

The Employment of Foundational Indicators in the Interpretation of Inheritance Verses

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Abstract

This study, titled "Utilizing Fundamental Indications in Interpreting Verses of Inheritance," aims to show the significance of the science of indications in fundamental research and interpretive methodology, and how to employ indications in understanding legal texts. It reviewed the verses of rulings related to the science of shares as a starting point to apply and activate the theoretical aspect, providing a fertile ground to illustrate the methodology of interpreters and jurists in deriving legal rulings and reading the text with its words, implications, and meanings. The study concluded that the first step in understanding meanings is to know the indication, as it directs the texts toward the purpose for which they were revealed. These texts were meant to keep pace with the times and meet people's needs in light of emerging developments. Since these meanings are sometimes derived from the apparent aspects of explicit texts and sometimes from their hidden aspects, which the mind can only grasp through deeper contemplation and reflection, it is essential for anyone who issues judgments and fatwas based on the texts of the two revelations to be knowledgeable about how to uncover meanings and their intentions from words, while considering the methods of derivation that lead to clarifying the legal ruling.

Keywords: *Employing Semantics, Interpreting Verses of Inheritance and Duties.*

Introduction

Praise and blessing be upon Allah, and blessing be upon our master Muhammad and be pleased with all companions.

As for what follows:

The noblest and greatest of sciences is that which pertains to the Book of Allah, the Exalted, in terms of recitation, interpretation, and contemplation; this is due to the nobility of its subject, its lofty goal, and the importance of the science of semantics, which is not hidden from those engaged with the Book of Allah and its sciences in terms of interpretation and clarification of its rulings and wisdom. It is impossible to interpret Him, the Exalted, in isolation from this science, as it is the path that leads to elucidating its meanings, implications, and context.

Words are the vessels of meanings, and since those meanings are sometimes derived from the apparent texts and sometimes from their hidden aspects, which the mind cannot grasp except with further contemplation and reflection, it is essential for the interpreter to be knowledgeable about how to uncover the hidden aspects of the texts to arrive at the intended meaning. Therefore, you will not find any work among the works of Quranic sciences or the principles of interpretation that does not explicitly emphasize the importance of the science of semantics. In fact, this science is considered a cornerstone of the principles of interpretation and jurisprudence. Hence, the idea of this topic emerged, titled (The Employment of Foundational Indicators in the Interpretation of Inheritance Verses). This studying is distributed into three sections after the introduction.

The first requirement: Employing semantics in understanding the eleventh verse of Surah An-Nisa

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The Second Requirement: The operation of semantics in the twelfth verse of Surah An-Nisa

The Third Requirement: Employing semantics in understanding In verse one hundred and seventy-six of Surah An-Nisa .

relatives and orphans and the needy are present at the [time of] division”

And a conclusion.

Introduction: The theoretical framework of the research title includes:

Branch One: Clarification of the term employment:

Employment in language: A noun derived from the four-letter verb Employ, it is said: Employ, to employ, employment on the pattern of Activation, meaning operation and investment, and from it, the employment of money: operating and investing it, meaning utilizing it.

Employment in terminology: Derived from the linguistic meaning, it refers to assigning a specific task to a person or thing, such as employing a man to collect taxes, and employing money in trade.

Branch Two: Clarification of the term indications and its categories:

Indication in language: A noun from the verb Indicated, to indicate (dalah), with an open past and a closed present, and the indication, with a threefold, and with an opening, it is on the pattern of Cloud, with a break, then the closure weakens it. It has several meanings, including:

A: Guidance and rectification, as in: He indicated to him the way, meaning he guided him, and from it.

B: Explanation, from which is the statement with a verbal or non-verbal sign, intentionally or unintentionally from the indicator.

And the root indicate (dalah)has other meanings elaborated in dictionaries, and the indicator is the one from whom that was obtained, and the seeker of evidence and indication.

