

The Rights of Women to Inheritance under the Islamic Law: Laws and Practice in Bangladesh

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ABSTRACT: We know that at present the rights of women are one of the major arguable topics in the Western and Muslim world. In reality, it is observed in the Muslim oriented state that many women are underprivileged from hereditary property after the departure of their parents from this earth and in this context, it may be said that Bangladesh is not exception to that. Such situation is arisen primarily from the ignorance on Islamic knowledge and inattention of following Islamic rules as to the inheritance at individual and family level. Nevertheless, Islam determines all sorts of rights of women in all areas. Principally, the law of inheritance about the distribution of inherited property among the heirs is clearly clarified by the main sources of Islam, i.e., the sacred Qur'an and Hadith along with jurisprudential views, and affords answers to resolve the complications concerning Muslim women's inheritance right in family. We see in Bangladesh that mainstream families do not agree to give concrete portions in property to women owing to some drawbacks of women, i.e., financial dependence on men, anxiety of social destruction and fights with family, in dearth of appropriate Islamic information as to the rights of women in property. This Article largely concentrates on the rights of women to inheritance under Islamic law and contemporary societal practices in Bangladesh. It is advised in this study that the Islamic answer is considered as reasonable and unbiased in case of property allocation rights for women in Bangladesh. Moreover, the Government of Bangladesh may engage some religious expert especially in the field of the law of inheritance to impart the mass people about their compulsions under religion in providing the exact shares in property to women.

Keywords: Women's rights, Inheritance, Islamic Solution, Practices in Bangladesh.

1. INTRODUCTION

We know that in pre-Islamic society women were used to be underprivileged from the right of inheritance like other rights. But Islam acknowledges the different rights of women, i.e., right to life, education, marriage, dower,

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maintenance, divorce etc. including the right to inheritance. It is clearly mentioned in the holy Qur'an that men and women have parts in inheritance where such shares are considered as reasonable in Islamic society keeping in view the position and role of males and females in the family as well as in the society. It is visibly referred in the holy Qur'an regarding the right of women, i.e., wife, mother, sister, daughter, grandmother to inheritance.

Correspondingly, there are figures of traditions or Hadiths of the holy Prophet Muhammad (SAW) as the rights of women to inheritance. Above and beyond, it is also recognized by Islam that men, i.e., father and husband are answerable to afford food, cloth, accommodation and all other immense needs to female affiliates of family. Overall, we also know that Bangladesh is a Muslim majority country in the world and for Muslims of Bangladesh personal law, such as, Islamic law is applicable about the right of women to inheritance though some obstacles are seen in the Muslim society of Bangladesh in receiving the right portions of women to inheritance left by the deceased.

2. OBJECTIVES OF THE RESEARCH

The common objective of this research is to look over and overview both the formal and informal mechanisms towards the rights of women to inheritance under Islamic laws and performs in Bangladesh. In addition, the study aims to outline the position of the women in the Muslim family in terms of getting inheritance along with male associates. The paper also gives importance on certain things, i.e., the concrete inheritance applies among the Muslim society in Bangladesh, the rights of Muslim women under Muslim laws and custom of early Muslim society, growing alertness to Muslim society for non-payment of women inheritance rights. By and large, it is tried here to give timely commendations in eliminating outdated approach of Muslim society about women's rights to inheritance.

3. METHODOLOGY OF THE RESEARCH

The research is designed on information that is congregated from both primary and secondary sources of data. Primary data has been collected from the holy Qur'an and Hadith [the tradition of Prophet Muhammad (SM)]. On the other hand, secondary data has been composed from the modern books, articles, journals, newspapers, websites etc. Furthermore, the researcher also displays some practical propositions to unfetter the traditional practice of Bangladesh. To this context, both qualitative and expressive methods of study have been used in this paper.

