

Why does Islamic Thought believe in Half Inheritance of Women in Comparison to Men Inheritance?

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Abstract: Inheritance is a financial discussion and the portion of every inheritor is determined by the Holy Qur'an, for which two major reasons have been mentioned: a) Farness and closeness to the deceased. b) Profitability to the deceased inheritors are divided into different groups. If the male and female inheritors belong to the same group, in most of the cases, the female's portion of inheritance is half of that of the male's one. Many people might think that Islam pays less respect to women as it does to men. This article aims to elucidate that first, such a case is not a general rule and there are so many instances in which women inherit more than men do. Second, in Islamic thought, men are responsible to provide the financial needs of women. Therefore, the portions of inheritance should be in keeping with such duties. Third, that the women's inheritance in some cases is less than that of men's does not necessarily mean that women are less esteemed in Islam. Fourth, women do possess some special financial privileges like Nafagheh in matrimonial life, Mahriyeh, independence in doing business, the possibility of getting paid for milking the baby, Nafagheh after divorce for one hundred days, Nafagheh after death of husband for one year, in some cases receiving inheritance after divorce when the ex-husband dies within that year, and etc. Taking these cases into consideration, we notice the half-inheritance of women in some circumstances in comparison to men is quite reasonable and completely justifiable.

[Mohammad Aminfard. **Why does Islamic Thought believe in Half Inheritance of Women in Comparison to Men Inheritance?**. *J Am Sci* 2013;9(4s):207-213]. (ISSN: 1545-1003). <http://www.americanscience.org>. 32

Keywords: woman, man, Islam, inheritance, equality of rights.

Introduction

As we believe, trust and believe in God is not just a sheer supposition or abstract imagination and it is true to be said that the major and the most significant Truth of the universe is the Lord Almighty. Moreover, by considering the fact that religion has been sent by the Lord, we must not regard it as a personal affair but as a thorough and comprehensive plan that has been sent to guide humanity towards happiness and prosperity. In Islamic thought, all divine religions like Christianity, Judaism, Zoroastrianism, as well as Islam deliver one message, which is going towards God and getting nearer and nearer to Him. This sacred message is for all humanity and is not exclusively for the black or the white, the woman or the man, the old or the young, the poor or the rich. God loves all of His beings and in His rules has taken into consideration the welfare and comfort of them in this world and the other one. God announces that the attainment of this welfare and comfort lies in (after having a religious faith) the practice of a series of duties (for accomplishing which a person has responsibility towards God and the others) and in the consideration of a series of rights (for accomplishing which the others have responsibility towards that person). In these duties and rights, God, however, has considered the individual differences of people. Because of this, for example, fathers are due to protect their sons till they

reach the legal age and their daughters until they get married. And after that, husbands are obliged not only to satisfy their wives' emotional needs, but also to provide the financial needs of them suitable to their honor. God even has observed these individualistic differences in worshipping Him. For example, performing the Night's prayer is compulsory for the prophet, whereas it is voluntary for the common people.

Elsewhere God has assigned the travelers not to fast, and to say the prayers of four Rakaat in two. Furthermore, He does not demand the fasting and praying of those women who are in their monthly period (their prayers are totally pardoned, but they have to make up for not fasting).

Sometimes we may apprehend such differences (in rules and duties) and the expediency in them, yet, there are times that we may not comprehend the secret behind these differences. Therefore, we might deduce that some parts of divine rules are erroneous. All the same, by considering the divine rules deeply and profoundly, we will notice that there is no error in them.

One instance whose secret and justification is not clear for many is women's inheritance. This article has surveyed the issue of the different inheritance of women and men and will do its best attempt by taking into consideration the rules of Islam to prove that first, women's inheritance is not always half of men's ones; second, the amount of every inheritor has

been determined by God; third, in Islam many financial privileges and concessions have been given to women that cover their whole life, so the issue of their half inheritance is quite sensible and reasonable; fourth, these differences in receiving half inheritance does not necessarily indicate that women's value is less than men's.

To prove this issue, some of the canonical and legal commandments and law ordinance of inheritance have been explained and in another section some of the women's financial privileges in Islam have come to be listed.

