

EXPLORING MUSLIM SOCIETY'S KNOWLEDGE OF WASIYYAH

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ABSTRACT

Wasiyyah is essential to ensure the priority of any individual is upheld. However, it is not obligatory in Islam. Preparing *Wasiyyah* is Sunnah Mua'kad. This paper examines the knowledge of Muslim society about *Wasiyyah* and its contributions to the society. While the majority of Muslims in Malaysia are alert and familiar with the term Islamic Will or *Wasiyyah*, they have no clear idea or understanding about *Wasiyyah*. Results of this study indicate that the purpose of preparing *Wasiyyah* is to distribute property among those who are ineligible under the Faraidh Law. The contribution of *Wasiyyah* is to accelerate the process of management and distribution of property. Most of the Muslim society has little knowledge about *Wasiyyah* because of poor knowledge dissemination or promotion. It is therefore recommended that all organizations involved in managing property fully participate in delivering the knowledge about *Wasiyyah* and its benefits.

Introduction

"More than a million unclaimed heritages among Muslim in this country, of which the value reaches billion ringgits, could not be processed because most of them do not know the law and the rule to manage the property" (BERNAMA, August 08, 2006).

Datuk Seri Wan Abdul Wahid Wan Hassan claimed that a lack of knowledge about property management could cause Muslim's asset management to be static or not moving and could not be developed. This issue sparked my interest to gather more information about property management in Malaysia especially among Muslim society. There are many ways for Muslims to manage their property such as *Faraidh Law* and *Wasiyyah*. *Faraidh Law* is practised after the demise of an individual for the benefit of the members of the family. But *Wasiyyah* has to be managed by the testator himself. It involves persons who are not included or named as heirs to the deceased such as adopted son, auntie and friend, and so on.

Wealth is something that relates to prosperity. It refers to the belongings of a person, in terms of land, money, business, house and so on. We can not predict the future. What might occur to the property if some unforeseen circumstances happen? How should the property be managed? Thus, proper management of the property is a need that will ensure the property is distributed the way it should be. In Islam, Muslims are given abundant options in managing and distributing their property. *Wasiyyah* is one option of property distribution and management. *Wasiyyah* is also known as Islamic Will or in other words, bequest and inheritance. *Wasiyyah* is a property management that has to be managed by a qualified person such as lawyer or any organizations that are involved in preparing *Wasiyyah* such as *Amanah Raya Berhad (ARB)*, *Majlis Agama Islam Selangor (MAIS)* and many others. Will Act 1959 defines 'will' as a legal document where person declared their intention on how their belonging should be managed and distributed after their demise and to whom the property should be laid down. Muslim Wills Enactment (Selangor) 1999 identifies 'will' as a declaration of one person to distribute their property for the intention of charity or any intention which is allowable in Shari'ah law after their demise. *Wasiyyah* can be in written or oral form. It is an important legal document that has to be kept properly. If one does not make a will before their death, Malaysia Distribution Act 1958 (amended in 1997) will ascertain the bequest. *Wasiyyah* is not only about how to manage and distribute property but also how to manage and transfer debts and beneficiaries. In terms of property, the proportion

allowable by Islamic Law is 1/3 of the whole property. It can only be exceeded if the excesses of the proportions are accepted by the heirs. *Wasiyyah* can only be distributed after the demise of the testator. Any distribution of *Wasiyyah* before the demise of the testator is considered invalid as it is perceived as a malpractice of the Islamic Law.

Issue

This has conducted an informal interview with selected respondents in obtaining general information regarding the understanding of Muslim society towards *Wasiyyah*. The feedbacks seem to support the findings from the actual results of descriptive analysis. It shows that most of the Muslims are not sure with their understanding on *wasiyyah*. More than 40% and 50% of the respondents from this study indicate that they are not sure with *Wasiyyah* (refer to Table 4.11 and Table 4.12 respectively). The feedbacks from the respondents clearly revealed that there is a need to have proper approach in delivering the information regarding *Wasiyyah* to Muslim society.

The research questions are as follow:

- Do Muslims have the knowledge in preparing a *Wasiyyah*?
- What are the levels of the Muslim society's awareness of *Wasiyyah*?
- What is the contribution of *Wasiyyah* to the society?
- What are the advantages of preparing a *Wasiyyah*?

Objectives of the Study

The main objective in this research is to gain information on the understanding of Muslims about *Wasiyyah*. In particular, this research:

- Determines the knowledge about *Wasiyyah* among the Muslim society
- Examines the factors that influence the Muslim society in preparing *Wasiyyah*.

