

ميراث الإنانة والظهور في الإسلام تصحيح المفاهيم الخاطئة

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(ملخص)

يتعرض الدين الإسلامي اليوم في الغرب لحملة شرسة تهدف إلى تحريف تعاليمه وتشويه مبادئه. ومن الملاحظ أن عدد الكتب التي تقوم بتحريف تعاليم الإسلام في ازدياد مستمر على الرغم من ظهور عدد قليل من الكتب التي تقدم صورة دقيقة للإسلام. ويقوم الكتاب المعادون للإسلام بإصدار أحكام مطلقة، يروجون لها مستندين إلى بعض آيات القرآن الكريم التي أخرجت من سياقها العام. ومن هذه الآيات الآية الحادية عشرة من سورة النساء التي تذكر أن للذكر مثل حظ الأنثيين في الميراث. ويستغل هؤلاء الكتاب هذه الآية لاتهام الإسلام بأنه مجحف بالمرأة في قضايا الميراث. ومما لا يدركه هؤلاء الكتاب أن محاولة تشويه أي دين من الأديان إنما تعوق المحاولات التي يبذلها بعض الكتاب المخلصين للتقريب بين الأديان والحضارات.

وبين هذا البحث أنه إذا نظرنا إلى كل الآيات القرآنية والقوانين الشرعية المتعلقة بموضوع الميراث فسوف نجد أنه في حين أن عدد الحالات التي يكون نصيب الرجل فيها أكثر من نصيب المرأة في الميراث هي أربع حالات، فإن هناك ثلاثين حالة يتساوى فيها نصيب المرأة مع نصيب الرجل أو يزيد عنه؛ مما يدحض افتراءات هؤلاء الكتاب المعادين للإسلام.

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It is the contention of this paper that the Muslim faith has within itself the teachings, guidance, and justice needed to lead its followers to a rewarding life in this world and in the hereafter. This includes not just how Muslims should deal with each others, but with followers of other religions as well. Muslim tolerance towards other religions is well documented.¹⁸ However, the moral strength of the Muslim faith and its message only constitute the first and most important step. But in this day and age having a morally strong message alone is not adequate unless such a message is accompanied by a sincere and persistent effort to make it known to the world. This sincere and persistent effort will also have the effect of counteracting and refuting the anti-Islamic publications that appear every now and then. Islam's position towards women is an area of Islam which has been the subject of the most ferocious campaign of distortion. As mentioned earlier, Islam recognized women's rights for equality and for justice, for ownership, inheritance, education and participation in public life centuries before other religions did.

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¹⁸ See the above writers for Islam's tolerance towards other religions.

women are clearly unwarranted.

The details and examples cited above provide ample evidence to the erroneousness and the inaccuracy of attempting to reach certain conclusions based on only one single Qur'anic verse. Such details also demonstrate the unreliability of certain verses or statements taken out of context and used as the basis for making general statements about an issue as complex as the Muslim law of inheritance. The information provided in this paper also present further proof of the unfair treatment of certain aspects of the Muslim faith in the West and the tendency on the part of some writers to politicize certain religious issues and use them for political purposes.¹⁶

A fair and accurate reading of the historical and other facts available would show beyond any doubt that Islam accorded women many rights which other religions did not accord them until centuries later. The rights of inheritance, of ownership, of engaging in business, and of participation in public life including politics are rights that Muslim women had since the inception of the religion. The Prophet's first wife, Khadija, was one of Mecca's leading businesswomen and played a prominent role in the initiation and spread of the Muslim faith. Similarly, the Prophet's second wife Aisha played an important political role especially following the death of the prophet. She is also considered by Muslim scholars to be an authoritative source of information and interpretation of the prophet's sayings and teachings (Hadiths). Muslim history contains thousands of examples of women who were at the forefront of public life, wars, business and politics.

