



### The first question of Fatwa no. 11354

**Q 1: My mother died leaving behind a small amount of money which she bequeathed to be given as Sadaqah Jariyah (ongoing charity). She, whose mother is still alive, has sons and daughters, some of them are needy and the others are not. I hope Your Honor will advise me on whether I should spend all the money on Sadaqah Jariyah or to spend only part of it on this? Please advise on how I can donate this money in the way that pleases Allah.**

**A:** The lawful bequest must not exceed the maximum limit, namely one third of the estate. This is based on the report related by Al-Bukhari and Muslim in their Two Sahih (authentic) Books of Hadith on the authority of Sa`d ibn Abu Waqqas (may Allah be pleased with him) who said: [\(The Prophet \(peace be upon him\) visited me during my illness which brought me near death in the year of Farewell Hajj.](#)

**(Part No. 16; Page No. 302)**

[I said, 'O Messenger of Allah! I am very ill as you see, and I am a rich man and have no heir except my only daughter. Shall I give all my property in charity?' He \(peace be upon him\) said, 'No.' I said, 'Shall I give two thirds of my property in charity?' He \(peace be upon him\) said, 'No.' I said, 'Shall I give one half of it in charity?' He \(peace be upon him\) said, 'O Sa`d! Give one third \(in charity\) and even one third is too much. It is better to leave your children rich than to leave them poor, reduced to begging from others.'](#) The amount that exceeds one third should be divided among the heirs, unless they agree to the bequest if they are of legal age and competent. May Allah grant us success! May peace and blessings of Allah be upon our Prophet Muhammad, his family and Companions!

### Permanent Committee for Scholarly Research and Ifta'

Member	Deputy Chairman	Chairman
<a href="#">`Abdullah ibn Ghudayyan</a>	<a href="#">`Abdul-Razzaq `Afify</a>	<a href="#">`Abdul-`Aziz ibn `Abdullah ibn Baz</a>

**Source: Fatwas of the Permanent Committee**