Theoretical Framework

A model of the research includes two types of variables. The dependent variable in this research is practice of *Wasiyyah* among Muslim society. This dependent is used to investigate and gather information about the knowledge and

contribution of *Wasiyyah* in Muslim society. Independent variable is one factor that influences the dependent variable in either positive or negative way. There are three independent variables set up to influence the dependent variable. The independent variables in this research are as follow:

- o Knowledge about *Wasiyyah*
- ✓ Determine the knowledge among Muslim society about *Wasiyyah*.
Do they know or not about *Wasiyyah*? Do they understand how to manage and administer their property through *Wasiyyah* or not?
- o Objective of preparing *Wasiyyah*
- ✓ Determine the aims/ reasons of the Muslim society in having *Wasiyyah*
- o Benefits of *Wasiyyah*
- ✓ Identify the benefits of having *Wasiyyah* for Muslims.

Figure 1: Model of IV and DV

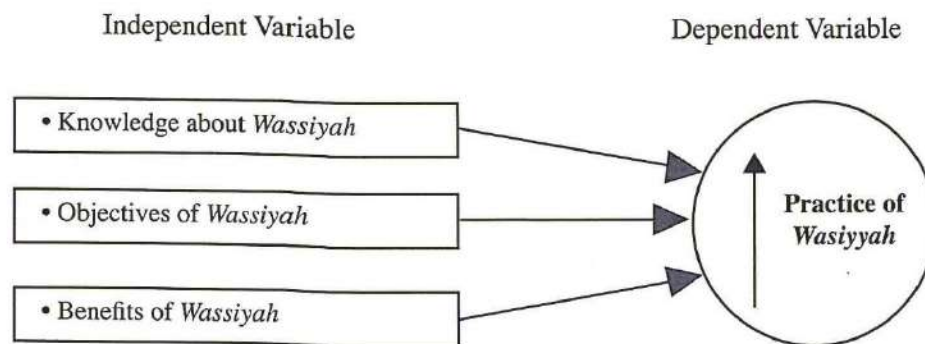


Figure 1 indicates the model in explaining the influence of certain factors namely knowledge about wasiyyah, objective of *Wasiyyah* and benefits of *Wasiyyah* towards the decision in preparing a *Wasiyyah*.

Literature Review

The study on *Wasiyyah* has been few and far apart. It predominantly focuses on the level of awareness and knowledge of *Wasiyyah* among Muslims.

Haji Jalaluddin Hasanuddin Al-Baghdadi (2007) explains that in Arabic, the term *Wasiyyah* derives from *wassho yuwasshi taushiyatan* or *awsho yushi ishoan* which means 'continuing'. *Wasiyyah* is something that relates to events that occur after someone's death. For example, if a father says "After my demise, give this land where I live to the mosque for". So, this message is considered as *Wasiyyah* and the heirs have the responsibility to carry out what their father had said before his death. However, **Fadillah Mansor (2006)** considers that *Wasiyyah* is a written document about the distribution of wealth as the testator's aim after his death. This distribution of wealth will only be done after the demise of the testator. After the demise of the testator, *Wasiyyah* is no longer called *Wasiyyah* but instead it is called heritage. The preparation of a *Wasiyyah* is a must because it allows for easier distribution of wealth according to *faraidh* law. In addition, **Yulyadi Arnakim (2003)** describes 'will' as *Wasiyyah* which means the distributions of one's wealth to others in terms of debt, beneficiaries or property upon one's death. The will in both Islam and conventional financial planning requires that the property will only be distributed after the demise of the testator. Furthermore, **Ahmad Thomson, Barrister (2004)** said that United Kingdom law does not distinguish Islamic marriages or divorces, thus an Islamic Will is the only method to ensure spouses shares and belonging of the property. Islamic will is determined as a basic law which can be entitled to whomever, after the payment of any debts, funeral expenses, taxes and testamentary administration charges. He also added that in 2006, the Islamic Will practices in Britain not only fulfilled the legal necessities of rule there, but guaranteed an allocation of the property that was in line of the Shari'ah. Lastly, Business Times (November 23 2005) defines the law related to the Will in Malaysia. The Will Act 1959 defines a Will as a manuscript where a person indicates his intention on how the property should be managed and by whom, after his demise. For non-Muslims, the Distribution Act 1958 defines the Will as what is written for the non-Muslims. The Muslim Wills Enactment (Selangor) 1999 defines a Will as an *iqrar* or statement of someone made during his lifetime with regard to his property for donations or any other reason which is allowable under Islamic Law, after his death.

