

# **AHKAMUL JANAZA**

**(Funeral Regulations)**

**Compiled by Moulavi M.H.Ahmad Mubarak, B.A (Madani)**

Translated and published by Abdulrahman Abedeen

## **INTRODUCTION**

by Moulavi M.B. Aliyar, J.P. Deshabandi.

In the name of Allah the Most Gracious Most Merciful

بِسْمِ اللَّهِ وَعَلَىٰ مِلَّةِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ

I have personally known Moulavi M.H.Ahmad Mubarak, the incumbent Principal of Gafforiya Arabic College, Maharagama, from his childhood. After his preliminary education of a period of eight years at Gafforiya College, he proceeded to Medina University where he obtained his degree. He has deep knowledge in religious affairs and does not prefer extremist approaches. He bears an amiable disposition.

He conducts congregational Friday prayers in prominent mosques in Colombo and also conducts many religious classes with the hope of serving Muslim Community through his intellectual prowess. For a continuous period of five years he has been broadcasting through the Muslim service of Sri Lanka Broadcasting Corporation, weekly on topics of Islamic importance lucidly.

In pursuance of his policy, he has written in brief, a booklet on the subject of Ahakamul Janaza.

In his maiden publication he has dealt with on this subject in very clear terms in accordance with the Sunnah of Prophet (Sal).

I have read through this book critically from cover to cover. I have also sought the assistance of the lecturers of our Arabic College to compare the Islamic regulations (Hadees) and its explanations, which are reported in this book with clarity. While this being read by one person, others listen attentively and we compared the religious injunctions, Hadees and their explanation with the relevant books and where necessary, we have offered our opinions and advice.

Legislations in this book are mainly related to the codes Imam Shafee as well as one of his pupils named Imam Nawawi (Rah).

This book should serve the Muslim community well. I pray that Allah bestows his Blessings on Moulavi Mubarak and his teachers. May Allah accept all our sincere actions done with the best of intentions for His cause. Ameen.

وَاللَّهُ أَعْلَمُ بِالصُّوَابِ

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Samanturai.  
21.5.1992.

# **FOREWORD**

In the name of Allah, Most gracious Most Merciful.

All praise is due to Almighty Allah (swt) alone. Salutations of peace and blessings on the last of the Prophets Mohammad (Sal), his clan and his companions.

**It is** common knowledge that in Islam the duties to the dead are a social act (Farlu Kifaya). If at least one person acts in this regard correctly, then it is considered as the fulfillment of obligations of others towards the dead. In the circumstances it is important that these duties to the dead to be understood and carried out in conformity with the practices of the Prophet (Sal) and it would be a great blessing if this could be achieved.

Publications on the subject of Rules relating to Janaza by various writers have appeared from time to time. However I present this publication in view of practical problems facing us. As far as possible, where ever necessary, I have explained with authoritative references. Concepts of Imam Shafee have been followed. There may perhaps be some lapses in this publication. I earnestly request that they may be pointed out and corrected, large heartedly, without much criticism. Allah knows best.

I supplicate that this earnest Endeavour will benefit my life hereafter. May Allah (swt) bestow his grace on Moulavi Falil M.B Aliyar (Deshabandi) President of the All Ceylon Jamiyathul Ulama and principal of the Samanthurai Tableegul Islam Arabic College, the Islamic Scholars who proof read this publication and Moulavi M.S. Noorul Hamza (Deeni) B.A. for his unstinted support and co-operation in preparing this book.

In conclusion my thanks are due to Al Haj Abdulrahman Abedeen for translating my book on this subject in Tamil into English, and Publishing this book for the benefit of the English reading public; and I supplicate to Allah (swt) that his earnest endeavour be rewarded here and hereafter. I may mention here that brother Abedeen has already printed several religious books and distributed them freely to the community, and some of them are :

1. Yusuf Ali translation of the Quran reassigned under subjects A-Z with his (Yusuf Ali) commentaries and the relevant Hadhis in respect of each item, running into 2600 pages in 5 volumes; and the same in DVD in addition with over 200 subjects on Islam.
2. Mistakes and Rulings in Salaath by Mashhur Hasan Al salman- Abridged and published in English- 93 pages,
3. –do in Tamil – 63 pages,
4. –Do- in English, Tamil and Sinhalese languages as ADAB as SALAAT brief notes as a ready reference booklet in 24 pages.

5. Duas for Success by Abu Ammar Yasir Qadhi – abridged version in English and Tamil- 75 pages.
6. –do- in Sinhalese – 61 pages booklet,
7. Prayers from AlQuran from Yusuf Ali Translation in English, Tamil and Sinhalese and Arabic texts in 68 pages-booklets.
8. Sin & Repentance in all three languages with Arabic texts.
9. AWRADS (duas) from Al Quran in all four languages.
10. FRIDAY PRAYER in brochure in English and Tamil with Arabic texts.

and various other publications, in Newsletters such as – Friday Jumu'ah and Adhan, True Worship, Janaza, Punishments, etc. over hundreds of similar subjects with the sole intention of educating the Muslims in this country who are raging in disputes by aligning themselves to various Sects that is taking a deep root among them. The enemies of Islam with the propaganda at their disposal are maligning Islam and brother Abedeen always speaks to me on this subject and would proclaim that we should not be heedless and neglectful of combating this malicious propaganda.

It is with this intention he has launched this Book (Ahkamul Janaza) by translating into English, and Printing and Publishing at his own expense. I pray to Allah (swt) to benefit those people who read this book and to give them truthfulness and clear insight into Islam.

May Allah (swt) accept this sincere effort of brother Abedeen as a pure endeavor entirely for the sake of Allah so as to benefit its readers.

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25<sup>th</sup> August, 2015.

## JANAZA: RULES AND PROCEDURES

Death shall come to every person. Every human being will definitely die on a particular day. One who performs meritorious acts between the time of birth and death and gain Allah’s blessings will be the **most fortunate**.

{2} الَّذِي خَلَقَ الْمَوْتَ وَالْحَيَاةَ لِيَبْلُوَكُمْ أَيُّكُمْ أَحْسَنُ عَمَلًا ۗ

“He who created death and life, that he may try which one of you is best indeed.” (67:2)

Before the approach of death, one should prepare himself for the hereafter. For this purpose, a long-life should also be desired. Meritorious acts are distinguished by two pre-conditions. One is “Ihlas” (firm conviction in the belief that Allah (swt) alone suffices for everything) and the other is “Ithiban” (Following the traditions of Prophet Muhammad (Sal)). If any one of the above does not govern our deeds, then such deeds are not considered meritorious. Only possessing “Ihlas” and not acting in conformity with the traditions of Prophet Muhammad (Sal) cannot be considered as good deeds. Similarly, conforming to the traditions of Prophet (Sal) without “Ihlas” also cannot be considered as a deed that is meritorious.

قُلْ هَلْ نُنَبِّئُكُمْ بِالْأَخْسَرِينَ أَعْمَالًا {103}

الَّذِينَ ضَلَّ سَعْيُهُمْ فِي الْحَيَاةِ الدُّنْيَا وَهُمْ يَحْسَبُونَ أَنَّهُمْ يُحْسِنُونَ صُنْعًا {104}

“Say, ‘Shall we tell you of those who lose most in respect of their deeds? Those whose efforts have been wasted in this life, while they thought that they were acquiring good by their works.’” (18:103- 104)

Therefore all our actions should be governed by the Islamic percepts and practices. Let us supplicate that Allah bestows His compassion and Mercy on us so that we should not be losers in the hereafter.

### **TREATING THE SICK:**

“There is a remedy for every malady. If proper treatment is given according to the sickness, the disease is cured with Allah’s blessings.” (Sahih Muslim) .From this saying of the Prophet (Sal) it is clear that we should take treatment. Accordingly we should treat the disease with lawful medicine as unlawful “Haram” ingredients in medicine are prohibited. The Prophet (Sal) also said “Allah (swt) has not provided the cure in any unlawful (Haram) thing or substance” (Buhary). Therefore we should avoid the use of anything ‘Haram’ in treating the disease.

The Imam of the Shafie madhab – Imam Nawawi in his “Al-Akthar” page 121 States: **“A dying person should desire for Allah’s forgiveness and hope sincerely that he would be forgiven.”** In one dying disposition, one must wish that no innovations (Bidaat) actions are performed on his janaza and

request that supplications (Dua) for him be made. This is very meritorious. The dying person should be prompted to recite the kalima – “Lailahaillallah”. These should be the last words and should be repeated several times as the final words.