Indication in the terminological principles:

The term " indicate (dalah)" in the terminology of jurists refers to the action of the evidence. The evidence is "the guide to a news requirement." Ibn al-Najjar said: "The existence of something necessitates the understanding of another; the first is the indicator and the second is the indicated." Therefore, the intended meaning of " indicate (dalah)" in its general sense is the "understanding of one matter from another, or the existence of a matter such that another matter can be understood from it, whether it is understood in reality or not. In order for there to be a indicate (dalah), two elements must exist: the indicator and the indicated. For example, the presence of dates on the ground indicates the existence of the palm tree being indicated. indicate (Dalah) is built from the indicator and the indicated; if it is restricted by a condition, it is then conditional. In my thesis, it is restricted to jurisprudential matters.

Categories of indicate (dalah): The scholars of jurisprudence have categorized indicate into several types because it does not escape two situations: either verbal or non-verbal, and they are of six types:

- Natural verbal indicate (dalah): The indication of a word towards a meaning for which it was not specifically designated, but the indication is by nature, such as the continuous sneezing indicating an allergy, and fever indicating illness.

- Rational verbal indicate (dalah): What is related to explaining the meaning of the word from a rational perspective, such as the contradiction of witnesses' statements indicating their untruthfulness.
- Positional verbal indicate (dalah): This is when a word is such that if it is uttered, its meaning is understood by definition, whether linguistically, customarily, legally, or in any established terminology, such as the indication of the word "prayer" towards what it is designated for legally.
- Natural non-verbal indication: what conveys meaning through nature and habit, such as the indication of paleness for fear and redness for embarrassment, and rapid pulse indicating quick movement.
- Intellectual non-verbal indication: what conveys meaning through reason, such as the indication of the effect for the cause, and the indication of the universe in its entirety for the existence of the Creator, and smoke for fire.
- Conventional non-verbal indication: the conveyance of meaning through reason.

The verbal conventional indication is what the scholars of principles intend; because it is regulated unlike others, and it is limited to three types:

First: Correspondence: the indication of the word to its complete referent, named so because it indicates the complete meaning for which it was designated, such as the indication of names for their referents, and the indication of a woman for an adult female.

Second: Inclusion: the indication of the word to part of what it was designated for, or the indication of the word to part of the meaning within it, named so because the meaning includes its part indicated, such as the indication of the word "human" for what is included in its meaning of animal or speaker.

Third: Commitment: The indication of a word on a necessary mental implication, and it is said: the indication of a word on a matter outside its necessary meaning, and it is called that because it entails the signified. The commitment indication has three types:

A: Necessary for the meaning in both the mind and the external world, like the indication of the number eight on evenness.

B: Necessary in the mind only, like the indication of sight for blindness.

C: Necessary in the external world only, like the indication of the raven for blackness; because there is no raven in the external world except that it is characterized by blackness, and like the indication of the mother for the parent in accordance, which entails filiation, and by implication love, compassion, affection, and mercy. These three indications appeared in the term mother.

The second requirement: Clarification of the term interpretation, which includes:

Interpretation in language: It is the source of the quadruple intensified verb explain (Fasar)., and the root of the word is explain (Fasar). It is used to mean several things, including:

First: Explanation, and from it comes clarification and elucidation. When you say: I explained the thing, and I interpreted it, I clarified and elucidated it, and the emphasis in it indicates abundance.

Second: Uncovering what is covered by the problematic word, and it is used in sensory uncovering and in uncovering rational meanings. Its use in the rational is more than the first, as established by Al-Dhahabi.

Third: The term interpretation is also used to mean stripping for launching, you say: I stripped the horse: I uncovered it to let it run, and it is also in the sense of uncovering, as if he uncovered its back for that which he wants from running.

Interpretation in terminology: There are many different definitions with similar meanings and purposes. Al-Zarkashi defined it as: A science that studies how to understand the Holy Qur'an and explain its rulings and meanings.

