



الحمد لله حمد الشاكرين، والصلاة والسلام على المبعوث رحمة للعالمين، وهادياً للناس أجمعين. صلاةً وسلاماً دائمين إلى يوم الدين، وآله وصحبه ومن تبعهم بإحسان، وسلم تسليماً كثيراً، أما بعد:.

# The Funeral Rites in Islam (Janazah)

Rasulullah stated: That which has been taken belonged to Allah, that which was given was also undoubtedly from Allah, every individual's time has been ordained by Allah, so be patient for the reward from Allah. (*Sahih Bukhari p171*)

# الجنائز - لِلهِ مَاأَخَذَ وَلَهُ مَاأَعْطَى وَكُلٌّ عِنْدَهُ بِإَجَلِ مُسَمَّى فَلْتَصْبِرْ وَلْتَحْتَسِبْ »

Allah ﷺ has stated in the Qur'an: ...And Allah grants respite to none when his appointed time (death) comes. And Allah is well acquainted with what you do.' (Surah 63, v 11)

Every individual is sure of the fact that we will all die one day. Blessed are those who live in this World in the state of Iman (belief) and pass away into the Hereafter in the state of Iman. There is no greater blessing to be attained in this World than sound and strong Iman.

Sayyidina Abu Hurairah  $\overset{\otimes}{\longrightarrow}$  relates that Rasulullah  $\overset{\otimes}{\Longrightarrow}$  stated: Read the Kalimah  $\overset{\otimes}{\coprod}$  'Laa-ilaaha il-lal-laahu' (there is none worthy of worship but Allah) near the dying person (thus by reading the Kalimah near them, their thoughts are diverted to the oneness of Allah  $\overset{\otimes}{\Longrightarrow}$  and they pass away from this world in that state inshAllah). (Saheeh Muslim)

It is recommended that the Kalimah is recited near the dying person and they should not be coerced to recite it. Due to them being in difficulty and pain, they could utter inappropriate words at the time of their death. If a person has spent his life in Islam and for some reason they say some inappropriate words at the time of their death, this should not be narrated to others. These words could have been uttered due to the difficulty and pangs at the time of death. Rather, supplication for their forgiveness should be continuously made.

Sayyidina Maqir bin Yasaar 🐝 relates that Rasulullah 38 stated: Read Surah Ya-Sin near the dying person. (Musnad Ahmad, Sunan Abu Dawood, Ibn Majah)

Sayyidina Jabir bin Zayd 40% relates that the recitation of Surah R'ad (thunder) also causes the dying person to have some peace and eases the pangs of death. (Ibn Abi Shaybah)

At the time of death, the person's face should be turned towards the direction of Qibla, as much as possible. The blessings of Jannah, the meeting with Allah 3% etc and the good things in store in the Akhirah should be narrated in front of them. This is so that the desire for what is to come is inculcated within them. They should not be reminded of worldly affairs or matters at this time. At the time of death, Inna Lillahi wa Inna ilayhi Raji-oon should be recited, the person's eyes and mouth should be closed (a strip of cloth should be tied from the top of the head under the chin). The legs should be straightened and the toes of both feet should be tied.

Sayyidah Umme Salamah <sup>(4)</sup>/<sub>4</sub> relates that at the time of death of her husband Sayyidina Abu Salamah <sup>(4)</sup>/<sub>4</sub>, Rasulullah <sup>(3)</sup>/<sub>4</sub> came to their house. The eyes of Abu Salamah <sup>(4)</sup>/<sub>4</sub> had remained open after his death. Rasulullah <sup>(3)</sup>/<sub>4</sub> closed them and said: 'When the soul is taken out of the body then the faculty of sight is also taken with it.' Hearing this, the household of Abu Salamah <sup>(4)</sup>/<sub>4</sub> started crying loudly.

