A Comparative Study of the Laws of Inheritance in the Quran: An Analysis of Tafsir al-Qurtubi and Tafsir al-Munir

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ABSTRACT

Islamic inheritance law, or faraid, is one of the most detailed areas of Islamic law regulated in the Qur'an. These legal provisions are primarily found in the inheritance verses of Surah al-Nisāʾ, verses 11, 12, and 176. Although the Qur'anic texts are definitive (qatʿi) in determining the shares of certain heirs, the interpretations of these verses by various exegetes demonstrate diversity in terms of methodology, madhhab orientation, and approaches to legal deduction (istinbat). This, in turn, creates a significant space for scholarly discussion. This study aims to analyse the exegetical methodology of Imam al-Qurṭubī in his work al-Jāmiʿ li Aḥkām al-Qurʾān and the methodology of Prof. Dr. Wahbah al-Zuḥaylī in al-Tafsīr al-Munīr in interpreting the verses on Islamic inheritance. In addition, this study compares the interpretations of inheritance law presented in both tafsir works and examines the implications of this comparison for the contemporary application of faraid. The study employs a qualitative library-based research design by combining the comparative tafsir method with content analysis of the primary texts of both tafsir works. At the same time, the analysis is supported by secondary sources from recent academic studies. The findings indicate that Imam al-Qurṭubī, who was associated with the Maliki school of thought, places greater emphasis on the exposition of legal rulings based on textual evidence (naṣṣ) and transmitted reports (āthār), with particular attention to classical jurisprudential discussions. In contrast, Prof. Dr. Wahbah al-Zuḥaylī, in al-Tafsīr al-Munīr, adopts a broader comparative jurisprudential approach by incorporating various madhhab opinions and relating them to the context of contemporary legislation. Differences are also identified in several disputed issues, including the status of kalālah, the position of the grandfather in relation to siblings, and issues concerning exclusion from inheritance in the distribution of faraid. The implications of this study are significant for Muslims, particularly in enhancing their understanding of the diversity of approaches employed in the interpretation of legal verses tafsir ahkam.

Keywords: Farāʾiḍ, inheritance, comparative exegesis (tafsīr muqāran), Tafsir al-Qurṭubī, Tafsir al-Munīr.

INTRODUCTION

Islamic inheritance (faraid) encompasses the transfer of the deceased's estate to eligible heirs based on the Quran, Hadith, and scholarly consensus (ijmaʿ) (Iqbal & Hamzah, 2024; Abdel-Hady, 2025). This system abolished the practices of pre-Islamic Arab society, which denied inheritance rights to women and children (Agiel et al., 2023). Inheritance is discussed in greater detail than many other legal rulings because it involves individual rights and welfare, as well as the precise distribution of assets according to the circumstances of the deceased's heirs. The distribution of an estate can only take place after the death of its owner, once all outstanding debts have been settled, the deceased's will has been fulfilled, and funeral expenses have been covered (Azharuddin, 2025). Malaysia faces various issues concerning inheritance that require serious attention, including conflicts between legal systems, the influence of customary practices, institutional weaknesses, a lack of public awareness regarding inheritance matters, and unclaimed estates

(Wahab et al., 2021).

Previous studies on Islamic inheritance have focused on several aspects. One major issue concerns unclaimed inheritance assets, which are estimated to have reached between RM60 billion and RM70 billion, resulting in the immobilisation of Muslim economic resources (Shafie et al., 2019). Furthermore, overlapping jurisdictions between the Syariah and civil courts have contributed to delays in estate administration (Said et al., 2021). A more critical issue arises from customary practices, particularly Adat Perpatih and Adat Temenggung, which may conflict with the principles of faraid and consequently lead to disputes among heirs (Hussin et al., 2025). Another major issue discussed in previous studies concerns converts to Islam (muallaf) who inherit property through hibah (inter vivos gifts), despite the absence of specific legislation governing this matter in Malaysia (Azmi et al., 2022). More concerningly, Muslim communities often fail to claim their rightful faraid inheritance due to a lack of awareness and knowledge regarding inheritance laws (Takdir et al., 2023).

Allah SWT has not entrusted the distribution of a deceased person's estate solely to human discretion. Instead, Allah SWT has established detailed provisions through the inheritance verses in Surah al-Nisaʾ, particularly verses 11, 12, and 176. These verses specify the categories of eligible heirs and their respective shares of inheritance (Hani Kamariah et al., 2020). These provisions are significant because they do not merely regulate the distribution of material wealth but also embody the principle of justice, thereby preventing disputes among family members following a person's death (Ishaq & Muthe, 2024).

Nevertheless, although the Quranic texts are qatʿi al-thubut (definitive in authenticity) in establishing the prescribed shares of inheritance, this does not necessarily mean that their interpretation and application are uniform among Quranic exegetes (mufassirun). Rather, the interpretation of inheritance verses has produced various approaches to legal derivation (istinbat al-ahkam), influenced by the exegetes' respective madhhab backgrounds, historical periods, and methods of Quranic interpretation. For instance, subsidiary jurisprudential issues (furuʿ), such as the status of kalalah in verse 176 and the position of siblings in inheritance distribution, remain subjects of differing juristic interpretations among exegetes (Ishaq & Muthe, 2024).

Based on this background, this study seeks to analyse and compare the interpretations of inheritance verses through two exegetical works representing two distinct intellectual traditions: Tafsir al-Jamiʿ li Ahkam al-Quran by Imam al-Qurtubi, which represents the classical legal exegesis tradition of the Maliki school of thought, and Tafsir al-Munir by Wahbah al-Zuhayli, which represents a contemporary exegetical approach grounded in comparative jurisprudence (fiqh muqaran). This comparison is expected to provide a comprehensive understanding of Islamic inheritance laws.

A review of previous studies indicates that academic discussions concerning inheritance verses in the Quran have been extensively conducted. However, most studies have focused on individual thematic analyses or comparisons between classical and contemporary exegesis, particularly from the perspective of gender justice. Comparisons specifically examining the methodologies of legal Quranic exegesis (tafsir ahkam), however, remain limited. For instance, a recent study compared the interpretations of Ibn Kathir, representing classical exegesis based on bi al-maʾthur, with those of M. Quraish Shihab, representing modern contextual exegesis, concerning inheritance verses in Surah al-Nisaʾ. The study found that classical exegesis generally understands inheritance distribution as a definitive divine provision based on the social structure during the period of revelation, whereas modern exegesis places greater emphasis on the content and central issues of the verses (Indah et al., 2026). These findings demonstrate that the historical period and methodological orientation of an exegete influence the way in which faraid rulings are interpreted, although the study did not specifically examine Tafsir al-Qurtubi or Tafsir al-Munir.

With regard to studies on Tafsir al-Munir, several recent studies have affirmed its position as a systematic and comprehensive exegetical work. It combines the approaches of bi al-maʾthur and bi al-raʾy, while relating the interpretation of Quranic verses to contemporary realities without disregarding asbab al-nuzul as their historical background. Furthermore, Wahbah al-Zuhayli consistently applies the principle of the

generality of wording (ʿumum al-lafz) to broaden the scope of Quranic meanings so that they remain relevant across various social and legal contexts (Moch. Yunus, 2018). Meanwhile, studies examining the legal verses in Tafsir al-Munir have also demonstrated al-Zuhayli's meticulous approach in discussing jurisprudential implications, including issues concerning qiraʾat in relation to Quranic legal verses (Uqbah et al., 2022).

In general, this study aims to contribute academically to the field of Quranic legal exegesis (tafsir ahkam), particularly through the analysis and comparison of inheritance rulings as interpreted in two exegetical works representing distinct intellectual traditions, namely Tafsir al-Jamiʿ li Ahkam al-Quran and Tafsir al-Munir. This objective is founded on the need to understand more comprehensively how two exegetes from different historical periods and madhhab orientations interpret the same primary texts, namely the inheritance verses in Surah al-Nisaʾ. This will facilitate the identification of similarities and differences in their respective legal interpretations.

