

ISLAMIC FINANCIAL WISDOM: EXAMINING HIBAH AWARENESS IN ISLAMIC WEALTH MANAGEMENT AMONG MUSLIM COMMUNITIES

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ABSTRACT

Nowadays, the existence of unclaimed property upon the owner's death is keep increasing. Hibah is one of estate management planning in Islam, which is not widely practiced by Muslims in this country. Most of Malaysian Muslims do not understand the concept of hibah because of inadequate knowledge plus they do not really expose with the implementation of hibah. Moreover, they are facing difficulties to whom they should refer to manage their property due to the lack of exposure of hibah practice. This research paper aims to explore the level of hibah awareness as an alternative mechanism in Islamic wealth management among Muslim residents in Seremban, Negeri Sembilan. Hence, this study carries out the objective to ascertain the awareness of hibah as an alternative mechanism in Islamic wealth management among Muslim residents in Seremban, Negeri Sembilan. This study used quantitative method with a self-administered questionnaire. Data were collected from 110 respondents of Seremban residents in Negeri Sembilan state. The result shows that most of the respondents have a very excellent and strong

awareness of *hibah* as one of wealth management mechanisms. It is believed that the educational background of the respondents might influence the positive findings.

Keywords: *hibah*, Islamic wealth management, awareness, muslims

1.0 INTRODUCTION

Islamic wealth management is a crucial and essential area that warrants attention, particularly among the Muslim population in Malaysia. The essential difference between estate planning for non-Muslims and Muslims lies in the fact that Muslims estates are subject to the Islamic inheritance law, which then makes the estate planning process for Muslims more complicated as compared to non-Muslims (Md Razak et al., 2015). The major challenge is that many Muslims unfortunately still do not plan on how to manage their wealth distribution to avoid future conflict (Basah & Tahir, 2019). In fact, it is observed that there is lack of awareness in the public on the importance of estate planning in Malaysia (Noordin, Ismail, Abd Rahman, Haron, & Abdullah, 2016). Various Islamic wealth mechanisms are recommended in Islam, including *faraid*, *wasiyyah*, and *hibah*. This study aims to examine the concept of *hibah*, as it holds significant relevance in the context of Islamic wealth management and several issues arise which triggered the need to address this matter (Abu Bakar, Md Fauzi, & Hashim, 2020).

In the context of contemporary practise in Malaysia, the use of *hibah* has been expanded as a sort of supporting financial instrument inside the major Islamic financial services provided by several Islamic financial institutions. This is a commercial *hibah* that is attached to other types of main Shari'ah-based contracts of product or service such as the contract of sale and purchase (*al-bay'*), lease (*al-ijarah*), pawn (*al-rahn*), company (*al-syarikah*), profit and loss sharing (*al-mudharabah*), and saving (*al-wadiah*), including takaful product. The act of offering *hibah* by Islamic financial institutions to their consumers is carried out in the form of an encouragement, dividend, or consolation in order to motivate their customers to continue placing their money in the Islamic banking account (Hassan & Mohamad Zaizi, 2020).

Given the recognition of *hibah* as a very efficacious method for distributing one's financial resources, it is crucial to enhance public awareness regarding the benefits of employing *hibah* as a viable resolution to the predicament of frozen assets in Malaysia. Ahmad, Ab Majid, Abdullah, Minhad, and Ismail (2017) suggests that in order to mitigate any issues, it is important for the broader populace to be educated on the dissemination of *hibah*. In addition to the lack of an established *hibah* legislation, it is imperative to prioritise the enhancement of public awareness regarding the utilisation of *hibah* as an alternative means of property allocation. In order to ensure the future effectiveness of *hibah* implementation, it is crucial that this issue be approached with a high level of seriousness (Azmi, Nik Saleh, & Zakaria, 2021).

Despite the considerable significance and several advantages associated with the concept of *hibah*, there exists a notable degree of uncertainty among a big number of Muslims in Malaysia over the appropriate means of distributing their

assets. The prevailing perception among Malaysians is that estate planning is exclusively reserved for individuals of affluent status. Furthermore, there is a notable lack of awareness among the general public in Malaysia regarding the need of estate planning, which is a matter of concern. The analysis reveals an increasing prevalence of frozen estates in Malaysia over time. According to Ahmad, Kamaruddin, Yaacob, Ali & Mohamed Azudin (2019), there was a significant amount of frozen assets in 2011, totalling RM42 billion. This amount continued to increase in the subsequent year, reaching RM45 billion, and eventually reaching a cumulative total of RM48 billion in 2012. Hence, the primary objective of this research is to determine the extent of *hibah* awareness as an alternative mechanism in the domain of Islamic wealth management within the Muslim community residing in Seremban, Negeri Sembilan.

