

## Factors Influencing Hibah Practice: A Scoping Review

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### ABSTRACT

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*Hibah is a tool used by Muslims to manage their wealth distribution. Statistics in 2006 showed the number of frozen assets was recorded at RM38 billion. The number of frozen assets has reached RM90 billion in 2022. To reduce this problem, researchers agreed and recommended that Muslims in Malaysia should plan their wealth through hibah. However, hibah practice among Muslims in Malaysia is still low. Thus, this study aims to identify factors that influence the practice of hibah among Muslims in Sabah. This study adopted a scoping review analysis underpinned by the Arksey and O'Malley five-stage framework to categorise the factors that influence hibah practice. The findings show that knowledge, religiosity, and self-efficacy significantly influence hibah practice among Muslim communities. Using hibah as estate planning is the best alternative for the Muslim community. This study suggests a conceptual framework of hibah practice to prove the proposed hypothesis for Muslim communities in Sabah.*



## 1. INTRODUCTION

Hibah is a tool used by Muslims to manage their estate distribution. Early planning in estate distribution is crucial to ensuring the estate benefits the dependents, non-dependents, and society. Several types of hibah have been practised in Malaysia, namely trust hibah, hibah mutlaq and conditional hibah (hibah umra, hibah ruqba and hibah takaful). Hibah mutlaq is the transfer of assets ownership from donor to donee that occurs immediately. Trust hibah or hibah amanah is property given by the donor during his lifetime, but the transfer of asset ownership to the donee or beneficiary will occur after the donor's demise. Hibah services are provided by Tabung Haji and Amanah Saham Nasional Berhad.

However, conditional hibah is carried out based on the requirements set by the donor to the donee. It is categorised into three, which is the transfer of asset ownership to a donee by limiting the period of ownership based on the death of the donor or donee. For example, a house given by a husband to his wife can only be lived with the condition during his lifetime. This practice is called hibah umra. Meanwhile, hibah ruqba refers to the event of the death of a donor or donee to obtain the ownership of hibah assets. For example, a house given by the husband will be given to the wife as a hibah if the husband dies first. The house will be returned to the husband if the wife dies first. The third hibah is hibah takaful, which is becoming / getting popular among Muslims. The practice of hibah takaful begins when the participant nominates heirs or non-heirs as beneficiaries. When the participant dies, the takaful benefits (hibah) will be given to the beneficiaries.

According to Azmi et al. (2021), hibah is deemed one of the best instruments for estate distribution. Although it does not mean disregarding the advantages of faraid, hibah is used as an alternative for Muslims to plan and manage their estates and wealth, primarily to protect the welfare of biological children, non-biological children, spouses, or non-heirs after death. The distribution of properties through faraid sometimes leads to delays and failures. Several factors may cause this problem, as stated by Shafie et al. (2016), namely the ignorance of heirs, lack of knowledge and understanding, and delay in the administration and distribution process. Complex procedures will confuse heirs and not want to cooperate to manage the inheritance, subsequently increasing the number of frozen assets.

Statistics in 2022 showed the amount of frozen assets has reached RM90 billion (Utusan Malaysia, 2023). This amount increases annually. Table 1 shows that the number of faraid applications is higher than hibah in Sabah.

Table 1: Faraid and Hibah Application in Sabah Syariah Court

Type of Cases	Number of Cases
Faraid Case	1761
Hibah Case	16

Source: Malaysian Legal Aid Department (2017)

This explains the low hibah practice among Muslims in Sabah. The Muslim people should be aware of how Islamic estate planning is implemented and its negative impact on the economy if not managed properly. Frozen assets cannot be used or invested without heirs' permission, not benefiting others. Therefore, researchers agreed and recommended that Muslims in Malaysia should apply estate planning through hibah. However, hibah practice among Muslims

in Malaysia is still low. Therefore, this study aims to identify the factors that influence the practice of hibah, especially in Sabah.

## 2. METHODOLOGY

This section describes the scoping review methodology to find suitable articles for this study. The approach for the scoping review is underpinned by Arksey and O'Malley's (2005) five-stage framework, which is (1) identifying the initial research questions, (2) identifying relevant studies, (3) study selection, (4) charting the data and (5) collating, summarising and reporting the results used in the factors influencing hibah practice. This section begins based on the stage listed above.