It is incumbent on fair-minded, objective and principled scholarship not to take any verses or statements out of context and make sweeping generalizations without examining the broader picture and all relevant details. Treatment of Islam in the West has unfortunately been plagued in recent years by a lack of interest in objectivity and exhaustiveness. Islam is regrettably the victim of a campaign of distortion which operates under the guise of 'scholarship.' A large number of books have appeared in print in recent years which have taken the approach of politicized and sensational journalism. Such publications cannot be called scholarly at all and therefore cannot have any credibility. However, the unsuspecting reader in the West may not be in a position to judge the accuracy, impartiality and credibility of such publications.

This anti-Islamic campaign is not the only voice that is heard on the scene in the West. Fortunately, the scene also contains some principled and objective publications by some writers of good conscience.¹⁷ While these writers are in the minority, they still manage to balance and counteract to some degree the damage caused by those anti-Islamic publications. This underscores the role that needs to be played by Muslim and fair-minded scholars and writers as well. What is being called for here is simply the presentation of the facts to the reader; this way, the readers can have an option.

¹⁶ See for example the writings of Robert Spencer, Daniel Pipes and Steven Emerson which contain an abundance of distortions of the tenets of Islam.

¹⁷ See for this purpose the writings of John Esposito, Yvonne Haddad, Hamilton Jordan, and William Baker

is often the case that the grandmother inherits whereas the grandfather does not. Thus the laws of inheritance define a grandfather who is entitled to inheritance as one who is not related to the deceased through the mother. Examples of these are the father's father or the father's father's father or paternal grand grandfather. On the other hand, the mother's father, or the mother's mother's father or maternal grandfather is not entitled to inheritance. In the meantime, a grandmother entitled to inheritance is one whose relation to the deceased does not involve any males. Hence, the mother's father's mother does not qualify. But the mother's mother and the father's mother's mother are entitled to inheritance. According to these rules, more grandmother's are entitled to inheritance than their corresponding grandfathers.

- d. If a person dies leaving behind only a maternal grandfather and a maternal grandmother, the maternal grandmother receives the entire inheritance as Muslim laws of inheritance entitle the maternal grandmother to one sixth of the inheritance and to the balance of the inheritance in the absence of any qualified heirs. In the meantime, the maternal grandfather is not entitled to any inheritance as he is a non-inheriting grandfather according to the laws of inheritance.¹³

Likewise, if a deceased person leaves behind a great maternal grandfather (i.e. the maternal grandmother's father) and a great maternal grandmother (i.e. the maternal grandmother's mother), the maternal grandmother receives the entire inheritance as the Muslim laws of inheritance entitle her to one sixth of the inheritance and to the balance of the inheritance in the absence of any qualified heirs. In the meantime, the maternal great grandfather is not entitled to any inheritance as he is a non-inheriting great grandfather according to the laws of inheritance.¹⁴

Conclusion:

The Islamic laws of inheritance are quite complex and it is not the purpose of this paper to present the full details pertaining to such laws for the simple reason that this would be beyond the scope of this paper. Rather, the purpose of this paper is to provide evidence to refute the claim that Muslim laws of inheritance discriminate against women.

According to the Muslim laws of inheritance, there are thirty cases in which a female heir receives either the same portion of the inheritance as the male heir, or a portion greater than that received by the male heir. These same rules also include cases in which the female is entitled to a portion of the inheritance or the entire inheritance while the male heir is not.¹⁵ Comparing these thirty cases with only four cases in which a woman receives one half of the portion of the inheritance received by a man, statements made in some Western writings to the effect that Muslim laws of inheritance discriminate against

¹³ Goma, Ali, Op. Cit., P. 42

¹⁴ Ibid, P. 42.

¹⁵ Ibid., p. 42.