Rasulullah ﷺ stated: O people! Make supplication for good and success, for whatever you are saying now, the angels say 'Ameen' to that. Then Rasulullah ﷺ himself made the following Du'aa:

O Allah, forgive Abu Salamah and raise his rank amongst those whom you have guided of your creation. Sustain his housefolk. O Allah, forgive Abu Salamah and all of us also and make his grave wide and filled with light! (Saheeh Muslim)

It is related from Sayyidinah Abu Hurairah 40% that the Prophet 40% stated: 'Allah 36% states; When I lift the soul of a believer and others are patient on this decree, in the hope of attaining reward thereby, for them there is no reward except Paradise.' (Saheeh Bukhari)

# Who is responsible for the expenses of clothing and burying the dead?

1. If the deceased has left wealth that has been accumulated during their life, this can be used for the purpose of their own burial before any inheritance is calculated. (Durre Mukhtar)

- 2. If a person wishes to take responsibility for the burial of the deceased, there is no harm in this, whether they are related or not. However, the money of Zakaat cannot be directly used in the burial expenses, even if the deceased is poor. It can come from a third party; if the Zakaat money is given to a poor person and they chose to use it for the burial, this is acceptable.
- 3. If the deceased is a married lady, the responsibility of her burial lies upon her husband, whether she has her own wealth or not. (Imdadul Fatawa)
- 4. In the situation where the deceased is poor and has left nothing in the form of wealth, it is the responsibility of the Islamic government to bear the expenses of the burial. If there is no Islamic government, it is the responsibility of the Muslim community in the area, whosoever hears about it (Fard Kifaya). If no one contributes to this, the entire community will be sinful.

Note: Those Masaajid that offer the services of funeral and burial for the community should keep a separate fund to bear the expenses of the deceased. The Muslim community should contribute towards this fund to ensure there is no deficiency in providing the necessary expenses for burial when it is required.

### The Masaail of Shrouding (Kafn) & Bathing the Deceased (Ghusl)

The Prophet 38 stated: 'The person who bathes the deceased, he is purified of sins just as the time his mother gave birth to him. And whosoever shrouds the deceased, Allah 38 will make him wear the clothing of Paradise.' (At-Targeeb wal Tarheeb/ Sunan Ibn Majah #1462)

It is the primary responsibility of the close relatives of the deceased to perform the bathing ritual. For example, the sons of the Father, the daughters of the Mother. This is the last form of assistance they can give their parents (it is not a valid excuse to say 'we do not know' and it should be learnt. In any case local Masjid should provide this service. (Durre Mukhtar)

Any other person can assist in the bathing ritual, but it must be men for a man, women for a woman. It is permissible for people to charge for performing the bathing ritual, but those who do so will not be rewarded as mentioned in the Hadith. (Beshti Gohar by Hakimul Ummat)

If a man has passed away and there is no men found to bathe him, then aside from his wife, no other woman can bathe him. If his wife is not present/alive, then other women can perform Tayamum on the deceased whilst wearing thick gloves.

It is best for those that perform the ritual bathing to be in the form of Wudhu, they should be free of Haidh (menses), Nifas (bleeding following childbirth) and other impurity. The awrah (private parts) of the deceased should not be viewed or left open at all at the time of bathing. If at the time of bathing any deficiency is witnessed of the deceased by those present, it should not be mentioned to others. After bathing, the perfume and scent (Frankincense) should be applied to the body directly, not to the shroud. The perfume should also be applied to the joints of the deceased.

If a husband passes away, it is permissible for the wife to see his face, perform his shrouding and bathing. Only the Mahram women from the man's family can view his face and no other woman. If the wife passes away then it is not permissible for the husband to bathe her, or touch her body. However, he will be permitted to see her face. It is permissible for the husband to touch the body of his wife when it is clothed or there is a sheet placed to prevent direct contact between them.

# Method of Janazah Salah

- 1. Intention (Niyyah) should be made for performing Janazah Salah.
- 2. When Imam says the 1st Takbeer (الله أكبر), recite Allahu Akbar raising your hands and fold both hands, and then recite Thana.
- 3. After the 2nd Takbeer (الله أكبر), without raising your hands recite Durood Ibraheem (as read in normal Salah).
- 4. After the 3rd Takbeer (الله أكبر), without raising your hands recite the Du'a of Janazah (and the Du'a of a boy or girl depending on whose Janazah Salah it is).

