

In the name of Allah the most Beneficent the most merciful

Islamic Will

Rasoolullah (saws) said: whoever dies without a Will, dies the death of ignorance.

Allah (Swt) has mentioned in Qur'an: It is prescribed for you, when death approaches one of you, if he leaves behind wealth, that he bequeaths unto parents and near relatives in goodness; (this is) a duty on those who safeguard themselves with full awareness of divine laws. (Al- Baqara ,180)

Rasoolullah (saws) said: It is not propitious for a Muslim to sleep in the night without his Will under his pillow.

Before writing a *Will*, one should be aware of the following issues:

1. *Will* is a person's strict recommendation to perform certain jobs for him/ her or on behalf of him / her or in a particular way, or for particular person / persons after his / her death.

Will may recommend the executer to take certain actions about his / her property, wealth and belongings.

Will may be recommendation about his / her children & others who are under his / her protection & guardianship and also to recommend someone to perform the similar duties on his / her behalf after his / her death.

The person to whom the *Will* belongs is called "*Mousi*" and the person to whom it is addressed is called "*Wasi*". The person who is made in charge is called "*Naazer*", the guardian on minors is called *Wali*.

Every person can recommend through his / her *Will* one-third of his / her total wealth (including all assets) to be given to someone or Charity or spend as per his / her instructions. Remaining two-third of his / her total wealth will be distributed among his / her inheritors as per Islamic Law and Rules (for that no *Will* is required). If *Mousi* wants to donate or give from the one-third to any one of his / her heirs, he /she should mention in the *Will*.

2. The person who is making the *Will* should be adult, wise and should do with full awareness and freedom of action. (Islamic *Will* should be written without any external pressure on him / her)
Mentally handicap's *Will* is not acceptable for his / her wealth, but for other things such as his / her burial services etc., is acceptable.
3. If *Mousi* after writing the *Will* changes mind about any decision, for example primarily mentioned in *Will* to give one-third of the wealth to someone, and later decides not to give, then the primary decision would be void. If *Mousi* makes changes in the *Will*, for example, primarily

had mentioned "X" to be guardian for children and later in secondary *Will* mentions "Y" should take care of the children, then the primary *Will* is void and secondary will be honored.

4. "A" gets the news that he / she is nominated *Wasi* by "B". If "A" does not accept to execute the *Will* of "B", and informs "B" about the decision, then it is not necessary for "A" to act on the *Will* after "B"'s death.

But if "A" does not get the information that "B" has made "A" *Wasi* till "B" 's death, or gets the information before death but could not inform "B" about rejection, in that situation if there is no hardship in executing the *Will*, "A" should accept the responsibility.

If before the death of "B", "A" gets the information of being *Wasi* for "B"'s *Will*, but due to "B" 's severe health condition or any other reason realizes that "B" cannot appoint another person *Wasi* for the *Will*, in such case it is recommended that "A" should accept the responsibility.

5. After *Mousi's* death, *Wasi* does not have the right to nominate another person as *Wasi* instead of self, and leave the responsibility. But if *Wasi* is confident that the *Mousi's* intention was to make sure the jobs are done under *Wasi's* supervision, not necessary *Wasi* should do it by self, in such

case *Wasi* can appoint someone as representative to perform the jobs as per the *Will*.

6. If *Haj*, loan and other obligatory (*Wajib*) payments such as *Khums* & *Zakat*, etc. are due on deceased person, it should be paid from deceased's total wealth, although the person has not mentioned in the *Will*. But other dues such as Penalty (*Kaf'fara*), a solemn vow (*Nazar*), *Ziyarat* & *Haj* on basis of *Nazar* should be paid from the one-third of total wealth.
7. If the total wealth of deceased is more than his / her obligatory dues (*Haj*, loan, *Khums*, *Zakat*, etc.), and if deceased has mentioned in the *Will* to utilize the one-third for some other purpose, it should be honored. But if *Will* does not say anything about one-third, then the remaining wealth will be distributed among the inheritors.
8. If total amount to perform all the non-obligatory jobs mentioned in the *Will*, exceeds the one-third of the total wealth, then performing all the jobs will be possible only when the inheritors agree to pay from their shares.
9. If the person recommends to pay from one- third share, his /her obligatory dues (loan, *khums*, *Zakat*, etc.), and arrange for due *Namaz* & *Fasting* and also do some charity such as feeding poor people. In such case first pay the obligatory dues,

if money is available arrange for due *Namaz & Fasting* and if still money is available do the charity.

