

In the Name of Allah', the most Gracious, The Most Merciful
Preface

All praise to Allah the Lord of the universe, and supplication and peace be upon Mohammad, the illiterate prophet who was sent as mercy to all beings, and his family and followers.

Every now and then we hear wrong accusations about certain aspects of Islam from people who have never felt the beauty of Islam and they live a life away from the Islamic guidance, its purity and its sanctity. These people never get the blessing of Islam because of the evil they scheme.

The following pages present an explanation about the rights of women to inherit under Islamic jurisprudence. These rights came under attack, numerous times, with the purpose of defaming Islam and Muslims and portraying Islam as unjust to women.

This leaflet is an addendum to the third message on the subject:
"Women's Position in Islam" as part of the previously published series;

Islam is the religion of the formers and the latters

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ⁱThe Arabic name of the creator of heavens and earth, the name is used by Muslims, Jews & Christians alike in the Middle East.

ⁱⁱPhrase used by Muslims before starting any task in their daily lives to indicate their dedication to Allah.

ⁱⁱⁱTitle Indicating that the person has attained a high level of knowledge In a particular field of knowledge

^{iv}Title Indicating a person who leads Muslims in their dally prayers dedicated to Allah

^vThe seventh month of the Islamic calendar

^{vi}The Islamic year ("am Hijri) where year one is marked by the migration of Prophet Muhammad p from Mecca to Medina around the year 623 AD.

The Justice of Islam Regarding Women's Rights to Inheritance

The enemies of Islam know the great role the Muslim woman plays in her society and the fundamental duties she has towards her religion, and that's the reason those enemies try to corrupt the Muslim woman and her way of thinking in different ways. One way was the call for the liberation of women (as if Muslim women were in captivity) and another was women's rights. Another example is claiming that Islam favored men over women on the subject of inheritance as women always inherit half the amount men inherit! This is a very obvious lie because inheritance in Islam is not based on gender preference but it is based on three distinct considerations as follows:

First Consideration. Relationship of the inheritor to the deceased; if the inheritor is closely related to the deceased, the share of the inheritance increases. And vice versa, as this relationship becomes remote, the share of inheritance decreases and in this situation there's no differentiation in gender between male and female inheritors.

Second Consideration. The life expectancy of the inheritor; for example, if a man dies leaving behind children as well as parents, the parents' share of the inheritance is less than that of the children of the deceased. This is due to the fact that the children may live longer than their grandparents. Also, because of the children's longer life expectancy they may have more obligations toward a growing family and all its financial needs.

Third consideration. The financial burden of the inheritor; this is the only consideration where we find a difference in the amount of inheritance based on gender. This only takes place if inheritors are equal in the first two considerations (closeness of relationship and life expectancy). For example, if a man dies leaving a son and a daughter and if the daughter is married all her financial needs are the obligation of her husband and her inheritance is only for her and not for her husband or her children. But if the daughter is not married, still her inheritance is only for her; however, her brother has financial obligations towards her without considering her share of the inheritance. This is what Islam has ordained and the Muslims are complying with the order.

In the following pages we intend to show how Islam honored women and put them in a level higher than that of men and not the other way around as some haters of Islam claim.

Whoever reads the Science of Inheritance in Islam shall find thirty (30) cases where the female share is equal or exceeds that of a male or the female is the only one that has the right to the inheritance and not the male. This is to the contrast of only four (4) cases where the female share of the inheritance is half the share of a male.

As we mentioned above there are over thirty (30) cases for situations in inheritance but it will suffice that we mention three examples for each case to keep the content of this addendum short.

Cases where woman's share is half that of man's share

1-If the deceased leaves a son and a daughter as Allah ordered in Surat¹ Anissa: ***{Allah commands you as regard to your children's (inheritance): to the male, a share equal to that of two females.....}***²

2-In the case where the deceased leaves a father and a mother but no spouse or children as Allah mentioned in Surat Anissa: ***{...if no children, and the parents are the (only) heirs, the mother has a third...}***². In this case the mother inherits one-third (1/3) and the father inherits two-thirds (2/3).

3-The deceased leaves brothers and sisters as ordained in Surat Anissa ***{...if there are brothers and sisters, (they share), the male having twice the share of the female.....}***³

4-If the deceased wife leaves no children; the husband share is half (1/2) of the inheritance; ***{...In what your wives leave, your share is a half, if they leave no child; ...}***⁴ But if the deceased husband leaves no children, the wife's share shall be a quarter (1/4) of the inheritance as Allah mandated; ***{... In what you leave, their share is a fourth, if you leave no child. ...}***³

¹The word "Surat" means a chapter in the Quran the sacred book of the Muslims that is composed of 114 chapters

²Quran; Surat Anisaa "The Women" chapter 4 verse 11

³Quran; Surat Anisaa "The Women" chapter 4 verse 176

⁴Quran; Surat Anisaa "The Women" chapter 4 verse 12

Cases where a female share is equal to that of a male

1-When a deceased leaves parents and a son; each parent gets one-sixth ($1/6$) of the inheritance as Allah ordained

2-***(...if the man or woman whose inheritance is in question, has left neither ascendants nor descendants, but has left a brother or a sister, each one of the two gets a sixth; but if they're more than two, they share in the third ...)***³ In this order Allah gives both males and females the same share.