The references are all original works and they are based on Islamic and legal first-hand references.

The final goal of this study is to explain and answer a very basic question which has been brought about by some ignorant individuals, who assume that because the inheritance of all women is half of the men's one, therefore Islam does not pay enough attention to women and regards them as second hand citizens with less importance. In the end, it will be clear that this assumption is not true and Islam respects women considerably, provides their comfort, and has asked men to attempt to show their greatest respect and honor to them.

Of course, the author is aware that, unfortunately, in most of the cities and villages of the world, men oppress, torment, and vex women. Certainly, these attitudes should be reformed and we must defend women's rights against such men. By such an assumption and without sufficient study we must not accuse Islam of ignoring women's rights. Even if it was proved that some Muslims do not celebrate the rights of their wives, it should not be observed on account of Islam, as we cannot observe the wrongdoings of a Christian or a Jew on account of their divine religion. Considering the Islamic practices, we believe that any kind of discrimination against women must be stopped. However, it does not necessarily mean the equality of men's and women's rights and duties. In addition, it is better to consider the physical and psychic differences of both sexes as the base of imparting rights and duty to men and women as Islam has done so.

1-1 Some Explanations on Inheritance

Inheritance means the division of the deceased's property with certain percentages based on divine practices and religious rules among the inheritors (members of the family and in some cases relatives) with determined priorities after deduction and reduction of debts and the wills.

In pre-Islamic period, the Arab Jaheli (unaware Arabs) bequeathed their properties based on some

agreements.¹ Therefore, not only they did not bequeath anything to women,² but also they bequeathed women as property to men of their family and relatives.³ However, with the emergence of Islam, such kinds of agreements, proposed by Arab Jaheli, were abolished and replaced with "Hejrat, mutual pledge, consanguinity and relative-in-law," as new criteria for determining inheritance. Of course, three or four years later Hejrat, inheritance based on Muhajerat, was also abolished.⁴

In Islam, all the deceased's relatives do not inherit in the same way, but according to the blessed verse of Quran: "...They are of you. but kindred by blood have prior rights against Each other In the Book of Allah...."⁵ The consanguineous and relative-in-law of the deceased are prioritized and have been classified in three groups⁶:

First group: this group includes father, mother, and children (if all of the children are dead, or even great grandchildren can substitute them in order; i.e. if the deceased son has a daughter, she can receive her father's share of inheritance; and if the deceased daughter has a son, he can receive his mother's share of inheritance).

Second group: it includes the ancestors and great ancestors (from the closest to the farthest in order), brothers and sisters (if any of them is dead, their children can substitute them).

Third group: it includes the aunts and the uncles (if they are dead, their children can replace them).

Note 1: The wife inherits alongside all of the three of above-mentioned groups.

Note 2: If the brother, sister, uncle, and aunts are dead, their children will replace them, if their children are dead, their grandchildren will replace them.

Note 3: If there be just one from the first group, there will not be any right of receiving inheritance to the members of the last two. This is true about the second group as well.⁷ However, if there was not any survivor relating to one of these groups, then

¹ Fazel Meghdad, Abdollah. *Kanz-ol-Erfan Fi Feghel Quran*. Vol. 2. p.324.

² Allot, p.326.

³ Tabatabaee, Muhammadhussein. *Tafsir Almizaan*. Vol. 4. p.402.

⁴ *Kanz-ol-Erfan Fi Feghel Quran*. Vol. 2. pp.324-25.

⁵ The Holy Qur'an, *Al Anfaal* 75, and *Al Ahzab* 6.

⁶ *Tafsir Almizaan*. Vol. 4. p. 337.

⁷ Al-jabae Al-aalamee, Zeinoldin (Shahid Saani). *Sharh Lomae*. Vol. 2.

inheritance is divided base on mutual pledge, and if there was not any inheritor at all, the all left property of the dead belongs to the Islamic government.⁸

The existence of the triple-classes of inheritors does not mean that the amount of inheritance in the first group is more than the second's or the third's, nor is the second's more than the third's. Furthermore, it does not mean that all members of the first group receive the same amount of inheritance. Nevertheless, these three groups show which one is prior to the other and they do not refer to the amount of inheritance.

