

# Evaluating the Fatwa on Surplus Estate Management in the State of Perlis: Insights into the *Al-Radd* (Reinstatement) Method

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## Abstract

The implementation of estate administration in Malaysia involving *faraid* rulings refers to the practice of Syafie scholars. This includes the method of *al-radd* (reinstatement) of surplus estate to Baitulmal throughout the country when there are no more fixed heirs (*ashab al-furud*). However, the *fatwa* on the management of surplus estate in the State of Perlis through the Decision of the 37<sup>th</sup> Perlis State Fatwa Committee Meeting dated 27<sup>th</sup> September 2018 shows a different result from the practice in other states throughout Malaysia. The *fatwa* prioritises the *al-radd* method of surplus estate to the *zawil arham* and the Perlis Islamic Religious Council (MAIPs) management should consider it. Therefore, this study will examine the *fatwa* and look at the rationale of the *al-radd* method to the *zawil arham* from the perspective of the welfare of the beneficiary. This study is qualitative and by using the literature method through research on primary and secondary sources. The result of the study found that this *fatwa* can provide wider welfare benefits to the beneficiary, especially those who are poor and do not have sufficient finances.

**Keywords:** Al-Radd, Estate Administration, Surplus Estate, Fatwa

## Introduction

The debate on the implementation of *al-radd* by scholars and academics has long been discussed. In fact, it can be said that the debate has only stopped as far as academic discussions are concerned. This is because the implementation is not only technical but also involves many stakeholders. For example, the power of the kings in each state in Malaysia, Baitulmal, the State Islamic Religious Council (MAIN), the Estate Distribution Unit through Section 8, Small Estates (Distribution) Act 1955, and the Civil High Court through Section 13, Probate and Administration Act 1959.

This study is crucial as it addresses the management of surplus estate within the framework of Islamic inheritance law (*faraid*), which is a significant aspect of Muslim life in Malaysia. The practice of *al-radd*, or the reinstatement of surplus estate to Baitulmal when there are no fixed heirs (*ashab al-furud*), has substantial implications for social welfare. The fatwa issued by the Decision of the Perlis State Fatwa Committee Meeting No. 37/2018 (Fatwa on the Management of Surplus Estate, 2018) dated 27<sup>th</sup> September 2018, presents a unique approach by prioritizing the *al-radd* method to *zawil arham*. *Zawil arham* refers to distant relatives or kin who are not immediate heirs according to Islamic inheritance law (*faraid*). These relatives may include maternal uncles and aunts, paternal aunts, and their descendants, among others. They are considered eligible to inherit only when there are no closer heirs (like children, parents, and siblings) according to the principles of *faraid* (al-Khin, al-Bugha & ash-Sharbiji, 2012).

However, the main challenge in the implementation of *al-radd* is that its jurisdiction is fully under the jurisdiction of the Islamic Religious Council and Malay Custom for each state. Further complicating its implementation, Baitulmal also has a great role and power in managing the *al-radd* inheritance when the estate administration process is completed either at Amanah Raya Berhad (ARB), Estate Distribution Unit Office or the Civil High Court.

The provisions on the jurisdiction of Baitulmal can be referred to in Article 97(3) of the Federal Constitution:

*If in accordance with State law or in respect of the Federal Territories of Kuala Lumpur and Labuan, in accordance with federal law any Zakat, Fitrah, **Baitulmal** or similar Islamic religious revenue is raised, it shall be paid into a separate fund and shall not be paid out except under the authority of State law or federal law, as the case may be.*

Further to the provision in the Federal Constitution above, the jurisdiction of this Baitulmal has been detailed based on Section 60(1) of the Administration of Islamic Law (Federal Territories) Act 1993 Act 505 which states:

*A Fund to be known as **Baitulmal** is hereby established. The Fund shall consist of all moneys and properties, movable or immovable, which by **Islamic Law** or under the provisions of this Act or rules made thereunder, accrue, or which are contributed by any person, to the Fund.*

