

Joint and Nuclear Families♦

- 14.1 There is evidence to show existence of both joint and nuclear families during the periods of the prophet Muhammad (peace be upon him) and his blessed companions. As such, both the family systems are permissible. Observing bounds of *Shari'ah*, adoption such of these family systems, which advances protection of rights of parents, other dependant and helpless relatives, and prevents evil and discord, would be desirable. No particular family system can be prescribed. However, this Seminar appeals to all Muslims that they should without delay distribute inheritance of their deceased and deliver to all legal heirs their respective shares as per *Shari'ah* so that misuse of the rights of others may not occur leading to hatred, animosity and discord. This Seminar wants to bring special attention of Muslims about the rights of women as it feels that this area is full with massive lapses.
- 14.2 Joint family system is anchored on sacrifice and mutual co-operation. This system cannot survive without these bases. Further, it is also necessary to maintain justice and equity in such families. Therefore, if all the partners/participants in a joint family have equal incomes, all of them shall contribute to the expenses in accordance with the number of their respective dependants. In a joint family where any of them has lesser income; all of them shall contribute proportionately towards the expenses. However, in order to avoid burden on better earning persons, it shall be incumbent upon all of them to strive for earning as much as possible by legitimate means.
- 14.3 In case all the incomes and expenditures in a joint family are shared, all the participants of such family have equal rights over the articles purchased out of the savings or remainder of the amount.
- 14.4 When all the brothers, i.e. participants in the joint family, have different sources of income and have also contributed equally in the expenses of the family, if any of them saves, from out of his own income and keeps the same with him, he alone shall be rightful owner of such wealth and no other brother shall have any right over the same.
- 14.5A- If members of a joint family work under some contract, the income so earned through the undertaking shall be distributed among them as per the contract irrespective of their work at home or outside.
- B- If the business establishment is one but some of the members work at home while others work outside, income generated out of such an undertaking shall be divided equally.
- C- In the absence of a contract, the persons working at home shall have no right over the incomes of the persons earning by working outside if the businesses/undertakings are different.
- 14.6 It is necessary for both sons and daughters to maintain and take care of their parents as per their respective capacities. If mother is in need of such a care which should only be provided by a female, and no other female, except the daughter in law, is available, and

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that the mother herself is incapable of taking care of herself, it shall be necessary for the daughter in law to provide such a care.

- 14.7 In a joint family maintenance of *purdah* in accordance with *Shari'ah* is necessary. Seclusion and unnecessary interaction with non-*maharam* should be avoided. However, it shall not be objectionable if any such event occurs despite all care.
- 14.8 Elderly people are invaluable assets for the society. Their maintenance and care is responsibility of the society. Duty to provide care, love and respect to the elders is specially cast upon their progeny and other family members. Those who get such opportunity to provide care and respect to their elders should consider themselves blessed