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# A REVIEW ON LITERATURES IN PLANNING AND MANAGING OF ISLAMIC WEALTH DISTRIBUTION (2001-2013)

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# **A REVIEW ON LITERATURES IN PLANNING AND MANAGING OF ISLAMIC WEALTH DISTRIBUTION (2001-2013)**

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## **ABSTRACT**

One of the roles of planning and managing wealth distribution is to avoid assets from continuously remain frozen. Thus, managing and planning Islamic wealth distribution is an important attempt in order to make sure Muslims community is well protected. There are various types of instruments applied in managing and planning wealth distribution that follows *Shariah* rules. Thus, the objective of this article is to examine the related literatures in planning and managing of Islamic wealth distribution between years 2001-2013. The methodology of this article is through qualitative research based on document-analysis on previous articles and literatures on Islamic wealth distribution. Data from each articles related in this field were collected and statistically analyzed using the Statistical Product & Service Solution (SPSS) software. This study looked at variables which include authorship patterns, number of articles published, author productivity, geographical affiliation and subject area patterns. The general finding in this article shows that there are still limited number of articles and papers published by the researchers related to this field. Henceforth, this article provides significant suggestions and strategies for the future exploration on planning and managing Islamic wealth distribution.

**Keywords:** Islamic wealth distribution, *waqf*, *wasiyyah*, *faraid* and Islamic estate planning

## **INTRODUCTION**

Distribution of Islamic wealth management is very closely interrelated with aspect of economic and Muslim society. Islam is a unique and only religion which specifies and dictates how man should perform his business and economic activities in accordance with the teachings of the *Al-Quran* and *Hadith*. Thus, in countries where there is a large Muslim population, it is important that the financial planner of properties belonging to a Muslim be provided with adequate information on laws, concepts and practices especially pertaining with distribution of wealth or assets in accordance with *Shariah* laws.

Islamic wealth distribution can be defined as an act of passing on assets through Islamic will and trust and it is one of the discipline under the scope of wealth management in Islamic financial market. However, under Islamic financial planning and wealth management, estate planning and wealth distribution are most controversial subjects concerning the economic life of man. Which have given birth to global revolutions in the world of today, and have effected every sphere of human activity from international politics down to the private life of the individual.

In managing and planning Islamic wealth distribution, there are certain basic principles which derived from Al-Quran, which distinguish the Islamic point of view in economics from conventional economic system. Islam views the economic activities of man as quite lawful, meritorious, and some-times even obligatory and necessary. Thus, pertaining to Islamic wealth distribution, there are several instruments used. However this paper only focus on three instruments used in planning estate management and distribution; *waqf*, *wasiyyah* and *faraid*.

Under Malaysian law, all assets of a person will be frozen upon the person demise until there were valid probate granted by High court. Therefore, it is important to prepare the plan on how to distribute the assets before the demise in order to avoid assets from frozen. When a person dies intestate, there may be a delay in unlocking his estate frozen assets due to one or more following reasons: 1) Choosing an administrator, 2) Identifying, locating and valuing the assets of the estate 3) Finding two surieties (Muhammad Ridhwan Ab. Aziz, 2012). Thus, there will be delayed in distribution the estate to the beneficiaries since this process could take 2 to 8 years and in between, family contentions could occur. In complex situation, longer period are need at it possible takes more than 10 years to solved frozen. Worst, the estate may remain in frozen state forever.

Even though there is bad circumstances the individuals need to face if they not prepare the plan on how to manage and distribute their assets after they die. Unfortunately, many Malaysians still do not have a will. Muslims people supposedly to prepare the plan from wealth distribution through Islamic estate planning. The estate planning should be prepares for two elements of times: planning and coordinating of wealth distribution before the death and planning upon the death (Muda et al., 2006:13, Omar, 2006:15)

Thus, it is not surprising if one of the recent issues involving Islamic wealth distribution and management field is about frozen assets. Hence, a study on various literature works related to these issues is required in this paper. These literature works may also benefit the Muslims in some way. For instance, first, the literature works would help the Muslims to realize on the level of awareness of Muslims concerning Islamic wealth distribution and concepts applied. Secondly, these works provide new knowledge on planning and managing Islamic wealth distribution to the Muslim. Thirdly, these works may also open a new chance for Muslim in estate planner employment. And finally, if the Muslims are interested with planning and managing Islamic wealth distribution through these works, they may able to become researchers to further study on this fields to provide another new knowledge to the others. Therefore, this article attempts to analyze several papers which are known to conduct study in those mentioned fields, thus, analyzing the pattern of authorship related to the field.

