

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

# Quranic Inheritance Law and Will

PowerPoint presentation of an [interpretation](#) by

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1. **Source and Chronology of Islamic Will and Inheritance Rules.**
2. **Witnessing a Wills (Wasiyah) and Guardianship Rules.**
3. **Islamic Inheritance (Irth) Distribution (Qisma) Rules.**
4. **Witness Oath, Contesting Wills and Inheritance Shares.**
5. **Reasons for Revelation of Inheritance Ayahs & Pbuh Verdicts**
6. **Islamic Inheritance Software: Test Cases & Cases, 1, 2, 3 & 4.**
7. **Summary: A. Typical "Irth" Cases    B. Special "Kalala" Cases.**
8. **Conclusions: A. Chronology, B. Status of Will in Quran, C. Frequent Questions and Answers, D. Mathematics.**

## 1A. Source of Islamic Will and Inheritance Laws

- Prophet Muhammad Ibn Abdu-Allah Al-Qureshi (*Pbuh*) born in Mecca, circa 571 AD.
- Received (*Pbuh*) his first revelation “Surah” through Archangel Gabriel, circa 610 AD.
- The Prophet (*Pbuh*) emigrated with his disciples “Sahabah” to Medina in 622 AD.
- Seventy out of the 114 Quranic Chapters “Surahs” were revealed during the first 12 revelation years in Mecca, and 44 “Surahs” during the 10 revelation years in Medina.
- God Messenger (*Pbuh*) died age 61 in Medina in 632 AD (*Age 63 Lunar years*).

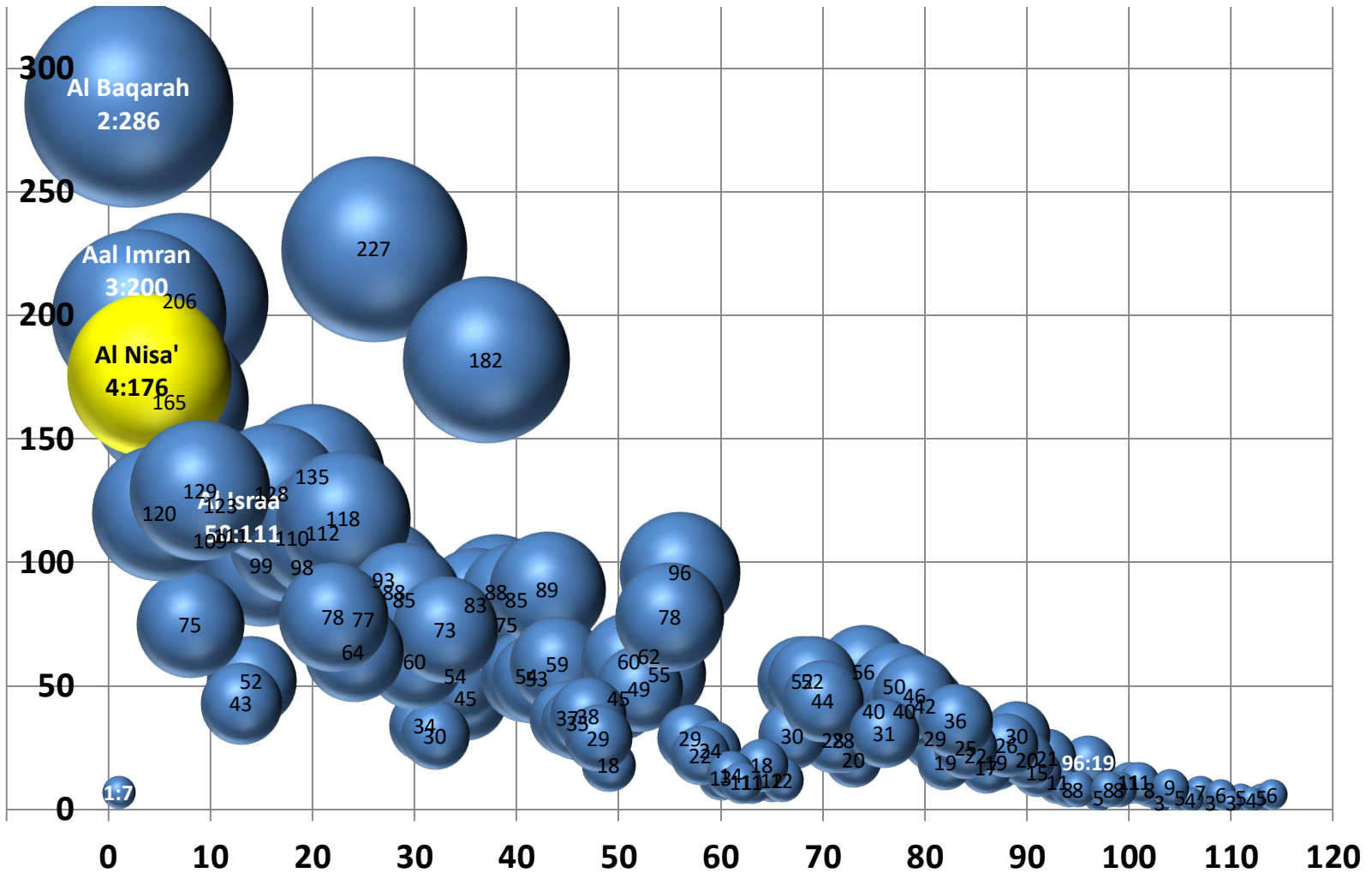
## 1B. Chronology vs. Quranic Order of Inheritance “Surahs”

- The 50<sup>th</sup> Surah (Chapter 17) and the 87<sup>th</sup> Surah (Chapter 2) includes verses on making and witnessing Wills, and guidelines to guardians.
- The 92<sup>nd</sup> Surah (Chapter 4) includes the main guidelines to guardians and Will executioners, prescribes heirs hierarchy and their apportioned inheritance shares.
- The 112<sup>th</sup> Surah (Chapter 5) includes verses on the fundamentals of making, witnessing, executing and contesting a Will.



# Sequence vs. Number of Ayahs of Quranic Surahs

No. of Ayahs in Quranic Surah



Surah's Number in Quranic Sequence

## Quranic Inheritance (Irth) Law and Will (Wasiyah)

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## 87<sup>th</sup> Surah 2: 180-182

### 2A. Muslim's Obligation to Write a Will

**Prescribed** for you, when any of you is visited by death, and he **leaves behind some goods**, is **to make testament in favour of his parents and kinsmen** honourably -- an obligation on the God-fearing. **2:180**

### 2B. Cautions to Will's Witnesses

Then **if any man changes it after hearing it, the sin shall rest upon those who change it**; surely God is All-hearing, All-knowing. **2:181**

But if any man fears injustice or sin from one making testament, and so makes things right between them, then sin shall not rest upon him; surely God is All-forgiving, All-compassionate. **2:182**

## سُورَةُ الْبَقَرَةِ

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

الْقِصَاصِ حَيَوَةٌ يَأُولَى الْأَلْبَابِ لَعَلَّكُمْ تَتَّقُونَ ﴿١٧٩﴾ كُتِبَ عَلَيْكُمْ إِذَا حَضَرَ أَحَدَكُمُ الْمَوْتُ إِن تَرَكَ خَيْرًا الْوَصِيَّةُ لِلْوَالِدَيْنِ وَالْأَقْرَبِينَ بِالْمَعْرُوفِ حَقًّا عَلَى الْمُتَّقِينَ ﴿١٨٠﴾ فَمَنْ بَدَّلَهُ بَعْدَ مَا سَمِعَهُ فَإِنَّمَا إِثْمُهُ عَلَى الَّذِينَ يُبَدِّلُونَهُ إِنَّ اللَّهَ سَمِيعٌ عَلِيمٌ ﴿١٨١﴾ فَمَنْ خَافَ مِنْ مُوصٍ جَنَفًا أَوْ إِثْمًا فَأَصْلَحَ بَيْنَهُمْ فَلَا إِثْمَ عَلَيْهِ إِنَّ اللَّهَ غَفُورٌ رَحِيمٌ ﴿١٨٢﴾ يَأَيُّهَا الَّذِينَ ءَامَنُوا

## 2C. Caution to Guardians (Wissey's)

Give the orphans their property, and do not exchange the corrupt for the good; and devour not their property with your property; surely that is a great crime. 4:2

## 2D. Guidelines to Guardians

But do not give to fools their property that God has assigned to you to manage; provide for them and clothe them out of it, and speak to them honourable words. 4:5

Test well the orphans, until they reach the age of marrying; then, if you perceive in them right judgment, deliver to them their property; consume it not wastefully and hastily ere they are grown.

If any man is rich, let him be abstinent; If poor, let him consume in reason.

And when you deliver to them their property, take witnesses over them; God suffices for a reckoner. 4:6



بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

وَأَتُوا الَّتِي مَلَكَتْ أَمْوَالَهُمْ وَلَا تَتَّبِعُوا الْخَبِيثَ بِالطَّيِّبِ وَلَا تَأْكُلُوا  
أَمْوَالَهُمْ إِلَى أَمْوَالِكُمْ إِنَّهُ كَانَ حُوبًا كَبِيرًا ﴿٢﴾ وَإِنْ خِفْتُمْ أَلَّا

لَا تُؤْتُوا السُّفَهَاءَ أَمْوَالَكُمُ الَّتِي جَعَلَ اللَّهُ لَكُمْ قِيَمًا  
وَأَرْزُقُوهُمْ فِيهَا وَاكْسُوهُمْ وَقُولُوا لَهُمْ قَوْلًا مَعْرُوفًا ﴿٣﴾ وَابْتُلُوا  
الَّتِي مَلَكَتْ حَتَّى إِذَا بَلَغُوا النِّكَاحَ فَإِنْ آنَسْتُمْ مِنْهُمْ رُشْدًا فَادْفَعُوا  
إِلَيْهِمْ أَمْوَالَهُمْ وَلَا تَأْكُلُوهَا إِسْرَافًا وَبِدَارًا أَنْ يَكْبَرُوا وَمَنْ كَانَ  
غَنِيًّا فَلْيَسْتَعْفِفْ وَمَنْ كَانَ فَقِيرًا فَلْيَأْكُلْ بِالْمَعْرُوفِ فَإِذَا دَفَعْتُمْ  
إِلَيْهِمْ أَمْوَالَهُمْ فَأَشْهَدُوا عَلَيْهِمْ وَكَفَى بِاللَّهِ حَسِيبًا ﴿٤﴾ لِلرِّجَالِ



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## 92<sup>nd</sup> Surah 4: 7-10

### 3A. Introduction & Guidelines to Facilitators

To the men a share of what parents and kinsmen leave, and to the women a share of what parents and kinsmen leave, whether it be little or much, a share apportioned. 4:7

And when the division is attended by kinsmen and orphans and the poor, make provision for them out of it, and speak to them honourable words. 4:8

And let those fear who, if they left behind them weak seed, would be afraid on their account, and let them fear God, and speak words hitting the mark. 4:9

Those who devour the property of orphans unjustly, devour Fire in their bellies, and shall assuredly roast in a Blaze. 4:10



بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

إِلَيْهِمْ أَمْوَالُهُمْ فَأَشْهَدُوا عَلَيْهِمْ وَكَفَى بِاللَّهِ حَسِيبًا ﴿٧﴾ لِلرِّجَالِ نَصِيبٌ مِّمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ وَلِلنِّسَاءِ نَصِيبٌ مِّمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ مِمَّا قَلَّ مِنْهُ أَوْ كَثُرَ نَصِيبًا مَّفْرُوضًا ﴿٨﴾ وَإِذَا حَضَرَ الْقِسْمَةُ أُولُوا الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسْكِينُ فَأَرْزُقُوهُمْ مِنْهُ وَقُولُوا لَهُمْ قَوْلًا مَعْرُوفًا ﴿٩﴾ وَلْيَخْشَ الَّذِينَ لَوْ تَرَكَوْا مِنْ خَلْفِهِمْ ذُرِّيَّةً ضِعَفًا خَافُوا عَلَيْهِمْ فَلْيَتَّقُوا اللَّهَ وَلْيَقُولُوا قَوْلًا سَدِيدًا ﴿١٠﴾ إِنَّ الَّذِينَ يَأْكُلُونَ أَمْوَالَ الْيَتَامَىٰ ظُلْمًا إِنَّمَا يَأْكُلُونَ فِي بُطُونِهِمْ نَارًا وَسَيَصْلَوْنَ سَعِيرًا ﴿١١﴾ يُوصِيكُمُ اللَّهُ فِي