Third Category: Cases in which the woman's share of the inheritance is greater than that of the man:

Islamic inheritance system is based on decrees explicitly stated in the Qur'an and the Prophetic Sunnah. After the distribution of the legal shares stated in the Qur'an and the Sunnah, the balance of the inheritance is then divided among relatives of the deceased by a method referred to as 'ta'aseb'.⁹ This group of relatives includes full uncles and their children, the grandfathers, among others. Statistics show that based on the divisions decreed by the Qur'anic verses women's share of the inheritance is greater than men's share in the following four cases:

- a. The largest portion awarded to an heir is two thirds which is not awarded to any male, but is awarded to females exclusively.¹⁰
- b. The next largest share of the inheritance is one half which is awarded to only one male heir, the husband, but awarded to four female relatives, the only daughter, the only granddaughter, the only full sister, and the only parental step-sister.
- c. The next largest portion is one third which is awarded to two female relatives, the mother in the absence of any children, and the maternal step-sisters.
- d. The next largest portion of the inheritance is the sixth which is awarded to eight relatives, five female relatives and three male relatives.

It will be noted here that the cases in which the rules which grant a greater share of the inheritance to women exceed those granting a greater share of the inheritance to men by a ratio of 17 to 6.¹¹

Fourth Category: Cases in which a female relative is entitled to inheritance whereas the corresponding male relative is not.

There are four cases in which the female heir inherits whereas the male heir does not. These cases are as follows:

- a. If a woman dies leaving behind a husband, a father, a mother, a daughter and a grand-daughter, as well as an inheritance of say 195 acres of land, the grand-daughter will receive 26 acres. However, according to the Islamic laws of inheritance, if the deceased woman leaves behind a grandson, he would not inherit anything.¹²
- b. If a deceased woman leaves behind a husband, a full sister and a parental step-sister, the parental step-sister's share of the inheritance will be one sixth. However, had the deceased woman left behind a parental step-brother, he will not be entitled to any inheritance.
- c. The Muslim laws of inheritance favor the grandmother against the grandfather. It

⁹ Sultan, Op. Cit, P. 32.

¹⁰ Ibid., P. 34.

¹¹ Ibid., P. 34

¹² Goma, Ali, Op.Cit., P. 41.

sister one sixth.

b. If the deceased woman leaves behind a husband, a mother, a half-brother and a half-sister by the mother's side, the husband receives one half, the mother one sixth, and the half-brother and half-sister share in the third. Here, a female (half-sister) receives an amount equal to that of the male (half-brother).

3. Other cases:

If a woman dies leaving behind a husband, a mother, two half-sisters by the mother's side and a full brother, the husband receives one half, the mother one sixth and the two half-sisters share in the third with the full brother receiving nothing. However, some Muslim judges have adjusted this law so that the full brother will share the third with the two half-sisters.

4. Cases in which the man and woman receive equal shares.

If a person, male or female, dies leaving behind only a father, son, brother, paternal or maternal uncle, each of these receives the entire inheritance. If the heir is a mother, daughter, sister, wife, maternal or paternal aunt, each one of these receives the entire inheritance.

The above are examples showing the equality in the share men and women receive. Other examples are the following:

5. The son and daughter receiving equal shares: When a woman leaves behind a husband and a son or a man leaves behind a wife and a daughter, the son and daughter receive equal shares.

6. Cases in which the full brother and full sister of the deceased receive equal shares: When a man leaves behind a wife and a brother or a wife and a sister, the brother and sister receive equal shares.

Also, when a woman leaves behind a husband and a full-brother or a husband and a full-sister, the brother and sister receive equal shares. Also, when a woman leaves behind a husband, a daughter and a full brother or sister, the full brother and sister receive equal shares.

7. Cases in which the maternal aunt receives a share equal to that of the full brother: Here the maternal aunt is equal to the full brother in inheritance despite the fact that the full brother is higher on the scale of relationship. Thus, if a woman leaves behind a husband, a mother, two maternal aunts and a full brother, the husband receives one half, the mother one sixth, the two maternal aunts one sixth and the full brother one sixth.

child, they get an eighth after payment of legacies and debts.”ⁱⁱ Accordingly, in the absence of children, the husband of the deceased receives one half while the wife of the deceased receives one quarter. If the deceased leaves children behind, the husband receives one fourth and the wife one eighth.

Second Category: Cases in which the woman’s share of the inheritance is identical with the man’s: Here the male and female are in the same category, i.e. father and mother of the deceased.