In some cases this priority is called Hojb, i.e. the existence of near relatives deprives far relatives from any inheritance. Interestingly, the existence and non-existence of an inheritor in one of these groups can change the amount of inheritance among the members. For example, according to the explicit expression of the holy Quran and Iranian Civil Law and Canonical Law, if a husband and a wife had a child and the husband died, the amount of wife's inheritance would be one eighth of man's property and if the wife died, the man's inheritance would be one fourth of wife's property, but if there were not any children, their inheritance would be doubled.⁹

1-2- The Amount of Inheritance

In Islam, God has determined the amount of inheritance of every inheritor and in the holy Quran, it is said that God determines these amounts of inheritance, since we do not know which of our relatives are more beneficial to us.¹⁰ Therefore the individuals cannot deprive others from inheriting or even cannot give one inheritor more than his or her right. According to Islam, everyone can just give one third of his or her property in his will¹¹, and more than this is allowable only by the inheritors' permission.

⁸ Iran's Civil Procedure Law 866.

⁹ *Kanz-ol-Erfan Fi Feghel Quran*. Vol. 2. p.331; Iran's Civil Procedure Law 899,900,901; The Holy Qur'an, *An Nisaa'*, 12.

¹⁰ In the Holy Qur'an, *An Nisaa'* 12, God commands us to double the boys' amount of inheritance in comparison to the girls'; since we do not know which of our relatives are more beneficial to us. This command has directly come down to us and its obedience is compulsory.

¹¹ Al-jabae Al-aalamee, Zeinoldin (Shahid Saani). *Sharh Lomae*. Vol. 2. p.50.; The Holy Qur'an, *Al Baqarah* 180-82, *An Nisaa'* 10-11, *Al Maa-idah* 106-8.

Every person's amount of inheritance has been determined in the form of fraction¹², for example, the wife receives one fourth or one eighth, the husband one fourth or half, the only daughter inherits half, two daughters inherit two third (if there is no son), and each of the father and the mother receive one sixth of the inheritance.

Note: Actually, in real situations, sometimes, we see that the total portion of inheritors is less¹³ or more¹⁴ than one. It is not because of lack of mathematical knowledge on God's part (as some seemingly Christian websites wrongly claim), but it is due to the fact that for determining the amount of inheritance of so many inheritors in different states, we should either determine the proportions or accept such non-essential happenings. Determining the amount of inheritance has confused many people. The best way is to refer to the prophet's order. Moreover, the Prophet and the Imams, based on God's orders, have told us what to do whenever we face such confusing situations.¹⁵

1-3- Some Cases in Which a Female's Inheritance Is Equal to or Even More Than a Male's Inheritance.

In many cases a female can inherit more than some of the male inheritors of the deceased. Here are some examples¹⁶:

1-3-1- If the deceased has a daughter, three brothers and a grandfather, in Shia jurisprudence, half

¹² *Kanz-ol-Erfan Fi Feghel Quran*. Vol. 2. pp. 325-35; The Holy Qur'an, *An Nisaa'* 13 and 176;

Iran's Civil Procedure Law 899-905.

¹³ For example, when the inheritors are a daughter and parents, whose total proportion becomes:

$$1/2 + 1/6 + 1/6 = 5/6 ; 5/6 < 1$$

¹⁴ For example, when the inheritors are the husband, parents, and two daughters, whose total proportion

$$\text{becomes: } 1/4 + 1/6 + 1/6 + 2/3 = 15/12 ; 15/12 > 1$$

¹⁵ *Sharh Lomae*. Vol. 12, pp. 181-189; Iran Civil Procedure Law, 914; If the total proportion of inheritance

becomes less than one, the Shias would divide the surplus, according to the amount of each inheritor, among the inheritors, except the husband and the wife; however, the Sunnis would give the surplus to the male relatives of the deceased (Sunnis call this Taseeb). On the other hand, if the total proportion becomes more than one, the inheritance deficiency, in Shia, is directed towards daughters, i.e. their proportion of inheritance would reduce from 2/3 or 8/12 to 5/12; but, Sunnis would divide it equally among the inheritors (Sunnis call this Öul).

