26171 - A non-Muslim woman married to a Muslim man – does she inherit from him?

the question

I read that we are not supposed to give an inhertiance or recieve one froma disbeliever. Does this also apply to the wife of a muslim man who is a jew or a christian - she will not recieve inheritance?.

Detailed answer

Praise be to Allah.

Firstly:

Yes indeed, it is not permissible for a Muslim to inherit from a kaafir or for a kaafir to inherit from a Muslim. If a Muslim dies and leaves behind a Jewish or Christian wife, it is not permissible for her to inherit from him.

It was narrated that Usaamah ibn Zayd said: The Prophet (peace and blessings of Allaah be upon him) said: “The Muslim does not inherit from a kaafir and the kaafir does not inherit from a Muslim.”

(Narrated by al-Bukhaari, 6383; Muslim, 1614).

Imaam Ibn ‘Abd al-Barr (may Allaah have mercy on him) said:

It is proven from the narrations of the trustworthy imaams that the Prophet (peace and blessings of Allaah be upon him) said, “The Muslim does not inherit from the kaafir.” So everyone who goes against that, this hadeeth is evidence against him. This is the view of all the Sahaabah, Taabi’een and fuqaha’ of various regions such as Maalik, al-Layth, al-Thawri, al-Awzaa’i, Abu Haneefah, al-Shaafa’i and all the scholars of hadeeth who spoke on matters of fiqh, that a Muslim should not inherit from a kaafir and a kaafir should not inherit from a Muslim, following this hadeeth. And

Allaah is the Source of strength.

Al-Tamheed, 9/164

And Allaah knows best.