## **WHEN THE SOUL DEPARTS**

**If the Quran is being recited, it should be stopped** and one should attend to the funeral arrangements. They are:

1. Say “ بِسْمِ اللَّهِ وَعَلَىٰ مِلَّةِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ  
(In the name of Allah(swt) by the command of Allah and in accordance with the rituals of the messenger of Allah so saying **both the eyes of the diseased should be rubbed and closed** by **massaging** them.
2. **The joints such as arms and legs should be placed in an appropriate position before rigor-mortis occurs** three to four hours after death) The forearms are to be flexed back to the upper arms and the upper arms to the sides of the body. Likewise the lower part of the legs to the thigh, and the thigh to the abdomen.
3. To avoid the mouth being kept open, **a band should be tied around the chin.**
4. All **artificial limbs, dentures, ornaments etc., should be removed** and the deceased covered with a cloth.
5. To prevent the **bloating of the stomach**, something **heavy should be placed over the stomach.**
6. The deceased **should be placed in an elevated place such as a bed.**

## **OBITUARY: CAN THIS BE PUBLISHED?**

According to the Shafie Madhab it is permissible to publicize an obituary. By proclaiming a death, an opportunity is afforded for relations, friends. Acquaintances and well-wishers to participate in the funeral formalities. It is not permissible to proclaim death by shouting and by tom tom beating.

As reported in “Fathul Bari” – 3/116, the Holy Prophet (Sal) announced the death of the king of Najashi, Jaufar ibnu AbuThalib and Abdulla ibnu Rawaha (Ral) to the people.

**On hearing a death one should say: “**

إِنَّا لِلَّهِ وَإِنَّا إِلَيْهِ رَاجِعُونَ

(Truly to Allah we belong and truly to him we shall return). This is a Sunnah act. One can also utter this phrase in every dangerous or surprise situation, which is also a Sunnah act. In the same way of hearing of someone’s death, care should be taken not to speak ill of the deceased. **It is sinful to speak ill of the dead.** Those who are visiting the dead should supplicate for the dead person saying: **“Allahum Mahfilahu Warhamhu Warbah Dharajathahu FilMahdeeyin”** which means – ‘Oh Allah, grant him forgiveness and elevate his place among those who walk on the right path’ or ‘Oh Allah, in Thine Mercy grant him forgiveness and establish his position among the righteous.’ It is a sunnah acts to recite this and similar duas.

**It is a sunnah act for relations or neighbors to provide the necessary food for the household members of the deceased.**

On the occasion of the death of Jaffa (Ral), the Prophet (Sal) addressed his companions as follows:

عَنْ عَبْدِ اللَّهِ بْنِ جَعْفَرِ بْنِ رَضِيَ اللَّهُ عَنْهُ قَالَ: لَمَّا جَاءَ نَعْيُ جَعْفَرِ بْنِ رَضِيَ اللَّهُ عَنْهُ  
جِئْنَا قَبْلَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ اصْنَعُوا لِي جَعْفَرِ  
طَعَامًا فَقَدْ آتَاهُمْ مَا يَشغُلُهُمْ - أَخْرَجَهُ الْخَمْسَةُ إِلَّا أَنَسَ بْنَ

“Cater to the food needs of the family members of Ja’far (Ral). They are engaged in another duty”. (Sunnan Abu Daud) According to Imam Shafie (Rah) it is a meritorious deed to cater to the victual needs of the family members of the deceased person. **On the contrary, household members of the deceased serve visitors to the funeral house with refreshments. This is contrary to the tradition of the Prophet (Sal).**

### **WHO SHOULD WASH THE CORPSE?**

It is forbidden (Haram) for persons who engaged in washing the corpse to reveal any deficiencies found in the body of deceased. According to Hadees Al-Haakim, in the course of washing the dead body, if **some unusual thing is noticed, it should not be revealed.** The saying of the Prophet (Sal) emphasis that the suitable person to wash a corpse is one who will not reveal about any deficiencies found in the performance of his task. Such person would be forgiven by Allah forty times.

**In washing the corpse, it is the near relatives who are close to the deceased who are fit and proper persons to do it.** This would be a good system to prevent talking deficiencies found

on janazas. Males should be washed by males and females by females. However it is permissible for the husband to wash the dead body of his wife and vice versa. The preferred order for those entitled to wash a corpse are: Father, Grand Father, Brother, and Parental Uncles.

**Those engaged in washing the corpse should observe the following disciplines:-**

1. The hands to be wrapped round with an old cloth.
2. Finger nails of the deceased should be cleaned.
3. Water should be poured over the body whilst a cloth covering remains over the body.
4. The intention (niyath) to wash the body should be made.
5. Parts of the body on the right side should be washed first, particularly those parts normally washed during ablution.
6. Washing should be an odd number of times.
7. Ilandai leaf, soap or similar things should be used while washing.
8. In the final wash, camphor should be added to the water.
9. Only those engaged in washing the corpse should remain in the place of washing.
10. In the case of female, her hair if plaited, should be loosened prior to washing, and thereafter the hair should be entwined in three braids and let the hair fall at the back.
11. Ablution should be performed.

**Note:**

1. When washing, the lower abdomen should be lightly pressed to excrete any faecal impurities. Pregnant women are not subject to this treatment.
2. Scenting the room where the corpse is laid, or washing with a mixture of perfume is recommended to remove any undesirable smell.
3. A martyr (one killed in a Holy war) will not be washed.

### **HOW TO DO SHROUDING:**

Shrouding (kafan) should commence after the washing of the corpse is over. White suites are the most appropriate and the best. “With white cloth shroud the corpse” (Munsad Ahmad). The white shroud should cover the full length of the corpse. Silk cloth is prohibited for the male corpse. Expensive cloth is abhorred. After the corpse has been washed and wiped dry it has to be placed over three large sheets of cloth placing one over other. It is not necessary to have the hands clasped in the Thakbeer position. To facilitate shrouding, it is desirable if the hands are left in the natural position alongside the body.

The edge of the winding sheet is folded over the right of the corpse and the other edge over the left side. The second and the third sheets are treated in the same manner. Whilst it is recommended to perfume the layers of cloth with camphor, sandalwood powder, etc., the eyes, ears, nostrils, mouth, private parts and the other parts, of the body that touch the ground in the performance of prayer, should be padded with perfumed cotton wool as it is a sunnah.

1. The shrouding material for a male consists of three sheets.  
Aiysha (Ral) narrated that the Prophet (Sal) was **shrouded** in three pieces of cloth which were made of 'Suhul' (a type of cotton) and neither a shirt nor a turban was used. (Buhary)
2. For the female corpse five pieces of cloth are required. They are two large sheets, (a waist band) or sarong, a shirt and a head cover. (Fathul Bari 3/133 Sunan Abu Daud 3/200)
3. Those dying in a state of Ihram whilst performing Hadj or Umrah, should be buried with their ihram clothes. In case of a male the head should not be covered. If a female, her face is kept unveiled. **Perfume should not be applied.**

## **CARRYING THE JANAZA:**

**Salvation lies in following the Prophet (Sal) and his companions.** The Prophet (Sal) is reported to have said: **Do not follow a funeral procession with noise and fire.** “( Sunan Abu Daud 3/202).

In accordance with this tradition, the companions of the Prophet (Sal) had carried the Janaza in a quiet silent manner with their **formost** thoughts in death.

Imam Nawawi (Rah) who is considered as a prominent Imam of the Shafie Madhab, in his Al-Akhtar on page 203 states that the Prophet (Sal) said: “be warned that the correct ancestral procedure for accompanying a funeral is the observance of silence. Therefore, recital of any verses or performance of zikr aloud is undesirable. In maintaining silence, we must direct our thoughts to the Janaza. Without doubt this is the correct way, and not to imitate or follow what the majority of people in their ignorance perform.”

When carrying the Janaza for burial, to carry it quickly is an act of sunnah.

عَنْ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ  
قَالَ: أَسْرِعُوا بِالْجَنَازَةِ فَإِنَّ تَكَّ صَالِحَةٌ فَخَيْرٌ تَقَدَّمُونَهَا إِلَيْهِ , وَإِنْ  
تَكَّ سِوَى ذَلِكَ فَشَرٌّ تَضَعُونَهُ عَنْ رِقَابِكُمْ مَتَّفِقٌ عَلَيْهِ

The Prophet (Sal) said: “Hurry up with the dead body. If it is a righteous one, you are forwarding it to a good thing, and if it was otherwise (not righteous) then you are putting off an evil thing **down your necks**”. (Sahih Muslim). **NOT DOWN IN**

The carrying of Janaza is the duty of males. They can walk in front of the Janaza and around the bier. **Those using vehicles should however proceed behind the bier.** It is unlawful for females to carry the Janaza or to play musical instruments or carry bouquets of flowers. As mentioned earlier, the accepted way is to accompany the Janaza in silence with the thought in mind of death.

## **STANDING UP ON SEEING A JANAZA:**

According to the opinion of Imam Nawawi (Rah) standing up on seeing a janaza being carried is permissible. According to some traditions of prophet (Sal) it was permitted to stand up for a janaza, and subsequently it was annulled and ordered to be seated. Therefore, whoever preferred to stand up, may do so. **Those who dislike this, could avoid doing so.** (Imam Ahmad ibnu Hanbal). \On seeing a janaza being carried, one must say:

سُبْحَانَ الْحَيِّ الَّذِي لَا يَمُوتُ

“Praise be to Allah the omnipotent, the omnipresent.”