If one-third is sufficient for the obligatory dues, and the inheritors are not willing to spend more than one-third, then the *Will* for due *Namaz & Fasting* and charity job is considered void.

10. If *Will* recommends to pay the dues, but not mentions from the one-third share, then the obligatory dues such as loans, *khums*, *Zakat*, should be paid from total amount, and the arrangement for due *Namaz & Fasting* and other charity jobs should be performed from the one-third share.

If one-third is not enough to pay for due *Namaz & Fasting* etc., and the inheritors are also not willing to spend more than one-third, then what ever is possible in that amount should be done.

11. The *Wasi* to execute the recommendations of *Will* should be pious, trust worthy and should have the ability to perform the duty.

Request: Momin has strong believe that death is for everyone, and no one will be spared. Our death moment is unknown to us, the Angel of Death can visit us any moment. It is also our belief that the moment of death cannot be postponed or preponed, it is fixed for every living creature.

Writing the *Will* is highly recommended by Allah (swt) and Rasoolullah (saws). If we have written our *Will*, an Islamic duty is fulfilled. It will be helpful for our beloved to perform their duties as per our recommendations, will avoid disputes and unnecessary problems.

Before writing the *Will* recite this *Dua*:

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

اللَّهُمَّ فَاطِرَ السَّمَوَاتِ وَالْأَرْضِ عَالِمَ الْغَيْبِ وَالشَّهَادَةِ الرَّحْمَنَ الرَّحِيمَ إِنِّي أَعْبُدُ

أَلَيْكَ أَنِّي أَشْهَدُ أَنْ لَا إِلَهَ إِلَّا أَنْتَ وَحْدَكَ لَا شَرِيكَ لَكَ وَأَنَّ مُحَمَّدًا عَبْدُكَ وَرَسُولُكَ وَأَنَّ السَّاعَةَ آتِيَةٌ لَا رَيْبَ فِيهَا وَأَنَّكَ تَبَعْتُ مَنْ فِي الْقُبُورِ وَأَنَّ الْحِسَابَ حَقٌّ وَأَنَّ الْجَنَّةَ حَقٌّ وَمَا وَعَدَ اللَّهُ فِيهَا مِنَ النِّعَمِ مِنَ الْمَأْكَلِ وَالْمَشْرَبِ وَالنِّكَاحِ حَقٌّ وَالنَّارَ حَقٌّ وَأَنَّ الْإِيمَانَ (حَقٌّ) وَأَنَّ الدِّينَ كَمَا وَصَفْتَ وَأَنَّ الْإِسْلَامَ كَمَا شَرَعْتَ وَأَنَّ الْقَوْلَ كَمَا قُلْتَ وَأَنَّ الْقُرْآنَ كَمَا أَنْزَلْتَ وَأَنَّكَ أَنْتَ اللَّهُ الْحَقُّ الْمُبِينُ وَإِنِّي أَعْبُدُ إِلَيْكَ فِي دَارِ الدُّنْيَا أَنِّي رَضِيْتُ بِكَ رَبًّا وَبِالْإِسْلَامِ دِينًا وَبِمُحَمَّدٍ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ نَبِيًّا وَبِعَلِيِّ أَمَامًا وَبِالْقُرْآنِ كِتَابًا وَبِأَهْلِ بَيْتِ نَبِيِّكَ عَلَيْهِ وَعَلَيْهِمُ السَّلَامُ أُمَّتِي أَلْهَمَ أَنْتَ ثِقَتِي عِنْدَ شِدَّتِي وَرَجَائِي عِنْدَ كُرْبَتِي وَعِدَّتِي عِنْدَ الْأُمُورِ الَّتِي تَنْزَلُ بِي وَأَنْتَ وَلِيٌّ لِي فِي نِعْمَتِي وَالْهَيْبَةِ وَالْهَيْبَةِ أَبِي صَلِّ عَلَى مُحَمَّدٍ وَآلِهِ وَلَا تَكْلِنِي إِلَيَّ نَفْسِي طَرْفَةَ عَيْنٍ أَبَدًا وَأَنْسَ فِي

قُبْرِي وَحَشْتِي وَاجْعَلْ لِي عِنْدَكَ عَهْدًا يَوْمَ الْقَائِمِ مَنشوراً. (بهار الانوار جلد ۰۰۱ ص ۳۹۱)

Will of

I s/o-D/o

Resident of City of

State of ... Being of sound mind, without any external pressure, hereby declare this to be my last and final *Will*.