Branch Three: Clarifying the Status of the Science of Semantics

Al-Shatibi, said: "Any expression derived from Holy Quran that does not conform to the Arabic language is not part of the sciences of the Quran, neither in what can be derived from it nor by it. The sayings of scholars related the status of the science of semantics are numerous, which I can summarize in these points

- It is one of the noblest sciences and one of the characteristics of this nation alongside the science of Hadith; the former pertains to understanding and controlling the mind, while the latter pertains to transmission and narration, and there is no equivalent to them among other nations.
- A way for understanding texts.
- It is the foundation of jurisprudence; indeed, jurisprudence cannot stand without it. Its role is not limited to legal deduction but extends beyond that. A commentator cannot delve into interpretation unless he has absorbed this science into his very being, just as the Hadith scholar and the specialist in creed must do.
- The one who is proficient in it is elevated from the rank of imitation to the rank of independent jurist.
- It is a science that combines transmission and reason. Al-Ghazali said: "The noblest of sciences is that in which reason and hearing are paired, and in which opinion and divine law accompany each other. The science of jurisprudence and its principles fall into this category, as it draws from the purity of divine law and reason equally, neither is it purely a matter of intellect that the divine law does not accept, nor is it based solely on imitation that reason does not support or confirm."

The first requirement: Employing semantics in understanding the eleventh verse of Surah An-Nisa:

Al-Bukhari reported from Jabir, may Allah be pleased with him, who said: The Prophet, peace be upon him, and Abu Bakr visited me in Banu Salama while walking, and the Prophet, peace be upon him, found me senseless. He called for water, performed ablution, and then sprinkled it on me, and I regained consciousness. I said: What do you command me to do with my wealth, O Messenger of Allah? Then the verse was revealed; to transfer people from injustice to the justice of Islam. Al-Tabari reported from Ibn Abbas, may Allah be pleased with him, that when the verse was revealed, people, or some of them, disliked it and said: A woman is given a quarter or an eighth, a daughter is given half, and a young boy is given inheritance, while none of these fight the people or take the spoils. They said: Let's remain silent about this matter, perhaps the Messenger of Allah, peace be upon him, will forget it, or we can tell him to change it. Some said: O Messenger of Allah, a girl is given half of what her father left, yet she does not ride a horse nor fight the people, and a boy is given inheritance but cannot contribute anything. They used to do this in the days of ignorance, giving inheritance only to those who fought and giving it to the eldest first.

The answer came from Allah, Blessed and Exalted, at the end of the verse after clarifying the shares: (the sequence of letters), by His knowledge, wisdom, and justice, the division was established, which will become clear through the application of foundational indications in interpreting the verse:

First branch: The indications based on the placement of the word on the meaning, and in it:

Firstly: The generality of Allah's saying: ﴿Allah commands you concerning your children﴾ { applies to every heir, and thus it is said to be general for the inheritors, successors, and all people. As for the inheritors, the hadith of Sa'd ibn Abi Waqqas, may Allah be pleased with him, indicates this, and the hadith...

And the narration of Aisha (may Allah be pleased with her) supports this. Therefore, Allah Almighty has clarified that a person has more right to himself than others. If someone finds a reason for his demise due to illness or death, two-thirds of his wealth is restricted, and he is constrained; this is due to the right of the heir being attached to him. As for the rulers, they should adjudicate this matter against anyone who disputes it. As for the people, they should be knowledgeable about it, and for those who are ignorant, they should clarify it, and those who oppose it should be denounced.

Secondly: The saying of Allah Almighty: "Allah instructs you concerning your children" is a general statement that is specified by the saying of Allah Almighty: "For the male is what is equal to the share of two females" and by the saying of the Prophet (peace be upon him): "give the shares to their beneficiaries, and what remains is for the closest male relative." Thus, the division varies according to the variation in rank. Therefore:

If the rank is equal and the children are male and female, the division will be twice as much for the male for the female.

If they differ in rank, the higher one excludes the lower one.

If the higher is male, the lower is excluded.

If the higher is female, she takes her right, and whatever remains is for the male if he is a father after taking his right, and if the male is lower, whatever remains is for him after she takes her right.

If there is one female, she takes half, and if the lower is female, she takes one-sixth to complete the two-thirds according to the prophetic tradition.