**4:8 Unspecified Provision (*Sadaqat*) for the Deceased Kinsmen, Orphans and the Poor.**

### 3B. Basic and Compound Children, Parents and Siblings Shares of a Dead Muslim Inheritance

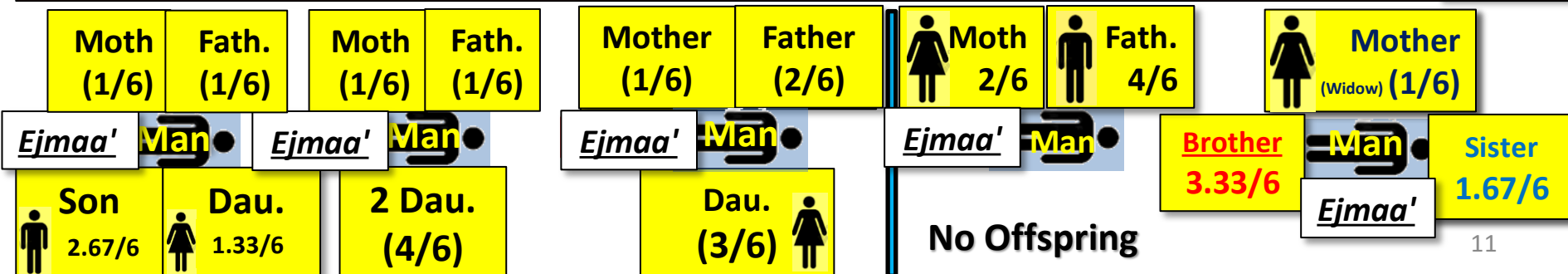
God charges you, concerning your children: to the male the like of the portion of two females, and if they be women above two, then for them two-thirds of what he leaves, but if she be one then to her a half; and to his parents to each one of the two the sixth of what he leaves, if he has children; but if he has no children, and his heirs are his parents, a third to his mother, or, if he has brothers, to his mother a sixth, *after any bequest he may bequeath, or any debt*. Your fathers and your sons -- you know not which out of them is nearer in profit to you. So God apports; surely God is All-knowing, All-wise. **4:11**

#### سُورَةُ النِّسَاءِ

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ  
فِي بُطُونِهِمْ نَارًا وَسَيَصْلَوْنَ سَعِيرًا ﴿١١﴾ يُوصِيكُمُ اللَّهُ فِي  
أَوْلَادِكُمْ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنثِيَيْنِ فَإِنْ كُنَّ نِسَاءً فَوْقَ اثْنَتَيْنِ  
فَلَهُنَّ ثُلُثَا مَا تَرَكَ وَإِنْ كَانَتْ وَاحِدَةً فَلَهَا النِّصْفُ وَلِأَبَوَيْهِ لِكُلِّ  
وَاحِدٍ مِّنْهُمَا السُّدُسُ مِمَّا تَرَكَ إِنْ كَانَ لَهُ وَلَدٌ فَإِنْ لَّمْ يَكُنْ لَهُ  
وَلَدٌ وَوَرِثَتُهُ أَبَوَاهُ فَلِأُمِّهِ الثُّلُثُ فَإِنْ كَانَ لَهُ إِخْوَةٌ فَلِأُمِّهِ السُّدُسُ  
مِنْ بَعْدِ وَصِيَّةٍ يُوصِي بِهَا أَوْ دَيْنٍ ؕ أَبَاؤُكُمْ وَأَبْنَاؤُكُمْ لَا تَدْرُونَ  
أَيُّهُمْ أَقْرَبُ لَكُمْ نَفْعًا فَرِيضَةٌ مِّنَ اللَّهِ إِنْ اللَّهُ كَانَ عَلِيمًا  
حَكِيمًا ﴿١٢﴾ وَلَكُمْ نِصْفُ مَا تَرَكَ أَزْوَاجُكُمْ إِنْ لَّمْ يَكُن لَّهُنَّ

**INHERITANCE = Original Estate – (Debts + Bequests)**

**Ejmaa'**



### 3C. Basic and Compound Spouses, Children and Parents Inheritance Shares

And for you a half of what your wives leave, if they have no children;

but if they have children, then for you of what they leave a fourth, *after any bequest they may bequeath, or any debt.*

And for them a fourth of what you leave, if you have no children;

but if you have children, then for them of what you leave an eighth, *after any bequest you may bequeath, or any debt.*

سُورَةُ النِّسَاءِ

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

حَكِيمًا ﴿١٢﴾ وَلَكُمْ نِصْفُ مَا تَرَكَ أَزْوَاجُكُمْ إِنْ لَمْ يَكُنْ لَهُنَّ وَلَدٌ فَإِنْ كَانَ لَهُنَّ وَلَدٌ فَلَكُمْ الرُّبْعُ مِمَّا تَرَكَنَّ مِنْ بَعْدِ وَصِيَّةٍ يُوَصِّينَ بِهَا أَوْ دَيْنٍ وَلَهُنَّ الرُّبْعُ مِمَّا تَرَكَتُمْ إِنْ لَمْ يَكُنْ لَكُمْ وَلَدٌ فَإِنْ كَانَ لَكُمْ وَلَدٌ فَلَهُنَّ الثُّمُنُ مِمَّا تَرَكَتُمْ مِنْ بَعْدِ وَصِيَّةٍ تَوْصُونَ بِهَا أَوْ دَيْنٍ وَإِنْ كَانَ رَجُلٌ يُورَثُ كَلَلَةً أَوْ امْرَأَةٌ وَلَهُ أَخٌ أَوْ أُخْتُ فَلِكُلِّ وَاحِدٍ مِّنْهُمَا السُّدُسُ فَإِنْ كَانُوا أَكْثَرَ مِنْ ذَلِكَ فَهُمْ شُرَكَاءُ فِي الثُّلُثِ مِنْ بَعْدِ وَصِيَّةٍ يُوصَى بِهَا أَوْ دَيْنٍ غَيْرِ مُضَارٍّ وَصِيَّةً مِّنَ اللَّهِ وَاللَّهُ عَلِيمٌ حَلِيمٌ ﴿١٣﴾ تِلْكَ حُدُودُ اللَّهِ وَمَنْ

**INHERITANCE = Estate - (Debts + Bequests)**

**Ejmaa'**

**INHERITANCE = Estate - (Debts + Bequests)**

Mother (1/6)	Father (2/6)	Mother (1/6)	Father (1/6)	Mother (1.5/6)	Father (3/6)	Mother (1/6)	Father (1/6)
Woman	Husb. (3/6)	Woman	Husb. (1.5/6)	Man	Wife 1.5/6	Man	Wife 0.75/6
Ejmaa'			Ejmaa'	Ejmaa'			Ejmaa'
		Son 1.67/6	Dau. 0.83/6			Son 2.17/6	Dau. 1.08/6



# 92<sup>nd</sup> Surah 4: 12

## 3D. 1<sup>st</sup> Basic "*Kalala*"\* (Men & Women) *Ayah*: Spouse(s) and Siblings Inheritance Shares

\* Deceased Person with no living parents nor living children

If a man or a woman have no heir direct, but have a brother or a sister, to each of the two a sixth;


but if they are more numerous than that, they share equally a third,

after any bequest may be bequeathed, or any debt not prejudicial; a charge from God.

God is All-knowing, All-clement. **4:12\***

### INHERITANCE = Estate-(Debts + Bequests)

Sister 1/6	Brother 1/6	Residue: (2.5/6)	Man	Wife 1.5/6
Sister 1/6	Brother 1/6	Residue: (1/6)	Woman	Husb. 3/6



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حَكِيمًا ﴿١﴾ وَلَكُمْ نِصْفُ مَا تَرَكَ أَزْوَاجُكُمْ إِنْ لَمْ يَكُنْ لَهُنَّ وَلَدٌ فَإِنْ كَانَ لَهُنَّ وَلَدٌ فَلَكُمْ الرُّبْعُ مِمَّا تَرَكْنَ مِنْ بَعْدِ وَصِيَّةٍ يُوصِينَ بِهَا أَوْ دَيْنٍ وَلَهُنَّ الرُّبْعُ مِمَّا تَرَكْتُمْ إِنْ لَمْ يَكُنْ لَكُمْ وَلَدٌ فَإِنْ كَانَ لَكُمْ وَلَدٌ فَلَهُنَّ الثُّمُنُ مِمَّا تَرَكْتُمْ مِنْ بَعْدِ وَصِيَّةٍ تُوصُونَ بِهَا أَوْ دَيْنٍ وَإِنْ كَانَ رَجُلٌ يُورَثُ كَلِيلَةً أَوْ امْرَأَةٌ وَلَهُ أَخٌ أَوْ أُخْتٌ فَلِكُلِّ وَاحِدٍ مِّنْهُمَا السُّدُسُ فَإِنْ كَانُوا أَكْثَرَ مِنْ ذَلِكَ فَهُمْ شُرَكَاءُ فِي الثُّلُثِ مِنْ بَعْدِ وَصِيَّةٍ يُوصَى بِهَا أَوْ دَيْنٍ غَيْرِ مُضَارٍّ وَصِيَّةً مِنَ اللَّهِ وَاللَّهُ عَلِيمٌ حَلِيمٌ ﴿١٢﴾ تِلْكَ حُدُودُ اللَّهِ وَمَنْ

Brothers & Sisters 2/6	Residue: (2.5/6)	Man	Wife 1.5/6
Brothers & Sisters 2/6	Residue: (1/6)	Woman	Husb. 3/6

\*Regarding the Residues, there are two opinions: A. Residues goes to other relatives or Beit El Maal to fulfil *Ayah* 4:8?, and B. *Ayah* 4:176 partially abrogated (superseded) *Ayah* 4:12 for Men by.



# 92<sup>nd</sup> Surah 4: 176

## 3E. 2<sup>nd</sup> (Partly Abrogated) "Kalala" (Men)

### Ayah: Wives and Siblings Inheritance Shares

They will ask thee for a pronouncement. Say: 'God pronounces to you concerning the indirect heirs.

If a man perishes having no children, but he has a sister, she shall receive a half of what he leaves, and he is her heir if she has no children.

If there be two sisters, they shall receive two-thirds of what he leaves;

if there be brothers and sisters, the male shall receive the portion of two females.