RESEARCH METHODOLOGY

This study focuses on the exegetical texts contained in two works of Quranic legal exegesis (tafsir ahkam), namely Tafsir al-Jamiʿ li Ahkam al-Quran by Imam al-Qurtubi and Tafsir al-Munir by Wahbah al-Zuhayli. Specifically, the analysis focuses on the interpretations of both exegetes concerning the inheritance verses in Surah al-Nisaʾ, namely verses 11, 12, and 176. The discussion encompasses the explanation of the literal meanings of the verses and the aspects of legal derivation (istinbat al-ahkam) employed by each exegete.

The selection of these units of analysis is based on three main reasons. First, both works are classified as tafsir ahkam, which specifically focuses on discussions of Islamic legal rulings. This makes them suitable for a study on Islamic inheritance law. Second, both works represent different historical periods and intellectual orientations. Imam al-Qurtubi represents the classical Maliki tradition, whereas al-Zuhayli represents a contemporary approach grounded in comparative jurisprudence (fiqh muqaran). Third, verses 11, 12, and 176 of Surah al-Nisaʾ are selected because these three verses constitute the primary textual foundations establishing the basic framework of Islamic inheritance law (faraid). Almost all disputed issues in inheritance jurisprudence originate from interpretations of these verses.

In terms of implementation, this analysis is conducted through textual documentation by directly examining the original texts of both exegetical works in the sections discussing the inheritance verses. Supporting materials, such as journal articles and relevant academic studies, are used as secondary sources to enhance the findings obtained from the primary texts. This approach ensures that the analysis remains grounded in the original texts while taking into consideration the broader academic context.

This study adopts an entirely qualitative approach. It is designed as a library-based study without involving any form of quantitative measurement, such as statistics, questionnaires, or numerical data. This research design focuses on documents, with particular emphasis on understanding the texts, meanings, and contexts of the legal interpretations contained in Tafsir al-Qurtubi and Tafsir al-Munir. The selection of a qualitative approach is consistent with the nature of the research materials, namely classical and contemporary exegetical texts, which require an in-depth understanding of their meanings. This study aims to describe, interpret, and compare the legal contents of both works. This approach is also consistent with the established tradition of comparative Quranic exegesis (tafsir muqaran). This is reflected in the consistent application of qualitative methods based on textual and content analysis when examining comparisons between Quranic exegetes.

The implementation of this study involves two main stages. The first stage involves data collection through reading and direct examination of the primary texts and secondary sources. The second stage involves data analysis using the content analysis method, followed by a comparison of the similarities and differences in the approaches to legal derivation (istinbat al-ahkam) employed by both exegetes.

Data analysis in this study employs a combination of two main methods, namely content analysis and the

comparative exegesis method (tafsir muqaran). The analysis is conducted using tables, in which the interpretations of each exegete are presented side by side to facilitate the direct identification of similarities and differences between the two interpretations. Subsequently, an analysis of the respective views is conducted to formulate the implications arising from the identified similarities and differences.

This combination of methods is adopted because content analysis alone is insufficient to achieve the comparative objectives of this study. Meanwhile, tafsir muqaran requires a foundation of content analysis before a more comprehensive comparison can be undertaken. This approach is essential to ensure that every conclusion is genuinely grounded in textual evidence rather than assumptions or the researcher's personal interpretations, while maintaining the academic rigour of the study.

In the first stage, the researcher analyses the contents of al-Qurtubi's and al-Zuhayli's interpretations side by side in tables constructed for each segment of the inheritance verses. In the second stage, the identified differences are analysed through the conceptual framework of ikhtilaf al-mufassirin (differences among Quranic exegetes), to determine whether they constitute differences of variation (tanawwuʿ) or other forms of disagreement. Subsequently, the appropriate methods of resolution are applied, whether through reconciliation (al-jamʿ) or preference (al-tarjih). At the final stage, the findings of the analysis are systematically synthesised to evaluate the initial hypothesis presented in the introductory section.

Table 1. List of Quranic Verses Selected as Research Subjects

No.	Surah	Verse No.	Quranic Verse
1	Al-Nisāʿ	11	﴿يُوصِيكُمُ ٱللَّهُ فِيٓ أَوۡلَٰدِكُمۡۖ لِلذَّكَرِ مِثۡلُ حَظِّ ٱلۡأُنثَيَيۡنِۚ فَإِن كُنَّ نِسَآءٗ فَوۡقَ ٱثۡنَتَيۡنِ فَلَهُنَّ ثُلُثَا مَا تَرَكَۖ وَإِن كَانَتۡ وَٰحِدَةٗ فَلَهَا ٱلنِّصۡفُۚ وَلِأَبَوَيۡهِ لِكُلِّ وَٰحِدٖ مِّنۡهُمَا ٱلسُّدُسُ مِمَّا تَرَكَ إِن كَانَ لَهُۥ وَلَدٞۚ فَإِن لَّمۡ يَكُن لَّهُۥ وَلَدٞ وَوَرِثَهُۥٓ أَبَوَاهُ فَلِأُمِّهِ ٱلثُّلُثُۚ فَإِن كَانَ لَهُۥٓ إِخۡوَةٞ فَلِأُمِّهِ ٱلسُّدُسُۚ مِنۢ بَعۡدِ وَصِيَّةٖ يُوصِي بِهَآ أَوۡ دَيۡنٍۗ ءَابَآؤُكُمۡ وَأَبۡنَآؤُكُمۡ لَا تَدۡرُونَ أَيُّهُمۡ أَقۡرَبُ لَكُمۡ نَفۡعٗاۚ فَرِيضَةٗ مِّنَ ٱللَّهِۗ إِنَّ ٱللَّهَ كَانَ عَلِيمًا حَكِيمٗا ١١﴾
2	Al-Nisāʿ	12	﴿۞ وَلَكُمۡ نِصۡفُ مَا تَرَكَ أَزۡوَٰجُكُمۡ إِن لَّمۡ يَكُن لَّهُنَّ وَلَدٞۚ فَإِن كَانَ لَهُنَّ وَلَدٞ فَلَكُمُ ٱلرُّبُعُ مِمَّا تَرَكۡنَۚ مِنۢ بَعۡدِ وَصِيَّةٖ يُوصِينَ بِهَآ أَوۡ دَيۡنٖۚ وَلَهُنَّ ٱلرُّبُعُ مِمَّا تَرَكۡتُمۡ إِن لَّمۡ يَكُن لَّكُمۡ وَلَدٞۚ فَإِن كَانَ لَكُمۡ وَلَدٞ فَلَهُنَّ ٱلثُّمُنُ مِمَّا تَرَكۡتُمۚ مِّنۢ بَعۡدِ وَصِيَّةٖ تُوصُونَ بِهَآ أَوۡ دَيۡنٖۗ وَإِن كَانَ رَجُلٞ يُورَثُ كَلَٰلَةً أَوِ ٱمۡرَأَةٞ وَلَهُۥٓ أَخٌ أَوۡ أُخۡتٞ فَلِكُلِّ وَٰحِدٖ مِّنۡهُمَا ٱلسُّدُسُۚ فَإِن كَانُوٓاْ أَكۡثَرَ مِن ذَٰلِكَ فَهُمۡ شُرَكَآءُ فِي ٱلثُّلُثِۚ مِنۢ بَعۡدِ وَصِيَّةٖ يُوصَىٰ بِهَآ أَوۡ دَيۡنٍ غَيۡرَ مُضَآرّٖۚ وَصِيَّةٗ مِّنَ ٱللَّهِۗ وَٱللَّهُ عَلِيمٌ حَلِيمٞ ١٢﴾
3	Al- Nisāʿ	176	﴿يَسۡتَفۡتُونَكَ قُلِ ٱللَّهُ يُفۡتِيكُمۡ فِي ٱلۡكَلَٰلَةِۚ إِنِ ٱمۡرُؤٌاْ هَلَكَ لَيۡسَ لَهُۥ وَلَدٞ وَلَهُۥٓ أُخۡتٞ فَلَهَا نِصۡفُ مَا تَرَكَۚ وَهُوَ يَرِثُهَآ إِن لَّمۡ يَكُن لَّهَا وَلَدٞۚ فَإِن كَانَتَا ٱثۡنَتَيۡنِ فَلَهُمَا ٱلثُّلُثَانِ مِمَّا تَرَكَۚ وَإِن كَانُوٓاْ إِخۡوَةٗ رِّجَالٗا وَنِسَآءٗ فَلِلذَّكَرِ مِثۡلُ حَظِّ ٱلۡأُنثَيَيۡنِۗ يُبَيِّنُ ٱللَّهُ لَكُمۡ أَن تَضِلُّواْۗ وَٱللَّهُ بِكُلِّ شَيۡءٍ عَلِيمُۢ ١٧٦﴾

