ISLAMIC LAWS OF INHERITANCE – FLOW CHART

1. Funeral Expenses to be taken.
2. Debts to be cleared
   a) Debts to Allah (Unpaid zakath, Hajj etc)
   b) Debts to humans
3. Waseeyat or Will to be implemented not exceeding 1/3 of the property.

Remaining is divided among heirs.

If at the time of division of property other relatives orphans or poor are present give them out of it(Quran 4:8). Its optional, and if all the heirs agree.

Is Son / Sons Alive ? YES → Is Father Alive ?

YES

F	M	H	W	TGM	TGF	D	SD	SF	SC	SU	BU	S	All Others
1/6	1/6	1/4	1/8	0 or 1/6	0	b	0	0	0	0	0	b	0

NO

F	M	H	W	TGM	TGF	D	SD	SF	SC	SU	BU	S	All Others
0	1/6	1/4	1/8	0 or 1/6	1/6	b	0	0	0	0	0	b	0

Is Son's Son(s) Alive ? YES → Is Father Alive ? YES → How many living Daughter(s) the deceased has ?

Single Daughter

F	M	H	W	TGM	TGF	D	SD	SF	SC	SU	BU	SS	All Others
1/6	1/6	1/4	1/8	0 or 1/6	0	1/2	b	0	0	0	0	b	0

2 or More Daughters

F	M	H	W	TGM	TGF	D	SD	SF	SC	SU	BU	SS	All Others
1/6	1/6	1/4	1/8	0 or 1/6	0	2/3	b	0	0	0	0	b	0

No Daughter

F	M	H	W	TGM	TGF	D	SD	SF	SC	SU	BU	SS	All Others
1/6	1/6	1/4	1/8	0 or 1/6	0	NO	b	0	0	0	0	b	0

NO → How many living Daughter(s) the deceased has ?

Single Daughter

F	M	H	W	TGM	TGF	D	SD	SF	SC	SU	BU	SS	All Others
0	1/6	1/4	1/8	0 or 1/6	1/6	1/2	b	0	0	0	0	b	0

2 or More Daughters

F	M	H	W	TGM	TGF	D	SD	SF	SC	SU	BU	SS	All Others
0	1/6	1/4	1/8	0 or 1/6	1/6	2/3	b	0	0	0	0	b	0

No Daughter

F	M	H	W	TGM	TGF	D	SD	SF	SC	SU	BU	SS	All Others
0	1/6	1/4	1/8	0 or 1/6	1/6	NO	b	0	0	0	0	b	0

Is Son's Son's Son(s) Alive ? YES → This is a rare occurance. If you come across this, please refer to our chart including son's son's son/s which will beready insha Allah

Is Father Alive ? YES → How many living Daughter(s) the deceased has ?

Single Daughter

F	M	H	W	TGM	TGF	D	SD	SF	SC	SU	BU	All Others
1/6 + b	1/6	1/4	1/8	0 or 1/6	0	1/2	1/6	0	0	0	0	0

2 or More Daughters

F	M	H	W	TGM	TGF	D	SD	SF	SC	SU	BU	All Others
1/6 + b	1/6	1/4	1/8	0 or 1/6	0	2/3	0	0	0	0	0	0

* See the total number of Brothers & Sisters of all kind.
If the total number of Brothers & Sisters is 1, Mother will get 1/3
If 2 or more, Mother will get 1/6
If mother is eligible for 1/3 and Father, Spouse & Mother are the only heir, Mother is given 1/3 of the balance share after Spouses share is given, not 1/3 of the full property.
If Spouse is not there, Mother will get 1/3

True Grand Mother's Share : Common For All

Mother's mother, father's mother, mother's mother's mother, father's father's mother, father's mother's mother are true grand mothers. Grand mother if single will get 1/6 in the absence of mother. If more than one they divide 1/6 between them. Mother will prevent all grand mothers but father will prevent only father's side grandmothers. Higher grand mothers are excluded by lower grandmothers example : mother's mother's mother is excluded by mother's mother.

Abbreviations used

BU	Brother Uterine
D	Daughter
F	Father
H	Husband
M	Mother
S	Son(s)
SC	Sister Consanguineous
SD	Son's Daughter
SF	Sister Full
SS	Son's Son
SU	Sister Uterine
TGF	True Grand Father
TGM1	True Grand Mother (Mother's Mother)
TGM2	True Grand Mother (Father's Mother)
W	Wife

@ True Grand Father : Difference of Opinions

There are two opinions for grand father with full/consanguinous brothers and sisters.

1). Grand Father takes the balance brothers and sisters get nil.
Aboobacker R.A. opines that true grand father excludes full or consanguinous brothers or sisters. Accepted by Imam Aboo Hanifa.In that case grand father's share is as shown in the chart like father 1/6+Balance and brothers/sisters get nil.

2). Grand Father shares the balance with brothers and sisters.
Zaid bin Thabit R.A. opinion is that share is to be divided between grandfather and full and/or consanguinous brothers & sisters. Three calculations are made. a).balnce after fixed heir's share is divided between grandfather and brother-sisters, grandfather getting equal to that of brother and double that of sister. b). grandfather gets 1/3 of balance and the rest to brother-sister. c). grandfather gets 1/6 of the whole property. After this see in which calculation grandfather gets higher and he goes for that share. If full brothers or sisters are there together with consanguinous, then consanguinous are excluded like any general rule. But they are included for share calculations and after grand father's balance share is given consanguinous brother or sister's share is given to full brother or sister or both as the case may be.This is accepted by Shafei,Maliki and Hambali schools. Most favour second opinion. This is not for uterine brothers or sisters

Mother Share: See the total number of brothers and sisters of all kind. If the total number of brothers and sisters is 1, mother will get 1/3, if 2 or more mother will get 1/6.

Sister Uterine / Brother Uterine

1 SU + 0 BU	1/6
0 SU + 1 BU	1/6
2 or more SU + 0 BU	1/3
2 or more BU + 0 SU	1/3
SU + BU (any number)	1/3 to be equally divided. No male female ratio.

Brother Full's Son will take Balance after allotting Fixed shares

Brother Consanguineous's Son will take Balance after allotting Fixed shares

Brother Full's Son's Son will take Balance after allotting Fixed shares

Brother Consanguineous's Son's Son will take Balance after allotting Fixed shares

Paternal Uncle Full will take Balance after allotting Fixed shares

Paternal Uncle Consanguineous will take Balance after allotting Fixed shares

Paternal Uncle Full's Son will take Balance after allotting Fixed shares

Paternal Uncle Consanguineous's Son will take Balance after allotting Fixed shares

Fixed Share Heirs will take the Balance. This is called RADD

Other blood relatives will take the balance.

Husband / Wife are not eligible for Radd. But, in the absence of distant relatives they take Balance.

One who freed the slave is eligible for the slave's property.

Acknowledged kinsmen will take the balance.

One who is given more than 1/3 as waseeyat will take the balance.