According to **Haji Jalaluddin Hasanuddin Al-Baghdadi (2007)** there are four pillars of *Wasiyyah*. The first pillar is *al-mushi* or, in English, testator. The testator must ~~be~~ *be baligh* or has reached puberty and the testator must make the *Wasiyyah* as ~~what~~ he or she intend not because of his or her being forced by other individuals to ~~make~~ the *wasiyyah*. The second pillar is *al-Musho lahu* or a testee in English (those who receive *Wasiyyah* from the deceased). The Will for heirs is not valid as stipulated by the Prophet Muhammad SAW.

"God hath given everybody the things that they should own, thus, the preparation of Wasiyyah for heirs is not valid".

The third pillar is *al-Musho bihi* which means the thing or property mentioned in the *Wasiyyah*. The things should have beneficiaries or those who will inherit, and they can be transferred from one to the other and must not exceed one third of the whole testator's property. The last pillar is *ash-sighah* which means give and acceptance. The transaction occurs when one gives the property away while another party accepts it. However, **Dr. Abid Hussain (2008)** in <http://www.islam101.com/sociology/wills.htm> identified three different pillars of *Wasiyyah*. The first pillar is the testator. The second pillar is the legatee and the last pillar is the executor of the will (*Al-wasi Al-Mukhtar*). An executor is a person hired by the testator to prepare *Wasiyyah* documents according to Islamic Law and as intended by the testator. The executor may be more than one person and can be male or female.

Abdur Rahman I. Dor (2002) in his book emphasises the fact that the Islamic Law of inheritance and bequest can only be made for one third of the entire wealth. The limitation should not be exceeded. Furthermore, **Ahmad Thomson (2004)** also comes up with the same portion where only one third of the assets may be bequeathed to anyone including, for example, donation purposes. However, he adds that the remaining two third of the property could be distributed among the heirs according to Shari'ah principle only after the payment of funeral expenses and debts are made.

According to **Dr. Abid Hussain (2008)** in <http://www.islam101.com/sociology/wills.htm>, the importance of Wasiyyah is clear from the two hadiths cited below:

"It is the duty of a Muslim who has anything to bequest not to let two nights pass by without writing a will about it." (Sahih al-Bukhari)

"A man may do good deeds for seventy years but if he acts unjustly when he leaves his last testament, the badness of his deed will be sealed upon him, and he will enter Fire. If, a man acts wickedly for seventy years but being fair in his last will and testament, the goodness of his deed will be sealed upon him, and he will enter the Paradise." (Ahmad and Ibn Majah)

The first hadith shows that preparing a Will as early as one could is very much encouraged. A Muslim should not waste time or delay to prepare a *Wasiyyah*. The second hadith states that good deeds done even for only a short time will be rewarded as Allah intended and good deeds done for a long time are no guarantee to enter Paradise. The purpose of preparing *Wasiyyah* is important as according to **Haji Jalaluddin Hasanuddin Al-Baghdadi (2007)** through *Wasiyyah*, a person can easily plan the distribution of the property. Allah has created a person with a feeling of love for their property. Because of this feeling, the person will become reluctant to share and donate the property to others during his or her lifetime. Only when death is approaching or he or she is on the deathbed would he or she considers of making a good deed by writing or preparing a *Wasiyyah*. Allah gives a chance to a person to give his belonging or property to his non-heirs through *Wasiyyah*. In order to eliminate jealousy, Allah SWT forbids a person to make *Wasiyyah* for their heirs.

Yaacob and Mustafa (1999) had similar opinion as the above. But they states that the purpose of preparing *Wasiyyah* is to be close to the Almighty in hereafter. By preparing *Wasiyyah*, a person can increase his good deeds to cover all the actions, good or bad, that the testator has done in his life time. Good deeds can help the testator to gain reward from God and have peace in the world and hereafter. In terms of obligations or contributions to society, gifts or goodwill inheritance it can help other family members, develop good relationship and also help those who need a helping hand. This certainly differs from the will making purposes and practices in the West. **Lance Palmer, Vibha Bhargava, Gong-Soog Hong (2006)** who conducted a research on will adoption and life events among older adults in a western country, found that adoption of wills

and trusts are connected with the four life events, namely [..Birth, marriage, divorce? Death]. The research studied widows, those who are being diagnosed with cancer and retirees having a positive change in assets. Western culture totally differs from the Muslim culture because people in the West prepare their Wills for their immediate family members. **Rosenfeld (1992)** found that 75% of will holders adopted their wills for the purpose of allocating their belongings to their families, either equally or otherwise. **Rossi and Rossi (1990)** also recognized wills as being the primary method of arranging and relocating of personal belongings and treated wills as a tool for managing family and other relationships after death.

