

PROMOTING THE AWARENESS TOWARD HIBAH DISTRIBUTION AMONG THE MUSLIM COMMUNITY IN MALAYSIA FROM PRACTITIONER PERSPECTIVES: THE FUZZY DELPHI METHOD

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Article Info	ABSTRACT
Article history: Received: 20 April 2024 Revised: 4 May 2024 Accepted: 20 May 2024 Published: 1 June 2024 Keywords: Hibah, Awareness, Muslim, Fuzzy Delphi  OPEN ACCESS	This study aimed to get an agreement and expert views on promoting awareness toward hibah distribution among the Muslim community in Malaysia. This study employs the Fuzzy Delphi method using a 7 Likert scale to collect responses from 7 experts. A total of 12 item questionnaires were given to experts for evaluation. The fuzzy Delphi method was used for data analysis. Data were analysed using <i>triangular fuzzy numbers</i> and the position (ranking) of each variable was determined using the defuzzification process. The findings show that response and expert consensus on promoting awareness towards hibah distribution are at a good level. The overall findings of the expert consensus agreement exceed 75%, the overall value of the threshold (d) < 0.2, and the alpha α-cut exceeds 0.5. The priority of the promoting hibah awareness items was sorted by priority and refined by adding and dropping items as recommended.

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INTRODUCTION

An essential aspect of Islamic management is Islamic wealth management. Every element of our lives is occupied with day-to-day management, from the most insignificant details to the most crucial ones. This can encompass managing day-to-day tasks at home, managing responsibilities as a student, and managing tasks in an organization. One definition of wealth management is "an advisory service for investments in which a financial advisor meets with a client to learn about their goals and needs and then makes recommendations about how best to put those resources to work" (Bakar et al.2020). Regarding Islamic wealth management, it's all about applying Islamic tools like wakaf, zakah, sadaqah, faraid, hibah, and countless more. In cases of inefficient wealth management, where assets are sitting idle, the matter has made headlines in the media and news. The reason being, that the needy are not being equitably divided the wealth that may be utilized to enhance the lives of others because there are still ignorant people who would rather remain mute on the subject.

Islamic wealth management uses several tools, but we will concentrate on hibah. Simply put, a hibah is a gift or an act of voluntary giving. "hibah" can also refer to transferring property rights without payment. Simply put, a hibah is a gift or an act of voluntary giving. The term "hibah" can also refer to transferring property rights without payment. In place of faraid, hibah has recently been the preferred method of distributing income among loved ones. This is because, in Faraid's view, there are multiple problems associated with wealth management. A few heirs of the dead didn't pitch in because they had a lot on their plates every day, and there was also discontent about how much money was given out to each of them. It gets worse when the court procedures have to be rescheduled until all of the children can make it on the scheduled hearing day. As a result, the heirs who are in dire need of the money to carry on with their lives may abuse their right to inherit if it takes too long for the wealth to reach the children who are living in poverty. For this reason, instead of using faraid to manage their wealth, more and more people are turning to hibah. This is because the donor gets to decide how much money goes where, and at first, no one can dispute hibah (Bakar et al, 2020).

Concept of Hibah in Islam

At the time of the owner's death, all appropriate preparations must be completed to split and distribute the owner's property to the heirs or prospective beneficiaries. While the proprietors are still living, they shall organize this allocation (Azhar & Nor, 2019). Part of the Islamic system for distributing wealth is the use of wills. A benevolent act that can be carried out after death is called a will. (Ahmad, 2002). A will, in its simplest form, is a legal document that transfers one-third of an asset's worth or benefit to an entity other than the beneficiary upon the owner's death. Adopted children, grandkids, orphanages, and charity organizations are all examples of groups that are not considered beneficiaries (Azhar et al.2019).

The most notable distinction between a will and a hibah is that the former is an act of affectionate gifting between a donor and a recipient (Ibn Rush, 2003). It is permissible, in theory, for landowners to grant hibah to whoever they choose. Heirs or non-beneficiaries are equally eligible to receive hibah. If the transfer occurs during the grant period or the grantee's lifetime, it will be effective immediately. The purpose of giving alms to the poor is twofold: first, to help them out in their time of need, and second, to ensure that the contributor receives a recompense from Allah SWT in the hereafter (Quran, 2:264, Quran, 4:114). One of the terms used to describe charitable giving in the Qur'an is zakat (Quran, 9:60). It goes against the spirit of giving, as presents are usually intended as praise or compensation for someone. "You give each other gifts, you love each other" (Al-'Asqalani, 1979) is what the Prophet Muhammad (saw) said in a hadith. One way to show affection is with a gift.

