

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

الْحَمْدُ لِلَّهِ

اللهم صل على محمد ، وعلى آل محمد

وبارك على محمد وعلى آل محمد ،

. كما صليت ، وباركت على إبراهيم وآل إبراهيم إنك حميد مجيد

Islamic Laws of Inheritance

Dr. Assaina Beary

Insha -Allah

- **15 classes** to make you understand and learn the inheritance laws.
- It can be in turn taught to others.

There is an **easy reference chart** I have prepared by the grace of Allah from which any heir's share can be calculated.

There are **4 ways** this has been presented

- 1. Full inheritance laws** in detail to learn in **15 lessons**.
- 2. A chart form for easy reference.** Can be used by anybody to find out a heir and share.
- 3. A flow chart.** Similar to no. 2 above.
- 4. A short presentation** for general public awareness.

This presentation is the Chapter 1 of the **Full inheritance Laws** course.

- Learn **lesson by lesson**
- Under each lesson suggestions are made at the beginning as to how to study.

Please follow these guidelines.

- **Repeat the lessons** till you understand

May Allah Reward us

The laws of inheritance are **from Allah** and **His Prophet (sas)**. If you find in this presentation anything contradictory to what Allah or His prophet have said, it is by mistake and you need not take that. I ask for forgiveness from Allah for the same. I am not a scholar but this information has been collected from books and presented in a different form. **Any mistake is not intentional.** May Allah accept this work from me. **My humble request is to pray for me.** May Allah reward us both for the work. At the same time if there are any mistakes, corrections or suggestions please inform me to the address given below.

Prepared by

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Please read this

In the beginning it seems very interesting to start the learning. But after few classes you may feel that it is very boring and dry subject. At this stage please **be determined** to continue. **Don't leave it up**. Go through the classes again and again. Only when you have finished 2-3 times you will feel that you have understood the laws of inheritance.

Once you learn, it becomes very interesting.

Please read this

If you are a genuine learner

please proceed now.

Lesson 1

- **Introduction**

Islamic Laws of Inheritance

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Lesson 1

- In this lesson a **brief introduction** about the laws of inheritance, prophet(sas)'s Hadeeth and the Quranic verses are taught.
- **Learn the Quranic verses** by heart and learn the meaning.

Islamic law of inheritance

- It is the **only one perfect system** of property distribution in the world.
No doubt it is from the Creator who knows the best.
- In spite of this it is the one which is **most neglected by the Muslims.**
- Property division after a person's death involves the property and the wealth of the person died. **Rules** have been laid down in **Quran and by Prophet's sunnah.**

Importance

It is very important to distribute the property as per sharia laws in Islam. Punishment for not adhering to rules in property division are grave and serious. At the end of the rules of inheritance verses in *surah Al-nisaa* Quran says *“these are the **limits set by Allah**. Whoever **obeys** Allah and His Messenger will be admitted **to paradise**... And whoever **disobeys** Allah and His Messenger, and transgresses His limits will be made to enter into **Hell Fire**, permanently and **he shall have a disgraceful torment**.”*

Punishment for not abiding the rules. As mentioned earlier it is permanent **Hell Fire**. As per hadees quoted by *AbuHurraira*, Prophet(sas) said- *A man might perform actions of righteous people for seventy years but when it is time to compile his will commits injustice and because of this he enters the Fire. Similarly a man might perform ill deeds for seventy years but leaves a fair will and thus enters paradise.*

Property however small should be divided and given to heirs.

The whole property belongs to Allah and it should be divided as per His rules.

But man has a strange feeling that it is earned by them, but actually it is given by Allah. Just imagine Allah takes away one's life before he earns any property, or Allah makes him handicapped or makes huge losses to him through calamities then where is your wealth, money or property? **We never think of the blessings from Allah. We never thank Him.** We try to find some means to escape from giving the property to relatives. Be grateful to Him for the blessings and distribute the property as per His rules.