¹⁶ The examples are taken from Iran's Civil Procedure Law 900 and so forth.

of the property belongs to the daughter as her share, and the other half also is given to her since there is no other inheritor from the first group.

Therefore, nothing is given to the deceased's brother or grandfather.

1-3-2- If the deceased has a daughter, a father, and a mother, half of the property (3/6) belongs to the daughter and each of the parents will equally receive one sixth (1/6) of the property; still, the surplus one sixth (1/6) is divided among the three.¹⁷ In this case, father and mother take equally but the daughter receives three times more than the father does.

1-3-3- If the deceased's parents, wife, and children had already passed away, then the grandchildren of the deceased would replace their parents, i.e. the children of the son and that of the daughter's will receive their parent's share. However, in case the children of the son are female and that of the daughter's are male, the female grandchildren (children of the son) will receive inheritance twice more than the male grandchildren (children of the daughter).

1-3-4- If the deceased has a daughter, a paternal uncle, and a maternal uncle, the whole property belongs to the daughter and they will not inherit anything.

1-3-5- The classifications of the inheritors indicate that in case the deceased has a granddaughter, several brothers, and some paternal or maternal uncles, in Shia jurisprudence, the granddaughter is the only inheritor, and nothing will be given to the rest.

1-3-5- The classifications of the inheritors indicate that in case the deceased does not have any parents, children, grandchildren, a wife, brothers, sisters, or grandparents, but from one of the sisters there is a daughter, and even though the deceased may have some uncles and cousins, due to their class difference, in Shia jurisprudence, the daughter of the sister is the only inheritor and nothing will be given to the rest.

1-4- Conclusion

From the above mentioned cases and many other, we conclude that the inheritance of men to be twice that of the women's inheritance is not a fixed rule; however in many similar cases and especially when the inheritors are in identical groups, most of the times men's amount of inheritance is twice more than that of the women's. For example, in line with groups of children, parents, grandchildren (granddaughters and grandsons) from son or daughter, brothers, sisters, and paternal grandfathers, paternal far-relatives who replace the father can inherit twice more than maternal far-relatives who replace the

mother.¹⁸ The male's inheriting twice more than the female's is the clear order of God, which is probably because of financial responsibilities of men to pay Nafagheh (money paid daily by the husband to the wife during matrimonial life).

Furthermore, in the holy Quran, another reason has been stated, which is mentioned after declaring that the boy's amount of inheritance should be twice that of the girl's:

"... Ye know not whether your parents or your Children are nearest to you in benefit...."¹⁹

2- Why Is the Inheritance of Some Men Twice That of Some Women's?

As everybody knows, inheritance is a financial and monetary issue. Therefore, the basic question is: why do some women inherit less than some men? However, before discussing the question, it is better to clarify that inheriting more or less does not necessarily mean that men are prior to women. No one should conclude that since some women inherit less than some men, so women are less valuable. This is of course a clear and baseless fallacious reasoning, and we should never accept that men are superior to women. In the last section of this writing we will discuss some parts of Islam's view over women and we will certainly notice that what a high status Islamic thought devotes to women.

Nevertheless, in the holy Quran for priority in inheritance and the classification of differences in portions, two reasons have been mentioned:

2-1- The priority of relatives to each other²⁰

2-2- The more profitability of some inheritors than the others for the deceased²¹

Both of the reasons are rational and acceptable. Yes, naturally all the relatives are not equally close or far to a person and probably the relationship between "closeness and farness" with "priority in receiving the inheritance" ratifies this point that humankind in all his doing is under the influence of environmental conditions and gathering wealth is not an exception, in which the members of the family and close relatives play a very noticeable role. So in apportioning the properties, this priority must be considered and they should receive more.

Besides, Islam has also added another important factor to this principle and that is, the profit of inheritor to the deceased. The properties belong to the deceased more than the others. Thus, it should be spent in a way that is most profitable to the deceased. So, if God says that your children have more profit to

¹⁸ Iran's Civil Procedure Law, 906-1203.

