

1. The preparation of deceased by bathing and shrouding.
2. The financial claim or debt owed by the deceased to someone.
3. The valid will or testament made by the deceased.
4. The distribution of inheritance among inheritors.

That means the expenses on the bathing; shrouding and burial should be paid from the estate and/or inheritance as a matter of first priority. What remains should be used to pay off all debts owed by the deceased. Then, what remains should be applied against any valid will made by the deceased, which should not exceed the limit of one-third. After that, the remaining two-third of the inheritance should be distributed among all inheritors in accordance with the shares fixed by the Shariah. If the deceased had no debt to pay back, nor had he made a will about the inheritance, then, whatever of inheritance remains after paying for the bathing, shrouding and burial, will all belong to the inheritors, who will inherit it in accordance with the shares fixed by the Islaamic Shariah •••••.

At this point I would like to point this for my readers that what they see at Christian missionary web site “answering-islam” is nothing but a number game like Enron’s accounting, which is missing most of the inevitable parts and rules described above. Means, when you don’t add and subtract as I have stated above, you certainly will have variation. That by the way can also be created by manipulating numbers while not adding and/or subtracting as required by Islaamic Shariah.

Christian missionary’s claim has further flaws and/or is deceptive in nature to confuse the issue, since they purposely avoided to address following:

- Things not included under inheritance?
- Any pension received after death is not included in the inheritance?
- Some possessions of the deceased are also not included in his/her inheritance?
- What has been set-aside for a particular person during one’s lifetime is included in inheritance?
- **Paying debts owed to Allaah? ***
- Valid and Invalid Will, if any?
- **Fidya of prayers and/or fasts? ***

* The two in red in my opinion are something in every case makes a difference.

Inheritance Shares Do Not Add Up!

Refutation to Christian Missionaries Forgeries & Perjuries.

An absurd article full of usual perjuries and forgeries under title [*Inheritance shares do not add up*](#) by an unnamed author can be found at the anti-Islaam website “*answering {assaulting} islam*”,

which perhaps have same people as its readers/audience, which are seen at “Jerry Springer” show each night on TV.

The article begins with the citation of English translation of verses 4:11, 12, & 176 from the Glorious Qur’aan, with as usual some non-Islaamic sources and/or references {*that cannot be accepted*} along with an incomplete and inconclusive reference from the book "Islamic Inheritance Law" by Dr. Yusuf Ziya Kavakci. Also used as incomplete reference "The Reliance of the Traveler" by Nuh Ha Mim Keller. **The author of this article has purposely, willfully and deliberately concealed the correct information that is/was at his/her disposal.** NO one should be surprise about it, since it is coming from *Christian missionary*. By the way the article also contains some links that doesn’t work either.

I was also disappointed to see some Muslims *gobbledegooks* on this subject matter, not to mention few individuals and their websites, which are the stars of website “*answering {assaulting} islam*” to name a couple; are: *Osama Abdallah* of website “*answering-christianity.com*” & *Akbarally Meherally* of website “*mostmerciful.com*” (both Murtadds), beside some others.

Setting the record straight!

- **First** and foremost Islaamic Inheritance Laws are dealt by Islaamic Shariah, this fact has been concealed by the anti-Islaam website.
- **Second** anti-Islaam website has only cited the English translations of verses 4:11-12 & 176; whereas the Ayaat (verses) 2:180; 2:233; 2:240; 4:11-12; 4:176 & 5:106 are in fact **about inheritance**. This means most of the verses have been concealed by the author of the absurd article at anti-Islaam website i.e. website “*answering {assaulting} islam*”, which is an evidence of forgeries and perjuries beside what is already stated above to this effect.

Since enemies of Islaam are ignorant of the correct teachings of Islaam and/or of Glorious Qur’aan and Sunnah while they are fabricating lies, let me sum up the teachings of Inheritance Laws of Islaam.