If the higher is two daughters, they take two-thirds, and if the lower is one or more daughters, they receive nothing unless there is a son with them of the same rank or lower, in which case the remaining share is for the lower, equal to the share of two females.

Thirdly: The saying of Allah Almighty: "Allah instructs you concerning your children" is a general statement that is specified by:

The inheritance of the Prophet (peace be upon him) because he said: "We do not inherit what we leave behind; it is charity."

Slavery is unanimously agreed upon, as inheriting it leads to inheriting a foreigner. The master owns the slave and his earnings, and it is known that the reasons for inheritance in Islam indicate that a foreigner does not inherit from one with whom there is no kinship or marriage.

Killing, based on the saying of the Prophet (peace be upon him): "The killer does not inherit," despite the juristic disagreement on the issue of unintentional killing.

Disbelief and apostasy, as the Prophet (May Allah bless him and grant him peace) said: " According to the text, People do not inherit from each other if they are of two different religions." There is disagreement regarding the inheritance of a Muslim from an apostate non-Muslim, with three opinions.

Fourth: The saying of Allah: "After a will which he wishes to make or a debt," is general for the heir and restricted for the foreigner, as stated by the Prophet (May Allah bless him and grant him peace): "Indeed, Allah has given every owner of a right his right; there is no will for an heir." In the context of the testator, it indicates that each of them may bequeath from their wealth, and she may give from her wealth to whomever she wishes without her husband's permission, and she has the right to withhold her dowry and not give anything from it.

Fifth: The disagreement regarding applying the general to the specific in the saying of Allah: "After a will which he wishes to make or a debt." The will is general but restricted by the saying of the Prophet (peace be upon him): "One-third and one-third is much; it is better for you to leave your descendants rich than leaving them poor, begging from people." There is disagreement on whether to apply the general to the specific for one who has no specific heir, or to act on both texts, with two opinions.

The first opinion: The absolute remains as it is, and the restricted remains restricted. Accordingly, it is permissible for someone without a specific heir to bequeath more than one-third of all their wealth. Al-Jassas stated: The verse implies the permissibility of bequeathing all the wealth were it not for the consensus and the Sunnah indicating the prohibition of that and the obligation to limit it to one-third and the entitlement of male and female relatives. Therefore, whenever there is no one entitled to specify the bequest in part of the wealth, the term should be used to indicate the permissibility of bequeathing all the wealth as it appears. This is the view of the Hanafis and one of the opinions of Ahmad, may Allah have mercy on them.

The second opinion: The absolute is interpreted according to the restricted, and thus it is not permissible to bequeath more than one-third, because the bequest was revealed concerning certain individuals, not in general. This is the view of Malik, Al-Shafi'i, and one of the opinions of Ahmad, may Allah have mercy on them.

Branch three: The explicit and the implicit, which includes:

First: Numerous rulings, some of which are derived from the apparent text and some of which are explicitly stated by the legislator, are:

The verse specifies that:

The eleventh verse of Surah An-Nisa stipulates that the male gets the share of two females, and if there is more than one female, they get two-thirds of the estate, and if there is one, then she gets half of the estate.

The parents receive one-sixth when there is a descendant heir, but if there is no descendant, the parent "mother" takes one-third, and if there are siblings, the mother is restricted from one-third to one-sixth.

The apparent meaning:

His saying: "And for parents, to each one of them is one-sixth of what he leaves if he has a child," refers to the closest father, not the more distant one, and the term "child" refers to both male and female. Consequently, the mother is restricted from one-third to one-sixth, and the father receives one-sixth if the child is male, and one-sixth with the remainder through inheritance if the child is female.

- The term "siblings" is plural, and thus those who prevent the mother from receiving a third to a sixth should be three or more, which is the view of Abdullah Ibn Abbas contrary to the majority that the ruling of two in inheritance is the same as that of three or more.
- The apparent meaning of siblings is unrestricted, and thus it includes siblings from the mother in inheritance.
- The mentioned division only occurs after deducting what must be removed due to debt or a will.