In addition, the management of Baitulmal involving more inheritance is also clearly stated as in the provisions of Section 60(2) of the Administration of Islamic Law (Federal Territories) Act 1993 Act 505 which explains:

*“Provided that any investments of assets and funds vested in the Majlis may be sold, realized and disposed of, and the proceeds thereof may be invested from time to time in any investments authorized by any written law for the time being in force for the investment of trust funds.”*

These assets include (MAIJ, 2024; MAIK, 2024):

- i. Premise rental collection (shophouses)
- ii. Rent or lease of land
- iii. Inheritance redemption (*al-Takharruj*)
- iv. The property of a dead Muslim has no heirs.
- v. The property of a dead Muslim is inherited but does not dispose of the property (*Asobah*).
- vi. Compensation
- vii. Various Baitulmal revenues (such as Luqatah, Hibah and Non-Shariah compliant assets)
- viii. Baitulmal fund investments

It is not surprising that Baitulmal is one of the largest institutions in Malaysia that manages property belonging to Muslims. This is based on the jurisdiction that has been allocated to it (Muhammad Nazirul & Sulong, 2024). However, the question arises whether there is still room to prevent Baitulmal from receiving the types of property mentioned above, especially involving the surplus of Muslim inheritance without heirs (Mohamad & Abdullah, 2022). Therefore, the significance of this study lies in its potential to provide valuable insights for religious authorities and estate management institutions. By understanding the implications of this fatwa, authorities can consider more inclusive and welfare-oriented approaches in estate management. This can not only promote social justice but also strengthen the role of Baitulmal and MAIN in managing Muslim estates. There is a pressing need to examine this fatwa to understand its rationale and potential benefits. Therefore, this study will examine the fatwa of the Decision of the Perlis State Fatwa Committee Meeting No. 37/2018 (Fatwa on the Management of Surplus Estate, 2018) dated 27<sup>th</sup> September 2018 which shows different results from the practice in other states throughout Malaysia. This study will also look at the rationale of the *al-radd* method to the *zawil arham* from the perspective of the welfare of the beneficiary and offer valuable perspectives to policymakers and practitioners of Islamic law.

#### **AL-RADD Definition**

*Al-radd* means to return (*i'adah*), turn away (*sarf*) and reject (*rafd*). *Al-radd* means to return the surplus estate to the *ashab al-furud* which exists in a *faraid* case, because at the same time there is no *asabah* heirs who inherited the surplus estate. It causes a reduction in the origin of the shares and an addition to the predetermined inheritance rates. form of distribution *al-radd*, it is completely contrary to the *al-awl* method where the original amount of a case exceeds the shares of each beneficiary. As a result, the heirs will get a small share from the actual inheritance in *al-awl* (al-Khin, al-Bugha & ash-Sharbiji, 2012; Mahad Musa, 2020).

Based on the above definition, it can be clearly understood that through this *al-radd* method, the surplus of the deceased's estate will be handed over to the Baitulmal when there are no more *asabah* heirs who inherit the deceased's estate. Table 1 below explains an example of the occurrence of *al-radd* to the beneficiary.

Example 1

Table 1

Situation of *Al-Radd*

Heirs	Shares	24	Calculation after <i>al-radd</i>
			23
Wife	1/8	3/24	3/23
Mother	1/6	4/24	4/23
2 Daughters	2/3	16/24	16/23
Surplus estate		1/24	reinstatement to existing heirs
Share		24/24	23/23

### Position of Baitulmal and Fatwa of Perlis Estate

The Shafi'i school of thought influences Malaysia, whether in matters of worship, legal administration and judiciary, transactions (*al-muamalat*), and Islamic family law (Awang et al., 2007). Its influence even extends to the matters of inheritance (Sulong, 2008). For example, there are opinions of the Shafi'i school decided independently, and there are also opinions that coincide with the views of other scholars. Cases, where the Shafi'i school agrees with the majority of scholars, include the case where the mother receives one-third of the remainder (*al-gharrawayn*), i.e., the mother and father are always in a two-to-one (2:1) ratio unless stated otherwise, as mentioned in the verse 11 of Surah an-Nisa'.

