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A Literature Review on Islamic Estate Planning From Year 2014 to 2019

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**A Literature Review on Islamic Estate Planning
From Year 2014 to 2019**

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ABSTRACT

A systematic property planning is one of the most important processes to ensure that the accumulated property over a person's lifetime can be fully utilized for goodness especially by their heirs. However, there are many problems of neglect and postponement in Islamic estate distribution among the heirs nowadays, which result in difficulties in the management process. In fact, because of the unfamiliarity of the property distribution process among the heirs has caused them to ignore existing solutions. Therefore, this article aims to study the factors leading to delays in Islamic estate administration and to highlight solutions to the arising issues from 107 research articles and discussions on Islamic estate planning instruments from the year 2014 to 2019 to better understand this issue. This study is qualitative in nature and based on document analysis from previous literature in property management. The collected articles were analysed descriptively using Atlas ti 8 software and the total frequency of each variable was measured using Microsoft Excel 2007. This article is focusing on several variables including the frequency of articles issued on the topic, article production types, data analysis methods, approach pattern research, the gender of the authors, the rank of authors according to number of articles produced, list of journals and publication types. The initial review of this study has ascertained that there are numerous related studies done between the year 2014 to 2019 compared to the previous years. In general, this article is showing the Islamic estate administration system and its laws are influencing factors apart from its relation to individual

awareness in achieving better property management. In fact, each instruments; islamic inheritance, will, gift and islamic entrustment nowadays are growing rapidly in many sectors. These instruments offer good solutions in achieving effective islamic estate planning if its functions are well understood and observed. This indicates that the issue of islamic estate planning is still significant and has been extensively researched. Therefore, it is hoped that this study may provide a comprehensive overview of current issues related to islamic estate planning and provide a broader perspective to recent and future studies in addressing this issue.

Keywords: *Islamic Estate Planning; Islamic Inheritance (Faraid); Will; Gift (Hibah); Islamic Entrustment (Wisayah).*

1.0 INTRODUCTION

The concept of systematic wealth planning by property owners during their lifetime is deeply stressed in Islam. The collected property should be managed with care, and property inheritance planning to the beneficiary should be done in advance to avoid any problem arising after the death of the property owner (Kamarudin & Nor Muhamad, 2018). Proper understanding of islamic estate planning instruments such as islamic inheritance, will, gift and islamic entrustment based on the Quran and Hadith can help an individual Muslim to make the right decision that is to do property planning in advance (Hasbulah & Daud, 2015). This is in line with the word of Allah The Almighty in verses 47-49 in Joseph Verses. In that verse Allah The Almighty tells the wisdom of Prophet Joseph who succeeded in managing the risk of a drought that happened in Egypt by preparing seven years of supply beforehand. The immediate action of Prophet Joseph in resolving the economic crisis due to the drought had become a key factor in the success.

Abdullah et al., (2019) and Halim, Noor, & Arshad., (2018) explained that according to statistics released by the Syariah Department of Justice Malaysia (JKSM), unclaimed property up to year 2014 amounted to RM66.6 billion compared to just RM52 billion in the year 2013 (Zulkafli & Ahmad, 2016), showing an increase of 28.07%. More worryingly, this figure is expected to increase until the year 2019. This figure includes properties such as houses and lands as well as money from various financial institutions in Malaysia. Of the unclaimed assets in Amanah Raya Berhad itself, as of June 2017, it had reached RM315 Million (Kamarudin et al., 2019).

Therefore, the issue of delays in islamic estate administration is seen as a crisis that needs to be addressed immediately. This issue could indirectly cause negative effects from the economic, legal, social and religious perspectives (Mohammada & Suratman, 2017). In reality, the more property left by the deceased, the higher the costs charged on the heirs, causing them to be more burdened by the cost. Finally, the administration of islamic estate could not be resolved because the division between the heirs become more complex and layered. This leads to a dispute between them to obtain their rights. Regrettably, according to Rashid & Yaakub, (2010) other issues that may arise include cases of mass ownership of an asset, overlapping claims, neglected assets, difficulties in the trial process in the distribution of the deceased's property and the risk of losing the deceased's documents.

Hence, this article will focus on some of the key instruments in islamic estate planning through previous studies as an alternative to the above issues of islamic inheritance, will, gift and islamic entrustment. Hopefully, this study will provide insights and encouragement, especially to the Muslim community to expedite the process of administering their islamic estate administration and to not postpone it. Secondly, the authors hope that the latest study from the year 2014-2019 can provide readers with information that islamic entrustment and gift are instruments that are as important as islamic inheritance and will in the management of islamic estate in Malaysia.

2.0 LITERATURE REVIEW

2.1 Concept of Managing Islamic Estate and Its Importance

Islamic estate is referred to the property left by the deceased. This property comprises of movable or immovable property that is considered beneficial belonged to the deceased that has been acquired legally pursuant to Islamic law as set forth in Section 2 of the Enactment Islamic Will (Selangor) 1999 (No. 4/1999). Islam recognizes ownership of property while living regardless of gender, lineage and so on as long as it does not conflict with Islamic Law. This is very different from the concept of common law in civil law. This is because, the property of a married woman belongs to her husband and they are not entitled to manage the property (Hussin & Abdullah, 2016).

Early financial planning and systematic property management preparation can realize the demands of Maqasid Shariah, which is from the point of view of property protection (*hifz al-mal*) from being unclaimed and not benefitting it as much as possible in Malaysia (Awang et al., 2019; Aziz & Nordin, 2015; Daud, 2018; Hasbulah & Daud, 2015; Kadir, 2014; Nasr, 2015; Talib et al., 2016). Therefore, many private agencies, banking and even the State Religious Council also offer islamic estate planning instruments to help educate the public including civil servants and national security personnels such as the army, air force and navy (Hussain et al., 2016). The preparation of inheritance is important because the risk of their jobs of facing death while carrying out the duty of protecting the country.