¹⁹ The Holy Qur'an, *An Nisaa'* 11.

²⁰ The Holy Qur'an, *Al Anfaal* 75, *Al Ahzab* 6.

²¹ The Holy Qur'an, *An Nisaa'* 11-12.

¹⁷ Iran's Civil Procedure Law 908.

you than your brothers and sisters do, it is better to give the property of the deceased to his or her children; it is also true of the other groups of inheritors.

Therefore, these two points can compliment each other that close relatives should inherit more than far relatives, if so, the deceased will also profit more. This profit either can be honor and social status --i.e. if the deceased's close relatives', who inherit, financial conditions improve, people will praise the deceased and this is good for the deceased—or can be that because of comfort and welfare of the deceased's close relatives, the deceased's soul will be able to rest comfortably in peace, or can be that the close relatives can give alms, make donations and pay for charitable deeds, whose Savaab (the reward God gives you for your good deeds) they may donate to the deceased, or can be that the inheritors themselves, while using the inheritance, may pray for the deceased's soul. Anyway, according to Quran, if close relatives receive these properties, it would be more profitable to the deceased.

2-3- The Third Reason

Besides the mentioned reasons, we may bring forth another wisdom for illuminating the differences in amount of inheritance, especially in justification of such a difference between the son's and the daughter's proportion which is in line with the individual differences in duties and rights. As an introduction, it is better to know that inheritance is a financial issue and money and properties are means of living. If in an ideological or governmental system, the necessities of life are provided from somewhere, then there is no need for such a thing as "money". In Islam, the financial responsibilities of a man and a woman are quite different.

Generally, the monetary and financial needs of women are to be gratified by men.

Therefore, women do not need much money and from the beginning to the end, a man must satisfy her financial needs. On the contrary, besides satisfying his own financial needs, a man has to provide his wife and children with money and other needs.

Therefore, it is clear that why Islam has given men more inheritance right. In other words, there should be a proportion between the rights and the duties. If men have more financial duties, so they must get more inheritances. Despite Nafagheh, women have also other financial privileges that prove the fairness of their proportion in inheritance. Here is a brief explanation of women's financial privileges:

2-3-1- NafaghehIt includes providing a house, clothes, food and furniture, appropriate to the

women's status.²² Nafagheh must be paid by men.²³ It means man, the man must gratify her financial needs appropriately, and if he does not, he is indebted to her. In this situation, if the man has many other creditors his wife's debt is in priority and must be paid first.²⁴ Sometimes, even after divorce or death of the husband, Nafagheh should be paid by the husband (after his death, Nafagheh should be paid from his properties).

2-3-1-1-Nafagheh after divorce: In Islam, we have different types of divorce. One of them is Rejee divorce, in which the woman spends her Eddeh²⁵ in her husband's house and the husband can revoke the divorce until the end of that period. In this type of divorce, the woman's financial needs, until the end of her Eddeh, must be paid by the man. When a woman is pregnant and gets divorce, until the end of childbirth, the husband must pay for his wife's needs, whether their divorce is Rejee or Baen²⁶ –in which it is the woman who asks for divorce and the man cannot revoke the divorce.

2-3-1-2-Nafagheh after the death of husband: A widowed must keep her Eddeh for 130 days.²⁷ However, the holy Quran says:

"Those of you who die and leave widows should bequeath for their widows a year's maintenance and residence; but if They leave (the residence), there is no blame on you for what They do with themselves...."²⁸ In this verse men, for a year after their death, are obliged to pay for their wives' financial needs. Nevertheless, after Eddeh, if a woman wants to leave the man's house, she can go and start a new life.

2-3-2- Dowry (Mahriyeh): Besides Nafagheh, which is a significant financial privilege for women, they also get dowry from their husbands. Mahriyeh is some money or properties that the husband must pay to his wife after they both agreed on the amount of it. In addition, the husband cannot get it back. God says:

²² Iran's Civil Procedure Law, 1107.