*Each parent is entitled to one-sixth if you leave offspring. But if you are childless and your parents are the only heirs, then your mother will receive one-third. But if you leave siblings, then your mother will receive one-sixth*

Meanwhile, in the case of inheritance involving a grandfather and siblings, the Syafi'i school agrees with the Maliki and Hanbali schools that the grandfather inherits together with the siblings. The Shafi'i school of thought aligns with the Maliki school in the matter of *musytarakah*, where blood siblings who receive a residual inheritance (*asabah*) are given the right to inherit alongside half-brother/sister (same mother) who receive fixed shares (*fardu*). According to the usual distribution, blood siblings would not inherit because the inheritance would have been completely distributed by the *ashab al-furud*. However, for the welfare of the nearest relatives, blood siblings are decided to also inherit (Sulong, 2008). In addition, Syafie scholar has also become a reference for judiciary and law enforcement. The reference to any decision, ruling, fatwa and religious stance is to focus first on the views of Syafie scholar (Mahad Musa, 2020).

Therefore, the Religious Administration Enactment of every state except Perlis State has clearly provided for the priority of referring to Syafie school. For example, Section 39, Administration of Islamic Law (Federal Territories) Act 1993 Act 505 states:

- 1) In issuing any fatwa under section 34, or certifying any opinion under section 38, the Mufti shall generally follow the accepted views (*qaul muktamad*) of the Shafi'i school.
- 2) If the Mufti believes that following the accepted views of the Shafi'i school would lead to a situation contrary to public interest, the Mufti may follow the accepted views of the Hanafi, Maliki, or Hanbali schools.

- 3) If the Mufti believes that none of the accepted views from the four schools can be followed without leading to a situation contrary to public interest, the Mufti may resolve the issue according to his judgment without being bound by any accepted views.

However, if there is no view on the preferred issue or if it is not suitable with current circumstances and public interest, then only will the views from other scholars be considered (Sulong, 2008). Based on the context of the discussion in this paper, it has been found that, to date, there is no fatwa on the implementation method of *al-radd* from the states in Malaysia except the State of Perlis. This is because the majority of states in Malaysia prioritize the views of the Shafi'i and Maliki schools, which prefer that the surplus estate be given to Baitulmal (Mahad Musa, 2020). For example, Table 2 and Table 3 below explain the situation where Baitulmal is eligible to receive the remaining surplus estate in the absence of *asabah* heirs.

#### Example 2

Table 2

##### *Situation of Baitulmal Receiving Surplus Estate*

Heirs	Shares	24
Wife	1/8	3
Mother	1/6	4
Daughter	1/2	12
Baitulmal	Balance	5

#### Example 3

Table 3

##### *Situation of Baitulmal Receiving Surplus Estate*

Heirs	Shares	24
Daughter	1/2	3
Granddaughter	1/6	1
Baitulmal	Balance	2

Based on Table 2 and Table 3 above, it clearly shows situations involving Baitulmal. Through the *al-radd* method, Baitulmal will inherit 5/24 of the estate (Table 2) and 2/24 of the estate (Table 3) in the absence of *asabah* heirs. However, this situation changes when *asabah* heirs exist, and Baitulmal will be completely excluded. For example, as shown in Table 4 below:

Table 4

##### *Situations Where The Asabah Heirs Exist And Baitulmal Does Not Inherit*

Heirs	Shares	24	24
Son	<i>Asabah Bil Ghair</i>	3	2
Daughter			1
Granddaughter	<i>Mahjub</i>	3	

Based on Table 4 above, the presence of a son as an *asabah* heir has prevented the granddaughter from inheriting the estate. Moreover, Baitulmal also does not have any share at this time. However, it is different in the State of Perlis, which has issued a ruling and fatwa

regarding the "Fatwa on the Management of Surplus Estate" through the Decision of the 37<sup>th</sup> Meeting of the Perlis State Fatwa Committee in 2018, which states:

*"The property left without heirs among Ashab al-furuh and Asabah is managed by MAIPs for the benefit of the Muslim community. At the same time, MAIPs management should prioritize zawil arham if feasible. This is more in line with current needs in the context of our country's legislation."*

### **The Relevance of The Implementation of *Al-Radd* and Its Impact on Heirs**

This paper views that the *al-radd* method holds significant value in safeguarding the welfare of heirs. While there are views among jurists, particularly in the Shafi'i and Maliki schools, which lean towards returning the surplus estate to Baitulmal, the perspectives of the Hanafi and Hanbali schools, which prioritize *zawil arham* as recipients of surplus estate, also deserve attention. This paper sees the implementation of *al-radd* in Malaysia as achievable despite constraints and challenges from Shariah legal perspectives and involved stakeholders. Moreover, the State of Perlis could potentially become the first state to implement it based on the Decision of the 37<sup>th</sup> Meeting of the Perlis State Fatwa Committee dated September 27, 2018.

This paper identifies five main factors make the implementation of *al-radd* relevant to be implemented in Malaysia in general and in the State of Perlis specifically:

### **Interpretation of "Shariah Law"**

"Syariah law" means Islamic law according to any recognized school of thought (Garis Panduan Pengeluaran Fatwa di Malaysia, 2017). This means that the Decision of the 37<sup>th</sup> Meeting of the Perlis State Fatwa Committee dated September 27, 2018, is still in line with the intended Shariah law. Although there are details regarding the sequence of accepted views in the Shafi'i school in issuing legal opinions or fatwas starting from Section 39, Administration of Islamic Law (Federal Territories) Act 1993 Act 505 (Garis Panduan Pengeluaran Fatwa Di Malaysia, 2017).

However, State of Perlis has taken the initiative to provide views based on public interest (*maslahah*) considered reasonable for the welfare of the deceased's heirs. This paper believes that this fatwa is not something odd (*asy-syaz*) or contrary to the majority of the four existing schools of thought. Instead, it celebrates the diversity of existing schools of thought in Islam. In fact, Imam al-'Izz bin Abdus Salam also mentioned that It is a obligatory upon every individual to follow (*taqlid*) any one of the four imams, and it is incumbent upon every individual to follow one of them in each particular issue, and to follow another imam in another issue, and it is not permissible to confine oneself to following any one of them exclusively in all matters (Khalid al-Jundi, 2009).

The statement of Imam al-'Izz bin Abdus Salam needs to be understood with a sound scholarly perspective. It does not mean that a person is absolutely free to switch between the held *madzhab* (*talfiq*). Malaysia is a country that has long practiced the Shafi'i scholar. In certain issues that require the practice of another scholar besides the Shafi'i scholar, it is permissible.

For example, in the problem (Mustafa Mat Jubri & Sitoris, 2018):

- 1) The construction of mosques using funds collected from *Zakat Fitrah*.
- 2) Obliging the buyer to keep his promise to purchase goods from the bank (*al-Murabahah Li al-Amir Bi al-Shird* )
- 3) The modesty requirements of Muslim female students in front of non-mahram women in the female dormitory.
- 4) Paying zakat fitrah using money.
- 5) Selling endowment (*waqf*) property.
- 6) Marrying a Christian woman in Sabah and Sarawak.
- 7) Performing Friday prayers with fewer than 40 congregants.
- 8) The ruling on ablution (*wudu'*) after physical contact between men and women during *tawaf*.
- 9) The ruling on informal sales without a formal contract (*Bay' al-Muathoh*)
- 10) Buying and selling animal excrement as fertilizer.
- 11) Selling business names and copyrights.
- 12) Hire purchase contract (*al-Ijarah al-Muntahiyah bi al-Tamlik*).
- 13) Using the interest money for charity.
- 14) Debt contract (*Bay' al-Dayn*)
- 15) Payment of deposit (*Bay' al-'Urbun*).

