

Lesson 15

Special cases:

- Himariya case
- Son's Son – No Share criticism
- Common problems
- Workup of a case

Islamic Laws of Inheritance

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- In this lesson some **Special cases** are taught.
 1. Umeriyya or Al Gharraiyya - Already discussed under Mother as special case.
 2. Al Himariya
 3. Al Khurraqa - Already discussed under grand father

Special cases - Himariya

The case was brought to Umer (R.A).

A lady died leaving **H, M, 2 Bu, 2Bf**

As per the general rule Umer(R.A) divided the share as

$H = 1/2$, $M = 1/6$, $2Bu = 1/3$, $2Bf = \text{bal} = \text{Nil}$.

Full brothers did not get any share whereas uterine brothers got a share

Naturally brothers full got upset.

They requested for a revision of the case

Special cases - Himariya

Here **brother full had 2 advantages** over uterine brothers.

1. Their relation to the deceased was nearer than the uterine brothers. They had father and mother common compared to uterine where only mother is common.
2. If not superior as above they claimed that they should be considered at least equal to brother uterine because mother is the same

They requested them to consider them as Brother Uterines based on this.

Special cases - Himariya

Umer (RA) accepted the argument and revised the verdict

$$\mathbf{H = 1/2, M = 1/6, 2Bu + 2Bf = 1/3}$$

Maliki and Shafi accept this but Hanafi and Hambali reject this.

Son's Son – No Share Criticism

Some critics of Islam and even some Muslims raise this subject very often.

Problem: when one son B1 of father A dies and another son B2 is alive and later on when the father A dies predeceased son's children (B1's children) do not get any property. Is it not inhuman? especially when Islam gives utmost importance to orphan children?

Yes the situation arises. but Islam has given multiple solutions to the problem. Hence the problem is because of not understanding Islam and not implementing Islamic rules

Son's Son – No Share Criticism

Solutions

1. Father can gift the son's son property during his life time itself.-importance of charity to orphans and close blood relatives.
2. It is father's duty to look after his predeceased son's son- importance of family ties in Islam.
3. Father can make waseeyat up to 1/3 of property.-Must on muttaqeen.
4. After father's death even the living heirs can donate a part of the property. – Sura a-nnisa ayah 8

Son's Son – No Share

Quran and sunnah calls upon believers to take care of the near relatives and orphans

وَاعْبُدُوا اللَّهَ وَلَا تُشْرِكُوا بِهِ شَيْئًا وَبِالْوَالِدَيْنِ إِحْسَانًا وَبِذِي الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسَاكِينِ وَالْجَارِ ذِي الْقُرْبَىٰ
وَالْجَارِ الْجُنُبِ وَالصَّاحِبِ بِالْجَنْبِ وَابْنِ السَّبِيلِ وَمَا مَلَكَتْ أَيْمَانُكُمْ إِنَّ اللَّهَ لَا يُحِبُّ مَن كَانَ مُخْتَلًا فَخُورًا

Serve Allah, and join not any partners with Him; and do good- to parents, kinsfolk, orphans, those in need, neighbours who are near, neighbours who are strangers, the companion by your side, the wayfarer (ye meet), and what your right hands possess: For Allah loveth not the arrogant, the vainglorious;

{ Quran 4:36 }

Son's Son – No Share

Quran and sunnah calls upon believers to take care of the near relatives and orphans

يَسْأَلُونَكَ مَاذَا يُنْفِقُونَ قُلْ مَا أَنْفَقْتُمْ مِنْ خَيْرٍ فَلِلْوَالِدَيْنِ وَالْأَقْرَبِينَ وَالْيَتَامَى وَالْمَسَاكِينِ وَابْنِ السَّبِيلِ وَمَا تَفْعَلُوا مِنْ خَيْرٍ فَإِنَّ اللَّهَ بِهِ عَلِيمٌ

They ask thee what they should spend (In charity). Say: Whatever ye spend that is good, is for parents and kindred and orphans and those in want and for wayfarers. And whatever ye do that is good, -(Allah) knoweth it well.

{ Quran 2:215 }

Son's Son – No Share

Quran and sunnah calls upon believers to take care of the near relatives and orphans

لَيْسَ الْبِرُّ أَنْ تُولُوا وُجُوهَكُمْ قِبَلَ الْمَشْرِقِ وَالْمَغْرِبِ وَلَكِنَّ الْبِرَّ مَنْ آمَنَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ وَالْمَلَائِكَةِ
وَالْكِتَابِ وَالنَّبِيِّينَ وَآتَى الْمَالَ عَلَى حُبِّهِ ذَوِي الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسَاكِينَ وَابْنَ السَّبِيلِ وَالسَّائِلِينَ وَفِي الرِّقَابِ
وَأَقَامَ الصَّلَاةَ وَآتَى الزَّكَاةَ وَالْمُوفُونَ بِعَهْدِهِمْ إِذَا عَاهَدُوا وَالصَّابِرِينَ فِي الْبَأْسَاءِ وَالضَّرَّاءِ وَحِينَ الْبَأْسِ أُولَئِكَ
الَّذِينَ صَدَقُوا وَأُولَئِكَ هُمُ الْمُتَّقُونَ

{ Quran 2:177 }

Son's Son – No Share

Quran and sunnah calls upon believers to take care of the near relatives and orphans

It is not righteousness that ye turn your faces Towards east or West; but it is righteousness- to believe in Allah and the Last Day, and the Angels, and the Book, and the Messengers; to spend of your substance, out of love for Him, for your kin, for orphans, for the needy, for the wayfarer, for those who ask, and for the ransom of slaves; to be steadfast in prayer, and practice regular charity; to fulfil the contracts which ye have made; and to be firm and patient, in pain (or suffering) and adversity, and throughout all periods of panic. Such are the people of truth, the Allah fearing.

{ Quran 2:177 }

Son's Son – No Share

Quran and sunnah calls upon believers to take care of the near relatives and orphans

وَأْتِ ذَا الْقُرْبَىٰ حَقَّهُ وَالْمِسْكِينَ وَابْنَ السَّبِيلِ وَلَا تُبَذِّرْ تَبْذِيرًا

And render to the kindred their due rights, as (also) to those in want, and to the wayfarer: But squander not (your wealth) in the manner of a spendthrift.