There are four rights that must be fulfilled in respect of the estate of a deceased Muslim. It is necessary that the correct sequence of fulfilling these rights be carefully upheld. These four rights are as follows:

1. That the expenses for the necessary requirements from the time of death until completion of the burial be drawn as a first charge from the estate.
2. Thereafter, from the remaining *Tarakah* (estate) all debts including unpaid *Mahr* (dowry) shall be paid. Both, or either one, of these debts shall be second charge to be drawn from the estate (*Tarakah*).
3. Thereafter, any *Wa’siyah* (testament or bequest) in favor of non-heirs shall be fulfilled from one-third (1/3) of the *Tarakah* (remaining estate). This due and liability

shall be third charge drawn from the remaining estate. {Islaamic Shariah only allows a *Wa'siyah* in one third of the *Tarakah* (remaining estate). The Shariah disallows any portion of *Wa'siyah*, which is in excess of 1/3 (one third) of the *Tarakah*. This *Wa'siyah* shall be a first charge to be paid before the rightful inheritors receive their share from the *Tarakah*. }

4. Lastly, the *Tarakah* (final residue) of the estate shall be distributed among the rightful heirs of the deceased Muslim according to the law of inheritance specified by the Glorious Qur'aan, Sunnah, and Ijmaa.

Factors that may prevent inheritance! The following four factors that prevent inheritance.

1. To be a slave, whether this status of being a slave is in the fuller sense of the word, or even the status of being a *Moekaatab* (a slave who shall be free upon the death of the master). This rule is applicable even though the slave has an agreement with the master for payment of compensation to gain freedom, or where the slave (*female*) becomes an *Umm-e-Walad* (a mother of master's off-spring).
2. To be guilty of an assassination by which one shall be liable for compensation, or when one should deserve the death sentence.
3. To be an adherent of other religion/s.
4. When a person who recently embraced Islaam choose to reside in and remain as domiciled of separate and different religious state/s.

Three conditions of Miraath (Inheritance)!

1. It must be established with certainty that the *Mowrooth* (deceased person from whom inheritance is to be received) has died and/or has been decreed by a Muslim Qazi/Qadhi (Judge) to be among those who have passed away.
2. It must be established with certainty that the *Waarith* (heir) is alive after the death of the *Mowrooth*, or that by positive signs and calculations determine that the heir is among those who are alive (for example a living fetus). In addition one also must have the knowledge of the status of the heir in respect of being eligible to receive inheritance.
3. Rightful position of an heir in respect of the relationship between *Waarith* and *Mowrooth* must be known.

The shares which have been fixed in the Glorious Qur'aan are **SIX**

1. One half (1/2)

2. One quarter (1/4)
3. One eighth (1/8)
4. One third (1/3)
5. Two third (2/3)
6. One sixth (1/6)

There are twelve (12) categories of person who shall receive a share of inheritance according to their status in the relationship with a deceased Muslim. Four among twelve are males,

1. The father
2. Paternal grandfather or paternal great-grandfather, or even any paternal father above them in the lineage.
3. Stepbrother from the same mother.
4. Husband

Eight persons out of twelve are females who qualifies to be heirs, they are:

1. Wife
2. Daughter
3. Sister from the same parents
4. A daughter of a son or even a daughter from a son's son (*granddaughter*)
5. A stepsister from the same father
6. A stepsister from the same mother
7. Mother
8. A parental grandmother

Following are the proportions which the rightful heirs would qualify for:

An Ni'sf (*those persons who shall receive a half share*) a half share shall be due to five types of person among inheritors:

1. A husband, if the deceased Muslim does not leave any walad (*sons or daughters*), or any walad in any succeeding generation.
2. An only daughter (*as a sole survivor*).
3. A son's daughter, if she is the sole survivor and there are no other heirs in the generation between her and the Maiyyat (*deceased person*).
4. A sister from the same parents, if she is the sole survivor and there are no other daughters or even a son's daughters.
5. A sister from the same father, if she is the sole survivor. Such a person shall only receive a share when there are no other heirs at all among the direct (*first generation*) offspring of the Maiyyat (deceased Muslim).

Ar Roub-u (*those persons who shall receive a quarter share*) a quarter share shall be due to two persons amongst the inheritors:

1. A husband, if the deceased has a walad (son or daughter), or even son's sons in any generation.
2. A wife, if the deceased does not have any walad or paternal grandson or granddaughter in any succeeding generation.