2.0 LITERATURE REVIEW

Al-Zuhayli (1996) gives the Shariah definition of *hibah* as a contract that delivers the consequences of ownership transfer of an asset from the original owner to other people during his lifetime without the need for any consideration. According to Muda (2008), the *hibah* holds significant importance in Islamic law since it serves as a crucial mechanism for property planning and development. In the context of Islamic law, the term "*hibah*" pertains to the conveyance of assets that takes place during the lifetime of the individual providing the *hibah*. This strategy is widely embraced within the Islamic community due to its efficacy in mitigating potential misunderstandings and property disputes between parties, provided that it is employed appropriately and in accordance with the principles of *syara'*. The *hibah*, an integral component of Islamic wealth management, holds significant importance and boasts a rich historical background. *Hibah* refers to the act of transferring a valuable asset from one individual to another during their lifetime, without receiving compensation in return. The initial form of *Hibah* is regarded as a *tabarru'* contract, wherein it is established without any malicious intent on the part of the involved parties. The act of giving *hibah*, as promoted within the Muslim community, serves to uphold the principles of *Maqasid Al-Syari'ah*, namely in relation to the preservation of wealth and the cultivation of interpersonal relationships (Hassan & Mohamad Zaizi, 2020).

According to Azhar and Md Nor (2019), *hibah* refers to presents of any kind, whether they be in the form of *'ain* (physical gifts) or in another form, such as charity donations or other gifts. All three of these terms refer to the same object in different ways. The difference rests in the motivation for giving, alms is a gift meant to earn a reward in the hereafter, and it is typically given by the wealthy to the poor, but a gift is intended to honour a person and is generally related to something tangible or immaterial. In conclusion, alms and gifts are both considered *hibah*, however not all *hibah* are considered alms and gifts.

Among the characteristics or criteria that must be present in the *hibah* contract are as follows (Muda, 2008) :

- i. An *akad* (contract) of granting property ownership to a specific party.
- ii. The property that can be given as *hibah* is a physical (*'ain*) property and not debt or benefits/interests.

- iii. *Hibah* contract is made without imposing any compensation in return (*'iwad*).
- iv. *Hibah* contract is in effect during the lifetime of the *hibah* provider.
- v. It is made voluntarily without coercion.
- vi. The contract is made with no intension to receive reward or honour a particular person.

Hibah awareness comprehends a methodology for achieving and fulfilling the requirements of Islamic wealth distribution. The concept of *hibah* awareness fosters a recognition among individuals regarding the importance of adhering to Islamic principles when it comes to the distribution of wealth as can be seen from the qur'anic verse below:

Meaning: “*And give the women [upon marriage] their [bridal] gifts graciously. But if they give up willingly to you anything of it, then take it in satisfaction and ease.*” (Al-Nisa’ (4): 4)

Prior studies have primarily examined *hibah* as an alternative mechanism, rather than emphasising the need of enhancing understanding and implementation of *hibah* practises. The awareness of *hibah* enhances an individual's comprehensive comprehension of the methods employed in the distribution of wealth in Islamic contexts. The implementation of the *hibah* legislation in Shari'ah courts in Malaysia is hindered by a deficiency in comprehension (Muda, 2008).

In contemporary times, individuals exhibit a greater inclination towards the practise of *hibah*, which involves the distribution of their assets to their close relations, as opposed to adhering strictly to the principles of *faraid*. The presence of numerous challenges in the management of wealth in accordance with the principles of *faraid* is the underlying reason for this circumstance. Instances of the concerns include instances where certain beneficiaries of the deceased individual have exhibited a lack of cooperation owing to their daily obligations, as well as instances where dissatisfaction has arisen among them in relation to the allocated amounts supplied to each individual.

The situation becomes more problematic when the court proceedings must be delayed until all of the children are present on the scheduled day of the court hearing. The potential consequence of this situation is the potential postponement of wealth distribution to children who may be experiencing difficulty and urgently require the inherited wealth to sustain their livelihoods. Consequently, this delay may result in the violation of the rights that should be rightfully granted to each beneficiary. Consequently, individuals are increasingly choosing *hibah* as a viable alternative to *faraid* in the management of their wealth, in order to mitigate the potential adverse outcomes associated with the latter (Abu Bakar et al., 2020).