### 2.1 Identifying the Initial Research Questions

This review was guided by the question, 'What are the factors influencing hibah practice among Muslim communities?'

### 2.2 Identifying Relevant Studies

This study started with retrieving articles by identifying synonyms or terms related to the keywords hibah, hibah practice, and factors that influence hibah practice. The appropriate keywords were selected based on the research question stated by Okoli, 2015 in Shaffril et al. (2021) studies. After identifying the keywords, several search strings were used throughout this process, using Boolean operators (OR, AND), which are "hibah" AND "knowledge" AND "religiosity" AND "self-efficacy". The purpose is to combine keywords in the advanced searching process on Semantic Scholar, Dimensions, Core UK, Emerald Insight, Scopus, Web of Science, and Google Scholar. Besides that, manual searching is done by searching the articles page by page and identifying and tracking the articles through citations and references. A total of 11 articles were searched manually. These search techniques were suggested by Shaffril et al. (2021).

The first search process in these databases has resulted in 306 potential articles. Then, the inclusion criteria such as publication type, language, year of publication and content of the related articles were determined. Thus, the criteria for article selection are discussed in the following subsection.

Table 2: Searching for the Literature Process

Keywords	Database	Initial results	Inclusion criteria	Exclusion criteria	Number of relevant
• Hibah	Semantic scholar	45	32	13	4
• Knowledge	Dimensions	40	40	0	1
• Religiosity	Core	137	117	20	2
• Self-efficacy	Scopus	2	2	0	0
	Web of science	3	3	0	0
	Google scholar	64	51	13	4
	Emerald insight	4	4	0	0
<b>Overall</b>		295	249	46	12

### 2.3 Study Selection

The next process of retrieving the articles is study selection. This process is similar to the screening process in the systematic literature review. DiCenso et al. (2010) stated that in Pham et al. (2014) studies, scoping and systematic literature reviews share the same process in identifying relevant literature. A total of 260 selected articles were screened. Screening is made based on two criteria: inclusion and exclusion. The inclusion criteria are by looking at the language, publication timeline and publication type suggested by Linares-Espinos et al. (2018) in Shaffril et al. (2021) studies. Thus, the decision to review and analyse the articles from 2014 to 2023. Because the hibah studies regarding giving behaviour are still scarce, this study needs to choose a longer publication timeline to solve the unanswered research questions and fill the study gap. This statement is also supported by Kraus et al. (2020). Apart from that, this study only selects publications in English and Malay as the foreign language might be hard to understand, confusing, and need a higher cost to review and takes up time. This study only selected journal articles, thesis dissertations and conference papers. The process excluded 227 articles as they did not fit the inclusion criteria. The remaining 33 articles were used for the third process: eligibility. The last process is discussed in the following subsection.

Table 3: The Inclusion and Exclusion Criteria

Criteria	Inclusion Criteria	Exclusion Criteria
Timeline	2014-2023	<2014
Publication Type	Article, thesis dissertation and conference paper	Other than article, thesis dissertation and conference
Language	English and Malay	Other than English and Malay
Access	Open access or only content can access to	Non-open access or cannot access to

### 2.4 Data Charting and Collation

The next process of Arksey and O'Malley (2005) scoping review framework is charting selected articles. Each article was summarised based on the author, year, study location, study design, study methodology and sample size, and a brief overview of the limitations and recommendations of the selected study. Table 4 contains information about the studies that were included.

Table 4: Included Studies

Author & Year	Sample size	Factors influenced	Outcomes
Alias et al. (2020)	100 Muslims community in Perlis	Institutional factor, Islamic financial literacy, knowledge and religiosity	Institutional factor and Islamic financial literacy have significant impact on the intention to adopt wasiyyah.
Aziz et al. (2019)	224 salaried individuals (24–50 years old)	Useful, knowledge, religiosity, trust	Knowledge and usefulness had positive relationships with attitude towards family takaful schemes.
Haron et al. (2023)	198 stakeholders of Waqf	Attitude, subjective norms and perceived behavioral control	All hypotheses were accepted.
Osman & Muhammed (2017)	370 Muslim donors in Selangor	Attitude, subjective norms and perceived behavioral control	All variables are instrumental in determining cash waqf giving behavior.

