



Sharia intentions in inheritance - a descriptive study

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Abstract

Praise is to Allah, Lord of the Worlds, and peace and blessings are upon Taha, the trustworthy Prophet, and his pure and good family and his honorable and blessed companions. I praise Allah abundantly, even though I confess my inability and shortcomings, and I thank Him for the intention. He has assisted and the difficulty He has facilitated. Preserving wealth is one of the five essentials of Islam, and Allah, the Almighty, the Majestic, has made the rules of inheritance in the decisive revelation and has made it obligatory to act upon them and has threatened those who violate them with the most severe punishment. Allah, the Almighty, declares:

“Will be admitted to Gardens under which rivers flow (in Paradise), to stand therein, and is the great success. And whosoever defies Allah and His Messenger, and transgresses His (set) limits, He will cast him into the Fire, to abide therein; and he shall have a disgraceful torment”¹

In this study, we will examine the objectives of Sharia in inheritance.

Keywords – Prophet, Almighty, Inheritance, revelation

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The first matter

The family and social objectives of the inheritance scheme

God Almighty bestowed a color on the provisions of inheritance, constructing them always preserved within frameworks of love, mercy, and solidarity, unlike other legislations and systems that dealt with the provisions of inheritance. Consequently, in this topic, we shed light on the objectives of inheritance specific to the family and society. We make this focus into two requirements as follows:

The first obligation

The family objectives of the inheritance scheme

There was no detailed definition of the objectives of inheritance among the fundamentalist jurists, so we found that they addressed the definition of objectives in general without specifying a specific part or chapter. Each jurist prepared a specific definition, and most of those definitions poured into the same meaning. As for the position of the Iraqi legislator, he did not describe the objectives of inheritance and his position, as they are not the work of the legislator. After extensive interpretation of the objectives of inheritance, We were able to come up with a specific definition of the objectives of inheritance, hoping to be correct in that the objectives of inheritance are: “the goals and gains that the Lawgiver has set in the provisions of inheritance, obligating His servants to achieve good and benefit for them in the immediate

¹ Surat An-Nisa, verses 13-14.

and the future.” After this brief outline to the definition of the objectives of inheritance, we will discuss the objectives of family inheritance according to the following paragraphs:

First: The purposes of differentiation between heirs and preference between males and females:

In this section, we examine the objectives and preferences of some heirs over some of the many axes:

Many enemies of Islam claim that Islam undermines the rights of women by not providing them equality with men in inheritance. Before delving into the purposes of giving men double the share of women, we draw attention to the fact that the suspicion of preferring men over women is not a general rule but rather a case of inheritance. No rule stipulates that it is essential to give men the share of two females. The truth is that there are circumstances in which women inherit half the share of men, such as in the case of a daughter and son, where the daughter takes one share, and the son takes two shares. There are instances in which women inherit like men, such as maternal brothers and sisters. Rather, there are instances in which the female inherits more than the male's share, such as the meeting of two maternal sisters with two full brothers and the presence of the mother and the wife, so the wife's share is three shares, the mother's share is two shares. The two maternal sisters have four portions, while the two full brothers take the remainder, which are three shares.

The strongest response to the suspicion of choosing the male over the female in inheritance is the existence of cases in which the female inherits. The male does not, such as the assembly of the correct grandmother (the mother's mother) with the incorrect grandfather (the mother's father), so here, the correct grandmother inherits one-sixth as a fixed share, and the remainder is a refund. The grandfather here does not inherit anything because he is a comparative in Sunni jurisprudence. Among the arguments and evidence to oppose the suspicion of preferring the male over the female in inheritance is the non-consideration of gender as a reason for preference, so the difference in shares did not only occur between the male and the female but also between the shares of the females themselves and the shares of the males themselves².