4. MEANING OF RIGHTS AND WOMEN'S RIGHTS

It is really difficult to come to an end about the actual meaning of the rights, because, the right has different variations in diverse aspects and changing situations. Yet, we can define the rights in the following way- Generally, rights mean, one who claims to enjoy required privileges and advantages without any hindrance to continue his or her existence and develop his or her career in a society. Rights may be put into laws, so they have legal safeguard. According to well-known jurist, namely, Salmond, a legal right is considered as interest or advantages and civil liberties which are confined and recognized by the rule of law. In the same way, another eminent jurist, namely, Pollock opined that right is considered as free will of the people which is permitted and bestowed by law. Besides, we know that right may be classified into different categories in varied situation. Women's rights mean the rights which are so much concerned with women's existence in a society and women can claim to enjoy those rights lawfully. Moreover, the State should ensure the enjoyment of women's rights without any difficulty.

5. DEFINITION OF INHERITANCE

By and large, inheritance means the allocation of properties, such as, transportable or immovable, perceptible or imperceptible things, i.e., land, house, factories, shops or establishments, money etc. among the heirs of the deceased person which is regulated by personal laws. In the same way, the law of inheritance of Muslims is guided by the Islamic laws, i.e., the holy Qur'an and Sunnah. The meaning of inheritance is strikingly stated in the holy Qur'an (Surah al-Nisa, verse no. 7) that-

لِّلرِّجَالِ نَصِيبٌ مِّمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ وَلِلنِّسَاءِ نَصِيبٌ مِّمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ مِمَّا قَلَّ مِنْهُ أَوْ كَثُرَ ۗ نَصِيبًا مَّفْرُوضًا ﴿٧﴾

“There are specific small or big shares for males and females upon the belongingness left by their parents or closed relatives” [1]. In Arabic, inheritance is called “mirath”. Mirath literally means “to remain” but the terminological meaning is that mirath is the combination of legal and mathematical rules that demonstrate the share of each heir to the inheritance [2]. The Law of Inheritance has always been admired for its wholeness and the triumph with which it has achieved the ambitious aim of providing not only for the selection of a particular person or the same group of individuals, on whom the property of the deceased should entrust by widespread succession, but for adjusting the competitive claims of all the nearest family members [3]. In a word, the meaning of inheritance is, ‘any sort of endless belongings or properties, money left by a late person transfer from one person to another owing to birth rights.’

6. WOMEN'S RIGHTS TO INHERITANCE IN OLDEN CULTURES

In the darkness era (Jahilyya- ignorance) there was no value of woman or newborn female child. Even infant child was killed by father, because, female child was measured as shameful personality and against the honor in the society and father was afraid that she would be included in inheritance or claim in the shares of assets of dead person. There are more verses in the Holy Qur'an pertaining to the position of women or female child at the Pre-Islamic Arab period. It is said in Surah al-Isra, verse no. 31 that-

وَلَا تَقْتُلُوا أَوْلَادَكُمْ حَتَّىٰ إِذَا بَلَغُوا مَتْلَقًا ۖ نَحْنُ نَرْزُقُهُمْ وَإِيَّاكُمْ ۚ إِنَّ قَتْلَهُمْ كَانَ خِطْئًا كَبِيرًا ﴿٣١﴾

“Don't kill your children for poverty; because, Allah only shall afford subsistence for them and you, rather to kill of them is a great sin” [4].

It is also referred in the Surah al-Nahal, verse nos. 58-59 that-

وَإِذَا بُشِّرَ أَحَدُهُم بِالْأُنثَىٰ ظَلَّ وَجْهُهُ مُسْوَدًّا وَهُوَ كَظِيمٌ ﴿٥٨﴾ يَتَوَارَىٰ مِنَ الْقَوْمِ مِنْ سُوءِ مَا بُشِّرَ بِهِ ۚ أَيُمْسِكُهُ عَلَىٰ هُونٍ أَمْ يَدُسُّهُ فِي التُّرَابِ ۗ أَلَا سَاءَ مَا يَحْكُمُونَ ﴿٥٩﴾