Othman et al. (2017)	372 public educators in Kedah	Knowledge, Islamic religiosity and self-efficacy	All factors are significant associated.
Rosmana (2021)	251 students Faculty of Business & Economics, Islamic University of Indonesia	Knowledge, religiosity, self awareness, social environment and convenience	All factors are significant influenced.
Sukri et al. (2016)	250 Muslim women staffs in UUM	Attitude, religious value, knowledge and law of zakat	All factors are significant except religious value.
Kamis & Wahab (2022)	195 Muslims in Alor Setar	Education level, education stream, religiosity, social influence and social media	Education stream, religiosity, social influence and social media were identified as significant factors that influence their knowledge of hibah.
Said (2016)	282 academic staff in Kedah, Perlis and Pulau Pinang	Affective attitude, instrumental attitude, interpersonal influence, external influence, religiosity, self-efficacy and service quality	All factors are significant.
Jusoh et al. (2021)	180 muslim teachers in Kedah, Perlis and Penang	Attitude, subjective norms and perceived behavioral control	All factors have a significant relationship with the intention of practicing hibah.
Said & Saad (2016)	No sample because conceptual paper	Attitude, religious value and service quality	All variables are expected to influence hibah giving behavior.
Latib et al. (2022)	100 muslim lecturers and administrative staf in UiTM Sabah and Shah Alam	Knowledge, age, gender, academic qualifications and household income	The finding found knowledge and gender have a significant relationship with hibah, while factors of age, academic qualification, and household income are not positively related with hibah.
Ahmad et al. (2019)	98 respondents in Raub	Attitude, promotion, knowledge	Only knowledge insignificant relationship with hibah.
Awwal & Rini (2019)	97 millennial society	External influence, internal influence, perception of convenience, perception of development, religiosity and attitude.	All factors are significant relationship with sadaqah using non cash.
Busry (2020)	252 students in KUIPS	Attitude, subjective norm, perceived behavioral control and religiosity.	All hypotheses are a significant linear relationship with cash waqf.
Maamor et al. (2020)	406 Malaysian Muslim who are working or retired	Age, income, health status, number of heirs, knowledge, religiosity, service, advantages of hibah instrument and Syariah compliance	Income and knowledge are significant in explaining the Muslim behaviour to choose Hibah.
Basir & Rahman (2022)	Conceptual paper	Attitude, subjective norms, perceived behavioral control and knowledge	All factors are expected to have a positive relationship with purchasing intention of takaful hibah products.
Mustafa et al(2022)	384 Muslim in Selangor's Higher Learning Institutions	Attitude, awareness, religiosity and knowledge	All independent factors show a substantial link with the dependent variable.

Sahban & Johari (2021)	314 zakat payers, and potential zakat payers in Kwara state	Religious, knowledge, family influence, media awareness, trust, transparency and zakat manager	Only transparency and family influence not influence the zakat payers' intention to patronize the zakat institution in Kwara state.
Shukor et al. (2017)	386 individuals in the Klang Valley	Religiosity, knowledge, convenience, informative influence and trust on awqaf institution	Religiosity, trust in awqaf institutions and convenience to endow are significant with cash waqf.
Wahab et al. (2019)	338 Muslims in Alor Setar	Knowledge, wealth management, institutional factor and religiosity	Only institutional factor are not significant.