5. After the 4th Takbeer (الله أكبر), without raising your hands complete the Salah with Salaam on both sides. (Musanaff Abdur Razzak vol3, p491/ Musanaff Ibn Abi Shayba vol3, p295)

أنّ عبد الله بن عمر كان لايقرأ في الصّلاة على الجنازة. (مؤطابِمام ملك 210) أن النبيّ صلى الله عليه وسلم لم يوقّت فيها قولا وّلاقر آءةً. (المعنى لإبن قدامة ج2 ص485) Abdullah ibn Umar الله would not recite from the Qur'an in Salatul Janazah. (Muwatta Imam Malik p210)

The Prophet ﷺ did not specify a particular recitation from the Qur'an for Salat-ul-Janazah. (Al Mughni vol2, p485)

It is not correct to 'recite' in the form of Qirat, surah Fatiha and other portions of the Qur'an in the Janazah prayer. However, if they are read to praise Allah  $\overset{}{\gg}$  and as a form of supplication, there is no harm in it. (Durre Mukhtar vol1, p122) It is related from Sayyidina Uthman bin Affan 45% that the Prophet 45% prayed the Janazah of Uthman bin Mazoon 45% with 4 takbeers. (Sunan Ibn Majah)

It is for this reason that the Fuqahah state, it is fard to say 4 takbeers in the Janazah prayer, and without this the prayer is not complete. If someone does not know the Thana and Du'a of the funeral prayer, just by them reciting the 4 Takbeers, the Janazah prayer will be fulfilled.

The person who has the greatest right to lead the Janazah prayer is: 1) The leader of the Islamic state; 2) The Imam of the Masjid where the Janazah is performed, and the people pray behind him during their daily life; 3) The Wali (guardian) of the deceased. (Fataawa Rahemiyyah vol1, p382/ Bahrul Raiq vol2, p180)

#### In the funeral prayer, the hands should only be raised in the 1st Takbeer

Abu Hurairah 🆇 reported that when the Prophet 🎄 would perform the funeral prayer, he 🖓 would only raise his hands on the 1st Takbeer. He 🖓 would then place his right hand on his left. (Jami Tirmidhi p174/Daru Qutani vol2, p75/ Sunan Baihaqi vol4, p38)

It is found in the narration of Ibn Abbas 40% that after the 1st Takbeer, the Prophet 40% would not raise his hands again. (Daru Qutani vol 2, p75)

Allamah ibn Hazm رحمه writes: 'In the funeral prayer, raising of the hands should not be performed after that of the 1st Takbeer. This is due to the fact that is it not proven from any Saheeh Hadith that the hands were raised except for the 1st Takbeer of Salat-ul-Janazah.' (Mahali, vol 3, p181)

### It is not Permissible to Perform the Funeral Prayer in the Prayer Hall of the Masjid

The Prophet 🕮 stated: 'The person who performs the funeral prayer on the Musalla of the Masjid, there is no reward for that.' In another place it is mentioned: 'There is nothing for it.' (Abu Dawood vol2, p98/ Ibn Majah vol1, p238)

It is for this reason, Imam Abu Hanifa حصاله معالي and Imam Malik حصاله and other people of knowledge state that it is not permissible to place the Janazah in the Masjid to perform the funeral prayer, it is considered Makruh Tahrimi. This is due to the fact that this action was not performed in the time of the Prophet ﷺ. It was only the Janazah of Sohail bin Baydhaa ﷺ which was performed in the Masjid of the Prophet ﷺ. This too was due to a necessity (such as heavy rain).

It is also seen that the Janazah prayer for Najashi (the leader of Ethiopia) was performed outside the Masjid, where all the other Janazahs would take place. (Saheeh Bukhari vol1, p177/ Saheeh Muslim vol1, p309)

In this instance, there was no danger of impurity of any sort being in the Masjid etc, and even then, the Prophet gathered the people outside the Masjid.