On the other hand, awareness is defined by <http://en.wikipedia.org/wiki/Awareness> as perception and response of a person to any circumstances or situations surrounding them. It does not mean understanding, only the capability to be alert of, experience or recognize. According to <http://ms.wikipedia.org/wiki/As-Salihin>, the awareness about *Wasiyyah* reflects the importance of heritage management in an individual's life. However, there are people who do not realize how important it is to prepare for the management of heritage or property especially among Muslim society. This lack of knowledge and awareness on Islamic heritage management may cause a big loss for them. In a research done by U.S state department (2006), it was found that there were 16,247,600 Muslims in Malaysia. But 99% had not prepared *Wasiyyah*. They tended to ignore the importance of Islamic heritage management.

Abdul Rashid Haji Abdul Latif (1986) indicates property has a value and financing benefit in society. Through *Wasiyyah*, the property can be developed by those who receive it. Next, when the property has been developed, the developer has to make a payment of *zakat* that will depend on the lump sum of the property that has been developed. Lastly, the payment of *zakat* will finally be distributed to the needy or those groups of people who should receive it and this, in turn, can help develop the community's socio-economic. **Business Times (November 23, 2005)** stated in detail the advantage of having *Wasiyyah*. The advantages of Will writing are to keep the benefit of the heirs and to allow the testator who desires to give one property that is otherwise not allowable under *Faraidh* Law, to a person such as an adopted son. Another advantage of *wasiyyah* is to ensure that the property is distributed according to one's intentions and wishes. The last advantage mentioned is to rapidly allocate the property so that there is less interruption to those left behind. Nevertheless, it seems that there is lack of research done about Will especially Islamic Will or *Wasiyyah*.

But there are several articles written about *Wasiyyah* that can be used for this research. There are many articles that explain more about *Wasiyyah* and how it is conducted and to whom should it be handled. Western Wills and Islamic Wills are two different things. Islamic will concerns with the contribution to society instead of just family members. But a Will in a western country determines the contribution to family members. However, the idea seems to be the same, that is, to ensure distribution of wealth after the demise of the testator.

Methodology

This research is considered as an exploratory study on *Wasiyyah* and questionnaire survey is the main tool to gather information concerning public knowledge about *Wasiyyah*.

This study focuses on the Muslim society in selected areas in Shah Alam and Klang, Selangor. The reason for selecting Muslims as target respondents is to gather information about the extent of knowledge of *Wasiyyah* that a Muslim community would have. For this study, the sample size encompasses 200 respondents in Shah Alam and Klang who have been randomly selected. The main instrument in collecting data for this study is questionnaire. The questionnaires are divided into five sections, Sections A, B, C, D and E. Section A gathers information about respondents' background through demographic questions that ask for the respondent's age, gender, education level, marital status, employment and income level. This section also includes questions on respondent's property ownership and whether they have received any *Wasiyyah* before. In section B, the questions are to determine what the respondents know about the purpose in preparing *Wasiyyah*. This section gathers information regarding the purpose that encourages a person to prepare a *Wasiyyah*. Next, section C determines the awareness of *Wasiyyah* among the public. It includes questions that ask what the public know about *Wasiyyah*, whether they know the portion of *Wasiyyah* and so on. Section D finds out whether the respondents know the advantages of *Wasiyyah*. Lastly, section E requires the respondents to give their personal opinion about the best way to promote *Wasiyyah* to the public. The purpose of this section is for the researchers to gain new insights or some ideas about ways to improve understanding on *Wasiyyah* in a Muslim society.

As stated in the earlier methodology section that this study is considered as an exploratory in obtaining information about *Wasiyyah* that a Muslim community would have. Thus, this study has focused more on descriptive analyses that

emphasis on the aspects of frequency, percentage and mean. The information regarding the general understanding of the Muslim society towards objectives of *Wasiyyah*, benefits of *Wasiyyah* and knowledge about *Wasiyyah*. In addition, this study has also focused on the factors that influence the making of *Wasiyyah* among Muslims by employing multiple regression analysis. The regression coefficients from this analysis have been the main focus in determining the level of influence among Muslims in preparing *Wasiyyah*.