The term "hibah" refers to donations, whether monetary or in the form of physical goods. The meanings of these three names are identical. The distinction lies in the motivation behind the gift; alms are given by the wealthy to the poor with the hope of receiving a recompense in the afterlife, whereas gifts are given to bring honour to the giver and are often associated with a particular cause or person. Gift or alms is always a hibah, but not every hibah is a gift or alm. According to shariah, a hibah is an arrangement when one party willingly transfers ownership of their property to another party over their lifetime without receiving any kind of

compensation (iwad)³. Specifically⁴, according to al-Nawawi (1985) and al-Ramli (1967), "hibah" is the voluntary transfer of property from one person to another without the expectation of reimbursement in the hereafter or to glorify another person, or to use the *ijab* and *qabul*. The hadith of the Prophet PBUH states that hibah cannot be revoked or annulled after *al-Qabd* (al-Nawawi, 2003 and Abi al-Tayyib, 1979), while the Quran (4:4 and 2:177) also encourages hibah. The only kind of hibah that are exempt from withdrawal are those that pass from parents to children or grandparents to grandchildren. Assuming the present is both lawful and halal, receiving hibah is encouraged (*sunat*).

The Issues of Hibah in Malaysia

No specific funding is contingent upon the hibah's enactment in Malaysia. So far, we have solely relied on the Shariah Court's jurisdiction as outlined in the Federal Constitution's Ninth Schedule, Item 1, List II. In this clause, the word "gift" is defined. This clause brings the Shariah Court's authority into sharp focus, since hibah is an aspect of the affairs entrusted to the Islamic religious administration of every state. The Islamic religious laws of the states utilise three distinct words to describe hibah in their rules. Selangor, Melaka, Pulau Pinang, Johor, Perak, Kedah, Terengganu, Sabah, and Sarawak use the term '*alang*' during *marad al-maut* (death-illness) or life and 'non-reciprocal settlement.' Negeri Sembilan uses the term '*hibah*,' while Pahang and Perlis use the terms '*gift*,' and Kelantan uses '*alang hayat*.' (Wan Harun, 2006) .

In Malaysian law, the provision of hibah is present in most cases. Life and *marad al-maut* are the two main components of hibah. The majority of hibah cases heard in Shariah courts concern either its confirmation or a dispute over its value or level. Some examples of such cases include *Harun Muda & Ors. v. Mamat Mandak & Ors* [1999] 3 LNS 2 and *Salmiah binti Che Mat v. Zakaria bin Hashim* (Journal of Hukum, 2001). Other cases include those involving the withdrawal of hibah, such as *Eshah binti Abdullah and Five Others v. Che Aminah binti Abdul Razak and Two Others*. 18 JH(1): 47 (2004, 2004). Another significant case to consider is *Mohd Mokhtar bin Haji Abdullah v Fadhilah binti Haji Abdullah & others* [2006] 1 CLJ (Sya) 212. In this case, the appellant challenged the decision of a Shariah High Court judge who denied the appellant's request to confirm the withdrawal of his mother's grant, arguing that the hibah was invalid due to the non-existence of *al-Qabd*. According to Muhammad Fathullah Al Haq bin Muhamad Asni et al. (2016), the case of *Siti Aishah @ Kalsom binti Dahlan* also addressed the *al-Qabd* case. These cases demonstrate that heirs who disagree with the contents of a hibah after the donor's death or if issues arise from legal elements according to *syara*' can challenge it in the Shariah Court. Consequently, hibah is now being commercialized and applied more methodically. Concerning the matter of hibah, there are trustee firms that are quite active. When the hibah donor passes away, it might lead to a crisis and a conflict; to avoid both, alternative hibah is done (Azhar & Nor, 2019).

