

FROM CRISIS TO RECOVERY: GIG WORKER WELLBEING IN MALAYSIA THROUGH THE LENS OF MAQASID AL-SHARIAH

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Abstract: The COVID-19 pandemic drastically reshaped Malaysia's labour market, accelerating the growth of the GIG economy as millions turned to platform-based work for survival. Despite its rapid expansion, GIG workers in Malaysia remain highly vulnerable, with existing literature largely overlooking Islamic normative perspectives on worker wellbeing. This study employs a qualitative study to examine GIG worker wellbeing across three phases before, during, and after the pandemic through the framework of Maqasid al-Shariah, anchored in the protection of five essential human domains, namely Hifz al-Nafs (life), Hifz al-Din (religion), Hifz al-Mal (wealth), Hifz al-Aql (intellect), Hifz Nasl (lineage/family). It is anticipated that the study will reveal persistent gaps in the safeguarding of these five domains across all three phases, reflecting a systemic failure to protect the holistic wellbeing of GIG workers in Malaysia. Adopting a qualitative, conceptual approach grounded in policy and literature analysis, the study advances five propositions mapping Act 872 against the five Maqasid domains across the three pandemic phases. This article argues that integrating Maqasid al-Shariah into Malaysia's GIG economy governance offers a principled, human-centred, and values-driven framework for meaningful, human-centred reform has never been more urgent.

Keywords: GIG Economy, Maqasid al-Shariah, COVID-19, worker wellbeing, social protection.

1. Introduction

Research on GIG economy and GIG worker socioeconomic conditions in Malaysia has expanded as platform-mediated work reshaped employment after earlier digital labor trends. This transformation manifested as a massive migration toward the platform-based GIG economy. As traditional business closed their doors during consecutive Movement Control Order (MCOs) (Nawawi et al., 2023), platform-based work predominantly p-hailing (food, parcel and delivery) and e-hailing became unofficial, low-barrier socioeconomic safety nets for millions of displaced workers. Policy relevance remains high because Malaysia's GIG workforces estimated at about four million workers (Makhtar et al., 2024; Hed & Yahya, 2025)

2. Literature Review

2.1 The GIG Economy in Malaysia

Malaysia's GIG workforce has grown substantially since 2015, with ride hailing and delivery platforms absorbing a significant share of workers displaced from formal sector employment during the pandemic. Prior studies of GIG worker wellbeing in Malaysia have largely followed international literature in emplacing income volatility, the absence of employment benefits, and algorithmic management as the primary sources of worker precarity and subjective well-being trade-offs (Abd Samad et al., 2023; Abdul Rahman et al., 2023; Jaiyeoba et al., 2024). This body of work provides a valuable empirical baseline but remains conceptually anchored in a secular conception of wellbeing one centered on income, security and material welfare that does not extend to the meaning-making, moral and familial dimensions of work salient to a Muslim majority workforce (Makhtar et al., 2024; Azman et al., 2025)

The historical trajectory of Malaysia's GIG economy can itself be read through the three phases structure adopted in this paper (Zainuzi et al., 2025). Before the pandemic specifically during 2012 to 2019, the sector originated with the 2012 launch of My Teksi later rebranded Grab, which diversified from taxi-hailing (E-Teksi) into ride hailing, food delivery and logistics by the mid-2010's. formal regulatory recognition arrived only 2018, through the Land Public Transport (Amendment) Act 2017, but addressed transport safety and licensing along, leaving the rapidly diversifying non transport GIG segments entirely unregulated (Ahmad, 2020). During the pandemic, COVID-19 accelerated GIG-sector growth as displaced formal sector workers turned to delivery and freelance platform for survival income (Gupta & Achhnani, 2022), an expansion that occurred entirely within the pre-existing regulatory vacuum, since the 2017 e-hailing rules did not extend to delivery couriers or freelancers (Gonzalez et al., 2023). after the pandemic, the GIG Worker Act 2025 (Act 872) extended formal regulation beyond transport to the wider GIG workforce for the first time (Mohd Salleh et al., 2023), a genuine expansion in scope compared to the 2017 framework. In each phase, however, the scope of the GIG economy expanded faster than its governance (Abdullah et al., 2025).