God makes clear to you, lest you go astray; God has knowledge of everything. **4:176**



بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

صِرَاطًا مُسْتَقِيمًا ﴿١٧٦﴾ يَسْتَفْتُونَكَ قُلِ اللَّهُ يُفْتِيكُمْ فِي الْكَلَالَةِ إِنَّ أَمْوَالَهُمْ لَكَ لَيْسَ لَهُ وَلَدٌ وَلَهُ أُخْتٌ فَلَهَا نِصْفُ مَا تَرَكَ وَهُوَ يَرِثُهَا إِنْ لَمْ يَكُنْ لَهَا وَلَدٌ فَإِنْ كَانَتَا اثْنَتَيْنِ فَلَهُمَا الشُّلْثَانِ مِمَّا تَرَكَ وَإِنْ كَانُوا إِخْوَةً رِجَالًا وَنِسَاءً فَلِلَّذَكَرِ مِثْلُ حَظِّ الْأُنثَيَيْنِ ﴿١٧٧﴾ يُبَيِّنُ اللَّهُ لَكُمْ أَنْ تَضِلُّوا وَاللَّهُ بِكُلِّ شَيْءٍ عَلِيمٌ ﴿١٧٨﴾

P/Trust		Man	Wife
2 Broths.	2 Sister		
3/6	1.5/6		1.5/6
<del>1/6</del>	<del>1/6</del>		<del>1.5/6</del>
3/6	1.5/6	4/4 Imams <u>Ejmaa'</u>	1.5/6

Abrogated

P/Trust			P/Trust		
Sister	Man	Wife	2 Sisters	Man	Wife
3/6	1.5 <sub>R</sub> /6	1.5/6	4/6	0.5 <sub>R</sub> /6	1.5/6
<del>1/6</del>		<del>1.5/6</del>	<del>2/6</del>		<del>1.5/6</del>
4.5/6	2/4 Im <u>No</u> <u>Ejmaa'</u>	1.5/6	4.5/6	2/4 Im <u>No</u> <u>Ejmaa'</u>	1.5/6

**4:176** Supersedes **4:12** For Men

Brother	Woman
6/6	

Sister(s) Share(s): Malki & Shafii: 3/6 & 4/6 vs Abu Haneefa & Ibn Hanbal: 4.5/6

# 92<sup>nd</sup> Surah 4: 12

## 3F. Revised (Abrogated) 1<sup>st</sup> "Kalala Ayah": Husband and Siblings Inheritance Shares of "Kalala" Woman's Estate

\* Deceased Person with no living parents nor living children

If a man or a woman have no heir direct, but have a brother or a sister, to each of the two a sixth;

but if they are more numerous than that, they share equally a third, *after any bequest may be bequeathed, or any debt not prejudicial*; a charge from God. God is All-knowing, All-clement. **4:12\***

Ejmaa'

4:176



Brother  
6/6

**INHERITANCE = Estate-(Debts + Bequests)** Ejmaa'

Shares:  $((\frac{1}{6} + \frac{1}{6}_R) + (\frac{1}{6}) + (\frac{3}{6})) = \frac{6}{6}$

Brother  
1/6

Sister  
1/6



Ejmaa'

Husband  
3/6



بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

حَكِيمًا ﴿١١﴾ وَلَكُمْ نِصْفُ مَا تَرَكَ أَزْوَاجُكُمْ إِنْ لَمْ يَكُنْ لَهُنَّ وَلَدٌ فَإِنْ كَانَ لَهُنَّ وَلَدٌ فَلَكُمْ الرُّبْعُ مِمَّا تَرَكْنَ مِنْ بَعْدِ وَصِيَّةٍ يُوصِينَ بِهَا أَوْ دَيْنٍ وَلَهُنَّ الرُّبْعُ مِمَّا تَرَكْتُمْ إِنْ لَمْ يَكُنْ لَكُمْ وَلَدٌ فَإِنْ كَانَ لَكُمْ وَلَدٌ فَلَهُنَّ الثُّمُنُ مِمَّا تَرَكْتُمْ مِنْ بَعْدِ وَصِيَّةٍ تُوصُونَ بِهَا أَوْ دَيْنٍ وَإِنْ كَانَ رَجُلٌ يُورَثُ كَلِيلَةً أَوْ امْرَأَةٌ وَلَهُ أَخٌ أَوْ أُخْتٌ فَلِكُلِّ وَاحِدٍ مِّنْهُمَا السُّدُسُ فَإِنْ كَانُوا أَكْثَرَ مِنْ ذَلِكَ فَهُمْ شُرَكَاءُ فِي الثُّلُثِ مِنْ بَعْدِ وَصِيَّةٍ يُوصَى بِهَا أَوْ دَيْنٍ غَيْرِ مُضَارٍّ وَصِيَّةً مِنَ اللَّهِ وَاللَّهُ عَلِيمٌ حَلِيمٌ ﴿١٢﴾ تِلْكَ حُدُودُ اللَّهِ وَمَنْ

Shares:  $(\frac{1}{6}) + (\frac{1}{6} + \frac{1}{6}_R) + (\frac{3}{6}) = \frac{6}{6}$

2Sis (1/6) & 2Bro (1/6)



Ejmaa'

Husband  
3/6

After partial abrogation by Ayah 4:167, Ayah 4:12 is therefore applies only on Deceased Kalala Women, the 1/6 Residue will be added to Brother(s) Shares. This is without overlooking provisions to Poor @ Ayah 4:8? (And Allah Omniscient).

1. Source and Chronology of Islamic Will and Inheritance Rules.
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# → 112<sup>th</sup> Surah 5: 106

## 4A. Procedure of Verbal Will Witnessing

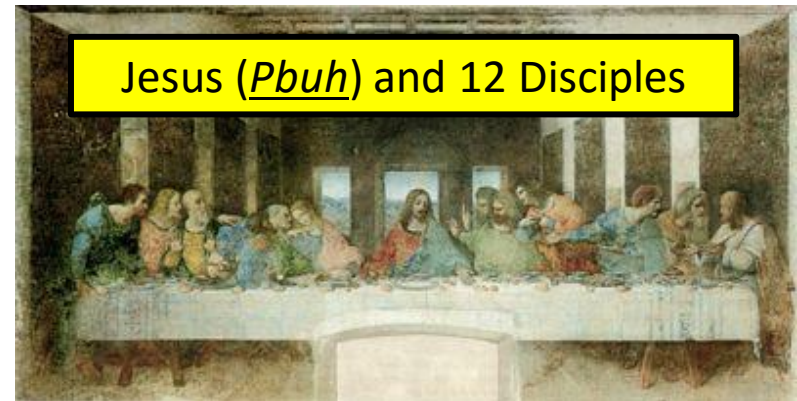
O believers, the testimony between you when any of you is visited by death, at the bequeathing, shall be two men of equity among you; or two others from another folk, if you are journeying in the land and the affliction of death befalls you.

Then you shall detain after the prayer, and they shall swear by God, if you are doubtful, 'We will not sell it for a price, even though it were a near kinsman, nor will we hide the testimony of God, for then we would surely be among the sinful' 5:106

سُورَةُ الْمَائِدَةِ

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

تَعْمَلُونَ ﴿١٠٦﴾ يَأْتِيهَا الَّذِينَ ءَامَنُوا شَهَادَةٌ بَيْنَكُمْ إِذَا حَضَرَ أَحَدَكُمْ الْمَوْتُ حِينَ الْوَصِيَّةِ اثْنَانِ ذَوَا عَدْلٍ مِّنكُمْ أَوْ آخَرَانِ مِّنْ غَيْرِكُمْ إِنْ أَنْتُمْ ضَرَبْتُمْ فِي الْأَرْضِ فَأَصَابَتْكُمْ مُصِيبَةُ الْمَوْتِ تَحْبِسُونَهُمَا مِنْ بَعْدِ الصَّلَاةِ فَيُقْسِمَانِ بِاللَّهِ إِنْ أَرْتَبْتُمْ لَا نَشْتَرِي بِهِ ثَمَنًا وَلَوْ كَانَ ذَا قُرْبَىٰ وَلَا نَكْتُمُ شَهَادَةَ اللَّهِ إِنْ آتَيْنَا إِذَا لَمِنَ الْأَثَمِينَ ﴿١٠٧﴾ فَإِنْ عُمِرَ عَلَىٰ أَنَّهُمَا أُسْتَحَقَّ إِثْمًا فَآخَرَانِ



And when the Apostles said, 'O Jesus son of Mary, is thy Lord able to send down on us a Table out of heaven?' He said, 'Fear you God, if you are believers. (The Table) 5:112





بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

إِذَا لَمِنَ الْأَثِمِينَ ﴿١٠٧﴾ فَإِنْ عُمِرَ عَلَىٰ أَنَّهُمَا اسْتَحَقَّا إِثْمًا فَاخْرَأْنَ  
يَقُومَانِ مَقَامَهُمَا مِنَ الَّذِينَ اسْتَحَقَّ عَلَيْهِمُ الْأَوْلَٰئِينَ فَيَقْسِمَانِ  
بِاللَّهِ لَشَهِدَتُنَا أَحَقُّ مِنْ شَهِدَتَيْهِمَا وَمَا اعْتَدَيْنَا إِنَّا إِذَا لَمِنَ  
الظَّالِمِينَ ﴿١٠٨﴾ ذَٰلِكَ أَذْنَىٰ أَن يَأْتُوا بِالشَّهَادَةِ عَلَىٰ وَجْهٍ أَوْ  
يَخَافُوا أَن تُرَدَّ أَيْمَانُ بَعْدَ أَيْمَانِهِمْ وَاتَّقُوا اللَّهَ وَاسْمَعُوا وَاللَّهُ لَا  
يَهْدِي الْقَوْمَ الْفَاسِقِينَ ﴿١٠٩﴾ يَوْمَ يَجْمَعُ اللَّهُ الرُّسُلَ فَيَقُولُ مَاذَا

#### 4B. Contesting Wills or Witness Testaments

But if it be discovered that both of them have merited the accusation of any sin, then two others shall stand in their place, these being the nearest of those most concerned, and they shall swear by God, 'Our testimony is truer than their testimony, and we have not transgressed, for then we would assuredly be among the evildoers'. **5:107**

So it is likelier that they will bear testimony in proper form, or else they will be afraid that after their oaths, oaths may be rebutted. Fear God, and hearken; God guides not the people of the ungodly. **5:108**



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## 5A. Reasons for Revelation of 4:11-12 (Inheritance) Ayahs \*

The wife of Sa'd Ben Al-Rabea came to the Prophet (Pbuh) with her two daughters, and said: “These are the daughters of Sa'd who died a martyr beside you at Uhud, their uncle took their money and left them with nothing, and they cannot be married without money”.

The Prophet (Pbuh) said: God will decree in this.

Shortly after that the inheritances Ayahs were revealed, and the Prophet (Pbuh) summoned their uncle and told him to: “Give the daughters two thirds, their mother the eighth and what is left is yours”.

\* (After Jaber, confirmed by the five narrators except Al Nisae'y)

## 5B. Prophet's (*Pbuh*) Verdict on Grandfather Inheritance

“(Abdullah Bin Mas’ud was once asked in regard to the inheritance of a daughter, granddaughter and sister of a deceased man, he decreed after the Prophet (*Pbuh*): “The daughter’s share is one-half, that of the son’s daughter is one-sixth, and whatever remains for the sister.”

## 5C. Prophet's (Pbuh) Verdict on Maximum Amount of Bequest

Sa'd Bin Abi Waqqas (RAA) narrated\* that he was struck by sever illness during the farewell Pilgrimage and felt he was close to death. The Prophet (Pbuh) visited him, **and he said to him “O Messenger of Allah, I am reduced to this state because of illness. I have a vast wealth and no heirs except my daughter. Should I bequeath two thirds of my estate?”** He (Pbuh) replied: “No.” He said: “One half of my estate then?” He (Pbuh) replied: “No.” He said: “One third of my estate then?” He (Pbuh) said: “Yes, one third; and even one third is too much. Indeed, O Sa'd, you'd better leave your inheritors rich after you than leave them as a burden, begging people.”

Indeed, O Sa'd, you will never spend money seeking by it Allah's Face, but you will be rewarded for it- even for the morsel of food that you put into your wife's mouth.

And if you live after me, never would you do a good deed seeking thereby Allah's Face, but will increase by it in position and elevation. Furthermore, you may live longer so that some people will benefit from you and others will be harmed.

O Allah, fulfil my companions' Hijrah, and do not turn them back upon their heels. But the miserable one was Sa'd Bin Khawlah.”

---

\* (Al-Bukhari, Muslim and Others)

## 5D. Wasiyah and Inheritance Verdicts and Precedence in Hadiths

On the subject of inheritance, The Messenger of Allah (Pbuh) was narrated to have said:

1. “No bequest may be made to (standard) heir.”
2. “Give the ordained shares to their rightful heirs, whatever left to the nearest male (to the deceased).”
3. “Allah and His Messenger are the guardians of the one who does not have a guardian; and a maternal uncle inherits who doesn’t have any [closer] heirs.”
4. “As soon as the baby cries (at birth), it inherits.”
5. “A killer does not inherit (from his victim).”
6. “Whichever man commits Zina (adultery), the child is a child of Zina, it neither inherits nor given inheritance.”
7. “The followers of two different religions cannot inherit each others.”
8. “A Kafer (Idol-Worshipper) cannot inherit a Muslim, nor a Muslim a Kafer.”
9. “It is not permissible for any Muslim who has something to will to stay for two nights without having his will and testament written and kept ready with him.”

