

Inheritance and Bequeathal in the Qur'an

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1 The verses and elaborations

1.1 General guidance on bequests and inheritance

This section deals with verses (2:180) and (4:6-9) that outline general principles.

كُتِبَ عَلَيْكُمْ إِذَا حَضَرَ أَحَدَكُمُ الْمَوْتُ إِنْ تَرَكَ خَيْرًا الْوَصِيَّةَ لِلْوَالِدَيْنِ وَالْأَقْرَبِينَ بِالْمَعْرُوفِ حَقًّا عَلَى الْمُتَّقِينَ

Prescribed for you when death approaches [any] one of you if he **leaves much (wealth)** [is that he should make] a **bequest** for **the [dual] parents** and **near relatives** according to **what is acceptable** - a duty upon the righteous.

(2:180)

This verse speaks in the context of someone who leaves a lot of wealth, to bequeath to his/her parents and close relatives [Al aqrabeen]. This should however not negate the inheritance shares or make them irrelevant. We must never make a mockery of the guidance of Allah. That is, do it in a way that would be considered good and just by an independent observer and respecting the guidance of Allah.

The fact that both parents are mentioned implies that it would normally only be the birth mother [or, in my opinion, in case of an orphan, the acting mother] that is can be a part of this guidance.

وَابْتَلُوا الْيَتَامَىٰ حَتَّىٰ إِذَا بَلَغُوا النِّكَاحَ فَإِنْ آنَسْتُمْ مِنْهُمْ رُشْدًا فَادْفَعُوا إِلَيْهِمْ أَمْوَالَهُمْ وَلَا تَأْكُلُوهَا إِسْرَافًا وَبِدَارًا أَنْ يَكْبَرُوا وَمَنْ كَانَ غَنِيًّا فَلْيَسْتَعْفِفْ وَمَنْ كَانَ فَقِيرًا فَلْيَأْكُلْ بِالْمَعْرُوفِ فَإِذَا دَفَعْتُمْ إِلَيْهِمْ أَمْوَالَهُمْ فَأَشْهَدُوا عَلَيْهِمْ وَكَفَىٰ بِاللَّهِ حَسِيبًا

And test the orphans [in their abilities] until they reach marriageable age. Then if you perceive in them sound judgement, release their property to them. And do not consume it excessively and quickly, [anticipating] that they will grow up. And whoever, [when acting as guardian], is self-sufficient should refrain [from taking a fee]; and whoever is poor - let him take according to what is acceptable. Then when you release their property to them, bring witnesses upon them. And sufficient is Allah as Accountant.

(4:6)

For children that inherit in the case of dead parents, the trustee must act wisely with their money and only discharge it to them when they are mature enough to receive it.

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

For men is a share of what **the [dual] parents** and **close relatives** leave, and for women is a share of what **the [dual] parents** and close relatives leave, be it little or much - an obligatory share.

(4:7)

وَلِكُلِّ جَعَلْنَا مَوَالِي مِمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ وَالَّذِينَ عَقَدْتُمْ أَيْمَانَكُمْ فَأَتَوْهُمْ نَصِيبُهُمْ إِنَّ اللَّهَ كَانَ عَلَى كُلِّ شَيْءٍ شَهِيدًا
 And for all, We have made heirs to what is left by the [dual] parents and **near relatives**. And to those whom your oaths have bound [to you][i.e., spouses] - give them their share. Indeed Allah is ever, over all things, a Witness.

(4:33)

Al aqrabun [lit. the close/closest], can be defined by its use in (2:180) and (4:7, 33). Therefore, it is not your parents or your spouse, and is of those that you necessarily inherit from if they exist. From section 1.2, we see that the list of defined inheritors are:

- Parents, spouses, children and siblings.

From this we see that Al aqrabun [lit. the close/closest] refers to children and siblings. If we consider the difference between (2:180), (4:7) and (4:33) then we note that in (2:180) and (4:7), the spouse category is not mentioned. Perhaps this is because the spouse category is one that can be negated in the normal course of life through divorce. This however does not apply in the normal course of life with the other categories.