So saying is an act of sunnah.

## **JANAZA PRAYERS:**

The obligation and responsibilities of conducting the funeral prayer is the duty of close relatives. Those responsible are: Father, Grand Father, Brother, Uncle, Uncle's son, in that order with authority to lead this prayer. If such individuals as indicated are not available, any other person may lead the janaza prayer. **However, if the deceased had previously indicated his wishes for any particular person to lead his janaza prayer,** then such a person will have the first preference to lead this prayer. The condition **for** janaza prayer is similar to the normal salah.

They are:

1. Cleanliness,
2. Properly Clothed
3. Facing the direction of the Qibla,
4. Those physically fit to pray standing,.

Due to lack of space, to stand in narrow ranks is not irregular. It is desirable to form three rows of participants in the prayer. According to Malik ibnu Huraira, the Prophet (Sal) is reported to have said : "If any janaza prayer is offered with the formation of three rows, such a janaza will receive Allah's forgiveness." (Abu Daud). What is desired is that more people should participate in this prayer. It is not the intention to have three rows with a few people participating in the prayer.

In the case of a female janaza, the Imam stands facing the middle of the janaza, and for **the** male, at the head of the janaza. Anas (Ral) states that "The Prophet (Sal) when leading the janaza prayer for a male, stood at the head side, and in the case of a female in the middle of the janaza". (Sunan ibnu Majah)

## The janaza prayer consists of four Thakbeers.

First of all, express niyyat (intention) saying “I’m performing the compulsory janaza prayer on this janaza” and perform Thakbeer saying ‘Allahu Akbar’. After the first Thakbeer, recite surah Fathiha. After the second Thakbeer, recite the salawat. Offering the salawat in the Athahiyat is meritorious.

اللَّهُمَّ صَلِّ عَلَى مُحَمَّدٍ ، وَعَلَى آلِ مُحَمَّدٍ كَمَا صَلَّيْتَ عَلَى إِبْرَاهِيمَ  
وَبَارِكْ عَلَى مُحَمَّدٍ وَعَلَى آلِ مُحَمَّدٍ كَمَا بَارَكْتَ عَلَى إِبْرَاهِيمَ فِي  
الْعَالَمِينَ إِنَّكَ حَمِيدٌ مُجِيدٌ

**After the third Thakbeer, ask for forgiveness of the sins of  
the janaza:**

اللَّهُمَّ اغْفِرْ لَهُ ، وَارْحَمْهُ ، وَعَافِهِ ، وَاعْفُ عَنْهُ ، وَأَكْرِمْ نُزُلَهُ ، وَوَسِّعْ  
مُدْخَلَهُ ، وَاعْبُدْهُ بِالْمَاءِ وَالنَّارِ وَالْبَرْدِ وَنَقِّهِ مِنَ الْخَطَايَا كَمَا يَنْقِي  
التُّرْبُ الْأَبْيَضُ مِنَ الدَّنَسِ وَأَبْدِلْهُ دَارًا خَيْرًا مِنْ دَارِهِ وَأَهْلًا خَيْرًا  
مَنْ أَهْلِهِ وَأَنْجِلْهُ الْجَنَّةَ وَقِهِ فِتْنَةَ الْقَبْرِ وَعَذَابِ النَّارِ

اللَّهُمَّ اغْفِرْ لِحَيَاتِنَا وَمَيِّتِنَا وَشَاهِدِنَا وَغَائِبِنَا وَصَغِيرِنَا وَكَبِيرِنَا  
وَذَكَّرِنَا وَأَنْتَانَا اللَّهُمَّ مَنْ أَحْبَبْتَهُ مِنَّا فَأَحْبِبْهُ عَلَى الْإِسْلَامِ وَمَنْ تَوَقَّيْتَهُ  
مِنَّا فَتَوَقَّهِ عَلَى الْإِيمَانِ اللَّهُمَّ لَا تَحْرِمْنَا أَجْرَهُ وَلَا تُضِلَّنَا بَعْدَهُ

“Ya Allah! Forgive this janaza and shower your grace and save him from the torments of the grave. Forgive his sins and enlarge his grave and give him comfort. Cleanse him from his sins in the manner dirt is removed from the white cloth by mean of water etc... Bless him with a better house than his house and better wife than his wife. Bless him to enter paradise and save him from the torments of the grave and hell.

Ya Allah! Forgive those living among us, those who are dead, those who are present here, and those not present here, the children and the elderly, male and female. YA Allah! If you prolong our life let **us** live in Islam. If you cause us to die, let us die with Imam. Do not stop your providence for us. After death, save us from falling into the wrong path.”

**After the fourth thakbeer, give salams.**

NOTE: It is distressing to note that those participating in a funeral procession fail to join the janaza prayer having come up to the mosque. The reason for joining the janaza prayer is to supplicate for the forgiveness of the deceased. If this is known by those attending the funeral, they would certainly not commit this mistake of avoiding the janaza prayer.

### **HOW A LATE COMER SHOULD PERFORM THE JANAZA PRAYER:**

**Those who attend the funeral after the completion of the janaza prayer and the burial, may immediately perform the particular janaza prayer at the grave site and complete his obligation. (Al Majmooh 5/249)**

**Narrated Abu Hurairah (Ra)** “ A Negro woman who used to clean the mosque died. The Prophet (Sal) did not see her for some time and one day enquired as to what happened to her.

The people replied and said that she had died. He questioned them as to why he was not informed. They said that they treated this as a minor matter. He then went to this grave and offered the funeral prayer and said ‘Darkness has fallen on those in this grave. As a result of my janaza prayer, Allah has lit up the grave. (Sahih Buhary). Therefore it is understood that those who miss the janaza prayer, can perform it near the grave. However, in case of a janaza, in a different country, offering the janaza prayer in a mosque in a different country is proper.

## **HOW IS THE BURIAL DONE?**

Janazas of Muslims must be buried in Muslim cemeteries. Non-Muslims should not be buried in a Muslim cemetery. Only the able bodied people capable of carrying a bier should get into the grave to avoid any mishaps. If a female is laid in the grave, the person getting into the grave should be ‘Mahrams’. It is very desirable to use a canopy over the grave whilst lowering a female janaza. Those who lower the janaza into the grave should be close relatives of the deceased. The Prophet (Sal) was laid in his grave by Hazrath Ali (Ral) and Abbas (Ral) by getting into the grave. It is very desirable that the husband lays the janaza of his wife inside the grave.

Whilst placing the janaza inside the grave, one should say:

بِسْمِ اللَّهِ وَعَلَىٰ مِلَّةِ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ

And place the janaza tilted towards the right facing the Qibla. After the burial three handful of earth, with both hand, should be put into the grave by those near the grave.

Abu Hurairah (Ral) related that the Prophet (Sal) after offering the janaza prayer, came to the grave side and put three handful of earth towards the head side of the janaza. (Ibn Majah (1/499).

The grave should be raised about one span from the ground (Abu Daud 3/215. Also placing a stone as an identity is a sunnah.

When Usmail ibn Maloon (Ral) died, the Prophet (Sal) had asked him companions to place a stone on the grave as a mark of identification. Since the stone was heavy, the Prophet (Sal) himself carried the stone and placed it on the head side of the grave. He is reported to have said: “Hereafter by this identity I will be able to recognize the grave of my brother. My family members will also be buried here when they die.” (narrated by Anas (Ral) IbnMajah 1/498)

It is prohibited to light a fire or joss sticks on the grave or grave side. Likewise, applying slake lime, writing or constructing anything on or over the grave is forbidden (haram) (IbnMaja 1/498).

## **MANY JANAZAS – WHAT SHOULD BE DONE?**

There may be many deaths due to wars, floods and other natural occurrences or calamities. To pay attention to each

individual janaza may be impracticable. One need not be frustrated under such circumstances.

According to Sahih Buhary, Sunnan Nisa’l and Musnath Ahmed, the Prophet (Sal) conducted janaza prayers separately for the males and thereafter for the females. Being unable to dig individual graves, large trenches were cut and mass burials performed. (Please consult Islamic scholars for detailed information).

### **RULES FOR STILL BORN:**

In some instances, still births occur. In such situations many people are perplexed and therefore we must be knowledgeable in this regard.

If there has been any trace of life, or any movements, or the usual birth cry at the time of birth, then the prescribed janaza rights must be performed. In the janaza prayer, supplication must be made seeking forgiveness and blessings of Allah for the parents.

(Muqeeth Ibn Shuba, Abu Daud 3/205).

### **NO JANAZA PRAYER IS OFFERED TO: -**

1. Those who fight in a Holy War against infidels and die and are called ‘**Shaheed**’ (Martyr). The martyrs are neither washed nor prayers held.
2. Still births even after reaching four months. However in the case of still births of less than four months – only the Foetus

(as a piece of flesh) it should be just buried. (MinhatulSalih al-Fiqullslami 2/506)

### **T A L K E E N :**

After burial of the janaza, it is necessary to **supplicate for the forgiveness of the deceased**. This is emphasized in authentic traditions of the Prophet (Sal).