2.2 Overview Administration Process of Muslims' Estates in Malaysia

In Malaysia, the process of islamic estate administration begins with the collection of the deceased property, debt settlement and balance before it is distributed to the rightful heirs. The process involves three stages of obtaining a grant of representation either from the High Civil Court, Small Estate Distribution Unit or Amanah Raya Berhad (ARB).

Whereas the Syariah Court has only jurisdiction to confirm the list of heirs and issue the certificate for islamic inheritance. The accumulated islamic estate will be managed depending on the value and form of the estate left by the deceased (Halim & Arshad, 2014). Table 1 below illustrates in more detail the distribution of powers for the three official institutions of administrative bodies in Malaysia:

No	Agency	Value For Property	Act
1	Small Estate Distribution Unit, Department Of Director General Of Land And Mines	Moveable and immovable assets less than RM2 million	Small Estate (Distribution Act 1955, Land Code & Distribution Act 1958)
2	Amanah Raya Berhad (ARB)	Moveable assets less than RM600,00	Corporation Amanah Raya Berhad Act 1955
3	High Civil Court	Moveable and immovable assets more than RM million or only moveable asset more than RM600,001	Probate & Administration Act 1959

Table 1: Jurisdiction Of The Administrative Bodies In Malaysia

The distribution of jurisdiction over the value of the property is intended to facilitate the community to manage the deceased's estate. However, this statement was refuted by Rahman et al., (2016) and Md. Azmi & Mohammad, (2015) that different institutions and jurisdictions have made the islamic estate administration process more difficult and confusing to the heirs. As a solution, it should be established that only one estate management institution is called the Department of Islamic Estate Planning Malaysia under the Prime Minister's Department. This opinion was also supported by former Chief Justice Tun Abdul Hamid Omar when he also criticized the process of issuing an improper islamic inheritance certificate issued by the Syariah Court. This is because the process is not the same as the estate trial at the Department Of Director General Of Land And Mines (JKPTG) which is more in detail.

In fact, the division of existing islamic estate administration is still ineffective, as some of the findings of the study show that the Syariah Court is not the mandatory reference in the issue of islamic estate planning based on some of the laws governing islamic estate practiced in Malaysia (Ab Rahman et al., 2018). Likewise, the scope of the Syariah Court's jurisdiction is limited to collateral issues such as legalizing marriages, listing of heirs and issuing islamic inheritance certificates causing islamic estate planning becoming less efficient and thus requiring amendmnet of provisions and improvement.

As a matter of fact, the process of islamic estate administration will not be difficult if the heirs promptly take actions by appointing an administrator who is aware of the process of claiming the islamic estate from beginning to the end (Nasrul & Salim, 2018). This is because, each of the institutions mentioned above has its own Key Perfomance Index (KPI) to solve a registered claim. Therefore, there is a need for greater understanding while still living regarding islamic estate administration on the part of the property owner or among the heirs.

2.3 Factors of Islamic Estate Administration Delay

After the advent of Islam, especially after the arrival of the colonial phase in the 14th century, the Malay community was increasingly aware of the importance of systematic documentations

on islamic estate planning (Mohamed & Sulong, 2016). Ironically, the issue of delays in the administration of the islamic estate is still haunting the community to this day and seems to be increasing over the years (Halim et al., 2018; Mohammada & Suratman, 2017; Nasrul & Salim, 2018). This contradictory statement indicates that there are still flaws in the existing islamic estate administration process, including from the standpoint of the community itself, although some agree that the Syariah Court is the rightful forum to deal with the cases involving Muslims' absolute trust property, some still consider the High Court's role is only to deal with criminal cases (Nasrul & Salim, 2017).

In fact, this property management is still underestimated by some because for them, the existing instruments are enough to solve the problem of existing islamic estate administration. The community also has low level of knowledge of the differences between testate and intestate administration (Zakiah et al., 2016). This is important in helping an individual make decisions, especially in the matter of property planning while he is still alive. As a result, if these matters and stigma persist, they may impede and hinder the process of islamic estate planning and making it hard for the heirs in managing the deceased's estate.

In addition, previous studies have highlighted the laws that cause confusion towards the community that led to negative views of the existing processes (Ab Rahman et al., 2018; Ahmad et al., 2018; Mohd Noor et al., 2018; Mohd Sa'afie & Muda, 2018; Nasrul, Salim, & Said, 2017). This is because, as the administrative bureaucracy in islamic estate administration involves multiple levels, some official institutions need the Letter of Administration, and islamic estate administration laws are inconsistent that further complicate the situation. However, the delay in this process also arises from disputes over the determination of limits and forms of property considered as islamic estate by the deceased that often arise before being distributed to the rightful heirs (Halim & Arshad, 2014).

In general, factors that contribute to the delay in islamic estate planning such as; awareness, social, administration and law should be taken into account by responsible institutions (Nik Wajis et al., 2018). Any neglect of these factors will result in the property distributed to be frozen and ultimately not being exploited for the benefit of the heirs in particular and the Muslims in general.

3.0 ISLAMIC ESTATE PLANNING INSTRUMENTS ANALYSES

The concept of islamic estate planning in Islam is unique and is closely linked to Civil Law. These interrelationships can be seen in a conceptual framework that is interconnected as described by Fazira, Wan Yusoff, & Al-Edrus, (2017) and Basah & Tahir, (2019) that islamic estate planning comprises several elements in one cycle namely; Wealth Creation or Generation, Wealth Expenditure, Wealth Accumulation, Wealth Purification, Wealth Protection or Preservation and Wealth Distribution. The figure below shows the essential elements in islamic estate planning:

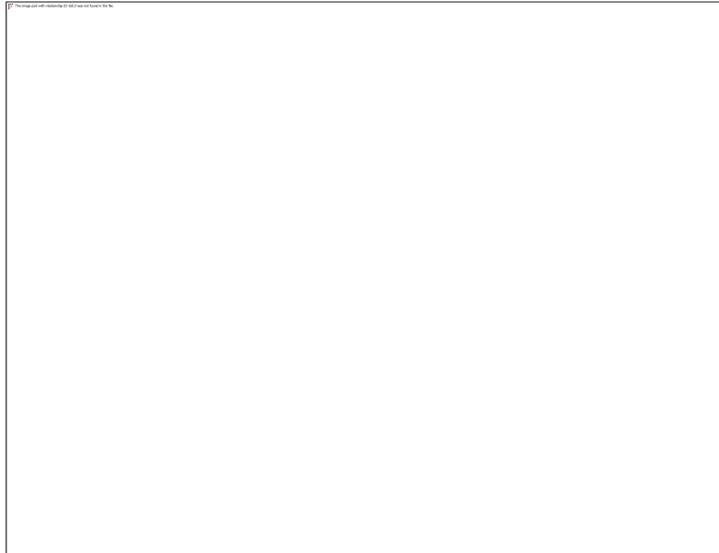


Figure (1): Description of elements involved in islamic estate planning

This conceptual framework is essential to ensure that the property is properly managed and properly distributed to the beneficiary without any issues. Based on this property management cycle, the most critical and controversial stages is wealth distribution that has the greatest impact on the lives of individuals (Ab. Aziz et al., 2014). To achieve the objectives of the study, the authors analyze and open a discussion session of property distribution instrument for four instruments in islamic estate planning which are islamic inheritance, will, gift and islamic entrustment.

3.1 Islamic Inheritance

There are researchers who focus on islamic inheritance instruments from the perspective of islamic estate planning only. There are also some who discuss about its rights and roles from the perspective of education (Echchabi & Musse, 2014; Wan Ahmad et al., 2018; Zulkifli, Batiha, & Qasim, 2018). Nevertheless, there are also studies on comparisons between women's rights and civil rights (Abdullah et al., 2014; Hassan & Abdul Rashid, 2014; Mahadi, Mazli, & Muneeza, 2019; Sulong, 2015). Although islamic inheritance is one of the most important instruments in islamic estate planning and its law is clear in the Quran, however, Rashid, Hassan, & Yaakub, (2014) stated that negative stigma about islamic inheritance has led the public to misunderstand, especially involving women's rights. For examples, claims of women's rights being abused compared to men's. In addition, some people are confused about the Baitulmal's role of the assets left behind by the deceased who did not leave any rightful heirs. Allegations have been made that this Baitulmal institution has taken the rights of the heirs and was not being just (Halim et al., 2019).

In fact, a literal understanding of islamic inheritance instruments, and ignorance of the concept of *takharruj* and concurrence led to the division of land on a property ownership grant involving many beneficiaries (AhMad, 2017; M. Y. Ahmad, Jamsari, Nasir, Hehsen, & Wan Hassan, 2017; Kamarudin & Abdullah, 2016; Wan Mohamad Ali & Ahmad, 2014). This can be more complicated if it involves missing heirs (*mafqud*) due to the difficulty of handing over the administered islamic estate (Mohamad & Sulaiman, 2018; Salleh, Nor Muhamad, & Husin, 2017). Delays in islamic estate planning also often occur in determining the rightful heirs. To

prevent this from happening, Ahmad, Isa, & Omar, (2014) suggested one early investigation (Pre-Investigation Mechanism) to be done by the heirs beforehand based on 5 methods: Method of Information Gathering Through Complaint, The Method of Sending Letters, Method of Narration and Method of Questioning and Method of Collection of Written Documents.

However, islamic inheritance instruments remains as one of the possible solutions to problems that arise based on three key factors that need to be aware of: deep understanding, lineage knowledge and the formulation of islamic inheritance knowledge. These three main factors can help to solve the theory of division especially when it comes to disputes over islamic estate administration among the heirs (Nik Hussain & Abdul Razak, 2014; Salleh & Mahamood, 2019; Zuleika & Desinthya, 2014).

3.2 Will

Based on a study conducted by researchers Bouteraa, (2019), Ghul, Yahya, & Abdullah, (2015) Isa et al., (2017) and Mohamad Puad et al., (2018) stated that the Muslim community in Malaysia is less interested in planning the distribution of property using will instrument due to several factors such as; knowledge (Ahmad Razimi, 2016; Bouteraa, 2019; Kamarudin et al., 2019), living conditions, types of property management, official institutions, perceptions (Abd Aziz et al., 2017) and property management (Abd Wahab, Hashim, & Abd Ghani, 2019). However, knowledge is one of the highest factors contributing to this situation based on a study conducted on Muslims in Duyong Terengganu Island (Ibrahim, Mohd Yusuf, & Mat Jusoh, 2016). This study is slightly different from another study conducted by (Abdullah, et al., 2017) to the people in Klang Valley. The study found that religious and financial factors were two of the main indicators of will not being an option in the distribution of property. For Sarip & Yusoff, (2017), the identified factors are attitude and tendency. Chong, Alma'amun, & Sia, (2015); Chuan, Seong, & Chau, (2014); Chuan, Seong, & Kai, (2014) concluded that all the factors in writing wills are made up of three main elements: Selfish Life-Cycle Model, Altruism Model, Dynasty Model and Social Norms and Tradition.

Although these factors influence the decision of a Muslim to take will as an instrument for property distribution, the issue of delays in islamic estate planning that is often being talked about can be overcome, if the property owner appoints a responsible executor in the will document (Mohammad, 2015; Nor Muhamad, 2017). This is owing to the fact that the ownership document of the property that has been mentioned in the will needs to be handed over to the appointed executor to facilitate the transfer process. In the event of any dispute between the heirs of the estate, one third of one third of the islamic estate is guaranteed to be given to the non-heirs (Afriyanto & Mohamed Said, 2015). Will instrument is seen as more objective in islamic estate planning especially involving adopted children, non-Muslim parents, charity to orphanages or welfare homes.