Below are the hypotheses for this research:

Hypothesis 1

H₁: There is a significant influence of knowledge of *Wasiyyah* on the making of *Wasiyyah*

Hypothesis 2

H₁: There is a significant influence of objective of *Wasiyyah* in the making of a *wasiyyah*

Hypothesis 3

H₁: There is a significant influence of benefits of *Wasiyyah* in the making of a *wasiyyah*

Findings and Analysis

The data are obtained through questionnaire surveys filled by the members of the Muslim society living or working in Shah Alam and Klang. Out of 200 questionnaires distributed, only 150 of them can be used for this analysis.

Demographic Profile

There are 89 respondents aged below 25 years, 43 respondents aged between 26 to 40 years old and 18 respondents above 41 years old (Table 4.1).

Table 4.1: Age of respondents

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	<25 years	89	59.3	59.3	59.3
	26-40 years	43	28.7	28.7	88.0
	>41 years	18	12.0	12.0	100.0
	Total	150	100.0	100.0	

From the data received, there are 88 respondents who have studied at University or College, 4 respondents had Professional training, 50 respondents have SPM/PMR/SRP/LCE/MCE education and the remaining 8 respondents are from other category of education (Table 4.2).

Table 4.2: Education Level of Respondents

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	University/College	88	58.7	58.7	58.7
	Professional	4	2.7	2.7	61.3
	SPM/PMR/SRP/ LCE/MCE	50	33.3	33.3	94.7
	Others	8	5.3	5.3	100.0
	Total	150	100.0	100.0	

From the data gathered, 94 respondents currently own property and the remaining 56 do not own any property yet (Table 4.3).

Table 4.3: Property Owned by Respondents

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	94	62.7	62.7	62.7
	No	56	37.3	37.3	100.0
	Total	150	100.0	100.0	

Lastly, when asked about *Wasiyyah*, 18 respondents have experienced in receiving *Wasiyyah* and 132 respondents do not receive any *Wasiyyah* (Table 4.4).

Table 4.4: Wasiyyah Received by Respondents

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	18	12.0	12.0	12.0
	No	132	88.0	88.0	100.0
	Total	150	100.0	100.0	

Purpose Preparing Wasiyyah

Table 4.5 shows the degree of the respondents' agreement with the purpose of preparing *Wasiyyah* that is, to ensure the transferring of the property is as what the testator intends. From the figure in Table 4.5, 50% respondents agreed with the purpose while 38% strongly agreed, 1.3% strongly disagreed, only 0.7% disagreed with the statement and 10% remained neutral.

Table 4.5 : Objective of Wasiyyah (To ensure the transferring of the property is as what the testator intends)

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly Disagree	2	1.3	1.3	1.3
	Disagree	1	0.7	0.7	2.0
	Neutral	15	10.0	10.0	12.0
	Agree	75	50.0	50.0	62.0
	Strongly Agree	57	38.0	38.0	100.0
	Total	150	100.0	100.0	

Table 4.6 shows the degree of respondents' agreement with the purpose preparing *Wasiyyah*, that is, because of sickness or illness. From the figure in Table 4.6, it shows that 41.3% respondents felt neutral with the statements while 4.7% strongly disagreed, 11.3% disagreed, 34% agreed and 8.7% strongly agreed.

Table 4.6: Objective of Wasiyyah (sickness or illness)

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly Disagree	7	4.7	4.7	4.7
	Disagree	17	11.3	11.3	16.0
	Neutral	62	41.3	41.3	57.3
	Agree	51	34.0	34.0	91.3
	Strongly Agree	13	8.7	8.7	100.0
	Total	150	100.0	100.0	

Table 4.7 : Objective of Wasiyyah (to hasten the process of property distribution)

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly Disagree	3	2.0	2.0	2.0
	Disagree	15	10.0	10.0	12.0
	Neutral	26	17.3	17.3	29.3
	Agree	72	48.0	48.0	77.3
	Strongly Agree	34	22.7	22.7	100.0
	Total	150	100.0	100.0	

Table 4.8 shows the frequency of responses to a statement indicating the purpose of preparing a *Wasiyyah* is to help the needy. It is found that that 36% of the respondents agreed with the purpose while 35.3% remained neutral, 3.3% strongly disagreed, 12% disagreed and 13.3% strongly agreed that the objective of wasiyyah is to help those who are in need.