---

### References

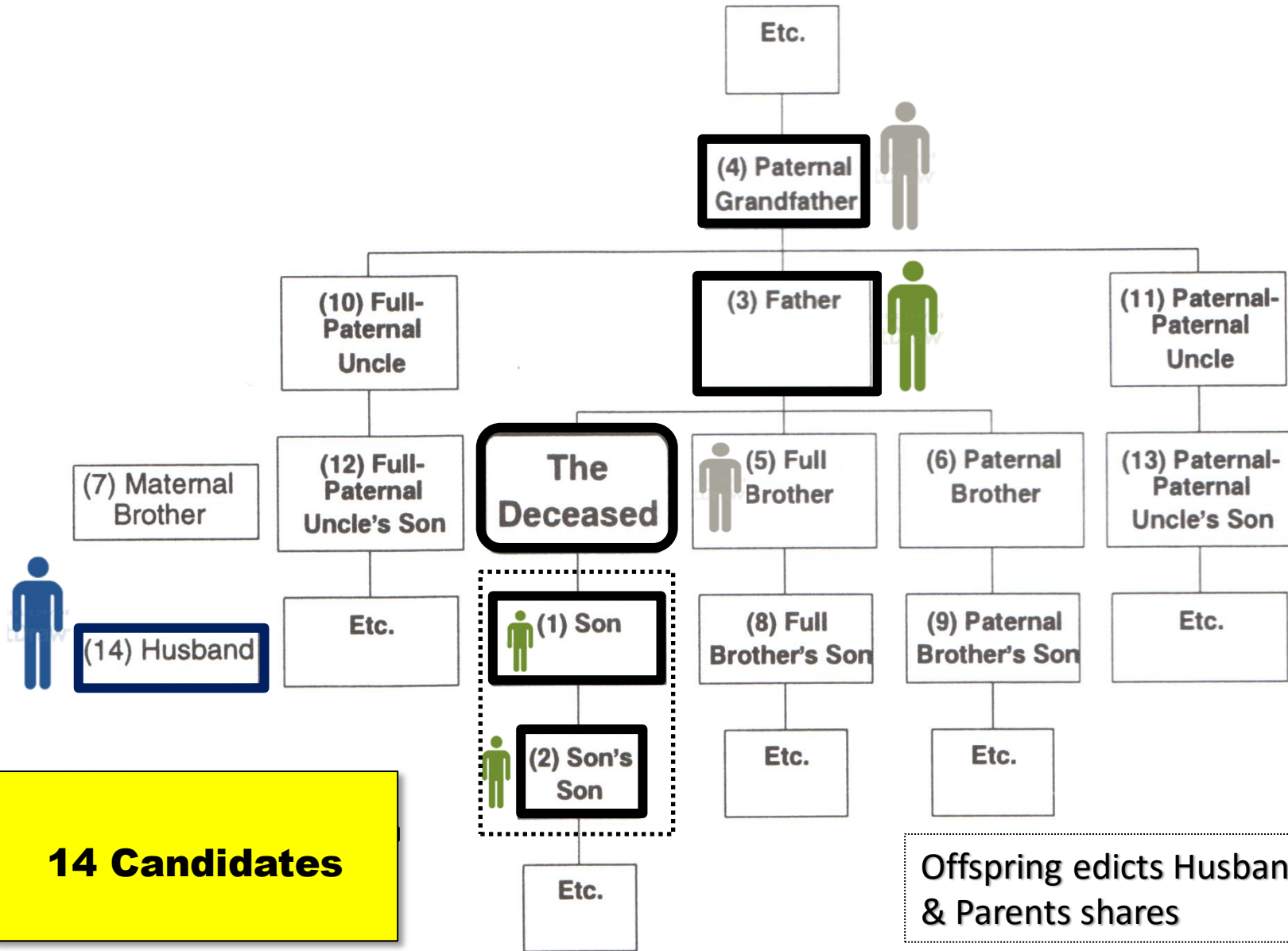
1. (Several *Sahabah*), 2. (*Ibn Abbas*), 3. (*Umar*), 4. (*Abu Hurayrah*), 5. (*Abu Hurayrah*), 6. (*Ibn Umar*), 7. (*Usamah, Jaber, and Ibn Amer*), 8. (*Usamah*), 9. (*Abdallah bin Umar: Sahih Al-Bukhari*).



1. Source, Chronology of Islamic Will, and Inheritance Rules.
2. Witnessing a Wills (Wasiyah) and Guardianship Rules.
3. Islamic Inheritance (Irth) Division Rules (Qisma).
4. Witness Oath, Contesting Wills and Inheritance Shares.
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6. **Islamic Inheritance Software:** Test Cases & Cases, 1, 2, 3 & 4.
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8. **Conclusions:** A. Chronology, B. Status of Will in Quran, C. Frequent Questions and Answers, D. Mathematics.

**6A.**

# MALE HEIRS



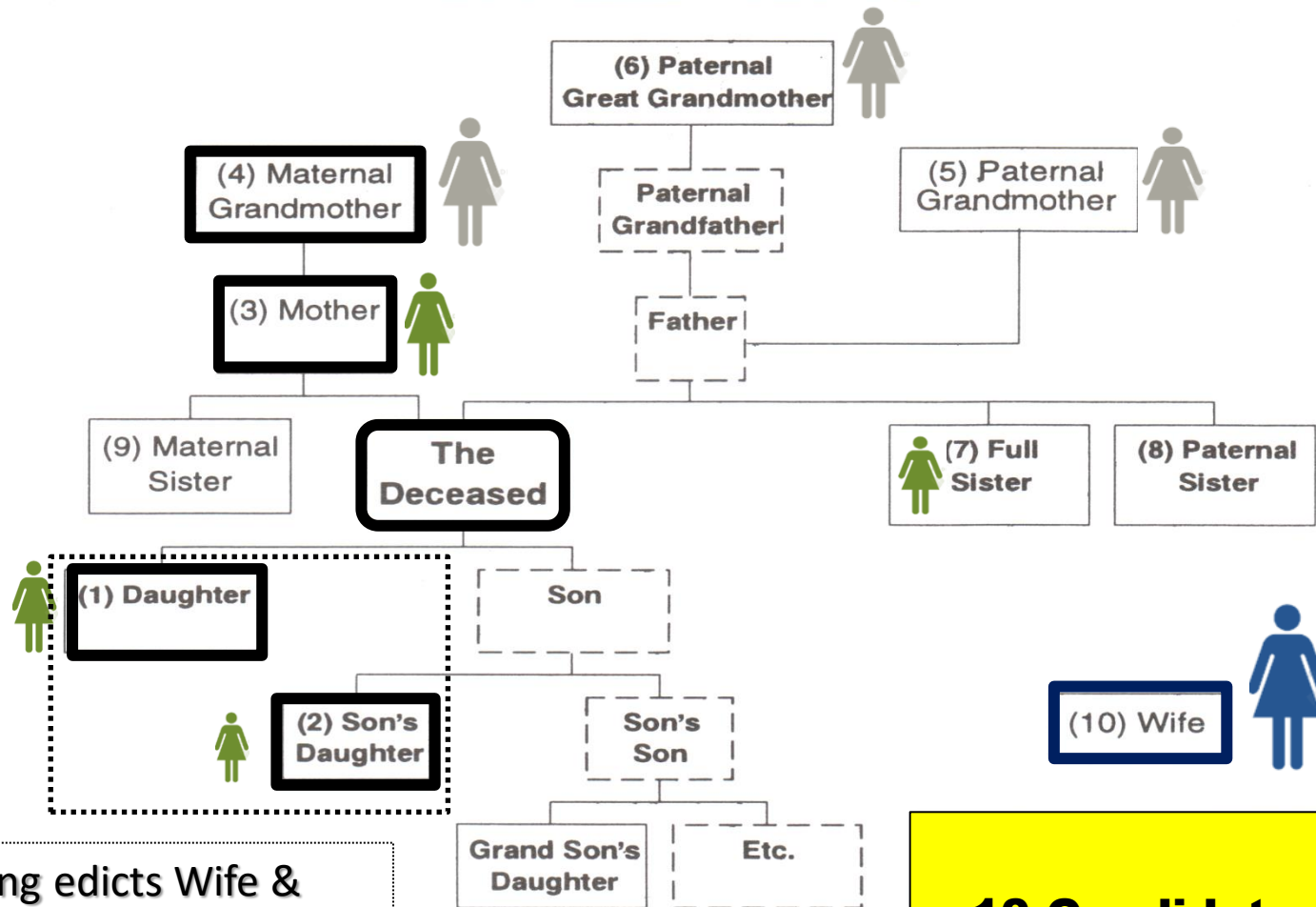
## Offspring edicts Husband & Parents shares

(Modified after Al Jibaly, 1999)

## 14 Candidates

**6B.**

## FEMALE HEIRS



Offspring edicts Wife & Parents shares

**10 Candidates**

★ It is important to note that, in the case of female heirs, the inheritance stops at them and does not move on to their children as in the case of male heirs.

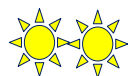
(Modified after Al Jibaly, 1999)

## 6C. Islamic Inheritance Calculation Software



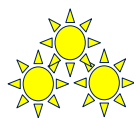
**Aydemir, Halis, MIRAS: (7 Heirs Web-based Simple Programme, Failed Sunnah Test)**

Link: [http://www.kurandersleri.net/miras/en/Miras\\_en.html](http://www.kurandersleri.net/miras/en/Miras_en.html)



**Lubnaa, Inheritance Calculator: (10 Heirs Web-based Simple Programme, Failed Test)**

Link: <http://www.lubnaa.com/money/InheritCalc.php>



**Anon, Al-Merath: (29 Heirs Web-based Programme, Passed Most Test Cases)**

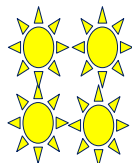
Links: <http://inheritance.ilsummit.org/projects/inheritance/home.aspx>

<http://inheritance.ilsummit.org/projects/inheritance/testcasespage.aspx>

<http://inheritance.ilsummit.org/projects/inheritance/faq.aspx>

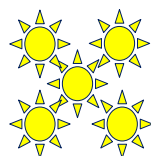
<http://inheritance.ilsummit.org/projects/inheritance/rules.aspx>

<http://inheritance.ilsummit.org/projects/inheritance/articles.aspx>



**Muhieddine, Ahmad, 2001, Mawarit2, (19 Heirs Prog., Passed Most *Ejmaa'*, Test Cases)**

Link: <http://www.qsl.net/vu2sdu/download.html> ←



**Abu Mustapha, Ayman, IRTH: (25 Heirs Programme, 4 *Mathaheb*, Passed Test Cases)**

Links: <http://www.islamchannel.tv/pages/InheritCalculator.aspx>

<http://www.islamicsoftware.org/irth/irthhelp.html>

<http://www.islamicsoftware.org/irth/local.html>

<http://www.huda.tv/services/islamic-applications/inheritance-calculator> ←

# Inputs Case A: Sa'd Leaving Wife, Two Daughters & Brother

Tuesday, December 17, 2013

INHERITANCE ACCORDING TO ISLAMIC SHARIAH LAW

Copyright (C) 1998 - Bits & Bytes, Colombo, Sri Lanka

Name of Deceased : SAAD AL-RABEA Sex M/F: M

Date/Death mddccyy: / /

Is Father living? Y/N: N

Paternal Grandfather living? Y/N: N

Paternal Grandmother living? Y/N: N

Is Mother living? Y/N: N

Maternal Grandmother living? Y/N: N

Spouse(s) living? Y/N: Y

Living SONS? : 0

Living Sons SONS? : 0

Living Full BROTHERS : 1

Living DAUGHTERS? : 2

Living Sons DAUGHTERS? : 0

Living Full SISTERS : 0

How many Wives? : 1

(After Muheiddine, 2001 )



