

Book 11: KITAB AL-FARA'ID (THE BOOK PERTAINING TO THE RULES OF INHERITANCE)

Chapter 1 :

GIVE THE INHERITANCE TO THOSE ENTITLED TO IT

Hadith 3928: Usama b. Zaid reported Allah's Messenger (may peace be upon him) as saying: A Muslim is not entitled to inherit from a non-Muslim, and a non-Muslim is not entitled to inherit from a Muslim.

Hadith 3929: Ibn Abbas (Allah be pleased with them) reported Allah's Messenger (may peace be upon him) as saying: Give the shares to those who are entitled to them, and what remains over goes to the nearest male heir.

Hadith 3930: Ibn 'Abbas (Allah be pleased with them) reported Allah's Messenger (may peace be upon him) as saying: Give the shares to those who are entitled to them, and what is left from those who are entitled to it goes to the nearest male heir.

Hadith 3931: Tawus reported on the authority of his father Ibn Abbas (Allah be pleased with them) narrating that Allah's Messenger (may peace be upon him) said: Distribute the property amongst Ahl al-Fara'id, according to the Book of Allah, and what is left out of them goes to the nearest male heir.

Chapter 2 :

THE LAW OF INHERITANCE IN REGARD TO AL-KALALA (THE PERSON WHO DIES LEAVING NO CHILD OR PARENT)

Hadith 3932: Jabir b. 'Abdullah (Allah be pleased with them) reported: I fell sick and there came to me on foot Allah's

Messenger (may peace be upon him) and Abu Bakr for inquiring after my health. I fainted. He (the Holy Prophet) performed ablution and then sprinkled over me the water of his ablution. I felt some relief and said: Allah's Messenger, how should I decide about my property? He said nothing to me in response until this verse pertaining to the law of inheritance was revealed: "They ask you for a decision ; say: Allah gives you a decision concerning the person who has neither parents nor children" (iv. 177).

Hadith 3933: Jabir b. 'Abdullah (Allah be pleased with him) reported: Allah's Apostle(may peace be upon him) and Abi Bakr (Allah be pleased with him) visited me on foot in Banu Salama, and found me unconscious. He (the Holy Prophet) called for water and performed ablution and sprinkled out of it (the water) over me. I felt relieved. I said: Allah's Messenger, what should I do with my property? And this verse was revealed: "Allah enjoins you concerning your children: for the male is equal of the portion of two females."

Hadith 3934: Jabir b. 'Abdullah (Allah be pleased with them) reported: While I had been ill Allah's Messenger (may peace be upon him) visited me and Abu Bakr (Allah be pleased with him) was with him, and they both came walking on foot. He (the Holy Prophet) found me unconscious. Allah's Messenger (may peace be upon him) performed ablution and then sprinkled over me the water of his ablution. I felt relieved regained my consciousness) and found Allah's Messenger (may peace be upon him) there. I said: Allah's Messenger, what should I do with my property ? He gave me no reply until the verse (iv. 177) relating to the law of inheritance was revealed.

Hadith 3935: Jabir b. Abdullah (Allah be pleased with him) reported: While I was ill Allah's Messenger (may peace be upon him) came to me and found me unconscious. He (the Holy Prophet) performed ablution, and sprinkled over me the water of his ablution. I regained my consciousness and said: Allah's Messenger, my case of inheritance is that of Kalala. Then the verse pertaining to the inheritance (of Kalala) was revealed. I (one of the narrators) said: I said to Muhammad b. Munkadir: (Do you mean this verse) "They ask you ; say: Allah gives you decision in regard to Kalala" (iv. 177) ? He said: Yes, it was thus revealed.

Hadith 3936: This hadith is transmitted on the authority of Shu'ba but with a slight variation of words.

