INHERITANCE INSIGHTS: UNVEILING FARAID AWARENESS IN KUALA LIPIS, PAHANG

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ABSTRACT

The distribution of property among deceased heirs can be resolved by the implementation of Faraid, which is a recognised method. The role of faraid in the management of estate distribution is significant; yet, if not administered and comprehended correctly, this method of wealth transfer might give rise to certain issues. According to estimates in Malaysia, a significant sum of RM42 billion in Muslim inheritance has remained undistributed to its legitimate heirs due to various challenges. Several elements have been recognised as contributing to the issue, including the inefficiency of the administrative system, the attitudes of the community, and the attitudes of the heir. Moreover, the limited dissemination of information regarding the legal principles of faraid contributes significantly to the prevailing lack of awareness of the application of scientific methodologies in the process of Islamic inheritance division. The objective of this study is to examine the extent of awareness on faraid within the Muslim community. This research utilised a quantitative approach by administering an online questionnaire to the Muslim community in Kuala Lipis, Pahang. Convenience sampling was employed to gather data, resulting in a sample size of 102 participants. The results indicate that a significant proportion of the participants has a considerable degree of awareness on

faraid. However, this conclusion is limited in its ability to generalise to the broader community due to the small sample size relative to the population size. Hence, it is very advisable to increase the sample size for future research endeavours.

Keywords: Faraid, Awareness, Knowledge, Muslims, Malaysia

1.0 INTRODUCTION

The term "faraid" refers to a partition that is established in accordance with Islamic principles for the distribution of inheritance among the rightful heirs. Furthermore, the concept of *faraid* can be elucidated within the framework of figh of inheritance, which provides individuals with the knowledge of their rightful portion in the assets left behind by a deceased individual (Ab Aziz & Nordin, 2015). The distribution of property among deceased heirs can be addressed through the implementation of faraid, which is a recognised method for resolving such matters. The primary concern for the beneficiaries is to ascertain the individuals who are entitled to inherit the property and determine the respective proportions of their shares. The concept of faraid exerts a significant influence on both individuals and the broader Muslim community. One of the benefits associated with faraid is its potential to enhance the intellectual and socio-economic well-being of Muslims. This is supported by an authoritative hadith which asserts that faraid constitutes fifty percent of all knowledge. During the period spanning from the late 1960s to the late 1980s, Muslim scholars specialising in economics engaged in discussions over the potential of faraid to establish a well-structured economic system inside society.

From an economic standpoint, the implementation of *faraid* has resulted in the augmentation of both male and female contributions to the nation's wealth, thereby fostering the development of a thriving society. Furthermore, it has been observed as compelling proof against capitalism according to *faraid*'s perspective. This phenomenon can be attributed to the equitable distribution of property and money, as opposed to their exclusive accumulation by a single individual (Zuleika & Desinthya, 2013). The acceptance of the *faraid* property is contingent upon the heirs satisfying specific conditions. Those individuals who are deemed entitled to inherit the property include those who possess a biological kinship with the deceased, are connected by a marital bond, and adhere to the Islamic faith. *Faraid*, also known as Islamic inheritance, refers to the process of transferring the property of deceased Muslims to their heirs for the purpose of ensuring their survival. However, it is important to acknowledge that there exist some impediments to the inheritance of such property. These barriers include instances of murder, enslavement, and religious differences (Echchabi & Musse, 2014).

In Malaysia, it is customary for the distribution of *faraid* to be conducted in a proper manner, ensuring that it is allocated to the rightful beneficiaries upon reaching the age of 18 years, as per established norms. The maintenance and potential appreciation of a property can be achieved by proper division, allowing for investment opportunities (Bahar, Shahwan, & Hamdan, 2019). Subsequently, Hasbullah et al. (2021) assert that the Muslim community currently perceives property management as a multifaceted issue fraught with numerous challenges. In

order to facilitate the partition of property, individuals have the option to engage with three specific entities, namely Amanah Raya Berhad, the Court, and the Department of the Director General of Lands and Mines. Each of these three agencies possesses unique responsibilities and functions, although collectively they work towards addressing the challenges associated with estate management. Malaysia has encountered numerous challenges pertaining to frozen and unclaimed properties. The individuals' decision-making was likely shaped by the information disseminated throughout the Muslim community, which conveyed that the administration of estates is intricate and burdensome (Hasbullah et al., 2021). Zulkifli, Batiha, & Qasim (2018) asserts that there is now a lack of comprehensive instruction on the subject of faraid in educational institutions, including schools and colleges. They primarily rely on books and conduct online research to gather information. In order to address this issue, it is recommended to develop and deploy applications that serve to enhance the accessibility of knowledge pertaining to faraid among the Islamic community. Thus, this study aims at examining the extent of awareness on faraid within the Muslim community.