The prevalence of unclaimed inheritance or asset freezing has become a significant concern among the Muslim population in Malaysia (Abd Latib, Ahmadun, & Yaakub, 2022). This highlights the gravity of the issues at hand and underscores the imperative to address matters pertaining to administration and management in the context of inheritance property distribution. This tendency gives rise to numerous concerns and challenges. Resolving the issue becomes increasingly challenging. The lack of development of properties poses significant disadvantages

for the Muslim community, since it hinders the utilisation of billions of dollars in property worth that might potentially stimulate economic growth and address the issue of poverty in Malaysia (Shafie, Wan Yusoff, & Syed al-Edrus, 2014).

In this regard, *hibah* is one of the important instruments in the management of inheritance property. However, the level of awareness among public about *hibah* is not convincing. Realizing the fact that *hibah* is considered as one of the best alternatives available to distribute someone's wealth, it is important to educate the public about the advantages of choosing *hibah* as a solution for problem of frozen assets in Malaysia (Azmi et al., 2021). Until 2020, the media reports that some RM70 billion in assets had been frozen in the country due to what has been described as the inefficient management of *faraid*, or the Muslim inheritance system (Zulkifli, 2022). This discussion does not mean to say that *wasiyyah* and *faraid* is no longer significant in Muslim assets management but its practice is a bit hassle with the interference from other institutions or parties i.e. confirmation or declaration from state land office, direct or indirect individuals involvement, management issues which contribute to the postponement and lateness resolution to the cases which may take years sometimes, as well as the jurisdiction of the courts to hear the cases (Yusof & Ahmad, 2013).

3.0 METHODOLOGY

The research methodology employed in this study is quantitative research. The choice of this research instrument is determined by the aim of this study, which is to examine the extent of awareness regarding *hibah*. Bhandari (2023) posits that the quantitative research method includes the systematic gathering and examination of numerical data. The utilisation of data analysis techniques proves beneficial in the identification of patterns and averages, the formulation of forecasts, the examination of causal relationships, and the generalisation of conclusions to broader populations. Consequently, the focus demographic for this study encompasses the entirety of the Muslim population, irrespective of their employment status, educational pursuits, or attainment of a degree. The present study utilised a convenience sample methodology to conduct an exploratory investigation due to its expediency and simplicity.

This study centres on the communities in Seremban, Negeri Sembilan as the research participants. The reason for this is that Seremban holds a significant position as a capital of Negeri Sembilan and more than 50% of its population are Muslims (City Population, 2020). The study's research participants primarily consist of respondents who are Muslims aged 21 years and older. The population of Muslim residents in Seremban in 2020 was 411,915 (City Population, 2020). However, only a total of 110 respondents from diverse origins, residing in Seremban, Negeri Sembilan, can be collected for the study. The study additionally placed emphasis on individuals who are engaged in academic or professional pursuits, as *hibah* constitutes a significant facet within the realm of property management.

The data for this study was collected through a range of methodologies, including the utilisation of online questionnaires administered via Google Forms. Data was collected through the researcher's inquiries directed towards the study participants, employing pertinent, user-friendly, and efficient methods. All responses

have been recorded for data collection, and they reveal the potential to identify the sources from which the respondents derived their level of knowledge. The questionnaire was administered using a bilingual approach, incorporating both English and Malay languages.

The researchers conducted a thorough analysis of the participants' data, taking into consideration factors such as age, work status, Islamic financial background, and several other variables. The researchers generated summaries for each topic that was responded to by the participants and then documented them. The study commenced with a thorough data collection process involving all participants, who were required to provide responses to all designated questions within the prescribed timeframe. The researchers thereafter present a recapitulation of the supplementary data and information section, allowing participants an opportunity to voice any concerns if the provided responses are deemed irrelevant to their circumstances.

4.0 FINDINGS AND ARGUMENTS

The study effectively collected data from a sample of 110 participants, comprising 52.7% male respondents and 47.3% female respondents. These findings suggest that the survey had a higher participation rate among male respondents in comparison to female respondents. The survey results indicate that a significant percentage of the participants fell within the age range of 20-29 years, including 39.1% of the total respondents. This was closely followed by individuals aged 30-39 years, accounting for 30.9% of the sample. Subsequently, the age cohort of 40-49 years old was the third most substantial segment of the participants, accounting for 27.3% of the total responses. Lastly, it is worth noting that the age groups of 50-59 years old and over 60 years old make the least contributions, accounting for 1.8% and 0.9% respectively.