3.3 Gift

Although islamic inheritance instrument is fundamental to the management and administration of the estate, its implementation is still vague and confusing to some people (Ab Rahman, Md Khalid, & Jaafar, 2019). Hence, many researchers have conducted studies on the relevance of gift implementation because of its more flexible concept and wider scope compared to other instruments (Awang & Awang Abd Rahman, 2014; Azhar, 2018; Muhamad et al., 2019) and

can be given to anyone desired including heirs who are not entitled to the estate such as converted muslim (*muallaf*) and distant kindred (*dzawil arham*) (Baharudin & Mohamed Said, 2017; Ibrahim, 2017; Sulong, 2014, Sulong, 2014). Although there has been a dispute over the implementation of conditional gift on the concept of Hibah '*Umra* or '*Ruqba*' (Ahmad, 2018), many researchers have looked at the potential of gift to help solve Islamic estate planning faster (Abdul Rahman, Sarip, & Haron, 2016; Ismail & Mohamed Said, 2017, 2019; M. Fariddudin & Samsudin, 2017; Nor Muhamad, Ahmad, & Mat Hussain, 2017; Othman et al., 2018).

Apart from that, although gift has earned its place and attention in its acceptance, in reference to the findings of the study by Alma'amun, Kamarudin, & Asutay, (2016) and Said & Saad, (2016), they reveal that the implementation of the above gift is influenced by internal factors such as religion, attitude, exchange motive and altruism motive. Meanwhile, for external factor, such as quality of service that includes marketing and promotion (Al-Aidaros, Ishak, & Wan Mahamud, 2018). These factors are important to consider in order to encourage future usage of this instrument.

Today, the implementation of gift is growing and it can be seen in many sectors. Firstly, it can be seen in the Islamic estate administration sector. Although the implementation of gift basically involves two different laws; namely Civil and Shariah, gift can help expedite the transfer of property through form 14A to the intended beneficiary (Kamarudin & Nor Muhammad, 2017; Kamarudin, Zaman, & Meor Razak, 2019). The second is the takaful industry (Azhar et al., 2014; Elatrash & Soualhi, 2016; Ibrahim & Mohd Ali, 2015; Ismail & Mohamed Said, 2017; Kamarudin, Abdullah, & Mohamad, 2015; Kamil Ahmad & Borhan, 2017; Md Razak et al., 2015; Noordin, Ismail Muhammad, Abd Rahman, Haron, & Abdullah, 2016), the third development of gift application is also in the Islamic banking industry such as *al-ijarah thumma al-bai*, *al-wadi'ah contract* and *al-qard contract* (Ali, 2015). Meanwhile, Naiimi, Yaacob, & Kasim, (2018) states further that gift can also be introduced in the franchise business industry.

3.4 Islamic Entrustment

This issue of delays in Islamic estate administration can also occur when the personal representative is fraudulent and irresponsible (Halim & Mohd Noor, 2015). Hassan & Abdul Rashid, (2014) therefore highlighted the importance of appointing an administrator or trustee who is qualified for this task. These appointments serve to assist the management and distribution of the deceased's estate to be transparent and orderly and to avoid any injustice and mistreatment. However, the fact remains that some are not aware in the designation of takaful or insurance when appointing minors as nominees or executors (Mohammad Shapien & Markom, 2018). The effect is that the estate cannot be managed until the nominee is 18 years old. This situation prevents the trust property from being used by the child immediately.

According to a study conducted by Halim & Ahmad Bustami, (2017), the concept of Islamic entrustment has expanded its implementation when combined with gift instrument as practiced by Amanah Raya Berhad, Bumiputra-Commerce Trustee Berhad, Tabung Haji and Amanah Saham Bumiputera (ASB). However, the progress is not significant. This is evident in a study conducted in Melaka in year 2013-2015. The main factor of the instrument's lack of development is due to the lack of knowledge and awareness among the community about the importance of Islamic entrustment itself (Ahmad et al., 2017). Furthermore, this fact is also supported by another study conducted by Kamarudin & Nor Muhamad, (2018) that the

community is more aware of and prioritizes the implementation of gift, will and islamic inheritance compared to islamic entrustment. However, it should be noted that the islamic instrument has greater authority and a greater significance as its implementation is subject to the Civil Law (Halim et al., 2018).

In addition, a study by Abdullah et al., (2019) revealed that property trust management in relation to estate administration by several institutions in Malaysia is increasingly alarming. As such, this will lead to an increase in the value of unclaimed property and indirectly impact the country's economy. Based on the current situation, it is advisable to identify islamic entrustment as one of the most efficient and systematic instruments in islamic estate planning.

4.0 PROBLEM SOLUTION FOR NEGLECTION AND DELAY IN ISLAMIC ESTATE DISTRIBUTION

To overcome the delay in islamic estate administration, Nasr, (2015) and Mat Johan et al., (2018) point out that the public needs to be given exposure through education from the beginning on the importance of the concept of property management and the Maqasid Shariah. Whereas Md. Azmi & Mohammad, (2015) and Muda, (2016) propose that there is only one islamic estate planning tribunal consisting of three main constituents, namely; First: a centralized registry that establishes only one islamic estate administration site that manages any estate application; Second: administrative and judicial coordination that refers to laws that have overlapping powers in Civil Law and Shariah law. Third: have an up-to-date and easy-to-access property administration database. This was raised by previous researchers but no further action was taken.

In addition, Muhamad Asni & Sulong, (2016) have suggested the need for uniformity of *fatwa* between states regarding will instrument and this includes compulsory will (*wasiyyah al-wajibah*) involving *dhawi al-arham* (Musa, 2017), a will for the heirs to avoid public confusion, and disputes on the validity of the will during the islamic estate administration process (Karim, Awang, & Zakaria, 2018; Muhamad Asni, Sulong, & Ismail, 2017).