Table 4.8 : Objective of Wasiyyah (to help the needy)

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly Disagree	5	3.3	3.3	3.3
	Disagree	18	12.0	12.0	15.3
	Neutral	53	35.3	35.3	50.7
	Agree	54	36.0	36.0	86.7
	Strongly Agree	20	13.3	13.3	100.0
	Total	150	100.0	100.0	

Table 4.9 shows the descriptive statistics for questions in Section B which indicates the purpose of preparing *Wasiyyah*. As seen in Table 4.8, most respondents tend to answer neutral to agree for the questions asked in the questionnaire. The higher figure in the mean column determines the level of agreement of the respondents (mean of 3.5 and above) and the lowest mean indicates the level of disagree of respondents according to each statement and question (mean 1 to 3.5). Most of the respondents agreed that the distribution of property through *Wasiyyah* ensures the transferring of the property as what the testator intends. The mean is 4.2267 which is the highest mean shown in the table. The lowest mean is 2.92 where most respondents indicated their disagreement with the statement that higher level of education will influence the purpose of making a *Wasiyyah*. Most respondents did not agree that education influence the process of preparing *Wasiyyah*.

Table 4.9 :Mean analysis (Objective of wasiyyah)

	N	Minimum	Maximum	Mean	Std. Deviation
Purpose	150	1.00	5.00	3.4800	1.12757
B2	150	1.00	5.00	4.2267	.76102
B5	150	1.00	5.00	3.7933	.97138
B9	150	1.00	5.00	2.9200	1.03314
B11	150	1.00	5.00	3.4400	.97952
Valid N (listwise)	150				

Section C of the questionnaire identifies the respondents' general knowledge about *Wasiyyah*. Table 4.10 shows the frequency of the respondents' answer when asked about their awareness of *Wasiyyah*. The figures in the table show the percentage of Muslims who know what *Wasiyyah* is. From the data, it shows that 87.3% of the Muslim respondents know what *Wasiyyah* is while 10.7% are not sure and 2% do not know what *Wasiyyah* is.

Table 4.10 : Knowledge about wasiyyah (general knowledge)

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	131	87.3	87.3	87.3
	Not Sure	16	10.7	10.7	98.0
	No	3	2.0	2.0	100.0
	Total	150	100.0	100.0	

Table 4.11 shows the frequency count of the respondents' awareness of an organization that manages *Wasiyyah*. The figures in the table show the percentage of the Muslim respondents who know the body or institution involved in preparing a letter of *Wasiyyah*. From the data, it shows that 43.3% are not sure while 33.3% confirm that they know. The remaining 23.3% of the respondents do not know the body involved in preparing a letter of *Wasiyyah*.

Table 4.11 : Knowledge about wasiyyah (body or institution)

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	50	33.3	33.3	33.3
	Not Sure	65	43.3	43.3	76.7
	No	35	23.3	23.3	100.0
	Total	150	100.0	100.0	

Table 4.12 shows the frequency of the respondents' answer to questions that elicit their awareness about *Wasiyyah*. In other words, the figures shown in Table 4.12 show the percentage of the Muslim respondents who know the portion that the testator can spend or distribute to his legatee in *Wasiyyah*. From the data, it shows that 62% of the respondents are not sure while 26.7% do not know about the portion and only 11.3% know the portion.

Table 4.12 : Knowledge about wasiyyah (portion that the testator can spend)

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Yes	17	11.3	11.3	11.3
	Not Sure	93	62.0	62.0	73.3
	No	40	26.7	26.7	100.0
	Total	150	100.0	100.0	

Table 4.13 shows the descriptive statistics for questions in Section C which elicits the respondents' awareness of *wasiyyah*. As seen in the above table (Table 4.12), most respondents tended to answer 'not sure', 'no' and 'yes' to the questions asked in the questionnaire. The mean value of 1 indicates that the majority of the respondents answered 'yes', 2 'not sure' and 3 'no'. Most of the respondents agreed that they know what *Wasiyyah* is. The mean value shows 1.1467. The lowest mean value indicates that the respondents are aware about *Wasiyyah*. The mean value of 2.1533 indicates that the Muslim respondents are not aware about the portion of *Wasiyyah*.

Table 4.13 : Mean analysis (Knowledge about wasiyyah)

	N	Minimum	Maximum	Mean	Std. Deviation
Awareness	150	1.00	3.00	1.1467	.40775
C4	150	1.00	3.00	1.2333	.58409
C6	150	1.00	3.00	1.9000	.74860
C7	150	1.00	3.00	1.1800	.40251
C8	150	1.00	3.00	2.1533	.59907
Valid N (listwise)	150				

Section D of the questionnaire survey elicits the respondents' knowledge of the benefits of *Wasiyyah*. Table 4.19 shows the frequency of respondents' agreement with a contribution of *Wasiyyah* in which the transfer of property through *Wasiyyah* speeds up the process of property distribution after the demise of the testator. From the figures in table 4.19, it shown that 45.3% of the respondents agreed that *Wasiyyah* can speed the process of distributing property while 1.3% strongly disagreed, 5.3% disagreed, 28.7% remained neutral and 19.3% strongly agreed.