I bear witness that there is no god but Allah, the one and only one, without any partner or associates. I bear witness that Mohammad s.a.w.s. is the Last and Seal of messenger of Allah, Qur'an the final revelation of Allah revealed to him. I bear witness that Hazrat Fatima Zahra s.a., is infallible. I bear witness that Ali Ibn Abu Talib, Hasan Ibn Ali, Hussain Ibn Ali, Ali Ibn ul Hussain, Mohammad Ibn Ali, Jafer Ibn Mohammad, Mossa Ibn Jafer, Ali Ibn Moosa, Mohammad Ibn Ali, Ali Ibn Mohammad, Hasan Ibn Ali and Hujjat Ibn Hasan Al Mehdi (peace be upon all of them) are the vicegerent of Mohammad s.a.w.s., and infallible Imams.

I believe in all Islamic teachings, Usool e Deen, Furoo e Deen, Halal and Haram. My *Will* is as follows:

- A- I hereby nominate and appointto be the *Wasi/Executer* of my *Will*. If he/she/they/is/are unable or unwilling to act as such, I then nominate and appoint

..... to be the alternate *Wasi/*
Executer.

B- I hereby nominate and appoint
..... to be the *wali/* Guardian of
the persons and estate of such of my children as
shall be minor at and after my death, during the
period of their minority, as long as he/she/they
remain/s an upright and practicing Muslim of
sound mind, body and judgement. If he/she/they
/is / are unwilling or unable to act as such, I then
nominate and appoint to be
the alternate.

Other Things are as follows

1.Place of burial:

2. Burial Prayer:

3.Paryer after Burial (*Namaz e Wahshat*):

4.Shrouding & Grave:

5. Majalis pursa, 40th day and Barsi:

6. Due Namaz:

7. Due Fasting:

8. Khumus:

9. Zakat:

10. Componsations:

11. Haj e wajib:

12. Kaf'fara:

13. Sadaqa & Charity:

14. Majlis for Azadari & Esale sawab:

15. Qur'an recitation:

16. Ziyarat Masoomeen a.s:

17. Haj & Umra:

18. others (any) not included in the above list:

Note: At the end of each line put X .

Signature.

Details of Land, Property and Money

1. House, Villa, Apartment:
2. Land:
3. Business, Company, Shop:
4. Transportation means:
5. House hold Items:
6. Shop, Business Items:
7. Cash in Home, Bank:
8. Shares, 401K, etc.:

9. All other things not mentioned above:

Note: Put a X at the end of each line.

Signature.

Debts (which I have to Pay)

1. My wife's meher has to be paid and it is USD

..... .

(I have no wife other than

and we havechildren, they are:

1.

2.

3.

4.

5.

2. Legal debts.

3. Compensation for financial losses.

4. Other.

Signature.

My claims (which I have to collect)

1. Life Insurance.

2. 401K

3.

4.

Signature.

Following items I have sold/ donated / promised to handover (certificate/document/ transfer is pending)

1.

2.

3.

4.

5.

Signature.

My following items are with the people.

1.

2.

3.

4.

5.

6.

7.

Signature.

Following Items of the people are with me, return to them as soon as possible.

1.

2.

3.

4.

5.

6.

7.

Signature.

My request to my wife & children:

As per todays financial status my one third share will be about..... . If the amount of my share exceeds this amount, spend the extra amount as follows:

1. Orphan children (.....) .
2. Needy people (.....)
3. Marriage of poor girls (.....)
4. Azadari e Imam Hussain a.s.(.....)
5. Construction of Azakhana /mosque. (.....)
6. Aid to religious school. (.....)
7. Hospital construction (.....)
8. Construction of Library. (.....)
9. Printing of books. (.....)
10. Equally divided among my children.
11. Give to (.....)
12. Spend for (.....)

Signature.

Remarks/ explanations (if any):

1.

2.

3.

4.

5.

6.

7.

8.

9.

10.

Signature.

This *Will* is written on / / .

Signature of *Mousi*

Signature of *Naazer*

Signature of *Wasi*

Signature of *Wali*

This *will* is revised on / / . On page number /
/ / changes are made, which are done by me and
are correct. I have signed the changes.

Signature.

This *Will* is revised second time on / / . On page
number / / / changes are made which are
done by me and are correct. I have signed the changes.

Signature.

For Urdu Version

Of

Islamic Will

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