

UNIVERSITI TEKNOLOGI MARA

**ISSUES AND CHALLENGES RELATED TO
INHERITANCE: PROPERTIES
DISTRIBUTION PROCESS AMONG STAFF IN
JABATAN HAL EHWAL AGAMA ISLAM
NEGERI KELANTAN (JAHEAIK)**

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ABSTRACT

According to the Quran and Hadith, inheritance is crucial to guaranteeing that the estate of a deceased person is divided among their legitimate heirs in a fair and reasonable manner. Notwithstanding its religious significance, Malaysia's inheritance distribution procedure is beset by a number of difficulties, such as family conflicts, administrative inefficiencies, and legal complexities. The purpose of this study is to examine the problems and difficulties associated with Malaysia's inheritance distribution procedure under Islamic law, with a particular emphasis on Jabatan Hal Ehwal Agama Islam Kelantan (JAHEAIK). The study uses a quantitative research technique, collecting data from 117 JAHEAIK employees via a survey administered via the web platform Google Forms. The questionnaire focusses on two main topics: the staff members' comprehension and awareness of faraid, as well as the particular problems and difficulties they face during the inheritance distribution procedure. Descriptive statistics are used in data analysis utilising the Statistical Package for the Social Sciences (SPSS). At the end of the study, the researcher was able to assess and review the level of understanding and knowledge of the staff at JAHEAIK where their knowledge of the distribution of inheritance in Malaysia was not very good. In addition, researchers can also identify issues that occur during the estate distribution process, including time constraints, problems between families, complicated procedures and documentation problems. In addition to offering suggestions to increase the effectiveness of the inheritance distribution process, such as streamlining legal procedures and raising public knowledge of faraid, this study gives significant insights into the causes impeding successful inheritance administration in Malaysia.

Keywords: JAHEAIK, inheritance, awareness, complicated, procedures

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CHAPTER 1

INTRODUCTION

1.1 Introduction

In Malaysia, inheritance distribution—known as faraid in Islamic law—is a crucial legal and social practice, especially for the Muslim population. The precise inheritance shares for legitimate heirs are outlined by the faraid principles, which are drawn from the Qur'an and the teachings of Prophet Muhammad SAW. This study explores the complexities of inheritance distribution, concentrating on the difficulties that the employees of Jabatan Hakl Ehwat Agama Islam Kelantan (JAHEAIK) encounter when carrying out these procedures. This study intends to offer suggestions for improving the efficacy and efficiency of inheritance distribution in Malaysia by investigating the legal and procedural obstacles faced.

1.2 Research Background

In Malaysia, inheritance distribution is a significant legal and social procedure, especially for the Muslim community, where the allocation of property among heirs is primarily determined by Islamic law (faraid). The two most crucial elements of faraid distribution are the legal heirs and the share that will be inherited (Abdullah, 2021). The Qur'an offers a thorough account of the sections of the heirs as described in Surah al-Nisa' verses 11, 12, and 176. Furthermore, the Prophet's advice inspired Muslims to teach it to everyone, not just themselves, with the intention of putting it into practice or application down the road (Bachri, S. 2022). Prophet Muhammad SAW said to Abu Hurairah,

“O Abu Hurairah, learn the science of faraid (inheritance) and teach it. Indeed, the faraid is half of knowledge and it will be forgotten. It is the first knowledge that will be revoked from my ummah” (Ibn Majah Abu Abdillah Muhammad bin Yazid al-Qazwiny, 1997, p. 908).