1. Inheritance of the father and mother in the existence of a son, two daughters or more, or one daughter.

A. In the case of the deceased leaving behind a father, a mother and one son: Here the father and mother inherit one sixth each with the balance going to the son.

B. In the case of the deceased leaving behind a father, a mother and two daughters: Here the father and mother inherit one sixth each with the two daughters one third each. Here, the females (daughters) inherit twice that of the male (father).

C. There is one case in which the father and mother receive equal shares in the existence of only one daughter. This is the case when a woman dies leaving behind a husband, a father, a mother and a daughter. In this case, the father and mother receive one sixth each, the husband one fourth and the daughter one half.

D. There are cases in which the grandmother receives a share equal to the father’s even though her relationship to the deceased is less direct than that of the father. One of these cases is when the deceased leaves behind a father, a grandmother and a son. Here both the father and grandmother receive one sixth each and the balance goes to the son. Another case is when the deceased leaves behind a father, a grandmother and two daughters. Here, the two daughters receive one third each and the father and grandmother receive one sixth each.

2. Inheritance of maternal half-brothers and half-sisters:

The holy Qur’an reads:” If the man or woman whose inheritance is in question, has left no ascendants or descendants but has a brother or a sister, each one of the two gets a sixth; but if more than two, they share in a third.”ⁱⁱⁱ This text clearly shows that men and women, in this case brothers and sisters, have equal share of the inheritance if the brothers and sisters are by the mother’s side.

a. Accordingly, if a woman leaves behind a husband, a mother and a half-brother by the mother’s side, the husband receives one half, the mother one third, and the half-brother one sixth. In this case, a female (the mother) receives twice that of a male (the half-brother). Also, if the deceased woman leaves behind a husband, a mother and a half-sister by the mother’s side, the husband receives one half, the mother one third and the half-

female members of his family. The four categories are as follows:

First Category: This category shows that there are only four cases in which a female inherits half of the inheritance of the male.

Second Category: This category shows that the number of cases in which the female's share of the inheritance is identical with that of the male exceeds that of the previous category..

Third Category: This category shows that there are at least ten cases in which the female's share of the inheritance exceeds that of the male.

Fourth category: This category shows that there are cases in which the female has a share of the inheritance while the male does not.⁶

First Category: Cases in which the woman inherits half the inheritance of the man:

An examination of the cases in which the woman inherits half of the inheritance of the man identified the following cases as clear cases showing the discrepancy between the male and female:

A. When the deceased leaves behind a daughter and a son. This is enjoined in the Qur'anic verse: "Allah directs you as regards your children's inheritance: to the male, a portion equal to that of two females."⁷ This same rule applies to grandchildren and granddaughters no matter how much down the scale they descend; hence, as in the cases of the grandson with the granddaughter, so is the case of the great grandson with the great grand daughter, etc.

B. When the deceased leaves behind a father and mother but no children or wife/husband. This is enjoined by the following verse: "If no children, and the parents are the (only) heirs, the mother has a third."⁸ Here, the mother was assigned one third while the other two thirds are the father's.

C. When the deceased leaves behind brothers and sisters, the male will have twice the share of the female.

D. Other cases of the male receiving twice the share of the female: This is enjoined in the following Qur'anic verse: "In what your wives leave, your share is a half, if they leave no child; but if they leave a child, you get a fourth after payment of legacies and debts. In what you leave, their share is a fourth if you leave no child. But if you leave a

⁶ Sultan, Salah Iddeen: Women's Inheritance and the Question of Equality, Nahdat Misr, Cairo, October 2004, p. 10.

⁷ Holy Qur'an: Ch. 4, Verse 11

⁸ This ruling was made by al-Bukhari, the Book of Obligations, the Chapter dealing with the son's inheritance from his father and mother No. 6732, also in Muslim's Book of Obligations, also by Tirmithi in the section on the inheritance of the relatives No. 2179, by Ibn Maja in his book of Obligations, the section on inheritance of relatives # 2740.