Property division is based on family ties.

In Islam property division is not based on who is poor or rich, but it **is based on blood relations and family ties.**

Even a rich relative of a poor man as per Islam should get the property if he is eligible.

This family system is completely lost these days.

Educate the people. Our responsibility is to teach the people as per the Prophet's(s.a.s) command.

Teach it to the people and do your job. If anybody disobeys and plays false in property division he will bear the punishment as above.

Importance of learning the
Islamic Laws of Inheritance
Prophet(s.a.s) sayings

تَعَلَّمُوا الْفَرَائِضَ وَ عَلَّمُوهَا فَإِنَّهُ نِصْفُ الْعِلْمِ وَهُوَ يُنْسَى وَهُوَ أَوَّلُ شَيْءٍ يُنَزَعُ مِنْ أُمَّتِي

*Learn the laws of inheritance and teach it the people. It is one half of useful knowledge. It is going to be forgotten and **it is the first one to be raised off from my people.***

Prophet(S.A.S)

Reported from Abu Huraira r.a. Ibn maja,

الْعِلْمُ ثَلَاثَةٌ وَمَا سِوَى ذَلِكَ فَهُوَ فَضْلٌ، آيَةٌ مُحْكَمَةٌ أَوْ سُنَّةٌ قَائِمَةٌ أَوْ فَرِيضَةٌ عَادِلَةٌ

Useful knowledge are three in number. **Quranic** verses, Prophet's **sunnah**, law of **inheritance**

Prophet(S.A.S)

Ibn Ummer reports- Ibn Maja, abu Dawood

تَعَلَّمُوا الْقُرْآنَ وَعَلَّمُوهُ النَّاسَ وَ تَعَلَّمُوا الْفَرَائِضَ وَ عَلَّمُوهَا فَإِنِّي أَمْرٌ مَقْبُوضٌ
وَالْعِلْمُ مَرْفُوعٌ وَ يُوشِكُ أَنْ يَخْتَلِفَ إِسْمَانِ فِي فَرِيضَةٍ وَالْمَسْأَلَةَ فَلَا يَجِدَانِ أَحَدًا يُخْبِرُهُمَا

Learn the Quran and teach it to the people. **Learn the laws of inheritance** and teach it to the people. I am a human being who is going to die and the knowledge will disappear. A time may come when two people will argue about the property distribution and **no one may be there to answer their problems.**

Prophet(S.A.S)

Ibn Mas'ud reports(Ahmed)

Quranic verses

In the chapter **4 Sura -al nnisa'a**

Verses starting from **7 to 14** and **verse 176** deal with the inheritance rules

Study with meaning and by heart them.

Quran verses 4:7

لِّلرِّجَالِ نَصِيبٌ مِّمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ
وَلِلنِّسَاءِ نَصِيبٌ مِّمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ
مِمَّا قَلَّ مِنْهُ أَوْ كَثُرَ ۚ نَصِيبًا مَّفْرُوضًا

There is a **share for men** from what is left by parents and those nearest related, and there is **share for women** from what is **left by parents and nearest related**, whether the property be **small or large**, a **decided share**

Sura a-nnisa 4:7

Quran verses 4:8

وَإِذَا حَضَرَ الْقِسْمَةَ أُولُو الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسَاكِينُ فَارْزُقُوهُمْ مِّنْهُ وَقُولُوا لَهُمْ قَوْلًا مَّعْرُوفًا

*But if at the time of division of the property, **other relatives, orphans or poor** are present **feed them out of the property** and speak to them words of kindness and justice*

Sura a-nnisa 4:8

Allah commands you as regards your children; **to the male a portion equal to that of two females.** If only daughters two or more; for them their share is 2/3, if only one her share is 1/2.