Abu Hurairah 🍩 reported that upon hearing of the passing away of Najashi, Rasulullah 🏶 gathered the people and took them towards the place where Janazah was prayed. The Prophet 🕮 prayed his funeral prayer with 4 takbeers. (Sunan Nasai #1984)

In Madinah Munawarah, the place where Janazah is performed is situated outside the boundary of the Masjid. This is the very place where the Rasulullah is would perform the Janazah prayer. (Muwatta Imam Muhammad p131)

From the time of the Prophet is there was always a separate place outside the Masjid to perform Janazah prayer. (Sahih Bukhari vol1, p177 /Sahih Muslim vol1, p309/ Zadul Ma'ad vol1, p143)

المعالة states: 'The place to perform Janazah prayer was located outside the Masjid, adjacent to the east side of the Masjid of Rasulullah ﷺ. (Fathul Bari vol3, p160)

From all of these proofs it is proven that the Prophet 👼 and the Companions of the Prophet 👼 would not perform the Janazah within the Masjid. (Mirkaatul Mafati vol3, p343 / Zaadul Ma'ad vol1, p143)

If the Janazah and the Imam stand outside the Masjid with a few people and the rest of the congregation pray in the Masjid, there is no harm in this.

It is found even to this day that the Janazah is performed outside the Masjid of the Prophet الله and other Masajid throughout the World. It can be debated, why the Janazah is performed within the Masjid Haram in Makkah. In regards to this, Ibn Hajar Asqalani سحمه writes: 'The conditions of Masjid Haram are different to other Masaajid in the World. Tawaaf is only performed in Masjid Haram, men and women perform Tawaaf in one place. In other Masaajid, it is a grave sin to cross in front of someone performing Salah, there is no restriction on this in Masjid Haram. Therefore, Masjid Haram differs from other Masaajid in many ways, and it is not correct to compare it in the same manner. (Fathul Bari Sharah Bukhari vol3, p160)

#### To Perform the Funeral Prayer in the Graveyard

There is no harm in performing the funeral prayer in an allocated area for this purpose in the graveyard. There is also no harm if there is an open area of ground in the cemetery with no grave nearby, in front or adjacent to it. If

there are graves found in front of the open plain, they should be at some distance. If this is not the case, then it is not permitted to perform the Janazah prayer in these circumstances and in the Shari'ah it will be classed as Makruh. (Jami Sagheer vol2, p181)

Sayyidina Abi Marthad Ghanawi 🍩 related that the Prophet 🕮 stated: 'Do not sit on the graves or face in their direction in prayer.' (Saheeh Muslim)

The religion of Islam has taught us that there is no permission to disrespect graves nor is there an allowance to worship and revere graves to the point of Shirk. We have been guided to the middle way, that of moderation.

Sayyidina Ali المنتخبة, Sayyidina Abbas المنتخبة and Imam Abu Hanifah رحمه الله all state: 'The funeral prayer should not be performed amongst the graves in the cemetery, it is an action which is disliked.' (Badi'us Sana'I vol1, p315/ Bahrur Raiq vol2, p195)

#### To take part in the funeral prayer and burial of a Muslim carries a very great reward indeed

Sayyidina Abu Hurairah 🆇 relates that The Prophet 🏶 stated: 'Whomsoever takes part in the funeral prayer of a Muslim and then stays on until the burial is completed, he will be rewarded the equivalent of two Qiraat. The comparison of one Qiraat is like the Mountain of Uhud.' (Saheeh Muslim/ Sunan Ibn Majah #1539)

We should not let such a great reward go to waste purely for the sake of inconvenience or difficulty. The time has come where people only attend funerals of those they have relations with. People have forsaken the spiritually and religious obligations attached to burial rites in Islam. Be aware, that the above Hadith is applicable to the menfolk, women should refrain from taking part in the acts of burial alongside the men. There are Hadith wherein the Prophet A has sternly prohibited young women from attending the cemeteries.

Sayyidina Hassan bin Thabit 🆇 stated: 'The Prophet 🏶 has cursed the women who attend the graveyards.' (Ibn Majah #1574)

Due to the delicate and fragile nature of women, the Prophet <sup>3</sup>/<sub>4</sub> has advised that they stay away from graveyards and funeral processions. They are quick to express their emotions.

