“Inheritance creates a grudge”: towards a new inheritance law for Christian communities in Middle Eastern countries

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In most Middle Eastern countries Christian communities apply their own family laws. By contrast, inheritance law is often not religiously divided and Christian and Muslim communities apply the Islamic inheritance law. In general, Sunni and Shi’i law continues to uphold the concept of two shares for men and one share for women. Thus, Muslim and Christian women usually inherit half of the shares of men of the same degree. As a result, Muslim and Christian women are affected by unequal inheritance shares, but Christian women are at a greater disadvantage because of how religious affiliation and gender intersect in the context of family and inheritance law. Especially since the 2000s some Christian communities like in Syria have been issuing their own inheritance laws. The Protestant community in Palestine followed suit in 2017. In Egypt several court decisions have declared that Christians can apply their own inheritance laws. In Jordan, efforts to issue an inheritance law for all Christian communities in Jordan have intensified in the 2010s. In February 2018 a first codified draft inheritance law was elaborated. The law makes gender equality a primary principle and has introduced other important changes. However, the codification process of this first draft faces several challenges, and the future of the draft law remains unclear. The 2018 draft law, if adopted, can be seen as an important achievement for women, but inheritance law reform needs to be accompanied by family law reform for women to achieve legal equality.