يُوصِيكُمُ اللَّهُ فِي أَوْلَادِكُمْ
لِلذَّكَرِ مِثْلُ حَظِّ الْأُنثِيَيْنِ
فَإِنْ كُنَّ نِسَاءً فَوْقَ اثْنَتَيْنِ
فَلَهُنَّ ثُلُثَا مَا تَرَكَ

وَإِنْ كَانَتْ وَاحِدَةً

فَلَهَا النِّصْفُ

Sura a-nnisa 4:11

Quran 4:11 contd..

For parents to each of them, **one sixth** of what has been left behind, if the deceased left children. **If no children** and the parents are the heirs then **mother's share is 1/3**. If the deceased has left bend brothers or sisters the mother has a sixth.

Sura a-nnisa 4:11

وَلِأَبَوَيْهِ لِكُلِّ وَاحِدٍ مِّنْهُمَا السُّدُسُ مِمَّا تَرَكَ

إِنْ كَانَ لَهُ وَلَدٌ

فَإِنْ لَّمْ يَكُنْ لَهُ وَلَدٌ وَوَرِثَهُ آبَاؤُهُ

فَلَأُمِّهِ الثُّلُثُ

فَإِنْ كَانَ لَهُ إِخْوَةٌ

فَلَأُمِّهِ السُّدُسُ

Quran 4:11 contd..

After the payment of legacies and debts. You know not whether your parents or your children are nearest to you in benefit. These are the portions ordered by Allah; Allah is All knowing All wise

Sura a-nnisa 4:11

مِن بَعْدِ وَصِيَّةٍ يُوصِي بِهَا أَوْ دَيْنٍ
آبَاؤُكُمْ وَأَبْنَاؤُكُمْ
لَا تَدْرُونَ أَيُّهُمْ أَقْرَبُ لَكُمْ نَفْعًا
فَرِيضَةً مِّنَ اللَّهِ
إِنَّ اللَّهَ كَانَ عَلِيمًا حَكِيمًا

Your share is half, in what your wives leave, if they have no child. But if they have a child you get a fourth of what they leave, after payment of legacies and debts.

Sura a-nnisa 4:12

وَلَكُمْ نِصْفُ مَا تَرَكَ أَزْوَاجُكُمْ
إِنْ لَمْ يَكُنْ لَهُنَّ وَلَدٌ فَإِنْ كَانَ لَهُنَّ
وَلَدٌ فَلَكُمْ الرَّبْعُ مِمَّا تَرَكَنَ مِنْ بَعْدِ
وَصِيَّةٍ يُوصِينَ بِهَا أَوْ دَيْنٍ

Quran 4:12 contd..

And for them (your **wives**) **one fourth**, from what you have left, if you don't have a child. **If you have a child they get one eighth** from what you have left behind, after the settlement of debts and legacies.

Sura a-nnisa 4:12

وَلَهُنَّ الرَّبْعُ مِمَّا تَرَكَتُمْ إِنْ لَمْ
يَكُنْ لَكُمْ وَلَدٌ فَإِنْ كَانَ لَكُمْ
وَلَدٌ فَلَهُنَّ الثُّمُنُ مِمَّا تَرَكَتُمْ مِّنْ
بَعْدِ وَصِيَّةٍ تُوصُونَ بِهَا أَوْ دَيْنٍ

Quran 4:12 contd..

If a man or a woman die in a state of **Kalalath** (with no ascendants or descendants) and he/she has a **brother or sister** then each one of them will get **one sixth**, but **if more than two** they share **one third**, after payment of debts and legacies, without any harm to anyone. Thus it is ordained by Allah, Allah is All Knowing, Most forbearing

Sura a-nnisa 4:12

وَإِنْ كَانَ رَجُلٌ يُورَثُ كَلَالَةً أَوْ امْرَأَةٌ
وَلَهُ أَخٌ أَوْ أُخْتٌ فَلِكُلِّ وَاحِدٍ مِّنْهُمَا
السُّدُسُ فَإِنْ كَانُوا أَكْثَرَ مِنْ ذَلِكَ
فَهُمْ شُرَكَاءُ فِي الثُّلُثِ مِنْ بَعْدِ وَصِيَّةِ
يُوصَىٰ بِهَا أَوْ دَيْنٍ غَيْرِ مُضَارٍّ وَصِيَّةً
مِّنَ اللَّهِ وَاللَّهُ عَلِيمٌ حَلِيمٌ