BACKGROUND OF THE EXEGETES

Imam al-Qurtubi and Tafsir al-Jamiʿ li Ahkam al-Quran

His full name was Abu ʿAbdillah Muhammad bin Ahmad bin Abu Bakr bin Farh al-Ansari al-Qurtubi al-

Maliki. According to al-Qaṣabī (1990), the scholars did not clearly record his date of birth. However, he was born in the city of Cordoba, Andalusia. His title, al-Qurtubi, was derived from his birthplace, Cordoba, which was also known as Qurtubah. Throughout his life, he devoted himself entirely to Islamic knowledge and the service of Allah. Although he authored numerous scholarly works during his lifetime, he was particularly renowned for his greatest contribution, the exegetical work al-Jamiʿ li Ahkam al-Quran. He passed away in 671 AH in a place known as al-Munyah, Egypt (al-Dhahabi, 2019).

Following the fall of Andalusia to the Christian forces during the rule of the al-Muwahhidun, Imam al-Qurtubi migrated from his homeland to Alexandria, Egypt. Subsequently, he moved to the highlands of Egypt, where he remained until his death. Throughout his life, he was known for his asceticism (zuhd), piety (waraʿ), and strong dedication to knowledge and worship. Apart from his renowned exegetical work, Imam al-Qurtubi also produced several other works, including al-Tadhkirah fi Ahwal al-Mawta wa ʿUmur al-Akhirah, al-Asna fi Sharh Asmaʾ Allah al-Husna, and al-Muqtabas fi Sharh Muwattaʾ Malik bin Anas. These works reflect the breadth of his scholarly expertise, encompassing Quranic exegesis, hadith, theology, and jurisprudence. The diversity of his writings demonstrates that Imam al-Qurtubi was not merely a Quranic exegete but also a respected jurist (faqih) of his time.

The Background of the Maliki School of Thought

According to al-Dhahabi (2019), Imam al-Qurtubi was a jurist affiliated with the Maliki school of thought. This madhhab background significantly influenced his approach to interpreting legal verses, including issues relating to faraid. He frequently referred to the jurisprudential opinions of Imam Malik and his followers as his primary points of reference before comparing them with the views of other schools of thought.

Nevertheless, one important characteristic that should be emphasised is that Imam al-Qurtubi was not fanatical towards his own madhhab. As recorded in his exegetical work, he followed the evidence until he arrived at what he considered to be the truth, regardless of who expressed the opinion. Furthermore, he discussed and analysed the views of various other leading jurists before presenting his preferred position (al-Qurtubi, 1964). Al-Qaṣabī (1990) also supports this observation by specifically explaining in his writing that Imam al-Qurtubi was not blindly attached to the Maliki school of thought.

Whenever the arguments within the Maliki school appeared weak, he would give preference (tarjih) to opinions from other schools of thought. This was because he considered the truth to lie in opinions outside the Maliki school. At the same time, he explicitly expressed his rejection of certain Maliki positions by presenting his arguments carefully and objectively. This open-minded attitude was evident when he defended other schools of thought and the opinions of scholars who had been criticised by Ibn al-ʿArabi al-Maliki in his exegetical work, even though Ibn al-ʿArabi himself was also affiliated with the Maliki school.

Nevertheless, the influence of the Maliki school remained evident in his use of legal sources. On certain occasions, Imam al-Qurtubi relied solely on the opinions of Imam Malik and some Maliki scholars before presenting his own comparative analysis. This was because he was satisfied with the opinions and arguments presented (al-Qaṣabī, 1990). Therefore, although his madhhab background clearly influenced his preferences in selecting references, it did not restrict the breadth of his jurisprudential discussions, which also incorporated opinions from different schools of thought in his exegetical work.

Methodology of Writing

Imam al-Qurtubi himself outlined the methodology employed in writing his exegetical work. It encompasses explanations of the occasions of revelation (asbab al-nuzul), various forms of Quranic recitation (qiraʾat), linguistic discussions and grammatical analysis (iʿrab), the authentication and tracing of relevant hadith reports (takhrij al-hadith), explanations of unfamiliar expressions, and the presentation of juristic opinions concerning the legal rulings contained in the verses (al-Qurtubi, 1964).

This methodology makes his work more than an ordinary Quranic commentary; rather, it serves as a comprehensive encyclopaedia of jurisprudential discussions on Quranic legal verses. For this reason, he

named his work al-Jamiʿ, meaning 'the comprehensive compilation' of Quranic legal rulings.

In addition, Imam al-Qurtubi enriched his exegesis with excerpts from Arabic poetry to explain the linguistic aspects of the verses. He also provided critical comments (taʿliq) on the opinions of earlier exegetes whom he quoted, such as Ibn Jarir al-Tabari, Ibn ʿAtiyyah, Ibn al-ʿArabi, and Abu Bakr al-Jassas (al-Qurtubi, 1964). He also adopted a critical stance towards Israʾiliyyat narratives and weak reports frequently included by some other exegetes, either by mentioning them briefly or rejecting them when they contradicted the principles of authentic narration.

The most prominent methodological characteristic of his work is its extensive focus on jurisprudential discussions. Consequently, this exegesis is regarded as one of the most comprehensive and detailed works in discussing Quranic legal verses compared with other exegetical works of his time. For example, he elaborated on specific legal issues, such as the questions of imamah and the caliphate, when interpreting verse 30 of Surah al-Baqarah. This demonstrates his tendency to examine the jurisprudential and political implications of a verse rather than merely explaining its literal meaning.

According to al-Qaṣabī (1990), another method employed by al-Qurtubi was comparative jurisprudence. In many instances, he did not restrict himself to Maliki jurisprudence but also incorporated the jurisprudential opinions of other schools of thought. His approach involved presenting different opinions before selecting a preferred position. This can be observed in his interpretation of Surah al-Baqarah (2:185):

وَمَن كَانَ مَرِيضًا أَوْ عَلَىٰ سَفَرٍ فَعِدَّةٌ مِّنْ أَيَّامٍ أُخَرَ

Translation: "And whoever among you is ill or on a journey, then an equal number of days (are to be made up) on other days."

Imam al-Qurtubi (1964) presented the differences of opinion among scholars concerning this issue. The question was whether a person travelling would be better off breaking the fast or continuing to fast while travelling. In interpreting this verse, he explained the opinions of other jurists, together with their differences of opinion and supporting arguments. Only at the end of his discussion did he select the opinion that he supported. Furthermore, he also employed comparative jurisprudence through discussions involving the presentation of opinions and the process of tarjih (preference).

Wahbah al-Zuhayli and Tafsir al-Munir

His name was Wahbah bin Mustafa al-Zuhayli. He was born in the town of Dayr ʿAtiyyah, one of the areas surrounding Damascus, in 1932 CE. He passed away in 2015 CE. His father was a memoriser of the Quran who firmly adhered to and practised its teachings. He also loved the Sunnah of Prophet Muhammad SAW and worked as a farmer and merchant. Wahbah al-Zuhayli was married and blessed with five children. All his children completed their university education except the youngest, who was still pursuing his studies at the time.

Educational Background and Academic Achievements

He received his primary education in his hometown. He subsequently pursued his secondary education at the College of Shariah in Damascus for six years. He achieved outstanding results and ranked first among all candidates who sat for the Shariah secondary school examination in 1952 CE. He also obtained a general secondary school certificate in the arts stream.