وَإِذَا حَضَرَ الْقِسْمَةَ أُولُو الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسَاكِينُ فَارْزُقُوهُمْ مِنْهُ وَقُولُوا لَهُمْ قَوْلًا مَعْرُوفًا
 وَلِيخَشَ الَّذِينَ لَوْ تَرَكَوْا مِنْ خَلْفِهِمْ ذُرِّيَّةً ضِعَافًا خَافُوا عَلَيْهِمْ فَلْيَتَّقُوا اللَّهَ وَلْيَقُولُوا قَوْلًا سَدِيدًا

And when **relatives** and orphans and the needy are present at the [time of] division, then provide for them [something] out of the estate and speak to them words of appropriate kindness. And let those [executors and guardians] fear as if they [themselves] had left weak offspring behind and feared for them. So let them fear Allah and speak words of appropriate justice.

(4:8-9)

Ulu alqurba [lit. those possessing closeness], considering the following two points:

- It is separately mentioned to al aqrabun in (2:180) and (4:7, 33).
- It appears to refer to relatives that could be present at the time of division, that however may not be among those who would normally inherit, those being defined above under (2:180), (4:7, 33) and dealt with in (4:11, 12, 176).

We can then consider that Ulu alqurba refers to the wider group of relatives, while Al aqrabun refers to the closest relatives [children and siblings].

The mention of giving Ulu alqurba of the inheritance can mean one or both of two things:

- Some remainder of the inheritance shares is distributed to those not among the explicitly defined inheritors.
- Those who have inherited should consider giving some to those in need, who did not inherit.

“And let those [executors and guardians] fear as if they [themselves] had left weak offspring behind and feared for them”. I see two potential implications for this:

- The executor should consider the needy and weak among the non-inheriting category that are present at the distribution as if it were their own needy inheritors.

7. Your parents or your children – you know not which of them are nearest to you in benefit.
[These shares are] an obligation [imposed] by Allah. Indeed, Allah is ever Knowing and Wise.
(4:11)

[4:11.1] Children: Share of son = 2x share of daughter. This is a **relative** [not absolute] share.

[4:11.1.1] This parallels [4:176.4] and is the general rule for both children and siblings. It applies in the case children alone inherit or in the case they must decide the split in the remainder of inheritance.

[4:11.1.2] [4:11.2] and [4:11.3] specify 2 exceptional cases to [4:11.1] when there is no male to define the relative share. This covers the case that only one or more daughters inherit.

[4:11.1.3] For the case when a son or sons alone inherit, we follow the principle of [4:176.2] as we will see that children and siblings follow the exact same rules. It can also be derived by combining [4:11.1] with [4:11.3].

[4:11.1.4] Having relative shares for the children is a sensible approach as the number of children one could have is quite variable (1 to >20). Having an absolute portion per child could lead to a mathematically impossible inheritance of >100%.

[4:11.2] 0 Parents/Siblings/Spouse + >2 Daughters: they share in 2/3 of what is left.

[4:11.2.1] As Allah defines for one and for more than 2, then we apply the rule for more than 2 to 2 also. This parallels with [4:176:3] which highlights the 2 female inheritor case with the sister example.

[4:11.2.2] The principle of equal share among children of the same gender is established and not contradicted anywhere from here.

[4:11.3] 0 Parents/Siblings/Spouse + 1 Daughter: she gets half of what is left.

[4:11.3.1] This is in line with [4:176:1] where if there is only a sister, she gets half.

[4:11.3.2] This also parallels [4:176.2] by implication of the rule from [4:11.1]. If a boy alone inherits, he gets $2x \frac{1}{2} = 1$.

[4:11.4] Parents + Children + 0/X siblings + 0/X Spouses: If children, parents get 1/6 each. This establishes the equal shares of the parents, so this holds until otherwise specified.