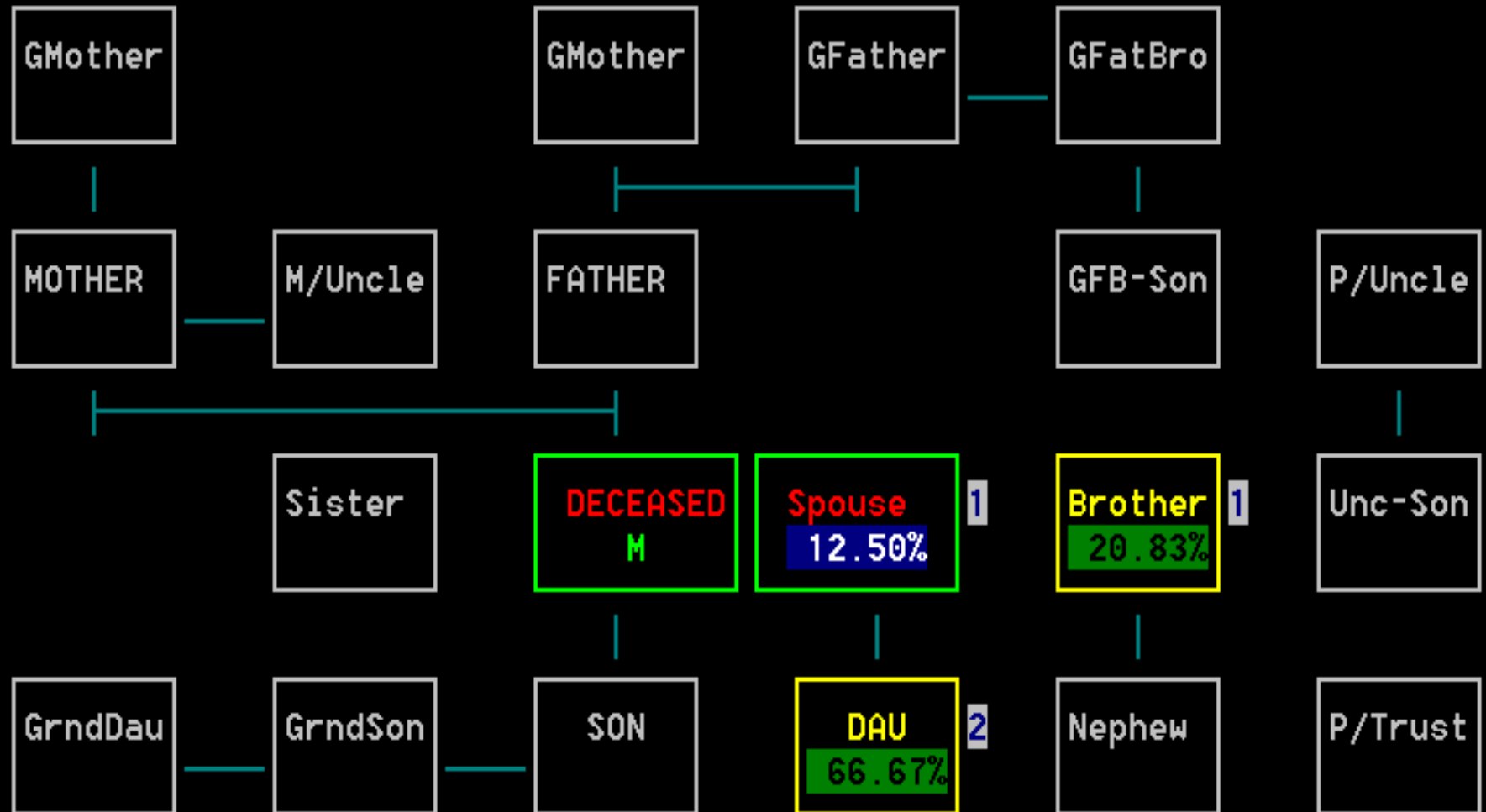
# Outputs Case A: Sa'd Leaving Wife, Two Daughters & Brother

## INHERITANCE DISTRIBUTION ACCORDING TO ISLAMIC SHARIAH LAW

Name: **MUSLIM**

Sex: **Male**

Died: **0, 0**



Press any key to Continue, <X> to EXIT

TOTAL = 100.00%

# Inputs Case B: Man Leaving , Daughter, Granddaughter & Sister

Monday, January 27, 2014

INHERITANCE ACCORDING TO ISLAMIC SHARIAH LAW

Copyright (C) 1998 - Bits & Bytes, Colombo, Sri Lanka

Name of Deceased : MUSLIM GRANDDAD

Sex M/F: M

Date/Death mmddccyy: / /

Is Father living? Y/N: N

Paternal Grandfather living? Y/N: N

Paternal Grandmother living? Y/N: N

Is Mother living? Y/N: N

Maternal Grandmother living? Y/N: N

Spouse(s) living? Y/N: N

Living SONS? : 0

Living Sons SONS? : 0

Living Full BROTHERS : 0

Living DAUGHTERS? : 1

Living Sons DAUGHTERS? : 1

Living Full SISTERS : 1

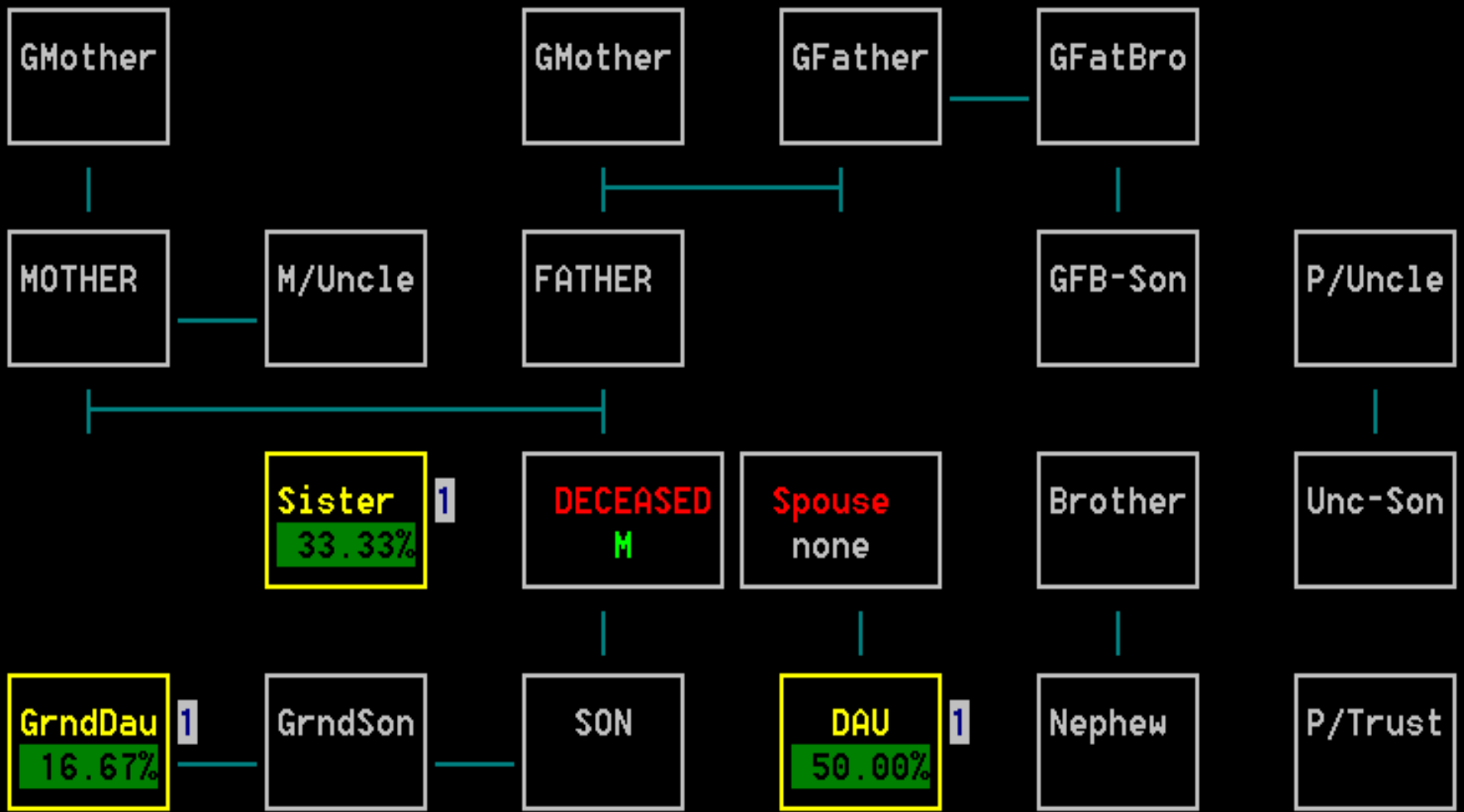
# Outputs Case B: Man Leaving , Daughter, Granddaughter & Sister

## INHERITANCE DISTRIBUTION ACCORDING TO ISLAMIC SHARIAH LAW

Name: MUSLIM GRANDDAD

Sex: Male

Died: 0, 0



Press any key to Continue, <X> to EXIT

TOTAL = 100.00%

# Inputs Case C: Man leaving Wife, Children & Parents

Tuesday, December 10, 2013

INHERITANCE ACCORDING TO ISLAMIC SHARIAH LAW

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Name of Deceased : MUSLIM Sex M/F: M  
Date/Death mmddccyy: / /  
Is Father living? Y/N: Y  
Is Mother living? Y/N: Y  
Spouse(s) living? Y/N: Y  
Living SONS? : 1 Living DAUGHTERS? : 1  
How many Wives? : 1

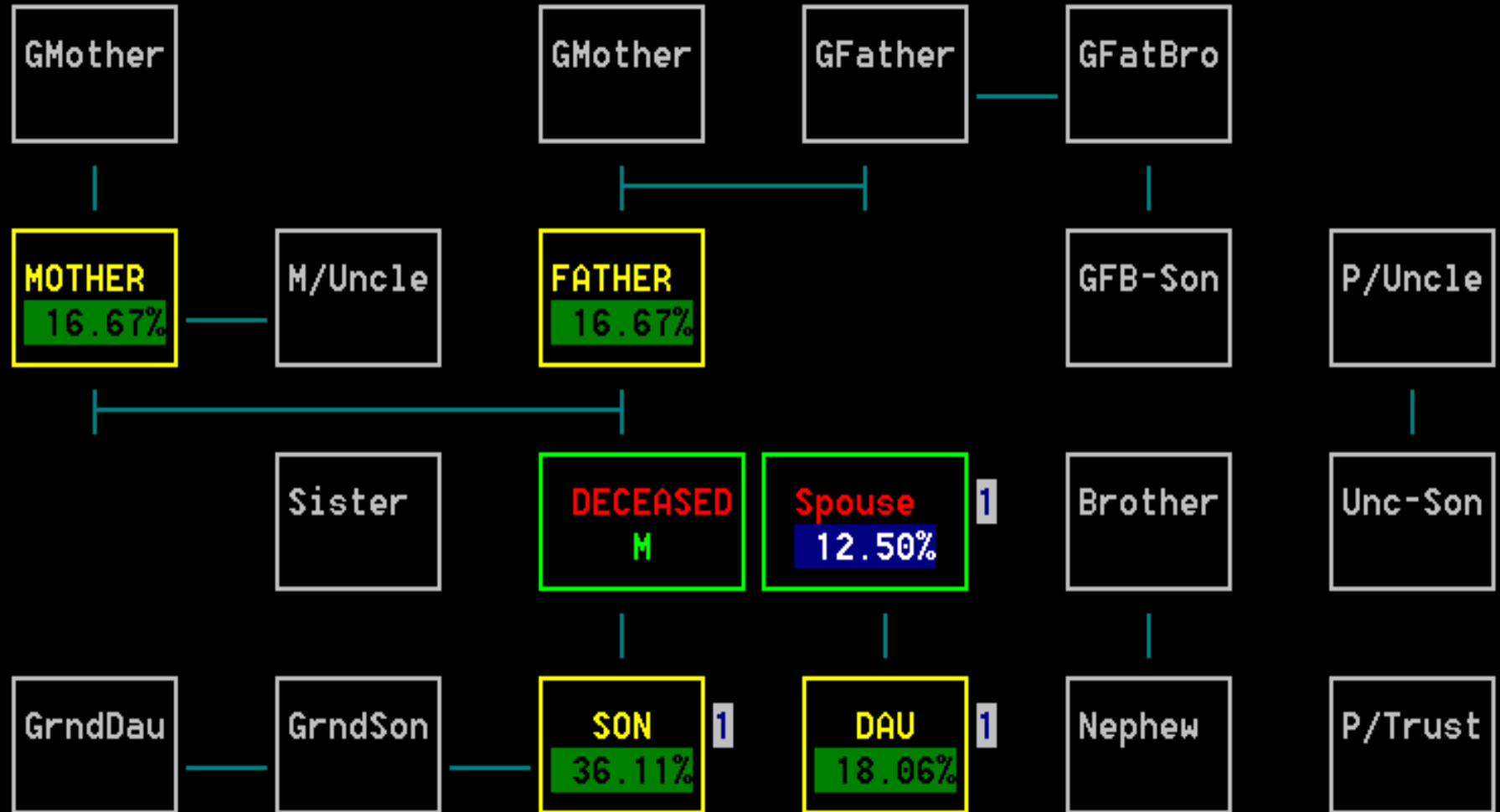
# Outputs Case C: Man leaving Wife, Children & Parents