5.0 METHODOLOGY

The writing of this study uses qualitative methods that compiled 107 articles from the year 2014-2019 through several online databases such as Google Scholar, Dimensions, and Scopus. These articles are analyzed for information related to the factors of delay in islamic estate planning and to propose solutions to this issue. This study is a continuation of the article by Ab. Aziz et al., (2014), after examining the importance of this study to the Muslim community in particular to the current situation of islamic estate administration in Malaysia. However, the delaying problem in islamic estate administration is still happening. This can be proven by the increase in the unclaimed property over the years that has been highlighted in the finding.

The main difference between this study and the previous study is that it does not touch on endowment (*wakaf*), but instead focuses on 4 main instruments namely: will, gift, islamic inheritance and islamic entrustment as well as looking at the administration of the estate in general. Justification of the selection of all these instruments is due to their high importance in relation to the administration of islamic estate in Malaysia. In fact, the debate continued until the research period of the year 2019. All of these articles were analyzed descriptively using Atlas.ti 8 software and the frequency of each variable was measured using Microsoft Excel

2007. This article seeks to emphasize the importance of efficient islamic estate administration concepts through islamic estate planning instruments recognized by islamic law in solving problems raised.

6.0 FINDING

6.1 Number of Annual Journal Publications

Publication Year	Types of Articles					Total
	Estate Administration	Gift	Will	Islamic Inheritance	Islamic Entrusment	
2014	8	3		6		17
2015	5	3	4	1	1	14
2016	4	3	8	1		16
2017	9	7	5	3		24
2018	9	6	5	2		22
2019	5	3	3	2	1	14
Total	40	25	25	15	2	107

Table (2): Number of Annual Journal Publications

A total of 107 articles were analyzed from the year 2014-2019 on islamic estate planning. Table 2 describes in detail islamic estate planning instruments that have been analyzed over the years.

A total of 40 articles have been generally written on the concept of islamic estate administration and it is the highest written volume. While the will and gift instrument recorded 25 total articles, followed by islamic inheritance of 15 articles and islamic entrustment instrument with the least number of publication with a total of 2 articles.

The highest number of articles produced is in 2017 with 24 articles. Whereas the articles produced in 2018 were 22 articles. In 2014, as maany as 17 articles were published, and in 2016, with a slight difference where 16 articles were produced. The least amount of published articles is in the year 2015 and 2019 with 14 articles. The published articles in the year 2014 are 17.

6.2 Types of Study by Journal Articles Publication Year

Publication Year	Data Analysis					Total
	Analysis	Discriptive	Empirical	Explorotary	Thematic	
2014	12	4		1		17
2015	8	2		4		14
2016	12	3		1		16
2017	17	5		2		24
2018	14	5	1	1	1	22
2019	7	5		1	1	14
Total	70	24	1	10	2	107

Table (3): Types of Study by Journal Articles Publication Year

This study focuses on 5 approaches that is commonly used in previous studies. The study also added another form of research approach which is Thematic Analysis, in addition to those used in previous studies: analytical, descriptive, empirical and exploratory. This is important because using different approaches will help to broaden the scope of the debate further and pave the way for new forms of research for future studies.

Based on the analysis done on the 107 articles, most researchers use analytical approach with a total of 70 research approaches. This is followed by discriptive approach with 24 research approaches. The third approach is in the form of exploratory with 10 reserach approaches. The lowest research approach recorded is 2 which is thematic approach and one article used an empirical data analysis approach.

6.3 Research Approach Based on Journal Articles Publication

Publication Year	Research Approach			Total
	Qualitative	Quantitative	Mixed-Method	
2014	12	3	1	16
2015	11	3		14
2016	13	1	2	16
2017	20	3	1	24
2018	19	2	1	22
2019	12	2	1	15

Total	87	14	6	107
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Table (4): Research Approach Based on Journal Articles Publication

In this study, the authors have identified the design aspects of the study (qualitative, quantitative and mixed-method). Based on the research data collected, over the past 6 years qualitative research design recorded 87 articles, secondly the quantitative design with 14 articles. The least commonly used study design is mixed-method with 6 articles only.

6.4 Authors' Gender And Relationships Between Authors

Gender	Single Author	Two Authors	Three Authors	Four Authors	Five Authors	Six Authors	Seven Authors	Eight Authors	Thirteen Aunthors	Total
Male	17									17
Female	1									1
Two or more (Male)		12	8		1	1				22
Two or more (Female)		9	4	3	3					19
Two or more (Mixed gender)		18	10	9	4	4	1	1	1	48
Total	18	39	22	12	8	5	1	1	1	107

Table (5): Authors' Gender and Relationships Between Authors

Based on the total 107 articles produced, there is a gender breakdown. The total number of single author (male) is higher than the single author (female) which is 17 articles and only 1 article involving single female author.

Meanwhile, for the total number of two or more male authors, the total is only 22. The slight difference between the total number for two or more female authors with only 1 difference which is at 19 authors.

The total number of authors involving men and women is relatively high at 48 authors.