Approaching a complex issue such as the laws of inheritance in Islam merits thorough and comprehensive examination of all the laws concerned. Therefore, taking a single verse such as verse 11, Ch. 4, out of context and using it as the basis for making general and absolute statements about this aspect of the religion would do injustice to this important issue, let alone not fulfilling the minimum required of objective research and investigation. Yet, it appears that a particular group of writers in the West would limit themselves to this verse, thus revealing the limited, partial and inadequate attention accorded to this important area of Islamic law..

An examination of this issue would require an understanding of the totality of the criteria Islamic law uses in determining the amount of inheritance due to each relative of the deceased person. As mentioned earlier, among such criteria are the type of relationship between the heirs and the deceased as well as the degree and strength of such relationship. The comparison should be between similar levels of relationship such as between the fathers and mothers, the grandfather and grandmother, the sons and daughters, the sisters and brothers as well as the husband and wife of the deceased. Furthermore, in determining the degree of relationship the comparison must be within the same category; thus comparison cannot be made between the father and grandmother, for clearly the relationship of the father is stronger. Nor can comparison be made between the son and the granddaughter of the deceased for clearly the son's relationship is stronger. Rather, it should be between the sons and daughters or the grandsons and granddaughters.

In determining the strength of relationship, a comparison is not made between a full-brother and a half-sister, but rather between a full-brother and a full-sister or a half-brother and a half-sister, etc. In such comparison, there may be cases in which the man and the woman are both in one category such as the father and the mother or the son and daughter.

In their efforts to shed more light on this relatively unfamiliar issue, Muslim scholars have taken upon themselves the presentation of a detailed study of the laws of inheritance in Islam, a study that presents all the rules pertaining to this law.⁵ This study has shown that the male/female distinction that is widely reported in the West only applied to limited cases when the deceased left behind male and female relatives. Hence, the criteria is not one of gender across the board, but rather depended on the situation and the degree of relationship. The study has also shown that there are many cases in which a women's share of the inheritance is greater than that of the man. It also showed that there are cases where the female inherits whereas the male does not. The following four categories show that the laws of inheritance in Islam are not at all determined by gender exclusively. They also show that where gender is used in only limited cases as the criterion for determining that the male be accorded a greater share than that of the female, such distinction is offset by the financial obligations the law requires the male to have for the

⁵ Sultan, Salah Iddeen: *Mirath Al-mar'a wa Qadiyyit Al-musawah*, Maktabit Nahdat Misr, Cairo, 2004, p. 10.

Third: The financial responsibility which Islamic law requires the heir to shoulder. This is the criterion that would lead to the male heirs receiving more than the females ones as indicated in verse 11, Chapter 4: "Allah thus directs you as regards your children's inheritance: to the male a portion equal to that of two females." This verse can simply be explained by the fact that Islamic law requires males to be financially responsible for females. According to this law, should a male and a female heir be equal in age and in the degree of relationship to the deceased, the male's share would be twice that of the female as the male heir would be financially responsible for all the females in his household including the female heir regardless of what she has inherited. As will be clear later on, this distinction between male and female heirs is only in one case among a large number of cases many of which give the females a greater share than the males. This distinction does not constitute any injustice to the female at all; in fact, the opposite may be argued to be true as Islamic law allows the female to keep her inheritance all to herself while at the same time requiring the male to assume financial responsibility for the female. Accordingly, if a male and a female heir are equal in the questions of age and the degree of relationship to the deceased, the degree of financial responsibility is what determines the variations in the amount of the inheritance each receives. For this very reason, Islamic law did not absolutely rule that males receive twice the amount females receive in all cases. Instead, it limited the distinction between males and females to only one case, that of the son and daughter of the deceased. The reason, as mentioned above, is that the males are financially responsible for the females in the family, i.e. wife, sister, etc., whereas the female is entitled to keep her inheritance all to herself as she is provided for by the male, i.e. husband, brother, etc.³