“When information is communicated to one of them about the birth of a female child, his face is fallen into gloom and filled with hidden pain! He hides himself from people for shame and because of the bad news he has had! Shall he keep it on disdain or put in the ground it in the dust? Ah! What malevolence (choice) they come to a decision on?” [5] ‘In Jāhiliyyah (lack of knowledge) era women were not considered as heirs for legacy left by their parents ((Tobi, 1994) [6]. As per Qatādah, prior to the arrival of Islam, women and children in the Arabian Peninsula were not permissible to take delivery of bequest left by their parents and legal predecessors (Al-Zamakhsharī, 1407 H, vol. 1, p. 476)’[7]. ‘During that time, it was a customary ritual that only those who can ride horses and show their bravery in the battle field will be considered for inheritance (Hussain, 1987, p. 533)’ [8]. On the whole, there were no inclusive enactments or in black and white rules and regulations or practice and usage for the right of women to inheritance along with their male relatives after the passing away of their parents.

7. WOMEN'S RIGHTS TO INHERITANCE UNDER ISLAMIC LAW

The law of inheritance is maintained for Muslims under the holy Quran, Hadith, different schools of Sunni Law of Inheritance for Sunni society and Shiah Law of Succession for Shiah community [9]. The Muslim laws of inheritance encompass beyond the most advanced and detailed scheme of rules for the delegation of property that is known to the enlightened world [10]. There is no facet of the Muslim law in which the rational and mechanical Excellencies of the Islamic system are, more favorably displayed

The Rights of Women to Inheritance under the Islamic Law: Laws and Practice in Bangladesh

than in the law of inheritance [11]. The recognition of the rights of women to inheritance is the justice of Islam and for that the way of brutality to women has been ruined. Women get the share of properties under the principles of succession as enunciated in Islam instead of unwillingness of men [12]. In the regime of Islam, women are entitled to be honored properly in all aspects like men. Likewise, Islam acknowledged the rights of both the men and women to inheritance. The shares of together men and women after the demise of their parents or in further relationships and dissimilar aspects are noticeably referred in the sacred Qur'an and Hadith. The common commands about the rights of inheritance of assets among the offspring are clearly asserted in the Holy Qur'an, verse nos. 7 and 33 of Surah al-Nisa which are declared below:

لِّلرِّجَالِ نَصِيبٌ مِّمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ وَلِلنِّسَاءِ نَصِيبٌ مِّمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ مِمَّا قَلَّ مِنْهُ أَوْ كَثُرَ ۖ نَصِيبًا مَّفْرُوضًا ﴿٧﴾

“There are specific small or big shares for males and females upon the belongingness left by their parents or closed relatives” [13].

وَلِكُلِّ جَعَلْنَا مَوَالِيَّ مِمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ ۚ وَالَّذِينَ عَقَدْتَ أَيْمَانُكُمْ فَأَتَوْهُمْ نَصِيبُهُمْ ۚ إِنَّ اللَّهَ كَانَ عَلَىٰ كُلِّ شَيْءٍ شَهِيدًا ﴿٣٣﴾

“Benefits exist for everyone on sharers and heirs to property left by parents and relatives. Your right hand was vowed to them in giving their due portion: in fact, Allah is witness to all objects” [14]. In addition, the distribution of methods of inheritance has been set out in details in verse nos. 11-12 of Surah al-Nisa of the Holy Qur'an which are given as under:

يُوصِيكُمُ اللَّهُ فِي أَوْلَادِكُمْ لِلذَّكَرِ مِثْلُ حَظِّ الْأُنثِيَيْنِ ۚ فَإِن كُنَّ نِسَاءً فَوْقَ اثْنَتَيْنِ فَلَهُنَّ ثُلُثَا مَا تَرَكَ ۚ وَإِن كَانَتْ وَاحِدَةً فَلَهَا النِّصْفُ ۚ وَلِأَبَوَيْهِ لِكُلِّ وَاحِدٍ مِّنْهُمَا السُّدُسُ مِمَّا تَرَكَ إِن كَانَ لَهُ وَلَدٌ ۚ فَإِن لَّمْ يَكُن لَهُ وَلَدٌ وَوَرِثَهُ أَبَوَاهُ فَلِأُمِّهِ الثُّلُثُ ۚ فَإِن كَانَ لَهُ إِخْوَةٌ فَلِأُمِّهِ السُّدُسُ ۚ مِن بَعْدِ وَصِيَّةٍ يُوصِي بِهَا أَوْ دَيْنٍ ۚ آبَاؤُكُمْ وَأَبْنَاؤُكُمْ لَا تَدْرُونَ أَيُّهُم أَقْرَبُ لَكُمْ نَفْعًا ۚ فَرِيضَةٌ مِّنَ اللَّهِ ۚ إِنِ اللَّهُ كَانَ عَلِيمًا حَكِيمًا ﴿١١﴾ ﴿١٢﴾ وَلَكُمْ نِصْفُ مَا تَرَكَ أَرْوَاحُكُمْ إِن لَّمْ يَكُن لَّهُنَّ وَلَدٌ ۚ فَإِن كَانَ لَّهُنَّ وَلَدٌ فَلَكُمُ الرُّبْعُ مِمَّا تَرَكَنَّ ۚ مِن بَعْدِ وَصِيَّةٍ يُوصِي بِهَا أَوْ دَيْنٍ ۚ وَلَهُنَّ الرُّبْعُ مِمَّا تَرَكَنَّ إِن لَّمْ يَكُن لَّكُم وَلَدٌ ۚ فَإِن كَانَ لَكُم وَلَدٌ فَلَهُنَّ الثُّمُنُ مِمَّا تَرَكَنَّ ۚ مِن بَعْدِ وَصِيَّةٍ تُوصُونَ بِهَا أَوْ دَيْنٍ ۚ وَإِن كَانَ رَجُلٌ يُورِثُ كِلَايَهُ أَوْ امْرَأَةٌ وَلَهُ أَخٌ أَوْ أُخْتُ فَلِكُلِّ وَاحِدٍ مِّنْهُمَا السُّدُسُ ۚ فَإِن كَانُوا أَكْثَرَ مِن ذَلِكَ فَهُمْ شُرَكَاءُ فِي الثُّلُثِ ۚ مِن بَعْدِ وَصِيَّةٍ يُوصَىٰ بِهَا أَوْ دَيْنٍ غَيْرِ مُضَارٍ ۚ وَصِيَّةً مِّنَ اللَّهِ ۚ وَاللَّهُ عَلِيمٌ حَلِيمٌ ﴿١٢﴾

“Consequently Allah gives directions you in regard to the bequest of your children, one male child gets the same portion of two female children, if single daughter is alive, she will get a hold half, if two or more, their share are two-thirds of the legacy; if the daughter is only one, her portion is a half. A sixth share of the inheritance to each of the parents if the departed person left offspring; if no children are alive and the parents are the (only) heirs, the mother is entitled to get one third; if the person died leaving brothers or

sisters the mother gets one sixth. The left property will be allocated in all circumstances after the payment of legacies and debts, if any. Your father as well as your sons, you do not understand which of them is nearer to you in well-being, Allah knows better.

If there is no child, husband will get half, if there is a child, husband gets one fourth after payment of legacies and debts. Wife gets one fourth if there is no child; if there is a child, wife gets on eighth after payment of liabilities. And if there is a man or a woman who inherits a kalala (the person who died leaving no parents or children as heirs), and he has a brother or a sister, then to each one of them is entitled to get one sixth. And if they are more than that, then they are partners in the third, after inheritance made by Allah, or a faith (religion) other than that. Allah is wise and very patient” [15] So, it is evidently observed that the holy Qur’an affirms the rights of women in inheritance as a daughter, wife and mother. We know that there is a misapprehension that around the Muslim world that son is getting more portions in inheritance than daughter though, it is fact that a son is receiving a double share of inheritance than a daughter. In this context, the sayings of the holy Qur’an are very much concerned and the messages as envisaged in verse no.233 of Surah al-Baqarah are mentioned below:

﴿ وَالْوَالِدَاتُ يُرْضِعْنَ أَوْلَادَهُنَّ حَوْلَيْنِ كَامِلَيْنِ ۖ لِمَنْ أَرَادَ أَنْ يُنَمِّمَ الرِّضَاعَةَ ۗ وَعَلَى الْمَوْلُودِ لَهُ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِالْمَعْرُوفِ ۚ لَا تُكَلَّفُ نَفْسٌ إِلَّا وُسْعَهَا ۚ لَا تُضَارَّ وَالِدَةٌ بِوَلَدِهَا وَلَا مَوْلُودٌ لَهُ بِوَالِدِهِ ۗ وَعَلَى الْوَارِثِ مِثْلُ ذَلِكَ ۗ فَإِنْ أَرَادَا فِصَالًا عَنْ تَرَاضٍ مِنْهُمَا وَتَشَاوُرٍ فَلَا جُنَاحَ عَلَيْهِمَا ۗ وَإِنْ أَرَدْتُمْ أَنْ تَسْتَرْضِعُوا أَوْلَادَكُمْ فَلَا جُنَاحَ عَلَيْكُمْ إِذَا سَلَّمْتُمْ مَا آتَيْتُمْ بِالْمَعْرُوفِ ۗ وَاتَّقُوا اللَّهَ وَاعْلَمُوا أَنَّ اللَّهَ بِمَا تَعْمَلُونَ بَصِيرٌ ﴾ (٢٣٣)

“The mothers shall give suck to their offspring for two whole years if the father wishes to fulfill the term. But he shall bear the cost of their food and clothing on reasonable terms. No soul shall have encumbered laid on it greater than it can put up with. No mother shall be treated unjustly on account of her child or father on account of his child. An heir shall be chargeable in the same way if they both make your mind up on weaning by mutual consent and after due consultation, there is no blame on them. And if you want to look after your children for taking care of, then there is no responsibility on you if you provide what you have preferred with knowledge. And be afraid of Allah and you should think that Allah sees all things what you do” [16]. Now and again, we see that the dead person left neither descendants nor ascendants as heirs and in such a situation the way out is manifestly stated in the verse no.176 of Surah al-Nisa of the Holy Qur’an which is mentioned as under:

﴿ يَسْتَفْتُونَكَ قُلِ اللَّهُ يُفْتِيكُمْ فِي الْكَلَالَةِ ۚ إِنْ امْرُؤٌ هَلَكَ لَيْسَ لَهُ وَدٌّ وَلَهُ أُنْتٌ فَلَهَا نِصْفُ مَا تَرَكَ ۚ وَهُوَ يَرِثُهَا إِنْ لَمْ يَكُنْ لَهَا وَدٌّ ۚ فَإِنْ كَانَتَا اثْنَتَيْنِ فَلَهُمَا التُّلْتَانُ مِمَّا تَرَكَ ۚ وَإِنْ كَانُوا إِخْوَةً رِجَالًا وَنِسَاءً فَلِلذَّكَرِ مِثْلُ حَظِّ الْأُنثِيَيْنِ ۗ يُبَيِّنُ اللَّهُ لَكُمْ أَنْ تَضَلُّوا ۗ وَاللَّهُ بِكُلِّ شَيْءٍ عَلِيمٌ ﴾ (١٧٦)

The Rights of Women to Inheritance under the Islamic Law: Laws and Practice in Bangladesh

“They appeal to you about solutions. Say, 'Allah is saying you an answer as regards 'Kalala'. If a person dies without children and has a sister, half of what he leaves for the sister, and if she (woman) is childless, her brother will be bequeathed. But if they (sisters) are two, then two-thirds of what he leaves at the back of and if they are various brothers and sisters in the category of male and female, after that for the male the share will be equal to the share of two females'. Allah is telling to you, so that you do not go amiss, and Allah knows everything” [17].