Sayyidina Abdullah ibn Abaas 🐡 stated: 'The believer who takes part in the funeral prayer of his fellow believers, the greatest reward that he attains is, after his death, he (the performer of the funeral prayer of others) has his sins forgiven.' (Nawadirul Usool)

From this narration is it encouraged that a believer should, as much as is possible, take part in the funeral prayer and burial of the Muslims to attain the great reward that Allah 3 has kept in these deeds. For today is their turn and tomorrow it will be ours.

There is no specific Du'aa or Dhikr stipulated for those that accompany the funeral. It is Makrooh for them to proclaim any Du'aa or Dhikr loudly, they should recite it silently or in their hearts. (Behrul Raiq)

#### There should be a great number of attendees for the funeral prayer

Sayyidina Malik bin Hubayra 🐝 relates, I heard The Prophet 🖗 say: 'A Muslim who passes away and there are 3 rows of Muslims to perform his funeral prayer and they seek the forgiveness of the deceased. Allah 🎉 will verily accept their supplication.' (Sunan Abu Dawood)

Sayyidah Aishah Siddiqah <sup>1</sup>/<sub>2</sub> relates a Hadith wherein the reward mentioned above is attained by the participation of 100 Muslims in the funeral prayer. The Hadith of Ibn Abbas <sup>1</sup>/<sub>2</sub> mentions the number 40. From this it is assumed that the original narration was that of 100 Muslims and Allah <sup>1</sup>/<sub>2</sub> through His infinite Mercy accepted a lesser participation as a means of the deceased attaining forgiveness.

However, the Fuqaha have written that it is not permissible to delay the funeral prayer in anticipation of a large attendance. Even if there is a possibility to perform the burial before Jumu'ah Salah, it is Makruh to delay the prayer until after Jumu'ah.

#### The Matter of Shrouding & Burial Should not be Delayed

أن النبيّ صلى الله عليه وسلم كان إذا أدخل الميّت القبر قال: بسم الله وعلى ملّة رسول الله – وفي رواية بسم الله وعلى سنّة رسول الله (رواه احمد، الترمذي و أبوداود)

Sayyidina Abdullah ibn Umar 40% relates: 'I heard The Prophet 48% say: "When anyone amongst you dies, then do not hold his body back (from the burial). Take the body quickly to the grave, after the burial read the opening 5 verses of Surah Baqarah towards the head of the grave. And read the last 2 verses of Surah Baqarah towards the foot of the grave. (Abu Dawood, v2, p94/ Sunnan Baihaqi)

عن عبد الله ابن عمر قال سمعت النبيّ صلى الله عليه وسلم يقول إذا مات إحدكم فلاتحبسوه وأسر عوا به إلى قبره ويقرء عند رأسه فاتحة البقرة وعند رجليه بخاتمة البقرة. (رواه البيهقي في شعب الإيمان *وقال والصحيح انه موقوف عليه*) Due to governmental requirements and procedures, a body may be held back from a burial. However, to delay a body from being buried due to the absence of certain family members is not correct according to Shari'ah. This is due to the fact that in many Ahadith, the Prophet that has expressly ordered that the body be buried as soon as possible after death.

There is no basis for the ritual of showing the face of the deceased after performing the funeral prayer. Due to this the burial process is delayed. There is clear instruction from the Prophet is to quickly carry the body of the deceased to the place of burial.

It is narrated from Abu Hurairah is that the Prophet is stated: 'Swiftly take the deceased to the place of burial. If he is pious then there is good for him in the grave, he should be delivered to his true destination quickly. If he is not pious then he should be relieved from your shoulders swiftly.' (Saheeh Bukhari/Saheeh Muslim)

### To perform Salatul Janazah after the burial is a Bid'at

Salat-ul-Janazah is Fard Alal Kifayah, i.e. if no Muslim was to perform it, the entire community would be sinful. The reality is that Salat-ul-Janazah is a form of Du'aa for the deceased; it is not to be likened to the 5 daily prayers. (Mabsoos Salkhasi, vol2, p64)

It cannot be found in any narration in respect of the Prophet 🕮 or the Companions 🖑 that they performed a congregational Du'aa after the Janazah Salah, prior to burying the deceased.