After this brief introduction in response to the suspicion of preferring the male over the female, we now clarify the purposes behind preferring the male over the female in some cases, which are represented by the following:

A- The preference of the male over the female in some cases of inheritance was not due to favoritism of one gender at the expense of another; rather, perhaps the insight of our true religion is that burdens and duties fall that far exceed the financial burdens placed on women, so it dropped their rights to inheritance in order to create a fair balance between the burdens of men and the burdens of women in the social system. The man is charged, whether he is a husband, father, son, or brother, with employing on the woman, while the woman is not charged with spending on anyone; rather, she is charged with spending on herself only, or the man does it, whether before or after marriage. Islam was tremendously kind to women when it always made them the responsibility of the man³.

B- The man is charged with the task of earning, toiling, and controlling to obtain money, so the rule of gain with loss arises here; as the man loses, he gains⁴.

C- The man's ability to invest, so the man usually invests what he inherits, dissimilar the woman and her tendency to save, and this achieves the interest of society⁵.

² Our Professor Dr. Qais Abdul Wahab Issa, Women's Inheritance in Islamic Sharia and Comparative Laws, PhD Thesis Submitted to the College of Law, University of Mosul, 2003, p. 221.

³ Shukri Al-Darbali: Women's Rights in Inheritance between Islamic Jurisprudence and Tunisian Law, Master's Thesis submitted to the Higher Institute of Theology, University of Ez-Zitouna, Algeria, 2010, p. 130.

⁴ Our Professor Dr. Qais Abdul Wahab Issa, previous source, 2010, p. 130.

D- The inheritance of the daughter in Islamic law was not aimed for its own sake; rather, it is arranged according to the marriage system, so it obligated the man to provide her with a dowry and spend on her and her children, and to leave her opinion and work in her money, not limiting her will by his work or his ambitions or his whims. There is sublime wisdom, which is that the damage of half of the woman's right to inheritance to her brother in preference to him did not come except to help with that work in the social structure, so half of her inheritance is lost for the benefit of her brother on the basis that it is for another woman who is her brother's wife, so she has helped her brother to fulfill his duty to the nation and has done another thing to the nation, which is facilitating the marriage of a woman from among the women⁶.

E- The supposed feelings of the deceased have an enormous impact on the intention behind preferring sons over daughters in inheritance. A person is involved with having sons who will be an extension of his lineage, so human nature tends to keep the male, and this is in the sons and their sons. God Almighty said:

"Now I fear (what) my relatives (and colleagues) (will do) after me: but my wife is barren: so give me an heir as from thyself. (One that) will (truly) represent me, and represent the posterity of Jacob; and make him, O my Lord! One with whom Thou art well-pleased!"⁷

Likewise, a person feels the sense of extinction, loss, and death of the male if he does not leave behind males to be related to him. Even women themselves, despite their demonstrative inclinations towards their daughters, feel what men feel in the issue of the continuation of lineage with the presence of male children from behind them.

Second Section

Social Purposes of the Inheritance System

In this section, we adopt the social objectives that result from the inheritance system in Islamic law, so we divide this section into two requirements:

First Requirement

Its Harmony with Human Nature

God Almighty created the children of Adam with a complete nature that is consistent with what God has legislated from this wise religion, so it is not right for those with sound minds to think that the true religion of God would conflict with this nature that man was created with, so if someone imagines a conflict between them, it is one of two things: First: It is a legal matter that does not contradict the sound, correct, and upright nature, and second: It actually contradicts nature but is not a legal matter; Rather, people attributed it to the religion of God Almighty without knowledge or guidance. Our religion came to approve the nature and not deny it⁸, and the evidence for that is the Almighty's saying:

"So direct your face toward the religion, inclining to truth. [Adhere to] the fitrah of Allah upon which He has created [all] people. No change should there be in the creation of Allah. That is the correct religion, but most of the people do not know"⁹.