## LITERATURE REVIEW

In Islamic financial market, managing wealth distribution is part of element under Islamic wealth management. So that, in managing wealth distribution Muslims individual supposed to prepare the guideline on how they want to distribute their assets before and after the death. This is concern of in this study.

Muhammad Ridhwan Ab. Aziz (2012) had explained various advantages of estate planning: 1) Able to distribute property estate to beneficiaries quickly, 2) Minimize expenses, 3) Ease the strain on your family, 4) Reduce taxes on your estate, 5) Provide assurance to the family after the death. According to him, when Muslims had plan their wealth distribution, all unnecessary hassle can be avoided. Moreover, the advantages of a living trust is that assets or funds therein will not frozen upon the death of the person who created the trust. Besides that, the beneficiaries would able to receive and have access to the assets or funds of the trust whatever circumstances.

Suhaili Al Ma'amun (2012) have conducted a study on variations across control variables on the practice of *wasiyyah* (Islamic will) within the contextual form of Islamic estate planning in Malaysia. According to her, the number of Muslims who making a *wasiyyah* is very low. Her opinion, was supported (Omar, 2006; Hayati Mohd Dahan et al., 2012) who claimed that the practice of Islamic estate planning among Malaysian Muslims was not widely practice.

Low level of awareness and knowledge are the one of the factors contributed to the reason Islamic estate planning was not practice widely (Omar, 2009a; Mohyin, 2004: 10). According to Omar (2006) Malaysian Muslims particularly Malay people do not really want to write *wasiyyah* due to three reasons. The first reason is because they are not really knowledgeable about *wasiyyah* and it's significant. Normally, people in this group have misconception towards *wasiyyah* in which they think only *faraid* instrument applies in the estate distribution and hence they think either leaving *wasiyyah* or not will not have any impact since at the end of the distribution process the estate will distribute according to *faraid* rules. Second reason why Islamic estate planning is not widely practice among Muslims due to their altitude that is reluctant to write *wasiyyah* even though they are well informed about it. Generally, those who in second group, take this matter lightly and keep postponing in drawing up *wasiyyah*. Last reason is because they cannot afford to draw up a *wasiyyah* even though they are well informed about it. Cost is the main consideration for the third group of people and this is largely contributed by their zero knowledge on the actual charge imposed by ARB as well as other *wasiyyah* writing providers.

Pertaining to misunderstanding and misconception regarding this matter, It seems only those who are leaving the estates and those who probably receiving the inheritance aware the importance of Islamic estate planning (ZAR Perunding Pusaka, 2004a: 8; ZAR Perunding Pusaka, 2004c: 11). The wrong perception goes deeper to the extent that they believe the *Faraid* system is already provided to ensure the entitlement to the shares and it is obligatory in the sense that the provision in *faraid* should be strictly followed. Therefore they thought estate planning is not necessary for Muslims since at the end it will be divided according to *faraid* (ZAR Perunding Pusaka, 2004a: 8; ZAR Perunding Pusaka, 2004c: 11; Hassan and Yusop, 2006: 155).

Fatin and Mohammad (2011) claims that there are six main possible causes that contribute to the delay in distribution of estate. In this paper, the researchers provide a detailed explanation of each possible cause. Compared to other researchers who agree that lack of awareness and knowledge is the main factor triggering the freezing assets problem, however, the authors have an opposite opinion on the main causes of this problem. Both of them agreed that the main possible cause is due to the complexity of law followed by the lack of knowledge. Thus, overall of their studies, they propose (1) the complexity of law; (2) the lack of knowledge; (3) lengthy process; (4) the lack of cooperation and/or contact between various parties; (5) the lack of a cohesive mechanism; and (6) attitude that needs to be discovered are the main possible causes that contribute to the delay in distribution of estate. At the end of the study, the researcher proposed that reform of the law and procedure is needed.

Kasimah and Md. Yazid (2012) who conducted a study on analysis of the understanding of Muslim will writing in Malacca claims that, generally the level of understanding of Muslims in Malacca especially among writers of will, the heirs and the property management agent are at a satisfactory stage. However, the level of understanding among Muslims in Malacca of the heirs is lower compared to the testators and agents since they are involved directly in estate management. But in contrast, the researchers found that Muslims in Malacca especially writers of will, the heirs and the property management agent have a clear confusion towards questions regarding *wasiyyah* that involved 1/3 of the estate in the distribution process. At the end of the study, the authors suggested that related parties should enhance their efforts to continue to educate the public on matters relating to the importance of planning and writing *wasiyyah* in the life of Muslims through campaigns and seminars.