Thereafter, he continued his studies at the Faculty of Shariah, Al-Azhar University, where he obtained the Higher Degree (al-Shahadah al-ʿAliyah) and ranked first in 1956 CE. He subsequently obtained a teaching specialisation qualification from the Faculty of Arabic Language at Al-Azhar University. Thus, his academic qualifications included the al-ʿAlamiyyah degree together with a teaching qualification.

At the same time, he also pursued legal studies and obtained a Bachelor of Laws degree (Lisan al-Huquq) from ʿAyn Shams University with a good result in 1957 CE. In 1959 CE, he obtained a Diploma from the Institute of Shariah at the Faculty of Law, Cairo University. Subsequently, he was awarded a Doctor of Philosophy (PhD) in Law (Islamic Shariah) in 1963 CE, graduating with first-class honours. It was also recommended that his thesis be considered for exchange among foreign universities.

The title of his thesis was "The Effects of War in Islamic Jurisprudence: A Comparative Study between Eight Schools of Thought and Public International Law."

In 1963 CE, he was appointed as a lecturer at the University of Damascus. He was subsequently promoted to the position of Associate Professor in 1969 CE and then Professor in 1975 CE. His responsibilities encompassed teaching, writing, academic supervision, and delivering both general and specialised lectures. He was reportedly capable of working for up to 16 hours a day.

Areas of Academic Specialisation

His specific areas of academic specialisation were Islamic jurisprudence (fiqh) and the principles of Islamic jurisprudence (usul al-fiqh). He taught both disciplines, as well as comparative jurisprudence, at the Faculty of Shariah. He also taught subjects related to Shariah at the Faculty of Law, University of Damascus, while conducting postgraduate studies in these fields.

He studied under many prominent scholars in Islamic studies and various other disciplines. Among his teachers were:

- Sheikh Mahmud Yasin in the field of Prophetic hadith;
- Sheikh Mahmud al-Rankusi in the field of Islamic theology (ʿaqidah);
- Sheikh Hasan al-Shatti in the field of Islamic inheritance law (faraid);
- Sheikh Hashim al-Khatib in the field of Shafiʿi jurisprudence;
- Sheikh Lutfi al-Fayyumi in the fields of the principles of Islamic jurisprudence (usul al-fiqh) and hadith terminology (mustalah al-hadith);
- Sheikh Ahmad al-Sammaq in the field of Quranic recitation rules (tajwid);
- Sheikh Hamdi Jwayjati in the sciences of Quranic recitation;
- Sheikh Abu al-Hasan al-Qassab in the fields of Arabic syntax (nahw) and morphology (sarf);
- Sheikh Hasan Habannakah and Sheikh Sadiq Habannakah al-Maydani in the field of Quranic exegesis (tafsir).

Methodology of Writing Tafsir al-Munir

In the introductory section, Wahbah (1991) clearly explained the methodology he employed in writing his exegetical work. He outlined seven steps as follows:

- Dividing the verses into thematic units with appropriate headings.
- Providing a general overview of the contents of the surah.
- Explaining the linguistic aspects and vocabulary.
- Evaluating the occasions of revelation (asbab al-nuzul) and historical reports based on authentic sources.

- Interpreting the verses and explaining their meanings.
- Deriving legal rulings from the verses.
- Analysing the rhetorical features (balaghah) and grammatical structures (iʿrab) to facilitate an understanding of their meanings.

In addition to the seven steps mentioned above, he also stated that he would make every effort to incorporate thematic exegesis by compiling and presenting interpretations of different Quranic verses that are related to the same theme, such as jihad, hudud, inheritance laws, marriage laws, usury (riba), and intoxicants. He would also explain, at the earliest opportunity, matters related to Quranic narratives, such as the stories of the prophets, beginning with Adam, Nuh, Ibrahim, and the other prophets, the story of Pharaoh and Musa, as well as Quranic accounts concerning earlier revealed scriptures. Furthermore, if the same story were repeated with a different style of presentation and purpose, he would refer readers to the section that had discussed the story comprehensively. Nevertheless, he would not mention any transmitted narration in explaining these stories unless it was consistent with the religious rulings, acceptable according to established knowledge, and reasonable to sound intellect. At the same time, he would also support Quranic verses with authentic hadith reports that had undergone takhrij, except in a few rare instances (Wahbah, 1991).

FINDINGS

Based on the scope of this study, the research is limited to verses 11, 12, and 176 of Surah al-Nisaʾ. Allah SWT states in verse 11:

﴿يُوصِيكُمُ ٱللَّهُ فِيٓ أَوۡلَٰدِكُمۡۖ لِلذَّكَرِ مِثۡلُ حَظِّ ٱلۡأُنثَيَيۡنِۚ فَإِن كُنَّ نِسَآءٗ فَوۡقَ ٱثۡنَتَيۡنِ فَلَهُنَّ ثُلُثَا مَا تَرَكَۖ وَإِن كَانَتۡ وَٰحِدَةٗ فَلَهَا ٱلنِّصۡفُۚ وَلِأَبَوَيۡهِ لِكُلِّ وَٰحِدٖ مِّنۡهُمَا ٱلسُّدُسُ مِمَّا تَرَكَ إِن كَانَ لَهُۥ وَلَدٞۚ فَإِن لَّمۡ يَكُن لَّهُۥ وَلَدٞ وَوَرِثَهُۥٓ أَبَوَاهُ فَلِأُمِّهِ ٱلثُّلُثُۚ فَإِن كَانَ لَهُۥٓ إِخۡوَةٞ فَلِأُمِّهِ ٱلسُّدُسُۚ مِنۢ بَعۡدِ وَصِيَّةٖ يُوصِي بِهَآ أَوۡ دَيۡنٍۗ ءَابَآؤُكُمۡ وَأَبۡنَآؤُكُمۡ لَا تَدۡرُونَ أَيُّهُمۡ أَقۡرَبُ لَكُمۡ نَفۡعٗاۚ فَرِيضَةٗ مِّنَ ٱللَّهِۗ إِنَّ ٱللَّهَ كَانَ عَلِيمًا حَكِيمٗا ١١﴾

Translation: "Allah commands you concerning (the distribution of inheritance among) your children: the share of a male is equivalent to that of two females. However, if the children are all females and number more than two, they shall receive two-thirds of the estate left behind by the deceased. If there is only one daughter, she shall receive half of the estate. As for the parents of the deceased, each of them shall receive one-sixth of the estate if the deceased has children. However, if the deceased has no children and is survived only by both parents, the mother shall receive one-third. If the deceased has several siblings, the mother shall receive one-sixth. (The distribution shall be made) after the fulfilment of any bequest made by the deceased and the settlement of outstanding debts. You do not know which of your parents or children is closer to you in benefit. This is a prescribed obligation from Allah. Indeed, Allah is All-Knowing, All-Wise."

The following Table 1 presents an explanation of this verse based on the interpretations of Imam al-Qurtubi and Wahbah al-Zuhayli.