Presently a common **procedure** in a burial service is the recital of '**Talkeen**' by squatting near the head side of the grave. **This has no sanction in authentic traditions of the Prophet (Sal)**. There is also no evidence of the companion of the Prophet (Sal) adopting this practice. For the above reason it appears that Imam Shafie (Ral) in his regulations, has made it very clear on the duties **towards the dead**, has kept silent on the question of recital of Talkeen.

The present day recital of 'Talkeen' is Mustahab. (Al-Akthar page 138) according to Imam anNawawi (rah). **He again states that the recital of Talkeen is not an authentic Hadith, but a weak one (Laeef)**. Again he states in the first part of his 'Al-Majnooh' page 59 that such a weak Hadith is not sufficient to enforce as an authentic Hadith.

Imam Izzubunu Abdusalam (Rah) of the Shafie Madhab in his 'Sarahul Mahallee Hashiyathu Umaira , Vol.1 page 91 verse 1/353 states in kithabul fatawa that **Talkeen is an innovation (Bidaath)**.

Under these circumstances, it cannot be said that the recital of talkeen is a sunnat act. Instead of attaching importance to a weak (Laeef) Hadith and creating confusion and disputes, it is better to direct our attention and compliance to a strong and authentic Hadith, and thereby understand what we should do by the graveside.

1. Uthman ibn Affan (Ral) is reported to have said that the Prophet (Sal) would **remain beside the grave after completion of a burial for a short time**, and then would ask us to supplicate for the forgiveness of their brother and help him answer correctly as the deceased is than being questioned. (Sunnah Abu Daud 3/215)
2. Narrated Ali (RA): “We were attending a funeral in Baqi-i-Gharqad **when the Prophet (Sal) Came** there and sat down. We were also seated. He had a stick in his hand, then bending his **head down**, he started digging the ground with the stick. Then he said: “Everyone has been assigned Paradise or Hell, whether he is a blessed one or a wretched one”. A man said: “O Messenger of Allah! Should we not depend on what has been destined for us and avoid doing good deeds”? The Prophet (Sal) said:” those listed among the **blessed ones**, would follow the merits of the blessed ones; and those listed among the **wretched ones** would follow their ill deeds and recited the following:  
“So he who **gives** (in charity) and fears (Allah) and (in all sincerity) testifies to the Best, we will indeed make smooth for him the path to **Bliss**. But he who is a greedy miser and thinks himself self –sufficient,

and gives the lie to the Bliss, we will indeed make smooth for him the path to Misery. Nor will his wealth profit him when he falls headlong (into the Pit) 92:5 – 11, (Fathul Bari 3/225) Furthermore; this stresses the importance of delivering a lecture to those assembled there which would benefit them. It was in view of this that Ibnu Hajarini (Ral) has narrated in his book Fathul Bari about preaching near the grave, and friends being around the grave. Therefore it becomes clear from these Hadees as to what should be done after a burial. Some of the present practices should be understood as not being from any authentic (Sahih) Hadees.

\* **CONVEYING CONDOLENCES:**

To share in the sorrow and happiness of a Muslim is most desirable. It is therefore a compulsory duty of a Muslim to visit the sick and participate in the janaza services. Visiting the sick and enquiring about their health and participation at janaza are duties cast on Muslims. However, the family members of a deceased Muslim should not expect and wait for other Muslims to call over to convey their condolences.

أَعْظَمَ اللَّهُ أَجْرَكَ، وَأَحْسَنَ عَزَاءَكَ، وَغَفَرَ لِمَيْتِكَ.

“Allah should grant you the best reward. He should take away your sorrow and forgive the deceased.” So saying console the deceased party while clasping their hands. This is a Sunnah act.

**IDDAH and HIDHATH** :UM Habiba (Ral) reports that the Prophet (Sal) said: “it is not legal for anyone to mourn for more than three days, except the widow who should remain in ‘Iddah’ for four months and ten days.”(SahihBuhary). Those who believe in Allah and the Last Day should not mourn for more than three days. It is revealed in the Holy Quran: “If any of you die and leave widows behind, they shall wait concerning themselves four months and ten days.” – 2:234.

“ Such of your woman as have passed the age of monthly courses for them the prescribed period, if ye have any doubts, is three months, and for those who have no courses (it is the same): “For those who carry (life within their wombs), their period is until they deliver their burdens : and for those who fear Allah, he will make their path easy.”  
65:04.

No reason can be attributed to these but to subject oneself to obeying ‘Tha-abh-dee’ – the precept of Allah

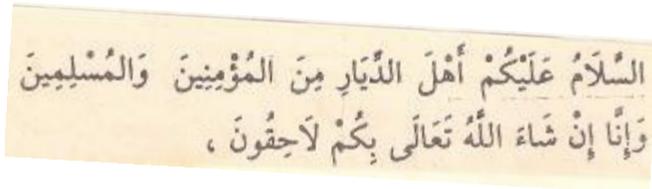
## **WHAT IS THE PROCEDURE IN VISITING GRAVES?**

Uthman ibn Affan is reported to have said that the Prophet (sal) would remain standing beside the grave after completion of a burial and would say: “ask for the forgiveness of your brother. Fulfill ‘Thawheedul Kalima’. Now he is being questioned”. (Abu Daud 3/215)

Abu Hurairah (Ral) is reported to have said that: “The Prophet (Sal) on visiting his mother’s grave, **had** cried. Those who accompanied him also cried. He told his companions, “I sought the permission of Allah to seek forgiveness for my mother, but **He** did not approve of it. I asked for permission to visit the grave which **He** did grant. Therefore visit the grave for it reminds you of the **Hereafter** and **disregard** the mundane life”. (Sahih Muslim 8/45, IbnMajah).

It is understood from this, that visiting graves is sunnah. It is to serve as a reminder of death and to supplicate for the forgiveness of sins of those in the graves. On the contrary, it is forbidden (Haram) to visit **graves** for purposes of seeking assistance to ones mundane needs and fulfillment of one’s **expectations or aspirations**.

## Visitors to graves should supplicate thus:



“O believers (Moomins) **salutations** of peace be upon you. Insha Allah, we shall follow you and join you”. (Abu Daud, Nissai, IbnMajah).

It is not the traditional practice of the Prophet (sal) to visit graves other than to supplicate for the **forgiveness** of the sins of the inmates of the graves.

## **WHAT BENEFITS YOU DERIVE AFTER DEATH ?**

According to our **Shariah**, all actions in following the injunctions in Al-Quran and Al-Hadis, stand to benefit the death person after death. Abu **Hurairah (Ral)** is reported to have said that according to the Prophet (sal) the permanent charity (**Sadakathul Jariya**), beneficial knowledge or education and righteous off springs who supplicate **who supplicate** for their parents are beneficial to the dead. ( Sahih Muslim 3/1255).

(01)In the sunnah of IbnMajah, we find the following as being beneficial to the dead:

1. Knowledge (Ilm) he taught,
2. Righteous children he left,
3. The Quran he left behind,
4. The Mosque he built,
5. The resting place for **travellers** he built,
6. The waterways he dug,
7. The charity given out of his wealth when he was healthy.

**Abu Hurairah (Ral)** related that the Prophet (sal) said that “The merits accruing from only the above acts will continue to benefit the dead. (IbnMajah 1/88).

(02)A person who organized any good work will also reap its merits after his death.

According to Jarir (Ral) the Prophet (sal) is reported to have said: “In Islam, whoever starts a good deed, will reap its merits and also the merits of those who follow such good deeds after his death without diminution in its merits”. (Sahih Muslim 2/705 and **SunnahThareemi 1/130**).

(3)Charity made for and on behalf of a dead person will accrue **to him**. A’isha (Ral) narrated that the Prophet (sal) said: “A person came to Prophet (sal) and informed of his mother’s death and asked whether charity (Sadaqa) he makes for and on her behalf, would reach her. The Prophet (sal) replied ‘yes’.(**Sahihul Buhary, Fathhul Bari 3/25**).

(4)Providing the supply of water will be rewarded.

Once **Saud ibnu Ubaidha (Ral) came to Prophet (sal) and asked about the acts** that will be beneficial to his dead mother. The Prophet (sal) is reported to have said: “The best charity is water”.So he dug a well as an act of charity. (Musnad Ahmed).

(5)Sadaqa will benefit.

**Abu Hurairah (Ral)** is reported to have said: “Once a man came to Prophet (sal) and told him, ‘Our father has left some properties without a testament. Is it sufficient to do Sadaqa for the sake of him. The Prophet (sal) replied ‘Yes’.” Nasai 6/252, IbnMajah 2/906).