The 56th Islamic Legal Consultative Committee of the Federal Territory, however, determined on October 5, 2000, that placing conditions is permissible following the *ijab* and *qabul*. The 44th meeting of the Securities Commission Malaysia (SC) Shariah Advisory Council (SAC) on 15 January 2003 also determined that the principle of *Hibah Ruqba*' can be used as a Shariah basis. Specifically, for Muslim-oriented transactions involving unit trust funds, the *Hibah Ruqba*' are utilised in the Hibah's claim form. Based on this debated issue, the researcher feels that this grant is very important to be encouraged, with the reason to avoid conflicts in issues related to property. Therefore, the researcher will try to build a way to encourage grants in the community based on the opinions of legal practitioners related to grants (Azhar & Nor, 2019).

Study Aim

This study is basically to build a proposal to promote awareness among the Muslim community related to the distribution of Hibah.

METHODOLOGY

This study employs the Fuzzy Delphi Method (FDM) as its specific methodology. This study was selected because it offers a distinctive approach to obtaining expert agreement in making a certain conclusion. This study used a two-phase approach to develop the components of the study questionnaire. This study comprises two phases in the development of the questionnaire. The first phase involves the researcher conducting a straightforward interview to gather expert opinions and suggestions on identifying the necessary elements for promoting the hibah, as indicated in Table 1. Once all the elements are acquired, the researcher proceeds to the second phase. In this phase, an expert questionnaire consisting of 7 points is constructed and disseminated to 11 experts with relevant experience. The responses are then assessed using the Fuzzy Delphi (FDM) technique, utilizing the FUDELO 1.0 software to determine the consensus. Upon assessing the data, the researcher develops specific features or principles that can be implemented to enhance the hibah contribution within Malaysian Muslim communities. The components of the recommendations are as follows:

Table 1: The element of promoting hibah based on expert suggestions

No	Construct	Guide elements
1	Fatwas and Endorsements	Seek endorsements from respected Islamic scholars who can issue fatwas emphasizing the importance of hibah as a legitimate and beneficial practice in Islamic inheritance.
2	Friday Sermons (Khutbahs)	Encourage imams to discuss hibah during Friday sermons, explaining its religious significance and practical benefits to the congregation.
3	Personalized Financial Planning	Offer personalized financial planning sessions that include hibah as a key component. Advisors can illustrate how hibah can be integrated into broader estate planning strategies.
4	Legal Seminars	Host seminars led by legal experts focusing on the legal processes and implications of hibah, including case studies and practical guidance
5	Simplified Legal Documents	Develop and distribute user-friendly templates and guidelines for creating hibah documents, ensuring they are easily understandable for the general public.
6	Educational Integration	Advocate for the inclusion of hibah topics in academic curricula at universities, particularly in courses related to Islamic studies, law, and finance.
7	Targeted Marketing Campaigns	Design targeted marketing campaigns that appeal to different demographics, such as young professionals, retirees, and business owners. Use data-driven strategies to reach specific audiences effectively
8	Mobile Apps	Develop mobile applications that guide users through the process of creating a hibah, providing resources and templates
9	Interactive Websites	Create interactive websites with comprehensive information about hibah, including FAQs, video tutorials, and chat support
10	Policy Initiatives	Advocate for government initiatives that promote hibah awareness as part of broader financial literacy programs.

		This could include incentives for people to create hibah documents.
11	Grassroots Campaigns	Organize grassroots campaigns led by community leaders and influencers to spread the word about hibah in local communities
12	Cultural Relevance	Ensure that all materials and messages are culturally relevant and sensitive to the Malaysian context.

By integrating these expert suggestions into a specific strategy, hopefully can create a more effective and impactful campaign to promote hibah distribution awareness among Malaysians.

Sampling

This study employs purposive sampling. This strategy is highly appropriate as the researcher seeks to obtain a consensus perspective and agreement on a particular matter. Hasson, Keeney & McKenna (2000) argue that deliberate sampling is the most suitable strategy in FDM. Concurrently, a collective of 7 specialists participated in this investigation. The experts are chosen based on their extensive experience and specialized knowledge in their respective professions. If the experts participating in this investigation are homogeneous, then the necessary number of specialists is 5-10. According to Adler & Ziglio (1996), the ideal number of experts for the Delphi technique is 10 to 15 individuals, assuming there is a high level of homogeneity among them. Sforza & Ortolano (1984) suggest that a sample size of 8 to 12 is appropriate for FDM if the sample is homogeneous and sufficient. Similarly, Philip (2000) recommends a sample size of 7 to 12 for expert opinions. Nevertheless, due to the challenges of gathering expert responses and time constraints, the researcher employed a total of 7 experts for this investigation. Nevertheless, a total of seven expert samples are adequate for acquiring knowledge and achieving expert consensus.