Table 1: Interpretations of Verse 11 of Surah al-Nisaʾ by Imam al-Qurtubi and Wahbah al-Zuhayli

No.	Extract of the Verse	Interpretation of Imam al-Qurtubi	Interpretation by Wahbah al-Zuhayli
1.	يُوصِيكُمُ ٱللَّهُ فِيٓ أَوۡلَٰدِكُمۡۖ	The term children here encompasses all children who have been born or are still fetuses in their mothers' wombs, whether they are close or distant heirs, male or	Allah begins by mentioning children because they are more deserving of love and assistance due to their vulnerability. As for

		female, except those who are non-Muslims. If a child is khuntha (a person possessing both male and female genital organs), the determination is based on the organ from which the urine is discharged. The ruling is then applied accordingly. If urine is discharged from both organs, the determination is based on which passage the urine emerges from first.	the usul (parents and grandparents), they may have a right to maintenance that must be fulfilled by someone other than the deceased, or they may have the ability to work and earn an income.
2.	لِلذَّكَرِ مِثْلُ حَظِّ ٱلْأُنثَيَيْنِ	A male receives a share twice that of a female.	This means that when a person dies leaving behind male and female heirs, the share of one male is equivalent to the shares of two females. This is because men are responsible for providing maintenance, working and earning an income, bearing various hardships, and paying the mahr to their wives. In contrast, women are not obligated to provide maintenance for anyone, whether they are daughters, sisters, mothers, wives, paternal aunts or maternal aunts. Instead, upon reaching adulthood or puberty, they are only required to provide for themselves if they are not married.
3.	فَإِن كُنَّ نِسَآءً فَوْقَ ٱثْنَتَيْنِ فَلَهُنَّ ثُلُثَا مَا تَرَكَ	Allah has prescribed that a woman who is the sole female heir receives one-half of the estate. If there are two or more females, they collectively share two-thirds of the estate. If the deceased leaves behind two or more daughters while also having granddaughters through a son, the daughters exclude the granddaughters from receiving a share. However, if the deceased leaves behind only one daughter, the deceased's grandson or granddaughter through his son inherits alongside her as a supplementary heir (takmilah) to complete the two-thirds share.	If the deceased leaves behind only female heirs, whether daughters or sisters, and their number exceeds two, they collectively receive two-thirds of the estate left by the deceased.
4.	وَإِن كَانَتْ وَٰحِدَةً فَلَهَا ٱلنِّصْفُ	If the female heir or daughter is the only one, she receives one-half of the estate.	If the deceased leaves behind only one female heir, without a male heir who would make her an ʿasabah, she is entitled to one-half of the inheritance. There is a difference of opinion concerning the inheritance of two daughters when they are the sole heirs and are not accompanied by a son.

			Ibn ʿAbbas held that the ruling for the two daughters is the same as that for one daughter, meaning that both receive one-half, based on the apparent meaning of the verse: "If there are more than two females, their share is two-thirds of what he has left." Meanwhile, the majority of scholars hold that two daughters are treated like two sisters, whereby both receive two-thirds. This is based on the analogy (qiyas) with two sisters, concerning whom Allah states: "If they are two sisters, they shall receive two-thirds of what he has left."
5.	وَلِأَبَوَيۡهِ لِكُلِّ وَٰحِدٖ مِّنۡهُمَا ٱلسُّدُسُ مِمَّا تَرَكَ إِن كَانَ لَهُۥ وَلَدٞ	Both parents of the deceased receive one-sixth of the estate if the deceased has children.	Each of the deceased's parents receives one-sixth of the estate if the deceased has children, whether male or female, and whether there is one child or more than one. The remaining portion of the estate is given to the children.
6.	فَإِن لَّمۡ يَكُن لَّهُۥ وَلَدٞ وَوَرِثَهُۥٓ أَبَوَاهُ فَلِأُمِّهِ ٱلثُّلُثُ	If the deceased has no children, then his parents inherit his estate, with the mother receiving one-third. If the deceased has siblings, the mother receives one-sixth of the estate. However, a grandmother does not receive this share. The ruling concerning the grandfather is different. Some scholars state that the term "father" also includes the grandfather. If the deceased has no father, the grandfather may replace the deceased father. Abu Bakr also included the grandfather in the category of "father", and thus the grandfather is excluded from inheritance if the deceased has siblings. However, ʿAli, Zayd and Ibn Masʿud held that the grandfather still inherits even if the deceased has siblings. According to them, his share is not reduced below one-third when there are full brothers and sisters or paternal half-brothers and sisters, except when there are heirs entitled to fixed shares (ashab al-furud). According to Zayd's opinion, his share is not reduced below one-sixth in their presence, regardless of the number of siblings. This opinion was also held by Malik, al-Awzaʿi, Abu Yusuf,	If the deceased has no children at all and both parents inherit from him, his mother receives one-third. The reason both parents are given equal shares in their capacity as parents when children are still present is to ensure that equal respect is accorded to both of them. As for the reason why the parents' share is smaller than that of the children, this may be because: **i.** They have reached an advanced age. **ii.** They are financially sufficient and have no need for additional support. **iii.** Some of their children are still alive and are obligated to provide for them. The children, on the other hand, have greater financial needs, either because they are still young or because

		Muhammad and al-Shafiʿi. As for ʿAli, he held that the deceased's siblings and grandfather should share the inheritance until the grandfather receives one-sixth, and his share must not be reduced below one-sixth, whether alongside heirs entitled to fixed shares or other heirs. Scholars unanimously agree that a grandfather does not inherit when the father is present, and that a son may exclude the deceased's father from inheritance in certain circumstances. They place the grandfather in the same position as the father in matters of exclusion (hajb) and inheritance when the deceased does not leave behind a closer father, in all circumstances. The majority of scholars hold that the grandfather excludes the sons of brothers from inheritance. However, there is a narration from al-Shaʿbi, from ʿAli, that he equated the position of nephews in inheritance alongside the grandfather with that of brothers. As for the grandmother, scholars unanimously agree that she receives one-sixth when the deceased does not leave behind a mother. They also agree that the mother excludes both the maternal and paternal grandmothers from inheritance, whereas the father does not exclude the maternal grandmother. However, scholars differ regarding the inheritance of a grandmother when her son is still alive. Some hold that the grandmother does not inherit, while others maintain that she is still entitled to inheritance. Ibn al-Mundhir held that, just as the grandfather is excluded only by the father, the grandmother is likewise excluded only by the mother. Regarding the inheritance of several grandmothers, Malik held that those entitled to inherit are the maternal grandmother, the paternal grandmother and the grandmothers in the generations above them. If only one grandmother exists, she receives one-sixth. If both grandmothers are of the same degree of proximity, they share that portion. If the maternal grandmother is closer, she receives one-sixth and the other grandmother is excluded. If the paternal grandmother is closer, the one-sixth share is divided between the paternal grandmother and the more distant maternal grandmother. According to the opinion of Zayd bin	they require substantial expenditure for marriage and to bear the responsibilities of life when they reach adulthood. If the deceased leaves behind both parents and several brothers or sisters, the mother receives one-sixth, regardless of whether the siblings are full siblings, paternal half-siblings or maternal half-siblings. Two siblings are treated in the same manner as three or more siblings. This is because the Prophet SAW and the Rightly Guided Caliphs ruled that the presence of two brothers or two sisters reduces the mother's share from one-third to one-sixth.

		Thabit, Malik and the scholars of Madinah, a grandmother who is the mother of the father of the mother (أم أب الأم) is not entitled to inheritance. Some scholars, however, hold that all grandmothers fall under the category of mothers. Therefore, if they are present together, the closest grandmother has a greater right to inherit, in accordance with the principle that a closer heir excludes a more distant heir. The same principle also applies among fathers, sons, brothers, nephews and the sons of paternal uncles.	
7.	مِنۢ بَعۡدِ وَصِيَّةٖ يُوصِي بِهَآ أَوۡ دَيۡنٍۗ	Al-Qurtubi mentions that if someone were to ask about the wisdom behind mentioning the bequest before the debt, even though debts must be settled before bequests according to scholarly consensus, al-Tirmidhi narrated from al-Harith, from ʿAli, that the Prophet SAW ruled that debts must be settled before bequests. However, the verse mentions the bequest before the debt. He answers that the practice upheld by the majority of scholars is that debts must be settled before bequests.	The entire estate must first be dealt with by settling debts associated with it and executing the bequest before it is distributed among the heirs. Allah has therefore prescribed and commanded that the estate be distributed according to the manner established by Islamic law, namely, after the execution of the bequest made by the deceased and the settlement of debts owed by the deceased before death. The bequest is mentioned before the debt, although in terms of implementation, debts must be paid first. This is intended to encourage the execution of bequests, give them due attention and prevent them from being denied or neglected. As for debts, their status is already clear and firmly established in terms of the obligation to settle them, whether they are mentioned first or otherwise.
8.	ءَابَآؤُكُمۡ وَأَبۡنَآؤُكُمۡ لَا تَدۡرُونَ أَيُّهُمۡ أَقۡرَبُ لَكُمۡ نَفۡعٗاۚ فَرِيضَةٗ مِّنَ ٱللَّهِۗ إِنَّ ٱللَّهَ كَانَ عَلِيمًا حَكِيمٗا ١١﴾	According to al-Qurtubi, the groups referred to in this verse are those who will receive the prescribed distribution, namely, the parties who have been allocated their respective shares. The benefits mentioned refer to benefits in this world through supplication and charity. Another opinion holds that these benefits refer to the Hereafter. This is because a child may attain a higher status than his father and subsequently intercede for him. This opinion is narrated from Ibn ʿAbbas and al-Hasan. Some exegetes also state that when a	The Quran then introduces an jumlah muʿtaridah (parenthetical clause) as a reminder that human beings do not know the ultimate outcome of matters. Allah explains that those whom He has commanded you to give their rights and whose shares He has determined are your parents and your children. Therefore, do not act unjustly in distributing the estate or deny any of them their rights, as was practised by the

