



Masjid AT-Tawheed.org
4861 Memorial Drive
Stone, Mountain GA.30083
Phone: 404-294-5785



With the understanding of The Salafis Saalih

Title: The ruling on leaving a Will and its Legal wording

Source: Fatawa Islamiyah The book of Al-Wasaya Pages 58-59

Question: Is it obligatory to write a will? And does it require witnesses? And since I do not know the legal wording, I request that you guide me to it, and ma Allah reward you with goodness.

Answer: The will is written according to the following wording:

“I, _____ the undersigned do hereby testify that none has the right to be worshipped except Allah, Alone without partners, and that Muammad is His servant and His Messenger and that Isa is the servant of Allah and His Messenger and His word, which He bestowed on Mary and spirit (*RUH*) created y Him and that Paradise is true and Hel is true and that the Hour (i.e. The day of Resurrection) ill come and there is no doubt in it, and that Allah will send forth those in the graves.

I advise those whom I leave behind of my family and my descendants and all of my kin to fear Allah, the elimination of discord, obedience to Allah and His Messenger, mutual recommendation to the truth and patient perseverance upon it . and I advise them with the same advice which Ibrahim and Ya'qub, peace be upon them, gave to their sons.

﴿ وَوَصَّيْ بِهَا إِبْرَاهِيمَ بَنِيهِ وَيَعْقُوبَ يَبْنِيَّ إِنَّ اللَّهَ اصْطَفَى لَكُمْ الدِّينَ فَلَا تَمُوتُنَّ إِلَّا وَأَنْتُمْ مُسْلِمُونَ ﴾

“O my sons! Allah has chosen for you the (true religion, then die no except in the faith of Islam (as Muslims)
(Al-Baqarah 132)

Then he should mention what he must leave form one third of his wealth or less than that, or a specific amount which is not more than a third and he should make his legal obligations clear, and mention the trustee of that. A will is nor obligatory, but it is highly recommended if one wishes to bequeath anything, according to what has been confirmed I the

Two Sahihs, on the authority of Ibn ‘Umar may Allah be pleased with him from the Prophet ﷺ that he said:

“it is not right for a muslim man who has anything he wants to bequeath to stay anywhere for two nights unless he has a will with him (Al-Bukhari # 2738 and Muslim # 1627).

However, if he has debts s or tights which he must pay for which there is no written records to confirm for their recipients, he must testy to them, so that the rights of the people are not lost. He must then call two just witnesses to his will and it should be attested by someone who he trusts among the scholars, so that it may be depended upon, and he should not suffice himself with his written hand only, because it may be unclear to the authorities, and it might not be easy for those among the reliable people whom he knows to understand it. And Allah is the grater of Success.