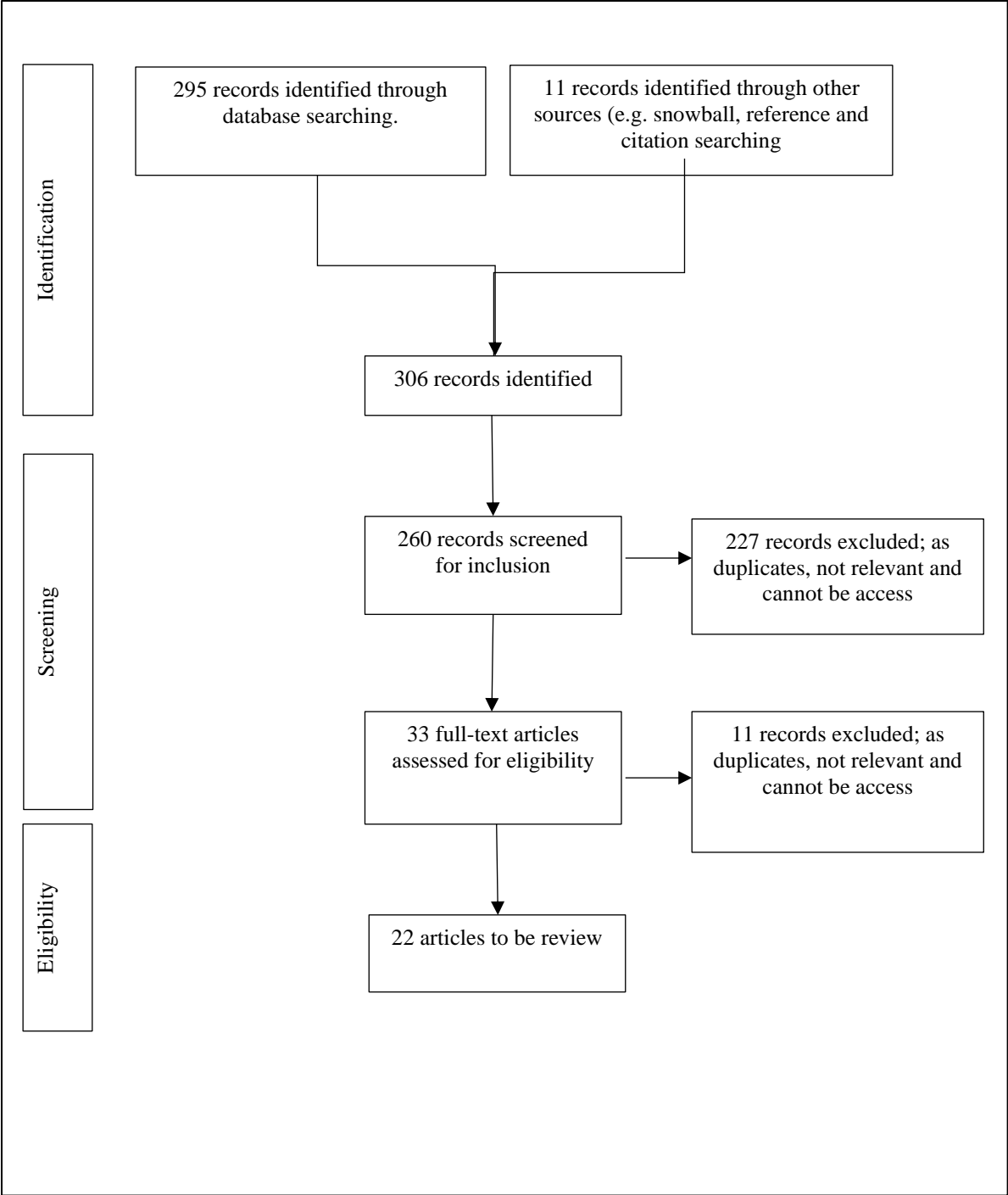


Figure 1: Flowchart of Study Selection Process

## ***2.5 Summarising and Reporting Findings***

The scoping review approach developed by Arksey and O'Malley (2005) concludes with the fifth and final stage, which summarises and reports findings. An eligibility process was conducted before reporting the findings. This process is like double-checking the remaining articles after the screening process. According to Shaffril et al. (2021), the eligibility process should be considered as there might be a mistake in the database during the screening process, which would supposedly fit the inclusion criteria but was not selected. Therefore, the remaining articles were screened by reading the titles, abstracts, methodologies, and findings. Also, duplicates were not recorded. As a result of this process, 11 articles were excluded due to the focus on factors influencing hibah practice. Overall, there were only 22 selected articles.

## **3. RESULTS AND DISCUSSION**

In this section, this study presents articles which focus on the initial research questions. Twenty-two articles were reviewed. Knowledge, religiosity, and self-efficacy have been identified as factors influencing hibah practice among Muslim communities.

### ***3.1 Knowledge***

The utilisation of hibah as a strategic tool for estate planning in Malaysia is gaining popularity and witnessing significant growth. It is evident that numerous institutions are now providing hibah services to address the matter of estate planning within communities and facilitate the effective management of their assets. According to Said (2016), Ruslan et al. (2020), and Mustafa et al. (2022), there is a prevailing lack of interest among Muslim communities in Malaysia when it comes to estate planning and management, particularly through the utilisation of hibah. The issue can also be observed by analysing the statistical data pertaining to hibah and faraid cases in Syariah Court. The observed disparities between these examples serve as evident indicators that Muslim communities continue to rely on faraid and exhibit a lack of initiative in terms of estate planning and management. This can be attributed to various factors, including a dearth of information in this domain (Bouteraa, 2019).