To ground this historical and regulatory trajectory within the active labor market, this study delimits its focus to key operational platforms. While Malaysia's digital economy encompasses a wide array of recognized platforms, this research deliberately highlights a few dominant service providers that namely Grab, Foodpanda, ShopeeFood, and Lalamove. Together, these services represent the dominant pillars of the local GIG workforce across two main operational categories that are e-hailing passenger transport (Grab) and on-demand delivery and logistics (FoodPanda, ShopeeFood and Lalamove for food, groceries and parcel courier services). These specific platforms were selected because they account for the majority of location-based GIG worker in Malaysia, operate under similar algorithmic management structures like automated dispatching, dynamic pricing, and performance metrics), and reflect the regulatory shift from transport-focused rules to comprehensive coverage under GIG Workers Act 2025 (Act 872). Having established these specific platform contexts, the following section operationalizes the *Maqasid* lens to evaluate worker well-being across these services.

2.2 *Maqasid al-Shariah* as a Wellbeing Framework

The classical formulation of *Maqasid al-Shariah*, developed by *al-Ghazali* and later systemized by *al-Shatibi*, identifies objectives that Islamic law seeks to protect *Hifz al-Din*

(religion). *Hifz Al-Nafs* (life), *Hifz al-Aql* (intellect), *Hifz al-Nasl* (lineage/family) and *Hifz al-Mal* (wealth). This paper adopts the classical five-dimension structure in preference to contemporary expanded taxonomies Auda, 2007; Ibn Ashur, 2013 which extend *Maqasid* toward broader civilization objectives. The classical structure is preferred here for its parsimony and its direct applicability to individual level wellbeing assessment, which aligns with this paper's analytical focus on the lived experienced of GIG workers rather than macro-level civilizational discourse. Ishak et al., (2025) provide the most directly relevant prior application of *Maqasid*-based analysis to the Malaysian Islamic economics context, particularly in relation to the *Hifz al-Din* dimensions and their work informs the operationalization adopted in this paper.

2.3 The GIG Workers Act 2025 (Act 872)

This paper draws the GIG Workers Act 2025 as the introduction of a new formal regulative institution into labor domain previously governed primarily by informal norms and platform discretion. GIG Workers Act 2025 operates principally at the regulative level, establishing binding rules without necessarily altering the normative or cultural cognitive frameworks including religious and familial norms that continue to shape how GIG workers experience their work (Kementerian Sumber Manusia, 2025; Abdullah et al., 2025)

3. Methodology

This paper adopts a qualitative approach to trace the trajectory of GIG worker wellbeing across five *Maqasid al-Shariah* domains through three temporal phases and theorizing the relationship between formal institutional response and substantive wellbeing recovery. The three phase structure before, during and after the COVID-19 pandemic is treated as an analytical scaffold rather than a strict chronological report, allowing the same five domains to be traced consistently and compared across phases. Analysis therefore proceeds domain by domain rather than phase by phase for each *Maqasid al-Shariah* domain, the condition of GIG workers is assessed at each of the three temporal points referring to the secondary sources comprising academic literature, platform policy documentation and the explanatory materials from The GIG Workers act 2025 (Act 872). This structure allows the paper to distinguish not simply what changed across phases, but whether that change reflects genuine protection of domain in question, or not merely a nominal, partial response on the part of regulators.

4. Discussion

4.1 Operationalizing the Maqasid al-Shariah Lens in the GIG Context

A recurring methodological weakness in *Maqasid*-based organizational and economic research is tendency to invoke the five classical domains *Hifz al-Din*, *Hifz al-Nafs*, *Hifz al-Aql*, *Hifz Nasl* and *Hifz Mal* as abstract normative categories, cited for *Shariah* legitimacy but rarely translated into observable, sector specific phenomena. This study departs from that pattern by operationalizing each dimension through constructs grounded in the lived realities of GIG work. For instance, *Hifz al-Mal* through income volatility and algorithmic wage determination, and *Hifz al-Aql* through the cognitive demands of algorithmic control and platform dependency. In doing so, the study moves beyond symbolic citation toward a fully operationalized, sector specific instrument (Rahman et al., 2023; Razak et al., 2025)

Duderija (2014) mention in the book section that Kamali and subsequent scholars of Islamic legal theory have argued, the analytical *value* of *Maqasid al-Shariah* lies in its restatement as doctrine, but in *tanzil* that is the situated translation of a general objective into a specific context. these five domains into specific sector construct grounded in the lived realities of GIG work, such as income volatility and algorithmic wage determination under *Hifz al-Mal* and the cognitive demands of algorithmic control under *Hifz al-Aql*. In doing so, the study moves beyond the tendency in much of the existing literature to invoke these domains as abstract normative categories (Abdullah et al., 2024).