(6)A’ishah (Ral) narrated that a man came to the Prophet (sal) and informed him that his mother died suddenly without a last testament. In his opinion, his mother would have prescribed charity if she had an opportunity to speak. He asked whether any charity performed by him

on her behalf would benefit her. The Prophet (sal) said 'Yes' (Sahih Muslim 3/696 and Ibn Abbas (Ral) in Nassai 6/252).

(7) Supplication (Dua) will benefit.

The supplication of Brother Muslims for a deceased Muslim is beneficial and for this reason the Holy Quran states:” And those who came after them say, ‘Our Lord! , forgive us and our brethren who came before us into the faith, and leave not in our hearts any rancor (or sense of injury) against those who have believed. Our Lord! Thou art indeed full of Kindness Most Merciful”. (59:10)

Abu Hurairah (Ral) narrated that the Prophet (sal) Said: when you offer the Janaza prayer, supplicate for the dead with firm conviction.” (Abu Daud 3/210).

(8) Maintaining good relationship with those associated with the deceased person is meritorious.

Abu Usyath (Ral) narrated that: “A man from the Banu Salama tribe came to Prophet (sal) and asked: O Messenger of Allah, after my parents are dead, what are my obligations towards them? “The Prophet (sal) told him to do the following:-

1. Observe Salah,
2. Ask forgiveness for both parents,
3. Fulfill the wishes of the parents,
4. Maintain( a) cordiality among the relations,
5. Respect their friends. (Musnad Ahmed 3/498).

In addition to the above there are many traditions of Prophet (sal) in respect of **giving** charity for and on behalf of the dead, but there is no proof in any of them that the recital of Holy Quran would accrue **merits** to the dead. There is no evidence that the recital of the chapter Sura Yasin (Al-Quran 36) etc., or the recital of Sura Ikhlas (Al-Quran

112) one hundred thousand times, nor is there any evidence to support the recital Subhanallah, WalhamduLillah, Walillahallallahu, Wallahu Akbar, a thousand times.

Today's practice among some of our brothers and sisters at the site of the grave are opposed to the practices or traditions of the Prophet (sal) or the sharia. In support of this I present some of the views of Hadith scholars (Muhaddis), Interpreters of the Holy Quran (Mufasssireen) and some great imams (Religious Leaders) to enlighten you with the truth.

### **THE CONCEPT OF IMAM IBNU KATHIR (RaI)**

“That man can have nothing but what he strives for “53:39.

Many scholars have given interpretation to this verse. Among them, Al-Imam Abul Bithau Ismail ibnu Kathir (died Hijri 774) of the Shafie Madhab, explains in his book in the fourth chapter, page 259 as follows:- “ No soul bear sins of the other soul”. Similarly, no soul will reap the benefit but what it earned for itself. In the light of Sura 53 verse 39 Imam Shafie (Rah) has said that no recitation of the Quran offered to the dead will benefit the dead as this is not one of those earned or practiced by the deceased person himself.

This shows that the Prophet (sal) did not introduce or insist on such practices to his followers. Moreover, he did not cite any examples nor did he show any indications about it. There is no evidence of any companions of the Prophet (sal) offering the recitation of the Quran as a gift (Hadiyah) to the dead, If this was meritorious, these great men would follow them.

Ways of getting closer to Allah rests in accordance with the Holy Quran and Sunnah. There exists no other authority to make one's own interpretation or comments in this regard. Making supplications (Dua) and offering charity (Sadaqa) on behalf of the dead are unanimous

opinions of the Imam as obtained from traditions. (Ibnu Kathir 4<sup>th</sup> part 259).

## **THE CONCEPT OF SCHOLARS OF HADEES (MUHADDISEEN):**

1. Imam Sharafuddeen An Nawawi Ash Shafie (Ral) of the Shafie madhab one who wrote the Sahih Muslim, says: “ One day a man came to the Prophet (sal) and said– ‘O Messenger of Allah, my mother died unable to speak. I think if she was in a position to speak, she would have offered Sadaqa.’ He asked- ‘Can I give Sadaqa on her behalf?’. ‘Yes’ replied the Prophet (sal). In the context of this hadith, it is permissible to give charity in the name of the dead; supplication for the forgiveness of the sins of a dead person; Fasting; Performing the Hajj and repaying debts, are acceptable as agreed by the Imams. According to the unanimous opinion of our ‘Madhab’, recital of the Holy Quran in order to dedicate its merits to the dead would not get such merits (Sahih Muslim 7/90 – ‘ Forwarding of merits to the dead’ Al-Adkhar, 11/84 page 150.)
2. In ‘SharahusSunna’ of Imam Bagawi 6/199, has also recorded the above opinions.
3. Imam Ibnu Hajariniil Askalani (Rah) in his Fathahul Bari 4/193, 6/389, emphasizes the observing of the fast and offering charity in the name of the dead.
4. Imam Sann ani (Rah) in the second part of his ‘SubulusSalam’ page 203, too reports this.
5. when it was asked from Imam Izzubnu Abdis Salam (Rah) about the accruing of merits by the recitation of the Quran to the dead, he replied that the merits of reciting the Quran benefits only the reciter. This will not reach any others because:-

- a) Man will have nothing but what he strive for. (53:39)
- b) On no soul doth Allah place a burden greater than it can bear. It gets every good that it earn and it suffers every ill that it earns. (2:286)
- c) If ye did well, ye did well for yourself.(17:7)
- d) Ibnu Mashud narrated that the Prophet (sal) said: “Whoever recites the Quran would be written ten merits for each word. (Thirmidhi). According to the above Quranic revelations and sayings of the Prophet (sal) it is clear that the merits attached to a particular act accrues to the doer of such acts. Those who act contrary to this, transgresses the injunctions of the Holy Quran and Hadis. Therefore those who try to convey merits of one’s actions to another, are opposed to revelations in the Holy Quran, “That man can have nothing but what he strives for”. (Al-Quran 53:39)

The merits of reciting the Holy Quran accrues only to the reciter. Not to the dead, because it is the action of the reciter. That is the reason why Allah has restricted the merits of any action to the doer as revealed in the Quran. “Whoever works righteousness benefits his own soul”. (Al-Quran 41:46). Surprisingly some attempt to interpret dreams and accordingly recites the Holy Quran to accrue merit to the dead. For example, a man narrated that when he was asleep he was surprised when he dreamt that several inmates of their graves came out of their graves and started picking up something. I saw one of them was unable to pick up anything but just seated. He approached him and asked what the others were picking up. He replied that they were picking up merits of the recital of the Quran, supplications and charities which Muslims have performed for their sake. When questioned why he was not picking up anything, he replied “I don’t need to pick up as they do, as my son who is engaged in business in the shopping center, recites the Quran and gives Katham for my sake, and therefore I need nothing else. On waking up I went to the shopping

center and saw a young man moving his lips. When questioned what he was doing, he replied that he was reciting the Quran on behalf of his father and remitting its merits. Subsequently I saw this person who was seated also join the others and picking up merits. On waking up surprised, I again proceeded to the shopping center and did not get information about the young man. I came to know that he was dead.” (Janathul Thalibeen 2/143). No dreams can be considered as evidence to perform a religious deed. (Kithabul Fatwa, Imam Uzz Ibnu Abdil Salm Ashshafihi page 96).

What is stated above are decisions of Islamic scholars (Imams) who have explained what should be done for the sake of dead persons as already shown elsewhere in this book. Therefore these issues should be dealt with the context of the Holy Quran, the Sunnah of the Prophet (sal) and concepts of Islamic Scholars. Allah alone is knowledgeable of all things.

## **DOUBTS – MADE CLEAR:**

### **1. Is an obituary notice necessary?**

There is no fault in announcing a death. When the king of Najashi died, the Prophet (sal) informed his companions and conducted a janaza prayer. (Sahih Buhary, Sahih Muslim). An obituary notice provides an opportunity for relations and friends to participate in the funeral, which is a good deed.

### **2. What are the fundamental requirements that should be followed when washing the dead?**

When washing, the deceased should be placed in an elevated position. The deceased covered with a cloth while washing. To deodorize the

room, it may be scented. Most important is that only trustworthy persons should indulge in these matters.

**3. Is it necessary for everyone to participate in washing of the death?**

Only those entitled to wash the dead should be participating. Not that everyone participating should pour water, which is an unnecessary act amount to (Ishraf).

**4. After washing should anything be recited surrounding the deceased?**

The most important, after washing of the dead is surrounding and carrying the janaza to the burial. Reciting anything or lamenting around the dead is not permissible in Islam as it is an innovation (Bidaat) in Islam.

**5. Who are permitted to view the corpse?**

Those who are permitted to see or meet another during lifetime without a screen are eligible to view the corpse. It is permissible for persons belonging to 'Mahram' group (person not eligible to marry one another) to view the corpse. The male is forbidden to view the corpse of a female and vice-versa. If they are Marriageable in life, this is haram.

**6. What is the rule with regard to the writing of Kalima on the forehead of the dead or on the shroud?**

Before shrouding or after, writing of verses of Kalima etc., on the forehead or on the Kafan of the deceased, or placing a piece of cloth that cover the Ka'bah or placing any other written matters amounts to Bidaath.