Sayyidina Malik bin Habira Shami 🆇 related: 'I heard from the Prophet 斗: "When there are 3 rows in the funeral prayer of the Muslims, Allah 🖗 makes Jannah Wajib upon that deceased".' (Sunnan Abu Dawood/ Ibn Majah #1490)

In respect of this Hadith, Mullah Ali Qari حمالله) writes: 'Do not make any Du'aa after the Du'aa of Salat-ul-Janazah, for this will be exceeding the manner of the Sunnah.' (Mirqaat Sharah Mishkaat vol4 p64/ Qadhikhan vol1 p145)

It is considered a Bid'at in the Shari'ah to perform a congregational Du'aa after the funeral prayer has been performed. The Du'aa should be performed after the burial has been completed and the grave is filled with soil. This is proven from the Sunnah. (Fatawa Sirajia p23, Khulasatul Fatawa, vol1, p225)

The calling of Adhan after the burial is also a Bid'at. The actions shown in the Sunnah and Shari'ah should be adopted for the burial of the deceased. Every Bid'at is darkness and deviation, in the Sunnah there is guidance and spiritual light.

Certain people include many baseless customs and traditions in the funeral procession nowadays. For example, carrying of flowers, wearing a black suit and tie on such an occasion, etc. These actions are not in accordance with the Islamic Traditions. Such people are cautious of even taking part in the burial rites of their Mothers and Fathers as they do not wish to soil or ruin their clothes.

#### How to Lower the Body in the Grave

This is the last moment of the deceased in the World, and on this occasion there should be no mention of Worldly or other affairs at this time. Sincere Du'aas should be made for the deceased at this time. Those that do not respect this, display very poor manners and show themselves to be hard-hearted.

At the time of lowering the body of a male, there is no need to place a cloth over it as a screen. However, at the time of burying a woman, this should be done. (Hidayah, vol1, p127/ Sharah Niqayah, vol1, p139)

Ali 🆇 passed by some people who were lowering a body into the grave. They had placed a screen over the top of the grave. Ali 🏶 pulled the sheet away and stated: 'This is only to be done with women.' (Sharah Niqayah, vol1, p139)

The individuals who place the body in the grave should say: 'Bismillahi Wa Ala Milathi Rasulillah' (we place you in the name of Allah and on the religion of The Prophet is we hand you over to Allah). (Sunan Ibn Majah #1550) Then the body should be placed on its right side facing the Qibla. (Durre Mukhtar)

After this, cover the grave with earth. It is preferable for each person to throw 3 handfuls in the grave. It is better that on throwing the first handful: '*Minha Khalaqna Kum*' (from this earth We created you), is read. On the second handful: '*Wa Feha Nu'iydukum*' (and to this We are returning you). And on throwing the third handful read: '*Wa Minha Nukhrijukum Taratan Ukhra*' (from this again We shall raise you (on Qiyamah). (**Durre Mukhtar**)

Imam Jafir Sadiq حمد لله relates from his Father Imam Muhammad Baqir حمد لله that after the Prophet المحد الله buried a deceased, he الله took soil in between both his hands and placed it in the grave three times. He الله also sprinkled water on the grave of his son Ibrahim الله . The Prophet الله placed a stone at the side of the head on the grave of his son Ibrahim as a marker. (Sharahus Sunnah/ Sunan Ibn Majah #1565 -1561)

# The Face and Body of the Deceased should be made to Face the Direction of Qibla

It is related from Sayyidina Mu'adh bin Jabal 45% that the Prophet 45% narrated the Hadith which mentioned the intercession of the Holy Qur'an in the grave for its recital. Further, he 45% stated: 'The angels make the deceased lie on his right side, facing the direction of Qibla.' (Masnad Bazaar)

It needs to established whether the laying of the body in the direction of Qibla is a Sunnah or Wajib action. Certain Fuqahah state it as being Sunnah Muakkadah (emphasized), others label it as Wajib. Allamah Shami رحمه الله has mentioned it as being Wajib. The Shaf'i Ulama have understood it as being Sunnah. However, the family of the deceased should pay attention to this at the time of burial.

