

The Question of Inheritance

Extracts from Four Tablets by Abdu'l-Bahá

Compiled by Universal House of Justice Research Department.

1:

O ye the relatives of that servant of God!

Give thanks unto God that ye have been successful in distributing the inheritance in the manner laid down by Him. This is the first time in this great Cycle that an inheritance hath been so distributed. God willing, all will follow your example in carrying this law into effect.

In this connection, it should be noted that the question of the will is of extreme importance: everyone should devote the most serious attention to drawing up a will, so that there should be no one who doth not have a will. This is one of the binding laws of this mighty Dispensation. We ask God to bestow a blessing upon your affairs so that they may prosper abundantly.

Upon you be greeting and praise.

2:

As for the question of inheritance which is occasioning perplexity: in truth, one is entirely free during his lifetime to make provision in his will for the division and distribution of his property amongst his heirs in whatsoever manner he seeth fit, in order that his wishes may then be implemented after he hath passed away. The writing of a will is obligatory upon everyone; everyone, that is, must in his lifetime draw up a will that is firm, sound, and clear in its provisions; seal and hide it; and guard it in a very safe place. In drawing up his will the testator enjoyeth full discretion to dispose of his property as he seeth fit; his will is a binding instrument, having precedence over any other provision, and no one hath the power to either modify or change it. Under these conditions, should he bequeath his whole property to his children, he is but acting within his rights. In the event, however, of disobedience to this command, of failure to draw up a will, and of non-fulfilment of the divine obligation; likewise in the event of disappearance of the will itself, the testator's property will be divided up according to the designated shares.

In truth, the wisdom of this perspicuous and most mighty ordinance is that no one should draw breath without a will. Observe how, in the absence of a will, the inheritance in its entirety is divided up, distributed and dispersed contrary to the wishes of the deceased; what difficulties and disagreements are thus engendered! The will, however, is the settler of every dispute, and the cause of ease for all, for in it the testator disposeth of his property in whatsoever manner he desireth. How agreeable it is for the estate in its entirety to be disposed of in accordance with the testator's will and pleasure! Observe ye how many people during their lifetime are fearful about what will happen when they pass away. Now, with this divine commandment—the obligation and religious duty of drawing up a will before one's passing—all these difficulties are resolved.

3:

As regards the holy verse, the intention of the reference to 'male, not female', is the first-born son, for in all the Divine Dispensations the first-born son hath enjoyed a special distinction. Refer ye to the Torah and the Gospel, and likewise to the traditions related from aforetime. Read ye the story of Esau, Jacob and the sons of Isaac in the Torah, that it may become apparent that in all the divine Dispensations the eldest son hath been given extraordinary distinctions. Even the station of prophethood hath been his

birthright, let alone the vanities of this world. Even the just laws current amongst civilized states and peoples have also accorded to the first-born son a special distinction.

Today the English state claimeth to be the most enlightened in the world. Among the characteristics of the English people is that they restrict the property in its entirety to the first-born son. Their reasoning in this is that when an accumulation of wealth is divided up it is dispersed and lost. A certain individual, for instance, amasseth with untold pains a considerable fortune; then, upon his death, his fortune is divided up, and this division causeth it to be dispersed and scattered to the winds. If, however, it be restricted to the first-born son, it is preserved intact, and he careth for others. For this reason there are at present among the English people many households in which, for four or five centuries, the family fortune hath remained intact without having been distributed and dispersed.

Our intention in this is not at all that it is commendable and praiseworthy to restrict the inheritance to the first-born son. Our intention is rather to show that in the laws of civilized countries the first-born son hath likewise been accorded a special distinction. By 'first-born son' is intended the eldest of the surviving male children. The aim of assigning the residence exclusively to him is that at least the home of the deceased may be preserved intact, so that whoever among his family should either reside or visit there may be put in mind of him, and seek God's pardon and forgiveness for him.

All these matters, however, are of secondary importance. That which is of primary and fundamental importance, and constituteth, by the express pronouncement of the holy text, a divinely established obligation, is the making of a will. Everyone must in his lifetime draw up a will, and dispose of his property in whatsoever manner he deemeth fit, while having due regard for the need to observe justice and equity. Under these conditions, there will be no one who hath not made a will, and inheritance will thus be dealt with according to the will of the deceased. The said provisions are applicable only when someone dies without having made a will. The testator, then, is free to bequeath the residence to whomsoever he wisheth; or, if he desireth, he may devise it to all his heirs jointly. No room hath now been left for misunderstanding, and 'Abdu'l-Bahá hath elucidated the intention of the divine law. Let whomsoever wisheth turn towards it; whosoever wisheth not will turn away from it. In any case, Our function is to elucidate the law of God, and to explain the meaning of the compendious verses.

4:

The residence is under all conditions the property of the first-born son, irrespective of whether or not the deceased should have left behind him other property as well. The first-born son receiveth, moreover, his share of the remainder of the estate. This is that which God hath prescribed. The testator is, however, at liberty while still alive to dispose of his property in whatsoever manner he seeth fit. Likewise, the first-born son must himself, for the sake of God, take into consideration the other heirs, and be just and fair to them. In truth, it is obligatory for everyone, by the express requirement of the divine text, to draw up a will, so that it may be implemented after he hath passed away. This, verily, is the perspicuous truth. If, God forbid, he disobeyeth the divine command—faileth, that is, to draw up a will—then his estate must be divided up in the stipulated manner.