**7. Instead of engaging in worldly conversation whilst carrying or accompanying the janaza, the recital of Kalimah or Zikr is termed Wajib. What is the truth about this?**

The Prophet (sal) had preached against carrying fire or the making of any kind of sound in the funeral processions. The respected companions of Prophet (sal) acted accordingly. If there were any advantages of reciting anything, the sahabas would not have failed to do so. No one should act contrary to what the Prophet (sal) has said, (on pretext of preventing people accompanying the janaza from talking. ) See under 'carrying of Janaza'

**8. Is it permissible to transport a Janaza in a vehicle, to carry bouquet of flowers or photographs of the deceased in the procession?**

Transporting of the janaza in a vehicle is permissible if the place of burial is a distance. Those who participate in a funeral procession by vehicle should do so from the rear of the bier. Carrying of bouquets of flowers, photographs, using musical instruments are alien practices and amount to innovations (Bidaat). If military honors are due, they should be in conformity with Islamic practices.

**9. What are the rules of serving food and refreshment in a funeral house?**

It is the duty of the relations of a deceased person to provide the food requirements of the deceased's household. Neighboring Muslims catering to their needs **for three days** is most desirable. Providing food and refreshments for visitors to the funeral house must be avoided. Abdullah ibn Jauffar (Ral) states that when hazrath Ibn AbeeThalif (Ral) died, the Prophet (sal) had asked that Jauffar's family be provided with food as they are engaged in other matters. (Abu Daud, IbnMajah). The Prophet (sal) had said this so that a brother Muslim could participate in the bereavement of another Muslim.

**10. Are there any signs for a good janaza?**

**1. The signs are:-**

### **Attempting to utter the Kalima at the final hour.**

Muad (Ral) narrated in his Alhakim, that a person who utter the words 'Lailahallalah' as his last words at the time of the death will enter Paradise.

### **2. Sweating from forehead.**

Buraidha bin al-Haseeb, stated- "The death of a moomin (believer) will be identified by the sweat of his forehead." (Thirmidhi).

### **3. Death occurring on Friday night or day.**

Allah's punishment will be averted from a person who dies on a Friday night or day. (Musnad Ahmed, Thirmidhi)

### **4. Those who die in a battle field (Martyr)**

For those who die as a Martyr there are following benefits:

- a. He will be forgiven from the moment of the shedding of the first drop of blood.
- b. He will be shown his place in Heaven.
- c. He will be protected from the torments of the grave.
- d. He will not be experiencing the torment of the Day of Resurrection.
- e. He will be adorned with the garb of faith.
- f. He will be wedded to 'Hourleen' (Damsels of Honour).
- g. He will be entitled to intercede for seventy members of his family and relations. ( Ubada (Ral), Tirmidhi)

### **11. After carrying the dead and before prayer, a questioning –**

**"What have you to say about the deceased person"?** The response is, "He is a good person". What are the rules in this regard? This is a misconception. Describing a person who is a drunkard or a fornicator as a good person is false evidence.

On one occasion when janaza was being carried, the companions of the Prophet (sal) praised the deceased. The Prophet (sal) on hearing this responded by saying thrice, "It's decided". Similarly in another janaza, the companions of the Prophet (sal) criticized the deceased, to

which also the Prophet (sal) responded by saying “It has been decided “. In respect of this when Umar (Ral) asked the Prophet (sal) what was meant by this, the Prophet (sal) replied: “You all praised the first janaza and Heaven was ordained for him. The second janaza was criticized, and the Hell has been ordained for him. You are Allah’s witnesses on earth”. (Sahihul Buhary).

Taking this Hadees as an example, there is no authority to keep the janaza and for the calling of evidence on a deceased. Under unavoidable circumstances, if anyone praises a deceased being aware of his conduct, such utterance constitute a praise of the dead.

**12. Keeping the janaza and reciting surah Ikhlas. Why?**

From the moment of the washing of the deceased up to the burial of the deceased, one must be engrossed in the remembrance of death particularly whilst carrying the janaza for burial and during the Janaza prayer and while the Janaza is being buried.

Just to while away the time, the recital of surah Ikhlas has no sanction either in the traditions of the Prophet (Sal) nor is it the opinion of any of the imams. In performing meritorious deeds we must definitely believe that we cannot do better than what the companions of the Prophet (Sal) did in performing merits.

**13. Is it permissible to light Joss sticks on the grave?**

Those who are conscious of the Hadith pertaining to the prohibition of carrying fire in the funeral precession will definitely refrain from lighting Joss stick on the grave, as it is forbidden (Haram).

**14. Is it permissible to wash the corpse of one’s wife?**

Is it permissible to see the deceased wife after being shrouded?

A husband has the right to bathe and wash his wife and similarly the wife can perform this task to her husband. Aiysha (Ral) narrated that

the Prophet (Sal) said: “If you die before me, I will bathe you, shroud, offer janaza Prayer and bury you.” (Musnad Ahmed 6/228).

Therefore it is permissible for the husband to bathe the deceased wife or see her Janaza.

#### **15. Is it Beneficial to recite the Holy Quran on behalf of a deceased?**

Elsewhere we have already mentioned as to what should be done to a deceased person. According to the opinion of Imam Shafie(rah) , “To recite the Quran on behalf of a deceased person is not in the traditions of Prophet (Sal). Also on specific days of death such as on the 3, 7, 15, 20, 40, and 60, 100<sup>th</sup> assigned to perform rites are not in accordance with the traditions of Prophet (Sal), as explained earlier.

#### **16. Can a grave be built-up? Can it be illuminated?**

It is prohibited to build-up a grave or apply paint over it. Jabir (Ral) narrated that the Prophet (Sal) has prohibited the application of slake lime, sitting on them and building up over the grave. (Musnad Ahmed, Sahih Muslim)

It is also Haram to build-up a grave in public places or on Waqf property. It is wajib to demolish such constructions. (Fathhil Mueen 2/120)

#### **17. Is it permissible to kiss a deceased person?**

Those in category of Mahram is permitted to kiss the deceased.

Hazrath Abu Bakr (Ral) kissed the Prophet (Sal) at his death. (Fathhul Bari 3/115, Nissai 4/11). Therefore it is not a violation when visiting the dead to kiss the Janaza by those within the marriage prohibition category of persons.

#### **18. Can a grave be dug out after interment of a deceased?**

It is not permissible to exhume the deceased without a reasonable cause. If the deceased was buried without the completion of its compulsory rites or the deceased was placed in the grave without facing the Qibla, or for investigation, or examination purposes, it would be proper in exhuming the grave.

19. **Is it a requirement to heap over a grave after the lapse of a certain number of days after burial?**

This is an innovation (Bidaath). Other than to make supplication for the deceased, to re-heap the grave or to cover it with a cloth, or display food items over the grave, should be prohibited.

20. **Is it not an obligation for Muslim woman to perform the Janaza Prayer?**

But there are opportunities to perform the Janaza prayer when performing the Hadj and Umra. In such situations is it permissible to perform the Janaza?

Even though Janaza prayer is not compulsory for females, it becomes compulsory when no males are present to perform this obligation. Similarly offering Janaza prayers during Hadj and Umra is permissible.

**ADOPTION OF ONE OR THE OTHER WAYS:**

It is important that every Muslim should be aware about Janaza procedures. If any Muslim fails to fulfill the obligations due to the dead, then all Muslims will be guilty of non-compliance. The practices of the Prophet (Sal), his companions, those who follow

the companions (Tabieen) are the correct paths. This is the straight path to earn Allah's pleasure.

Contrary to this, following the cultural practices, and customs, are opposed to the practices of the Prophet (Sal). **Customs and practices contravening this and the Hadees (in order to please the public which would appear to be beautiful) are not the correct path.** The Prophet (sal) is reported to have said, "Certainly the righteous path is the path of Prophet (Sal)". (Sahih Muslim).

Ibn Masud (Ral) said: "Whosoever seeks guidance, should follow the Prophet (Sal) and his companions. Surely they are pure in heart, highly knowledgeable, experiencing less difficulties, following the straight path, righteous and highly respected. Allah has chosen them to co-operate with the Prophet (Sal) in the propagation of Islam. Being aware of the righteousness they follow their foot path, for surely they were among the righteous. (Musnad Ahmed).

Allah knows best.

"O Allah, make me useful out of whatever you taught me.

Teach me the things that are useful for me.

Grant me useful knowledge. Ameen !

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1. Al-Quran
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3. Sahihul Buhary
4. Sahih Muslim
5. Sunnah Abu Daud
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8. Sunnah Ibn Majah
9. Sunna Dharimi
10. Al Muwatha
11. Fathul Bari
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13. Al Akthar
14. Al Fiqhul Islami
15. Umthathus Salik
16. Taanathuth Thalibeen
17. Kthabul Fathnaun (Izzibnu Abdi Salam)
18. Mahalli Hashiyathu Umaira.

