

Ramadan – Reflecting on faith, family and legacy

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The holy month of Ramadan is upon us. For over two billion Muslims across the world, it is a sacred month of prayer. Attention shifts away from material concerns towards faith, family and community. As families gather for prayers and iftar (the sunset meal marking the end of the daily fast), familial relationships are renewed. Ramadan naturally invites reflection across generations, on responsibility, continuity and the obligations owed to family members now and in the future, wherever they may be.

Questions of wealth and legacy therefore arise during Ramadan, not as an exercise in financial optimisation, but as an expression of care, fairness and foresight. Central to these reflections is the Islamic concept of Amanah (أمانة): stewardship or trust. Wealth, in this sense, is not absolute ownership, but a responsibility entrusted by Allah, to be managed justly and passed on in accordance with both moral and legal obligation.

For internationally mobile families with assets and family members across multiple jurisdictions, translating these values into durable legal arrangements can be complex. It is against this backdrop of reflection and responsibility, rather than urgency, that questions of family continuity and protection often come into focus during Ramadan.

Islamic succession: principle and entitlement

Islamic inheritance (Mirath) is governed by Shariah (الشريعة الإسلامية) and structured around a clear and mandatory framework of fixed inheritance shares known as Fara'id (فرائض). These rules prescribe who is entitled to inherit and in what proportions, reflecting principles of justice, certainty and the protection of family members.

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While the core structure of Fara'id is well established, its interpretation and application have historically been shaped through juristic reasoning across the different schools of Islamic law. Limited testamentary freedom exists through a Wasiyyah (وصيّة), commonly understood to permit up to one-third of an estate to be distributed at the testator's discretion, provided that Qur'anic heirs are not prejudiced without their consent. The scope and operation of this freedom, including questions of consent and timing, have been the subject of scholarly discussion, even where the underlying principles are broadly accepted.

In a purely domestic context, these rules can often be implemented without difficulty. In an international setting, however, complexity arises not from Islamic principles themselves, but from their interaction with modern asset structures and multiple legal systems.

Entitlement and administration

Islamic succession law is primarily concerned with entitlement: who inherits, and in what shares. Cross-border wealth planning, by contrast, is often concerned with administration: how assets are held, managed and transferred across jurisdictions with differing succession laws, probate regimes and ownership restrictions.

Modern wealth frequently consists of assets that do not divide easily in accordance with fixed shares, such as family businesses, investment portfolios or real estate held through corporate or partnership structures. While Fara'id rules determine the ultimate economic entitlements of heirs, some families may be less familiar with the mechanisms by which such assets are administered pending distribution, particularly in complex or international contexts.

In many interpretations Islamic inheritance also generally vests on death. This timing can give rise to practical considerations where beneficiaries are minors, assets require ongoing management, or immediate division may not be optimal for longer-term family or commercial objectives.

Are Islamic wills sufficient?

An Islamic will (Wasiyyah) remains a cornerstone of Shariah-compliant succession planning. It gives effect to religious intent, appoints executors and addresses the portion of the estate over which testamentary freedom exists.

By its nature, a will operates as a dispositive instrument, identifying beneficiaries and entitlements on death. While it plays an essential role in succession, it is not designed to provide a comprehensive framework for the ongoing holding, governance or management of assets, particularly across jurisdictions. For families with cross-border estates, additional structuring is often required to ensure continuity, efficiency and alignment with both Shariah principles and differing procedural regimes.

Trusts as a means of stewardship and implementation

It is in this context that trusts can play a carefully defined and supportive role.

A trust can be structured to follow Islamic guidance, preserving assets, enabling responsible management and supporting orderly distribution in proportions consistent with Shariah and aligned with religious intention (niyyah).

Trusts may, for example, hold assets during a transitional period following death, provide managed oversight where beneficiaries are minors or vulnerable, or maintain unity and value in family businesses pending appropriate division. Used in this way, the trust may support responsible stewardship for the benefit of others, where its terms and operation comply with Shariah principles.

A Jersey law perspective

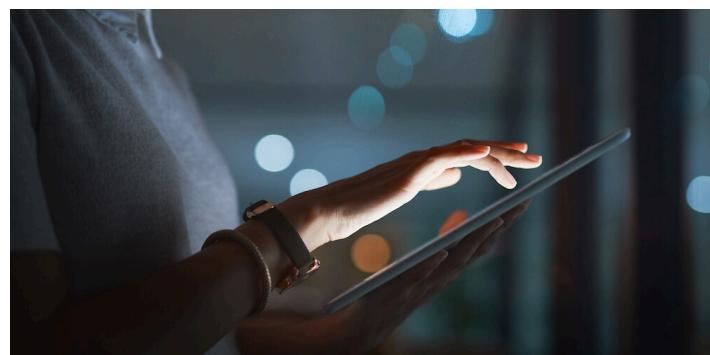
From a Jersey law perspective, the island offers a stable, flexible and internationally recognised trust framework well suited to this form of values-led planning. Jersey trust law is supported by a sophisticated judiciary and deep professional expertise in complex, cross-border family arrangements.

Jersey-law trusts can accommodate detailed governance and administrative provisions while operating within a predictable legal environment. Importantly, they can be shaped around Shariah-compliant objectives, allowing Islamic principles to be respected while benefiting from a robust and well-established legal system. For many international families, including those in the Middle East, this makes Jersey a natural jurisdiction for long-term family planning.

Ramadan is not a time for haste or transactional decision-making. It is, however, a natural moment to reflect on responsibility, intention and continuity. For families with international lives and complex assets, it may provide an opportunity to consider whether existing wills and structures continue to reflect both religious principles and practical realities.

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