- The Almighty's saying: "If he has no child and his parents inherit him, then for his mother is a third," is in the context of inheriting alone without anyone else from the heirs, so if the mother receives a third, the father receives two-thirds.

The text refers to:

- That in the case of a male inheriting alongside two females, he has two shares and they have two shares, while when the son is alone, he inherits all the wealth.
- The heritage of father in the nonexistence of direct inherits and in the presence of siblings along with the mother.
- The status and importance of the will.

The verse clarifies the ambiguity. It is not a condition of clarification that all obligated individuals at that time must know it; rather, it is permissible that some of them may have delayed hearing it. Among this is that the Prophet, May Allah bless him and grant him peace, clarified that the general meaning of the Almighty's saying: "Allah instructs you concerning your children" does not include the prophets, as he said: "We do not inherit; what we leave behind is charity." This does not diminish the clarity of this statement that Fatimah, may Allah be bless her, was unaware of it and went to Abu Bakr requesting for her heritage from him.

The most beautiful inheritance of the two daughters is after specifying the inheritance of one, and what is above two, as stated in his saying, peace be upon him: "Give the two-thirds to the girls of Sa'd, and give their mother one-eighth, and what remains is for you." For the daughter, there is half, and for the daughter of the son, there is one-sixth to complete the two-thirds. Then, in another text, the legislator summarized the inheritance of sisters if they are more than two and specified the inheritance of one and two. The majority of scholars said that the ruling of the general should be carried over to the specific, and by clear analogy for those who see the essence of the address as a form of analogy.

The second branch: the concept:

First: The concept of the condition "May Allah bless him and grant him peace"

if there are more than two women, they have two-thirds of what he left," but this is rejected due to its opposition to the text: "Give the two-thirds to the daughters of Sa'd, and give their mother one-eighth, and what remains is for you.

for the daughter of the son, there is one-sixth to complete the two-thirds, and also by clear analogy or by the essence of the address.

Secondly: The concept of the condition "And if there is one, she has half," if the condition is negated, then the conditioned is negated; therefore, Zayd, may Allah be pleased with him, rejected what Ibn Abbas, may Allah be pleased with him, said about treating two daughters like one in ruling.

Thirdly: The concept of the condition "And for his parents, each one of them has one-sixth of what he left if he has a child," if the condition is negated, then the conditioned is negated; therefore, the text came in the mother when there is no inheriting offspring, as Allah says: "If he has no child and his parents inherit him, then for his mother is one-third."

Fourthly: "If he has brothers, then for his mother is one-sixth," if the condition is absent, then the conditioned is absent, and thus the mother is not excluded except by the presence of a group.

The Second Requirement: The operation of semantics in the twelfth verse of Surah An-Nisa

First Branch: The indications based on the placement of the word on the meaning, which includes:

This verse contains absolute words and others that are restricted, which I will clarify in the following branches:

First: The saying of Allah: "And he has a sister or a brother from his mother" is restricted to siblings from the mother, according to the reading of Sa'd ibn Abi Waqqas, "He has a brother or sister from the mother," and the, have unanimously agreed on this restriction. Thus, the absolute meaning of the verse is not intended by consensus.

Second: "After a will that is to be made" is an absolute will restricted from several aspects:

Among them: that it is confined to one-third, and anything beyond that is invalid except with the permission of the heirs, according to the hadith of Sa'd,. Likewise, the will is not valid for an heir or for a murderer, contrary to the doctrine of the Malikis and Shafi'is in the more apparent view of the Hanbalis in one of the narrations.

Third: The saying of Allah: "Or a debt" is absolute regarding The rights of Allah and His servants. The Shafi'is and Hanbalis took this absolute meaning, and thus they said: Whoever dies with a pilgrimage, zakat, or vow owed, it should be taken from his wealth. And because the Prophet, peace be upon him, said: "If she had a debt, would you pay it?" He said: Yes. He said: "Then pay Allah's debt, for He is most deserving of being paid." The Hanafi and Maliki scientists, disagreed unless it is bequeathed, in which case it should be taken from the one-third. The text is absolute, and the hadith restricts it to the debt of Allah, and the absolute is not to be restricted by the restricted; because The Messenger, may Allah bless him and grant him peace, pointed out to it as a debt in the restriction, thus it does not fall under the absolute; and because these debts are discharged upon death, the heirs are not obligated to pay them unless they are bequeathed or voluntarily given by the heirs; because the pillar in acts of worship is the intention of the obligated person.