## INHERITANCE DISTRIBUTION ACCORDING TO ISLAMIC SHARIAH LAW

Name: **MUSLIM**

Sex: **Male**

Died: **0, 0**



Press any key to Continue, <X> to EXIT

TOTAL = 100.00%



# Inputs Case D: Woman leaving Husband, Children & Parents

Tuesday, December 10, 2013

INHERITANCE ACCORDING TO ISLAMIC SHARIAH LAW

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Name of Deceased : MUSLIMAH

Sex M/F: F

Date/Death mmddccyy: / /

Is Father living? Y/N: Y

Is Mother living? Y/N: Y

Spouse(s) living? Y/N: Y

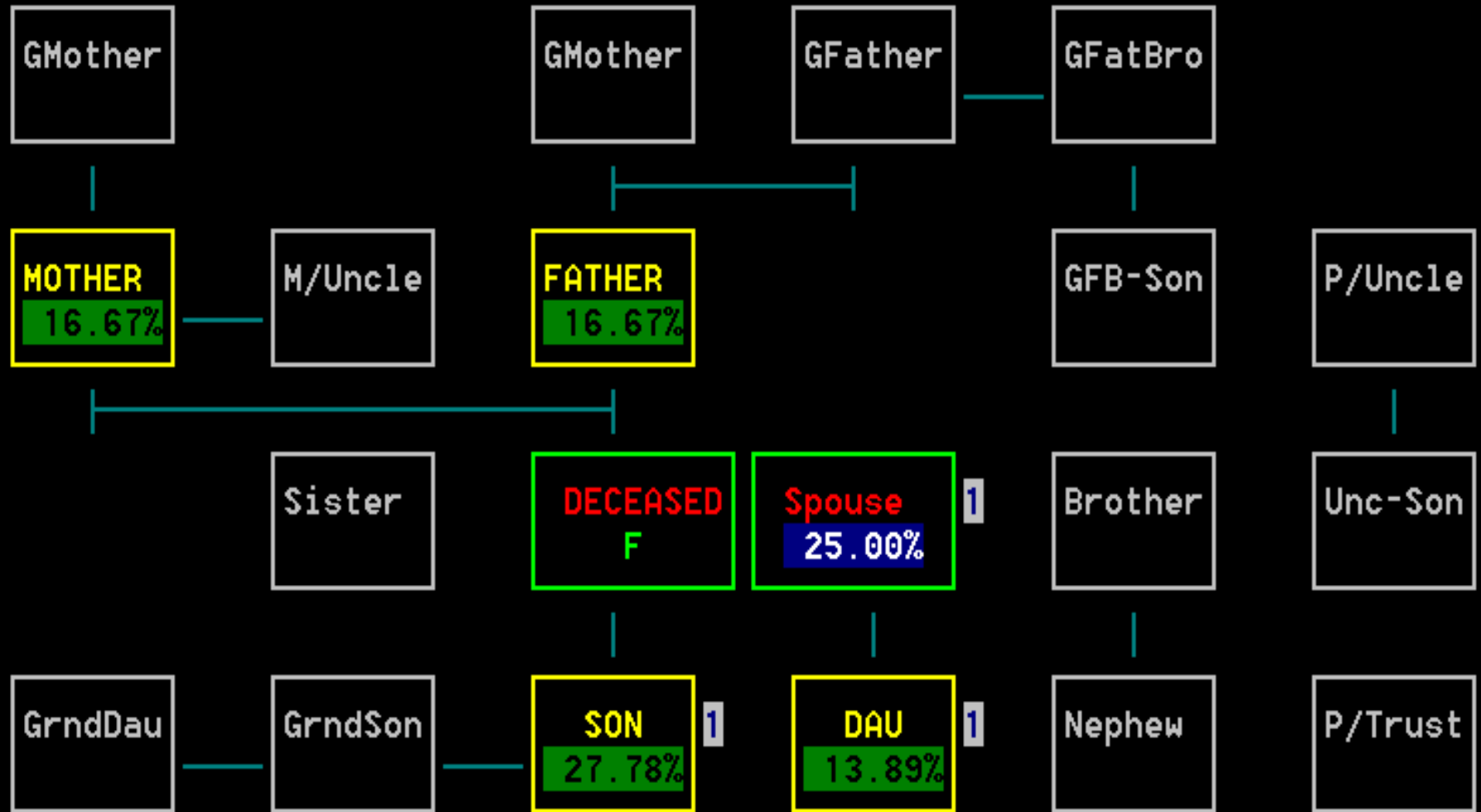
Living SONS? : 1 Living DAUGHTERS? : 1

# Outputs Case D: Woman leaving Husband, Children & Parents

## INHERITANCE DISTRIBUTION ACCORDING TO ISLAMIC SHARIAH LAW

Name: MUSLIMAH

Sex: Female Died: 0, 0



Press any key to Continue, <X> to EXIT

TOTAL = 100.00%

# Inputs Case E: Man leaving Wife & Parents

Tuesday, December 10, 2013

INHERITANCE ACCORDING TO ISLAMIC SHARIAH LAW

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Name of Deceased : MUSLIM

Sex M/F: M

Date/Death mmddccyy: / /

Is Father living? Y/N: Y

Is Mother living? Y/N: Y

Spouse(s) living? Y/N: Y

Living SONS? : 0 Living DAUGHTERS? : 0

Living Sons SONS? : 0 Living Sons DAUGHTERS? : 0

How many Wives? : 1

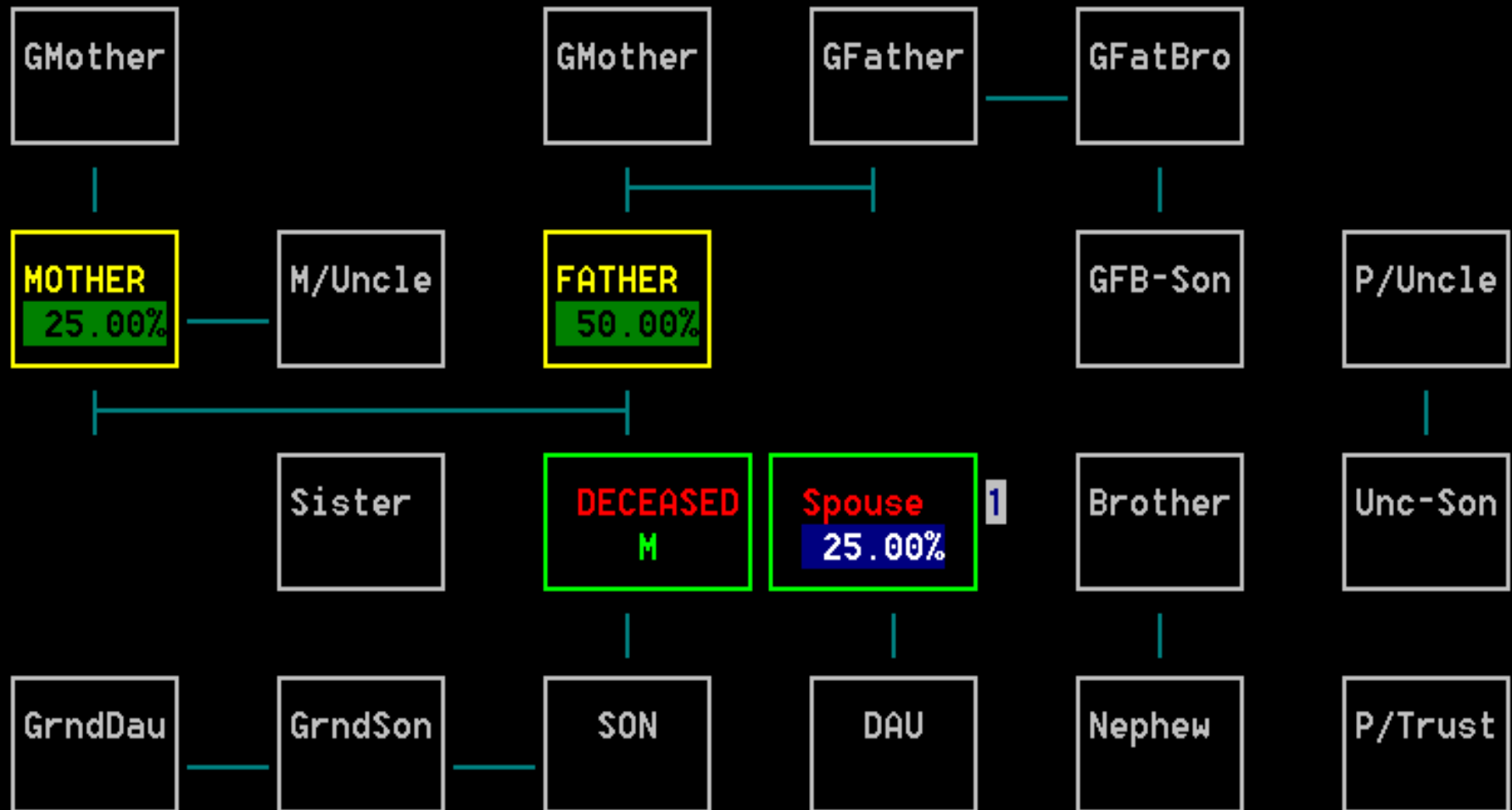
# Outputs Case E: Man leaving Wife & Parents

## INHERITANCE DISTRIBUTION ACCORDING TO ISLAMIC SHARIAH LAW

Name: **MUSLIM**

Sex: **Male**

Died: **0, 0**



Press any key to Continue, <X> to EXIT

TOTAL = 100.00%

# Inputs Case F: "Kalala" Man leaving 4 Wives

Friday, April 11, 2014

INHERITANCE ACCORDING TO ISLAMIC SHARIAH LAW

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Name of Deceased : MUSLIM KALALA Sex M/F: M