The majority of participants in the study are married, accounting for 65.5% of the total responses. Conversely, the remaining participants are single, comprising 34.5% of the sample. In terms of educational attainment, the majority of respondents are represented by master's degree students, comprising 43.6% of the sample. This is closely followed by bachelor's degree students, accounting for 43.6% of the respondents. Subsequently, a proportion of 15.5% of the respondents can be attributed to those possessing a diploma, while the remaining 8.2% of the sample population is comprised of individuals currently pursuing a PhD. A majority of the respondents, specifically 51.8%, lack a background in Islamic finance, whilst the remaining respondents possess a background in Islamic finance.

Most of the participants are employed in the public sector, constituting 55.5% of the total sample. This is followed by respondents who are currently pursuing their education, accounting for 33.6% of the sample. Furthermore, the analysis reveals that a little 10% of the respondents' job experience is derived from the private sector, indicating a minimal contribution. Additionally, it is worth noting that only one respondent, constituting a mere 0.9% of the whole sample, reported being retired. In relation to the category of working experience, it is observed that individuals with experience ranging from 5-10 years and those with less than 5 years of experience both account for 28.2% of the total. The category with the lowest percentage of

respondents is individuals lacking any prior work experience, comprising 19.1% of the sample.

Table 1: Demographic Profile

Demographic Profile	Frequency	Percentage%
Gender		
a) Male	58	52.7
b) Female	52	47.3
Total	110	100
Age		
a) 20 – 29 years old	43	39.1
b) 30 – 39 years old	34	30.9
c) 40 – 49 years old	30	27.3
d) 50 – 59 years old	2	1.8
e) Above 60 years old	1	0.9
Total	110	100
Marriage		
a) Married	72	65.5
b) Single	38	34.5
Total	110	100
Academic		
a) Diploma	17	15.5
b) Bachelor's Degree	36	32.7
c) Master	48	43.6
d) PhD	9	8.2
Total	110	100
Islamic Financial Background		
a) Yes	53	48.2
b) No	57	51.8
Total	110	100
Work		
a) Student	37	33.6
b) Government Worker	61	55.5
c) Private Sector Employee	11	10
d) Retired	1	0.9
Total	110	100
Working Experience		
a) Below 5 years	31	28.2
b) 5 years – 10 years	31	28.2
c) Above 10 years	27	24.5
d) No working experience	21	19.1
Total	110	100

Since the objective of this study is to explore the awareness of *hibah* as an alternative mechanism in Islamic wealth management, respondents need to indicate their answers by using the Likert scale, which are type ranging “1 for strongly

disagree, 2 for disagree, 3 for neither agree nor disagree, 4 for agree, and 5 for strongly agree”. Based on this research, this study was designed to examine the following questions:

- I am aware of the existence of *hibah* as one of wealth management mechanisms.
- I am aware that one of the *hibah* purposes in Islam is to ease wealth distribution.
- I am aware that *hibah* is based on Shariah Principles.
- I am aware that gift giving is part of *hibah*.
- I know that *hibah* is good for me and my society.

The initial inquiries in this section pertained to the level of awareness among respondents on the presence of *hibah* as a method for managing wealth. Based on the data shown in Figure 1, the results suggest that the participants possess a considerable degree of knowledge regarding the presence of *hibah* as a mechanism for managing wealth.