{ Quran 17:26 }

Son's Son – No Share

Quran and sunnah calls upon believers to take care of the near relatives and orphans

فَاتِ ذَا الْقُرْبَىٰ حَقَّهُ وَالْمِسْكِينَ وَابْنَ السَّبِيلِ ذَلِكَ خَيْرٌ لِلَّذِينَ يُرِيدُونَ وَجْهَ اللَّهِ وَأُولَئِكَ هُمُ الْمُفْلِحُونَ

So give what is due to kindred, the needy, and the wayfarer. That is best for those who seek the Countenance, of Allah, and it is they who will prosper.

{ Quran 30:38 }

Son's Son – No Share

Quran and sunnah calls upon believers to take care of the near relatives and orphans

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

وَإِذَا حَضَرَ الْقِسْمَةَ أُولُو الْقُرْبَىٰ وَالْمَسَاكِينُ فَارْزُقُوهُمْ مِنْهُ وَقُولُوا لَهُمْ قَوْلًا مَعْرُوفًا

وَلِيَخْشَ الَّذِينَ لَوْ تَرَكَوْا مِنْ خَلْفِهِمْ ذُرِّيَّةً ضِعَافًا خَافُوا عَلَيْهِمْ فَلْيَتَّقُوا اللَّهَ وَلْيَقُولُوا قَوْلًا سَدِيدًا

{ Quran 4:7,8,9 }

Son's Son – No Share

Quran and sunnah calls upon believers to take care of the near relatives and orphans

7. From what is left by parents and those nearest related there is a share for men and a share for women, whether the property be small or large,-a determinate share.

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

9. Let those (disposing of an estate) have the same fear in their minds as they would have for their own if they had left a helpless family behind: Let them fear Allah, and speak words of appropriate (comfort).

{ Quran 4:7,8,9 }

Son's Son – No Share Criticism

Anas (RA) reported as Prophet(SAS) saying Anyone who is pleased that his sustenance is expanded and his age extended should do kindness to his near relatives.

Abdulla bin Masoud and Abu Huraira quoted that Prophet (SAS) said that giving sadaqa and charity to a destitute fetches one reward but that given to ones close relative fetches double reward from Allah.

Best of charity is the one given to ones own kith and kin

No share

In some conditions few heirs may not get the shares either due to them being excluded or due to property getting exhausted. Following are few examples of such cases.

No share

1. Son's son if son is there.
2. Son's daughter if 2D.
3. Brothers/sisters if TGF (Hanafi).
4. Daughters children whereas son's children get.
5. Brothers/sisters if son/father is there.
6. Bc if Bf is there.
7. Sc if 2Sf is there/Bf /Sf+D.
8. Sisters children.
9. Brother's daughters.
10. Al Himariya case H,M,2Bu,Bf.
11. Many other cases where shares get exhausted with no balance.

1. Single family system with head of family concept lost.
2. Each one now thinks like copying others concept : self- wife – children
3. Close , blood ties, relations neglected.
4. Inheritance rules gone to dust bin even from well learned people.
5. All the above has given rise to – dowry system, unwillingness to give the property to brothers and others if situation arises, Main reason being loss of Eemaan.
6. Finding loopholes to protect one's property from going to heirs.
7. Raising unnecessary questions about Islamic law of inheritance without actually knowing them.

1. Learn the law of inheritance and spread among people
2. Educate people about inheritance laws and seriousness of the problem if not implemented.
3. Spread the message among common people and learned people.
4. To remember that money and property belongs to Allah
5. Spend and distribute as per His rules.

Common Problems

- Ownership Shares are not specified.
- Property is not divided after death.
- Dowry has become routine affair.
- Misconception that if dowry is given no share for daughters.
- Haram is consumed unknowingly.
- Orphan's wealth is consumed unknowingly.
- Gifts are given to avoid property going to heirs.

Common Problems - Solutions

- Specify Ownership Shares in joint ownerships even if it is in the same family.
- Divide the property after death.
- Discourage Dowry and educate people that it is unislamic and encourage Mehr.
- Educate that Haram may be consumed unknowingly.
- Educate that Orphan's wealth may be consumed unknowingly.
- Educate that if Gifts are given to avoid property going to heirs it is prohibited.

Work up of a case

After learning the Laws of inheritance it is time to apply it into practical use. When a person dies,

1. **Funeral expenses** to be met with,
2. **Debts** of the person is to be cleared from his assets,
3. **Waseeyat** has to be implemented not exceeding 1/3.

After allotting the above find out the remaining property and wealth. That is to be given to the Heirs.

How to find out?

How to find out?

You can use the Ready Reckoner to find out the heirs and their shares.

You can also use the flow chart in power point presentation to find out the heirs and the shares.

Or you can from what you have learnt till now from this course find the shares. I shall discuss the third option. Other two are easy to learn

Work up of a case

- ✓ Write down **who is alive** among **balance heirs** after excluding one by one.
- ✓ Next write down the **fixed heirs** and the **shares** against each of them. **Only those who are alive are considered.**
- ✓ Now calculate the shares allotted and the balance remaining.

Work up of a case

Find out the **balance heir**. The first living person in the list.

S	
SS	
SSS	
F	
TGF	
BF	
...	

Work up of a case

Write the **shares** of living **fixed heirs**

H/W	
F	
M	
TGF	
TGM	
D	
SD	
Sf	
Sc	
Su	
Bu	

Work up of a case

Now add the fixed shares. You can make 24 as the common denominator for easy calculations.

Now **three possibilities** are there.

1. After adding up shares the **total is less than unity**. Find out the balance share left. Balance goes to those who are eligible for balance share. If males and females are there for balance then divide the balance with each male getting double of one female. If nobody in the balance heirs list then consider Radd. Already discussed.

