

Question 2428) - You have mentioned problems where the shares cannot be divided according to the number of individuals in one group. What if there are more than one group like that?

A: Multiply the first group with the second and if there is a third like that multiply the result with the third. Take the final result and multiply it with the Asl. This is if there is Tabayun between the groups. For example, A man leaves two wives, 5 grandmothers, 3 brothers on the mother's side and a paternal uncle. The Asl is 12. The wives get a quarter or 3 shares. The grandmothers get a sixth or 2 shares. The half- brothers get a third which is 4 shares. The uncle gets the remainder of 3. The shares of all three groups cannot be divided by the number of people in the group. Multiply the number of wives (2) by the number of grandmothers (5). Multiply the result (10) by the number of brothers (3). Multiply that result (30) by the Asl. The result is 360 by which denominator the shares balance for each individual.

If the number in each group equals the number in the other, that same number will satisfy the other group if used to multiply. For example, a man leaves 2 wives and 2 brothers. The Asl is 4. The 2 wives get a quarter (1 share) and the 2 brothers get the remaining 3 shares. The shares of each party cannot be divided amongst the individuals. Multiply the number in each group by the Asl. The result is 8. The shares are balanced. The wives get 2 shares, each takes 1. The brothers get 6 shares, each gets 3.

If the smaller number can be divided into the bigger number then the bigger number will suffice, e.g. with 4 wives and 2 brothers, simply multiply by 4.

If the numbers in each group have a common factor., multiply the remaining factors with each other and the Asl. For example a man leaves 4 wives, a sister and 6 paternal uncles. 4 and 6 can both be divided by 2. Multiply the remainders of 2 by 3, and then the result by the Asl to give a final result of 48. With this number the estate balances and each heir gets a proper calculated share.

~ al-Quduri ~