2.0 LITERATURE REVIEW

The term "Faraid" originates from the Arabic term "faridha" which, in turn, is derived from the singular term "fard". The term "fard" denotes the concept of being predetermined or destiny. The concept of faraid knowledge pertains to the partition of inheritance, also known as al-tarikah knowledge, which is intricately linked to the assets and possessions left behind by the deceased individual (Muhamad Noor, Wan Mokhtar, and Rashid, 2019). It is imperative for property owners to acquire a fundamental understanding of matters pertaining to faraid, in order to effectively strategize the distribution of their assets during their lifetime. By doing so, the process can be executed with meticulous planning, ensuring seamless management and minimising the likelihood of disputes, disagreements, and conflicts among the beneficiaries in the future. The proposed property must adhere to the conditions stipulated in Islam (Yaakob et al., 2020). Allah SWT said in Surah Al Baqarah, verse 240:

Meaning: "And those who are taken in death among you and leave wives behind - for their wives is a bequest: maintenance for one year without turning [them] out. But if they leave [of their own accord], then there is no blame upon you for what they do with themselves in an acceptable way. And Allah is Exalted in Might and Wise."

The verse implies the significance of engaging in estate planning during one's lifetime to safeguard the rights of the beneficiaries and prevent their abandonment. Furthermore, it is imperative for a Muslim individual to engage in a systematic and accurate estate planning process. This ensures that their well-being is adequately attended to by their beneficiaries and safeguards them from any instances of deceit or exploitation (Yaakob et al., 2020).

The study of *faraid* pertains to the issue of distributing the assets of a deceased individual, and it has been demonstrated that a comprehensive

understanding of *faraid* holds significant importance among the Muslim community. In contemporary times, there appears to be a diminished emphasis on the incorporation and utilisation of *faraid* knowledge within the framework of academic evaluation, be it at the primary or tertiary level of education. It is widely advised that persons acquire knowledge in property management, as it provides a fundamental understanding of maintaining balanced property management in accordance with the principles of Shariah. If Muslims fail to prioritise the management and division of property, it might lead to unfavourable consequences and potentially disrupt the Muslim community (Muhamad Noor, Wan Mokhtar, & Rashid, 2019).

In Islam, Allah allows man to accumulate wealth in the world as found in the Quran in Surah Al Furqan, verse 47:

Meaning: "And He it is Who makes the night as a robe for you, and sleep as repose, and makes the day (as it were) a resurrection."

According to the verse above, it is evident that Allah instructs individuals to pursue lawful means of subsistence within the earthly realm. This sustenance refers to material affluence, including income, possessions such as vehicles, and a comfortable place of habitation. The acquisition of assets must adhere to the principles of halal, in accordance with Islamic law and in compliance with the prohibitions set out by Allah. Allah SWT also exhorts His devotees to allocate the funds acquired through their diligent efforts towards charitable contributions in accordance with the principles of Islam. According to Islamic teachings, it is prohibited to squander our resources, since Allah SWT has enjoined upon us to be mindful of our wealth and refrain from being reluctant to share it with others. Following the demise of a slave, it becomes necessary to allocate the property among the designated beneficiaries in accordance with the Islamic inheritance framework. In Malaysia, there is a noticeable presence of unclaimed and frozen properties, with a documented upward trend over time (Kamarudin & Hisyam, 2018).

The primary function of *faraid* is to offer guidance and advice to individuals within the Muslim community regarding matters pertaining to inheritance. In the event of a Muslim's demise, it is imperative to ascertain the process by which the deceased's assets are transferred. Muslim individuals should therefore turn to the principles of their faith, as exemplified in the concept of *faraid*. This doctrine can be employed to assess the degree of faith exhibited by a Muslim who adheres to it. According to Syarifuddin (2015), engaging in actions that align closely with the teachings of Islam might lead to Allah SWT providing encouragement and praise in the context of inheritance. This religiosity may be divided into two sections. The first is an understanding of the Islamic world, and the second is an understanding of the Islamic personality. Consequently, one could contend that religion is a profound domain that significantly impacts an individual's awareness, as posited by Hashim and Abd Ghani (2019).

