

The Writing of a Will and Testament

Bahá'u'lláh

Partial translation



The Writing of a Will and Testament

*"Unto everyone hath been enjoined the writing of a will. The testator should head this document with the adornment of the Most Great Name, bear witness therein unto the oneness of God in the Dayspring of His Revelation, and make mention, as he may wish, of that which is praiseworthy, so that it may be a testimony for him in the kingdoms of Revelation and Creation and a treasure with his Lord, the Supreme Protector, the Faithful."*¹

“Question: May a person, in drawing up his will, assign some portion of his property -- beyond that which is devoted to payment of Huququ'llah and the settlement of debts -- to works of charity, or is he entitled to do no more than allocate a certain sum to cover funeral and burial expenses, so that the rest of his estate will be distributed in the manner fixed by God among the designated categories of heirs?

Answer: *A person hath full jurisdiction over his property. If he is able to discharge the Huququ'llah, and is free of debt, then all that is recorded in his will, and any declaration or avowal it containeth, shall be acceptable. God, verily, hath permitted him to deal with that which He hath bestowed upon him in whatever manner he may desire."*²

“Question: Which is to take precedence: the Huququ'llah, the debts of the deceased or the cost of the funeral and burial?

Answer: *The funeral and burial take precedence, then settlement of debts, then payment of Huququ'llah. Should the property of the deceased prove insufficient to cover his debts, the remainder of his estate should be distributed among these debts in proportion to their size."*³

"Bahá'u'lláh states that the determination of the degree of penalty, in accordance with the seriousness of the offence, rests with the House of Justice (Q and A 49). The punishments for theft are intended for a future condition of society, when they will be supplemented and applied by the Universal House of Justice."⁴

"It hath been ordained that every believer in God ... shall, each day ... repeat "Allah-u-Abha" ninety-five times.

1. Baha'u'llah, The Most Holy Book, para 109

2. Baha'u'llah, Q&A, no. 69

3. Baha'u'llah, Q&A, no. 9

4. Notes to Kitab-i-Aqdas, no. 70



“Allah-u-Abha” is an Arabic phrase meaning “God the All-Glorious.” It is a form of the Greatest Name of God (see note 137). In Islam there is a tradition that among the many names of God, one was the greatest; however, the identity of this Greatest Name was hidden. Baha’u’llah has confirmed that the Greatest Name is “Baha.”

The various derivatives of the word “Baha” are also regarded as the Greatest Name. Shoghi Effendi’s secretary writing on his behalf explains that The Greatest Name is the Name of Baha’u’llah. “Ya Baha’u’l-Abha” is an invocation meaning: “O Thou Glory of Glories!” “Allah-u-Abha” is a greeting which means: “God the All-Glorious.” Both refer to Baha’u’llah. By Greatest Name is meant that Baha’u’llah has appeared in God’s Greatest Name, in other words, that He is the supreme Manifestation of God. The greeting “Allah-u-Abha” was adopted during the period of Baha’u’llah’s exile in Adrianople. The repetition of “Allah-u-Abha” ninety-five times is to be preceded by the performance of ablutions (see note 34).⁵

“We have divided inheritance into seven categories

The Baha’i laws of inheritance apply only in case of intestacy, that is, when the individual dies without leaving a will. In the Kitab-i-Aqdas (¶1109), Baha’u’llah instructs every believer to write a will. He elsewhere clearly states that the individual has full jurisdiction over his property and is free to determine the manner in which his or her estate is to be divided and to designate, in the will, those, whether Baha’i or non-Baha’i, who should inherit (Q&A 69). In this connection, a letter written on behalf of Shoghi Effendi explains that: ...even though a Baha’i is permitted in his will to dispose of his wealth in the way he wishes, yet he is morally and conscientiously bound to always bear in mind, while writing his will, the necessity of his upholding the principle of Baha’u’llah regarding the social function of wealth, and the consequent necessity of avoiding its overaccumulation and concentration in a few individuals or groups of individuals.

This verse of the Aqdas introduces a lengthy passage in which Baha’u’llah elaborates the Baha’i law of inheritance. In reading this passage one should bear in mind that the law is formulated with the presumption that the deceased is a man; its provisions apply, *mutatis mutandis*, when the deceased is a woman.