[4:11.4.1] We see that the share of the children is not specified here, rather the fixed share of the parents is specified in case there are, or are not, children. We must apply the only rules on children [or siblings] that we have [4:11.1-3][4:176.1-4], to what remains after the category of parents [4:11.4,6] and spouses [4:12.2,4].

[4:11.4.2] We note that in this section dealing with the inheritance of parents, there is no mention of the share or impact of spouses on the share of parents. From this we can derive that the share of parents and spouses are fixed and independent. In contrast, the share of children or siblings impacts those of parents and spouses and that share is dependent [as it

is the remaining share after the fixed shares of the parents and spouses is taken] on the share taken by these two fixed categories.

[4:11.5] Parents + 0 Children/siblings + 0 Spouses: If parents are the only inheritors, mother [and father] get 1/3 each.

[4:11.5.1] Using the principle of equal share from [4:11.4], the father will get what the mother gets.

[4:11.6] Parents + Siblings + 0 Children + 0/1 Spouses: If parents and siblings, then mother [and father] get 1/6 each.

[4:11.6.1] We see that the share of the siblings is not specified here, rather the fixed share of the parents is specified in case there are, or are not, siblings.

[4:11.6.2] This supports the understanding that children and siblings are treated the same in terms of shares and their impact on the fixed share of parents and the spouses of the deceased.

[4:11.7] This would indicate that there are times when children inherit more and times when parents inherit more. With absolute shares for all, this would not be the case.

[4:11.7.1] As an example using my current approach: If 1 or both parents inherit and 2 or less daughters [only] inherit, the individual daughters inherit more than the parents. If 3 or more daughters [only] inherit, the parents individually inherit more than individual daughters. If all shares were fixed, this could not happen, and your total would exceed 1 regularly.

1. وَلَكُمْ نِصْفُ مَا تَرَكَ أَزْوَاجُكُمْ إِنْ لَمْ يَكُنْ لَهُنَّ وَلَدٌ
2. فَإِنْ كَانَ لَهُنَّ وَلَدٌ فَلَكُمْ الرُّبْعُ مِمَّا تَرَكَنَّ مِنْ بَعْدِ وَصِيَّةٍ يُوَصِّينَ بِهَا أَوْ دَيْنٍ
3. وَلَهُنَّ الرُّبْعُ مِمَّا تَرَكَتُمْ إِنْ لَمْ يَكُنْ لَكُمْ وَلَدٌ
4. فَإِنْ كَانَ لَكُمْ وَلَدٌ فَلَهُنَّ الثُّمْنُ مِمَّا تَرَكَتُمْ مِّنْ بَعْدِ وَصِيَّةٍ تُوصُونَ بِهَا أَوْ دَيْنٍ
5. وَإِنْ كَانَ رَجُلٌ يُورَثُ كَلَالَةً أَوْ امْرَأَةٌ وَلَهُ أَخٌ أَوْ أُخْتٌ فَلِكُلِّ وَاحِدٍ مِّنْهُمَا السُّدُسُ
6. فَإِنْ كَانُوا أَكْثَرَ مِنْ ذَلِكَ فَهُمْ شُرَكَاءُ فِي الثُّلُثِ مِنْ بَعْدِ وَصِيَّةٍ يُوصَى بِهَا أَوْ دَيْنٍ غَيْرِ مُضَارٍّ وَصِيَّةً مِنَ اللَّهِ وَاللَّهُ عَلِيمٌ

1. And for you is half of what your wives leave if they have no child.
2. But if they have a child, for you is one fourth of what they leave, after any bequest they [may have] made or debt.
3. And for the wives is one fourth if you leave no child.
4. But if you leave a child, then for them is an eighth of what you leave, after any bequest you [may have] made or debt.
5. And if a man or a woman is made to inherit on account of his [or her] kalalah relationship [with the deceased] and he [or she] has one brother or sister, the brother and sister shall each receive a sixth.