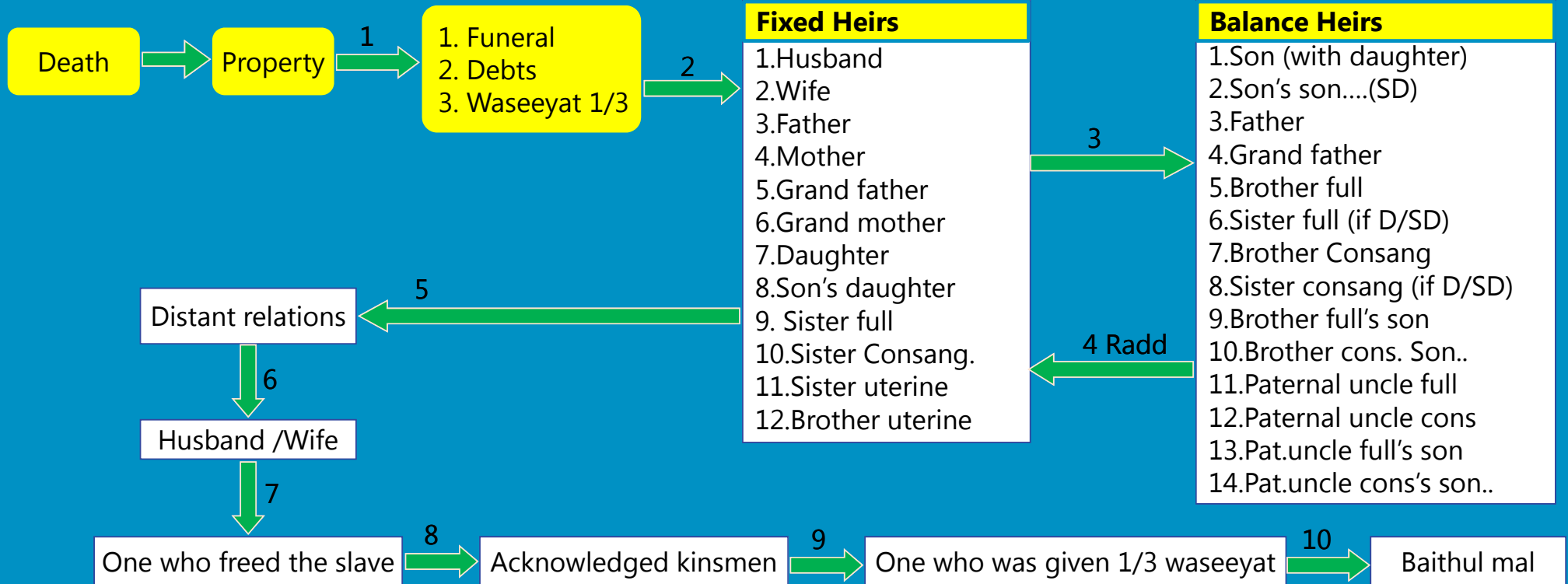
Work up of a case

2. After adding fixed share **total becomes unity** or share adds up to 1 then there is no balance left. Even if there are eligible balance heirs they do not get a share.
3. After adding fixed share **total becomes more than unity** or share adds up to more than 1. There is no balance left but also share value is more than 1 and is not enough to distribute among fixed heirs. Here principle of Awl is applied and shares divided.

Work up of a case

- If **nobody in the balance heirs** list then consider **Radd excluding Husband or Wife**.
- If **nobody in the fixed heirs** and balance heirs except H/W next in the list is **Distant Relatives** take the balance.
- If **no Distant relatives** then consider **H/W for Radd**.
- Others in the eligible list in the absence of above is listed in next slide.

Order of heirs



Work up of a case

Another easy way of calculation is to convert into percentage. Eg; 1/6 when converted into percentage becomes

$$1/6 * 100 = 100/6 = 16.67\%$$

This becomes easy for calculations. But be careful when you encounter Awl or Radd.

W, 5D, 3Sf, 2Bc, 5BfS

W = 1/8, 5D = 2/3, 3Sf = Balance 2Bc = NIL, 5BfS = NIL

Total = 1/8 + 2/3 + b

Total = 3/24 + 16/24 + b

Total = 19/24 + b So, b = 5/24

W = 3/24 5D = 16/24, 1D = 16/(24*5) = 16/120 3Sf = 5/24, 1Sf = 5/(24*3) = 5/72

If property is 24 lakhs

W = 3 lakhs , 1D = 3.2 lakhs 1Sf = 1.66 lakhs

F, M, 2S, 3D

$$F = 1/6, M = 1/6, 2S + 3D = \text{balance}$$

$$\text{Total} = 1/6 + 1/6 + b$$

$$\text{Total} = 2/6 + b \quad \text{So } b = 4/6$$

$$2S + 3D = 4/6$$

2 Sons will take 2 shares each (2x2) + 3 Daughters will take 1 each (3x1)

$$(2 \times 2) + (3 \times 1) = 7$$

So Son will take, $S = 2/7$ of $4/6 = 8/42$ and $D = 4/42$

$$F = 1/6 = 7/42, M = 7/42, S = 8/42, D = 4/42$$

Ready Reckoner

A part of the chart is shown here

ISLAMIC LAW OF INHERITANCE – READY RECKONER

How to use:

1. Go down the second column among balance heirs list. See who is alive top in the list. They will take the balance.
 2. To find out the fixed heirs go to the third column concentrate only rows attached to the balance heir you found in step1. See the row which suits the deceased person. This is the row and the shares are given on the right hand side.
- Now find the shares for those who are alive among fixed heirs. If shares are not given but only a symbol then see the explanation for that symbol. It is recommended to use this chart after fully reading the notes given in separate pages along with the chart.

		Fixed heirs												
		Father	True grand father	Husband	Wife	Mother	True grand mother	Daughter	Son's daughter	Sister full	Sister consanguinous – Paternal Half sister	sister or brother uterine single (maternal Half brother/sister)	2 or more uterine (maternal half) sisters or brothers or together	
Son b	Father	1/6	o	1/4	1/8	1/6	k	b	o	o	o	o	o	
	No father	#	1/6	1/4	1/8	1/6	k	b	o	o	o	o	o	
Son's son b	father +1 daughter	1/6	o	1/4	1/8	1/6	k	1/2	b	o	o	o	o	
	Father + 2 or more daughter	1/6	o	1/4	1/8	1/6	k	2/3	b	o	o	o	o	
	Father + no daughter	1/6	o	1/4	1/8	1/6	k	#	b	o	o	o	o	
	No father +single daughter	#	1/6	1/4	1/8	1/6	k	1/2	b	o	o	o	o	
	No father +2 or more daughters	#	1/6	1/4	1/8	1/6	k	2/3	b	o	o	o	o	
	No father +no daughter	#	1/6	1/4	1/8	1/6	k	#	b	o	o	o	o	
Father b	1 daughter	1/6+b	o	1/4	1/8	1/6	k	1/2	1/6	o	o	o	o	
	2 or more daughters	1/6+b	o	1/4	1/8	1/6	k	2/3	o	o	o	o	o	
	No daughter +1 son's daughter	1/6+b	o	1/4	1/8	1/6	k	#	1/2	o	o	o	o	
	No daughter + 2 or more son's daughters	1/6+b	o	1/4	1/8	1/6	k	#	2/3	o	o	o	o	
	No daughter+ no son's daughter	b	o	1/2	1/4	1/3@1/6	k	#	#	o	o	o	o	

What is this Ready Reckoner about?