6.5 List of Authors and the Number Of Written Articles Published

No.	Author	Number of Writers	Number of Publication
1	Nasrul Hisyam Nor Muhamad, Mohd Khairy Kamarudin	2	8
2	Akmal Hidayah Halim, Jasni Sulong, Md Yazid Ahmad	3	6
3	Mohammad Tahir Sabit Haji Mohammad, Noor Lizza Mohamed Said, Wan Noraini Mohd Salim	3	4
4	Abdul Bari Awang, Abu Bakar Jaafar, Mohd Musa Bin Sarip, Mohd Zamro Muda, Muhammad Amrullah Drs Nasrul, Nor Azlina Mohd Noor, Tajul Aris Bin Ahmad Bustami,	7	3
5	Adam Abdullah, Alias Azhar, Amilah Awang Abd Rahman, Azhani Arshad, Azwan Abdullah, Chong Shyue Chuan, Ezad Azraai Jamsari, Fuadah Johari, Lim Chee Seong, Mohamed Bouteraa, Mohd Kamil Ahmad, Mohd Muslim Salleh, Muhammad Ridhwan Ab. Aziz, Raihanah Abdullah, Rusnadewi Abdul Rashid, Siti Mashitoh Mahamood, Siti Rashidah Ismail, Suhaili Alma'amun, Suhaimi Ab Rahman, Syed Muhammad Dawilah El-Edrus, Wan Zahari Wan Yusoff, Wan Zulkifli Wan Hassan	23	2
6	A. Abdullah, Abd Hadi Abd Rahman, Abdelghani Echchabi, Abdul Karim Ali, Abdul Nasir Zulkifli, Abdulhakim Fakhruddeen Bin Muhamad Ridzuan, Adelina Zuleika, Adilah Abd Raza, Adilah Mohd Sa'afie, Aflah Bt Isa, Afriyanto, Ahamad Faosiy Ogunbado, Ahmad Akram Bin Mahmud Rabbi, Ahmad Basri Ibrahim, Ahmad Che Yaacob, Ahmad Fadhil Hamdi Mohd Ali, Ahmad Jazlan Mat Jusoh, Ain'noor Liyana Binti Mat Johan, Aini Faezah Ramlan, Ainol Fizy Ruslan, Ainur Zaireen Binti Zainudin, Aishath Muneeza, Al-Hasan Al-Aidaros, Aminah Binti Mohsin, Aminudin Hehsen, Ammar Ismail, Anwar Fakhri Omar, Arif Fadilah Ishak, Asjad Mohamed, Atiq Syamimi Binti Ahmad, Azitadoly Mohd Ariffin, Azman Ab. Rahman, Azreen Jihan Mohd Hashim, Azrul Azlan Iskandar Mirza, Badlihisam Mohd Nasir, Badruddin Hj Ibrahim, Basri Ibrahim, Bibi Nur Adila Zulkafli, Bik Kai Sia, Buerah Tunggak, Che Zuina Ismail, Ezwan Rafiq Husin, Faiz Hatim, Faizan Abd Jabar, Farah Binti Zaini, Faridah Hussain, Fathullah Al Haq Muhamad Asni, Fatimah Karim, Fatin Afiqah Md. Azmi, Fauziah Mohd Noor, Fazira Shafie, Faziatul Amillia Mohamad Basir, Golam Dastagir, Hanifah Musa Fathulah Harun, Hasfina Mohaini, Hasliza Binti Talib, Hassan Sulaiman, Hussin Che Pa, Ihsan Muhidin, Ismail Muhammad, Jamaludin Mustaffa, Joni Tamkin Borhan, Kamaliah Abdul Karim, Kamarudin Ngah, Khairiah Ahmad, Khairil Faizal Khairi, Khalijah Mohd Nor, Lukman Bin Abdul Mutalib, Lukmanul Hakim Bin Hj Hanafi,	201	1

<p>Luqman Hj. Abdullah, M.H. Yahya, Mahmoud Mohamed Ali, Mariam Saidona Tagoranao, Mariyatul Qibtiyah Binti Mohamad, Mehmet Asutay, Mohamad Haider Abu Yazid, Mohamad Sabri Haron, Mohammad Azam Hussain, Mohammad Mahyuddin Khalid, Mohammad Nidzam Bin Abdul Kadir, Mohammad Noorizzuddin Nooh, Mohammed Farid Ali, Mohd Hazmi Bin Mohd Rusli, Mohd Ali Mohd Yusuf, Mohd Ashrof Zaki Yaakob, Mohd Firdaus Abdul Hamid, Mohd Fitri Abdul Rahman, Mohd Hilmi Hamzah, Mohd Hisham Mohd Kamal, Mohd Izhar Ariff Mohd Kashim, Mohd Mustaffa Mohd Jusoh @ Yusoff, Mohd Nasran Mohamad, Mohd Norhusairi Mat Hussin, Mohd Shahril Bin Abdul Rahman, Mohd Zaidi Daud, Mohamad Idham Md Razak, Mualimin Mochammad Sahid, Muhamad Helmi Md Said, Muhamad Husni Hasbulah, Muhammad Aunurrochim Bin Mas'ad Saleh,, Muhammad Adib Samsudin, Muhammad Fathullah Al Haq Muhamad Asni, Muhammad Hafiz Badarulzaman, Muhammad Ikhlas Rosele, Muhammad Issyam, Muhammad Sabri Zakaria, Muneer Ali Abdul Rab, Munirah Kasim, Mustafa Moosa Qasim, Nadirah Abdul Hamid, Nadzirah Mohd Said, Nasri Naiimi, Nawal Sholehuddin, Nazrul Hazizi Noordin, Ni Putu Desinthya, Nik Fadzrina Bt Nik Hussain, Nik Rahim Bin Nik Wajis, Nik Salida Suhaila Binti Nik Saleh, Noor Aimi Bt Mohamad Puad, Noor Inayah Yaakob, Noor Naemah Abdul Rahman, Noor Syahida Abdul Rahman, Nooriha Abdullah, Nor Adila Mohd Noor, Nor Fahimah Mohd Razif, Nor Lizza Mohamed Said, Nor Sabrena Norizan, Nor Yani Isa, Nor'adha Binti Abd Hamid, Noradilah Abdul Hadi, Noralfishah Binti Sulaiman, Norazila Mat Hussain, Norazlina Abd Wahab, Norhidayah Binti Md. Yunus, Norlaila Md Din, Norlela Zaman, Norsaadah Binti Din @ Mohamad Nasirudin, Norziah Binti Othman, Nur Amalina Abd Ghani, Nur Shuhada Kamarudin, Nurauliani Bt Jamlus Rafdi, Nurfarhana Bt Mohd Daud, Nurhafizah Bt Azizan, Nurli Yaacob, Nurul 'Izzah Baharudi, Nurul Aien Abd Aziz, Nurul Arifah Mahadi, Nurul Ashykin Abd Aziz, Nurul Farhana Mazlan, Nurul Izzati Nordin, Nurul Nazlia Jamil, Nurul Syahirah Othman, Osman Sayid Hassan Musse, Putri Rozita Tahir, Qais Ali Batiha, Rafdah Mohammad Shapien, Rahmah Lob Yussof, Rahmawati Mohd Yusoff, Ram Al Jaffri Saad, Rasyikah Md Khalid, Rayikh Md Khalid, Razifah Bt Othman, Resali Bin Muda, Robiah Suratman, Rosamiza Meor Razak, Rozaiha Ab Majid, Rozita Abdul Mutalib, Ruzian Markom, Saba' Radwan Jamal Elatrash, Samori, Sarimah Basah, Setiyawan Bin Gunardi, Shafinar Ismail, Shaikh Hamzah Abdul Razak, Shyue Chuan Chong, Sia Bik Kai, Siti Aishah Mazli, Siti Asishah Hassan, Siti Asishah Hassan, Siti Fariha Mohamad, Siti Fatimah Noor Minhad, Siti Noor Farahin M. Fariddudini, Siti Nur Hidayah, Siti Nurah Haron, Siti Nuramani Abdul Manap, Siti Radiaton Adawiyah Binti Zakaria, Siti Rosnita Sakarji, Siti Zaleha Binti Ibrahim, Sri Wahyu Sakina Bt Ahmad Sanusi, Suhana Mohamed, Suraiya Hashim, Wafa Mohammed Ali Nasr, Wan Azmi Wan Ahmad, Wan Mohd Faris Wan Mahamud, Wan Najmiah Binti Wan Mohamad Ali, Wan Noraini Mohd Salim, Wirdati Mohd Radzi, Wong Hong Chau, Younes Soualhi, Yusuf Sani</p>		
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	Abubakar,Z.H. Ghul, Zaharah Abdullah, Zahari Mahad Musa, Zakiah, Zakiul Fuady Muhammad Daud, Mohd Shahril Ahmad Razimi,		
	Total	239	29