This final feature is particularly significant because it highlights a fundamental shift in the allocation of risk within the GIG economy. Unlike formal employment, where risks are shared among employers, the state, and workers, GIG work places the primary burden of economic and social risk on individual workers. This redistribution of risk has far-reaching implications for each of the five domains of the *Maqasid al-Shariah*, summarized in Table 1.

Table 1. Differentiated Consequences of Maqasid al-Shariah Domains

Maqasid Dimension	Classical Meaning	GIG Economy Manifestation
<i>Hifz al-Din</i>	Protection of the individual's capacity to practice faith and uphold religious obligation	Compatibility of algorithmic scheduling with prayer times, perceived halal status of platform income, ethical conduct expected of workers
<i>Hifz-al Nafs</i>	Protection of physical safety and psychological integrity	Road traffic risk for delivery/ ride hailing workers.
		Psychological strain from rating system and algorithmic penalties.
<i>Hifz al-Aql</i>	Protection and cultivation of sound reasoning and knowledge	Access to digital or financial literacy training.
		Platform provided upskilling informed decision making on earnings and terms.
<i>Hifz al-Nasl</i>	Protection of family continuity and integrational welfare	Income adequacy for dependents. Absence of employer-linked Employees' Provident Fund (EPF) and Social Security Organization (SOCSO) continuity.
		Household stability implication.
<i>Hifz al-Mal</i>	Protection of legitimate property and economic security	Income volatility from algorithmic demand allocation.
		Commission structures absence of guaranteed wage floor pre-Act 872.

Source: Author

Several features of this operationalization warrant further elaboration. Under *Hifz al-Din* the tension is not merely logistical but has a doctrinal dimensions that is whether a worker delivering a worker delivering non halal goods or accepting rides to premises of ambiguous moral standing, bears responsibility for the transaction is a live question within Malaysian Islamic discourse, and one that platform terms of services do not address. Under *Hifz al-Nafs*,

this paper distinguishes between acute physical risk something like road traffic accidents, which are episodic and insurable and chronic psychological risk like rating system anxiety, which continuous and structurally embedded in the platform's operating model (Lim, 2022).

Meanwhile, under *Hifz al-Aql*, the concern extends beyond formal upskilling access to a more subtle epistemic asymmetry that is work frequently lack visibility into the algorithmic opacity, and which bears directly on a worker's capacity for informed economic reasoning. Under *Hifz al-Nasl*, the domain is operationalized not merely as current income adequacy but as the worker's capacity to plan across generational time this include the retirement provisions, children education and continuity of household support in the event of injury or incapacity. None of which independent-contractor status structurally provides for. Under *Hifz al-Mal*, the analytical focus falls specifically on the asymmetry of information and bargaining power between platform and worker in the setting of commission rates and dynamic pricing algorithms, and the asymmetry that a wage floor addresses only partially, since it constrains the lower bound of earnings without addressing the structural power differential that produces volatility in the first instance (De Stefano et al., 2021)

4.2 Before the pandemic: Precarity as Background Condition

Prior to 2020, GIG work in Malaysia operated largely at the margins of labor market that being supplementary income stream for students, part time workers, and those seeking flexible hours around existing obligations (Mat Nor et al., 2025). Under these conditions, threats to the five *Maqasid* domains existed but were diffuse and individually absorbable. Income volatility was real but rarely the sole determinant of household survival. Road safety risk was present but understood as an accepted tradeoff for flexibility, religious observance was rarely in direct economic tension with platform demands, since most workers retained the meaningful option to log off without existential consequence.