Date/Death mmddccyy: / /

Is Father living? Y/N: N

Paternal Grandfather living? Y/N: N

Paternal Grandmother living? Y/N: N

Is Mother living? Y/N: N

Maternal Grandmother living? Y/N: N

Spouse(s) living? Y/N: Y

Living SONS? : 0

Living Sons SONS? : 0

Living Full BROTHERS : 0

Full Paternal UNCLES? : 0

Living Brothers' SON's? : 2

Living DAUGHTERS? : 0

Living Sons DAUGHTERS? : 0

Living Full SISTERS : 0

Maternal UNCLE's? : 0

How many Wives? : 4

4 Wives?



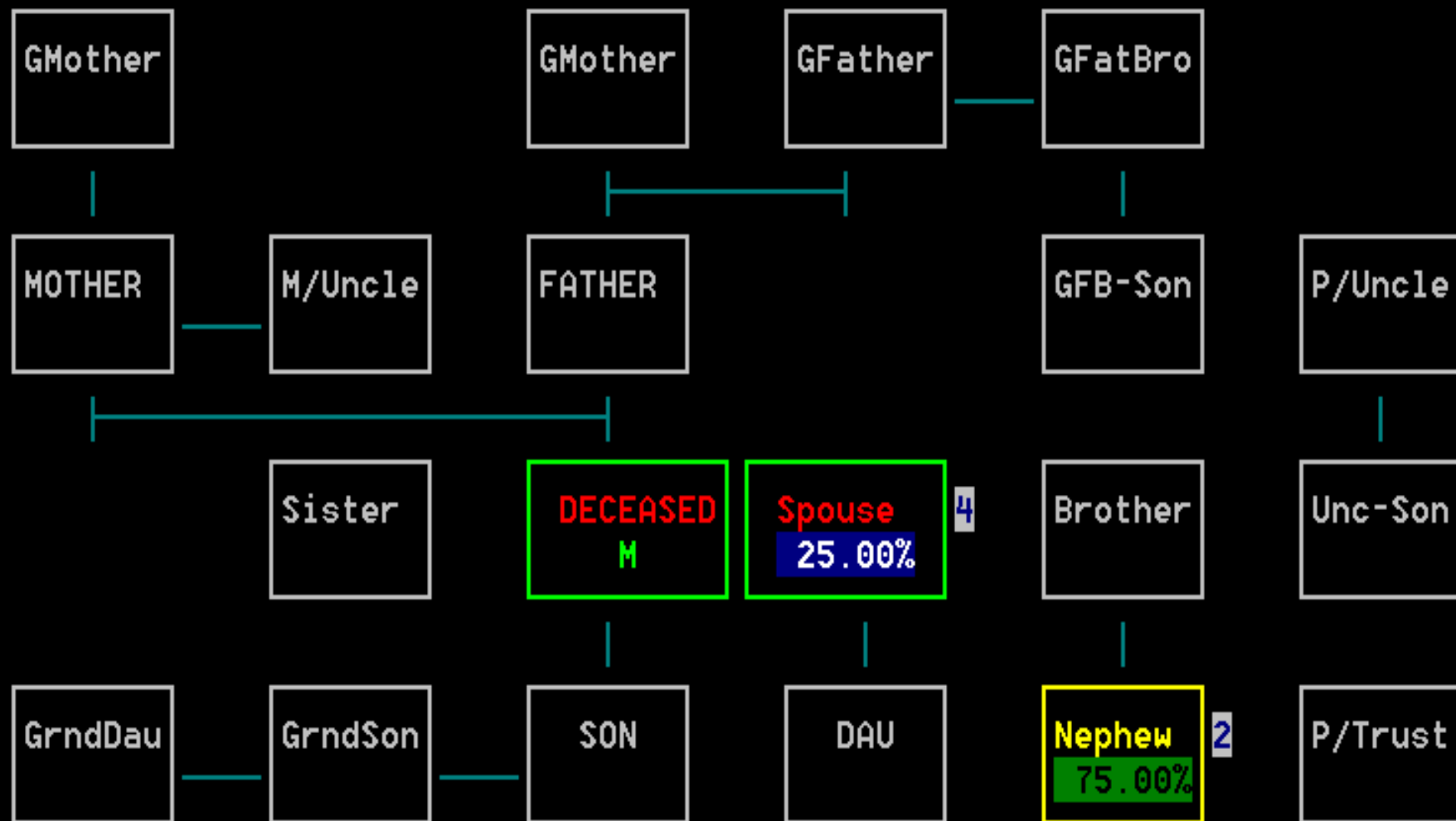
# Outputs Case F: "Kalala" Man leaving 4 Wives

## INHERITANCE DISTRIBUTION ACCORDING TO ISLAMIC SHARIAH LAW

Name: **MUSLIM KALALA**

Sex: **Male**

Died: **0, 0**



**Ejmaa'**

Press any key to Continue, <X> to EXIT

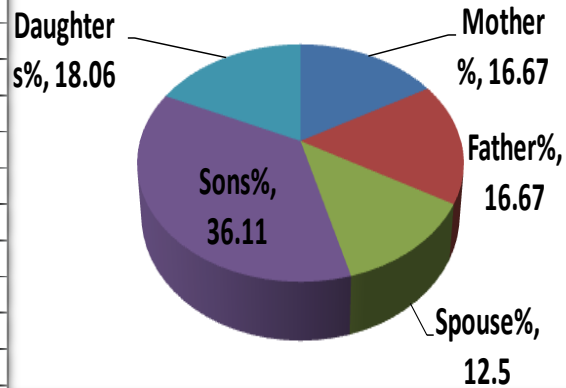
TOTAL = 100.00%

## Quranic Inheritance (Irth) Law and Will (Wasiyah)

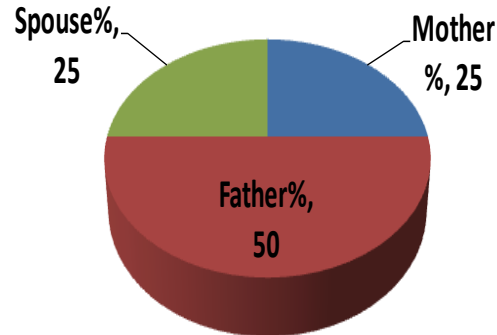
1. Source, Chronology of Islamic Will, and Inheritance Rules.
2. Witnessing a Wills (Wasiyah) and Guardianship Rules.
3. Islamic Inheritance (Irth) Distribution (Qisma) Rules.
4. Witness Oath, Contesting Wills and Inheritance Shares.
5. Reasons for Revelation of Inheritance Ayahs & Pbuh Verdicts
6. Islamic Inheritance Software: Test Cases & Cases, 1, 2, 3 & 4.
7. **Summary:** A. Typical "Irth" Cases    B. Special "Kalala" Cases.
8. **Conclusions:** A. Chronology, B. Status of Will in Quran, C. Frequent Questions and Answers, D. Mathematics.

# 7A. Typical Islamic Inheritance Distribution (Ejmaa') Cases

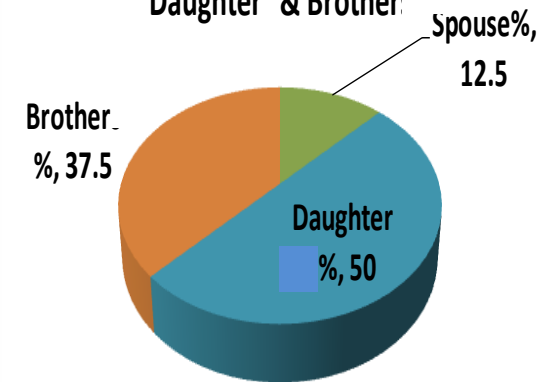
Case 1: Legacy of Man with Spouse, Children & Parents



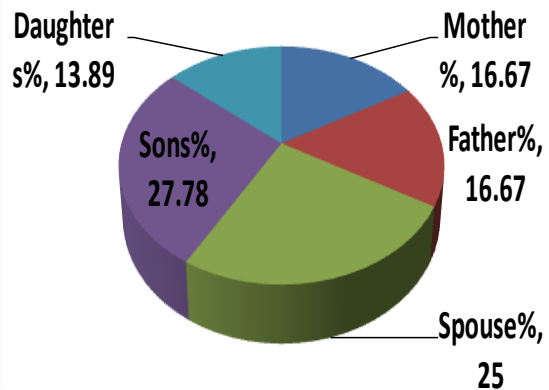
Case 3: Legacy of Childless Man with Wife & Parents



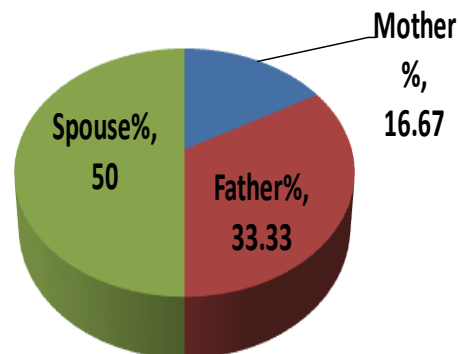
Case 5: Legacy of Man with Spouse Daughter & Brother



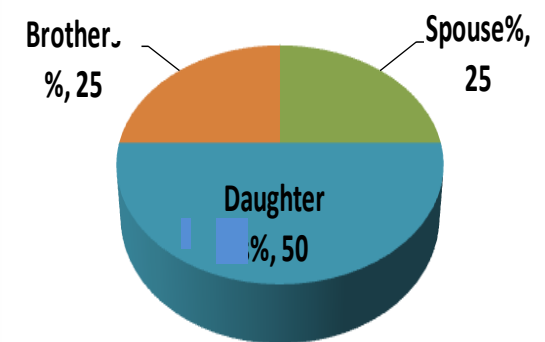
Case 2: Legacy of Women with Spouse, Children & Parents



Case 4: Legacy of Childless Women with Spouse & Parents

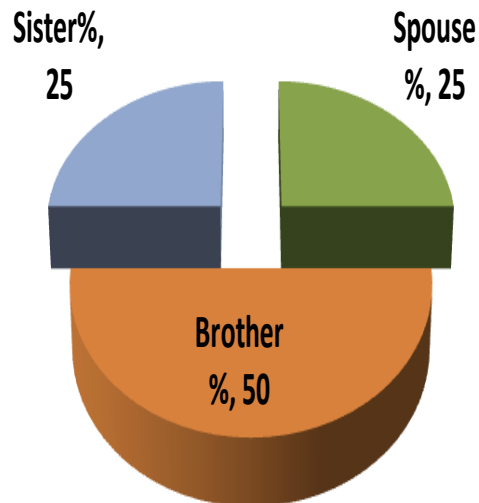


Case 6: Legacy of Women with Spouse Daughter & Brother



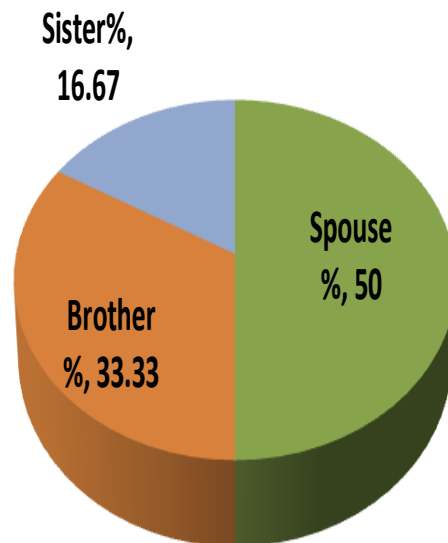
## 7B. “Kalala”\* Special Islamic Inheritance Cases

Case 7: Legacy of Kalalah Man  
with Sister, Brother & Spouse



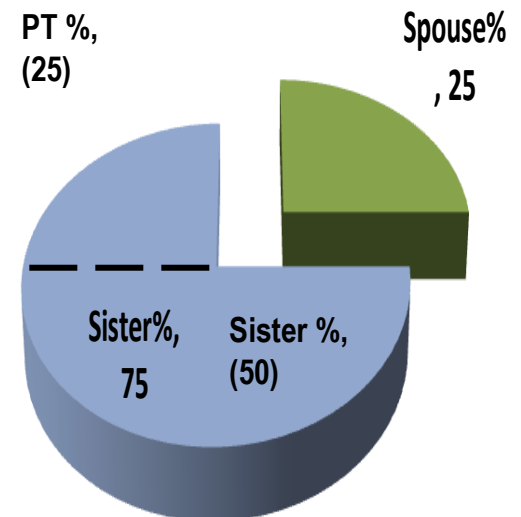
***Ejmaa'***  
4/4 Imams

Case 8: Legacy of Kalalah  
Women with Sister, Brother &  
Spouse



***Ejmaa'***  
4/4 Imams

Case 9: Legacy of Kalalah Man  
with Sister & Spouse



***No Ejmaa'***  
2 Imams (50%) vs. 2 Imams (75%)

\* Person with neither descendants nor ascendants

Sister Share: Malki & Shafii: 3/6 vs. Abu Haneefa & Ibn Hanbal: 4.5/6

1. Source, Chronology of Islamic Will, and Inheritance Rules.
2. Witnessing a Wills (Wasiyah) and Guardianship Rules.
3. Islamic Inheritance (Irth) Distribution (Qisma) Rules.
4. Witness Oath, Contesting Wills and Inheritance Shares.
5. Reasons for Revelation of Inheritance Ayahs & Pbuh Verdicts
6. Islamic Inheritance Software: Test Cases & Cases, 1, 2, 3 & 4.
7. Summary: A. Typical "Irth" Cases    B. Special "Kalala" Cases.
8. **Conclusions:** A. Evolution of "Irth" Laws, B. Status in Quran, C. Frequent Questions and Answers, D. Mathematics.