Fourth: The generality in the phrase of Allah Almighty: "after any bequest they [may have] made or debt". is restricted by the phrase of Allah Almighty: "or debt" and by Sa'd's narration, mentioned earlier. There is a disagreement regarding harming the third or less for those who have weak offspring, with two opinions:

The first: It is not considered harmful as long as it is within the third, but it is contrary to what is preferable, and this opinion was held by the most scientists, including the Malikis.

The second: It is considered harmful if the intention is to harm, even if it is within the third or less.

Fifth: "But if they are more than two, they share a third" The general partnership necessitates equality, and thus: the scholars agreed that sharing necessitates equality in the share, for the female is like the male.

Branch two: The implications based on the use of the term in meaning include:

First: The disagreement regarding whether the child of the child prevents the husband from receiving half to a quarter, and the wife from a quarter to an eighth, or not, with two opinions:

The first opinion: The child of the child prevents the husband from half to a quarter, considering him a child in reality or metaphorically. Muhammad ibn al-Hasan said: "The husband is not prevented from half except by a child or the child of a child who inherits, whether they are male or female, one or more." This was the opinion of the majority of scholars.

The second opinion: It does not prevent because he is not a child, and this opinion was attributed by scholars to Mujahid. Similarly, regarding the grandfather, those who see that the grandfather takes the place of the father do not inherit with the siblings in his presence.

and this was the view of Abu Hanifa, may Allah have mercy on him. Those who see that he is not a father inherit the grandfather along with the siblings, and this is the view of the majority.

Section Three: The Pronouncement and the Implication

Firstly: The pronouncement of the verse includes meanings and rulings, including:

The twelfth verse of Surah An-Nisa stipulates that the husband has half of his wife's estate if she has no children, and he has a quarter of her estate if she has offspring.

It also stipulates that the wife gets a quarter of her husband's estate if he does not have a child. She gets the price of the estate if there is a child.

The apparent meaning of "kalaalah" is one who has no child or parent (...), which is understood by reconciling the apparent meaning of the verse with the apparent saying of the Prophet (peace be upon him): "Assign the shares to their rightful owners, and what remains is for the closest male relative" (...), as siblings do not inherit in the presence of a father.

There is no inheritance except after settling debts and fulfilling the will.

The share of the husband is twice that of the wife, as in the share of the children: "Allah instructs you concerning your children: for the male, what is equal to the share of two females," thus the verse refers to every man and woman who share in relation and proximity, and only the children of the mother and the freedman and the freedwoman are excluded from it, which is the opinion of Zayd (may Allah be pleased with him) except for the claim regarding the remaining third for one who leaves behind a spouse, a mother, and a father (...).

Marriage can only be in what the legislator has named, and it has been named as marriage and wedlock, and thus: no marriage is valid except with the specific wording (...).

Allah's saying: "After a will which is to be observed or a debt" indicates that ownership transfers to the living, thus making them responsible for what they possess from their ownership (...).

The continuation of marriage after the death of one spouse: "And for you is half of what your spouses leave behind," thus, the Malikis, Shafi'is, and Hanbalis held that it is permissible for a husband to wash his wife, while the Hanafis disagreed, stating that the husband is not allowed to wash his wife due to the cessation of marriage upon her death.

Branch Two: The concept of contradiction: This verse includes several concepts, including:

Firstly: The concept of condition in the saying of Allah: "And for you is half of what your spouses leave behind if they do not have children; but if they have children, then for you is a fourth of what they leave behind, after any bequest they bequeath or debt. And for them is a fourth of what you leave behind if you do not have children; but if you have children, then for them is an eighth of what you leave behind.