²³ Allot, 1106; *Kanz-ol-Erfan Fi Feghel Quran*. Vol. 2. pp.211-7; The Holy Qur'an, *An Nisaa' 34*, *Ath Thalaag 6*.

²⁴ Iran's Family Law, 12/2; Iran's Procedure Law, p.456;

²⁵ Eddeh: the detachment period of one hundred days, in which whenever the husband wishes, they can resume their matrimonial life. Also, it is the period of four months and ten days (130 days) after the death of husband, in which the widow cannot get married.

²⁶ Iran's Civil Procedure Law, 1109; *Kanz-ol-Erfan Fi Feghel Quran*. Vol. 2. p. 218.

²⁷ The Holy Qur'an, *Al Baqarah 234*.

²⁸ Allot, 240.

2-3-2-1- "... Seeing that ye derive benefit from them, give them their dowers (at least)...."²⁹

2-3-2-2- "... And give the women (on marriage) their dower As a free gift...."³⁰

2-3-2-3- "but if ye decide to take one wife In place of another, Even if ye had given the latter a whole treasure for dower, take not the least bit of it back: would ye take it by slander and Manifest wrong?"³¹

2-3-3- Wage and Nafagheh payment to nursing mothers or wives: One of the known rights of women in Islam is that if a woman becomes a nursing mother, she can demand some money from her husband for her nursing. The holy Quran says: "the mothers shall give suck to their offspring for two whole years, if the father desires to complete the term. But He shall bear the cost of their food and clothing on equitable terms...."³² In another verse it says:

Let the women live (in 'iddat) In the same style As ye live, according to your means: annoy them not, so As to restrict them. And if They carry (life In their wombs), then spend (your substance) on them until They deliver their burden: and if They suckle your (offspring), give them their recompense: and take mutual counsel together, according to what is just and reasonable. And if ye find yourselves In difficulties, let another woman suckle (the child) on the (father's) behalf.³³

Iranian Civil Law does not consider nursing as an obligation for women.³⁴

2-3-4- Inheritance of a woman who gets Rejee divorce: When a woman gets Rejee divorce, if the husband dies during that year, the woman, even though her Eddeh might have already ended, can inherit from her husband, especially when the husband has divorced her because of his illness or in order to deprive her of inheritance.³⁵

2-3-5- Independence of women in business: Besides all above-mentioned financial privileges that can satisfy the financial needs of women during their lives, especially for a time after their divorce or their husbands' death, in Islamic thought women can also do business and all their income will belong to themselves. God says: "...to men are allotted what They earn, and to women what They earn...."

Besides the basic principles of Islamic thought that prove women's independence in financial issues, this holy verse of Quran clearly ratifies that women

are the owners of their own income. All these cases explain that women are not under a pressure of financial problems as men are. Therefore, if they inherit less than men, it is quite reasonable and acceptable.

2-4- A question: Sometimes it is asked that is it fair that a brother who is a billionaire and has lots of factories and gardens or something like that, inherit two times more than a sister who is now a widow and has some orphans and is a tenant and at the same time is indebt?

In answer, we should say that firstly such a case is very rare. Secondly, if the amount of inheritance is correspondent to the possessions of the sister, even receiving the whole amount of inheritance would not amend her states. However, if the amount of inheritance is correspondent to the possessions of the brother, even one third –or less than that- of the brother's portion of inheritance would revolutionize the states of that sister. Thirdly, to help such a woman is not exclusively through inheritance; according to many verses of the holy Quran, all the Muslims, including her brothers, must help her.³⁶ Even the Islamic leader must help such a woman from the received taxes (*Zakat*).³⁷

3- A Glance at Women's Status and Their Significance in Islamic Thought

As we have already mentioned, some people take it as an excuse that since women do not inherit equally, therefore they do not have any status or significance in Islamic thought. Those who claim this know nothing about women's greatness. They themselves consider women as means of advertisement for their products and after benefiting from women's youthful beauty, they throw them away. So, when these people notice that Islam conserves the greatness of women by calling her to fortify the family foundation, and to avoid irrelevant conversations with other men, they get confused and begin to accuse Islam of violating women's right. Islam emerged in an epoch that women did not have any social status and even some were ashamed of having a daughter to the point that when they received news of their daughter's birth, their faces

²⁹ The Holy Qur'an, *An Nisaa'* 24.