Quran 4:13,14

Those are **limits set by Allah, Those who obey Allah** and His Apostle will be admitted to Gardens with rivers flowing beneath, to abide therein for ever and that is the **most supreme victory**.

But **those who disobey Allah** and His Apostle and transgress His limits will be admitted to Fire to abide therein and they shall have a **humiliating punishment**.

Sura a-nnisa 4:13-14

تِلْكَ حُدُودُ اللَّهِ

وَمَنْ يُطِيعِ اللَّهَ وَرَسُولَهُ يُدْخِلْهُ جَنَّاتٍ

تَجْرِي مِنْ تَحْتِهَا الْأَنْهَارُ خَالِدِينَ فِيهَا

وَذَلِكَ الْفَوْزُ الْعَظِيمُ ﴿13﴾

وَمَنْ يَعْصِ اللَّهَ وَرَسُولَهُ وَيَتَعَدَّ حُدُودَهُ

يُدْخِلْهُ نَاراً خَالِداً فِيهَا وَلَهُ عَذَابٌ مُهِينٌ

Quran 4:176

They ask you for a legal decision.

*Say God directs: about **those who leave no descendants or ascendants as heirs.***

*If it is a man that dies **leaving a sister** but no child, **she shall have half** the inheritance. If deceased was a woman who **left no child her brothers take her inheritance.** If there are **two sisters** They shall have **two thirds** of the inheritance. If there are **brothers and sisters** they share with **male having twice that of a female.** Thus God makes clear to you so that you don't err. God has knowledge of all things*

Sura a-nnisa 4:176

يَسْتَفْتُونَكَ قُلِ اللَّهُ يُفْتِيكُمْ فِي الْكَلَالَةِ

إِنْ امْرُؤٌ هَلَكَ لَيْسَ لَهُ وَلَدٌ وَلَهُ أُخْتٌ

فَلَهَا نِصْفُ مَا تَرَكَ

وَهُوَ يَرِثُهَا إِنْ لَمْ يَكُنْ لَهَا وَلَدٌ

فَإِنْ كَانَتَا اثْنَتَيْنِ فَلَهُمَا الثُّلُثَانِ مِمَّا تَرَكَ

وَإِنْ كَانُوا إِخْوَةً رِجَالًا وَنِسَاءً فَلِلذَّكَرِ مِثْلُ حَظِّ الْأُنثِيَيْنِ

يُبَيِّنُ اللَّهُ لَكُمْ أَنْ تَضِلُّوا وَاللَّهُ بِكُلِّ شَيْءٍ عَلِيمٌ

رَبَّنَا تَقَبَّلْ مِنَّا إِنَّكَ أَنْتَ السَّمِيعُ الْعَلِيمُ

وَتُبَّ عَلَيْنَا إِنَّكَ أَنْتَ التَّوَّابُ الرَّحِيمُ

اللهم اغفر لنا، يا أرحم الراحمين

رَبَّنَا آتِنَا فِي الدُّنْيَا حَسَنَةً وَفِي الْآخِرَةِ حَسَنَةً وَقِنَا عَذَابَ النَّارِ

رَبَّنَا ظَلَمْنَا أَنفُسَنَا وَإِن لَّمْ تَغْفِرْ لَنَا وَتَرْحَمْنَا لَنَكُونَنَّ مِنَ الْخَاسِرِينَ

اللهم صلِّ وسلِّم وبارك على عبدك ورسولك محمد سيد الأولين

والآخرين، وعلى آله وصحبه أجمعين