Experts Criteria

Booker & McNamara (2004) define experts as those who possess qualifying knowledge, training, experience, professional membership, and peer recognition that they have achieved (Nikolopoulos, 2004; Perera, Drew & Johnson, 2012). According to Cantrill, Sibbald, and Buetow (1996) and Mullen (2003), an expert is defined as someone who possesses both experience and expertise in a specific area or field. The Fuzzy Delphi study highlights the significance of expert selection as a crucial issue that requires careful consideration. The accuracy and credibility of the analysis and findings can be called into question if the selection of experts is done improperly and based on specific criteria (Mustapha & Darussalam, 2017). The selection of experts and the precision of their selection are crucial in the Delphi or Fuzzy Delphi technique for assessing the quality, accuracy, and credibility of the acquired findings. Dalkey and Helmer (1963) and Linstone (2002) argue that to obtain meaningful, accurate, and high-quality results in the Delphi method, research problems and survey questions must align with the expertise and relevance of the experts engaged (Mustapha et al. 2021).

Expert agreement instruments

Based on the interview, the researcher designed the research instrument for Fuzzy Delphi. According to Skulmowski, Hartman & Krahn (2007), researchers can draw on literature, pilot studies, and their own experiences to shape the elements of questionnaires. At the same time, utilizing research highlights, expert interviews, and focus group methodologies to generate questions for the Fuzzy Delphi technique (Mustapha & Darussalam, 2017). According to Okoli and Pawlowski (2004), a literature review that is relevant to the study's scope should also be conducted to develop the items and content parts of the study. Thus, to gather the components of OLL, researchers consult the literature. Afterward, a series of expert-level inquiries are formulated utilizing a 7-point scale. We opted for a 7-point scale because research has shown that using more scales yields more reliable results (Chang, Hsu & Chang, 2011). The researcher has replaced the Fuzzy value

in the following 7-point language scale (Table 2) with a scale value from 1 to 7, making it easy for specialists to answer the questionnaire:

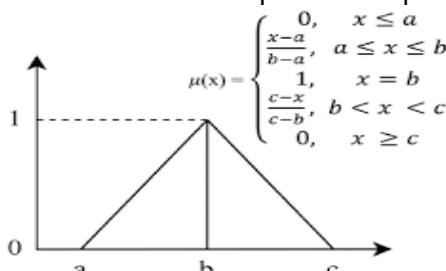
Table 2: Fuzzy Scale

Item	Fuzzy Number
Strongly Disagree	(0.0, 0.0, 0.1)
Disagree	(0.0, 0.1, 0.3)
Somewhat Disagree	(0.0, 0.3, 0.5)
Neither agree or disagree	(0.3, 0.5, 0.7)
Somewhat agree	(0.5, 0.7, 0.9)
Agree	(0.7, 0.9, 1.0)
Strongly agree	(0.9, 1.0, 1.0)

Source: Mustapha et al, (2021)

Fuzzy Delphi Step

Table 3: Fuzzy step

Step 1: Expert selection	This study relied on the opinions of seven different specialists. We consulted with several industry leaders to find out what factors should be considered most heavily when developing our language assessment criteria. detail any problems with the product, if any, and so on.
Step 2: Determining linguistic scale	In this step, we assign numerical values to each language variable using fuzzy triangles, also known as triangular fuzzy numbers. The process also incorporates the insertion of fuzzy integers to linguistic variables during this step (Hsieh, Lu and Tzeng, 2004). This is the form that a triangle fuzzy number takes to represent the values of m1, m2, and m3. There is a minimum value (m1), a decent value (m2), and an extreme value (m3). In contrast, fuzzy scales are created using triangular fuzzy numbers to convert linguistic variables into fuzzy numbers. Odd numbers make up the Fuzzy scale's level count. The explanation is provided in Figure 1. 
Step 3: The Determination of Linguistic Variables and Average Responses	After getting a response from the chosen expert, the researcher should change all Likert scales to Fuzzy scales. The everage response of each fuzzy number is another name for this process (Benitez, Martin & Roman, 2007).