Table (6): List of Authors and the Number Of Written Articles Published

After reviewing 107 articles from the year 2014-2019 above, the study found that there were 239 authors involved in the above scientific study. From the total number, Nasrul Hisyam Nor Muhamad and Mohd Khairy Kamarudin both produced the highest studies of 8 articles. This was followed by Akmal Hidayah Halim, Jasni Sulong and Md Yazid Ahmad at a total of 6 articles. For Mohamammad Tahir Sabit Haji Mohammad, Wan Noraini Mohd Salim and Noor Lizza Mohamed Said, they have written 4 articles. The remaining authors have written 3 to 1 articles and recorded the highest number of 231 authors.

6.6 List of Journals and Number of Articles Published

No.	List of Journals	Country	Frequency						Total
			2014	2015	2016	2017	2018	2019	
1	IIUM Law Journal	Malaysia				1			1
2	International Journal of Islamic Thought	Malaysia				1			1
3	Journal of Engineering and Applied Sciences	UAE				1			1
4	Akademika	Malaysia					1	1	2
5	Al Qimah Al Mudhafah The Journal of Management and Science (ALQIMAH)	Malaysia					1		1
6	Al-Qanatir: International Journal of Islamic Studies.	Malaysia			1	3	1	1	6
7	American-Eurasian Journal of Agricultural & Environmental Sciences (AEJAES)	UAE			1				1
8	Arab Law Quarterly	Netherlands				1			1
9	Asian Women	South Korea		1					1
10	Australian Journal of Basic and Applied Sciences	Pakistan	3						3
11	e – Academia Special	Malaysia					1		1
12	Fikiran Masyarakat	Indonesia		1					1

13	Global Journal Al-Thaqafah (GJAT)	Malaysia		1					1
14	Global Journal of Management and Business Research: G Interdisciplinary	United States of America			1				1
15	Global Review of Islamic Economics and Business	Indonesia	1						1
16	Humanomics	United Kingdom			1				1
17	IBMRD's Journal of Management & Research	India						2	2
18	INSANIAH: International Online Journal of Language, Communication, and Humanities	Malaysia					1		1
19	Intellectual Discourse	Malaysia		1					1
20	Intercontinental Journal Of Finance Research Review	India		1					1
21	International Journal of `Umranic Studies	Brunei					1		1
22	International Journal of Civil Engineering and Technology (IJCIET)	India				1	1		2
24	International Journal of Economics, Commerce and Management (IJECEM)	United Kingdom		1					1
25	International Journal of Fiqh and Usul al-Fiqh Studies (IJFUS)	Malaysia					1	1	2
26	International Journal of Humanities Social Sciences and Education (IJHSSE)	United States of America		1					1
27	UMRAN - International Journal of Islamic and Civilizational Studies	Malaysia				3			3
28	International Journal of Law, Government and Communication (IJLGC)	Malaysia			1	1	1		3
29	International Journal of Liberal Arts and Social Science	United Kingdom	1						1
30	International Journal of Management and Applied Research (IJMAR)	United Kingdom.						1	1
31	International Journal of Management Research & Review (IJMRR)	India				1			1
32	International Journal of Real Estate Studies (INTREST)	Malaysia		1					1
33	International Journal of Management Applications (IJMA)	India					1		1