If there are certain conditions present in a graveyard where it is very difficult to get the face of the deceased in the direction of Qibla, every effort should be made to direct the face of the deceased towards the Qibla. Even if the feet need to placed in the direction of Qibla, the head should then be raised slightly to achieve this purpose.

### To Raise the hands and Supplicate (Du'aa) in the Graveyards

أن رسول الله صلى الله عليه وسلم جآءالبقيع فقال فأطال القيام ثمّ رفع يديه ثلاث مرّات تُمّ انحرف. (صحيح مسلّم ج1 ص313) It is mentioned in Saheeh Muslim that the Prophet ﷺ went to Janatul Baqi and stood there for a while and then raised his hands ﷺ to supplicate therein. (Saheeh Muslim, vol1, p313)

Imam Nawawi رحمه الله has mentioned in light of this Hadith, it is Mustahab to perform Du'aa for forgiveness of the deceased in the graveyards with the hands raised.

Sayyidina Abdullah ibn Masood 🆇 stated: 'I saw the Prophet 🎄 standing at the grave of Abdullah Dhil Bujadain 🀝, when he was buried, the Prophet 🕸 turned towards the Qibla, raised his hands and busied himself in making Du'aa. (Fathul Bari Sharah Bukhari, vol 11, p122, Abu A'wanah in Saheeh)

وفي حديث إبن مسعود رضى الله عنه رأيت رسول الله صلى الله عليه وسلم في قبر عبد الله ذي البُجادين وفيه فلما فرغ من دفه استقبل القبلة رافعايديه. أخرجه أبوعوانة في صحيحه (فتح الباري شرح بخاري ج11 ص122)

The Fuqahah have stated there is no narration which mentions not raising the hands whilst making Du'aa in the graveyards. Those who propagate this have no basis in Islam for it and do so due to not having sufficient knowledge in the matter. However, if there is a possibility of others assuming Du'aa is being sought from the grave, it is best to face the Qibla and make Du'aa. (Imdadul Fatawa vol1 p476/ Kifayatul Mufti vol4 p183)

After performing the burial of any believer the Prophet <sup>35</sup>/<sub>4</sub> would wait at their grave and would say, 'Supplicate for the steadfastness and forgiveness of your brother, for he is about to be questioned.' (Sunan Abu Dawood)

#### The Forming of the Grave

Sayyidina Jabir 🐝 related that the Prophet 🎄 forbade making structures on graves and also sitting on graves. (Sunan Ibn Majah #1562)

Sayyidina Abu Mathad Al Ghanawi 🆇 related: the Prophet 🎄 stated: 'Do not sit on top of graves or face them to perform prayer.' (Sunan Abu Dawood)

It is the religious principle in respect of graves that they should not be disrespected. At the same time they should not be regarded in similitude to acts of worship. There should not be disrespect nor veneration toward graves in Islam.

To keep the grave level with the ground is permissible, as well as forming a small mound (like a camels hump) on it. However, it is better to form it in the form of a mound. The Sahabah 🕉 formed the resting place of the Prophet 🖗 with a mound on it. (Masanad Ibn Shaybah, vol3, p334)

#### The Consoling, Comforting and Assistance of the Household of the Deceased

There are many Hadith mentioning the advice and actions of the Prophet 48 to console, comfort and assist the family of the deceased at this occasion.

Sayyidina Abdullah ibn Masood 46% relates that the Prophet 56% stated: 'Whosoever comforts those in difficulty, he will attain the same reward as those who they assist.' (Jami Tirmidhi/ Ibn Majah)

# The Preparation of Food for the Family of the Deceased

قال رسول الله صلى الله عليه وسلم إصنعوا لآل جعفر طعاما فقد جآء هم مايشغلُهم. (جامع الترمذى ص163) It is recommended that relatives and those associated to the family of the deceased take part in providing food and other necessities to the family. This is also a great Sunnah of the Prophet ﷺ.

