The Islamic Will & Testament

**TESTATOR:**

I, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, presently residing at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, being of sound mind and memory, do hereby revoke any and all of my former wills and amendments, and declare this is my last Will and Testament.

PREAMBLE

***“Ash-hadu an la ilaha ill-Allah wa ash-hadu anna Muhammadan ‘abduhoo wa rasooluh!”***

***“I bear witness that there is none worthy of worship except Allah and I bear witness that***

***Muhammad is Allah’s servant and messenger!”***

I bear witness that Allah (swt) is One God and He has no partner. I bear witness that Allah (swt) is the Truth, that His promise is the Truth, and that the meeting with Him is the Truth. I bear witness that Paradise is the Truth and that Hell is the Truth. I bear witness that the coming of the Day of Judgement is the Truth, there is no doubt about it, and that Allah (swt) who is Exalted above all deficiencies and imperfections, will surely resurrect the dead of all generations of mankind, first and last and those in between.

The following is my counsel to my beloved children, relatives, friends, Muslim brothers, sisters and all those who survive me.

* Strive to be a true Muslim. Worship our Creator (swt) as He alone is to be worshipped. Direct your absolute fear, hope, love, and submission to Him alone. I exhort you with what Ibrahim and Ya’qub exhorted their children**: “O my children, Allah has chosen for you this true Deen, so do not die except in the faith of Islam.”** (Qur’an 2:132)
* Revere Allah (swt) and be conscious of Him. Be prepared for departure from this life. Take provision of good deeds. Keep the company of scholars and righteous Muslims. Let your appearance and behavior reflect Islam in the best way. Strive to spread and establish the Deen of *Islam*.
* Obey Allah (swt) and His Messenger (saws). Hold fast to the Messenger’s Sunnah, and the guidance of the salaf (righteous early Muslims, the sahabas). I exhort you with Prophet Muhammad’s (saws) last exhortation to his followers. The prayer…the prayer… So maintain the prayers at their prescribed times.
* Always supplicate for me and ask Allah (swt) to forgive me and have mercy on me.
* Avoid all acts of disobedience. Beware of innovations or altering any of the teachings of Islam. I disown before Allah (swt) any act of disobedience or innovation that anyone might commit after me.

I disown before Allah (swt) every action or saying that conflicts with the Sunnah of Prophet Muhammad (saws).

Finally, I ask all my relatives, friends and all others, whether they choose to believe as I believe or not, to honor my rights to these beliefs. I ask them to honor this document, and not to obstruct it or change it in any way.

ARTICLE I – FUNERAL AND BURIAL RIGHTS:

I ordain that no autopsy or embalming be performed on my body unless required by law; and that without unjustified delay my body be washed, shrouded with white cloth free of any decorations, prayed for, and then buried, which should be performed by Muslims in complete accordance with Islamic tenets.

(1) I hereby nominate and appoint \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, presently residing at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, to execute these and other necessary provisions for an Islamic funeral and burial under the direction of (Imam or Burial Service) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. In the event that he/she shall be unwilling or unable to execute, I nominate and appoint \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, presently residing at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, to execute these and other necessary provisions for an Islamic funeral and burial under the direction of (Imam or Burial Service) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. In the event that he/she shall be unwilling or unable to execute, I nominate and appoint (Imam or Burial Service) \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ to execute these provisions.

(2) I direct that my body be sent to \_\_\_\_\_­­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ for washing and shrouding.

(3) I direct that I am buried in the Islamic section of a cemetery or an Islamic cemetery located at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

(4) I ordain that:

* Absolutely no non-Islamic religious services or observances may be conducted upon my death, or my body.
* My grave should be dug in accordance with the specifications of the Sunnah.
* If possible, my grave should be made as a **lahd**.
* My body should be laid in the **lahd** on the right side, with the face to the Qiblah, and my back supported with bricks or soil.
* My body should be buried without a casket or any other encasement that separates the wrapped body from the surrounding soil. In the event that the local laws require a casket encasement, I ordain that such encasement be of the simplest, most modest, and least expensive type.
* Innovations, violations of Islam, and practices of the non-Muslim, should all be prevented at my funeral.

ARTICLE II – EXECUTOR:

 (1) I hereby nominate and appoint \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, presently residing at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, to be the Executor of this, my Last Will and Testament. In the event he/she shall be unwilling or unable to act as Executor, I hereby nominate and appoint \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, presently residing at \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, to be the Executor of this, my Last Will and Testament.

(2) I give my Executor, herein named, power to settle any claim for or against my estate, and power to sell any property, real, personal or mixed, in which I have an interest.

(3) I direct that no bond or surety for any bond be required for my Executor in the performance of her/his duties.

ARTICLE III – MY ASSETS AND LIABILITIES:

(1) I own amounts and items, businesses, properties, bank accounts, cash, etc. as is detailed below:

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(2) I owe amounts and items, debts, trust, etc. as is detailed below:

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ARTICLE IV – SETTLEMENT OF DEBTS AND EXPENSES:

(1) I direct that all trust properties in my possession be returned to the following rightful owners.

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(2) I further direct that my Executor first applies the assets of my property to the payment of my legal debts, including such expenses incurred by my last illness and burial as well as the expenses of the administration of my property. I direct said Executor to pay any outstanding obligations that are binding on me before Allah (swt), including unpaid ZAKAT, vows, KAFARAT (expiating *Islamic* obligations), and unperformed HAJJ.

ARTICLE V – BENEFICIARIES

(1) I direct that, after settlement of Article IV, said beneficiaries receive specified percentage or amount listed by their names of my property and assets in accordance with Qur’an.

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ARTICLE VI – CONTRIBUTIONS AND TRANSFERS:

 (1) I bequeath the following items and amount as testamentary transfers and/or charitable contributions to the named persons and organizations. This contribution is to be taken from the remainder of my estate after execution of Articles IV and V, not to exceed 1/3 of said remainder.

 **\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

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This is my Will, which I have laid out.

**“Whoever changes the bequest after hearing it, the sin will be upon those who make the change. Truly, Allah is All Hearing and All Knowing.”** Qur’an (2:181)

SIGNATURES:

**Testator**: In witness whereof, I have hereunto set my hand this day, in the presence of the witnesses hereafter named, who attest to the same at my request.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_/\_\_\_/\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Month/Day/Year Testator’s Signature

**Witnesses**: We hereby certify that the above instrument was, on the date thereof, signed, published, and declared by the Testator, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, as his/her last Will and Testament, in our presence, who at his/her request and in his/her presence, and in the presence of each other, have hereunto subscribed our names as witnesses thereto, believing said Testator at the time of so signing to be of sound mind and memory.

1. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_/\_\_\_/\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Month/Day/Year Witness’ Signature

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 Month/Day/Year Witness’ Signature

3. \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_/\_\_\_/\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

 Month/Day/Year Witness’ Signature

This document is made in three copies, all the same and all original. One copy is with me, one is with \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ (Executor), and one with \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

 (Name of Masjid or Islamic Burial Service)

NOTARY PUBLIC