" If the condition is negated, the consequence is also negated, and the text addresses both the situation of the condition being met and it being absent.

And in His saying: "And if a man is inherited by a relative or a woman, and he has a brother or a sister, then for each one of them is a sixth; but if they are more than that, they are partners in a third," which is similar to what was stated above.

Thirdly: The concept of description: "After any bequest they bequeath or debt that is not harmful." If the description of harm is negated, the ruling differs. There is a dispute regarding whether the description, if it follows sentences, applies to all of them or is specific to the last one: the majority held that it applies to all, while the Hanafis held that it refers back to the last one, except that in its reference to the bequest, it is supported by the narration of Sa'd, may Allah be pleased with him.

The Third Requirement: Employing semantics in understanding In verse one hundred and seventy-six of Surah An-Nisa .

The wise legislator mentions in this verse the shares of those who inherit from the kinsmen, specifically the brothers and sisters from the prominent families (), and the half-brothers () and this is what we will see through the application of the foundational indications:

First Branch: The explicit and the implied:

First: The explicit meaning of the verse includes meanings and rulings which are:

The apparent share of shares in general, and the share of one who has no children or father in particular, is from Allah, and that is indicative of the question and the answer to it at the end of Surah An-Nisa.

The apparent meaning of verse one hundred and seventy-six of the same surah:

The apparent condition is obligatory, and thus the living does not inherit from the living.

The verse is explicit regarding the shares of a sister with both parents and a sister with one parent, under the mentioned condition, which is when she is alone, when there is no exclusion, and when there is no male relative or a group of sisters.

It is explicit in the inheritance of two sisters with both parents and two sisters with one parent when the mentioned conditions are met, and she has with her brother the male relative a share that is double that of the female.

If a person dies and leaves behind neither a son nor a father, and leaves behind a sister, she inherits half, and he inherits from her if she dies and does not give birth to a son. If he leaves two or more sisters, they get two-thirds of what he leaves, and if there are brothers and sisters, the male gets double the female's share..

The brother inherits from the kinsman according to the apparent meaning of the verse: "And he inherits from her if she [dies and] has no child."

The term "child" in the verse "If a man dies, leaving no child" is employed to reference to both of genders, and this ambiguity is one of the reasons for the generality, clarified by what Al-Bukhari reported from Huzail ibn Shurhabil, who said:

Abu Musa was asked about a daughter, a granddaughter, and a sister, and he said: "The daughter gets half, and the sister gets half. Go to Ibn Mas'ud, and he will follow me." Ibn Mas'ud was asked and informed of Abu Musa's statement, and he said: "I have gone astray then, and I am not among the guided. I will rule in this matter based on what the Prophet, peace be upon him, ruled: "The daughter gets half, and the granddaughter gets one-sixth to complete two-thirds, and whatever remains is for the sister." So we went to Abu Musa and informed him of Ibn Mas'ud's statement, and he said: "Do not ask me as long as this scholar is among you." Thus, the intended meaning is the son, not the daughter.

The term "sister" in the verse "but [only] a sister, she can have the half of what he left "is shared among the sister from both parents, clarified by the verse of inheritance which Allah mandated for the sister or

brother from the mother in the case of singular inheritance of one-sixth, and one-third in the presence of more than one brother or sister, which is divided equally among them.

Secondly: The verse contains rulings based on inference from its meaning:

- The death of the owner and life of the heir are conditions for entitlement to inheritance. If the condition is negated, the conditioned is negated; a living person does not inherit from a person who is still alive, nor does a dead person inherit from someone alive, nor does a dead person inherit from another dead person if they die at the same time, as in deaths caused by collapse, drowning, or burning.
- The children of the maternal uncle and the children of the distinguished do not inherit unless the mentioned conditions are met

The conclusion with the main findings

This is a statement of the most superior outcomes that the study has attained:

First: The one engaged in the Book of Allah and the Sunnah of His Messenger (peace be upon him) still lacks two matters:

The first matter: Arabic with its sciences.