Therefore, this paper views that the implementation of *al-radd* based on the views of the Hanafi and Hanbali schools of thought should be considered for the purpose of safeguarding the welfare of the deceased's heirs. Moreover, stakeholders should also evaluate this matter based on the openness of the various schools of thought in Islam (Farid & Man, 2012).

### **Framework of Independent Reasoning (*Ijtihad*)**

The implementation of *al-radd* is an independent reasoning among the jurists, and there is no definitive textual evidence (*an-Nas al-Qati'e*) for the allocation of surplus estate to the Baitulmal. Furthermore, the ruling on its implementation has been a matter of differing opinions since the time of the Companions of the Prophet, as discussed earlier. This is due to the absence of clear textual evidence regarding the distribution of the remaining inheritance after allocation. For example, Al-Hattab (2007) mentioned that the remaining surplus estate is not handed over and not paid to *zawil arham*.

Based on this statement, the Baitulmal is entitled to dispose of the inheritance and not the *zawil arham*. This difference of opinion is further strengthened by the statement of Ibn Rusyd (2017) that said there were differences of opinions on the *ar-radd* issue. For example, Zayd ibn Thabit alone among the Companions of the Prophet who held that the surplus estate after the heirs from among the *ashab al-furud*, when there are no *asabah* heirs, should be handed over to the Baitulmal. His opinion was followed by *Imam* Malik and *Imam* Shafi'i. However, not all the Companions of the Prophet accepted the *al-radd* method. Uthman ibn Affan said the surplus estate of the inheritance is returned to all *ashab al-furud*, including husband and wife"

### **Diversification of Income Sources**

Among the functions of the State Islamic Religious Council are (MAIK, 2024)

Improving the quality of management governance.

1. Strengthening the role of the Baitulmal as a driving institution for the social and economic development of Muslims.
2. Empowering *waqf* as an instrument of socio-economic development for Muslims.

For example, Table 5 below describes the diversification of income sources of the Selangor Islamic Religious Council (MAIS) through Baitulmal from year 2019 - 2022 (MAIS, 2024). The data from the state of Selangor was chosen because it is the most developed state in Malaysia and contributes to the diversification of incomes to MAIS through Baitulmal.

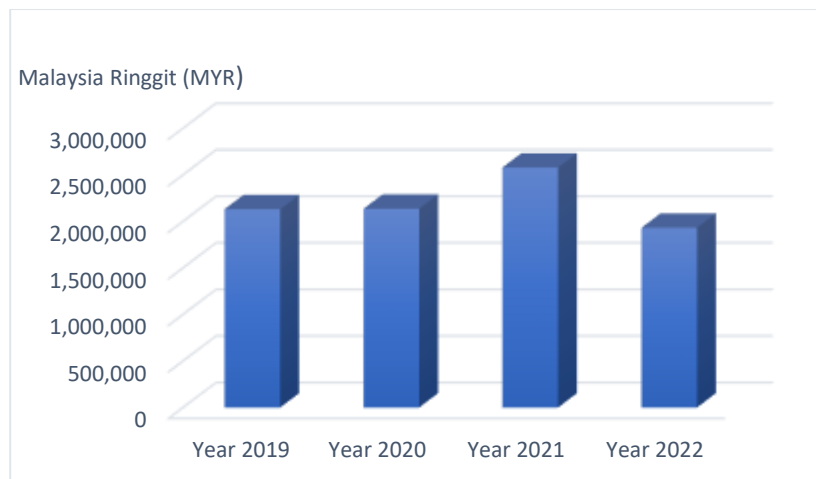
Table 5

*The Diversification of Income Sources of the Mais Through Baitulmal (mais, 2024).*