		child attains a higher status than his father in the Hereafter, he may ask Allah to elevate his father's status so that he may be placed alongside him. Similarly, if the father has a higher status than his child, he may ask Allah to elevate his child's status to his own. The meaning of All-Knowing and All-Wise is that Allah has complete knowledge of the distribution of inheritance and is All-Wise in prescribing and explaining the shares allocated to the rightful heirs. Al-Zajjaj stated that "All-Knowing" means Allah knows everything before creating it, while "All-Wise" means that He is perfectly Wise in everything He determines and carries out.	Arab society during the pre-Islamic period of ignorance (Jahiliyyah). This is because you do not know which of them is actually closer in bringing benefit to you. Allah has prescribed this distribution as an obligation that must be fulfilled. Indeed, Allah is All-Knowing of what brings goodness and welfare to His creation. He is All-Wise in managing all affairs; He places everything in its proper and appropriate position. He legislates nothing for you except that which contains benefits and welfare for you. Allah distributes the estate among you based on the principles of truth, justice and welfare..

Verse 12 is as follows:

﴿۞ وَلَكُمۡ نِصۡفُ مَا تَرَكَ أَزۡوَٰجُكُمۡ إِن لَّمۡ يَكُن لَّهُنَّ وَلَدٞۚ فَإِن كَانَ لَهُنَّ وَلَدٞ فَلَكُمُ ٱلرُّبُعُ مِمَّا تَرَكۡنَۚ مِنۢ بَعۡدِ وَصِيَّةٖ يُوصِينَ بِهَآ أَوۡ دَيۡنٖۗ وَلَهُنَّ ٱلرُّبُعُ مِمَّا تَرَكۡتُمۡ إِن لَّمۡ يَكُن لَّكُمۡ وَلَدٞۚ فَإِن كَانَ لَكُمۡ وَلَدٞ فَلَهُنَّ ٱلثُّمُنُ مِمَّا تَرَكۡتُمۚ مِّنۢ بَعۡدِ وَصِيَّةٖ تُوصُونَ بِهَآ أَوۡ دَيۡنٖۗ وَإِن كَانَ رَجُلٞ يُورَثُ كَلَٰلَةً أَوِ ٱمۡرَأَةٞ وَلَهُۥٓ أَخٌ أَوۡ أُخۡتٞ فَلِكُلِّ وَٰحِدٖ مِّنۡهُمَا ٱلسُّدُسُۚ فَإِن كَانُوٓاْ أَكۡثَرَ مِن ذَٰلِكَ فَهُمۡ شُرَكَآءُ فِي ٱلثُّلُثِۚ مِنۢ بَعۡدِ وَصِيَّةٖ يُوصَىٰ بِهَآ أَوۡ دَيۡنٍ غَيۡرَ مُضَآرّٖۚ وَصِيَّةٗ مِّنَ ٱللَّهِۗ وَٱللَّهُ عَلِيمٌ حَلِيمٞ ١٢﴾

Translation: "And for you is one-half of what your wives leave behind if they have no children. But if they have children, then for you is one-quarter of what they leave, after the fulfilment of any bequest they may have made or the settlement of their debts. And for them (the wives) is one-quarter of what you leave behind if you have no children. But if you have children, then their share (your wives' share) is one-eighth of what you leave, after the fulfilment of any bequest you may have made or the settlement of your debts. And if a deceased man or woman leaves an inheritance without leaving any children or father, but has one maternal brother or sister, then each of them shall receive one-sixth. But if they are more than one, they shall share one-third, with males and females receiving equal shares, after the fulfilment of any bequest made by the deceased or the settlement of debts, provided that no harm is caused to the heirs. This is a commandment from Allah. And Allah is All-Knowing, Most Forbearing."

The following Table 2 presents an explanation of this verse based on the interpretations of Imam al-Qurtubi and Wahbah al-Zuhayli.

Table 2. Interpretations of Verse 12 of Surah al-Nisaʾ According to Imam al-Qurtubi and Wahbah al-Zuhayli

No.	Extract of the Verse	Interpretation of al-Qurtubi	Interpretation of al-Zuhayli
1.	وَلَكُمۡ نِصۡفُ مَا تَرَكَ أَزۡوَٰجُكُمۡ إِن لَّمۡ يَكُن لَّهُنَّ	This verse is addressed to men. The term 'child' (al-walad) here refers to	The husband is entitled to one-half of his wife's estate if she has no children,

	وَلَدٌ	biological children and descendants through sons, even those belonging to more distant generations, whether male or female, and whether there is one or more. This matter has been agreed upon by the scholars. They also unanimously agree that a husband receives one-half of the estate when the deceased leaves behind no child or grandchild through a son.	whether the child is his own or from another man; whether the child is male or female; whether there is one child or more; and whether the child is a direct descendant, a grandchild through her son, or a great-grandchild through the lineage of her son. The remaining portion of the estate is given to her children. In this matter, consummation of the marriage is not a requirement; the marriage contract alone is sufficient.
2.	فَإِن كَانَ لَهُنَّ وَلَدٌ فَلَكُمُ ٱلرُّبُعُ مِمَّا تَرَكۡنَۚ مِنۢ بَعۡدِ وَصِيَّةٖ يُوصِينَ بِهَآ أَوۡ دَيۡنٖۚ	If there are children or grandchildren through a son, the husband receives one-quarter of the estate.	If the wife has children, her husband receives one-quarter of her estate. The remaining portion is given to her relatives, comprising heirs entitled to fixed shares (dhawu al-furud) and residuary heirs (ʿasabah), or distant kindred (dhawu al-arham) according to the opinion of the Hanafi scholars. If there are no other heirs, the estate is transferred to the Baitulmal. You are entitled to their estate after their debts have been settled and their bequests have been executed.
3.	وَلَهُنَّ ٱلرُّبُعُ مِمَّا تَرَكۡتُمۡ إِن لَّمۡ يَكُن لَّكُمۡ وَلَدٞۚ فَإِن كَانَ لَكُمۡ وَلَدٞ فَلَهُنَّ ٱلثُّمُنُ مِمَّا تَرَكۡتُمۚ مِّنۢ بَعۡدِ وَصِيَّةٖ تُوصُونَ بِهَآ أَوۡ دَيۡنٖۗ	Similarly, a woman inherits one-quarter from her husband if there are no children, and one-eighth if there are children. The scholars also unanimously agree that the ruling is the same whether the deceased has one wife, two wives, three wives or four wives. Collectively, they receive one-quarter if the husband has no children, and one-eighth if the husband has children. All the wives share that portion collectively. This is because Allah does not distinguish between the ruling for one wife and that for several wives.	A wife is entitled to one-quarter of her husband's estate if he leaves behind no children. If the husband has children, the wife receives one-eighth. If there is more than one wife, they collectively share the one-quarter or one-eighth portion, after the settlement of debts and the execution of bequests, as explained previously.
4.	وَإِن كَانَ رَجُلٞ يُورَثُ كَلَٰلَةً أَوِ ٱمۡرَأَةٞ وَلَهُۥٓ أَخٌ أَوۡ أُخۡتٞ فَلِكُلِّ وَٰحِدٖ مِّنۡهُمَا ٱلسُّدُسُۚ فَإِن كَانُوٓاْ أَكۡثَرَ مِن ذَٰلِكَ فَهُمۡ شُرَكَآءُ فِي ٱلثُّلُثِۚ مِنۢ بَعۡدِ وَصِيَّةٖ يُوصَىٰ بِهَآ أَوۡ دَيۡنٍ غَيۡرَ مُضَآرّٖۚ وَصِيَّةٗ مِّنَ ٱللَّهِۗ وَٱللَّهُ	Kalalah is a verbal noun derived from the expression takallalahu al-nasab, which means that kinship surrounds a person. From this meaning also derives the term iklil (الإكليل), which refers to one of the lunar mansions surrounding the moon when the moon occupies that position. Similarly, iklil is used to refer to a crown or a band that encircles the head. Thus, when a man dies without leaving behind children	Allah has divided the heirs mentioned in these verses into three categories: **1.** Those who are directly related to the deceased through blood ties, without any intermediary, such as children and both parents. **2.** Those who are directly related to the deceased through the marital contract, without any intermediary, namely husbands and wives. **3.** Those who are related to the deceased through an intermediary, such as the category of kalalah, which refers