The second matter: The science of the principles of jurisprudence in general, and the foundational indications in particular. To prove my claim, Allah, the Blessed and Exalted, has revealed three verses in His Book concerning the rights of individuals in relation to the estate of the deceased, along with several hadiths, from which the firmly grounded in knowledge have made it an independent science. Three verses, from their literal meaning and inferred meaning, and their implications—general and specific, unrestricted and restricted—have led scholars to derive fifty-five cases of inheritance, which are:

- That the single daughter inherits half of the estate in the absence of a male relative, and that two or more daughters inherit two-thirds of the estate in the absence of a male relative, and they inherit through another male relative when one is present.
- That the daughter of a son takes the same position as a daughter and has the same conditions as a daughter, except that she receives one-sixth whether she is alone or in a group when there is a biological daughter of the deceased.
- That the father inherits one-sixth with a male heir, one-sixth with a female heir, and the remainder through inheritance in the absence of any male or female heir.
- That the mother inherits one-sixth when there is a male heir or a group of brothers, one-third in the absence of a male heir and a group of brothers, and one-third of the remainder when the father and one of the spouses are present in the two specific cases.
- There is no explicit text in the Book of God regarding the paternal grandfather; it is rather based on the interpretations of the noble companions. The legislator has referred to the grandfather as a father in many instances, thus the Hanafi scholars, may God have mercy on them.
- have placed the grandfather in the position of the father and granted him one-sixth with a male heir, one-sixth with a female heir, and the remainder through inheritance in the absence of any heir. They did not grant inheritance rights to siblings along with the grandfather, and he is excluded

by the father and the closer grandfather. The Hanafi scholars considered the grandfather as a father in the absence of the father, whereas the majority did not do so in the presence of the deceased's siblings, advocating for sharing according to their customary division. One of the main reasons for the disagreement regarding the grandfather with siblings is whether the grandfather is considered in the position of the father or the brother.

- The husband's share is half of his wife's estate in the absence of a male heir, and one-fourth of her estate when a male heir is present. The wife has a share of one-fourth in the absence of a male heir to her husband, and one-eighth when a male heir is present. If there are multiple wives, the inheritance is divided equally among them.

- The full sister inherits half of the estate if she is the only heir, and two-thirds for two or more in the absence of a male relative and daughters. If daughters are present, she inherits through male representation along with others, and through male representation with the presence of a male relative.

- The half-sister inherits half of the estate if she is the only heir, and two-thirds for two or more in the absence of a male relative for them, and in the absence of full sisters and daughters. One-sixth is for the individual and for the group with the presence of an individual full sister, and in the absence of a male relative. She inherits through male representation with others in the presence of daughters and in the absence of sisters, and through male representation with the presence of a male relative.

- The mother's child receives one-sixth of the estate for one, and for a group one-third, divided equally among them in the absence of inheriting offspring, and in the absence of the father or grandfather, where males and females are equal.

- The maternal grandmother receives one-sixth according to the decree of the Messenger of Allah, peace be upon him.

From these verses, a specific independent science emerged, classified by those who compiled classifications. You can imagine how the Book of Allah would be understood if it were limited to a single indication or if the understanding were not regulated.

Secondly: Understanding the Holy Quran requires the Prophetic Sunnah, as many rulings mentioned in the Book of Allah are summarized and clarified by the Prophetic Sunnah, which is evident in the second part of the study.

Thirdly: The commentators did not deviate from what the jurists concluded by even a small measure in their findings; however, each of them specialized in certain matters, so there is a general and specific relationship between jurisprudence and interpretation. This is because the source of their reception was the companions of the Messenger of Allah, peace be upon him, who experienced the revelation and understood the interpretation, and both sciences lack the knowledge of semantics to regulate understanding.

Fourth: The technical meaning of the term "employment" does not deviate from its linguistic meaning, but is built upon it; thus, employing meanings entails activating them after identifying them.

Finally ,my advice is that we should study the verses of the rulings in a fundamental and comprehensive study.

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