Any system that conflicts with this nature and contradicts it will not see any good from it, as it does not have the means to survive and continue, which makes it impossible for it to achieve the goals and

⁵ Dr. Abdel Wahab Hawas, *Fath Al-Mughith fi Ilm Al-Mawarith*, Dar Al-Nahda Al-Arabiya, Cairo, 1994, p. 19; Dr. Quraishi Ali, *Maqasid Rulings of the Science of Inheritance in Islamic Law*, a study published in the *Journal of Human Sciences*, Issue 27, 2007, University of Mentouri, Algeria, p. 132; Dr. Abdel Halim Mansour, *Loss of Inheritance in Islamic Law*, 1st ed., Dar Al-Fikr Al-Jami'i, Alexandria, 2010, p. 27.

⁶ Dr. Ahmed Mahmoud Qadan, previous source, p. 262.

⁷ Surah Maryam, verses 5-6.

⁸ Salman bin Fahd Al-Awda, *The Call of Nature in Men and Women*, p. 10.

⁹ Surah Al-Rum, Verse: 30.

purposes for which it was legislated, due to the bad results resulting from working with its provisions¹⁰. The provisions of inheritance came in agreement with the sound nature of man and what he was created with from a set of instincts, tendencies, and desires that are difficult to eradicate. However, rather they must be rectified and refined to keep them away from deviation, such as man's love of owning money, as a man loves money and seeks to collect it. He hopes that his wealth will be transferred after him to his branches and origins. Therefore, this love and his nature upon it makes man endure to move forward to build and develop life. However, rather, it denotes within his energies and inspires him with determination. He invests his abilities to give to himself and his nation and to build a human life that progresses him on the path of human happiness¹¹.

Therefore, Islam approved reserved ownership in order to keep up with nature:

"Do they not see that We have created for them from what Our hands have made, grazing livestock, and [then] they are their owners?"¹², and inspire him not to sit back and build life¹³.

Our pure Sharia is distinguished by its concern of human nature in inheritance due to its great influence on social life, unlike the positive legislations that have wasted consideration of human nature, such as the Marxist system that abolished individual ownership - and then - abolished the right of inheritance. Later, it collapsed and collapsed, as it clashed with the sound and correct human nature, which caused the entire society to suffer its consequences and destroy it, and the same is true of the communist system¹⁴.

The second requirement

Achieving family and social solidarity

Family and social solidarity is one of the most significant purposes and basic goals of the inheritance system in Islamic law, making it within the scope of the family in its extended and comprehensive meaning for everyone related to the deceased by kinship, no matter how far away¹⁵. The expansion of the circle of family ties controlled to expand the circle of solidarity in the extended uterine family, tightening the social ranks and working to liberate man from the prison of need and poverty. The Islamic inheritance arrangement sought to establish the first institution that nourishes society, which is the family¹⁶. The natural family involves of a man and a woman, so the man's inheritance here is double the woman's inheritance. The legislative purpose behind that is to attain social solidarity, so the brother who is the husband of a foreign woman remains connected to his brothers and relatives, feeling responsible towards them. The sister who is the wife of a foreign man remains feeling a appreciation of belonging to her sisters and relatives from the perspective of their responsibility towards her regarding the difference they took in the inheritance, and this represents a social guarantee for her upon the death of her husband and the loss of Its money, and in that is an example of the spirit of family and social solidarity permeating the Islamic inheritance system. Its rules are far from the dry mathematical rules that sever ties and kinship but rather work to reflect them, strengthen them, and sustain them¹⁷. Thus, the provisions of inheritance are manifested, which worked through strengthening the connections between members of the same

¹⁰ Qureshi Ali, previous source, p. 138.

¹¹ Mazen Ismail Haniya, The Legislative Miracle in Inheritance, a research published in the Journal of the Islamic University (Series of Sharia Studies), Volume 13, Issue 2, 2005, Islamic University, Gaza, p. 503, Adel Al-Saidi, The Legislative Miracle in Inheritance, a research published on the Internet on the website <https://www.iameataaman.org> Date of visit: 9/8/2019.