## 8A. Evolution of Quranic Will and Inheritance Laws

Will Decides Heirs & Shares	Revealed in	Revelation Order	Quranic (Chapter)	Surah Title (Chapter)	Comments (Will and/or Inheritance Ayahs)
	Mecca	(01)	96	Al A'laq	The Blood-Clot
	Mecca	(05)	01	Al Fatiha	The Opening
	Mecca	(21)	114	Al Naas	The People
	Mecca	(50)	17	Al Israa'	The Night Journey (to Heaven) (34) Except 26,32-33,57,73-80, Medina
	Medina	(87)	02	Al Baqarah	The Cattle (The Israelites' Cow) (180-182) Except Ayah 281 at last Hajj, Mecca
	Medina	(89)	03	Aal Imran	Imran's Family (Mary's Father)
	Medina	(92)	04	Al Nisaa'	The Women (Womankind) (2, 5-14, 19, 32-33, 176)
	Medina	(112)	05	Al Ma'idah	The Banquet (Last Supper) (106-108) Except Ayah 3 at Last Hajj, Mecca
Heirs & Shares are Prescribed	Medina	(114)	110	Al Nasr	The Help

## 8B. Status of Wasiyah (Last Will & Testament) in Quran

**Justice, Zakat, Conduct and Manners:** Surely God bids to justice, charity and giving to kinsmen; and He forbids indecency, dishonour and insolence, admonishing you, so that haply you will remember. **16:90**

**1. Justice:** O believers, prescribed for you is retaliation, touching the slain; freeman for freeman, slave for slave, female for female. But if aught is pardoned a man by his brother, let the pursuing be honourable, and let the payment be with kindness. **2:178**

**2. The Last Will & Testament:** Prescribed for you, when any of you is visited by death, and he leaves behind some goods, is **to make testament** in favour of his parents and kinsmen honourably -- an obligation on the godfearing. **2:180**

**3. Fasting:** O believers, prescribed for you is the Fast, even as it was prescribed for those that were before you -- haply you will be godfearing – **2:183**

**4. Jihad:** Prescribed for you is fighting, though it be hateful to you. Yet it may happen that you will hate a thing which is better for you; and it may happen that you will love a thing which is worse for you; God knows, and you know not. **2:216**

**5. Pilgrimage:** It is the duty of all men towards God to come to the House a pilgrim, if he is able to make his way there. **3:97**

**6. Prayers:** When you have performed the prayer, remember God, standing and sitting and on your sides. Then, when you are secure, perform the prayer; **surely the prayer is a timed prescription for the believers**. **4:103**

### There are 4 means of inheritance:

Inheritance by lineage, by marriage, by a slave obtaining freedom, and by a public body or establishment such as BaitulMal, Awqaf or the Treasury.

### There are 7 reasons for inheritance disqualification:

Inheritor responsible or having any connection with the death of the person whose heir he/she is, becoming Kafer, on other faith, illegitimacy, being missing and presumed dead, becoming a slave, and uncertainty as to who died first?

## QUESTIONS

- Must a Muslim have a Will?
- Deceased have heirs but no Will?
- Who pays for the burial cost?
- Who pays deceased debts?
- Can a Will include bequests?
- If there is no Heir & no Will?
- Why there are share Residues?
- Can an adopted child Inherits?
- **How applicable are Islamic Inheritance Laws nowadays?**

## &

## ANSWERS

- It is an obligation for Adult Muslim.
- Estate divided acc. to Surah 4.
- Normally off deceased estate.
- Typically off deceased estate.
- Up to 1/3 of Estate to Non-heiritor.
- Estate handed over to P/Trust.
- To be a posthumous **Sadaqah** 4:8.
- No, but can be given a bequest.
- **The Laws are logical, thorough systematic & programmable.**

## 8C. Why the Divinely Prescribed Inheritance Shares of the Quran aren't Apportioned in Percentages?

$1/8$  ,  $1/6$  ,  $1/4$  ,  $1/3$  ,  $1/2$  ,  $2/3$  ,  $1/1$



12.5%, 16.67%, 0.25, 0.33



## 8D. Islamic Inheritance Shares Defining & Quantifying Mathematics

The Quran	Scholars	<i>This Study</i>	Digital	Digital
<b>7</b> HEIRE PORTIONS	ALGEBRAIC COMMON DENOMINATOR OF <b>24</b>	DECIMAL NUMERATOR/COMMON DENOMINATOR OF <b>0./6</b>	DECIMALS <b>0.</b>	PERCENTAGE <b>%</b>
<b>1/8</b>	<b>3/24</b>	<b>0.75/6</b>	<b>0.125</b>	<b>12.50</b>
<b>1/6</b>	<b>4/24</b>	<b>1/6</b>	<b>0.166</b>	<b>16.67</b>
<b>1/4</b>	<b>6/24</b>	<b>1.5/6</b>	<b>0.250</b>	<b>25.00</b>
<b>1/3</b>	<b>8/24</b>	<b>2/6</b>	<b>0.333</b>	<b>33.33</b>
<b>1/2</b>	<b>12/24</b>	<b>3/6</b>	<b>0.500</b>	<b>50.00</b>
<b>2/3</b>	<b>16/24</b>	<b>4/6</b>	<b>0.666</b>	<b>66.67</b>
<b>(3/4)*</b>	<b>18/24</b>	<b>4.5/6</b>	<b>0.750</b>	<b>75.00</b>
<b>1/1</b>	<b>24/24</b>	<b>6/6</b>	<b>1.000</b>	<b>100.00</b>



**THANK YOU.**  
**QUESTIONS?**

"Khums" literally means "one-fifth or 20%". In Islamic legal terminology, it means "one-fifth of certain items which a person acquires as wealth, and which must be paid as an Islamic tax". The Qur'an mentions it in the following verse:

"Know that whatever of a thing you acquire, a fifth of it is for Allah, for the Messenger, for the near relative, and the orphans, the needy, and the wayfarer..."(Q 8:41)

[Read More](#)

## Khums Calculator

### Your Annual Income

Annual Business Profit	<input type="text"/>	<a href="#">See Details</a>
Annual Interest	<input type="text"/>	<a href="#">See Details</a>
Value Gained (Equity)	<input type="text"/>	<a href="#">See Details</a>
Valuable Gifts	<input type="text"/>	<a href="#">See Details</a>
Other Income	<input type="text"/>	
<b>Sub Total:</b>	<input type="text"/>	

### Your Annual Expense

Rent/Mortgage	<input type="text"/>
Insurance	<input type="text"/>
Car & Gas	<input type="text"/>
Education	<input type="text"/>
Food, Cloth, Travel..	<input type="text"/>
Donations	<input type="text"/>
Other Expense	<input type="text"/>
<b>Sub Total:</b>	<input type="text"/>

### Summary

Total Annual Income	<input type="text"/>
Total Annual Expense	<input type="text"/>
Total Annual Profit	<input type="text"/>
<b>Khums Payable</b>	<input type="text"/>

**Attention:** If you are unable to pay the whole amount immediately then you may ask permission from a representative of your Marja (via meeting, phone, or email) to have the total amount of khums removed from your obligation, and pay the total amount in monthly payments as in repaying a debt.

This serves as a means to prevent you from being under the obligation of khums if you are unable to pay it on the required date, since being under that obligation makes your prayers doubtful.

<http://shiafinance.com/calc.html>

No **"Shia (Jaa'fari) Irth"** calculation software was found. A **"Khums Tax calculation programme!"** allegedly to fulfil **Ayah 8:41** was found. According to the above website it translates as:  
**"Know that whatever of a thing you acquire, a fifth of it is for Allah, for the Messenger, for the near relative, and the orphans, the needy, and the wayfarer---"**

The Arabic *Quranic* **"Ayah 8:41"** and it's translation (see next slide) clearly specify through **title (The Spoil or Booty), context and sequence that the "Khums" is not a tax paid annually to the local "Sayed" against income acquired through normal day to day work, but it is an ordained (20%) tax on spoils of war (booty) seized by Muslim Armies form defeated Kafers.**



## Surah 8:38-42, Al-Anfal (The Spoil)

Say to the unbelievers, if they give over He will forgive them what is past; but if they return, the wont of the ancients is already gone! **8:38**

Fight them, till there is no persecution and the religion is God's entirely; then if they give over, surely God sees the things they do; **8:39**

but if they turn away, know that God is your Protector -- an excellent Protector, an excellent Helper! **8:40**

**Know that, whatever booty you take, the fifth of it is God's, and the Messenger's, and the near kinsman's, and the orphans', and for the needy, and the traveller,** if you believe in God and that We sent down upon Our servant on the day of salvation, the day the two armies encountered; and God is powerful over everything; **8:41** when you were on the nearer bank, and they were on the farther bank, and the cavalcade was below you; and had you made tryst together, you would have surely failed the tryst; but that God might determine a matter that was done, that whosoever perished might perish by a clear sign, and by a clear sign he might live who lived; and surely God is All-hearing, All-knowing. **8:42**



بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

فِي جَهَنَّمَ أُولَئِكَ هُمُ الْخَاسِرُونَ ﴿٣٧﴾ قُلْ لِلَّذِينَ كَفَرُوا إِنْ يَنْتَهُوا يُغْفَرْ لَهُمْ مَّا قَدْ سَلَفَ وَإِنْ يَعُودُوا فَقَدْ مَضَتْ سُنتُ الْأَوَّلِينَ ﴿٣٨﴾ وَقَتْلُوهُمْ حَتَّى لَا تَكُونَ فِتْنَةٌ وَيَكُونَ الدِّينُ كُلُّهُ لِلَّهِ فَإِنْ آتَتْهُمُ فَإِنَّ اللَّهَ بِمَا يَعْمَلُونَ بَصِيرٌ ﴿٣٩﴾ وَإِنْ تَوَلَّوْا فَأَعْلَمُوا أَنَّ اللَّهَ مَوْلَكُمْ نِعَمَ الْمَوْلَى وَنِعَمَ النَّصِيرِ ﴿٤٠﴾ وَأَعْلَمُوا أَنَّمَا غَنِمْتُمْ مِنْ شَيْءٍ فَإِنَّ لِلَّهِ خُمُسَهُ وَلِلرَّسُولِ وَلِذِي الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسْكِينِ وَابْنِ السَّبِيلِ إِنْ كُنْتُمْ ءَامَنْتُمْ بِاللَّهِ وَمَا أَنْزَلْنَا عَلَىٰ عَبْدِنَا يَوْمَ الْفُرْقَانِ يَوْمَ التَّقَىٰ الْجَمْعَانِ وَاللَّهُ عَلَىٰ كُلِّ شَيْءٍ قَدِيرٌ ﴿٤١﴾ إِذْ أَنْتُمْ بِالْعُدْوَةِ الدَّنْيَا وَهُمْ بِالْعُدْوَةِ الْقُصْوَىٰ وَالرَّكْبُ أَسْفَلَ مِنْكُمْ وَلَوْ تَوَاعَدْتُمْ لَا خْتَلَفْتُمْ فِي الْمِيعَدِ وَلَكِنَّ لِّلْقَاضِيِ اللَّهُ أَمْرًا كَانَ مَفْعُولًا لِّهَيْلِكَ مَنْ هَلَكَ عَن بَيِّنَةٍ وَيَحْيَىٰ مَنْ حَيَّ عَن بَيِّنَةٍ وَإِنَّ اللَّهَ لَسَمِيعٌ عَلِيمٌ ﴿٤٢﴾ إِذْ