**LET US AVOID DOING THESE:-**

- 1) Lamenting in the presence of the Janaza.
- 2) Seating females around the Janaza.**
- 3) Serving refreshments to participants at the funeral.**
- 4) Hosting visitors who congregate at the funeral house, with food.**
- 5) When washing the deceased -

- a) Washing the janaza in an open place.
- b) Washing the janaza without covering the private parts.
- c) Pouring water on the deceased by other than those engaged in washing the deceased.
- d) Passing a container with water to be touched by persons attending the funeral and using such water for the washing of the dead.

**6) WHEN SHROUDING :**

- a) Using rose water or perfume for writing of the Kalima on the forehead of the deceased.
- b) Performing the act of Thakbir, to indicate that the janaza is in a praying position.
- c) Viewing the janaza by claiming the status of Mahram or Ajnabi.
- d) Dressing the Janaza with either trousers, underwear etc.,.

**7) AFTER SHROUDING :**

- a) Prohibiting the wife from seeing her husband's Janaza.
- b) Declaration of the Mahar as Halal by the deceased's wife
- c) A mother's declaration of the breast milk being Halal to her dead child.
- d) Delaying the burial without any valid reason.
- e) Recital of sura Ikhlas prior to the commencement of the janaza prayers.

**8) WHEN CARRYING THE BIER :**

- a) Placing of flowers on the deceased or over the bier.
- b) Reciting the 'Azan' prior to the carrying of the bier from the funeral house.
- c) Recital of Zikr or Baith, loudly, while carrying the Janaza.
- d) Engaging in general conversations whilst accompanying the bier.

**9) AFTER BURIAL :**

- a) Placing of oil lamp (lighting) at the place where the deceased had been sleeping (prior to death)
- b) Keeping awake by deceased's family member for a few days in their residence.
- c) Recital of Azan inside the grave.
- d) Wife of the deceased postponing the Iddah period by three days.

**10) AFTER COMPLETION OF THE DUTIES TO THE JANAZA :**

- a) Performing a 'purification Bath prior to the commencement of the Iddah period by the wife of the deceased.
- b) Observing Iddah only for forty days.
- c) To hold ceremonies on the 40<sup>th</sup> day in the belief that the soul of the deceased departs from the place of residence.
- d) Covering the grave with a cloth on the 40<sup>th</sup> day.

**11) AFTER COMPLETION OF ALL DUTIES :**

- a) Considering the residence of the deceased as an unclean place.
- b) Prohibiting a woman of a deceased from participating in marriage ceremonies.
- c) Prohibiting a woman in Iddah from seeing a pregnant woman.
- d) On completion of the Iddah period “seeing” of a male on that first day of completion.

**PRINT ON THE BACK COVER OF THE BOOK:**

To introduce anything new contrary to the principles of Islam (showing that it is in Islam) and one who believes that as the best method, would surely be equal to one of those who would allege that Prophet (sal) had cheated in his Prophethood.

Allah (swt) has said :”This day have I perfected your religion for you”. Hence during the existence of our religion, anything contrary to the principles of Islam would never become acceptable So said Imamul MADEENA Malik (Rah) as reported by Imam Ibunul Majisoon”

## **Appendix 1**

**By Abdul rahman Abedeen**

**1.As Muslims, we all must submit to the will and commandments of Allah. Those commandments are in the Quran, the word of Allah, and in the Sunnah, the**

authentic teachings of Prophet Muhammad (ﷺ), and whatever his companions said or did of which he did not disapprove.

But unfortunately, people listen to this and that, see the non-Muslim's ways of doing things and then copy it and it becomes the norm . The Prophet Muhammad (ﷺ) predicted this by saying : " You would copy the same path as was done by those before you inch by inch and step by step so that if they had entered into the hole of a Dhab (a desert lizard) you will enter too." They ( The Prophet (ﷺ) companions ) asked him: " You mean Jews and Christians by your words' Those before you' ?." He said: " Who else (than those two religious groups) " (Bukhari and Muslim).

The knowledge of the reality of death helps people understand it and prepare themselves for its coming. Death is simply a transition state from one world to another, as birth is. No one knows when and where he will die or knows how.

All of this, and the Day of Judgment has not yet started. So I remind myself first and I remind you as my brothers and sisters to prepare for this day; prepare for it by truly and sincerely submitting to Allah, doing good deeds according to Allah's commands in the Quran and the teachings of the Prophet.(ﷺ)

Avoid all types of wrong and evil which Allah and the Prophet(ﷺ) asked us to avoid, but do not delay or postpone since you do not know when death will come.

**2. With regard to reading Yaa-Seen for one who is dying,** this practice has been reported from some of the Sahaabah. Imaam Ahmad reported in his *Musnad* from Safwaan: My shaykhs used to say that when it is recited in the presence of one who is dying, it eases the pain of death."

**Al-Albaani said in *Irwaa' al-Ghaleel*, 3/152:** "This is a saheeh sanad going back to Ghudayf ibn al-Haarith.

**Shaykh Ibn 'Uthaymeen said in *al-Sharh al-Mumti' fi Ahkaam al-Janaa'iz*:** "Soorat Yaa-Seen may be recited over him (i.e., the one who is dying) for the one who thinks that the hadeeth is correct."

**Ibn Hibban observes:** This hadith refers to the recitation of Ya Sin for those on the eve of death and not for those already dead. The compiler of *Musnad al-Firdaus* attributes this hadith to Abu ad-Darda and Abu Dharr. They both narrated: "The Prophet (ﷺ) said: 'If any person is on his deathbed and Ya Sin is recited to him, Allah makes his suffering easier'." **Burhan Islam helpline.**

**3. Reading Qur'aan over the dead is considered to be bid'ah (innovation),** as he states at the end of his book *Ahkaam al-Janaa'iz*. Some people think that it should be read forty times over the deceased, and some of them may distribute copies of the Qur'aan among the mourners who gather to offer condolences so

that they may read, or organize gatherings in the mosque to read it for the soul of the deceased. **All of this has no basis whatsoever (in the sunnah), and these are innovated deeds of bid'ah which we should avoid and warn others against. And Allaah is the Source of strength.** Islam Q&A Sheikh Muhammed Salih Al-Munajjid

The Prophet ﷺ said: *iqra'u `ala mawtakum ya seen* "**Read Ya Seen over those of you who are dying/deceased.**" It is narrated by Abu Dawud in his *Sunan (Jana'iz)*, al-Nasa'i in his *Sunan (Amal al-yawm wal-layla)*, Ibn Majah in his *Sunan (Jana'iz)*, and Ibn Hibban in his *Sahih (Ihsan)*, and he declared it sound (*sahih*).

#### 4. POINT OF DEATH

Family members of the dying person and his most pious friends should be informed and should be present at his side to help him turn his thoughts to Allah, encourage him very gently to repent, remind him about all the good deeds that he did, about Allah's mercy, and Allah's forgiveness so that he may anticipate Allah's mercy and Allah's favors.

They should prompt him **very gently (Encouragement without insistence)** every now and then to say the Shahada: "**La ilaha ella Allah**", which means 'There is no God but Allah,' in a very kind and sincere manner as these may be his last words. **Abu-Saeed Al-Khuduri** reported that Prophet Muhammad (ﷺ) said : "**Help Muslims who are dying to say: ' La ilaha ella Allah'**" (Muslim).

5. TAKING THE DECEASED BACK TO HIS HOMELAND- The deceased should not be moved from his land to another land unless that is for a valid reason. This is the view of al-Awzaa'i and Ibn al-Mundhir...and because it is easier and it avoids any delay that may cause the corpse to start decaying before burial. But if there is a valid reason for doing so, then it is permissible. Moving him to his homeland so that his family will feel better and will be able to visit his grave is permissible. *Al-Mughni*, 2/193-194.

However, it is obligatory to carry out the wishes of the deceased, whether he left a will describing something obligatory or something mustahabb. See *al-Sharh al-Mumti'*, 5/333.

6. IF THE DECEASED IS POOR, WHO SHOULD PAY THE EXPENSES If the deceased does not have any wealth then shrouding him or her is the duty of the one who is obliged to spend on him or her (such as the father, son or husband). If there is no such person then it must be done by the bayt al-maal. If there is no bayt al-maal then it must be done by the Muslims. See: *al-Majmoo'*, 5/148-150; *Badaa'i' al-Sanaa'i'*, 2/330

7. MAKING DEATH ANNOUNCEMENTS FROM MOSQUE MINARETS VIA LOUDSPEAKER - The Prophet (peace and blessings of Allaah be upon him) forbade making death announcements; what is meant

by this prohibition is what the people of the Jaahiliyyah used to do, when they used to send someone to announce a death in a loud voice.