The whole of Islamic law of succession has been put in a tabular form. Anybody's share can be found out using the reckoner, even if you don't know the rules. It differs from existing charts. It is in a unique form.

Salient features of this Ready Reckoner are:

- ✓ You need not know the heirs, it leads you to the heirs
- ✓ All rules can be taught
- ✓ It is easy unlike other charts
- ✓ Once it is learnt chart can be reduced to 1/2 page

How to find the share using the chart?

Ready Reckoner

- The **first column** mentions who are **balance heirs** and **Radd**.
- The **second column** gives the **names of persons eligible for balance shares**. The names are in order.
- **The first living person in the list when you go down from top is the person taking the balance share**. In the absence of the person above in the list next person will take the balance. And the persons below will be excluded from the share.

- For share calculations you allot the shares of fixed heirs and whatever is balance the person eligible for balance will take.
- But in this Reckoner, you will find out the person taking the balance share first and then see the shares of fixed heirs. After this you allot the share to fixed heirs and remaining is given to the balance heirs
- Each row gives the share of fixed heirs at different occasions. At certain boxes instead of shares letter or symbols are given. You have to refer to the notes corresponding to the symbol.

Step 1

- See who is alive in the second column when you go down from top.
- Or else ask the question to yourself

Is son alive,

Is son's son alive

Is father alive

If the answer is yes do not go down further

Whoever is alive first in the list will take the balance share And all below in the list are excluded for balance except true grand father as balance With brothers or sisters

Ready Reckoner

The **first column** mentions who are **balance heirs** and **Radd**.

Balance heirs	Son b
	Son's son b
	Father b
	True grand father b/p (two opinions if brother and/or sisters are there p-see below)
	Brother full b
	Sister full (only If daughter or son's daughter are present, Sf will take the balance) b
	Brother consanguinous (Paternal Half brother) b
	Sister consanguinous-Faternal Half



Step 2

- Once you know the **balance heir** your job is to **find a single row among few rows attached** to the balance heir box.
- Each balance heir box is with few rows attached to it. To find a single row corresponding to your case in question, go to the third column.

Son b	Father
	No father

- If Son is the balance heir then in the third column see only if F is alive or not. See which row suits the deceased.

Ready Reckoner

If Son's son is the balance heir

Son's son b	father + 1 daughter
	Father + 2 or more daughter
	Father + no daughter
	No father + single daughter
	No father + 2 or more daughters
	No father + no daughter

Ready Reckoner

Lower to Son's son as balance heir you have to see only **if daughters and their numbers or son's daughters and their numbers** or **Sf or Sc**

Ready Reckoner

Third column attached to the box you found.

Here you have to see the number of daughters/ son's daughters/
full sisters/ consanguineous sisters..(Except for son and son's son
as balance)

See which row suits your case.

Eg. Single daughter – first row

Two or more daughters – second row

No D + single son's daughter - 3rd row

No D + 2 or more SD - 4th row

Brother full b	1 daughter
	2 or more daughters
	No daughter + 1 son's daughter
	No daughter + 2 or more son's daughters
	No daughter+ no son's daughter

Step 3

- ✓ Now see the shares given in this row. If any symbols are given see the attached explanation.
- ✓ If the person is not alive you need not consider the share
- ✓ # means person is not alive
- ✓ 0 means even if alive no share

Ready Reckoner

Now we have found the balance heir and all the fixed share heirs. Calculate the fixed shares and whatever is balance will be given to the balance heirs found in step 1 and to the fixed heir marked as b.

Radd = if the shares for fixed heirs are given and there is nobody among the balance heirs list to take the balance then balance is returned to the living fixed heirs according to their ratio of shares. This is called radd. Only 8 people among balance heirs are eligible.

Awl = If the share calculations during the fixed share allotment comes to more than one or unity then denominator is increased to that of numerator and share is divided.

- If more than one person is there for a share then divide the share equally between them. Eg. Son there may be more than 1 sons.
- If males and females are there for balance shares then male will get double that of one female
- Exception to this rule is maternal half sisters and brothers where they divide equally between them.

Conclusion

Man has the strange desire for wealth , property. He acquires it without realising that it is given by Allah. He withholds it till he reaches the grave. Even after his death people fall into disputes over the property.

Whereas in fact Allah is the Owner of everything and we have been prescribed the ways in which we disburse it during lifetime as well as after death.

أَهَاكُمُ التَّكَاثُرُ

حَتَّىٰ زُرْتُمُ الْمَقَابِرَ

1. The mutual rivalry for piling up of worldly things diverts you,
2. Until you visit the graves (i.e. till you die).

Allah is the absolute owner

In Islam **Allah is the absolute owner of the property.**

وَلِلَّهِ مَا فِي السَّمَاوَاتِ وَمَا فِي الْأَرْضِ لِيَجْزِيَ الَّذِينَ أَسَاءُوا بِمَا عَمِلُوا وَيَجْزِيَ الَّذِينَ أَحْسَنُوا بِالْحُسْنَى

To Allah belongs all that is in the heavens and on earth: so that He rewards those who do evil, according to their deeds, and He rewards those who do good, with what is best.

{ Quran 53:31 }

Allah is the absolute owner

أَلَمْ تَعْلَمْ أَنَّ اللَّهَ لَهُ مُلْكُ السَّمَاوَاتِ وَالْأَرْضِ وَمَا لَكُمْ مِّنْ دُونِ اللَّهِ مِنْ وَلِيٍّ وَلَا نَصِيرٍ

Don't you know that to Allah belongs the dominion of the heavens and the earth? And besides Him you have neither patron nor helper.