¹² Surah Yasin, verse: 71.

¹³ Dr. Qureshi Ali, previous source, p. 139, Adel Al-Saeedi, previous source.

¹⁴ Mazen Haniyeh, previous source, p. 504, Adel Al-Saidi, previous source.

¹⁵ Dr. Frishi Ali, previous source, 139.

¹⁶ Al-Hadi Brik, previous source.

¹⁷ Abdul Halim Awis, The Inheritance System and Social Solidarity, an article published on the Internet on the website <https://www.alukah.net> Date of visit: 4/29/2020.

family to achieve family solidarity¹⁸, making money go to the family according to the degree of kinship and need and that its benefits are mutual between its members, and the expenses of the incapable relative are obligatory on his wealthy relative, all of that was made a reason for the family to be the successor to the deceased in his money, which has a role in strengthening the relations between its members, developing cooperation between them for each individual to feel that he has a share in the money of the other, from which he takes when in need and incapacity and some of it goes to him upon death, so the spirit of love is strengthened. The close connection between relatives' increases, so the entire society lives within the compass of family and social solidarity¹⁹, and in that, the Almighty says:

“The Prophet is more worthy of the believers than themselves, and his wives are [in the position of] their mothers. And those of [blood] relationship are more entitled [to inheritance] in the decree of Allah than the [other] believers and the emigrants, except that you may do to your close associates a kindness [through bequest]. That was in the Book inscribed”²⁰.

Achieving family solidarity through inheritance necessarily leads us to the supplies of general balance in the verse and achieving self-sufficiency against need and poverty for a large segment of society. This is evident from the texts of the Book of God in the verses of inheritance, which convey within them the guarantee of solidarity, compassion, and sympathy between members of the same family, which ultimately creates social solidarity²¹.

As for the position of the Iraqi legislator, he worked to maintain family solidarity by limiting inheritance within the scope of the family and making it reach as wide as possible for the family to achieve social cohesion. This position was embodied in the manual of Article (89) of the Personal Status Law No. (188) of 1959, which stipulated: (Heirs by kinship and the manner of their inheritance):

- 1- Parents and children, and if they are appeared, the male shall have the share of two females.
- 2- Grandfathers, grandmothers, brothers, sisters, and children of brothers and sisters.
- 3- Uncles, aunts, maternal uncles, maternal aunts, and uterine relatives.

Section Three

Economic Purposes of the Inheritance System

In this section, we shed light on the economic and financial objectives achieved by the inheritance arrangement. Our noble Sharia controls economic treasures within the folds of this system. Therefore, we will divide this topic into the following demands:

First demand

Images of the economic objectives of inheritance

In this demand, we will examine many economic objectives that the inheritance system worked to achieve and take into account, and these objectives were represented in the following images:

First: Efficiency

One of the most important objectives of the Islamic inheritance system is to work to attain economic efficiency. Economic efficiency is defined as using appropriate means and mechanisms to achieve the anticipated objectives of any system in a way that achieves effectiveness between mechanisms and means

¹⁸ Dr. Kamal Tawfiq Muhammad al-Hattab, *Economic Perspectives on the Wisdom of Inheritance Distribution in Islam*, previous source, p. 130, Dr. Kamal Ladraa, previous source, 27.

¹⁹ Dr. Qureshi Ali, previous source, p. 27.

²⁰ Surah Al-Ahzab, verse: 6.

²¹ Dr. Khaled Ali Salima Bani Ahmed, *Social Security Law in Light of Islamic Sharia*, 1st ed., Dar Al-Hamed for Publishing and Distribution, Jordan, 2008, p. 53.

while taking into account speed and costs²². The means of efficiency in the inheritance system are not restricted to one means but rather include all the joints of the inheritance system. We will show the most prominent means of efficiency of the inheritance system conferring to the following:

1- Its efficiency in preserving the rights of the heirs:

General rule: Money is transferred to the heirs upon the death of its owner, and as an exception to this rule, the wise Shari'a permitted the owner to dispose of his property within the limits of one-third of the estate by will in order to realize what he missed of good deeds and righteousness, so Islamic law guaranteed the rights of the heirs by not opening the door to its doors are wide open in the field of will.