Abdullah et al. (2017) and Jamalurus et al. (2019) have identified knowledge as a significant contributing factor to these circumstances. The significance of the knowledge component in predicting hibah was highlighted by a study conducted by Mustafa et al. (2022), which involved the Muslim population in Politeknik Sultan Salahuddin Abdul Aziz Shah, MSU, UNISEL, and UiTM in Selangor. Shukor et al. (2017), Alifiandy and Sukmana (2020) and Laila et al. (2022) found a positive relationship between knowledge and waqf-giving behaviour. Ghul et al. (2015), Wahab et al. (2019) and Mohamed et al. (2022) also found that knowledge positively influences wasiyyah practice among Muslims. Sukri et al. (2016), Sahban and Johari (2021), Hakim et al. (2021), Mariyanti et al. (2022), and Batubara et al. (2023) revealed that knowledge influences zakat payers significantly in the zakat environment. Aziz et al. (2019) found knowledge is significantly associated with takaful behaviour.

Knowledge about hibah is generally understood as a voluntary gift by a donor without getting anything in return (Kamarudin & Muhamad, 2018). Nonetheless, it is important to disseminate information on hibah as it is the best instrument for estate planning, besides encouraging potential donors to practice hibah and reduce the number of frozen assets. Basah and Tahir (2019) stated that the motivation for an individual to practice estate planning is knowledge. The higher the level of knowledge, the higher the tendency to do estate planning. It is because knowledge is a basis of human survival that makes human life easier and more efficient (Ahmad et al., 2019). According to the findings of a survey done by Sarip et al. (2017), the level of



awareness among Muslims remains moderate. This is primarily attributed to the existence of uncertainty surrounding the practical and technical aspects of implementing hibah, particularly from the perspectives of Shariah and legislation in Malaysia.

While the aforementioned reason does influence Muslim communities to engage in hibah, it is important to note that the knowledge factor also plays a significant role in the decision-making process of certain Muslims who choose not to manage their estate through hibah. Initially, the individuals in question encountered difficulties in obtaining comprehensive information regarding hibah. Specifically, they lacked knowledge regarding appropriate sources for reference, the necessary steps for implementation, the relevant institutions involved, associated costs, and procedural guidelines. The findings of the research conducted by Latib et al. (2022) indicate that residents of UiTM possess a significant level of awareness regarding hibah. However, it was observed that they face limitations in their ability to exert influence upon donors. Therefore, it is imperative to ensure the widespread dissemination of information regarding hibah management practices. According to Mursidi and Khairi (2019), a deficiency in information can result in misconceptions regarding the authentic principles underlying Islamic estate planning. Therefore, it is imperative to enhance the dissemination of information regarding hibah to increase knowledge of its proper implementation since it is widely regarded as the most effective approach for asset management and the prevention of unclaimed assets (Ahmad et al., 2017).

The comprehension of estate management within Muslim communities could potentially mitigate many risks, such as disputes among heirs, the immobilisation of assets, and the suppression of estate-related matters. This underscores the significance of proactively addressing estate management during one's lifetime. In conjunction with the lack of a legal framework, the emergence of such issues is quite probable (Basir et al., 2022). Hence, individuals who possess knowledge are inclined to engage in proactive planning throughout their lives. Conversely, people who neglect to engage in early planning are regarded as lacking awareness and knowledge of the concept of hibah. Hence, it is expected that Muslims with a high understanding of hibah tend to participate in giving hibah. The following section will discuss religiosity.