**OBITUARY: CAN THIS BE PUBLISHED?** Announcing the death **Fiqh-us- -Sunnah**

#### **Fiqh 4.20**

A report, recorded by Ahmad and Tirmidhi on the authority of Hudhaifah, says that Hudhaifah said: "When I pass away, let no one vex me, for I am afraid (my death will be announced) and it may be **regarded (as an invitation to) mourning**. And I heard that the Prophet, peace be upon him, forbade **announcing the death of a person as an invitation to mourning**.

#### **8. COVERING THE BIER WITH A COVER ON WHICH ARE WRITTEN SOME QUR'AANIC VERSES-**

This should not be done, and we should warn against that, because that exposes the Qur'aanic verses to inappropriate treatment, and because some people may think that this will benefit the deceased, which is a serious mistake for which there is no basis in sharee'ah.

#### **9. . IS IT PERMISSIBLE TO DELAY BURYING THE DECEASED UNTIL SOME OF HIS RELATIVES COME**

Praise be to Allaah. It is not permissible to delay (burial) except within the limits of what is needed to prepare him or to wait for his relatives or neighbours to come, if that will not take too long according to local custom, because the Prophet (peace and blessings of Allaah be upon him) said: "Hasten to bury your dead...." This hadeeth was narrated by Maalik and Ahmad, 2/240; and by al-Bukhaari,2/87-

#### **10- IS IT PERMISSIBLE TO BURY THE DEAD AT NIGHT-**

It is permissible to bury the dead at night, because Ibn 'Abbaas (may Allaah be pleased with him) narrated that "A man died whom the Prophet (peace and blessings of Allaah be upon him) used to visit (during his illness). He died at night and they buried him at night, and when morning came, they informed him (the Prophet (peace and blessings of Allaah be upon him)). The burial should be done as soon as possible after death; however there are specific times when it is prohibited to bury the dead. They are, from sunrise until the sun has risen, when the sun is at its highest and, from when the sun begins to pale until it is fully set. After the burial it is permissible for the believers to stay in the graveyard making supplication as this is the time when the deceased is being questioned by the angels.

#### **11. TO GIVE A SPEECH OR EXHORTATION AT THE GRAVESIDE** - This is bid'ah

There is no report that the Prophet (peace and blessings of Allaah be upon him) used to stand at the graveside or in the graveyard and did this.

**12. It is allowed for women to perform funeral prayer. But it should also be remembered that it is not obligatory on part of women to go out for funeral prayers.**

Syedna Umar (RA) personally preferred that women should stay in home, and in case of performing prayers he preferred them to do so at their homes.

However, the Prophet (sal) has said that if a woman wants to go to Masjid for prayer, do not stop her.

(Offering funeral prayer in absence of Mayyit when you are far from it) is *authenticated* by action of Prophet Muhammad ((sal)

**13. Prophet Muhammad (sal) said : " Who ever attends the Janazah until it is finished, will earn a Qirat, and who ever stays until the burial, will earn two Qirats. Someone asked: What does Qirat mean ? , the Prophet (sal) answered : 'It means rewards as big as great mountain" ( Bukhari & Muslim ).**

**14. It is preferable that Salatul Janazah be performed outside the Mosque / in the Musalla.**

**15. Salat-al-Janazh can also be offered for a deceased whose body could not be found.**

**Those who miss the prayer could perform this prayer at the grave site.** It is permissible to offer funeral prayer for a deceased any time after his burial, even if a prayer was offered prior to his burial. As mentioned above, the Prophet (sal) , offered funeral prayer for the martyrs of Uhud after eight years.

#### **16. HOW IS THE BURIAL DONE?**

According to the teachings of the Prophet Muhammad (sal). Anas Ibn Malik related that : "**During the burial of the daughter of Prophet Muhammad (sal.), Prophet Muhammad (sal) was sitting, tears coming out from eyes, he asked us: " Who did not have sexual intercourse with his wife last night?" Abu Talha answered: " I, then Prophet Muhammad (sal) said to him: " You get down in the grave and lay her down" (Bukhari).**

**4). Prophet Muhammad (sal) in an authentic Hadith said : " Make dua' of Istighfar ( Supplicate for forgiveness) for your brother and for others buried there, facing the qibla and request steadfastness for him because he is now being questioned " (Authentic -Abu Dawood).(Individually)**

**Do not leave the grave immediately, remain a short time.** and then would ask us to supplicate for the forgiveness of their brother and help him answer correctly as the deceased is than being questioned. (Sunnah Abu Daud 3/215)

17). **All those present should participate to fill the KABR . After the body is totally covered, it is desirable to throw three handfuls of soil into the grave. Fill the hands fully with the earth/soil as every grain gives more merits.** " Allah's Messenger (pbuh) once prayed over a Janazah, and then (after burial) he went toward the dead person and threw three handfuls (of soil) on the side of his head." (Ibn Majah)

18). It is not reported anywhere that the Messenger of Allah (peace and blessings of Allah be upon him ) used to stand up to address the people with a khutbah in the graveyard. Anyone who stands up to preach to the people after a burial is doing so on the basis of incorrect ijtihaad.

19). **CONVEYING CONDOLENCES: Fiqh-us-Sunnah4.82**

**Sitting for Condolences-The sunnah concerning this is that one should offer condolences to the bereaved family and leave. Neither the consoler nor the consoled should sit down.**xx Ash-Shafi'i in his Al-Umm said, "I dislike gathering in groups together to give condolences even if those gathered do not cry.xx Al-Muhamili states this explicitly and transmits it in reference to a text from Ash-Shafi'i. This is makruh tanzih (Makruh tanzihl signifies something which is undesirable.xxxx "All novel acts are an innovation and every innovation is error."Introducing something new to religion – is EVIL. A sin.

**20). Gathering for condolences,**

The practices of some people nowadays, such as **gathering for condolences, setting up tents, spreading carpets, and incurring a lot of expenses** out of **arrogance and show off** are **all despicable innovations** that are forbidden and must be avoided, especially when most of these acts are contradictory to the teachings of the Qur'an and sunnah and are vestiges of **pre - Islamic customs of Jahiliyyah**. Some of these innovations are **reciting the Qur'an** (soon after the burial in the name of the deceased) **They celebrate the anniversary of death on the first day and observe remembrance on the second day, and do other such things without any justification by either text or reason.**

**21). Talkeen**

**Talqeen is to remind the dying person of the Kalimah Shahaadat.** Talqeen is given so that the dying person may recite the kalimah and claim the glad tidings of our beloved Prophet (sal) when he said; "Whoever's final words are La Ilaha IllAllah" shall be admitted into paradise". **No one should stand by the grave telling the deceased that he will be questioned soon etc., as is the custom among some people** Rather people should stand at the grave and pray (individually)for the deceased to be made steadfast and for forgiveness for him. Those who are present should be told to do this, because of the hadeeth of 'Uthmaan ibn 'Affaan (RA)), who said: "When the deceased had been buried, the Prophet (sal) would stand by (the grave) and say: 'Pray for forgiveness for your brother and ask for him to be made steadfast, for even now is he being questioned.'" (narrated by Abu Dawood, *al-Janaa'iz*, 2804; classed as saheeh by al-Albaani in *Saheeh Sunan Abi Dawood*, 2758).

## 22). Forming Queue to convey Condolence at the site

After completion of the burial -Forming a long queue by the relatives of the deceased and all those attending the burial going passing one after other giving or wishing them Salam by holding their hands **is a new Innovation**. More importance and effort is given to this event (some assume that this is a Sunnah act) **than supplicating to the deceased, filling the grave or throwing 3 handful of earth into the grave** etc. What most of them are seen doing is just chatting and wasting and while away their time there, but seen joining in raising their hands jointly as in a group (not doing individually) when someone recites a dua which too is an improper deed.

## 23). JANAZA PRAYERS:

The most worthy Person to lead a Funeral Prayer

**“The most appropriate person is the legal guardian of the deceased, then the (Muslim) ruler, then the father of the deceased, grand father, or great grandfather, then the son of the grandson, then the one closest in relationship. Janaza Prayers are held preferably in an open place outside the masjid.**

**An-Nawawi (may Allah have mercy on him) said: Ibn al-Mundhir said in his book *al-Ishraaf wa'l-Ijmaa'*: They are unanimously agreed that (the worshipper) should raise his hands when saying the first takbeer, but they differed concerning the rest of it.**

**End quote from *Sharh al-Muhadhdhab*, 5/190**

**In *al-Mawsoo'ah al-Fiqhiyyah* (16/29) it says: He should only raise his hands in the first takbeer, according to the Hanafis. This was the view of Malik and it is the more correct view according to their madhhab. ... The Shaafa'is and Hanbalis said that it is Sunnah to raise the hands with every takbeer. End quote.**

**There is only one salam on the right side in funeral prayers, according to the Maliki school.** (Fiqh Ala Madhaahib Al Arba'ah of Imam Abd Al Rahman Al Jaziri)

**The Hanafi and Shafie school's method, in the funeral prayer is with two salams. One on the right and the other on the left. And Allah Knows Best both are OK and may be followed. Disagreements should not lead to any conflict among the Muslims.**

And Allah knows best