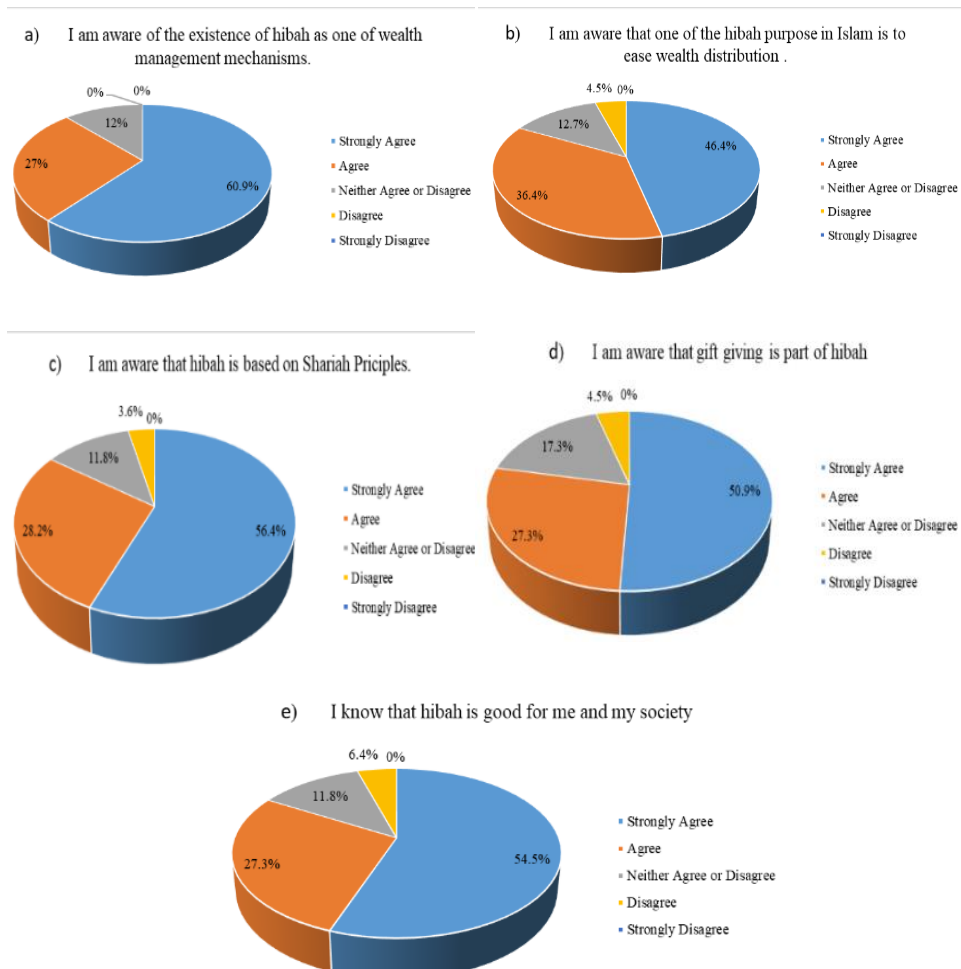


Figure 1

The findings indicate that a significant majority of 87.9% of the participants express agreement with the given proposition. The data suggests that the mean score for this question is 4.49 (Table 2), indicating that a significant proportion of the respondents had a substantial level of awareness regarding the presence of *hibah* as a method for managing wealth. For instance, similar to the research findings of Abd Latib et al. (2022), there is a notable degree of awareness of *hibah* among the population of UiTM. It was noted, meanwhile, that they had restrictions on their power to sway contributors.

The second query in this section asks about the respondent's awareness regarding the objective of *hibah* in Islam, which is to facilitate the distribution of wealth. The statistics indicate that the participants exhibited a significant level of understanding on one of the objectives of *hibah* in Islam, which is to ease the wealth management. Based on the data presented in Figure 1, it can be observed that a majority of respondents, specifically 82.8%, expressed agreement with the statement, whereas a significantly smaller proportion, specifically 4.5%, indicated disagreement. Simultaneously, the mean score for this inquiry was 4.25 (Table 2), suggesting that a significant proportion of participants possess an understanding that one of the objectives of *hibah* in Islam is to facilitate the distribution of wealth. A similar previous study by Kamis & Abd. Wahab (2022), the responses highly demonstrated that they are aware of and knowledgeable about the *hibah* asset.

The third question in this section seeks to ascertain the respondent's awareness on the foundation of *hibah* on Shariah principles. Based on the data shown in Figure 1, it can be observed that the participants possessed a moderate level of comprehension regarding the Islamic foundations of *hibah*. A significant majority of approximately 84.6% of respondents concur that *hibah*, a financial concept, is fundamentally rooted in the principles of Shariah. Conversely, a mere 3.6% of participants express dissent towards this assertion. The mean score for this question was 4.37 (Table 2), suggesting that a significant proportion of participants demonstrated a strong and comprehensive comprehension of the fact that *hibah* is based on Shariah principles. This is supported by the mean score obtained for this particular question. Additionally, the mean score obtained for the question concerning the foundation of *hibah* on Shariah principles was notably high, indicating a strong and comprehensive understanding among a significant proportion of participants. This aligns with the general trend observed in such studies, emphasizing the common understanding of the Islamic foundation of *hibah* within the sampled population.