Table 4.14 : Benefits of wasiyyah (speed up the process of property distribution)

		Frequency	Percent	Valid Percent	Cumulative Percent
Valid	Strongly Disagree	2	1.3	1.3	1.3
	Disagree	8	5.3	5.3	6.7
	Neutral	43	28.7	28.7	35.3
	Agree	68	45.3	45.3	80.7
	Strongly Agree	29	19.3	19.3	100.0
	Total	150	100.0	100.0	

Table 4.15 shows the descriptive statistics for the questionnaire in Section C. This section elicits the respondents' knowledge of the advantages of *Wasiyyah*. As seen in the Table 4.14 above, most respondents were inclined to answer 'neutral' or 'agree' to the questions asked in Section C of the questionnaire. The higher figures in the mean column determine the higher level of agreement of the respondents (mean value of 3.5 and above) and the lowest mean value indicates the level of disagreement of the respondents with each statement and question in Section C (mean values ranging from 1 to 3.5). Most of the respondents answered 'neutral' for advantages of *Wasiyyah*. The highest mean is 3.7600 as shown in Table 4.15. The higher mean value explains the fact that most respondents agreed with the benefits of transferring property through *Wasiyyah* that is, to speed the process of property distribution. The lowest mean value is 3.2133. Most respondents are not sure that *Wasiyyah* can foster good relationships [rapport] among members of the Muslim societies in this world.

Table 4.15 : Mean Analysis (Benefits of wasiyyah)

	N	Minimum	Maximum	Mean	Std. Deviation
D1	150	1.00	5.00	3.3867	.90329
D2	150	1.00	5.00	3.7600	.87224
D3	150	1.00	5.00	3.2133	.93827
D4	150	1.00	5.00	3.4000	.92686
D5	150	1.00	5.00	3.4467	.93792
Valid N (listwise)	150				

Table 4.16 indicates that all of the factors namely objectives of *wasiyyah*, knowledge about *wasiyyah* and benefits of *wasiyyah* have significant influence in the decision making process of creating a *wasiyyah* among the Muslim society. This could be observed as the significant values of all the factors are less than the critical value of 1%. This study has confirmed that the objective (purpose) of *wasiyyah* has become the main factor that influences Muslims in making their *wasiyyah* as it has the highest regression coefficient of 0.919. The factors that influence the making a *wasiyyah* is followed by two other factors such as the benefits (advantages) of *wasiyyah* and knowledge (awareness) about *wasiyyah*; this observation is based on the two factors' regression coefficients of 0.341 and 0.261 respectively. In other words, the findings from regression analysis as referred to Table 4.16 could be represented by the following equation:

$$\text{Practice of Making Wasiyyah} = f(\text{Purpose, Awareness, Advantage})$$

Table 4.16 : Regression Analysis

		Coefficient			t	Sig
Model		Unstandardized Coefficient		Standardized Coefficient		
		B	Std. Error	Beta		
1	(Constant)	3.31	1.03		2.52	.01
	Purpose	.91	.04	.77	19.18	.00
	Awareness	.26	.08	.11	3.13	.00
	Advantage	.34	.06	.21	5.21	.00

a Dependent Variable: Practice of *Wasiyyah*

Discussion of Findings

The main purpose of preparing a *Wasiyyah* as agreed by the selected respondents is to protect the welfare of those whom one wishes to give one's assets to but are not eligible under the *faraidh* law, for example, one's adopted children. More than half of the respondents agreed that *Wasiyyah* is prepared to distribute assets to those who are not eligible under the *Faraidh* law. The other purposes are i) to ensure the transfer of the property as to what the testator intends, in view of his sickness or illness, ii) to rapidly carry out the process of property distribution and, iii) to help the needy. Most of the respondents gave a positive feedback for section B. It shows that the respondents know the purpose of having a *Wasiyyah*. The findings generated from Section C show that 87.3% of the respondents know what *Wasiyyah* is. However, they do not know what *Wasiyyah* actually means. They also do not know the body or institutions that are involved in preparing the letter of *Wasiyyah* and the correct portion of property distribution according to *Wasiyyah* as allowed in the *Shari'ah* Law. This happens because there has been a lackadaisical effort in the dissemination of information about *Wasiyyah* especially to the Muslim society. In other words, efforts by relevant bodies or organizations have not been sufficient to educate the public about the purpose and usefulness of *wasiyyah*. Indeed, *Wasiyyah* can be advantageous to one's life. Many people are not alert about it. This has been proven from the findings of this study that relate to the advantage and contribution of *Wasiyyah* which indicate that the respondents are still ignorant about the contribution of *Wasiyyah* in improving the socio-economic conditions of the ummah or Muslim society. However, the findings particularly from Section D show that the Muslim society is aware that *Wasiyyah* can expedite the process of property management and distribution. *Wasiyyah* can also offer new prospects and possibly a better future to those who inherit the property. Most importantly, *Wasiyyah* can be considered as a 'beacon of hope' for needy people who inherit a property through *Wasiyyah*. Findings of this study support the earlier hypotheses that *Wasiyyah* making among the Muslims respondents are influenced by factors such as purposes of making *Wasiyyah*, awareness of making *Wasiyyah* and benefits of *Wasiyyah*. To be specific, the purposes of making *Wasiyyah* is identified as the main factor in influencing the Muslims in preparing a *wasiyyah*. This is followed by the benefits of *wasiyyah* as well as knowledge in *wasiyyah* making.