6. and if they be more than two, they shall then share in one-third, after carrying out any will that had been made by the deceased or payment of any debt owed by him – without harming anyone. This is a command from Allah and Allah is all-knowing, most forbearing.”

(4:12)

[4:12.1] Husband + 0 Children or 0 Siblings + 0/1/2 parents: Husband get $\frac{1}{2}$ of what the wife leaves behind, if there are no children [or siblings].

[4:12.2] Husband + Children or Siblings + 0/1/2 parents: If there are children [or siblings], then the husband gets $\frac{1}{4}$ of what wife/wives leave behind

[4:12.2.1] The Husband and his shares (like the wife) are modified in the same way as for parents. X if children [or siblings] and 2X if no children [or siblings].

[4:12.2.2] There is no mention of siblings here, but by analogy with the parent situation and by comparing [4:11] and [4:176] we would see that if there are no children, and there are siblings, then the siblings inherit like children.

[4:12.2.3] We see that the share of the children is not specified here, rather the fixed share of the spouse is specified in case there are, or are not, children. We must apply the only rules on children [or siblings] that we have [4:11.1-3][4:176.1-4], to what remains after the category of parents [4:11.4,6] and spouses [4:12.2,4].

[4:12.2.4] We note that in this section dealing with the inheritance of spouses, there is no mention of the share or impact of parents on the share of spouses. From this we can derive that the share of spouses and parents are fixed and independent. In contrast, the share of children or siblings impacts those of spouses and parents and that share is dependent [as it is the remaining share after the fixed shares of the spouses and parents is taken] on the share taken by these two fixed categories.

[4:12.3] X wives + 0 Children or 0 Siblings + 0/1/2 parents: Wife/wives receive/share $\frac{1}{4}$ from what husband leaves, if there are no children [or siblings].

[4:12.3.1] The 2-1 male-female ratio for children and siblings in inheritance also applies to spouses. Equal shares apply to parents and siblings of non-sibling (to deceased) Kalaalah (see [4:12.5-6]).

[4:12.3.2] I write wives, because a man may leave more than 1 behind, the wives would share in the share of $\frac{1}{4}$ of the inheritance, after the bequeathal from (2:240).

[4:12.4] X wives + Children or Siblings+ 0/1/2 parents: If there are children [or siblings], then the wife/wives receive/share $\frac{1}{8}$ from what husband leaves.

[4:12.4.1] There is no mention of siblings here, but by analogy with the parent situation and by comparing [4:11] and [4:176] we would see that if there are no children, and there are siblings, then the siblings inherit like children.

[4:12.4.2] I write wives, because a man may leave more than 1 behind, the wives would share in the share of 1/8 of the inheritance [if there are children or siblings], after the bequeathal from (2:240).

[4:12.5] **Kalaalah – non sibling:** If the one made to inherit, has a brother or sister, then each of them gets 1/6 of what the kalaalah gets.

[4:12.5.1] This is for the case that you have no heirs among siblings, parents, spouse or children and you make another (kalaalah) to inherit you.

[4:12.5.2] The word yuurathu is in the passive present tense. If waratha is he or it inherited, yuurithu (active) means he leaves inheritance, yuurathu (passive) means he is left inheritance. The verb used here implies that someone is made the inheritor of someone's (post debts and bequeathal) estate.

[4:12.5.3] The fact that the brother and sister of the inheritor, inherit equally, differentiates this category of inheritor from the siblings of the deceased.

[4:12.6] **Kalaalah – non sibling:** If the one made to inherit has more (than 1) sibling then they share in a maximum of 1/3 of what the Kalaalah gets.