There is an also apparent instruction in Hadith vis-à-vis the allotment of shares of the departed person amid the heirs and in this regard an illustrious Hadith is mentioned below-

“The Prophet (SAW) supposed; make available the appropriate shares as permitted in the Holy Qur’an to those who are permitted to acquire and subsequently whatever thing is remained, should be rendered to the close by male relatives of the late person portrayed by Ibn Abbas (R.A.)”[18].

A husband is obliged to carry out the responsibilities as to financial crisis of his wife on the basis of his capabilities and in this context the verse nos. 6 & 7 of Surah-At-Talaq of holy Qur’an are very much concerned that-

أَسْكِنُوهُنَّ مِنْ حَيْثُ سَكَنْتُمْ مِنْ وُجْدِكُمْ وَلَا تُضَارُوهُنَّ لِتُضَيِّقُوا عَلَيْهِنَّ ۚ وَإِنْ كُنَّ أُولَاتٍ حَمْلٍ فَأَنْفِقُوا عَلَيْهِنَّ حَتَّىٰ يَضَعْنَ حَمْلَهُنَّ ۚ فَإِنْ أَرْضَعْنَ لَكُمْ فَآتُوهُنَّ أُجُورَهُنَّ ۚ وَاتَّمِرُوا بَيْنَكُمْ بِمَعْرُوفٍ ۚ وَإِنْ تَعَاَسَرْتُمْ فَمَنْزُوعٌ لَهُ أَخْرَىٰ (٦) لِيُنْفِقَ دُونَ سَعَةٍ مِنْ سَعَتِهِ ۚ وَمَنْ قَدِرَ عَلَيْهِ رِزْقُهُ فَلْيُنْفِقْ مِمَّا آتَاهُ اللَّهُ ۚ لَا يُكَلِّفُ اللَّهُ نَفْسًا إِلَّا مَا آتَاهَا ۚ سَيَجْعَلُ اللَّهُ بَعْدَ عُسْرٍ يُسْرًا (٧)

“Let them also live where you live in conformity with your capability, do not create any disturbance against them to cause suffering to. And if they are expecting, spend for them until they give birth; And if they care for the child for you, bestow them their dues, and discuss with among yourselves in accord for the betterment of the child. And if you are unsympathetic with each other, another woman will nurture on behalf of the father. Let the one who is capable to pay out pursuant to his capacity, and the one who has limited wealth, let him disburse from what Allah has gifted him. Allah does not desire to load anyone with more than what He has provided him. Allah will give pleasure after suffering” [19]. Women do not, however, by reason of sex, suffer from any disability to deal with her share of the property. A woman is the absolute master of her inheritance [20]. According to the principles as referred in Islam, some women, i.e., wife, mother, daughter never is excluded from inheritance [21]. In the light of above argument that the holy Qur’an and Prophetic practice protected the rights of inheritance to women along with their male relatives in every condition and it is expected to all that the provisions as narrated in the holy Qur’an and Hadith should be

maintained at the time of the division of inheritance. Even, Islam recognized the rights of inheritance to both male and female personalities. On the whole, in fact, in certain circumstances we see that women are entitled to get more opportunities in inheritance than male persons.

8. IMPEDIMENTS WHICH HAMPER WOMEN'S RIGHTS TO INHERITANCE

We see in the Muslim world that there are numerous drawbacks which hamper the rights of women to inheritance and few of them are discussed as under- In today's period of the world *Socio-Cultural tradition* is one of the vital reasons in playing negative role for the most part in the field of allotment of deceased belongings to women. It is a frequent trend in several Muslim countries, i.e., Bangladesh, Pakistan and others. Women are intimidated and psychologically strained to twist their part of inheritance over their brothers. As cited by Khan et al., they have conducted an assessment in a village of Bangladesh over 40 (forty) women; they noticed that only 4 (four) women got their share of inheritance [22]. So, in fact, conventional norms and socio-cultural structure do not support the women in accepting the assets through the guiding principles of inheritance.