	عَلِيمٌ حَلِيمٌ	or parents, his estate is inherited by the category of heirs known as kalalah. This is the opinion of Abu Bakr al-Siddiq, ʿUmar, ʿAli and the majority of scholars. This form of joint inheritance indicates that males and females receive equal shares, even when their numbers are large. When they inherit alongside the mother, male siblings are not given preference over female siblings. This matter constitutes the consensus (ijmaʿ) of the scholars. In the law of inheritance (faraid), there is no other situation in which males and females receive equal shares except in the inheritance of maternal siblings.	to those other than parents and children. The inheritance ruling for the category of kalalah, as established by the textual evidence (nas), is that if there is one maternal brother or one maternal sister, each is entitled to one-sixth. If their number exceeds one, they collectively share one-third, with equal shares and no distinction between male and female siblings. However, the distribution is carried out only after debts have been settled and bequests have been executed.

Verse 176 is as follows:

﴿يَسْتَفْتُونَكَ قُلِ ٱللَّهُ يُفْتِيكُمْ فِي ٱلْكَلَٰلَةِۚ إِنِ ٱمْرُؤٌاْ هَلَكَ لَيْسَ لَهُۥ وَلَدٌ وَلَهُۥٓ أُخْتٌ فَلَهَا نِصْفُ مَا تَرَكَۚ وَهُوَ يَرِثُهَآ إِن لَّمْ يَكُن لَّهَا وَلَدٌۚ فَإِن كَانَتَا ٱثْنَتَيْنِ فَلَهُمَا ٱلثُّلُثَانِ مِمَّا تَرَكَۚ وَإِن كَانُوٓاْ إِخْوَةً رِّجَالًا وَنِسَآءً فَلِلذَّكَرِ مِثْلُ حَظِّ ٱلْأُنثَيَيْنِۗ يُبَيِّنُ ٱللَّهُ لَكُمْ أَن تَضِلُّواْۗ وَٱللَّهُ بِكُلِّ شَيْءٍ عَلِيمُۢ١٧٦﴾

Translation: "They (the people of Islam, your community) ask you for a ruling (O Muhammad) concerning Kalalah. Say: 'Allah gives you a ruling concerning Kalalah: if a person dies without leaving behind any children but has a sister, she shall receive one-half of what he has left. And he (the brother) inherits from her (all her estate) if she leaves behind no children. If there are two sisters, they shall receive two-thirds of what he has left. But if there are several siblings, both male and female, then the share of one male is equivalent to that of two females.' Allah makes this clear to you lest you go astray. And Allah has knowledge of all things."

The following Table 3 presents an explanation of this verse based on the interpretations of Imam al-Qurtubi and Wahbah al-Zuhayli.

Table 3. Interpretations of Verse 176 of Surah al-Nisaʾ According to Imam al-Qurtubi and Wahbah al-Zuhayli

No.	Extract of the Verse	Interpretation of al-Qurṭubī	Interpretation of al-Zuḥaylī
1.	﴿يَسْتَفْتُونَكَ قُلِ ٱللَّهُ يُفْتِيكُمْ فِي ٱلْكَلَٰلَةِۚ	What is meant by siblings in this context is full siblings (those sharing the same father and mother) or paternal siblings (those sharing the same father).	Kalālah is a term derived from the word iklīl (إكليل), which refers to something that surrounds the head from its sides. It is a term that may refer to either the heirs or the deceased whose estate is inherited. When it refers to the heirs, it means those other than the parents and children.
2.	إِنِ ٱمْرُؤٌاْ هَلَكَ لَيْسَ لَهُۥ وَلَدٌ وَلَهُۥٓ أُخْتٌ فَلَهَا نِصْفُ مَا تَرَكَۚ	This means that the deceased has neither children nor parents. Therefore, mentioning either one of these two categories is	If a man dies leaving no children but has one full sister or paternal sister, that sister is entitled to one-half of the estate.

		sufficient. The term walad (الولد) may be used to refer to both the one who gives birth and the one who is born. The person who gives birth is called wālid (والد) because they have given birth, whereas the person who is born is called walad (ولد) because they have been born. Sisters are not entitled to inheritance unless the deceased has no children. As is well known, a daughter is included in the category of children (walad). Therefore, sisters are not entitled to inherit when the deceased has a daughter.	
3.	وَهُوَ يَرِثُهَآ إِن لَّمۡ يَكُن لَّهَا وَلَدٞۚ فَإِن كَانَتَا ٱثۡنَتَيۡنِ فَلَهُمَا ٱلثُّلُثَانِ مِمَّا تَرَكَۚ وَإِن كَانُوٓاْ إِخۡوَةٗ رِّجَالٗا وَنِسَآءٗ فَلِلذَّكَرِ مِثۡلُ حَظِّ ٱلۡأُنثَيَيۡنِۗ	-	This means that a brother inherits the entire estate of his sister through taʿṣīb when the sister has no children or parents who could prevent him from inheriting. What is meant by ‘brother’ in this context is a full brother or a paternal brother. However, a maternal brother cannot inherit the entire estate. Instead, his prescribed share is one-sixth. If the deceased leaves behind two or more sisters, the term ‘sisters’ in this context refers to full sisters or paternal sisters, not maternal sisters. Thus, the two sisters are entitled to two-thirds of the estate left by their brother who died in a state of kalālah. The ruling for two or more sisters is the same, as Jābir's sisters numbered seven. If the heirs consist of both brothers and sisters, the share of one brother is equivalent to that of two sisters. As for maternal siblings, they collectively share one-third of the estate.
4.	يُبَيِّنُ ٱللَّهُ لَكُمۡ أَن تَضِلُّواْۗ وَٱللَّهُ بِكُلِّ شَيۡءٍ عَلِيمُۢ	This means that Allah explains and clarifies these rulings to you so that you do not stray from the right path.	Allah clarifies matters relating to your religion and all legal rulings, whether lawful or unlawful, so that you do not go astray. This means that the rulings prescribed by Allah for you contain goodness and benefits for you. All these rulings originate from the vast and perfect knowledge of Allah. Therefore, His explanations are true, and all the rulings He has established are the truth.

DISCUSSION

The research findings presented above provide a detailed examination of how al-Qurṭubī and al-Zuḥaylī interpret the inheritance verses in Surah al-Nisāʾ, verses 11, 12 and 176, according to their respective textual segments. This discussion aims to analyse the similarities and differences in the legal deduction approaches (istinbāṭ al-aḥkām) adopted by both exegetes based on the findings presented. It is consistent with the framework of comparative exegesis (tafsīr muqāran) and the concept of exegetical differences (ikhtilāf al-mufassirīn) outlined in the research methodology.