وَلِكُلِّ جَعَلْنَا مَوَالِي مِمَّا تَرَكَ الْوَالِدَانِ وَالْأَقْرَبُونَ وَالَّذِينَ عَقَدْتُمْ أَيْمَانَكُمْ فَأَتَوْهُمْ نَصِيْبَهُمْ إِنَّ اللَّهَ كَانَ عَلَىٰ كُلِّ شَيْءٍ شَهِيدًا

And for all, We have made heirs to what is left by the [dual] parents and **near relatives [a]**. And to those whom your oaths have bound [to you][i.e., spouses] - give them their share **[b]**. Indeed Allah is ever, over all things, a Witness.

(4:33)

[a] See also verse (4:7) above.

[b] Here is the special highlight for the spouse.

1. يَسْتَفْتُونَكَ قُلِ اللَّهُ يُفْتِيكُمْ فِي الْكَلَالَةِ
 2. إِنْ امْرُؤٌ هَلَكَ لَيْسَ لَهُ وَلَدٌ وَلَهُ أُخْتٌ فَلَهَا نِصْفُ مَا تَرَكَ
 3. وَهُوَ يَرِثُهَا إِنْ لَمْ يَكُن لَهَا وَلَدٌ
 4. فَإِنْ كَانَتَا اثْنَتَيْنِ فَلَهُمَا الثُّلَثَانِ مِمَّا تَرَكَ
 5. وَإِنْ كَانُوا إِخْوَةً رِجَالًا وَنِسَاءً فَلِلذَّكَرِ مِثْلُ حَظِّ الْأُنثَيَيْنِ يُبَيِّنُ اللَّهُ لَكُمْ أَن تَضِلُّوا وَاللَّهُ بِكُلِّ شَيْءٍ عَلِيمٌ
1. They request from you a [legal] ruling. Say, "Allah gives you a ruling concerning Kalaalah." If a man dies, leaving no child but [only] a sister, she will have half of what he left.
 2. And he inherits from her if she [dies and] has no child.
 3. But if there are two sisters [or more], they will have two-thirds of what he left.
 4. If there are both brothers and sisters, the male will have the share of two females. Allah makes clear to you [His law], lest you go astray. And Allah is Knowing of all things.

(4:176)

This verse deals with the **kalaalah** that is the **sibling** of the deceased.

[4:176.1] 0 Children/Parents/Wife + **1 Sister**: If a person/man has no children and a sister, then the sister gets $\frac{1}{2}$ of what he leaves

[4:176.1.1] This parallels [4:11.3].

[4:176.2] 0 Children/Parents/Husband + **1 Brother**: If a woman has no children and a brother, then the brother gets all the inheritance.

[4:176.2.1] This answers for the case of one son inheriting. Of note is that by the application of the principle of the male inheriting twice the female [4:11.1][4:176.4], we could have already derived this for the case of the sons in (4:11).

[4:176.3] 0 Children/Parents/Wife + **2 Sisters**: If a man has no children and two (or more) sisters then they share in $\frac{2}{3}$ from what the brother leaves.

[4:176.3.1] This parallels [4:11.2], which clarifies that this applies to 2 or more sisters.

[4:176.4] **Siblings**: Brother's share = 2 x Sister's share. This is a **relative** [not absolute] share.

[4:176.4.1] This parallels [4:11.1].

2 The structure of Allah's teaching in surah 4

[Primary share]: [Also fixed share] gets a share of the total that is fixed based on the existence of others.

[Secondary share]: [Also proportional share] gets a share of what remains according to the rules defined.

[1-1]: an equal male – female share

[2-1]: male has twice the share of the female.