{ Quran 2:107 }

Allah is the absolute owner

لِلَّهِ مَا فِي السَّمَاوَاتِ وَمَا فِي الْأَرْضِ وَإِنْ تُبْدُوا مَا فِي أَنْفُسِكُمْ أَوْ تُخْفُوهُ يُحَاسِبِكُمْ بِهِ اللَّهُ فَيَغْفِرُ لِمَنْ يَشَاءُ
وَيُعَذِّبُ مَنْ يَشَاءُ وَاللَّهُ عَلَى كُلِّ شَيْءٍ قَدِيرٌ

To Allah belongs all that is in the heavens and on earth. Whether you show what is in your minds or conceal it, Allah Calls you to account for it. He forgives whom He wills, and punishes whom He wills, for Allah hath power over all things.

Allah is the absolute owner

لَهُ مَقَالِيدُ السَّمَاوَاتِ وَالْأَرْضِ يَبْسُطُ الرِّزْقَ لِمَن يَشَاءُ وَيَقْدِرُ إِنَّهُ بِكُلِّ شَيْءٍ عَلِيمٌ

To Him belong the keys of the heavens and the earth: He enlarges and restricts.
The Sustenance to whom He will: for He knows full well all things.

Man is only a trustee

Man is only a trustee to manage the property as per sharia law prescribed by the Creator.

آمِنُوا بِاللَّهِ وَرَسُولِهِ وَأَنْفِقُوا مِمَّا جَعَلَكُمْ مُسْتَخْلَفِينَ فِيهِ فَالَّذِينَ آمَنُوا مِنْكُمْ وَأَنْفَقُوا لَهُمْ أَجْرٌ كَبِيرٌ

Believe in Allah and His apostle, and spend (in charity) out of the (substance) whereof He has made you heirs. For, those of you who believe and spend (in charity),- for them is a great Reward.

Everything belongs to Allah

Everything belonging to a believer including his life **belongs to Allah**

إِنَّ اللَّهَ اشْتَرَى مِنَ الْمُؤْمِنِينَ أَنفُسَهُمْ وَأَمْوَالَهُمْ بِأَنَّ لَهُمُ الْجَنَّةَ يُقَاتِلُونَ فِي سَبِيلِ اللَّهِ فَيَقْتُلُونَ وَيُقْتَلُونَ وَعَدًّا عَلَيْهِ حَقًّا فِي التَّوْرَةِ وَالْإِنْجِيلِ وَالْقُرْآنِ وَمَنْ أَوْفَى بِعَهْدِهِ مِنَ اللَّهِ فَاسْتَبْشِرُوا بَبَيْعِكُمُ الَّذِي بَايَعْتُمْ بِهِ وَذَلِكَ هُوَ الْفَوْزُ الْعَظِيمُ

Allah has purchased of the believers their persons and their goods; for theirs (in return) is the garden (of Paradise): they fight in His cause, and slay and are slain: a promise binding on Him in truth, through the Law, the Gospel, and the Qur'an: and who is more faithful to his covenant than Allah. then rejoice in the bargain which ye have concluded: that is the achievement supreme.

{ Quran 9:111 }

Wealth to be managed by Sharia law

How the wealth and property is to be managed is governed by divine laws in sharia

It is not righteousness that ye turn your faces Towards east or West; but it is righteousness- to believe in Allah and the Last Day, and the Angels, and the Book, and the Messengers; to spend of your substance, out of love for Him, for your kin, for orphans, for the needy, for the wayfarer, for those who ask, and for the ransom of slaves; to be steadfast in prayer, and practice regular charity; to fulfil the contracts which ye have made; and to be firm and patient, in pain (or suffering) and adversity, and throughout all periods of panic. Such are the people of truth, the Allah fearing.

لَيْسَ الْبِرَّ أَنْ تُوَلُّوا وُجُوهَكُمْ قِبَلَ الْمَشْرِقِ وَالْمَغْرِبِ وَلَكِنَّ الْبِرَّ
مَنْ آمَنَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ وَالْمَلَائِكَةِ وَالْكِتَابِ وَالنَّبِيِّينَ وَآتَى
الْمَالَ عَلَى حُبِّهِ ذَوِي الْقُرْبَى وَالْيَتَامَى وَالْمَسَاكِينَ وَابْنَ السَّبِيلِ
وَالسَّائِلِينَ وَفِي الرِّقَابِ وَأَقَامَ الصَّلَاةَ وَآتَى الزَّكَاةَ وَالْمُوفُونَ
بِعَهْدِهِمْ إِذَا عَاهَدُوا وَالصَّابِرِينَ فِي الْبَأْسَاءِ وَالضَّرَّاءِ وَحِينَ الْبَأْسِ
أُولَئِكَ الَّذِينَ صَدَقُوا وَأُولَئِكَ هُمُ الْمُتَّقُونَ

Wealth to be managed by Sharia law

How the **wealth and property is to be managed** is governed by divine laws in sharia

وَأَعْبُدُوا اللَّهَ وَلَا تُشْرِكُوا بِهِ شَيْئًا وَبِالْوَالِدَيْنِ إِحْسَانًا وَبِذِي الْقُرْبَىٰ وَالْيَتَامَىٰ
وَالْمَسَاكِينِ وَالْجَارِ ذِي الْقُرْبَىٰ وَالْجَارِ الْجُنُبِ وَالصَّاحِبِ بِالْجَنبِ وَابْنِ السَّبِيلِ
وَمَا مَلَكَتْ أَيْمَانُكُمْ إِنَّ اللَّهَ لَا يُحِبُّ مَن كَانَ مُخْتَالًا فَخُورًا

Serve Allah, and join not any partners with Him; and do good- to parents, kinsfolk, orphans, those in need, neighbours who are near, neighbours who are strangers, the companion by your side, the wayfarer (ye meet), and what your right hands possess: For Allah loves not the arrogant, the vainglorious;-

وَلَا يَحْسَبَنَّ الَّذِينَ يَبْخُلُونَ بِمَا آتَاهُمُ اللَّهُ مِنْ فَضْلِهِ هُوَ خَيْرًا لَّهُمْ بَلْ هُوَ شَرٌّ لَّهُمْ
سَيُطَوَّقُونَ مَا بَخُلُوا بِهِ يَوْمَ الْقِيَامَةِ وَلِلَّهِ مِيرَاثُ السَّمَاوَاتِ وَالْأَرْضِ وَاللَّهُ بِمَا تَعْمَلُونَ خَبِيرٌ

And let not those who covetously withhold of the gifts which Allah Has given them of His Grace, think that it is good for them: No, it will be the worse for them: soon shall the things which they covetously withheld be tied to their necks Like a twisted collar, on the Day of Judgment. To Allah belongs the heritage of the heavens and the earth; and Allah is well-acquainted with all that ye do.