34	International Review of Management and Marketing (IRMM)	Turkey			1				1
35	Islamic Sciences	Pakistan		1					1
36	ISLAMIYYAT	Malaysia				3	1		4
37	ISRA International Journal of Islamic Finance	Malaysia			1				1
38	Journal of Advanced Research in Dynamical and Control Systems	United States of America					1		1
39	Journal of Emerging Economies and Islamic Research (JEEIR)	Malaysia				1		1	2
40	Journal of Islamic Banking and Finance	Bangladesh	1						1
41	Journal of Wealth Management & Financial Planning (JWMFP)	Malaysia		1					1
42	Journal of Advanced Research in Law and Economics	Romania					1		1
43	Journal of Applied Environmental and Biological Sciences (JAEBS)	Egypt				1			1
44	Journal of Asian and African Social Science and Humanities	Canada			1				1
45	Journal of Education and Social Sciences (JESOC)	Malaysia					1		1
46	Journal of Global Business and Social Entrepreneurship (GBSE)	Malaysia			2				2
47	Journal of Hadith Studies	Malaysia				1			1
48	Journal of Human Development and Communication	Malaysia	1						1
49	Journal of Islamic Studies and Culture	United States of America		1					1
50	Journal of Islamic, Social, Economics and Development (JISED)	Malaysia					1	2	3
51	Journal of legal, Ethical and Regulatory Issues	United States of America						1	1
52	Journal of Shariah Law Research	Malaysia			1				1
53	Journal of Nusantara Studies	Malaysia					1		1
54	Jurnal Teknologi	Malaysia		1					1
55	Jurnal Ekonomi Malaysia	Malaysia		1					1

56	Jurnal Hadhari	Malaysia				1			1
57	Jurnal Ilmiah Islam Futura	Indonesia					1		1
58	Jurnal Islam dan Masyarakat Kontemporari	Malaysia	1						1
59	Jurnal Muamalat	Malaysia	2						2
60	Jurnal Sultan Alauddin Sulaiman Shah (JSASS)	Malaysia			2		1		3
61	Jurnal Syariah	Malaysia	1			1			2
62	Kanun	Malaysia	1			1	1		3
63	Labuan e-Journal of Muamalat and Society (LJMS)	Malaysia				1			1
64	Library Philosophy and Practice (e-journal)	United States of America	1						1
65	Malaysian Journal of Syariah and Law	Malaysia			1		1		2
66	Mediterranean Journal of Social Sciences	Italy	1						1
67	Melayu: Jurnal Antarabangsa Dunia Melayu	Malaysia			1				1
68	ECONOMICA	Romania			1				1
69	Journal of Advanced Research in Social and Behavioural Sciences	Malaysia						1	1
70	Pertanika Journal of Social Sciences & Humanities (JSSH)	Malaysia		1					1
71	Reports on Economics and Finance	Bulgaria					1		1
72	Research Journal of Applied Sciences	Pakistan			1				1
73	SHS Web of Conferences	France				1			1
74	Tazkia Islamic Finance and Business Review	Indonesia	1						1
75	The Journal of Muamalat and Islamic Finance Research	Malaysia						2	2
76	The Journal of Social Sciences Research	Germany					1		1
77	The Social Sciences	Pakistan	2						2
78	Universiti Utara Malaysia Journal of Legal Studies (UUMJLS)	Malaysia				1			1
Total									107

Table (7): List of Journals and Number of Articles Published From the Year 2014 to 2019

According to the publication of the journals above, as many as 19 countries have published articles from authors in Malaysia. For all of the published studies, a total of 78 publication of various indexed journals were identified.

No.	Country	Number of Articles Published From Year 2014-2019
1.	Malaysia	64
2.	India	7
3.	Pakistan	
4.	Amerika Syarikat	6
5.	Indonesia	4
6.	United Kingdom	
7.	Romania	2
8.	UAE	
9.	Netherland	1
10.	South Korea	
11.	Brunei	
12.	Turkey	
13.	Bangladesh	
14.	Canada	
15.	Itali	
16.	Bulgaria	
17.	France	
18.	German	
19.	Egypt	

Table (8): List of Country for Journal and Number of Articles Published From Year 2014 to 2019

According to the table above, Malaysia registered the highest number of articles published at 64 publications. In addition, the second top countries in articles published are India and Pakistan with 7 publications. This is followed by the United States producing 6 publications, and Indonesia and the United Kingdom at 4 publications. Meanwhile, Romania and the UAE have only 2 publications. The remaining 11 countries recorded only one publication.

7.0 DISCUSSION

The finding of the study obtained from the analysis of 107 articles from 2014-2019 are as follows:

1. The increasing number of articles published each year shows that research on the issue of islamic estate planning is very relevant and remain as a topic of discussion. There are 4 islamic estate planning instruments that have been emphasized by previous researchers, and islamic entrustment instrument records the lowest frequency although their impact on property management is huge.
2. Qualitative analysis research approach has been widely used by previous researchers to delve deeper into the issue of delay in islamic estate planning from the past to the present.
3. Qualitative data analysis is more popular among researchers compared to other analysis patterns.
4. The writing pattern of the study is quite interesting as many researchers, both male and female, have collaborated together to produce a study.
5. Out of a total of 239 researchers from Malaysia, Nasrul Hisyam Nor Muhamad and Mohd Khairy Kamarudin contributed the highest total of 8 publications each in the last 6 years.

8.0 CONCLUSION

Based on the previous discussion, it can be concluded that each individual must have a deep knowledge in islamic estate planning from the beginning. This is due to the various factors in the delay of estate administration has led to multiple implications. The stigma and beliefs of the community that the islamic inheritance is the only distribution system that exists after death should be changed.

The analysis result of the entire articles over the last 6 years has found that many studies have been conducted in this area. One possible conclusion is that this issue has been taken seriously by previous researchers and the research is ongoing up to this day. In this regard, various aspects and steps should be taken into account in planning especially in the context of property distribution.

Hence, this study suggests that a more drastic action need to be implemented to solve the issue of the delay in islamic estate distribution in the future by:

First: Share the findings of the study with a government-recognized and legal institution in Malaysia, private sector, beneficiaries and public.

Second: To explore islamic entrustment instrument more extensively and to conduct research on its effectiveness in islamic estate planning.

Third: Increase the number of conferences and publications locally and abroad that discuss this issue widely as well as get feedback and views from people of different educational backgrounds and places.

Fourth: This study also proposes future studies of the takaful / insurance industry as the instrument is growing today in islamic estate planning especially during life time.

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