Conclusions

This study is conducted to investigate what the public knows about *Wasiyyah* and the contribution of *Wasiyyah*. The main objective of this research is to gain information on the understanding of *Wasiyyah* among the Muslims. It also addresses the main influential factors that motivate a Muslim individual to make a *Wasiyyah* for those who are not included under the *faraidh* law like adopted children or step-children. Findings of this study confirm that as a whole, Muslim societies are familiar with the *Wasiyyah* term. They also know the existence of *Wasiyyah* or Islamic Will. However, they lack accurate and essential information about *Wasiyyah* such as the proportion for *Wasiyyah*, the organization that manages the property through *Wasiyyah* and to whom the property under *Wasiyyah* should be given. Most of the respondents were in agreement with the viewpoint put forward by an article titled 'Advantages of Will Writing' (Business Times, November 2005) that the purpose of *Wasiyyah* is to distribute property to those not eligible under *Faraidh Law* such as adopted children. Indeed, *Wasiyyah* gives benefits to everyone that will last even until the end of the world. Providing *wasiyyah* for one's dependant that is not included in the *faraidh* law is synonymous with good deeds that will bring the utmost reward from Allah, and gratitude from fellow human beings. Finally, the study also confirms that the objective of *wasiyyah* writing, the benefits of *wasiyyah* and knowledge about *wasiyyah* are found to be the factors that influence many Muslims in making a *wasiyyah* in an effort to have a fair management and distribution of their wealth and property upon their demise. It is a forward thinking step for the Muslim society to ensure the future of their immediate family members as well as their other dependants is not put at risk.

Recommendations

From this study, it seems that most members of the Muslim society familiar with *Wasiyyah* term. However, most of the public have little knowledge about *Wasiyyah*. Thus, below are some suggestions to instil knowledge about *Wasiyyah* especially among Muslim societies.

First, Muslim society should take part by participating in any seminar, exhibition or talk that provides information about *Wasiyyah*. By attending the talk or exhibition, Muslim society may develop knowledge about *Wasiyyah*. If they have a problem to discuss about *Wasiyyah*, they can directly bring the problems to those who are well-versed and knowledgeable about *Wasiyyah*.

Through books or pamphlets, Muslim society also can also gain new ideas about *Wasiyyah*. As an alternative, the media becomes the best way to increase knowledge and spread information to the public. MAIS, for example, may use the media as an alternative to disseminate information about *Wasiyyah* to Muslim society. The media such as newspaper, magazine, television, and internet are the mediums to develop an understanding among the Muslim society about the importance of preparing the *Wasiyyah*. In addition, certain body of Islam, for example, Majlis Agama Islam Selangor (MAIS) should provide facilities for the promotion of *Wasiyyah* to Muslim society. Talks and seminars may be held at the mosque, *surau* and so on. It is to ensure that the Muslim society is alerted to the preparation, management, practices and good governance of *Wasiyyah*. Furthermore, an increase in the number of books and pamphlets about *Wasiyyah* and Islamic Will might spur mass education of *wasiyya* as such references are rather limited in the market. Books are the best medium to disseminate and deliver knowledge about *Wasiyyah* to the public. There is no doubt that the public may want to refer to the books or pamphlets. Besides keeping them at the library, the books and pamphlets may also be placed at *musollah (surau)* or mosques. After performing solah, people at the *surau* or mosque can study or browse through it while waiting for next prayer time. In brief, educating the public on everything that relates to *wasiyyah* writing might induce socio-economic development of the Muslims.

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