According to this division, females appear to be more privileged over males in the question of inheritance; however, this area of the law is viewed as a financial safeguard accorded to women to provide them with protection against any unforeseen mishaps or emergencies. Thus, a female's inheritance remains intact whereas a male's inheritance may be used to meet his financial obligations which may include the payment of a dowry, the provision of all the expenses of his household after marriage, among other things. Here, the females have an added advantage in that they are not required to pay a dowry in marriage or assume any financial responsibility for other members of the household. Also, a woman's inheritance remains intact after marriage as the expenses of the household are the responsibility of the husband. Islamic law does not require a wife to contribute to the expenses of the household even though she may have more financial resources than her husband as such expenses are strictly the responsibility of the husband. A male is also financially responsible for his relatives, male and female, including his wife, children, and elderly parents.⁴

³ Goma, Ali: *Al-bayan lima Yashghal Al-adhhan, Al-hay'a Al-misriyya Al-'amma Lil-kitab*, Cairo, 2006, p. 35.

⁴ *Ibid.*, p. 36

inadmissibility of the above verse as the basis for the entire law, it is important to note that the verse speaks specifically of the "children" of the deceased and therefore the verse must be taken as referring to only one case of a large number of cases, that of a deceased person leaving behind children, both male and female. The verse does not presume to cover all males and females in the family of the deceased person, but only among his children. The Qur'anic holy text is known for its absolute accuracy and preciseness and had it been the intention that the verse should cover all males and females, it would have stated so, but it was not. As mentioned earlier, this is a verse referring specifically to only one case among hundreds of cases which fall under the subject of inheritance in Islam. It follows then that this distinction in the share of the males and females among the children of the deceased cannot be extended to all the males and females in the family of the deceased which may include the father, mother, wife, cousins, nephews, nieces, ...etc. There is simply no rule that applies to all cases which must be dealt with individually taking into consideration the merits of each one of those cases.

The question of inheritance in Islam is not gender-related and therefore the difference between the shares of males and females in the one case cited above should not be used as the basis for judging the entire inheritance system or the shares of males and females in other cases. Nor should it be considered an indication of unfair treatment of women in this regard. A more prudent way to ascertain the rationale behind this ruling would be to try and examine the entire system and the wisdom behind it. A careful examination of the overall inheritance system would show that the system is governed not by gender considerations but by three other criteria. These three criteria are as follows:

First: it is governed by the degree of the relationship between the heir and the deceased regardless of gender. Hence, the closer the relationship between the heir and the deceased, the greater the share in the inheritance. Therefore, a single daughter would receive half the inheritance left behind by her deceased father or mother, whereas the father/husband receives one fourth of the inheritance left behind by the deceased spouse; that is, one half of the daughter's share for the simple reason that the daughter's relationship to the mother is stronger than that of the husband. The same applies to the deceased's son whose share is greater than that of the deceased's father or mother. By the same token, the daughter's share is greater than that of her mother's. This particular case clearly demonstrates the irrelevance of gender.

Second: Age of the heir regardless of gender. Hence, younger heirs would inherit more than the older heirs. The reason here is that the financial obligations of older members of the family are generally fewer than those of younger members of the family. That is, the older members would normally have no family to support, only themselves in most cases, since their children would have grown up and assumed responsibility for themselves and for their own children. Furthermore, Islamic religious laws require younger members of the family to have financial responsibility for older members, i.e. fathers, mothers, aunts, uncles, etc. According to this rule, the daughter and son of the deceased would inherit more than the deceased's mother and father, a distinction based on age regardless of gender.

religion fought for its survival. Of these 8,000, there was a minimum of 1,000 women.¹ Muslim scholars reaffirm that the survival of the emerging Islamic call was, next to the Prophet himself, due to the untiring and sustained effort of but one single woman, Khadija, the Prophet's wife.

II Misrepresentation of Islam:

The areas of misrepresentation of Islamic tenets are so wide as to comprise almost all aspects of the faith ranging from issues such as polygamy to inheritance, testimony and political participation and holding political office. Islam has often been erroneously portrayed as favoring men in the question of inheritance, among other things. Based on the literature available on this matter, literature which appears to have been overlooked in the West, statements to this effect are inaccurate and do show more than anything else the degree to which it is essential that correct information on this important matter be made available to the readers.