The system of inheritance which provides for distribution of the deceased’s estate among seven categories of heirs (children, spouse, father, mother, brothers, sisters, and teachers) is based on the provisions set out by the Bab in the Bayan. The major features of the Baha’i laws of inheritance in the case of intestacy are:

1. If the deceased is a father and his estate includes a personal residence, such residence passes to the eldest son (Q&A 34).
2. If the deceased has no male descendants, two-thirds of the residence pass to his female descendants and the remaining third passes to the House of Justice (Q&A 41, 72). See note 42 concerning the levels of the institution of the House of Justice to which this law applies. (See also note 44.)

5. Notes to the Kitab-i-Aqdas, no. 33

3. The remainder of the estate is divided among the seven categories of heirs. For details of the number of shares to be received by each group, see Questions and Answers, number 5, and Synopsis and Codification, section IV.C.3.a.
4. In case there is more than one heir in any category the share allotted to that class should be divided between them equally, be they male or female.
5. In cases where there is no issue, the share of the children reverts to the House of Justice (Q&A 7, 41).
6. Should one leave offspring, but either part or all of the other categories of heirs be nonexistent, two-thirds of their shares revert to the offspring and one-third to the House of Justice (Q&A 7).
7. Should none of the specified categories exist, two-thirds of the estate revert to the nephews and nieces of the deceased. If these do not exist, the same shares revert to the aunts and uncles; lacking these, to their sons and daughters. In any case the remaining third reverts to the House of Justice.
8. Should one leave none of the aforementioned heirs, the entire estate reverts to the House of Justice.
9. Baha'u'llah states that non-Baha'is have no right to inherit from their Baha'i parents or relatives (Q&A 34). Shoghi Effendi in a letter written on his behalf indicates that this restriction applies "only to such cases when a Baha'i dies without leaving a will and when, therefore, his property will have to be divided in accordance with the rules set forth in the Aqdas. Otherwise, a Baha'i is free to bequeath his property to any person, irrespective of religion, provided however he leaves a will, specifying his wishes." It is always possible, therefore, for a Baha'i to provide for his or her non-Baha'i partner, children or relatives by leaving a will.

Additional details of the laws of inheritance are summarized in the Synopsis and Codification, section IV.C.3.a.–o.”⁶

“Unto everyone hath been enjoined the writing of a will.

According to the Teachings of Baha'u'llah, the individual has a duty to write a will and testament, and is free to dispose of his estate in whatever manner he chooses (see note 38).

Baha'u'llah affirms that in drawing up his will *“a person hath full jurisdiction over his property,”* since God has permitted the individual *“to deal with that which He hath bestowed upon him in whatever manner he may desire”* (Q&A 69). Provisions are set out in the Kitab-i-Aqdas for the distribution of inheritance in the case of intestacy. (See notes 38–48.)”⁷

“The	Most	Great	Name
As explained in note 33, the Greatest Name of God can take various forms, all based on the word			

⁶. Notes to the Kitab-i-Aqdas, no. 38

⁷. Notes to the Kitab-i-Aqdas, no. 136

“Baha” The Baha’is in the East have implemented this injunction of the Aqdas by heading their wills with such phrases as “O Thou Glory of the All-Glorious,” “In the name of God, the All-Glorious” or “He is the All-Glorious” and the like.”⁸

Compilation: The Writings of a Will and Testament
<https://oceanoflights.org/writing-of-a-will-and-testament-en/>

Babi Dispensation

The Bab ordained that a will be drafted.⁹

Islamic Dispensation

“It is prescribed when death approaches any of you, if he leaves any goods, that he makes a bequest (Will) to parents and next of kin according to reasonable usage, this is due from the God fearing.”¹⁰

“It O ye who believe, when death approaches any of you, take witnesses among yourselves when making bequest (Will), two just me of your own or others from outside...”¹¹

Christian & Jewish Dispensation

The Bible does not offer a specific guidance for Will, material or Spiritual

There are few passages in the Old Testament that could highlight a need for a Will: *“House and wealth are inherited from fathers, but a prudent wife is from the Lord.”¹²*

8. Notes to the Kitab-i-Aqdas, no. 137

9. See Persian Bayan, Wahid V, Chapter XIII & Kitab-i-Jaza

10. The Holy Quran, Second Chapter, verses 180 – 182

11. The Holy Quran, Fifth Chapter, verse 106

12. The Holy Bible, Proverbs, 19:14