2- Its efficiency in protecting the shares of the heirs:

Islam is very keen on the integrity of the inheritance regulations, so the Almighty God has threatened those who tamper with these shares with severe punishment on the Day of Resurrection. God Almighty says:

“These are the limits [set by] Allah, and whoever obeys Allah and His Messenger will be admitted by Him to gardens [in Paradise] under which rivers flow, abiding eternally therein; and that is the great attainment. And whoever disobeys Allah and His Messenger and transgresses His limits - He will put him into the Fire to abide eternally therein, and he will have a humiliating punishment”²³.

To avoid any fraud and manipulation of the inheritance provisions, we see that some jurists have gone to the invalidity of the will for the heir, so the image of efficiency is clearly embodied here by accurately determining the shares of the heirs and blocking all ways of distorting or attacking them.

1- Its efficiency in providing the necessary information for the economic future:

The knowledge of the divisions of the inheritance system for all heirs, young and old, male and female, sustains the effectiveness of the economic process and, most notably, the reassurance of the heir concerned with the economic path of his inheritor, as the future of wealth is known through the inheritance system, so this necessary and very important information for the person concerned with the economic future of his inheritor's wealth helps to develop wealth. Here, another appearance of the economic efficiency of the inheritance system is revealed.

2- Efficiency in using resources:

The transfer of the largest part of the inheritance to young elements often increases the productivity of use. It reduces economic loss and waste, especially since these young elements usually possess renewable energies and unrestricted ambitions. However, these energies and ambitions must be filled with the teachings of Islam, its ethics, morals, and controls in investing money; otherwise, the wealth will be dissipated and lost²⁴.

Second: Inequality among heirs in distribution

The fair inheritance system came in harmony with human nature. It integrated with the reality of family and human life, and this performs clearly when compared to any other system known to humanity²⁵. The inheritance system in Islamic law is one of the most extensive inheritance systems in survival. This system did not treat the heirs equally in distributing the estate but rather based its distribution of the estate on the foundations of communal and economic justice. Therefore, we find that it sometimes differentiated between the share of men and women due to the madman's guardianship and his undertaking of the hardships of toil and fatigue and devoting on his family. The most important thing in

²² Nasser Salama Aqla, The Economic Effects of the Inheritance System in Islamic Sharia, Master's Thesis submitted to the Department of Economics and Islamic Banking, Yarmouk University, Jordan, 2003, p. 35.

²³ Surat An-Nisa, verses 13-14.

²⁴ Nasser Salama Aqla, previous source, p. 35.

²⁵ Dr. Ahmed Youssef, 1st ed., Al-Alamiya Foundation for Culture and Science, Algeria, 2013, p. 52.

this matter is that men have a greater capability than women to support economic development²⁶. We find that the difference between the inheritance percentage according to proximity and distance from the deceased is associated to the expense according to the rule of gain and loss. As for the reason for the inequality of the future heirs with the heirs who are, in turn, alive, it is that those who are, in turn, alive are more capable of production and construction. Similarly, the inheritance system differentiates between the heirs according to need and benefit. The people who benefit the deceased the most are his relatives who are close to him, such as children, parents, husband or wife²⁷. Suppose we want to link the purpose of unfairness between the shares of the heirs in distributing the estate to the economic aspect. In that case, it has a pivotal part in the ability to produce and invest, leading to economic development in society.