³⁰ Allot, 4.

³¹ Allot 20.

³² The Holy Qur'an, *Al Baqarah* 233.

³³ Allot, *Ath Talaq* 6.

³⁴ Iran's Civil Procedure Law 1176.

³⁵ *Sharh Lomaei*. Vol.2, p.326.

³⁶ Many verses of the Holy Qur'an refer to *Enfagh*, financial assistance, to poor people. *Al Baqarah*, 195, 254, 262, 267; *An Nisaa'* 34, 39; *At Taubah* 53; ...

³⁷ The Holy Qur'an, *At Taubah*, 60.

Zakat: an obligatory amount of money for Muslims that goes to charity and which is set traditionally

at the end of Ramadhan.

would be blackened due to embarrassment.³⁸ Some tribes even used to bury the girls alive.³⁹ In such a condition Islam emerged, and protesting against the established culture of the society, used women's name beside men's and said:

3-1- "and their Lord hath accepted of them, and answered them: "Never will I suffer to be lost the work of any of you, be He male or female...."⁴⁰

3-2- "For Muslim men and women,- for believing men and women, for devout men and women, for true men and women, for men and women who are patient and constant, for men and women who humble themselves, for men and women who give In charity, for men and women who fast (and deny themselves), for men and women who guard their chastity, and for men and women who engage much In Allah's praise,- for them has Allah prepared forgiveness and great reward."⁴¹

In addition to all these, the holy Quran, in so many verses, bestows an independent character to women. Here are some examples:

3-3- While dispatching a delegation of Muslims to talk to Najranian Christians, God appointed a woman as a member of that delegation.⁴²

3-4- Women, like men, do possess financial independence and they are the owners of their own income.⁴³

3-5- In the new-established Islamic society, whose general view of women is already told, facing the people's offense that Prophet Muhammad has only one daughter and no son, God sent down the *Al Kautsar* surah and called Fatemeh, Prophet's daughter "Fount of Abundance".⁴⁴

3-6- In the author's opinion, Islam pays the highest respect to women in the last verse of sura *Tahrim*, where God symbolizes Muslims and non-Muslims with two women, Mary and Pharaoh's wife as symbols of virtue and Noah's and Lute's wife as symbols of vice and infidelity.⁴⁵

3-7- Besides these, when we refer to Imams' and our holy Prophet's views over women, we notice that they also pay high reverence and respect to women. As Imam Ali (peace be upon him) in a letter to his son says: woman is the fragrant basil of the home and is

not in charge of money making or doing extra works⁴⁶ (author's translation).

4- Conclusion

4-1- The inheritance of all women is not half of men's inheritance.

4-2- The priority in inheritance is due to the classification of the relatives based on closeness or farness to the deceased.

4-3- The difference in inheritance amount of some men and women is because of their financial duties.

4-4- The difference in inheritance does not necessarily indicate that men are superior to women, since women are respected in Islam and are introduced as the fragrant basil of the house.

4-5- If some women inherit less than some men, in return they are financially supported by men and though their Nafagheh must be gratified by men, they are also allowed to have their Mahriyeh, to work, to get paid for milking the baby, to get inheritance and etc.

4-6- to survey the issue of inheritance of women, we should consider the total system of Islamic thought, and then I believe that we will not face any problems.

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8. The Holy Quran, trans. Yusuf Ali

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³⁸ The Holy Qur'an, *An Nahl* 58; *Az Zukhruf* 17.

³⁹ Allot, *At Takwiir* 8-9.

⁴⁰ Allot, *Ali 'Imran* 195.

⁴¹ Allot, *Al Ahzab* 35.

⁴² The Holy Qur'an, *Ali 'Imran*, 61.

⁴³ Allot, *An Nisaa'*, 32

⁴⁴ Allot, *Al Kautsar*, 1.

⁴⁵ Allot, *At Tahriim* 10-12.

⁴⁶ *Nahjolbalaghe*, letter 31