The prevalence of unclaimed property within the Muslim community is experiencing a steady upward trend throughout time. It is imperative to provide Muslims with the necessary knowledge and guidance to comprehend and effectively apply the principles of *Faraid*. It is widely acknowledged that the depth of education

on *faraid* knowledge in Malaysia, both in schools and universities, has been limited. Consequently, the community has a deficiency in comprehending matters pertaining to *faraid*, relying solely on acquiring knowledge from books and online sources. Nevertheless, the comprehension of *faraid* poses a challenge for society. Particularly to individuals who lack prior familiarity with this system of inheritance. Given the multitude of cases under the *faraid* area, it becomes exceedingly challenging for the general public to retain comprehensive knowledge of each case. In order to ensure public comprehension, it is necessary to consider the calculation of *faraid* and seek the guidance of knowledgeable individuals to determine the distribution of assets among eligible heirs according to the principles of *faraid* (Zulkifli, Batiha, & Qasim, 2018).

3.0 METHODOLOGY

In this research, quantitative methodology has been used. Quantitative method can be defined as the process of obtaining, collecting and even analysing data that has numbers. Quantitative research is also used to find patterns and averages in order to make predictions and generalize results to a larger population (Pritha, 2020). Quantitative is also used so that is intended to measure objectives and can also analyze statistical, mathematical or something numerical data collected through survey questionnaires and surveys or use computational techniques in order to manipulate existing statistical data. Quantitative research focuses more on the collection of data across groups of people or people in order to explain a phenomenon (Babbie, 2010). Hence, this quantitative method is in line with the purpose to be achieved in this study, which is to investigate the awareness of *faraid* among Muslim community.

This study centres on the communities in Kuala Lipis as the research participants. The reason for this is that Kuala Lipis holds a significant position as one of the key districts in the state of Pahang. The prevailing religious affiliation among them is Islam. The participants who provided responses to the inquiry range in age from 20 to 65 years. Individuals who are 40 years old and above may possess knowledge and expertise in matters pertaining to inheritance. Conversely, individuals aged between 20 and 30 are advised to establish a solid understanding of the principles and regulations governing inheritance, also referred to as faraid, on an individual basis. The respondents provided answers to a set of inquiries presented by the investigator. In order to address the inquiry, the participants were provided with a Uniform Resource Locator (URL) that was furnished by the researchers. The responses were entered through the Google Form application via the internet. A total of 102 individuals participated in this study. All participants in the study are residents of Kuala Lipis, a district located in the state of Pahang. According to Pejabat Daerah dan Tanah Lipis (2021), the overall population of Kuala Lipis is 106,814 people, and most of them are Muslims. For an exploratory study, convenient sampling technique was used because this technique is fast and easy.

The data collected from participants via a Google Form was evaluated and the findings derived from the analytical data are presented in the form of bar charts, pie charts, and tables, facilitating the generation of inferences and conclusions. Data

analysis involves the utilisation of frequency analysis and average analysis techniques.

4.0 RESULT AND DISCUSSION

This section will discuss the demographic profile based on the data collected. As mentioned before, this research was carried out at Kuala Lipis, Pahang. As a result, all of the respondents are Kuala Lipis Pahang residents. After everything was finished, it was discovered that 102 people had answered the survey. The participants in this research range in age from 20 to 60 years old and above. This research is also limited to the Muslim community.

According to the data presented in Table 1, it is evident that the male population constitutes the predominant portion of respondents, comprising 68.6% of the total respondents. In contrast, the female participants accounted for 31.4 percent of the overall survey respondents. Regarding the age distribution, a majority of 53.9% of respondents were within the age range of 20 to 30 years. Subsequently, the proportion of individuals falling between the age range of 31 to 40 amounts to 13.7%. The cohorts comprising individuals aged 41 to 50, 50 to 60, and 60 and above exhibited a same proportion of 10.8%.