Wealth to be managed by Sharia law

الَّذِينَ يَبْخُلُونَ وَيَأْمُرُونَ النَّاسَ بِالْبُخْلِ وَيَكْتُمُونَ مَا آتَاهُمُ اللَّهُ مِنْ فَضْلِهِ وَأَعْتَدْنَا لِلْكَافِرِينَ عَذَابًا مُهِينًا

(Nor) those who are niggardly or enjoin niggardliness on others, or hide the bounties which Allah hath bestowed on them; for We have prepared, for those who resist Faith, a punishment that steeps them in contempt;-

إِنَّمَا الصَّدَقَاتُ لِلْفُقَرَاءِ وَالْمَسَاكِينِ وَالْعَامِلِينَ عَلَيْهَا وَالْمُؤَلَّفَةِ قُلُوبُهُمْ وَفِي الرِّقَابِ وَالْغَارِمِينَ وَفِي سَبِيلِ اللَّهِ
وَأَبْنِ السَّبِيلِ فَرِيضَةً مِّنَ اللَّهِ وَاللَّهُ عَلِيمٌ حَكِيمٌ

Alms are for the poor and the needy, and those employed to administer the (funds); for those whose hearts have been (recently) reconciled (to Truth); for those in bondage and in debt; in the cause of Allah. and for the wayfarer: (thus is it) ordained by Allah, and Allah is full of knowledge and wisdom.

إِنَّ الَّذِينَ آمَنُوا وَعَمِلُوا الصَّالِحَاتِ وَأَقَامُوا الصَّلَاةَ وَآتَوُا الزَّكَاةَ لَهُمْ أَجْرُهُمْ عِنْدَ رَبِّهِمْ وَلَا خَوْفٌ عَلَيْهِمْ
وَلَا هُمْ يَحْزَنُونَ

Those who believe, and do deeds of righteousness, and establish regular prayers and regular charity, will have their reward with their Lord: on them shall be no fear, nor shall they grieve.

وَمَا أُمِرُوا إِلَّا لِيَعْبُدُوا اللَّهَ مُخْلِصِينَ لَهُ الدِّينَ حُنَفَاءَ وَيُقِيمُوا الصَّلَاةَ وَيُؤْتُوا الزَّكَاةَ وَذَلِكَ دِينُ الْقَيِّمَةِ

And they have been commanded no more than this: To worship Allah, offering Him sincere devotion, being true (in faith); to establish regular prayer; and to practise regular charity; and that is the Religion Right and Straight.

الَّذِينَ يَأْكُلُونَ الرِّبَا لَا يَقُومُونَ إِلَّا كَمَا يَقُومُ الَّذِي يَتَخَبَّطُهُ الشَّيْطَانُ مِنَ الْمَسِّ ذَلِكَ بِأَنَّهُمْ قَالُوا إِنَّمَا الْبَيْعُ
مِثْلُ الرِّبَا وَأَحَلَّ اللَّهُ الْبَيْعَ وَحَرَّمَ الرِّبَا فَمَنْ جَاءَهُ مَوْعِظَةٌ مِّن رَّبِّهِ فَانْتَهَى فَلَهُ مَا سَلَفَ وَأَمْرُهُ إِلَى اللَّهِ وَمَنْ
عَادَ فَأُولَئِكَ أَصْحَابُ النَّارِ هُمْ فِيهَا خَالِدُونَ

Those who devour usury will not stand except as stand one whom the Evil one by his touch Hath driven to madness. That is because they say: "Trade is like usury," but Allah hath permitted trade and forbidden usury. Those who after receiving direction from their Lord, desist, shall be pardoned for the past; their case is for Allah (to judge); but those who repeat (The offence) are companions of the Fire: They will abide therein (for ever).

Wealth to be managed by Sharia law
Prohibition of interest

يَمْحَقُ اللَّهُ الرِّبَا وَيُزِيهِ الصَّدَقَاتِ وَاللَّهُ لَا يُحِبُّ كُلَّ كَفَّارٍ أَثِيمٍ

Allah will deprive usury of all blessing, but will give increase for deeds of charity:
For He loves not creatures ungrateful and wicked.

Wealth to be managed by Sharia law
Prohibition of interest

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَأْكُلُوا الرِّبَا أَضْعَافًا مُّضَاعَفَةً وَاتَّقُوا اللَّهَ لَعَلَّكُمْ تُفْلِحُونَ

O ye who believe! Devour not usury, doubled and multiplied; but fear Allah. that ye may (really) prosper.

Wealth to be managed by Sharia law
Prohibition of interest

يَا أَيُّهَا الَّذِينَ آمَنُوا اتَّقُوا اللَّهَ وَذَرُوا مَا بَقِيَ مِنَ الرِّبَا إِن كُنتُمْ مُؤْمِنِينَ

O ye who believe! Fear Allah, and give up what remains of your demand for usury, if ye are indeed believers.

{ Quran 2:278 }

فَإِن لَّمْ تَفْعَلُوا فَأْذَنُوا بِحَرْبٍ مِّنَ اللَّهِ وَرَسُولِهِ وَإِن تُبْتُمْ فَلَكُمْ رُؤُوسُ أَمْوَالِكُمْ لَا تَظْلِمُونَ وَلَا تُظْلَمُونَ

If ye do it not, Take notice of war from Allah and His Messenger. But if ye turn back, ye shall have your capital sums: Deal not unjustly, and ye shall not be dealt with unjustly.

{ Quran 2:279 }

وَأْتِ ذَا الْقُرْبَىٰ حَقَّهُ وَالْمِسْكِينَ وَابْنَ السَّبِيلِ وَلَا تُبَذِّرْ تَبْذِيرًا

And render to the kindred their due rights, as (also) to those in want, and to the wayfarer: But squander not (your wealth) in the manner of a spendthrift.