3-If a female die leaving behind a husband and a sister; each one gets half ($1/2$) of the inheritance. Here again, we can see very clearly that men and women have equal share.

Cases where a female share is greater than that of a male

1-If a male die leaving behind two daughters, a father and a mother; each daughter is entitled to one-third ($1/3$) of the inheritance and the father and the mother are entitled to one-sixth ($1/6$) each. The female, in this case the daughter, inherits twice as the male who is the father of the deceased.

2-If a male die leaving behind a mother, two daughters and a brother; each daughter is entitled to one-third ($1/3$) of the inheritance and the mother is entitled to one-sixth ($1/6$) and the rest goes to the brother. The female, in this case the daughter, inherits double as the male who is the brother of the deceased.

3-If a male die leaving behind two daughters, half-brother and half-sister from his father's side; each daughter is entitled to one-third ($1/3$) of the inheritance and **the remaining third** is shared by the step brother and step sister where the step sister gets one-third of that share and the step brother gets two-thirds of that share. The daughters in this case, inherit more than twice as the male who is the step brother of the deceased.

Cases where a female inherits but a male does not

1-If a man dies leaving behind a daughter, a sister and an uncle; the daughter is entitled to half ($1/2$) the inheritance and the sister is entitled to the other half ($1/2$) of the inheritance and the uncle has no shares. In this example we can see that Islam favored the female over the male,

2-If a woman dies leaving behind a husband, a sister and a step brother from her father side; the husband is entitled to half ($1/2$) the inheritance and the sister is entitled to other half ($1/2$) of the inheritance and the step brother does not inherit anything at all. sister, which is the female in this example, inherits while the male who is the step bre does not inherit.

3-If a woman dies leaving behind a husband, a father, a daughter and a brother; the husband is entitled to one-quarter (1/4) of the inheritance and the father is entitled to one-sixth (1/6) of the inheritance while the daughter is entitled to half (1/2) of the inheritance but the brother is not entitled to any part of the inheritance while his father is still alive.

Most of the aforementioned cases are ordained in three verses in chapter 4 (The Women) in the Quran which are verses 11, 12 and 176. The rest of the cases have been explained by the Sunnah⁵ of the prophet Muhammad p⁶ as the sources of Islamic jurisprudence are the Quran and the Sunnah⁵.

{Allah directs you as regards your Children's (Inheritance): to the male, a portion equal to that of two females: if only daughters, two or more, their share is two-thirds of the inheritance; if only one, her share is a half. For parents, a sixth share of the inheritance to each, if the deceased left children; if no children, and the parents are the (only) heirs, the mother has a third; if the deceased Left brothers (or sisters) the mother has a sixth. (The distribution in all cases('s) after the payment of legacies and debts.

⁵Sunnah refers to specific words (teachings), actions and practices of the prophet Muhammad

⁶This symbol translates to the phrase "May the supplication and peace of Allah be upon him" which is what every Muslim utters whenever the name of the prophet Muhammad is mentioned

You do not know whether your parents or your children are nearest to you in benefit. These are settled portions ordained by Allah; and Allah is All-knowing, All-wise # In what your wives leave, your share is a half, if they leave no child; but if they leave a child, ye get a fourth; after payment of legacies and debts. In what ye leave, their share is a fourth, if ye leave no child; but if ye leave a child, they get an eighth; after payment of legacies and debts. If the man or woman whose inheritance is in question, has left neither ascendants nor descendants, but has left a brother or a sister, each one of the two gets a sixth; but if more than two, they share in a third; after payment of legacies and debts; so that no loss is caused (to any one). Thus is it ordained by Allah; and Allah is All-knowing, Most Forbearing}^7.

And the last verse in Chapter 4 (The Women) in the Quran;

(They ask you for a legal verdict. Say: Allah directs (thus) 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 (such a deceased was) a woman, who left no child, Her brother takes her inheritance: If there are two sisters, they shall have two-thirds of the inheritance: if there are brothers and sisters, (they share), the male having twice the share of the female. Thus, does Allah make clear to you (His law), lest you go astray. And Allah has knowledge of all things}^8.

Based on the above examples, how can anybody listen to the conspirator and haters of Islam when they say "Islam is unjust to women on the subject of inheritance"!

Until we meet again in another rebuttal, we leave you entrusted to Allah's protection. And may the peace, the mercy and blessing of Allah be with you.

⁷Quran; Surat Anisaa "The Women" chapter 4 verses 11, 12

⁸Quran; Surat Anisaa "The Women" chapter 4 verse 176