Based on a study focusing on the practice of wealth distribution in Malacca, unawareness among clients of processes and procedures to claim their rights to inheritance is another factor that contributed to the frozen assets in Malaysia (Noraini et al., 2012). Based on the research conducted, a majority of clients have problems in compiling documents to complete the claim form. Overall from the study, they found that clients or Muslims are just confused about processes and procedures. They do not know where to start, how to proceed and where to go to process a claim to inheritance (Abd Ralip, 2011; Abdul Rahman, 2008; Mahmood, 2006a; W. A. H. Wan Harun, 2009; Yaacob, 2006).

Apart from this, estate planning in Malaysia is not widely practiced. It is because most Malaysians feel estate planning is not too important as Malaysians feel that estate planning is only for the wealthy (Hassan, 2005; Hassan and Yusop, 2006; Fatin, 2011). Sharfina et al. (2013) have conducted a study on the determinants that contribute to attitudes towards estate planning. In this paper, five determinants are proposed by the researchers: knowledge, media awareness, perceptions, family influence, religious/ethical belief and attitude. Results of this study suggest that knowledge has the strongest effects on attitudes towards estate planning, followed by media awareness, perceptions, family influence and religious/ethical belief.

Hayati Mohd Dahan et al. (2012), who studied the extent of possession of Will among the Muslim community based on demographic characteristics that examines the relationship between Attitude, Religiosity, Financial obligation and Knowledge with the Intention to adopt Will. Based on her findings, it reveals that possession of Will among respondents was very low.

Muhammad Fazlul Karim (2010) who studied the practice of *waqf* estate in Bangladesh. Based on his research, the results of the finding show that most Muslims in Bangladesh do not truly understand about *waqf* institutions. A majority of them think the term of *waqf* is only limited to building mosques, building schools and etc. This is proven when they repeatedly donate cash money and other movable and immovable properties to build mosques in places where there is already a mosque. They have a low level of knowledge and are not well aware of the broad scopes of the *waqf* institutions and their *waqf* property uses. In a real principle, the religion of Islam does not only encourage Muslims to build mosques or orphanages but authorizes them to accomplish the total development in terms of their social, cultural and economic viability and religious, moral and spiritual supremacy. The author has proposed that Waqf should be socially-based rather than religiously-based institution for the poor and the needy since many people in Bangladesh are lacking in financial ability.

More study focusing on Islamic wealth distribution and management in Bangladesh has been conducted by Afroza Bulbul (2013). According to him, even though 68% of Muslims in Bangladesh are aware and have knowledge concerning *wasiyyah* practice, still it is not a sufficient number. The reason for the insufficient number in level of knowledge relates to the total population of Muslims in Bangladesh (Bangladesh is a densely populated and Muslim majority country). Family conflicts have arisen only for distributing the heir-estate among the heirs. Thus at the end of his study, he proposed that everybody should make *wasiyyah* to avoid family conflicts.

## METHODOLOGY

This article adopts qualitative research based on several literature works on Islamic wealth distribution and management for twelve years between 2001 until 2013. 20 articles had been gathered based on online search on paper and articles. The literature works and articles will be analyzed to extract information regarding the concept and practice of Islamic wealth distribution by Muslims. The document analysis will also be made to gain information on the factors contributed to frozen assets among Muslims especially among Malay. After extracting data from each article, data from respondents' answers are analyzed statistically through the use of SPSS version 20. This study will analyze the frequency of each variable through descriptive statistics and correlation.

## FINDINGS

### Number of Publications by Year

There were 20 published articles related to Islamic wealth distribution and management from the observed 12-year period starting year 2001 until 2013. Table 1 presents the distribution of articles by year. It shows that year 2013 shows the highest percentage (35%) of articles published related to the field of study, followed by year 2012 with 30%. However, year 2002-2006 and year 2009 there is no published articles related to field of study.

Years of Publications	Number of Articles	Percentage (%)
2001	1	5.0
2007	1	5.0
2008	1	5.0
2010	3	15.0
2011	1	5.0
2012	6	30.0
2013	7	35.0
<b>Total</b>	<b>20</b>	<b>100.0</b>

**Table 1.** Number of Publications by Year

### Research Types of Each Publication

There are four types of approach used in conducting the research: analytical, descriptive, empirical and exploratory (Collin, 2007). Analytical research often used descriptive approach for the purpose of suggestion or explanation on why or how something happen. Normally, it is describe on the causes of research study. Description research used to identify and classify the elements or characteristics of the subject usually concerned with describing a population with respect to important variables. While exploratory research is in which the major emphasis is on gaining ideas and insights where theories are used as a basis for understanding and explaining practices or procedures (Scapens, 1990). Empirical research is a way of gaining knowledge by means of direct and indirect observation or experience.

