

Islamic Bequest

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In the name of Allah, the Most Beneficent, the Most Merciful

LAST WILL AND TESTAMENT

I, _____, presently residing at _____,
_____, County of _____,
State of _____-being of sound mind and memory, do hereby revoke any and all former
Wills and codicils made by me, and do make, ordain, publish, and declare this my Last Will and
Testament.

PREAMBLE

I bear witness that there is no deity but Allah, the One, the Merciful, the Almighty-Creator of the heavens and the earth and all therein-God of Abraham, Moses, Jesus, Muhammad, and all the Prophets, mercy and peace be upon them all. He is One God and He has no partner. And I bear witness that the Prophet Muhammad is His Servant and his Messenger and *the last of all the Prophets*, mercy and peace be upon him. I bear witness that Allah is the Truth, that His promise is Truth, and that the Meeting with Him is Truth. I bear witness that Paradise is Truth and that Hell is Truth. I bear witness that the coming of the Day of Judgment is Truth, there is no doubt about it, and that Allah, 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.

This is my counsel to my relatives and friends, my Muslim brothers and sisters, and all those who remain after me: that they strive to be true Muslims, that they submit to their Creator-may He Be exalted-and worship Him as He alone is to be worshipped, fear Him as He alone is to be feared, and love Him and His Prophet Muhammad with a complete love that is rivaled by nothing besides them. Let them obey Him and hold Fast to His *Shari'ah*. Let them spread and firmly establish His religion of Islam, and let them die only in a state of complete submission to His Will.

I remind them that no man and no woman dies before his/her time. The exact duration of each life span is precisely determined *before we are born by the* All Powerful Creator, may He be exalted. Death is tragic only for the one who lived out his/her life in self-deception without submitting to the Creator and preparing for the final return to Him. So, do not preoccupy yourselves with my death, but instead make the proper preparations for your own.

Maintain patience and self-composure, as the religion of Islam requires. Islam permits relatives to mourn for no more than three days, although a widow is allowed to mourn for four lunar months and ten days, until her Iddah (waiting period) is completed. The Creator forbids wailing and excessive lamentation, and it reflects only a lack of understanding and dissatisfaction with the Will of the Creator, may He be exalted.

Finally, I ask all my relatives, friends, and all others-whether they choose to believe as I believed or not-to honor my Constitutional right to these beliefs. I ask them to honor this document which I have made, and not to try to obstruct it or change it in any way. Rather, let *them* see that I am buried as I have asked to be buried and let my properties be divided as I wanted them to be divided.

ARTICLE I:

FUNERAL AND BURIAL RIGHTS

1. I ordain that no autopsy or embalming be done on my body unless required by law and that without unjustified delay my body be washed, wrapped with cloth free of any ornaments and other articles, prayed for, then buried, which should all be done by Muslims in complete accordance with Islamic tenets.

1.1 I hereby nominate and appoint _____, my (Husband/ Wife), residing at _____, to execute these and other necessary provisions for my Islamic funeral and burial. In the event that (he/she) shall be unwilling or unable to execute, I nominate and appoint _____, residing at _____, and in the event that he/she shall be unwilling or unable, I nominate and appoint the **Imam and the Board** of the local Muslim community or association in the area where I die to execute these provisions of funeral and burial.

1.1.1 In the event of legal difficulties in the execution of this Article, I direct the above-named person to seek counsel from **The Assembly of Muslim Jurists of America (AMJA)**.

1.1.2 I ordain that absolutely no non-Islamic religious service or observance shall be conducted upon my death or on my body.

1.1.3 I ordain that no pictures, crescents or stars, decorations, crosses, flags, any symbols-Islamic or otherwise-or music shall be involved at any stage of the process of conducting my burial or ever be placed at the site of my grave.

1.1.4 I ordain that my body shall not be transported over any unreasonable distance from the locality of my death, particularly when such transportation would necessitate embalming, unless long distance transportation is required to reach the nearest Muslim cemetery or any other cemetery selected by my family.

1.1.5 I ordain that my grave shall be dug deep into the ground in complete accordance with the specifications of Islamic practice and that it face the direction of Qiblah (the direction of the city of Mecca in the Arabian Peninsula, towards which Muslims face for prayer).

1.1.6 I ordain that my body shall be buried without a casket or any encasement that separates the wrapped body from the surrounding soil. In the event that local laws require casket encasement, I ordain that such encasement be of the simplest, most modest and least expensive type possible. I further ordain that the encasement be left open during burial and filled with dirt, unless prohibited by law.

1.1.7 I ordain that my grave shall be level with the ground or slightly mounded, with no construction or permanent structure of any kind over it. The marking-if necessary-should be a simple rock or marker, merely to indicate the presence of the grave. Preferably, no inscriptions or symbols on the said marking.

ARTICLE II:

I direct and ordain that all cases not specifically mentioned in this Last Will and Testament in general shall be referred to **The Assembly of Muslim Jurists of America (AMJA)** or any member of AMJA Resident Fatwa Committee, or otherwise, to a knowledgeable Muslim Scholar.

SEVERABILITY

I direct and ordain that if any part of this Last Will and Testament is determined valid by a court of competent jurisdiction, the other parts shall remain valid and enforceable.

In witness whereof, I have hereunto set my hand and seal this _____ day of _____ of the year _____.

Print Full Legal Name Signature

Print any other name known by Signature of other name

Spouse's signature

We, the undersigned, hereby certify that the above instrument, which consists of _____ pages, including the page(s) which contain the witness signatures and all schedules, was signed in our sight and presence by _____ (the "Testator"), who declared this instrument to be Testator's Last Will and Testament and we, at the Testator's request and in the Testator's sight and presence, and in the sight and presence of each other, do hereby subscribe our names and addresses as witnesses on the date shown above.

Witness #1 Signature: _____

Witness #1 Name: _____

Print full legal name

Witness #1 Address: _____

Witness #1 telephone number _____

Witness #2 Signature: _____

Witness #2 Name: _____
Print full legal name

Witness #2 Address: _____

Witness #2 telephone number _____

Subscribed, sworn to and acknowledged before me by

_____, the Testator; _____
Spouse of the Testator, and subscribed and sworn before me by

_____ and _____,

witnesses, this ____ day of _____, ____.

Notary Public, or other officer authorized to take and
certify acknowledgements and administer oaths

AFFIDAVIT

STATE OF
COUNTY OF