

Islamic law of inheritance – Calculations

Awl : Sometimes fixed heirs share will add up to more than one and there won't be any thing left for the balance heirs. Since the total shares add to more than one share is not enough for fixed heirs itself. Shares have to be readjusted between those fixed shareholders. This is called Awl. Here normally when you add up the share numerator becomes more than the denominator. All you have to do is increase the denominator to that of the numerator.

E.g. share fractions are $\frac{2}{3}, \frac{1}{2}, \frac{1}{3}$. Here the total comes to $\frac{4}{6} + \frac{3}{6} + \frac{2}{6} = \frac{9}{6}$. Shares are more than 1. Increase the denominator to 9 and make total as $\frac{9}{9}$ and the shares are $\frac{4}{9}, \frac{3}{9}, \frac{2}{9}$. In such occasions those marked as b=balance will not get any balance.

Radd. If there is nobody to take balance share and there is excess after giving fractional shares the balance is given back to fixed sharers in proportion to their shares excluding husband or wife. This is called radd.

If nobody to take either fixed or balance share among those in the list then the property goes to other blood relatives not in the list as per the rule applicable to them. If nobody to take among other relatives then it goes to husband or wife. Only if they are not there then it goes to baithul maal.

Example 1. A person dies leaving mother, wife, 2 sisters full, 1 sister consanguineous and 2 brother full's sons.

How to calculate.

- Step one above you will find brother full's son alive and they will take the balance.
- Now see the rows. Since daughters are not there rows 1, 2, 3, 4 are excluded.
- Next see sister full who are 2 in number. It is the 6th row.
- See the shares in this 6th row for mother, wife, and sister full and sister consanguineous.
- Brother full's sons get the balance after, 1/4 to wife, 1/6 to mother, since grandmother is not there nil, 2 sister full will get 2/3, sister consang will not get anything, and sister uterine are not there hence nil. Shares become $1/4 + 1/6 + 2/3 + b = 13/12 + b$.
- Here share is not enough for the fixed shares and the principle of **Awl** is applied.
- BfS will get nil as no balance left.

Solution.

Wife = $3/13$,

Mother = $2/13$,

2 Sister full = $8/13$,

Brother full's Son = 0.

Example 2. A lady dies leaving husband, 2 sons, 1 daughter, 2 sisters full, and 2 brothers full.

How to calculate.

- Step 1 here you will find son alive, and they will take the balance.
- Go to step 2. Second column only 2 rows, since father is not there it is second row.
- Now find the shares. Husband will get 1/4, 1 daughter will get balance (with sons in the step 1) 2 sister full will get nil. Brother full in the first column will also get nil because son is alive.
- So 2 sons and 1 daughter will get balance which is 3/4.
- How to divide? Son will get double that of daughter. So the shares are 1 daughter = 1 share, each son = 2 share 2 sons = 4 share, adding up becomes 5 share. Now the balance 3/4 is divided as 5 shares and daughter will get 1 of that son will get 2 of that.
- Daughter will get 3/20 of whole property, each son will get 6/20, husband will get 1/4 = 5/20 total becomes 20/20.

Solution.

Daughter = $3/20$,

Each Son = $6/20$

Husband = $5/20$