Step 4: The determination of threshold value "d"

In order to determine the extent to which experts concur, the threshold value is crucial (Thomaidis, Nikitakos & Dounias, 2006). This formula is used to get the distances for each fuzzy number $m = (m_1, m_2, m_3)$ and $n = (n_1, n_2, n_3)$.

$$d(\bar{m}, \bar{n}) = \sqrt{\frac{1}{3} [(m_1 - n_1)^2 + (m_2 - n_2)^2 + (m_3 - n_3)^2]}$$

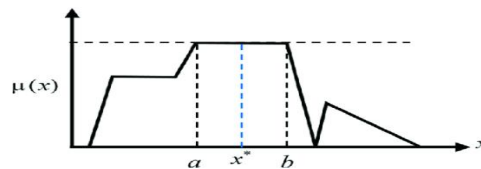
Step 5: identify the alpha cut aggregate level of fuzzy assessment

After assigning a fuzzy number to each object, experts reach a consensus. Fuzzy values are determined and calculated using the following formula: Maximum $A = 1 / 4 (m_1 + 2m_2 + m_3)$

$$IVPFWG_w(\alpha_1, \alpha_2, \alpha_3, \dots, \alpha_n) = \left(\left[\frac{\prod_{j=1}^n (\mu_{a_j}^L)^{w_j}}{\prod_{j=1}^n (\mu_{a_j}^U)^{w_j}} \right], \left[\sqrt{1 - \prod_{j=1}^n (1 - (\mu_{a_j}^L)^2)^{w_j}}, \sqrt{1 - \prod_{j=1}^n (1 - (\mu_{a_j}^U)^2)^{w_j}} \right] \right)$$

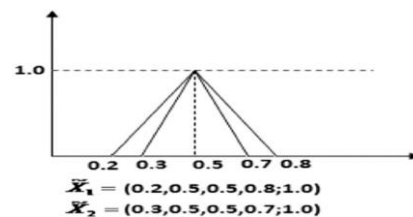
Step 6:

The formula $A_{max} = (1)/4 (a_1 + 2a_m + a_3)$ is utilised in this procedure. A score between zero and one is what researchers get when they employ average responses or average fuzzy numbers (Ridhuan et al., 2014). Specifically, there are three formulas involved in this process: i. $A = 1/3 * (m_1 + m_2 + m_3)$, or ii. $A = 1/4 * (m_1 + 2m_2 + m_3)$, or iii. $A = 1/6 * (m_1 + 4m_2 + m_3)$. The median value for '0' and '1' is equal to half of the A-cut value, which is calculated as $(0 + 1)$ divided by 2. We will reject the item since it does not show expert agreement if the resultant A value is less than the α -cut value = 0.5. The alpha cutoff value ought to be more than 0.5, as stated by Bojdanova (2006). The statement that the α -cut value ought to be greater than 0.5 is backed by Sun et al. (2010).



Step 7: Ranking

In placement, elements are chosen according to their defuzzification values, which are based on expert consensus. The most important element is the one with the highest value (Fortemps & Roubens, 1996)



RESEARCH FINDINGS AND DISCUSSIONS

Based on the expert's consensus, the researcher will present the study data in this section, which aims to promote awareness of hibah practices. The information gathered was derived from eleven sets of Fuzzy Delphi surveys administered to eleven subject-matter experts. Here are the findings from the study:

Table 4: Fuzzy Output from FUDELO 1.0 Software

Results	Item1	Item2	Item3	Item4	Item5	Item6	Item7	Item8	Item9	Item10	Item11	Item12
Expert1	0.07423	0.00825	0.09073	0.02474	0.02474	0.07423	0.09073	0.04124	0.06598	0.13197	0.00825	0.04124
Expert2	0.0165	0.04949	0.02474	0.02474	0.03299	0.07423	0.02474	0.04124	0.00825	0.0165	0.06598	0.04124
Expert3	0.0165	0.12372	0.08248	0.03299	0.02474	0.21444	0.08248	0.0165	0.10722	0.04124	0.10722	0.13197
Expert4	0.21444	0.00825	0.02474	0.02474	0.02474	0.0165	0.09073	0.13197	0.00825	0.04124	0.00825	0.0165
Expert5	0.0165	0.04949	0.08248	0.03299	0.03299	0.07423	0.08248	0.04124	0.06598	0.0165	0.06598	0.0165
Expert6	0.07423	0.00825	0.2062	0.03299	0.03299	0.09897	0.09073	0.04124	0.06598	0.04124	0.06598	0.04124
Expert7	0.0165	0.04949	0.08248	0.02474	0.02474	0.07423	0.08248	0.0165	0.10722	0.04124	0.10722	0.04124

Statistics	Item1	Item2	Item3	Item4	Item5	Item6	Item7	Item8	Item9	Item10	Item11	Item12
Value of the item	0.06127	0.04242	0.08484	0.02828	0.02828	0.08955	0.07777	0.04713	0.06127	0.04713	0.06127	0.04713
Value of the d construct	0.05636											
Item < 0.2	6	7	6	7	7	6	7	7	7	7	7	7
% of item < 0.2	85%	100%	85%	100%	100%	85%	100%	100%	100%	100%	100%	100%
Average of % consensus	96											
Defuzzification	0.87143	0.91429	0.85714	0.95714	0.94286	0.87143	0.85714	0.92857	0.88571	0.92857	0.88571	0.92857
Ranking	6	4	7	1	2	6	7	3	5	3	5	3
Status	Accept	Accept	Accept	Accept	Accept	Accept	Accept	Accept	Accept	Accept	Accept	Accept

Threshold value:

**“d” value = < 0.2, Average of consensus = > 75%, Defuzzification = > 0.5 (Alpha cut).

Table 5: Rank of Items

No	Item	Old Rank	New Rank
1	Fatwas and Endorsements	1	6
2	Friday Sermons (Khutbahs	2	4
3	Personalized Financial Planning	3	7
4	Legal Seminars	4	1
5	Simplified Legal Documents	5	2
6	Educational Integration	6	6
7	Targeted Marketing Campaigns	7	7
8	Mobile Apps	8	3
9	Interactive Websites	9	5
10	Policy Initiatives	10	3
11	Grassroots Campaigns	11	5
12	Cultural Relevance	12	3

As a result of data analysis, (refer to table 4), the bold threshold value exceeds the threshold value 0.2 (> 0.2). This means that there are experts' opinions that are not in line or even do not reach consensus on certain items. However, the average value of all items of academic dishonesty factors shows a threshold value (d) < 0.2 which is 0.056. If the average value of threshold (d) is obtained less than 0.2, then the item has reached a good expert agreement (Cheng & Lin, 2002; Chang, Hsu & Chang, 2011). Meanwhile, the overall percentage of expert agreement is at a value of 96% agreement which is more than (> 75%) means to meet the conditions of expert agreement on this item. In addition, all Alpha-Cut defuzzification values (average of fuzzy response) exceed α -cut $\Rightarrow$ 0.5. According to (Tang & Wu, 2010; Bojdanova, 2006) the alpha cut value should exceed 0.5 and if it is less than 0.5, then it should be dropped. The findings of this analysis show that the OLL guideline and

construct have received good expert agreement. The items agreed upon by the consensus of experts are arranged according to priority (ranking) as shown in Table 5.

CONCLUSION AND RECOMMENDATION

Based on the findings of this study, the result is that there are several methods or ways to encourage the community to be aware of the importance of Hibah (see Table 5). Although it is not mandatory, it is very important to avoid misunderstandings and difficulties in property distribution. Although Malaysia is a Muslim-majority country, the Malaysian community's understanding of Hibah is still at a minimal level. It is necessary to intensify information activities by various parties so that the role of this grant is enlarged and understood by the Muslim community in particular. In the future, the researcher can further expand the brand study to the construction of a specific guideline to further simplify the Hibah process. For post graduate students can build a framework or a specific module in understanding the role of this grant in society.

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