

Islamic Inheritance

One of the most overlooked and confused problem in Muslim community, especially people living in non Islamic countries is distribution of Inheritance to their heirs after someone's death. Allah has done a great favor to believers by Himself deciding the shares of Inheritance. As a human being we can never be 100% objective and do justice to our own family (sons, daughters, parents, brothers and sisters) and other relative, it is human nature that within our own kids , we love some more than the others due to some obvious reasons. If Allah had left us to decide who gets what from our inheritance, then imagine how much injustice we would have done to our family and the consequences of these injustices would destroy the every fiber of our family relationship and blood bath amongst our own kids.

IN SURAH "NISA" CHAPTER 4 ALLAH HAS DESCRIBED IN DETAIL THIS LAW OF INHERITANCE.

Although Islamic law of inheritance is a complete subject of its own and readers are encouraged to read this surah, as well as get authentic knowledge from Islamic scholars in this subject. Then they will fully understand the logic behind this law (As it is from Allah, who has the ultimate knowledge and wisdom, it had to be the most fair system of inheritance).

I am just going to list few logic and wisdom behind this law, which is most commonly misunderstood especially by daughters.

1. Islam gives son twice amount from inheritance as compared to daughters. The reason, logic and wisdom behind are very clear. Islam has solely given responsibility of earning livelihood of the family to men and not women, therefore the men should get more from inheritance. Secondly the responsibility of taking care of old surviving parents financially is on sons, not daughter. In addition women get "Mahr" from husband at the time of her marriage and that is her sole property.

NOTE: In Islam a Mahr is a mandatory payment (mutually agreed by bride and groom or their family), in the form of money, property or any other possessions paid by groom to bride at the time of marriage, that legally becomes her property. It must be noted that most men do not pay this

amount to bride, which is against the Islamic law; it must be paid in full, unless women willingly, without any pressure forgives that right.

Based on that it is obvious why Allah decided this distribution of share between a son and daughter.

2. Allah has allowed $1/3^{\text{rd}}$ value of your inheritance at your discretion to give to somebody who is not entitled to get inheritance according to Islamic Sharia. Like some close relative, you think deserves some money, or to charity, like hospitals, mosques, orphanage, water wells etc. This is called "Wasiya" in Islam. It must be noted that this Wasiya of 33% is maximum, scholars prefer to be about 25% of the total inheritance value. Also if not much wealth is available as inheritance then, it is better not to do any Wasiya and leave everything for your heirs. According to Hadith of Prophet (S.A.W), do not give to other charitable causes so that your children become poor and beg for money. It must be noted that distribution of inheritance will be done only after fulfilling the "Wasiya" if any as mentioned above and paying off any loan or debt if that dead person has.
3. Also make sure if you are giving some money/property or any wealth to your kids in your life then, you should give same to all the kids' regardless of sons or daughters. Do not give preference one on other (That is between sons, daughters or between sons and daughters). The difference in shares between sons and daughters is only in inheritance wealth after your death, because of Allah's commandment. In your lifetime there is no difference between them.

It is wrong to believe that Islamic inheritance law cannot be implemented in USA, CANADA, and EUROPE etc. Check good Islamic inheritance lawyers in your area. These countries and states allow having Islamic inheritance law as long as certain conditions are met. I did mine in state of California.

For readers benefit I am showing a link of software, which is very easy to use to calculate shares (Who will get what) depending on your own situation. No matter how complicated your situation is, it will calculate and give percentage of shares to all your heirs. It is great software free to use. But remember, this is just a calculation of how much each person from your heirs (sons, daughters, wife/husband, parents, sisters, brothers. step sons/daughter) will get as part of Islamic heritage law. For actual distribution, please consult an Islamic scholar or Islamic inheritance lawyer

in your area. This software just gives you a general idea so you can plan.
You never know when your time is up.

To access the software please visit
www.islamicsoftware.org

Then click on “irth”, it will open the window and blank spaces to fill for your peculiar situation, fill it in and then click “calculate”. It will give you percentages of who will get how much from your heirs,

Please take this issue of Islamic inheritance very seriously; it is Allah law and order. Not following this is a grave sin and it is also called “Haqooq ul ibad” (rights of your fellow human being). Allah may forgive His rights (Haqooq ul Allah), but will not forgive your fellow beings right unless he/she forgives and we know on the Day of Judgment nobody even your mother will not forgive anything as everybody will be dying to even get one small good deed from anywhere.

Note: It must be noted that sons and daughters share is same regardless of their age. Also an unborn child in Mother’s womb has a same share in inheritance as born children. Islamic scholars have said since we do not know the sex of unborn child, therefore child share would be treated as a boy (to be on the safe side). Please make sure you check this statement on unborn child with an Islamic scholar.