The purpose of this paper is to attempt to correct a fundamental misrepresentation of Islam's position on the question of inheritance. It is thus hoped that this paper, while counteracting the negative and inaccurate information that exists in this regard, may also contribute to creating a more accurate and equitable understanding of the Islamic faith in the west. Considering that the areas of Islamic faith that are the subject of misrepresentation in the West are many, indeed too many to be addressed in a single paper, it will be desirable to address the other areas of misrepresentation in subsequent papers.

III Male and Female inheritance in Islam:

A thorough examination of the laws governing inheritance in Islam shows the extent to which this matter has been the subject of great misunderstanding. Such misunderstanding stems mainly from the tendency on the part of some western scholars to rush to make unwarranted judgment on the basis of a very narrow area of the subject matter ignoring other aspects which may explain and clarify those areas. Additionally, there is the tendency to take certain statements out of context to the exclusion of the broader context which may show that such statements alone cannot be used as the basis for making a general judgment. The question of inheritance in Islam is a typical example. The majority of the statements claiming that Islam prejudices women in this regard were based on but one single verse in the Holy Qur'an, namely verse number eleven in Chapter four in which it is specifically stated that "Allah thus directs you as regards your children's inheritance: to the male a portion equal to that of two females."² But the Islamic laws of inheritance involve a large number of rules and cases which have to be examined in their entirety to form a complete picture. As an example of the

¹ Amara, Muhammad, *Islam's Liberation of Women*, Shorouk Publishing, Cairo, 2002, p. 20.

² The Holy Qur'an, Ch. 4, Verse 11.

Male and Female Inheritance in Islam: Clearing the Misunderstanding

I. Introduction:

Despite the existence of a number of books seeking to present a fair and equitable view of Islam to the West, the number of books written with a view to discrediting Islam in the west is on the increase. Those concerned with the fair representation of the various aspects of the Muslim faith in the West observe with a great deal of regret the astonishing extent to which certain misrepresentations of Islam continue to be circulated. They argue that the efforts at misrepresentation or stereotyping of religions and cultures do great damage to the cause of bringing cultures of the world closer. They also undermine the sincere efforts to demonstrate the viability of coexistence and cooperation among the various religions and cultures of the world. It is somewhat disheartening to note that many of these misrepresentations have now been taken for granted particularly in the West and are repeated as clichés that are seldom open to questioning regardless of the inaccuracies and distortions they comprise.

The Islamic faith has for a long time been the subject of a concerted effort at discrediting and misrepresentation. Such negative efforts have been attributed to a perceived fear of Islam or Islam phobia. They have also been attributed to political reasons since a significant percentage of those mounting such attacks appear to have an anti-Islamic agenda. It is also noticed that many aspects of the Islamic faith have been victims of such distortion. Perhaps the most blatant example of such distortions has been Islam's position towards women. From the point of view of Muslim scholars, no area of the Islamic faith is more worthy of appreciation and respect than its accomplishments in the area of women's rights. From treating males and females as equal in their rights and obligations to granting women the right of ownership as well as right of participation in all aspects of life, Islam has preceded other religions in affirming women's eligibility to such rights. Despite the fact that under Islam women's status has been greatly enhanced, these achievements continue to be ignored in Western treatments of Islam. In trying to ascertain the reasons for such omission in Western writings, Muslim scholars are often puzzled by what appears to be an incomprehensible gap in what otherwise is superior scholarship. As mentioned earlier, the treatment of Islam has apparently been politicized which is inconsistent with one of the paramount conditions of credible scholarship, namely impartiality and non-politicization of the subject matter.

Islam has often been falsely portrayed as distinguishing between males and females and of placing men above women. However, an objective examination of Islam's history in this regard would show that nothing is further from the truth, for from its inception Islam has accorded women the same rights as men, allowing them to be at the forefront of public life. In fact, historians tell us that following the death of the Prophet, the number of converts to Islam at that time was 124,000. Of these, 8,000 were the close disciples and associates of the Prophet and occupied leading positions in the many battles the new



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