A 2017 industry survey found that 66 percent of full-time freelancers in Malaysia had no retirement plan and 66 percent of Malaysian freelancers had no retirement plan meanwhile 33 percent had no personal savings plan (Mohd Daud et al., 2024), to address this lack of retirement safety nets among self-employed individuals, attention must be directed toward the Employees Provident Fund (EPF/KWSP). As Malaysia's primary social security institution, EPF manages compulsory retirement savings and delivers consistent annual dividend returns. To bridge the gap for informal and GIG economy workers, EPF launched i-Saraan, eligible members enjoy compounding annual EPF dividends alongside a special government matching incentive and personal income tax relief, providing a structured framework to improve long-term financial security for Malaysian freelancers. While at the macro level, Khazanah Research Institute data show the share informal, own-account workers in Malaysia rising from 17.4 percent in 2008 to 19.4 percent by 2018, a trend that KRI itself interprets as evidence of an underlying structural transformation of labor market. read together, these micro and macro level indicators shows that income insecurity and social protection gaps were already entrenched well before the pandemic disrupted labor markets (Sazali & Tan, 2019b). Uchiyama et al. (2022) analysis of Malaysia's GIG Economy similarly situates this period terms of pre-existing labor market inequality and inadequate social protection architecture rather than pandemic induced shock. Through the Guy Standing's precariat framework, this pre-pandemic condition reflects a workforce already structurally positioned outside the entitlements associated with standard employment that is lacking stable income, benefits and occupational identity well before COVID-19 became a contribution accelerant (Kolar Vasudeva, 2026). This positions the pandemic, in the paper's subsequent discussion, not as the origin of GIG worker

precarity but as a stress test that exposed and intensified vulnerabilities already present in the pre-crisis structure of platform work (Hidayah et al., 2025).

Prior to the onset of the COVID-19 health and economic crisis, the GIG economy in Malaysia was widely promoted by policymakers and platform corporation as a transformative engine for youth employment, labor market flexibility and digital innovation (Economic Planning Unit, 2017). Beneath this celebrated narrative of autonomy and lower barrier entrepreneurship, however, lay a structural reality, labor precarity was already the institutionalized background condition (Sazali & Tan, 2019a) for hundreds of thousands of platform worker. Rather than being an exceptional byproduct of the pandemic, systematic vulnerability was an embedded feature of Malaysia's pre-2020 GIG landscape.

4.3 During the Pandemic: Acceleration into Systematic Crisis

The Movement Control Order (MCO) period converted GIG platforms from a peripheral labour option into critical economic infrastructure, absorbing millions of workers displaced from formal sector employment (Zakaria et al., 2023). This acceleration exposed each *Maqasid* domain to acute, rather than background, pressure. Under *Hifz al-Din*, workers newly dependent on platform income faced sharper trade-offs between religious observance and shift acceptance than the pre-pandemic baseline had ever required. Under *Hifz al-Nafs*, continued road exposure during public health emergency combined with acute psychological strain from unpredictable demand. Under *Hifz al-Nasl*, GIG income shifted from supplementary to primary for many households. A shift not matched by any corresponding extensions of family welfare protection (Hasan et al., 2022). Under *Hifz al-Mal*, the volatility that had been manageable before the pandemic became, for many, acute and unpredictable.

Beyond this domain by domain description, this paper advances a more substantive claim that the five *Maqasid* domains are not independently vulnerable but structurally coupled once GIG income assumes a primary household function. Pressure on *Hifz al-Mal* does not remain contained within the wealth domain, it propagates into *Hifz al-Din*, by altering the workers calculus for accepting or declining a shift around prayer times, and into *Hifz al-Nasl*, by making family welfare directly contingent on the same calculus. this coupling effect, in this paper's view, the central mechanism through which the pandemic transformed latent, individually absorbable precarity into acute, systemically distributed crisis and one that a domain siloed policy response, addressing wealth alone, is structurally unable to interrupt (Othman et al., 2022).

4.4 After Pandemic: Formal Response, Systemic Failure to Protect

Act 872's enforcement in March 2026 marks Malaysia's first dedicated legal response to GIG worker precarity and its provisions a wage floor, procedural protection against arbitrary termination, SOCSO coverage for occupational injury and disease that will engage directly with *Hifz al-Mal* and a portion of *Hifz al-Nafs*. Assessed against the transmission pathways established in the pandemic phase, however the Act's reach does not extend evenly across the five *Maqasid* domains it would need to address for recovery to be substantive rather than nominal (Ishak et al., 2025). The paragraphs below examine each remaining domain in turn, showing that the transmissions channel identified during the crisis phase persist into the recovery phase largely unaltered.