Third: Increasing employment and reducing unemployment

The inheritance system worked to arrange a suitable vessel for the incentive for economic activity. We find that Islamic economic consideration closely linked the incentive to economic progress²⁸. As for preparing the incentive, it is exemplified in that the inheritance system distributes the estate among a large number of heirs, which makes it provide new job opportunities for the unemployed. It allocated the estate among many hands of the heirs. It worked to add the total demand against the backdrop of the emergence of new incomes with purchasing power, leading to an increase in the demand for final goods, which is followed by an increase in the demand for raw materials and production requirements, all of which pushes the process of employment, investment, and production forward, reducing unemployment and recession²⁹.

It is proven in economic analyses that the marginal propensity to consume among the middle or poor classes is greater than that among the rich classes, and this leads us to say that the increase in investment in middle or poor societies results in a greater increase in national income than in rich societies³⁰.

Fourth: Increase in the production of basic goods

The inheritance system's keenness on the fair distribution of wealth and not limiting it to a few hands played a role in encouraging an increase in the production of basic goods that the nation needs in order to achieve an economic balance between the classes and individuals of society³¹; because confining the inheritance to a few hands – most of whom are from the rich class – will lead to an increase in demand for recreational and luxury goods, unlike the case when it is distributed among many hands. Thus, the intensity and accumulation of wealth decrease. Demand is focused towards basic and needed goods, and small and medium enterprises will appear. All of this leads to an increase in the production of basic, necessary, and required goods, and this indirectly leads to reducing the budget deficit through the expenditures allocated to support the production of basic goods³².

Fifth: Fragmentation and redistribution of wealth:

Islam permitted individualism by allowing the right to freedom of ownership, but it did not leave the door wide open without restriction or commitment to the accumulation of wealth and making it concentrated in a few hands; rather, it worked to fragment this wealth through the continuous circulation of wealth to prevent it from inflating or accumulating in a few hands. The inheritance system that Quranic justice founded in Islamic society did not allow the freezing of wealth after the death of its owners or its

²⁶ Dr. Rafat Al-Sayed Al-Awady, previous source, p. 341.

²⁷ Nasser Salama Aqla, previous source, p. 52.

²⁸ Dr. Rafat Al-Sayed Al-Awady, previous source, p. 307.

²⁹ Dr. Kamal Tawfiq Muhammad al-Hattab, Economic Perspectives on the Wisdom of Inheritance Distribution in Islam, previous source, p. 300; Dr. Farag Muhammad Salim, previous source, p. 139; Dr. Abdul Halim Mansour, previous source, p. 26.

³⁰ Dr. Khalil Muhammad Al-Hattab, Economic Perspectives on the Wisdom of Inheritance Distribution in Islam, previous source, p. 300.

³¹ Dr. Khalil Muhammad Al-Khalidi, Social Organization in Islam, 1st ed., Dar Aida, 2012, p. 243.

³² Dr. Abdel Halim Mansour, previous source, p. 126; Dr. Kamal Tawfiq Al-Hattab, Economic Views on the Wisdom of Inheritance Distribution in Islam, previous source, p. 300; Dr. Farag Muhammad Salem, previous source, p. 39.

monopolization by one group, but rather it worked to fragment it and continue its distribution with justice and fairness, without favoritism or prejudice to reach the largest possible number of origins and branches³³. The truth that many have missed is that the mission and choice of the Islamic inheritance system is the explicit and decisive definition of the properties or wealth resulting from the ownership of the deceased, so it undertook to divide it and transfer it to multiple properties³⁴. God Almighty said:

“And what Allah restored to His Messenger from the people of the towns - it is for Allah and for the Messenger and for [his] near relatives and orphans and the [stranded] traveler - so that it will not be a perpetual distribution among the rich from among you. And whatever the Messenger has given you - take; and what he has forbidden you - refrain from. And fear Allah; indeed, Allah is severe in penalty”³⁵.

A person who works to accumulate great wealth and his money adds the end of money and wealth after his death turns into small categories after dividing it among his branches, origins, and entourage³⁶ in the hands of a small group, which may lead to these categories or individuals controlling the nation's resources and tampering with the scales of justice³⁷.