### ***3.2 Religiosity***

Ghazali (1989) stated that religiosity is not easy to measure. Nevertheless, it can be seen through an individual's actions motivated by their faith or religious beliefs. Obedience to the religious orders he adheres to will manifest in his daily behaviour. Distributing properties through hibah is required in Maqasid Shariah, which protects wealth, as stated in Surah Al-Maidah verse 5. Therefore, religiosity must be examined as it is believed to play a vital role in explaining hibah practice. This factor can be confirmed through a study by Busry (2020), which found religiosity as having a significant relationship with cash waqf-giving behaviour among KUIPSAS students. Awwal and Rini (2019), Bouteraa (2019) and Hassan (2019) also proved religion influences one's decision in practising estate planning. In other Islamic environment behaviour, it is shown that religiosity is significant in determining why Muslims choose wasiyyah (Zainol et al., 2019; Mursidi & Maulan, 2020). Other studies also found that religiosity has a positive relationship with zakat (Farouk et al., 2017; Abdullah & Sapiei, 2018; Rosmana, 2021; Aligarh et al., 2021), infaq (Nursalimah & Senjiati, 2021; Akmila et al., 2022; Munawir & Sartiyah, 2022) and sadaqah behaviour (Daud et al., 2022). While in the hibah context, it is found religiosity influence hibah practice (Kamis & Wahab, 2022).

The level of religiosity is associated with distinct behavioural patterns that are contingent upon the perceived significance of one's religious convictions. Individuals possess varying degrees of religious values. An individual who places great importance on religion may possess a comprehensive comprehension and familiarity with Islamic doctrines, benefit from a supportive social environment that consistently promotes adherence to Islamic teachings and get early education regarding Islamic principles. Individuals with a strong religious orientation are more likely to adhere to the teachings and principles advocated by Islam. A person who adheres to a religious belief comprehends the significance of engaging in religious practises not only in the present life but also in the afterlife. Therefore, religion possesses the capacity to motivate individuals to engage in actions that provide advantages not only for themselves but also for others. According to the findings of Mustafa et al. (2022), religion has the capacity to influence an individual's behaviour and cognitive processes. Furthermore, according to Abdullah et al. (2013), it is asserted that Muslim communities are primarily influenced by Islamic law and beliefs. According to the findings of Said and Saad (2016) as well as Kamis and Wahab (2022), religious values play a significant role in influencing the propensity of Muslims to engage in hibah. In this study, a high religious value is expected to influence an individual to participate in hibah. The last section will discuss self-efficacy in brief.

### ***3.3 Self-efficacy***

Another factor that is expected to influence hibah practice is self-efficacy. According to Meng and Chao (2004), self-efficacy is one of the components of perceived behavioural control. Generally, self-efficacy can be said to be self-assurance in one's ability to do the activity. The choice, preparation, effort, emotional reactions, and thought will be influenced whenever the individual wants to perform the act. For example, someone confident in their ability to use a computer and the Internet is more likely to adopt Internet banking (Tan & Teo, 2000). In the hibah context, distributing property through hibah is one's ability to perform the act. An individual will perform it if they believe in their own abilities. The ability may consider other factors such as financial situation, leadership, age, health, etc. Sharip et al. (2019) examined Leader-member Exchange (LMX) and found that the high quality in it can increase self-efficacy. Besides, according to Muslichah et al. (2023), a high level of financial literacy can also enhance a person's self-efficacy. This is because, with the ability, they are confident to use the financial products or services.

However, after an extensive literature review, this study found self-efficacy in the scope of hibah is still scarce and not tested widely. Therefore, a few studies have been suggested to test self-efficacy to examine the individual's behaviour, especially in the context of Islamic estate planning (Said & Saad, 2016; Othman, 2017; Alias, 2020). In the context of zakat, Rahman et al. (2019), Othman et al. (2021), and Sayuthi and Juisin (2022) found self-efficacy is the main factor that influences zakat payers. Haron et al. (2023) found that self-efficacy and behavioural intention to accept benefidonor concept are significantly positive. However, a study conducted on Muslims in Bantul indicates that self-efficacy has influenced attitude towards cash waqf but did not affect intention towards cash waqf (Hermuningsih et al., 2021). This statement was also supported by Anwari and Primayudra (2023), who found self-efficacy and cash waqf giving behaviour influenced significantly. The study by Said (2016) revealed self-efficacy has a positive relationship with hibah practice. Ajzen (2002) also agreed self-efficacy has a strong relationship with behavioural intention. Thus, self-efficacy is expected to influence hibah practice. The next section explains the conceptual framework of this article.