All these types of research are commonly used by the researchers. Thus, in this study, all these types of research are being applied by the authors to study in this field. Based on the table below, majority of the authors used descriptive method (8 articles) to conduct their studies followed by analytical approach. While exploratory research shows less number (2 articles) of application applied by authors.

Years of Publication	Types of approach used in case study				Total
	Analytical	Descriptive	Empirical	Exploratory	
2001	0	0	1	0	1
2007	1	0	0	0	1
2008	0	0	0	1	1
2010	0	1	2	0	3
2011	1	0	0	0	1
2012	2	4	0	0	6
2013	2	3	1	1	7
<b>TOTAL</b>	<b>6</b>	<b>8</b>	<b>4</b>	<b>2</b>	<b>20</b>

**Table 2:** Research Types Used by Each Publication by Year

### Research Approaches of Each Publication

There are three types of methods used to collect data in conducting the research: quantitative, qualitative and mixed method (Colin, 2009; Tewksbury, 2009; Saunders, Lewis and Thornhill, 2009). Qualitative method is non-numeric data. Opposite with qualitative, quantitative methods involve numeric data while mixed method is a combination of qualitative and quantitative approach are used in a research study.

Table 3 below shows research method applied by the researchers. Generally, all three methods are being used by the authors. Within 12 years of the literatures review, majority of the researchers used qualitative methods to conduct their studies. Year 2013 shows highest usage of qualitative method with 10 articles. While year 2001 and 2007 shows the lowest usage of qualitative method. Out of 20 published articles, 7 authors used quantitative methods which in year 2012 and 2013 with 3 articles for each year. Only 1 articles on year 2008 used quantitative method. Besides qualitative and quantitative methods, there are 3 published articles used mixed methods on year 2010, 2011 and 2012 with 1 articles for each year.

Year of Publication	Article Type (Case Study only)			Total
	Qualitative	Quantitative	Mixed	
2001	1	0	0	1
2007	1	0	0	1
2008	0	1	0	1
2010	2	0	1	3
2011	0	0	1	1
2012	2	3	1	6
2013	4	3	0	7
<b>Total</b>	<b>10</b>	<b>7</b>	<b>3</b>	<b>20</b>

**Table 3:** Research Approaches of Each Publication

### Genders of Authors and Authorship

There are 45 authors involved in published papers and articles related to the field of Islamic wealth distribution and management this time frame. Based on statistic below, the minimum number of the author contributed the literature is 1 person while the maximum number of the author contributed is 5 person per paper or articles. There are 8 single authors contributed in publishing papers and articles in related fields with 5 of them from female while the rest are from male. For the category of more than one author (mixed gender or single gender), the highest number of contributors are 5 peoples were it is

from all males. Please note that the total number mentioned in the end of this table is total articles that had been contributed by the authors to the journal, not total number of authors involved.

Gender of Author	Single Author	Two Authors	Three Authors	Four Authors	Five Authors	Total
Single Male	3	0	0	0	0	3
Single Female	5	0	0	0	0	5
More Than One (Mixed)	0	1	0	2	0	3
More Than One (Male Only)	0	3	1	1	0	5
More Than One (Female Only)	0	0	3	0	1	4
<b>Total Contributions</b>	8	4	4	3	1	20

**Table 4:** Genders of Authors and Authorship

### Ranked List of Most Prolific Contributor

There are total of 45 authors contributed 20 articles from 2001 to 2013. Based on Table 5 below, Suhaili Al Ma'amun shows the highest contributors with 5 articles and papers in the literature of Islamic wealth distribution and management followed by Muhammad Fazlul Karim, Noraini Noordin, Adibah Shuib and Mohamed Azam Mohamed Adil with 2 contributions while the rest is 1 contribution.