A worker's exposure to algorithmic control remains unchanged by Act 872, because the Act contains no provision addressing the opacity of task allocation, rating, or deactivation

system like the *Hifz al-Aql* transmission channel identified in the pandemic phase persists into the recovery phase unaltered. The act's transparency provisions extend to the service agreement and payment terms are applied in practice (Mat Nor et al., 2025). *Hifz al-Nasl* in term of family welfare's dependence on a worker's task acceptance calculus remains unchanged by Act 872, because the Act contains no provision recognising household or dependent-care obligations as a legitimate constraint on task acceptance. The *Hifz al-Nasl* transmission channel identified in the pandemic phase persists into the recovery phase unaltered. The act protects the individual workers as a contracting party, with no corresponding provision for the household that depends on that worker's income (Lim, 2020). *Hifz Nafs* exposure to non-occupational illness remains largely unchanged by Act 872, because the Act's SOCSO coverage extends only to work related accidents and occupational disease, the broader *Hifz al-Nafs* exposure identified in the pandemic phase persists into the recovery phase, narrowed but not resolved (Razak et al., 2025).

Across all five domains, then the Act 872 registers as a recovery in regulatory form a new statute, a new tribunal, a new consultative body without a corresponding recovery in the substantive wellbeing conditions those domains represent. Four domains remain structurally untouched, and the fifth is only partially addressed (Hidayah et al., 2025). The post-pandemic phase not as recovery, but as continued precarity under a changed legal surface.

4.5 Synthesis Across the Three Phases

Table 2 traces how each *Maqasid* domain evolves across the three phases. What stands out most is not any single striking result, but the absence of one, no domain fully resolves in any phase. Vulnerabilities that were latent before the pandemic intensify during it, then persist, largely unaddressed, into the recovery period. It is thus pattern consistent across every domain and every phase, rather than any one outlying result, that substantiates this paper's central claim of systematic failure.

Table 2. The Gap Across the Three Phases

Maqasid Domain	Before Pandemic (Latent Gap)	During Pandemic (Acute Gap)	After Pandemic (Persistent Gap)
Hifz al-Din	Religious observance formally unconstrained, but institutional protection existed even at baseline.	Religious observance by survival-driven acceptance-rate incentives, gap widens with no institutional counterweight.	Act 872 contains no provisions for religious accommodation in algorithmic scheduling.
Hifz al-Nafs	Road safety risk present with no platform duty of care obligation.	Elevated physical exposure compounded by acute psychological strain, absorbed entirely by the worker.	Physical safety provisions exist under Act 872, but rating system driven psychological strain remains unregulated.
Hifz al-Aql	No structural upskilling obligation platforms.	Learning capacity constrained by survival-mode work intensity.	No upskilling or digital literacy mandate introduced
Hifz al-Nasl	Family welfare dependent entirely on individual worker discretion.	GIG income becomes primary household support with no corresponding welfare extensions.	Dependency normalized in policy discourse without EPF continuity or dependent welfare provisions.
Hifz al-Mal	Income volatility present with no wage floor	Volatility becomes acute and unpredictable at scale.	Act 872 introduced a wage floor, but enforcement scope and informal worker coverage remain unsolved.

Source: Author

5. Propositions

Following the synthesis of gaps across the pre, during and post-pandemic phases presented above, this section distills the five propositions into corresponding policy recommendations, as summarized in the Table 3. This mapping demonstrates that the systematic failure identified across the five *Maqasid al-Shariah* domains carries direct and actionable implications for reform under Act 872.