### 3.4 Conceptual Framework

Based on the previous discussion, this study combined several theoretical frameworks and constructed a conceptual framework into three independent variables; (a) knowledge, (b) religiosity, (c) self-efficacy, and a dependent variable; hibah practice. This conceptual framework (Figure 2) is based on the Theory of Planned Behavior (Ajzen, 2002). Thus, it is expected that the independent variables and dependent variables in this model will have a positive relationship.

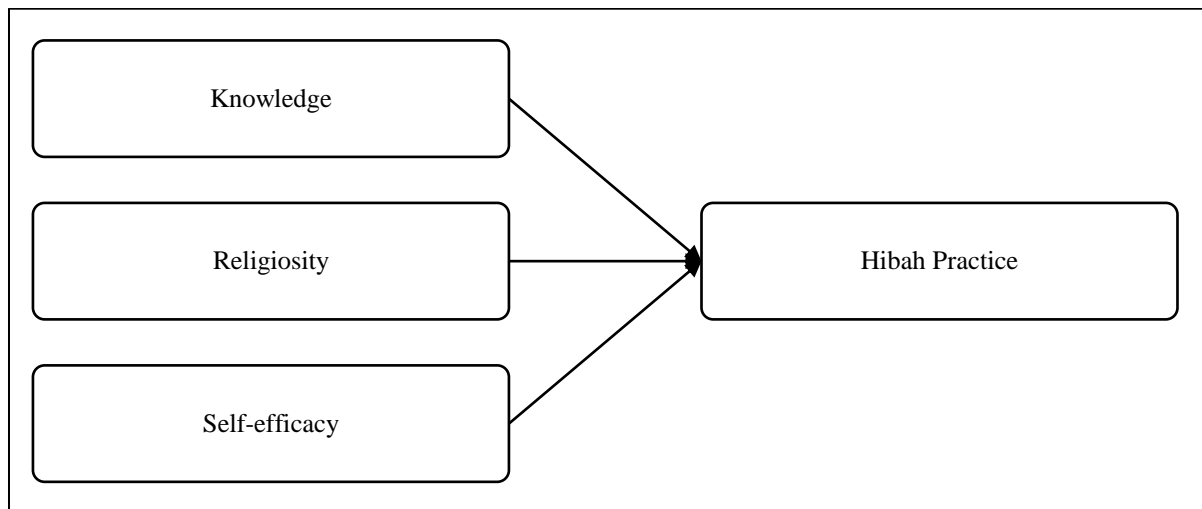


Figure 2: Conceptual Framework

Based on the objective of this study, these factors (knowledge, religiosity, and self-efficacy) are used to test the relationship towards hibah practice. The significant effect of knowledge and hibah practice has been supported by prior research (Ahmad et al., 2019; Basir & Rahman, 2022; Latib et al., 2022; Maamor et al., 2020). This is because knowledge is essential for human life and will drive and motivates individual acts. Mustafa et al. (2022) and Maamor et al. (2020) also confirmed that religiosity has a positively significant impact on hibah practice. Said (2016) provided evidence on the significant cause of self-efficacy and hibah practice. However, this factor needs to be tested widely as previous literature showed that self-efficacy is a factor that is still scarce and needs to be tested. This study will be conducted using a questionnaire, and all respondents will be asked to choose and rate their agreement based on a scale of 1 to 5 (Strongly Agree – Strongly Disagree).

## 4. CONCLUSION

Using hibah as an estate planning tool is the best alternative that the Muslim community can use. Not only can it reduce the number of frozen assets, but it will also boost the country's economy. However, studies conducted on hibah are still scarce, especially in the context of hibah practice. This study proposed a framework to examine the factors influencing Hibah practice. Three factors are taken into consideration, which are knowledge, religiosity, and self-efficacy. Based on the previous literature, all variables are expected to have a significant relationship with the hibah practice. Further research can test this model to prove the proposed hypothesis. The implication of this study is useful to academic institutions and hibah institutions. It may help hibah institutions as they are responsible for educating the Muslim community. Since the study is mainly conceptual, no empirical evidence is provided. For further

research, factors such as financial situation, experience and mass media should be examined, as those may significantly impact hibah practice.

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## AUTHORS' CONTRIBUTION

NYSB prepared the first draft of the paper. RMD, MAT and RM reviewed and edited the paper. All authors read and approved the final manuscript of the paper.

## CONFLICT OF INTEREST

None declared.

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