

Death related issues

Introduction

Almighty Allah says in the Qur'an:

“Every person is going to taste death, and you shall only be paid fully your reward on the resurrection day; then whoever is removed far away from the fire and is made to enter the garden, he indeed has attained the object; and the life of this world is nothing but a provision of vanities.” (3:185).

He also said,

“And no one knows what he shall earn on the morrow; and no one knows in what land he shall die; surely Allah is Knowing, Aware.” (31:34).

General Rules

Here are some rules in brief concerning the dying person, washing of the corpse and its shrouding, and burial procedure.¹

Before Death

137. It's a matter of obligatory precaution that one should move the dying person in the direction of the *qiblah* during the last moments of his life. This is to be done by placing him on his back with his feet pointing towards the *qiblah* as though if he sits up, his face would be facing in that direction.

It is recommended to read and ask the dying person to repeat the testament of belief (*shahada*) concerning the Oneness of God and the faith in Prophet Muhammad (s.a.w.) and the Imams (a.s.).

138. It is recommended to close the eyes of the dead person, their mouth, stretch their arms along their sides, straighten their legs, cover the body with a sheet of cloth, recite the Qur'an, and light up the room

in which they lived. It is disliked to leave the corpse alone.

Ablution (Ghusl) for the Corpse

139. After getting rid of the impure (*najis*) elements that are on the body of the dead person (e.g., blood, semen, etc.), the corpse has to be given three ablutions as follows:

- a. First wash it with *sidr* water. That is, water to which a little of *sidr* has been added.²
- b. The second wash is with camphour water. That is, water to which a little bit of camphour has been added.
- c. The third wash is with pure water.

If *sidr* is not available, then it is precautionarily obligatory to wash the corpse with pure water instead. Similarly, if camphour is not available, it is precautionarily obligatory to wash it with pure water instead. Then it should be washed the third time with pure water. In such a case, after the three washings, one *tayammum* should be performed on the corpse.

140. It is necessary that the ablution given to the corpse be of the *tartibi* kind: that is, the body should be washed in **proper sequence** with the head and the neck first, then the right side of the body, and then the left side.

141. The person washing the corpse must be of the same **gender** as the dead person. So, a male should wash a male corpse, and a female should wash a female corpse. However, husband and wife are allowed to perform ablution to one another; although it is better that the washing be done with the body covered with a sheet of cloth.

If a person of the same gender is not available, then, based on obligatory precaution, those of the opposite gender who are *mahram* to the deceased can perform it. *Mahram* means those relations with whom marriage is forbidden because of blood relationship or nursing (suckling) relationship or marriage, like brother and sister [or son-in-law and mother-in-law]. However, it is better that the washing be done with the body covered with a sheet of cloth. Unity of gender is not required when giving ablution to a corpse of a child that had not reached the age of discerning the right and wrong.³

142. Based on obligatory precaution, the person performing ablution must be a *mu'min*. If neither a *mu'min* of the same gender as the deceased is available nor a *mahram* [even of the opposite gender], it is permissible that a Muslim of the same gender can wash the deceased.

143. If even a Muslim is not available, then the deceased can be washed by an *Ahlul Kitab* person [that is, a Jew, a Christian or a Zoroastrian] of the same gender with the condition that the person should first wash himself and then perform ablution to the corpse. If even an *Ahlul Kitab* person of the same gender

is not available, the duty of performing ablution to the corpse is lifted, and the deceased should be buried without it.

Tahnit and Shrouding

144. After giving the ablution, it is wajib to do tahnit. Tahnit means to rub camphour powder (which has maintained its fragrance) on the seven parts of the body that touch the ground in a posture of sajdah: the forehead, the palms, the knees, and feet toes. It is preferable to start tahnit with the forehead and end with the palms.

145. After tahnit, the deceased has to be shrouded in three pieces of cloth as follows:

- a. The *mi'zar*: a piece of cloth [like an apron] that must cover the body between the navel and the knees, based on obligatory precaution.
- b. The *qamis*: a piece of cloth [like a shirt] that must cover the body from the shoulders to mid shank, based on obligatory precaution.
- c. The *izar*: a large sheet of cloth that must cover the entire body. Based on obligatory precaution, it must be long and wide enough so that the top and the bottom parts could be tied [with a string], and the front parts overlap.

The Prayer

146. It is obligatory to say prayer over a deceased Muslim's body of six years and over. Based on obligatory precaution, prayer should also be said over the body of a child who could do the salat even if he or she had not yet reached the age of six.

147. The way to conduct prayer on the deceased:

The person praying should recite five *takbirs* (say "Allahu Akbar"). However, it is preferable that after each *takbir* he says the following:

After the first *takbir*, he should say the *shahadatayn* (declaration of faith in God and Prophet Muhammad).

After the second *takbir*, he should say the *salawat* on Prophet Muhammad (s.a.w.) and his progeny (a.s.).

After the third *takbir*, he should say a prayer for the believing men and women.

After the fourth *takbir*, he should say a prayer for the deceased.

He should say the fifth *takbir* and end the *salat*.

Burial

148. It is necessary to bury the deceased after the *salat*. Burial is intended to protect the body from wild animals and its smell is contained within so that no one is annoyed by it. The body should be placed on its right side with the face towards the *qiblah*.

149. It is not permissible to bury a deceased Muslim in the graveyard of non-Muslims, except if a section of that graveyard is specifically reserved for Muslims. Similarly, no non-Muslim can be buried in the graveyard of Muslims.