The news of the passing away of Sayyidina Jafar ibn Abi Talib 🆇 reached The Prophet 3. He as said to his household: 'Prepare food for the family of Jafar 3, for they are at this time grieving and will not be attentive to food.' (Jami Tirmidi p163, Sunan Ibn Majah #1610/ Hakim vol1 p372)

It is regretful and shameful that today people frequent the house of the family of the deceased to have food rather than preparing and sending food to their house which is the way of our Prophet 38.

There are numerous ways in which advantage is taken of the household of the deceased to a certain extent. People go to console the household but at the same time eat to their fill. A Qur'an gathering is performed wherein the Qur'an holds a small portion and a feast for the attendees is a greater part. People attend Qur'an gatherings not for the intention of Esale Sawaab for the deceased but due to keeping family relations and long standing association with the family of the deceased. Out of necessity, small portions of the Qur'an are read, whereas these same people are not aware of how to even recite the Qur'an correctly. There is very little sincerity in such actions. On one side the family of the deceased are grieving the loss of their relative and they also have the burden of providing for their visitors and guests. This type of action does not have a definitive place in the Shari'ah and is a Bid'ah, and further shows very poor character and moral etiquettes.

#### The Preferred (Masnoon) Manner of Esale Sawaab

After the passing away of an individual, Du'aa for their forgiveness and taking part in the funeral rites, to perform Salat-ul-Janazah and accompany the body to the graveyard, and to bury the deceased according to the Shari'ah and Sunnah.

After this, whatever is personally possible for one to read in the form of Qur'an or Du'aa or Dhikr or Hajj can be sent on as Esale Sawaab for the deceased. If Allah 36 has blessed one with wealth, then they can also perform Sadaqah on behalf of the deceased in the form of Sadaqah Jariyah.

فقال رسول الله صلى الله عليه وسلم إنّه لوكان مسلما فأعتقتم عنه أو تصدّقتم عنه او حججتم عنه بلغه ذالك. (رواه سنن أبوداود) Sayyidina Amar bin A'as الله relates that Rasulullah الله stated: If that person died in the state of Islam, then in his right you should free a slave or give Sadaqah or perform Hajj on his behalf, the reward of these good deeds will reach him. (Sunan Abu Dawood)

Sayyidina Ibn Abbas 🐡 relates: 'When the death of the Mother of Sa'd 🐡 occurred, Sa'd 🐡 asked the Prophet 🗞: 'O Prophet of Allah 🔅, 'My Mother passed away in my absence, if I were to perform Sadaqah on her behalf will it benefit her?' The Prophet 🔅 responded, 'Yes it will reach her.' Sa'd 🐗 said: 'O Prophet of Allah 🔅, 'I make you witness that I have given this garden as Sadaqah on behalf of my Mother.' (Saheeh Bukhari)

The family of the deceased invites people to perform Qur'an Khani etc. time and time again for their deceased ones. Normally, there is a custom of using the wealth of the deceased to fund the Qur'an Khani. However, in the inheritance, there is an amount set aside for the widow, the children, parents, etc. and to use the money of inheritance without the permission of all the parties is not permissible.

However, instead of using their money to feed relatives and friends at the Qur'an gathering, it is even more important that they use this money as a Kaffarah for the Fard Salah and fasts that the deceased missed. If the deceased has left a request for this to be performed from their wealth, it is Wajib to do so. If no request is made before the passing away of the deceased, then the responsible people should undertake this as a Mustahab to fulfill their obligations. In the case that the deceased has any outstanding loans due for payment then these should be fulfilled.

May Allah ﷺ guide us to the straight path and make us of those who live with Imaan, die with Imaan and raise us on Qiyamah with the Believers. آمين Ameen!

> والله وحده هو المسؤول والمستعان وهو الهادي إلى سبل الخير والسّلام . مفتى محمد يوسف لأنكا (عفالله عنه)

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