	Income	2019	2020	2021	2022
General revenue source	Leasing & Leasing	8,642,326	7,569,863	6,392,227	7,547,561
	Donation & Giving	1,838,593	2,388,991	247,076	215,358
	Dividend & Profit from Investments	20,959,234	18,671,540	-	-
Religious source	<b>Faraid Income</b>	<b>2,131,025</b>	<b>2,135,430</b>	<b>2,578,616</b>	<b>1,931,966</b>
	Will	80,891	86,650	60,800	135,319
	Hibah	67,650	121,549	101,500	133,094
	Assets Handed Over	1,141,453	1,180,349	300,400	143,254
	Various properties of the Baitulmal	-	58,770	428,741	48,768
	Halal Certificate	2,779,700	2,732,001	-	-
	Court Fines & Religious Administration	6,491,449	4,979,943	8,933,808	11,385,699
Other income	Advantages of Selling Fixed Property	2,068,116	-	6,002,48	5,368,565
	Multiple Earnings	9,704,440	54,000	428,741	1,000,294
	Increase in the Investment Property Value	23,099,368	473,556	1,497,200	2,135,152
	<b>Total</b>	<b>79,004,245</b>	<b>40,452,642</b>	<b>20,969,109</b>	<b>30,045,030</b>

Referring to Table 5 above, the total income of MAIS involving the management of Baitulmal for the past four years, which includes general revenue source, religious source, and other income, has been substantial. In 2019, the total income recorded was 79,004,245 (MYR). However, this amount decreased to 40,452,642 (MYR) in 2020. In 2021, the total income further declined to 20,969,109 (MYR). Nevertheless, the total income increased again in 2022, reaching 30,045,030 (MYR). Furthermore, the total income of Baitulmal in MAIS involving the *faraid* income for the last 4 years is very large compared to other Islamic wealth management like will and *hibah*. Based on Table 5 above, the total accumulated *faraid* income for the 4 years has been broken down as shown in Graph 1 below:





Graph 1: The total income of Baitulmal in MAIS involving the *faraid*

The total income of Baitulmal in MAIS involving the *faraid* income over the years 2019 to 2022 shows a slight increase from 2,131,025 (MYR) in 2019 to 2,135,430 (MYR) in 2020. Followed by a significant rise to 2,578,616 (MYR) in 2021. However, in 2022, the *faraid* income decreased to 1,931,966 (MYR) from the previous year. To analyze the percentage of *faraid* income relative to the total income for each year, this article found that in 2019, *faraid* income constituted approximately 2.70% of the total income of 79,004,245 (MYR). In 2020, it increased to about 5.28% of the total income of 40,452,642 (MYR). The year 2021 saw a significant rise, with *faraid* income making up approximately 12.30% of the total income of 20,969,109 (MYR). However, in 2022, the percentage decreased to around 6.43% of the total income of 30,045,030 (MYR). This analysis indicates that while the absolute *faraid* income fluctuated over the years, its proportion relative to the total income saw a notable peak in 2021 before declining in 2022.

From this analysis, this paper is of the view that the total *faraid* income collection is still low compared to the diversification of income sources of the MAIS, such as leasing & leasing, donation & giving, dividend and profit from investments, halal certificate, court fines & religious administration, advantages of selling fixed property, multiple earnings and increase in the investment property value. Therefore, this paper views that the implementation of *al-radd* should be implemented and returned to the beneficiary if there is an application. The justification is that MAIS still has other sources and the larger amount of income.

### **The *al-Radd Method* is Implemented in Some Muslim Countries**

Several countries have implemented the *al-radd* method in the execution of *faraid* laws in their jurisdictions. Egypt, Indonesia, and Algeria are among the countries that have adopted this method. Moreover, these laws are officially and comprehensively documented in their respective legal systems. Egypt has the Qanun al-Mirath al-Misri (1943), Indonesia has the Compilation of Islamic Law (2006), and Algeria has the Algerian Family Law (1984) (Mohamad & Abdullah, 2022; Aissa, 2018). For example, Qanun al-Mirath al-Misri (1943) in case 31 mentioned (Qanun al-Mirath al-Misri, 2024):

"When the distribution is not completed by any member of the asabah, and there are no members of the ashab al-furud, the surplus estate must be distributed among the zawil al-arham".