Hadith 3937: Abu Talha reported: 'Umar b. al-Khattab (Allah be pleased with him) delivered a sermon on Friday and made a mention of Allah's Apostle (may peace be upon him) and he also made a mention of Abu Bakr (Allah be pleased with him) and then said: I do not leave behind me any problem more difficult than that of Kalala. I did not refer to Allah's Messenger (may peace be upon him) more repeatedly than in case of the problem of Kalala, and he (the Holy Prophet) never showed more annoyance to me than in regard to this problem, so much so that he struck my chest with his fingers and said: 'Umar, does the verse revealed in summer season, at the end of Sura al-Nisa' not suffice you ? Hadrat 'Umar (then) said : If I live I would give such verdict about (Kalala) that everyone would be able to decide whether he reads the Qur'an or he does not.

Hadith 3938: This hadith has been narrated on the authority of

Qatada with the same chain of transmitters.

Chapter 3 :

THE LAST VERSE REVEALED WAS THAT PERTAINING TO KALALA

Hadith 3939: Al-Bara' (Allah be pleased with him) reported that the last verse revealed in the Holy Qur'an is: "They ask thee for a religious verdict; say: Allah gives you a religious verdict about Kalala (the person who has neither parents nor children)"(iv 177).

Hadith 3940: Abu Ishaq said that he heard al-Bara' b. 'Azib (Allah be pleased with him say: The last verse revealed (in the Holy Quran) is that pertaining to Kalala, and the last sura revealed is Sura al-Bara'at.

Hadith 3941: Abu Ishaq said that he heard al-Bara' b. 'Azib (Allah be pleased with him)say : The last complete sura revealed (in the Holy Qur'an) is Sura Tauba (i e. al-Bara'at, ix.), and the last verse revealed is that pertaining to Kalala.

Hadith 3942: Abu Ishaq reported this hadith on the authority of al-Bara' (Allah be pleased with him) with a slight variation of words, viz. the last sura that was revealed complete.

Hadith 3943: Al-Bara' (Allah be pleased with him) reported that the last verse revealed was: "They ask of thee religious verdict . . ." (iv. 177).

Chapter 4 :

HE WHO LEAVES BEHIND PROPERTY, THAT IS FOR THE HEIRS

Hadith 3944: Abu Huraira (Allah be pleased with him) reported that when the body of a dead person having burden of debt upon him was brought to Allah's Messenger(may peace be upon him) he would ask whether he had left property enough to clear off his debt, and if the property left had been sufficient for that (purpose), he observed funeral prayer for him, otherwise he said (to his companions): You observe prayer for your companion. But when Allah opened the gateways of victory for him, he said: I am nearer to the believers than themselves, so if anyone dies leaving a debt, its payment is my responsibility, and if anyone leaves a property, it goes to his heirs.

Hadith 3945: This hadith has been narrated on the authority of al-Zuhri through another chain of transmitters.

Hadith 3946: Abn Huraira (Allah be pleased with him) reported Allah's Apostle (may peace be upon him) having said this: By Him in Whose Hand is the life of Muhammad, there is no believer on the earth with whom I am not the nearest among all the people. He who amongst you (dies) and leaves a debt, I am there to pay it, and he who amongst you (dies) leaving behind children I am there to look after them. And he who amongst You leaves behind property, that is for the inheritor whoever he is.

Hadith 3947: Hammam b. Munabbih reported: This is what Abu Huraira (Allah be pleased with him) narrated to us from Allah's Messenger (may peace be upon him). And he narrated many ahadith, and one was this: Allah's Messenger (may peace be upon him) said: I am, according to the Book of Allah, the Exalted and Majestic, nearest to the believers of all the human beings. So whoever amongst you dies in debt or leaves behind destitute

children, you should call me (for help), for I am his guardian. And who amongst you leaves property, his inheritor is entitled to get it, whoever he is.

Hadith 3948: Abu Huraira (Allah be pleased with him) reported Allah's Apostle (may peace be upon him) as saying : He who leaves property, that is for the inheritors; and he who leaves behind destitute children, then it is my responsibility (to look after them). This hadith has been narrated on the authority of Shu'ba with the same chain of transmitters.