It is worth observing that distributing wealth by fragmenting it among many categories is considered one of the objectives of Islamic law in money, as the purpose is to transfer money through many hands in the nation in a way that does not cause any harm to its acquirer and to facilitate the circulation of money among individuals of the nation and to remove it from being confined to one hand or moving from one to another is a legitimate objective³⁸.

Sixth: The circulation of money and its preservation

The objectives that the Sharia seeks from money in its movement and circulation are so that different hands circulate it without it becoming the monopoly of certain categories of heirs who collect and accumulate money and do not take into account Allah's right in it and the aim of these objectives is not to prevent the accumulation and multiplication of money; Because money is a means to many noble goals that should be achieved.

Conclusion

Praise is to God for His grace and generosity, for He has aided me to complete this study. After moving widely between the folds of our research (the legal objectives of inheritance), we hope that we have covered all its aspects. At the end of this study, we must provide a set of results and recommendations as follows:

First: Results

1- The objectives of inheritance are the aims and interests that the wise Lawgiver has set in the provisions of inheritance, obligating His servants to them in order to achieve good and benefit for them in the immediate and future.

2- The inheritance system in Islamic law achieves significant family objectives represented by the following:

A- The objectives of differentiation between heirs, such as desiring the male over the female in some cases of inheritance due to the financial burdens borne by the man and being the one charged with toiling and working in order to obtain money, in addition to his ability to invest, and taking into account the supposed feelings of the deceased.

³³ Dr. Omar bin Fayhan Al-Marzouqi, previous source, p. 129.

³⁴ Nasser Salama Aqla, previous source, p. 70.

³⁵ Surah Al-Hashr, verse: 7.

³⁶ Adel Al-Saidi, previous source.

³⁷ Dr. Ahmed Youssef Suleiman Shaheen, previous source, p. 58; Mazen Ismail Haniya, previous source, 505.

³⁸ Ibn Ashur, The Objectives of Islamic Law, p. 176, quoted from Dr. Kamal Ladraa, previous source, p. 24.

B- The purposes of preferring children over parents were to expedite life for the new generation and because children are more capable of investing money than parents, in addition to the supposed feelings of the deceased.

C- The purpose of preferring the husband over the wife, as the husband is dependable for the costs of marriage and the wife's expenses and has a greater ability to accumulate wealth, so he tends to invest.

3- The inheritance system in Islamic law achieves social points; these purposes are embodied in the following:

A- It is in harmony with human nature.

B- It is an achievement of family and social solidarity.

C- Working to produce classes closer together.

D- Achieving the principle of succession in money and social justice constructs a cohesive society.

4- The inheritance system in Islamic law maintains economic purposes; these purposes are manifested in the following:

A- Its consideration of efficiency, as the inheritance system, has confirmed its worthiness in preserving the rights of heirs and protecting their shares, providing the necessary information for the economic future, and using resources.

B- The inheritance system increased employment, decreased unemployment, encouraged an increase in the production of basic goods, and fragmented and redistributed wealth, in addition to marrying and preserving money.

C- The inheritance system increased savings and then focused it towards investment by pushing the inheritance system towards more effort and activity for himself first and for his family second in order to secure their future.

5- Then, the early and contemporary Muslim jurists describe personal possessions, and we have reached the definition of personal possessions as (what the deceased leaves of personal items and luggage that touch the emotions and feelings of the heirs in acquiring or keeping them, regardless of the value of these things).

6- The efforts of jurists other than the Jaafari see that the individual possessions of the deceased are considered part of the estate because they constitute a value, whether this value is material or moral. Therefore, they do not separate between the deceased's money and make it all, whether it is real estate, movable property, or personal belongings. Then, they inherit it according to the regulations of inheritance without any specificity in its inheritance.

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