treatment. Whether one or both of them reach old age (while) with you, say not to them (so much as), "uff" and do not repel them but speak to them with noble word.

Hadith of the Prohet PBUH, "when asked about the rights of parents upon their child: "He should not call his father by his name; he should not walk in front of him; he should not sit before him; and he should not be the cause of his father getting sworn at."

Islam also explain in numerous Hadith of the Prophet on the benefits of being good towards our parents. Some of the Hadiths include: "He who wishes to prolong his lifespan and increase his sustenance should do good his parents and keep ties with his kin." (Musnad Ibn Hanbal, vol. 4, p. 530). In another Hadith, Prophet mentioned: "The master of the righteous on Judgment Day is he who does good to his parents after their death." (Bihar al-Anwar, vol. 74, p. 86). Similarly, Prohet stated, "Blissful is he who does good to his parents, and Allah will increase his lifespan." (al-Adab al-Mufrad, p. 20). This values also reflect the manner on how the future offsprings will gives treatment to their parents for example, "Do good to your parents so that your children will do good to you." (al-Kafi, vol. 5, p. 554).

From the literature, Islam placed the role of parents above every other human. Muslims are encouraged to treat own parents with kindness and respect. Conduct of a child towards a parent must be in line with the Shariah teaching and Sunnah of the Prophet. Eventhough there is no specific ruling or *hukum* on elder abuse or elder financial abuse, clearly, an act of elder financial abuse by own children is against the Islamic principle and can be considered as grave sins (Bidin et al., 2019). An act of taking or misappropriation of parent's money or fund and sometimes couple with hurtful words or physical act clearly acts that is prohibited in Islam.

## **METHODOLOGY**

For this study, purposive and snowball sampling were chosen as the method for selecting participants to gather rich and detailed information. Morse (1994) concurred that a good informant possesses the necessary knowledge and experience, and is reflective, articulate and willing to participate in the study. Purposive sampling, according to Patton (2002), is used to elicit accurate and detailed information about specific research questions.

The primary method of recruitment includes distributing research flyers to each selected organization, institution and at community events. The technique of recruiting participants was by approaching the agencies and professionals who worked or came in contact with abused older people. These agencies and professionals played a role as intermediary persons between the researcher and the participants. This strategy was to ensure success in terms of victim's participations as well as gaining entry to the research site. The sensitive nature of the research as well as the negative stigma and taboo has made it difficult for effort to reach out participants. Additionally, participants were recruited through snowball sampling. According to Bradway (2005), the snowball technique is appropriate when the researcher is unable to identify useful information about participants, when participants are difficult to reach or when anonymity is a concern (Holloway & Wheeler, 2002).

This research enrolled a very small number of participants meeting the selection criteria. This reflects health problems, cognitive impairment and cultural sensitivity, particularly among Asians. However, Creswell (2018) asserted that a small sample size is sufficient for qualitative research. The number of participants required for a phenomenological study is determined by the depth and richness of each participant's description. According to Creswell (2018), a sample size of around six to ten participants is acceptable depending on the data quality and whether a saturation point is reached (Fusch and Ness, 2015).

The interview was conducted with a total of eight participants ranging in age from 61 to 86 years. Five females and three males participated and of different religions and races. After reaching the age of 60 years, all eight participants encountered financial exploitation by family members. Financial exploitation takes a variety of forms, including improper use of an elderly person's funds, adult children's sense of entitlement, unauthorised use of a bank account, entering a transaction involving legal documents without understanding them, caring for grandchildren and theft. Additionally, three participants had been victims of financial exploitation either by individuals not related to them or strangers, including theft. To protect their identities, all participants were given pseudonyms.

## **CASE STUDY: AN EXAMPLE OF ELDER FINANCIAL ABUSE**

Anggun a female aged 61 years, of Malay ethnicity and of Muslim faith. She had been divorced twice and was now living with her daughter, son-in-law and two grandchildren. She had four children from her first marriage and an additional two from her second marriage. She worked as a cleaner at a public university, earning

RM1,200 per month. She described her health status as not healthy as she had diabetes and high blood pressure.

Anggun is experiencing financial exploitation by having to provide for her adult children. She had been requested by her eldest daughter to pay a debt owed by her ex-husband but taken out in her name and that of her daughter. Reluctantly she gave her Amanah Saham Berhad (ASB; a saving scheme) in the amount of RM10,000 to her second daughter to finance her wedding. She added that it was normal for her adult sons to request money for their own spending. She expressed that her adult children would ask to borrow money from her; though the amounts may not be large, but this meant she could not enjoy her own money. She emphasised that most of the time, her son forgot to repay her money. At the time of interview, her second daughter had not been able to repay her ASB savings money, and continued to demand money from her mother every now and then. However, she defended them by saying that she understood that both her sons were looking for new jobs and she was helping them out. When asked whether she wanted to keep working, she answered that she knew her children were not able to be financially independent and she feared if she retired, no one was going to help them. She said that she enjoyed working but was disappointed that she could not use her money to treat herself. She said that she had pawned her jewellery to provide money for her children, and had not been able to redeem it. She was hoping that her children would help, but to no avail. She said that if her sons asked her for money, she would generally give them whatever money she had.