Ath Thoemoun (*those person who shall receive one eighth share*). 1/8 share shall be due to only one of the rightful inheritors. This is the wife of the deceased has a walad (son or daughter, or son's son or any daughters from any succeeding generation). **This rule will apply whether she is the only wife, or there are other wives.**

Ath Thoelouthaan (*persons who shall receive two third share*) a 2/3 share shall be due to four of the rightful heirs:

1. When there are only two daughters.
2. When there are only two paternal granddaughters (*without any daughters of the deceased*).

3. When there are two sisters from the same father and mother, without anyone else from among the daughters or paternal granddaughters of the deceased.
4. When there are two sisters from the same father, without any male inheritor in all the aforementioned cases.

Ath Thoelouth (*persons who shall receive one third share*) a 1/3 share shall be due to two of the rightful inheritors:

1. A mother.
2. When there are two or more awlaad (*step children*), from the same mother, whether they are male or female.

As-Soedous (*those persons who shall receive one sixth share*) 1/6 share shall be due to seven of the inheritors:

1. A father.
2. A paternal grandfather (*or a paternal great grandfather, or grandfathers above in lineage*). This share would be on the condition that the deceased has a son or a paternal grandson.
3. A mother, on condition that the deceased has a son or a paternal grandson as an heir. This rule will also apply if the deceased leaves two or more brothers or one or more sisters.
4. A paternal grandmother, (*father's mother*).
5. An only stepchild from the same mother (*as a sole survivor*).
6. The paternal granddaughter from a son, when she is alone with only one other daughter of the deceased.
7. A stepsister from the same father when there are other sisters from both parents with her.

Hiejb (*to be deprived from inheritance or excluded from being heirs*)!

Hiejb is that situation where a particular person is prevented from receiving, or deprived from a portion of inheritance or even a total rightful share of inheritance. This aspect initially comes into effect by the presence of certain other heirs. **There are two types of Hiejb:**

1. **Hiejbou Noeqsaan!** This is when the share of an heir is reduced by the presence of another heir, e.g. the reduction of the share of a husband from half to a quarter. This rule applies because of the presence of a child from that particular Nikaah.
2. **Hiejbou Hier-maan!** This is when an heir is deprived of a complete share in inheritance due to the presence of another inheritor, e.g. the share of a brother's son (*paternal nephew*) shall be waived due to the presence of a brother on the deceased.

Readers are advised to note that above is a brief description of Inheritance Laws according to Islaamic Shariah, there is much more to write and known. Nevertheless, readers are advised to now compare the fraudulent article referenced above with an UN-Islaamic and incomplete hypothetical account titled **Who is going to pay the bill for the "promise in overdraft?"** by the anti-Islaam website. *If they want to question the Islaamic inheritance laws, then first they must present an accurate hypothetical Islaamic scenario rather a 3rd grade non-sense, which is like having a brain surgery done by an auto mechanic. Now I challenge the website answering {assaulting} islam to show me how and where things do not adds up?*

NOTE: There are many other issues and things that play an important role in the outcome of the disbursement of inheritance. I will briefly mention few points:

1. The pension received after death is not included in inheritance.
2. Some possessions of the deceased are also not included in his inheritance.
3. What has been set-aside for a particular person during the lifetime is included in the inheritance.
4. Payment of debts also includes paying the debts owed to Allaah (SWT). *That in my personal opinion majority of Muslims owes.*
5. If, after payment of funeral expenses, the remaining inheritance is good enough to clear all outstanding debts, then all debts should be paid off without any discrimination. *In case, it is not enough and the debt has to be paid to one single person, then whatever on inheritance remains, after defraying the cost of the funeral, should be given to him. As for what remains unpaid, it shall be up to him, he may forgo and forgive it if he so chooses or he may postpone it for settlement in Akhirah (Mufidul-*

Warithin, p. 38)

In conclusion, readers can see that I have refuted the anti-Islaam website while exposing their lies and ignorance (*both*). Their entire article is fraudulent and fallacious. Nevertheless, I have answered their title question. Now I have couple of questions for them:

1. Please define and describe the Christian law of inheritance according to Christian Bible with explicit verses/references?
2. What did Jesus say about inheritance; please quote-explicit references from Christian Bible?

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