### Caring for Heirs in Distress

Not all heirs who inherit the inheritance of the deceased are those who consist of a wealthy family. Thus, the implementation of *the al-radd* method can help their survival. If the deceased only left a vehicle and the heirs left behind were single mothers who did not work and even had to raise young children. This means that the mother needs to redeem the property rights to the Baitulmal (Abdullah, 2023). It is even more complicated if the inheritance is in the form of a house or land. The abandoned inheritance house has to be shared with the Baitulmal if the heirs are unable to redeem the part of the Baitulmal. Thus, the implementation of *al-radd* also achieves the meaning of protection of lineage (*maqasid hifz an-nasl*), and protection of property (*maqasid hifz al-mal*) and following celebrating the public interest (*al-maslahah al-'ammah*). Table 6 below explains the situation of redemption calculation:

Example 4

Table 6

Situation Of Redemption Calculation Of Deceased Estate

Heirs	Shares	8	Vehicle 50,000 (MYR)	House 1 million (MYR)	Total (MYR)
Wife	1/8	1	6,250	125,000	131,250
Daughter	1/2	4	25,000	500,000	525,000
Baitulmal	Balance	3	18,750	375,000	393,750

From Table 6 above, the deceased has left a wife and daughter. Meanwhile, the inheritance includes a vehicle valued at 50,000 (MYR) and a house valued at 1 million (MYR), totalling 1,050,000 (MYR). The estate is divided among the heirs according to Islamic inheritance laws. The wife receives 1/8 of the estate, amounting to 131,250 (MYR). The daughter, who is entitled to 1/2 of the estate, receives 525,000 (MYR). The remaining balance of the estate, which is 393,750 (MYR), is allocated to Baitulmal, including 18,750 (MYR) from the vehicle and 375,000 (MYR) from the house.

Based on this situation, Baitulmal has a higher share than the deceased's wife. If the deceased's wife wants to redeem the portion for the benefit of herself and her children, then the amount to be paid to Baitulmal is 393,750 (MYR). This study sees that the process of redemption in estate administration will be difficult if the deceased does not leave any cash. Therefore, this study sees the implementation of *ar-radd* should be considered for its implementation in Malaysia, especially those who are poor and do not have sufficient finances.

### Conclusion

Based on this study, it is evident that the implementation of the *al-radd* method in the State of Perlis offers a unique approach to managing surplus estate compared to other states in Malaysia. Although only the State of Perlis has a different view from the practice of other states, this does not mean that the view of the shariah law is rejected and should not be

implemented. The fatwa clearly prioritises the reinstatement of surplus estate to the *zawil arham* and the management of the Perlis Islamic Religious Council (MAIPs) should consider it. This approach is seen as more beneficial for the welfare of the beneficiaries, particularly those who are financially disadvantaged. The study highlights the significant role of the *al-radd* method in ensuring that the surplus estate is distributed in a manner that supports the immediate and extended family members of the deceased, thereby aligning with the principles of objectives of Islamic law (*maqasid al-shariah*), which emphasize the protection of lineage and property. This study found that there are five relevancies of the implementation of *al-radd* and its impact on heirs: interpretation of "shariah law", framework of independent reasoning (*ijtihad*), diversification of income sources, the *al-radd* method is implemented in some Muslim countries and caring for heirs in distress.

In conclusion, three practical recommendations are proposed. First, there should be a comprehensive review and potential amendment of existing laws to incorporate the *al-radd* method, ensuring that it is uniformly applied across all states in Malaysia. Second, public awareness campaigns and educational programs should be conducted to inform the Muslim community about the benefits and procedures of the *al-radd* method. Third, collaboration between the State Islamic Religious Councils and stakeholders should be strengthened to facilitate the smooth implementation of the *al-radd* method, ensuring that the process is transparent and accessible to all eligible beneficiaries. These recommendations aim to enhance the welfare of heirs and ensure a fair and just distribution of surplus estate in accordance with Islamic principles.

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