Upon reflection of her life events involving the above situations, Anggun believed it was unacceptable conduct for children to use their parents' money against their will. She also wished that children would understand that mothers, even in old age, still might value money to live and—more importantly—for after their death. Money is required for burial services, *fidyah* (a penalty for not carrying out certain religious duty) and other requirements imposed by religion as part of 'deeds after death'. She also wished that she and the rest of the older population could educate and advise their children on the value of money to older people. It is important to make them understand that old people have needs that their own children may not be able to provide for them. She was disappointed that most of her children chose to ignore this. She also believed that in extreme cases (where adult children started to injure the parents), parents should report incidents to the authorities. She added that if children do not take pity on their parents, why should their parents pity them. She admitted that reporting incidents would jeopardise the parent-child relationship but believed that doing so could serve as a lesson and punishment for children. She knew that in many cases children took advantage of their aged parents' money for their own benefit. She ended the conversation by emphasising that whatever happened, even though she only had a little money, she would keep on giving it to her children if they asked for it.

## DISCUSSION

The participant in the study expressed her experience with elder financial exploitation by her family members and consequently resulted to financial loss. When asked what the participant considered as a case of financial exploitation by family members, the participant described her experience by showing examples of wrongful conduct or violation of rights. In line with the literature and the definition of financial abuse by WHO, she defined it as an act of theft, misappropriation, deception to use money or property for their own benefit and one participant described it as deceived for repayment of borrowings. This wrongful conduct was a deliberate behaviour and knowingly has been committed against her by family in trust relationship. Anggun expressed how she must live with her adult sons that kept on asking her money and how her daughter and son in law deceit her to pay their debts. In line with Islam, this is not the value that has been stated in Quran and Hadith on how a child should treat his parents.

Anggun described her experience by acknowledging that if she continued to give money to her adult children, she would have no retirement savings. Anggun not only contributed to the household, but also occasionally assisted in the rearing of the grandchildren. Apart from that, she continued to give money to her sons and was also legally obligated to repay her former son-in-law's debts. She admitted that she wished to spend her own money on herself but was unable to do so because she was always giving money to her children. Consequently, Anggun suffered some emotional trauma and a great deal of mixed emotion, this was consistent with previous research. The emotional impact may manifest as embarrassment, stigma or psychological trauma (Dessin, 2003; Rabiner, 2005). This notion corroborated evidence presented by Lee and Eaton (2009) in their studies that highlighted on family values may contribute to emotional repression in victims of older adults, and it is safe to say that these values are all too familiar to the East Asian population.

As stated in Surah Luqman, 31:14; "We have enjoined on the human beings to be kind to his parents. In travail upon travail, did their mother bore them and in years twain was their weaning", adult child should always treat their parents with kindness." Adult children should not impose on obligation of paying own debt on their parents as this clearly would impose further financial obligation or financial commitment of third parties. When the participant wishes to enjoy their own money, as a child, he should honor the parents' wishes and ease their parents' affairs in old age.

Family expectations, family sacrifices and family obligations were all frequently expressed by participant regarding her experiences of financial exploitation. Anggun, viewed her experience of financial exploitation as a family sacrifice because of her current living situation. Anggun was a single mother who lived with her adult children, son-in-law and grandchildren and was expected to contribute to the household income. As a result, she viewed her experience of willingly giving money to her adult children as acceptable and a necessary form of sacrifice to remain a part of the family. According to Islamic perspective, one child

should not burden his parents with any financial obligations and asked the parents to repay for any expenditure that has been spent on them be it medical bills or the fact that they are living together in one household. This is equivalent to causing injustice to the parents and is against Islamic religion.

## CONCLUSION

Islam regard family relationship as one of the important principles in a family institution that needed to be protected and preserved. It has clearly prescribed guidelines in governing the relationship and rights between parents, children, and spouse. Elder financial abuse in a family is considered as domestic violence which need to be avoided. Though the cases are still underreported, this study suggest that the society can reduce such incidents if there is a strong Islamic foundation instilled in the hearts of younger generation and this is reflected when they are older through practice and knowledge of Islamic values and principles. Elder financial abuse can be prevented through public campaigns and social awareness that can be displayed in the society. Education based prevention also plays a vital role in effort to curb elder financial abuse in society. Older people empowerment through knowledge is needed to educate the rights of parents in Islam against such abuse. Perhaps, future research can be explored in developing a module to instil good family values to eradicate elder financial abuse based on Islamic teachings and principles.

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