150. When it is neither possible to get a grave for a deceased Muslim in the graveyard of Muslims, nor transfer the body to a Muslim country for burial in a Muslim graveyard, that deceased Muslim may be buried in the graveyard of non-Muslims.'

151. It has been narrated from the Prophet (s.a.w.) that he said, "No time comes upon the dead person more difficult than the first night [of burial]. Therefore have mercy on your dead ones by giving charity [on their behalf]. If one does not have anything [to give in charity], one of you should pray two *rak'ah* for them: in the first *rak'ah*, after *al-Hamd*, recite *Ayatu 'l-kursi*; and in the second *rak'ah*, after *al-Hamd*, recite *surah al-Qadr* ten times. After *salam*, say: '*Allah humma salli 'ala Muhammadin wa Ali Muhammad, wab'ath thawabaha ila qabri fulan*;'⁴and name the deceased person [instead of *fulan*]."⁵

Question and Answers

152. **Question:** In some non-Muslim countries, the corpse is placed in a coffin and then buried in the grave. What is our duty in such a situation?

Answer: There is no problem in placing the corpse in a coffin when burying him in the ground. However, the religious requirements of burial must be fulfilled; and one of those requirements is that the corpse be placed on its right side with the face towards the *qiblah*.

153. **Question:** A Muslim died in a non-Muslim city that has no Muslim graveyard; and although it is possible to transfer the body to a Muslim country for burial but the cost of transportation is exorbitant—is this a sufficient [reason] for burying the body in the graveyard of non-Muslims?

Answer: This is not a sufficient [reason].

154. **Question:** A Muslim dies in a non-Muslim city that has no Muslim graveyard and the family of the deceased cannot transfer the body to a Muslim country because it cannot afford the cost of transportation. In such cases, is it obligatory upon the Islamic centers that are responsible for Muslims' affairs to provide the cost of transportation? And is this obligatory upon the Muslims who reside in that

city?

Answer: If burying the deceased in an appropriate grave in that same city or other city (excluding non-Muslim graveyards) depends on spending some money, and neither has he left any estate that can pay for it nor are the heirs capable of providing for it—then it is *wajib kifa'i* upon the Muslims to provide for it. And it is permissible to count it from the religious or charitable dues *applicable* to him.

155. **Question:** When there is no heir for a deceased Muslim person in the foreign land, who should take charge of his burial?

Answer: If it is not possible to contact his heir and ask his consent in handling the burial procedures, the requirement of consent is lifted and it becomes obligatory, on basis of *wajib kifa'i*, on the Muslims to handle the burial.

156. **Question:** From where should the expenses of transportation to a Muslim country and burial come, if it is not possible to bury a Muslim in the city in which he died because there is no Muslim graveyard? Should these expenses come from the estate of the deceased before dividing it amongst the heirs? Or from the one-third [of the estate] if he has specified that? Or from other sources?

Answer: The expenses of burying a dead body in a place appropriate for it comes from the estate [before its distribution among the heirs] if he did not make a will specifying that it be taken from the one-third. Otherwise [if he made a will regarding the one-third], it should come out of it.

157. **Question:** The Muslim communities in non-Muslim countries are increasing day by day. Knowing the fact that a deceased Muslim will one day be buried in the graveyard of non-Muslims either because of lack of funds available to the family to send the dead body to Muslim countries for burial or because of negligence; so, is it obligatory, as a matter of *wajib kifa'i*, upon the capable Muslims to buy a graveyard for the Muslims?

Answer: Burying a deceased Muslim in a place appropriate to his status (other than non-Muslim graveyards) is an obligation of the heir just like other obligatory deeds connected with the burial procedures. And if the deceased has no heir or the heir is refusing to fulfill his duty or is not capable, it is obligatory, on the basis of *kifa'i*, upon other Muslims [to bury the deceased in an appropriate place]. And if fulfilling this *wajib kifa'i* duty depends on acquiring a piece of land in advance by purchase or other means, it is obligatory to try and acquire it in advance.

158. **Question:** What is preferable: burying a dead Muslim in an Islamic cemetery in a non-Muslim city in which he died or transferring the dead body to a Muslim city which entails exorbitant expenses?

Answer: It is preferable to transfer the dead to any holy shrines or other recommended places if there is a donor who can bear the expenses —from the heirs or others— or if the one-third of his estate which he has endowed for religious charity, would suffice for that purpose. And Allah knows the best.

159. **Question:** If transferring a deceased Muslim to Muslim countries entails great difficulty, is it permissible to bury the body in cemeteries of non-Muslims from among the followers of the revealed religions [that is, *Ahlul Kitab*]?

Answer: It is not permissible to bury a Muslim in cemeteries of non-Muslims, except if that is the only choice because necessity knows no laws.

1. For further details, see Sayyid as-Sistani, *Minhaju 's-Saliheen*, vol. 1, p. 95 ff.; as-Sistani, *al-Masa'ilu 'l-Muntakhaba*, p. 50 ff.

2. Translator's Note: Sidr is name of a lotus tree; "sidr water" means the water to which sidr leaves have been added.

3. Translator's Note: The age of discerning right and wrong (tamyiz) is different from the age of maturity (bulûgh). The latter is 9 for girls and 15 for boys but the former could be at five or six.

4. "O Allah, send Your blessings upon Muhammad and the Family of Muhammad, and send the reward of this prayer to the grave of x."

5. Sayyid as-Sistani, *al-Masa'ilu 'l-Muntakhaba*, p. 63.

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