وَعِبَادُ الرَّحْمَنِ الَّذِينَ يَمْشُونَ عَلَى الْأَرْضِ هَوْنًا وَإِذَا خَاطَبَهُمُ الْجَاهِلُونَ قَالُوا سَلَامًا

And the servants of ((Allah)) Most Gracious are those who walk on the earth in humility, and when the ignorant address them, they say, "Peace!";

{ Quran 25:63 }

وَالَّذِينَ إِذَا أَنْفَقُوا لَمْ يُسْرِفُوا وَلَمْ يَقْتُرُوا وَكَانَ بَيْنَ ذَلِكَ قَوَامًا

Those who, when they spend, are not extravagant and not niggardly, but hold a just (balance) between those (extremes);

{ Quran 25:67 }

وَأْتُوا النِّسَاءَ صَدُقَاتِهِنَّ نِحْلَةً فَإِنْ طِبْنَ لَكُمْ عَنْ شَيْءٍ مِّنْهُ نَفْسًا فَكُلُوهُ هَنِيئًا مَّرِيئًا

And give the women (on marriage) their dower as a free gift; but if they, of their own good pleasure, remit any part of it to you, Take it and enjoy it with right good cheer.

وَالْمُحْصَنَاتُ مِنَ النِّسَاءِ إِلَّا مَا مَلَكَتْ أَيْمَانُكُمْ كِتَابَ اللَّهِ عَلَيْكُمْ وَأُحِلَّ لَكُمْ مَّا وَّرَاءَ ذَٰلِكُمْ أَن تَبْتَغُوا
بِأَمْوَالِكُمْ مُحْصِنِينَ غَيْرَ مُسَافِحِينَ فَمَا اسْتَمْتَعْتُمْ بِهِ مِنْهُنَّ فَآتُوهُنَّ أُجُورَهُنَّ فَرِيضَةً وَلَا جُنَاحَ عَلَيْكُمْ فِيمَا
تَرَاضَيْتُمْ بِهِ مِنْ بَعْدِ الْفَرِيضَةِ إِنَّ اللَّهَ كَانَ عَلِيمًا حَكِيمًا

Also (prohibited are) women already married, except those whom your right hands possess: Thus hath Allah ordained (Prohibitions) against you: Except for these, all others are lawful, provided ye seek (them in marriage) with gifts from your property,- desiring chastity, not lust, seeing that ye derive benefit from them, give them their dowers (at least) as prescribed; but if, after a dower is prescribed, agree Mutually (to vary it), there is no blame on you, and Allah is All-knowing, All-wise.

Wealth to be managed by Sharia law
Maintenance of wife

وَلِلْمُطَلَّقاتِ مَتاعٌ بِالْمَعْرُوفِ حَقًّا عَلَى الْمُتَّقِينَ

For divorced women Maintenance (should be provided) on a reasonable (scale). This is a duty on the righteous.

لِيُنْفِقْ ذُو سَعَةٍ مِّن سَعَتِهِ وَمَن قُدِرَ عَلَيْهِ رِزْقُهُ فَلْيُنْفِقْ مِمَّا آتَاهُ اللَّهُ لَا يُكَلِّفُ اللَّهُ نَفْسًا إِلَّا مَا آتَاهَا
سَيَجْعَلُ اللَّهُ بَعْدَ عُسْرٍ يُسْرًا

Let the man of means spend according to his means: and the man whose resources are restricted, let him spend according to what Allah has given him. Allah puts no burden on any person beyond what He has given him. After a difficulty, Allah will soon grant relief.

Wealth to be managed by Sharia law
Spending in the path of Allah

الَّذِينَ آمَنُوا وَهَاجَرُوا وَجَاهَدُوا فِي سَبِيلِ اللَّهِ بِأَمْوَالِهِمْ وَأَنْفُسِهِمْ أَكْبَرُ دَرَجَةً عِنْدَ اللَّهِ وَأُولَئِكَ هُمُ الْفَائِزُونَ

Those who believe, and suffer exile and strive with might and main, in Allah.s cause, with their goods and their persons, have the highest rank in the sight of Allah. they are the people who will achieve (salvation).

Wealth to be managed by Sharia law
Spending in the path of Allah

قُلْ إِنْ كَانَ آبَاؤُكُمْ وَأَبْنَاؤُكُمْ وَإِخْوَانُكُمْ وَأَزْوَاجُكُمْ وَعَشِيرَتُكُمْ وَأَمْوَالٌ اقْتَرَفْتُمُوهَا وَتِجَارَةٌ تَخْشَوْنَ كَسَادَهَا
وَمَسَاكِينُ تَرْضَوْنَهَا أَحَبَّ إِلَيْكُمْ مِّنَ اللَّهِ وَرَسُولِهِ وَجِهَادٍ فِي سَبِيلِهِ فَتَرَبَّصُوا حَتَّى يَأْتِيَ اللَّهُ بِأَمْرِهِ وَاللَّهُ لَا
يَهْدِي الْقَوْمَ الْفَاسِقِينَ

Say: If it be that your fathers, your sons, your brothers, your mates, or your kindred; the wealth that ye have gained; the commerce in which ye fear a decline: or the dwellings in which ye delight - are dearer to you than Allah, or His Messenger, or the striving in His cause;- then wait until Allah brings about His decision: and Allah guides not the rebellious.

Wealth to be managed by Sharia law
Spending in the path of Allah

يَا أَيُّهَا الَّذِينَ آمَنُوا هَلْ أَدُلُّكُمْ عَلَىٰ تِجَارَةٍ تُنَجِّيكُمْ مِّنْ عَذَابٍ أَلِيمٍ

تُؤْمِنُونَ بِاللَّهِ وَرَسُولِهِ وَتُجَاهِدُونَ فِي سَبِيلِ اللَّهِ بِأَمْوَالِكُمْ وَأَنْفُسِكُمْ ذَلِكُمْ خَيْرٌ لَّكُمْ إِن كُنْتُمْ تَعْلَمُونَ

10. O ye who believe! Shall I lead you to a bargain that will save you from a grievous Penalty?-

11. That ye believe in Allah and His Messenger, and that ye strive (your utmost) in the Cause of Allah, with your property and your persons: That will be best for you, if ye but knew!

Obey Allah and his Messenger

A believer has to **obey what Allah and His Messenger** Command.

وَمَا كَانَ لِمُؤْمِنٍ وَلَا مُؤْمِنَةٍ إِذَا قَضَى اللَّهُ وَرَسُولُهُ أَمْرًا أَنْ يَكُونَ لَهُمُ الْخِيَرَةُ مِنْ أَمْرِهِمْ وَمَنْ يَعْصِ اللَّهَ
وَرَسُولَهُ فَقَدْ ضَلَّ ضَلَالًا مُّبِينًا

It is not fitting for a Believer, man or woman, when a matter has been decided by Allah and His Messenger to have any option about their decision: if any one disobeys Allah and His Messenger, he is indeed on a clearly wrong Path.