Similarities in the Approaches of Both Exegetes

Although the two exegetes belong to different historical periods and madhhab backgrounds, the research findings indicate that they agree on the fundamental legal rulings explicitly established in verses 11, 12 and 176. For instance, in verse 11 (item 2), concerning the phrase (li al-dhakari mithlu ḥaẓẓi al-unthayayn), both al-Qurṭubī and al-Zuḥaylī explain that the share of a male child is equivalent to that of two female children. However, al-Zuḥaylī elaborates on the underlying rationale by referring to financial maintenance, financial responsibilities and the payment of mahr, whereas al-Qurṭubī presents the ruling concisely without an extensive discussion of its underlying rationale.

Similarities are also evident in the inheritance shares allocated to parents (items 5 and 6 of verse 11), the shares of husbands and wives in verse 12, as well as the share allocated to a single sister in verse 176 (item 2). In these cases, both exegetes do not differ regarding the prescribed fractional shares of inheritance. This indicates that the differences between the two exegetical works are primarily differences in modes of expression (tanawwuʿ al-ʿibārah) rather than contradictions in legal rulings, as their final legal deductions concerning issues established through definitive textual evidence (qaṭʿī) remain consistent.

Methodological Differences

The most significant difference between the two exegetical works lies in their approaches to constructing arguments. Al-Qurṭubī consistently relies on transmitted reports (riwāyāt) and the traditions of the Companions (āthār al-ṣaḥābah) as the foundation of his interpretations. This is evident in his explanation of the occasion of revelation (sabab al-nuzūl) of verse 11, where he presents narrations reported by al-Tirmidhī, Abū Dāwūd, Ibn Mājah and al-Dāraquṭnī concerning the case involving the wife of Saʿd ibn al-Rabīʿ.

The same approach is reflected in his discussion of kalālah in verse 12 (item 4). Al-Qurṭubī first explains the meaning of kalālah through its linguistic root before substantiating the ruling by referring to the opinions of Abū Bakr al-Ṣiddīq, ʿUmar, ʿAlī and the consensus of the majority of scholars (jumhūr al-ʿulamāʾ).

In contrast, al-Zuḥaylī, in his discussion of kalālah in the same verse, classifies heirs into three categories: those connected through direct lineage without an intermediary, those connected through the marital contract, and the category of kalālah, before explaining their respective inheritance rulings. A similar pattern is evident in verse 176 (item 1), where al-Zuḥaylī discusses the etymology of kalālah, deriving it from the word iklīl, as a separate linguistic explanation. Meanwhile, al-Qurṭubī provides a concise definition based on the categories of siblings referred to, without repeating the linguistic discussion presented earlier.

These differences are consistent with the respective methodologies adopted by the two exegetes. Al-Qurṭubī places greater emphasis on hadith analysis (takhrīj al-ḥadīth) and occasions of revelation, whereas al-Zuḥaylī employs seven systematic steps in his exegetical writing, including rhetorical analysis (balāghah) and the structured derivation of legal rulings according to specific themes.

Comparative Jurisprudential Analysis

The findings also indicate that discussions of juristic disagreements (khilāfiyyah) among the various madhhabs are more extensive in al-Qurṭubī's work than in al-Zuḥaylī's, particularly concerning the status of grandfathers and grandmothers in verse 11 (item 6).

Al-Qurṭubī elaborates on the opinions of Abū Bakr, ʿAlī, Zayd ibn Thābit and Ibn Masʿūd regarding whether the grandfather is excluded from inheritance by the existence of the deceased's siblings. He also presents the views of Mālik, al-Awzāʿī, Abū Yūsuf, Muḥammad and al-Shāfiʿī in considerable detail, including discussions concerning the lineage of grandmothers on the maternal and paternal sides.

In contrast, al-Zuḥaylī's discussion of the same textual segment focuses more concisely on the wisdom underlying the inheritance shares allocated to parents, such as their advanced age and the greater financial needs of children, without elaborating on madhhab disagreements to the same extent. This pattern is consistent with al-Qurṭubī's position as a Mālikī jurist, recognised for his detailed presentation and evaluation of scholarly opinions, compared with al-Zuḥaylī, who tends to summarise discussions of juristic disagreements.

Nevertheless, this pattern is not consistent across all textual segments. Regarding the disagreement over the inheritance share of two daughters in the absence of male siblings (verse 11, item 4), al-Zuḥaylī elaborates on the disagreement between Ibn ʿAbbās, who adheres to the apparent meaning of the text (ẓāhir al-naṣṣ) and assigns them one-half of the estate, and the majority of scholars (jumhūr al-ʿulamāʾ), who determine their share as two-thirds through analogy (qiyās) with the inheritance share of two sisters.

Meanwhile, al-Qurṭubī's discussion of the same textual segment merely states the final ruling without presenting this disagreement. Similarly, in verse 12 (item 2), concerning the husband's inheritance share when his wife leaves behind children, al-Zuḥaylī also incorporates the Ḥanafī school's position regarding the distribution of the remaining estate among the prescribed heirs (dhawū al-furūḍ), residuary heirs (ʿaṣabah), distant kindred (dhawū al-arḥām) or the Baitulmal. In contrast, al-Qurṭubī presents the ruling more concisely.

These findings demonstrate that the depth of comparative jurisprudential analysis in the works of both exegetes cannot be generalised according to a single pattern. Rather, it varies depending on the textual segment and the particular subsidiary legal issues (furūʿ) being discussed.

Framework of Ikhtilāf al-Mufassirīn

Based on the conceptual framework of ikhtilāf al-mufassirīn adopted in this study, the differences identified between al-Qurṭubī and al-Zuḥaylī in their interpretations of verses 11, 12 and 176 can generally be classified under the category of tanawwuʿ, referring to variations in expression and emphasis, rather than substantive contradictions.

This is because both exegetes do not disagree over the fractional inheritance shares established definitively (qaṭʿī) by the Qur'anic text. The differences are primarily related to the sources of their arguments, the depth of their discussions on madhhab disagreements and the manner in which their interpretations are structured.

Accordingly, the method of reconciliation (al-jamʿ), which involves bringing together different scholarly perspectives, is more appropriate than al-tarjīḥ, which involves preferring one opinion over another. This is because both approaches are, in essence, complementary. Al-Qurṭubī's interpretation provides an in-depth understanding of classical Islamic jurisprudence and strong reliance on transmitted evidence (naql), whereas al-Zuḥaylī's interpretation offers a clearer organisational structure and contemporary relevance, thereby facilitating the understanding of inheritance rulings within the context of contemporary society.

CONCLUSION

In conclusion, the overall findings concerning the inheritance rulings derived from verses 11, 12 and 176 of Surah al-Nisāʾ do not reveal any significant differences in the legal rulings established by the two exegetes. Both derive the same rulings in accordance with the provisions explicitly stated in the Qur'anic verses. The differences identified are confined to tanawwuʿ (variations in interpretation and presentation) rather than substantive contradictions. This is because the researcher considers that the relevant inheritance rulings have already been definitively prescribed by the Qur'an.

Furthermore, although al-Qurṭubī is widely recognised for his extensive discussions of Islamic jurisprudence, he does not demonstrate significant differences in the inheritance rulings discussed in this study. The juristic disagreements he presents concern issues beyond the specific rulings explicitly established in the Qur'an. Similarly, despite al-Zuḥaylī's reputation for comparative analysis, he does not substantially highlight disagreements concerning the prescribed inheritance rulings.

The most significant differences between the two exegetes in their interpretations of these three verses lie in their modes of presentation, with al-Zuḥaylī demonstrating a more systematic and organised structure in his discussions. Nevertheless, in terms of the depth and detail of the discussions, al-Qurṭubī demonstrates a more comprehensive treatment of the subject. This is because he not only presents the rulings derived from the Qur'an but also incorporates supporting evidence and various scholarly opinions from the Companions, Successors (Tābiʿūn) and subsequent Islamic scholars.

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