Rank	Authors	Number of Contributions
1	Suhaili Al Ma'amun	5
2	Muhammad Fazlul Karim, Noraini Noordin, Adibah Shuib and Mohamed Azam Mohamed Adil	2
3	Afroza Bulbul, Hayati Mohd Dahan, Ismail Ahmad, Jasni bin Sulong, Mohamad Khairul b Omar, Mohd Khairy Kamarudin, Nasir Afghan, Rusnadewi Abdul Rashid, Shafinar Ismail, Zaitun A. B, Zulkifli Mohamad, Zuraidah Mohamed Isa, Hanadi Al Hudayr, Jaafar Peyman, Johari Talib, Md. Wahid Murad, Norhidayah Ali, Noryati Ahmad, Nurhaslinda Hashim, Siti Asishah	1



	Hassan, Tayyaba Wiqar	
<b>Total Contribution</b>		8

**Table 5:** List of Authors and Number of Contributions

### List of Publications and Study Area by Geographical Affiliation

Geographical affiliation based on countries involved in publishing of articles related with Islamic wealth distribution and management has being ranked in Table 6. The geographical affiliation is divided into three parts; location of conducted study, location of published papers, and total contributions by local authors.

For the first part, Malaysia is the most studied country, with 10 articles found to perform study in Malaysia, followed by Bangladesh (2 articles ), and Kingdom of Saudi Arabia, Pakistan and United States contributed only 1 article.

For the second part, Malaysia is also the most preferable country to published articles, with 8 articles found to publish in Malaysian journals or during conferences. After the highest rankers, Bangladesh and United Kingdom also were the country that the authors choice to publish their articles and paper whether through conferences or online published articles.

For the last part, out of 20 articles, 14 articles were published in Malaysia by Malaysian authors. Interestingly, there is one authors other than Malaysian authors also studies about this field from Malaysian context. While the rest of the author is not from Malaysian authors

Country	Area of Study			Publication Published			Local Contribution		
	Article	Other	Total	Article	Other	Total	Yes	No	Total
Bangladesh	2	0	2	2	0	2	0	3	3
Indonesia	0	1	1	0	1	1	-	-	-
Kingdom of Saudi Arabia	1	0	1	1	0	1	0	1	1
Malaysia	10	1	11	10	1	11	14	1	15
Pakistan	1	0	1	1	0	1	0	1	1
Singapore	0	1	1	0	1	1	-	-	-
United Kingdom	0	2	2	0	2	2	-	-	-
United States of America	1	0	1	1	0		-	-	-
<b>Total</b>	15	5	20	15	5	20	14	6	20

**Table 6:** List of Publications and Study Area by Countries Involved

## DISCUSSION

The analysis of the articles published related with planning and managing Islamic wealth distribution from year 2001 to 2013 has provided the following:

- In general, based on the statistic, this topic is current and hot topics for discussion among the researchers since the peak publications related with this fields of study was started in year 2013 with 7 articles followed by year 2012. However,

pertaining with the number of articles published, it is still far away since the overall number of published articles are very low.

- Concerning to types of method used, majority of the authors prefer to use descriptive research method to identify and classify the elements or characteristics involved in the study to further the information regarding implementation in planning and managing the Islamic wealth distribution.
- Most papers are qualitative, since the topics involve less statistical and less numerical data.
- Most of the articles published were written by single author followed by two and three authors.
- Suhaili Al Ma'amun was the highest contributors who published articles and papers related with planning and managing Islamic wealth distribution within Malaysian perspective followed by Noraini Noordin, Adibah Shuib and Mohamed Azam Mohamed Adil. While for the location of the related study from International perspective was published by Fazlul Karim that was from Bangladesh perception.

Based on the literature review from all researchers starting from year 2001-2013, we can concluded that majority of Muslims whether Malaysian Muslims or International Muslims do not really understand regarding the mechanisms applied in planning and managing wealth distribution before and after the death of Muslims especially concerning with *waqf*, *wasiyyah* and *faraid* since there are still people who have misconception or misunderstanding regarding those mechanisms.

While for the number of articles published related with this topic of study, it is expected the number of articles published through online will have high possible probability to expand since the total amount of frozen assets are always increasing from year to year especially. Thus, it lead to the topics of discussion among economist, academician and experts in this field.

## CONCLUSION

It is very important to Muslims people to have comprehensive knowledge in order to realize the benefits of planning and managing wealth distribution through *Shariah* rules. Unfortunately, many Muslims do not prepare a plan on how to manage their wealth distribution to avoid from conflict in the future.

However, since there are quite few articles published related to this field, it is important to researchers to continue their researches or studies in this field instead. The international journals should promote or suggest authors to study and publish articles related to these study fields, and at the same time, universities should provide enough research grants to support promotions of those fields. It is also suggested that articles related to this field should be made available online via open access system to benefit the usage of internet which allow the journal viewed by researchers by other countries.

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