Table 3. Propositions, Key Findings, and Recommendations Across the Five Maqasid al-Shariah Domains

Proposition & Maqasid Domain	Key Finding (Gap)	Recommendation	Justification
P1: <i>Hifz al-Din</i>	No formal instrument, including Act 872, provides for religious accommodation in algorithmic work design.	Mandate religious-accommodation clauses in platform-worker agreements.	Addresses a domain currently absent from any regulatory instrument across all three phases.
P2: <i>Hifz al-Nafs</i>	Physical-safety provisions are formalized (via SOCSO), but psychological strain from rating systems remains unregulated.	Introduce a transparency/ appeal mechanism for rating-based deactivation, plus a platform-funded mental health support requirement.	Closes the gap between formalized physical protection and unregulated algorithmic or psychological risk.
P3: <i>Hifz al-Aql</i>	No structural change across the three phases. There is still no regulation mandates upskilling or digital literacy support.	Introduce a mandatory upskilling/digital literacy provision, potentially financed via a platform training levy.	Targets a domain with zero regulatory movement pre, during, and post-pandemic.
P4: <i>Hifz al-Nasl</i>	Volatile GIG income and the absence of long-term contractual guarantees hinder workers' ability to plan major life milestones (marriage, family formation, homeownership), yet no provision in Act 872 addresses this structural instability.	Introduce a medium-term income stabilization mechanism such as a tenure-based earnings floor calculated on average earnings over a defined service period to enable long-term financial planning for GIG workers.	Addresses the structural root cause (income volatility) rather than only its downstream symptom, consistent with <i>Hifz al-Nasl's</i> function as protection of generational continuity, not merely individual financial protection.

Proposition & Maqasid Domain	Key Finding (Gap)	Recommendation	Justification
P5: <i>Hifz al-Mal</i>	Act 872 does not mandate transparency in algorithmic pricing or payment calculation, yet the extent and mechanisms of such practices remain empirically undocumented in the Malaysian context.	Mandate algorithmic transparency safeguards under Act 872 (disclosure of pay-calculation basis, advance notice before contract-term changes), supported by dedicated empirical research into digital contract practices to establish the evidence base needed for enforceable standards.	Identifies both a regulatory gap (no transparency mandate) and a research gap (undocumented practices), positioning the recommendation as urgent precisely because the mechanism is currently unverifiable reinforcing the need for the qualitative empirical work this study lays groundwork for.

Source: Author

5.1 Theoretical and Policy Implications

The analysis developed in this section carries two implications that extend beyond the Malaysian case. Theoretically, it suggests a refinement to how The Gig Worker Act 2025 (Act 872) is applied to labor market reform in Malaysia. The mere existence of a formal regulative institution should not, on its own, be read as evidence of substantive protection especially when the wellbeing construct at stake is shaped by normative and cultural cognitive content, such as religious observance, that the institutions was never designed to address. Practically, the analysis suggests that policy instruments aimed at *Maqasid* congruent recovery cannot be designed as extensions of existing secular labor policy templates with minor amendments. They require independent design informed directly by the five domains this paper has traced and by the coupling effects between them.

6. Conclusion

This paper examined GIG worker wellbeing in Malaysia across three phases of the COVID-19 pandemic through the lens of *Maqasid al-Shariah*, tracing five essential domains namely *Hifz al-Nafs* (life), *Hifz al-Din* (religion), *Hifz al-Mal* (wealth), *Hifz al-Aql* (intellect), *Hifz Nasl* (lineage/family). Starting from a pre-pandemic baseline through acute pandemic era crisis to the post pandemic regulatory response embodied in the GIG Worker Act 2025. The analysis finds that Malaysia's GIG economy governance, evaluated against these five domains, has not delivered recovery in any holistic sense. It has narrowed one domain while leaving four others structurally unaddressed across three full phases of crisis and response. A governance model that can register this pattern only in the language of wages and compliance, and not in the language of faith, family, safety and intellect is not equipped to protect the population it governs. This paper therefore argues that integrating *Maqasid al-Shariah* into Malaysia's GIG economy governance offers principled, human-centered and value-driven framework capable of registering the harms that secular regulatory paradigms structurally cannot see. this is not

proposed as a symbolic gesture towards Malaysia's Muslim majority workforce, but as a diagnostic necessity without such a framework, policymakers will continue to mistake compliance with Act 872 for the wellbeing of the workers it was written to protect. Given the systematic failure documented across all three phases of this study, meaningful, value-driven reform of Malaysia's GIG economy has never been more urgent.

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