The other bar which obstructs the rights of inheritance to women is *discrimination against women*. Mostly in Bangladesh and Pakistan nepotism starts from birth period. It is also matter-of-fact that in high or influential and underprivileged families, boys always get extra care or advantages over girls. But Islam does not agree to any type of discrimination between men and women in family and social life especially in the field of inheritance. *Negative tendency or attitude* against the maintenance of apposite allocation of property of deceased person to women is also one of the obstacles which hold back the rights of women to inheritance. Overall, *lack of religious knowledge* is one of the foremost issues in the present-day world in particular in the sub-continent which creates impediment over the rights of inheritance to women.

9. WAY AHEAD

We know that Islam is a inclusive code of life and in the Muslim world usually people go behind the rules of Islam in case of allocation of property after the demise of their parents as their personal laws and similarly the State does not approve any endorsement against the principles of inheritance as envisaged in Islam. The state should take satisfactory events as to the creation of awareness among the people in acquiring right teachings of Islam and other existing interconnected laws in consistent with Islam and maintaining the rules of Islam in the field of allotment of property to the heirs of the

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The Rights of Women to Inheritance under the Islamic Law: Laws and Practice in Bangladesh

deceased. The tendency with reference to discrimination against the rights of inheritance to women should be removed. Muslim families should give appropriate significance upon the teachings of Islam and practices in their day by day life as regards the inheritance.

10. PRACTICES IN BANGLADESH

Bangladesh is a second Muslim majority country of the world. People of Bangladesh in a greater extent are religious minded. Muslim law is regarded as personal law in Bangladesh. In certain matters people of Bangladesh strictly go after the rules and regulations as mentioned in Muslim law. Similarly, the Government of Bangladesh does not endorse any attempt against the principles of inheritance as enunciated in Islamic law. The law of Muslim succession is applicable in Bangladesh which is adopted by following the guidelines of Islam. Even, in Bangladesh the Muslim Family Laws Ordinance'1961 [23] exists where the rights of inheritance to orphan child (the child who lost his father before grandfather) are acknowledged, but we the people are disinclined to preserve the commands of Islam about the rights of inheritance to women though the most people of Bangladesh are conscious on the subject of the provisions of the rights of inheritance. People would like to afford the tiny amount of share of inheritance to women. In fact, in maximum cases, we watch that women establish their rights on inheritance throughout the legal action. Besides, the courts of Bangladesh are applying the Shariah law in regard to inheritance.

11. CONCLUSIONS

عن أبي هريرة قال : قال رسول الله ﷺ : يا ابا هريرة، تعلموا الفرائض وعلموها فإنه نصف العلم، رواه ابن ماجه-

Narrated by Abu Hurairah (R), He said: the Messenger of Allah (SW) said: O Abu Hurairah, learn the laws of inheritance and teach others, because, the law of inheritance is considered as the half knowledge of Islam [24]. It is expected to all Muslims that they should maintain the Islamic teachings on inheritance so that women could not be deprived from the share of inheritance. Our society needs high echelon alertness of Islamic wisdom relating to the rights of inheritance to women. There are various key answerable components on the topic of the causes of non-payment of suitable share of inheritance to women, i.e., traditional view, monetary gains, male superiority, dependency of women on men, be deficient in Islamic knowledge etc. If Government takes right pace to give out the deceased's assets to heirs, Government attributes penalty against wrongdoer who violates the laws of succession, Government and non-government organizations enhance public attentiveness through different medias and overall if Bangladesh executes the

laws of succession especially in regard to correct allotment of shares of inheritance to women, women are turned into self-dependent personality in the family as well as in the society. Last of all, it can be recommended that women should be responsive as to their rights of inheritance and in the same way they should raise their voice in getting apposite share of inheritance after demise their parents and closed relatives.

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