The fourth query within this portion pertains to the extent of their comprehension about the notion that gift-giving constitutes an integral aspect of *hibah*. Based on the data shown in Figure 4, it can be observed that the respondents possessed a moderate level of comprehension on the foundational basis of *hibah* in accordance with Shariah principles. A significant majority of approximately 78.25% of respondents express agreement with the proposition that gift giving can be seen as a component of *hibah*, while a mere 4.5% hold a contrary viewpoint. In relation to this inquiry, the calculated mean score was determined to be 4.25 (Table 2). In the research by Zainol et al. (2019), examined the subject of unequal property ownership among Muslims and proposed that *hibah*, or inter gift, would be a useful

strategy for reducing disagreements and difficulties when allocating money to successors.

Lastly, and maybe of utmost importance, the concluding inquiry in this section pertains to the participants' understanding of the benefits of *hibah* for both themselves and their community. Based on the findings depicted in Figure 5, it can be inferred that the participants possess a considerable degree of awareness regarding the benefits of *hibah*, both for themselves and their community. Based on the results, it can be observed that a majority of respondents, specifically 81.8%, expressed agreement with the given statement. This finding aligns with the average score of 4.3, as indicated in Table 2. For instance, a study by Kamis and Abd. Wahab (2022), focusing on charitable giving found that individuals who believed in the positive impact of their donations on both personal well-being and community development showed higher propensity to donate regularly.

Based on the results, it is evident that a majority of the participants possess a high degree of awareness of *hibah* as a method for managing wealth. This conclusion contradicts earlier studies which indicated a low level of *hibah* awareness (Azmi et al., 2021; Noordin et al., 2016). Based on the analysis of the demographic profile, it is evident that a significant proportion of participants possessed a considerable level of education, exemplified by the attainment of a bachelor's or master's degree. This observation suggests that those with higher educational qualifications exhibit a notable degree of attentiveness and knowledge regarding the concept of *hibah*. In summary, the level of awareness pertaining to *hibah* is found to be substantial and resilient among the Muslim populace residing in Seremban, Negeri Sembilan.

However, the amount of awareness among all things can be effectively assessed by examining the mean score for each question, as presented in Table 2. Based on the provided table, it is evident that the question "I am aware of the existence of *hibah* as one of the mechanisms for managing wealth" exhibits the highest mean value of 4.49. Conversely, the questions "I am aware that one of the purposes of *hibah* in Islam is to facilitate the distribution of wealth" and "I am aware that gift giving is an integral aspect of *hibah*" demonstrate the lowest mean values of 4.25. The findings indicate that a majority of the participants possess knowledge regarding the utilisation of *hibah* as a strategy for managing wealth.

Table 2: Mean Score for Level of *Hibah* Awareness

No.	Questions	Mean Score	Percentage (%)	Interpretation
1	I am aware of the existence of <i>hibah</i> as one of wealth management mechanisms.	4.49	89.82	High
2	I am aware that one of the <i>hibah</i> purposes in Islam is to ease wealth distribution.	4.25	84.91	High
3	I am aware that <i>hibah</i> is based on Shariah Principles.	4.37	87.45	High

4	I am aware that gift giving is part of <i>hibah</i> .	4.25	84.91	High
5	I know that <i>hibah</i> is good for me and my society.	4.3	86	High
Average		4.33	86.62	High

5.0 CONCLUSION

In conclusion, the findings indicate that a majority of the participants possess a high level of knowledge and understanding regarding *hibah*, which is recognised as an effective strategy for managing wealth. There is a belief that the educational background of the respondents could potentially impact the favourable findings. This study holds significant benefits for society as a whole. This study holds significance for Muslims in their comprehension of *hibah*, since it pertains to a crucial domain that necessitates awareness for all individuals. Furthermore, *hibah* offers numerous benefits to various stakeholders, including future researchers, academicians, university students, employers, and authoritative bodies. Lastly, it is hoped that this study would assist scholars in identifying other options to further enhance Muslims understanding of *hibah*.

However, it is to note that the findings of this study cannot be extrapolated to the entire Muslim population residing in important Seremban, as the sample size used in the study is somewhat small in relation to the overall population size. Hence, it is advisable to increase the sample size in future research endeavours and to incorporate additional variables such as knowledge, attitude, and social impact for examination. Lastly, future researchers can broaden their scope by conducting more comprehensive investigations on methods to provide an Islamic resolution for enhancing the level of *hibah* awareness among Muslims.

Author Contributions

Wan Jusoh, W.N.H., Conceptualization, methodology, writing-original draft preparation. Abu Bakar, M.A.S., validation and editing.

Conflicts of Interest

The manuscript has not been published elsewhere and is not under consideration by other journals. All authors have approved the review, agree with its submission and declare no conflict of interest on the manuscript.

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