Regarding employment, a significant proportion of the participants, specifically 44.1%, identified themselves as those pursuing higher education at the university level. A proportion of 20.6% of respondents identified as commercial employees, while 18.6% identified as government employees, and these individuals provided responses to the survey questions. Ultimately, a total of 16.7% of the participants in the study were identified as retired individuals. In relation to the degree of education, individuals possessing a diploma had the highest proportion of accurate responses to this particular inquiry. In contrast, individuals holding a Doctor of Philosophy (PhD) degree exhibit a reduced propensity to provide responses to inquiries posed by researchers through the utilisation of Google Form. Approximately 70% of the participants surveyed reported a lack of prior exposure to the acquisition of faraid property.

Table 1: Demographic Profile

Variable	Characteristics	Number of respondents	Percentage %
Gender	Male	70	68.6
	Female	32	31.4
Age	20 – 30 years old	55	53.9
	31 - 40 years old	14	13.7
	41 - 50 years old	11	10.8
	51 - 60 years old	11	10.8
	61 and above	11	10.8
Employment	Student	45	44.1
	Government worker	19	18.6
	Private sector employees	21	20.6

	Retired	17	16.7
Level of education	Diploma	40	39.2
	SPM	19	18.6
	Degree	34	33.3
	Master	8	7.8
	PhD	1	1
Have received any faraid	Yes	31	30.4
property before	No	71	69.6

The researcher collected 102 respondents from Muslim community in Kuala Lipis, Pahang. Therefore, the responses from the 102 respondents were analysed. In this section, they need to choose their answers using the Likert scale, which are types ranging "1 for strongly disagree, 2 for disagree, 3 for agree, 4 for neither agree nor disagree, and 5 for strongly agree". Based on this research, this study was designed to examine the following questions:

- a) I am aware that *faraid* is one of wealth management mechanisms in Islam
- b) I am aware about the wealth distribution in *faraid* division.
- c) I am aware that men will receive more than women by the ratio of 2:1 based on *faraid*.
- d) I am aware that *faraid* is performed when a family member has died.
- e) I am aware that *faraid* is a fair property division.

Figure 1 displays the proportion of those who responded with "completely disagree" in relation to those who answered "absolutely agree" for the provided set of questions. In response to the initial inquiry, it is evident that a majority of individuals, specifically 75.5 percent, express entire agreement, whilst a sole individual has a contrary viewpoint. Based on the figure, it is evident that a significant proportion of respondents possess knowledge on the faraid as a wealth management mechanism in Islam. The answers to this question indicate that the respondents are aware of faraid. Various types of information are easier to access in this era of globalisation. this is due to the fact that the internet provides knowledge on any chosen subject. Among them is Google or Yahoo, which may access a wide range of themes that are of interest for research. Furthermore, the internet often refreshes its database with the most recent findings across a range of disciplines. Thus, there are a variety of online resources available to raise one's degree of faraidrelated information (Sowmya, 2017). This finding contradicts the result from Ayyash, Jawad, Qatei, and Pazim (2019) study that findings of the research show that the level of awareness of Muslims in Malaysia towards wealth distribution management and asset distribution planning is low which includes faraid. The possible reasaon that leads to different finding is due to the high educational level of majority of the respondents in this study.

In relation to the second query, it is evident that approximately 50% or half of the participants possess a comprehensive understanding of the wealth distribution in the context of *faraid* division. However, a portion of the respondents exhibit a lower level of awareness on the distribution of wealth in *faraid* division. This subset is 3.9 percent of the whole sample, equivalent to four individuals out of the total of 102

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respondents. Based on the data obtained from the respondents, it can be inferred that a significant proportion of individuals possess knowledge on the distribution of wealth in the *faraid* division, as indicated by the responses to the second question. Based on the respondents' responses, it was determined that most of the 102 respondents were aware of faraid. This is because faraid is covered in school curriculum and corresponds with the respondents' age range, which spans from 20 to 60 years old. At the school level, students will have questions about faraid and can ask their parents to explain it to them; this will address the issue of faraid awareness. in conclusion, the majority of respondents are aware of faraid because they studied the topic at school level.

In addition, 57 out of 102 respondents are completely in agreement with the third query, which is equivalent to 55.9%. According to this query, fifty percent of respondents are aware that men would receive twice as much property as women. The Al-Quran, which describes how property is divided, also mentions issues pertaining to the distribution of property that involve the 2:1 ratio of males to women. The words of Allah SWT in Surah An-Nisa verse 11:

Meaning: Allah legislates for you about (distribution of inheritance for) your children. Namely: the share of a son is equal to the share of two daughters;

Here, it is evident that the issue has been raised in the Qur'an, which is why the majority of respondents were aware of it.