- A1 - [Secondary share] [2-1] Children: Male-Female rule
- A2 - [Secondary share] [2-1] Children: ≥ 2 Daughters
- A3 - [Secondary share] [2-1] Children: 1 Daughter and Children: 1 Son by implication of male-female rule.
 - B1 - [Primary share] [1-1] Parents + [Secondary share] Children
 - B2 - [Primary share] [1-1] Parents
 - B1' - [Primary share] [1-1] Parents + [Secondary share] Siblings
 - C1 - [Primary share] [2-1] Spouse: Husband
 - C2 - [Primary share] [2-1] Spouse: Husband + [Secondary share] Children
 - C1 - [Primary share] [2-1] Spouse: Wife
 - C2 - [Primary share] [2-1] Spouse: Wife + [Secondary share] Children
 - B1' - [Primary share] [1-1] [Kalaalah] 1 brother or sister
 - B1' - [Primary share] [1-1] [Kalaalah] >1 brother or sister
- A3 - [Secondary share] [2-1] [Kalaalah] Siblings: 1 Sister and Siblings: 1 brother
- A2 - [Secondary share] [2-1] [Kalaalah] Siblings: 2 Sisters [≥ 2 Sisters]
- A1 - [Secondary share] [2-1] [Kalaalah] Siblings: Male-Female rule

3 The remainder and its implications

كُتِبَ عَلَيْكُمْ إِذَا حَضَرَ أَحَدَكُمُ الْمَوْتُ إِنْ تَرَكَ خَيْرًا الْوَصِيَّةَ لِلْوَالِدَيْنِ وَالْأَقْرَبِينَ بِالْمَعْرُوفِ حَقًّا عَلَى الْمُتَّقِينَ

Prescribed for you when death approaches [any] one of you if he **leaves much (wealth)** [is that he should make] a bequest for the parents and near relatives according to what is acceptable - a duty upon the righteous.

(2:180)

وَإِذَا حَضَرَ الْقِسْمَةَ أُولُو الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسَاكِينُ فَارْزُقُوهُمْ مِنْهُ وَقُولُوا لَهُمْ قَوْلًا مَعْرُوفًا
وَلْيَخْشَ الَّذِينَ لَوْ تَرَكَوْا مِنْ خَلْفِهِمْ ذُرِّيَّةً ضِعَافًا خَافُوا عَلَيْهِمْ فَلْيَتَّقُوا اللَّهَ وَلْيَقُولُوا قَوْلًا سَدِيدًا

And when **[other] relatives** and orphans and the needy are present at the [time of] division, then provide for them [something] out of the estate and speak to them words of appropriate kindness. And let those [executors and guardians] fear as if they [themselves] had left weak offspring behind and feared for them. So let them fear Allah and speak words of appropriate justice.

(4:8-9)

There are a wide range of situations where a remainder exists after debts, bequeathals and shares are given out. Consider:

| | |
|--|-------------|
| 1. 1 wife inherits: | 75% remains |
| 2. 1 parent and 1 daughter inherit: | 58% remains |
| 3. 1 daughter inherits: | 50% remains |
| 4. 1 husband inherits: | 50% remains |
| 5. 1 wife and 1 daughter inherit: | 44% remains |
| 6. 1 husband and 1 daughter inherit: | 38% remains |
| 7. 1 wife, 1 parent and 1 daughter inherit: | 35% remains |
| 8. 2 or more daughters inherit: | 33% remains |
| 9. 2 parents and 1 daughter inherit: | 33% remains |
| 10. 1 wife and 2 or more daughters inherit: | 29% remains |
| 11. 1 husband, 1 parent and 1 daughter inherit: | 29% remains |
| 12. 1 parent and 2 or more daughters inherit: | 28% remains |
| 13. 1 wife, 2 parent and 1 daughter inherit: | 27% remains |
| 14. 1 husband and 2 or more daughters inherit: | 25% remains |
| 15. 2 parents and 2 or more daughters inherit: | 22% remains |
| 16. 1 husband, 2 parents and 1 daughter inherit: | 21% remains |
| 17. 1 wife, 2 parent and 2 or more daughters inherit: | 18% remains |
| 18. 1 husband, 2 parent and 2 or more daughters inherit: | 14% remains |
| 19. ... | |
| 20. 1 son and 1 daughter inherit: | 0% remains |
| 21. 1 or more sons Inherit | 0% remains |
| 22. 1 or more brothers inherit | 0% remains |

The only time when there is no remainder, is when a son inherits or in the absence of children, a brother inherits. I believe this is an indication of the associated responsibility that these two categories have. We get an indication of this from the following ayaat:

وَالْوَالِدَاتُ يُرْضِعْنَ أَوْلَادَهُنَّ حَوْلَيْنِ كَامِلَيْنِ لِمَنْ أَرَادَ أَنْ يُنَمِّمَ الرِّضَاعَةَ وَعَلَى الْمَوْلُودِ لَهُ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِالْمَعْرُوفِ لَا تُكَلَّفُ نَفْسٌ إِلَّا وُسْعَهَا لَا نُضَارُّ بِالْأَوْلَادِ بِوَالِدَيْهَا وَلَا مَوْلُودٌ لَهُ بِوَالِدَيْهِ وَعَلَى الْوَارِثِ مِثْلُ ذَلِكَ فَإِنْ أَرَادَا فِصَالًا عَنْ تَرَاضٍ مِنْهُمَا وَتَشَاوُرٍ فَلَا جُنَاحَ عَلَيْهِمَا وَإِنْ أَرَدْتُمْ أَنْ تَسْتَزِضِعُوا أَوْلَادَكُمْ فَلَا جُنَاحَ عَلَيْكُمْ إِذَا سَلَّمْتُمْ مَا آتَيْتُمْ بِالْمَعْرُوفِ وَاتَّقُوا اللَّهَ وَاعْلَمُوا أَنَّ اللَّهَ بِمَا تَعْمَلُونَ بَصِيرٌ

Mothers may breastfeed their children two complete years for whoever wishes to complete the nursing [period]. Upon the father is the mothers' provision and their clothing according to what is acceptable. No person is charged with more than his capacity. No mother should be harmed through her child, and no father through his child. **And upon the [father's] heir [masc.] is [a duty] like that [of the father].** And if they both desire weaning through mutual consent from both of them and consultation, there is no blame upon either of them. And if you wish to have your children nursed by a substitute, there is no blame upon you as long as you give payment according to what is acceptable. And fear Allah and know that Allah is Seeing of what you do.

(2:233)

- We see an indication of the responsibilities transferred to the male heir(s) of the deceased in this ayah.

الرِّجَالُ قَوَّامُونَ عَلَى النِّسَاءِ بِمَا فَضَّلَ اللَّهُ بَعْضَهُمْ عَلَى بَعْضٍ وَبِمَا أَنْفَقُوا مِنْ أَمْوَالِهِمْ فَالصَّالِحَاتُ قَانِتَاتٌ حَافِظَاتٌ لِّلْغَيْبِ بِمَا حَفِظَ اللَّهُ وَاللَّاتِي تَخَافُونَ نُسُوزَهُنَّ فَعِظُوهُنَّ وَاهْجُرُوهُنَّ فِي الْمَضَاجِعِ وَاصْرَبُوهُنَّ فَإِنْ أَطَعْتَكُمْ فَلَا تَبْغُوا عَلَيْهِنَّ سَبِيلًا إِنَّ اللَّهَ كَانَ عَلِيمًا كَبِيرًا

Men are in charge of women by [right of] what Allah has given one over the other and what they spend from their wealth. So righteous women are devoutly obedient, guarding in absence [of others, husband] what Allah would have them guard. But those [wives] from whom you fear dissention/rebellion - [first] advise them; [then if they persist], forsake them in bed; and [finally], send them away [immediate divorce]. But if they obey you [once more], seek no means against them. Indeed, Allah is ever Exalted and Grand.

(4:34)

- The very role of males in the male-female dynamic is one of protection and [some degree of] support. This exists most specifically in the husband-wife dynamic.

Combining the discussion of (4:8-9) in section 1.1 with the insights above should help us to understand the male-female inheritance dynamic and the case of the remainder after division.

Outside of this, (4:8-9) indicate the benefit from giving some of the inheritance to other relatives and needy. The fact that there are many times when inheritance remains after division, better enables the fulfilment of (4:8-9).