Obey Allah and his Messenger

يَا أَيُّهَا الَّذِينَ آمَنُوا أَطِيعُوا اللَّهَ وَأَطِيعُوا الرَّسُولَ وَأُولِي الْأَمْرِ مِنْكُمْ فَإِن تَنَازَعْتُمْ فِي شَيْءٍ فَرُدُّوهُ إِلَى اللَّهِ
وَالرَّسُولِ إِن كُنتُمْ تُؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآخِرِ ذَلِكَ خَيْرٌ وَأَحْسَنُ تَأْوِيلًا

O ye who believe! Obey Allah, and obey the Messenger, and those charged with authority among you. If ye differ in anything among yourselves, refer it to Allah and His Messenger, if ye do believe in Allah and the Last Day: That is best, and most suitable for final determination.

Obey Allah and his Messenger

قُلْ إِنْ كُنْتُمْ تُحِبُّونَ اللَّهَ فَاتَّبِعُونِي يُحِبُّكُمْ اللَّهُ وَيَغْفِرْ لَكُمْ ذُنُوبَكُمْ وَاللَّهُ غَفُورٌ رَحِيمٌ

Say: "If ye do love Allah, Follow me: Allah will love you and forgive you your sins: For Allah is Oft-Forgiving, Most Merciful."

Allah is the provider

Allah alone provides for sustenance to His creatures. **He is the Provider**

زُيِّنَ لِلَّذِينَ كَفَرُوا الْحَيَاةَ الدُّنْيَا وَيَسْخَرُونَ مِنَ الَّذِينَ آمَنُوا وَالَّذِينَ اتَّقَوْا فَوْقَهُمْ يَوْمَ الْقِيَامَةِ وَاللَّهُ يَرْزُقُ مَنْ
يَشَاءُ بِغَيْرِ حِسَابٍ

The life of this world is alluring to those who reject faith, and they scoff at those who believe. But the righteous will be above them on the Day of Resurrection; for Allah bestows His abundance without measure on whom He will.

Allah is the provider

وَمَا مِنْ دَابَّةٍ فِي الْأَرْضِ إِلَّا عَلَى اللَّهِ رِزْقُهَا وَيَعْلَمُ مُسْتَقَرَّهَا وَمُسْتَوْدَعَهَا كُلٌّ فِي كِتَابٍ مُبِينٍ

There is no moving creature on earth but its sustenance depends on Allah. He knows the time and place of its definite abode and its temporary deposit: All is in a clear Record.

Allah is the provider

اللَّهُ يَبْسُطُ الرِّزْقَ لِمَنْ يَشَاءُ وَيَقْدِرُ وَفَرِحُوا بِالْحَيَاةِ الدُّنْيَا وَمَا الْحَيَاةُ الدُّنْيَا فِي الْآخِرَةِ إِلَّا مَتَاعٌ

Allah doth enlarge, or grant by (strict) measure, the sustenance (which He gives) to whomso He pleases. (The wordly) rejoice in the life of this world: But the life of this world is but little comfort in the Hereafter.

Allah is the provider

وَجَعَلْنَا لَكُمْ فِيهَا مَعَايِشَ وَمَنْ لَسْتُمْ لَهُ بِرَازِقِينَ

And We have provided therein means of subsistence,- for you and for those for whose sustenance ye are not responsible.

Allah is the provider

إِنَّ رَبَّكَ يَبْسُطُ الرِّزْقَ لِمَن يَشَاءُ وَيَقْدِرُ إِنَّهُ كَانَ بِعِبَادِهِ خَبِيرًا بَصِيرًا

وَلَا تَقْتُلُوا أَوْلَادَكُمْ خَشْيَةَ إِمْلَاقٍ نَّحْنُ نَرْزُقُهُمْ وَإِيَّاكُمْ إِنَّ قَتْلَهُمْ كَانَ خِطْئًا كَبِيرًا

30. Verily thy Lord does provide sustenance in abundance for whom He pleases, and He provides in a just measure. For He does know and regard all His servants.

31. Kill not your children for fear of want: We shall provide sustenance for them as well as for you. Verily the killing of them is a great sin.

Allah is the provider

وَكَايِّنَ مِنْ دَابَّةٍ لَّا تَحْمِلُ رِزْقَهَا اللَّهُ يَرْزُقُهَا وَإِيَّاكُمْ وَهُوَ السَّمِيعُ الْعَلِيمُ

How many are the creatures that carry not their own sustenance? It is Allah who feeds (both) them and you: for He hears and knows (all things).

Allah is the provider

لَهُ مَقَالِيدُ السَّمَاوَاتِ وَالْأَرْضِ يَبْسُطُ الرِّزْقَ لِمَن يَشَاءُ وَيَقْدِرُ إِنَّهُ بِكُلِّ شَيْءٍ عَلِيمٌ

To Him belong the keys of the heavens and the earth: He enlarges and restricts.
The Sustenance to whom He will: for He knows full well all things.

And finally

- To Allah belongs the dominion of Earth and the sky
- He is the Sustainer and Provider
- A believer is only a trustee to manage the property and wealth given by Allah
- Allah and His Prophet (SAS) have prescribed do's and don'ts regarding the wealth during life of a person and after death.
- A believer does not have his own decision when a thing has already been decreed by Allah and His Messenger
- Distribute the wealth and property as per Divine Decree during lifetime and after death.

And finally a Hadeeth

Thirmidhi, Ahmed, Ibn Maja, Abu dawood

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**.

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.

{ Quran 4:13-14 }

تِلْكَ حُدُودُ اللَّهِ
وَمَنْ يُطِعِ اللَّهَ وَرَسُولَهُ يُدْخِلْهُ جَنَّاتٍ
تَجْرِي مِنْ تَحْتِهَا الْأَنْهَارُ خَالِدِينَ فِيهَا
وَذَلِكَ الْفَوْزُ الْعَظِيمُ { 13 }
وَمَنْ يَعِصِ اللَّهَ وَرَسُولَهُ وَيَتَعَدَّ حُدُودَهُ
يُدْخِلْهُ نَارًا خَالِدًا فِيهَا وَلَهُ عَذَابٌ مُهِينٌ

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الْحَمْدُ لِلَّهِ

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