In addition, respondents are asked if they are aware that *faraid* will be performed when a family member dies in order to assess their level of *faraid* awareness. According to Figure 1, 61.8 percent of respondents are in total agreement, while 30.4% are in total disagreement. As evidenced, more than half of respondents are aware that this *faraid* is performed in the event of a family member's demise. Observations suggest that most responders are knowledgeable about the issue. This issue can be supported since, in our Malay community, faraid is frequently discussed following a family member's death, which leads to the distribution of property following death. As a result, heirs now routinely address the matter of sharing property after death.

The final query determines whether or not the respondent is aware that *faraid* is an equitable property distribution. According to the figure, 68.6% of respondents are in agreement, which translates to 70 individuals who are aware that *faraid* is a fair property division. On the other hand, some individuals are oblivious that *faraid* is a just method for dividing property. The majority of responders also seem to be knowledgeable about the subject, based on their responses. this is due to the fact that faraid is a fair method of property distribution as it safeguards each person's right to obtain the property they want. Furthermore, faraid can shield against or stop family disputes or fights. If fariad is used, property partition may be completed more precisely. This demonstrates that one endeavour to address the issue of perfectly and fairly distributing property is faraid (Legal Advice Malaysia, 2021).

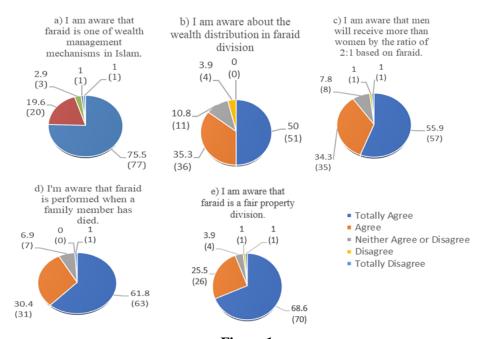


Figure 1Level of *Faraid* Awareness

However, to see the level of awareness between all items can be clearly observed from the mean score for each question from Table 2. According to the table, the highest mean is 4.68 for the question "I am aware that *faraid* is one of wealth management mechanisms in Islam"; meanwhile, the lowest is 4.31 for "I am aware about the wealth distribution in *faraid* division". Evidently, the result shows that most of the respondents have very high level of *faraid* awareness since all mean score are above 4.21. The positive results most probably coming from the educational background of the respondents where majority of them have at least diploma qualification compared to only 18.6% have Sijil Pelajaran Malaysia (SPM) qualification. Based on the findings, it implies that awareness is not one of the factors that lead to the huge amount of undistributed Muslim inheritance and the delay in the distribution of *faraid* among Muslims in the case of Muslim community in Seremban, Negeri Sembilan. Most probably the issues are due to other factors among others attitude of legal heirs and legislation (Mohamad et al., 2021).

Table 2: Mean Score of Each Question

NO	QUESTION	MEAN SCORE	PERCENTAGE (%)	
Level of Faraid Awareness				
1	I am aware that faraid is one of wealth	4.68	93.6	
	management mechanisms in Islam.			
2	I am aware about the wealth distribution	4.31	86.2	
	in faraid division.			

3	I am aware that men will receive more	4.43	88.6
	than women by the ratio of 2:1 based on		
	faraid.		
4	I am aware that <i>faraid</i> is performed when	4.52	90.4
	a family member has died.		
5	I am aware that faraid is a fair property	4.60	92
	division.		

5.0 CONCLUSION

Faraid, the Islamic system of wealth distribution, performs a vital role in preserving economic equality in Muslim communities. This study seeks to examine the knowledge and awareness of faraid within the Muslim community. Based on the analysis, it is found that a striking majority of respondents demonstrated a very high level of faraid awareness. They expressed complete agreement with the statement that they were aware of it. This finding underscores that a significant portion of the sample population possesses a solid understanding of faraid as a wealth management mechanism in Islam. Most probably, the high educational background leads to the positive result. Nevertheless, the generalizability of this conclusion is constrained by the small sample size in relation to the overall population. Therefore, it is highly recommended to augment the sample size for forthcoming research initiatives and to test other variables such as attitude of legal heirs and legislation towards faraid implementation.

Author Contributions

Wan Jusoh, W.N.H., Conceptualization, methodology, writing-original draft preparation. Salehen, A.H.M., 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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