



Chapter 1

Foreword

Death is a reality in which all human beings believe. However, it is also a reality which most of us like to keep out of our minds.

In Islam, death is not an end to our existence; it is a passage, which takes us from this world to the hereafter – the actual purpose for our creation and the result of our work in this life. Whether we fear death or not depends on how much we have prepared for the reckoning of the Day Judgement.

Preparing for death is a lifetime's job. It begins on the day you reach the age of bulugh and are held accountable for your deeds in the eyes of Almighty Allah. Imam 'Ali bin Abu Talib (a.s.) has beautifully described the preparation for death as follows: "Fulfilling the obligations, refraining from forbidden [things, and acquiring noble character."

In this article, I have attempted to present some of the things which all believers are either required or strongly urged to do just before death by the Shari'ah.

Chapter 2

In Preparation for Death

Before death, try your best to fulfil the obligations, which are upon you in regard to the creatures as well as the Creator.

Return to the owners whatever has been given to you as a trust or write it down in your will so that the executor of your will shall return the trust to its rightful owner.

In Islam, you are allowed to dispose up to one-third of your estate for whomsoever or whatever cause you like. As for the two thirds, it must be distributed among your heirs to the shares allocated for them in the Shari'ah.

Make a will in writing or verbally about those religious obligations which you could not fulfil by yourself and which cannot be done on your behalf by others except after your death: the qadha prayers, fasting and pilgrimage (hajj), etc. You should specify the amount from the one-third of your estate to be used to hire people to do such deeds. If you cannot afford this, then you may request your heirs to do unfulfilled rituals on your behalf voluntarily or pay someone else to do so.

It is also recommended, if your financial circumstances allow you, to include your deserving relations in the one-third of your estate.

It is recommended to forgive your brethren in iman for whatever wrong they may have done to you. On the other hand, you should ask your brethren in iman to forgive you for the intentional and unintentional wrong you may have done to them.

Chapter 3

At the Time of Death

When death approaches you, it is wajib on you to lie down on your back in such a way that the soles of your feet face the qiblah (direction of Mecca). Or you may turn your bed in such a way that your soles will face the qiblah. If you cannot do so yourself, then it is wajib on those who are with you to help you.

It is recommended to say by yourself or repeat after someone else the declaration of faith and statement of faraj.

The declaration of faith: It is a declaration in which you reconfirm your belief in Allah, Prophet Muhammad (s.a.w.), the twelve Imams (a.s.), the Qu'ran, and the Day of Judgement. This may be done as follows:

Radhitbu bil-lahi Rabban;
Wa bi Muhammadin (sal-laWa bil Islami dinan;l-lahu 'alayhi
Wa alihi) nabiyyan;
Wa bil Qur'ani kitaban;
Wa bil Ka'bati qiblata;
Wa bi' Aliyyan waliyyan wa imaman;
Wa bil Hasan, wal Husayn
Wa Muhammad bin 'Aliyyan,
Wa Jafar ibn Muhammadin;
Wa Musa ibn Ja'farin, wa 'Ali yibn Musa;
Wa annal hisaba haqqun; wa annal jannata haqqun;Wa annan nar haqqun
Wa annan nar haqqun

I have accepted Allah as the Lord, Muhammad (s.a.w.) as the Prophet, Islam as the religion, the Qur'an as the Book [of God, the Ka'bah as the qiblah.

And [I accept 'Ali as the waliy [of Allah and [my Imam; and Hassan, Hussein, 'Ali ibn Hussein, Muhammad ibn 'Ali, Ja'far ibn Muhammad, Musa ibn Ja'far, 'Ali ibn Musa, Muhammad ibn 'Ali, 'Ali

Ibn Muhammad, Hassan ibn 'Ali, and al-Hujat ibn al-Hassan (a.s.) as Imams, leaders and guides – I declare my love for them and declare my disassociation with their enemies.

And [I believe that surely the Hour [of Doom will come in which there is no doubt; and that Allah will resurrect all those who are in their graves. And [I believe that the reckoning [of our deeds is the truth; the Paradise is the truth and that the Hell is the truth.

B. The statement of faraj is to be recited as follows:

La ilaha il-lal lahu ‘Aliyyul ‘Azim;

Subhana ‘l-laha Rabbus samawatis sab’i

Wa Rabbul ardhinas sab’i;

Wa ma fee hinna wa ma bayna hunna

Wa ma fawqa hunna wa ma tahta hunna;

Wa Rabbul ‘arshil ‘azim;

Wal hamdu lil-lahi Rabbis ‘alameen.

There is no God but Allah, the Gentle, the Kind;

There is no God but Allah, the High, the Great;

Chapter 4

After the Death

• Soon after a person dies, it is recommended to do the following things:

- Close the eye-lids of the dead person
- Close the mouth of the dead person
- Tie the two jaws so that the mouth does not open
- Straighten his/her arms and place them on the two sides of his body
- Straighten his/her legs
- Cover the dead body
- Switch on the light in the room where the dead body is kept
- Arrange the funeral as soon as possible
- Inform the mu'mineen to attend the funeral.

Chapter 5

After Death Rituals

They cover Ghusl/Kafan/Dafan i.e., washing, shrouding, and burying. Basically, these are Wajib (obligatory) acts for all of us but Kifai - Wajibe Kifai, which means if one or more persons undertake to do, others are absolved. Else it is wajib on everyone.

Therefore, it is essential for all of us to know the basics of burial rituals in case we are called upon to perform them when it becomes obligatory for us to do so according to the Shar'ia.

Chapter 6

First Obligatory Wajib Act Ghusl-e-Mayyit (Ritual Wash of the Dead Body)

It is Wajib to give three Ghusls to a Muslim dead body.

- First Ghusl with water mixed with Sidr (berry or lotus) leaves.
- Second Ghusl with water mixed with camphor.
- Third Ghusl with pure water.

Note: The quantity of “Sidr” leaves or camphor should neither be so much that the water becomes mixed (Mudhaf), nor so little that it may be said that “Sidr” leaves or camphor has not been added in it.

Q) When Ghusl Mayyit is performed with water mixed with SIDR and with water mixed with CAMPHOR, care should be taken in each case that the water does not become Muzaf.

When SIDR and especially CAMPHOR is mixed in water for Ghusl Mayyit, even in small quantity, certainly a change in SMELL AND TASTE will occur. Would not that constitute to water that has been mixed with SIDR or CAMPHOR having become Muzaf?

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A) Mutlaq water remains Mutlaq even with change in color, smell or taste. The Katheer (big quantity) water becomes Najis if it's color or smell or taste changes becoming like the Najis item's color, smell or taste.

Water mixed with Sidr or Camphor remains Mutlaq in spite of the change of smell or taste of it, as far as the quantity of the Sidr or Camphor is not too much. (M.M.)

Q) If I am giving Ghusle Mayyit and wearing hand gloves. Do I have to perform Ghusle Mase Mayyit?

A) As long as you have not touched the Meyyit with your bare hand and no part of your body touched the Meyyit, then you do not need to perform Ghusl of Maseh Meyyit.

Q) If a foetus of 4 months or more is still-born it is obligatory to give it Ghusl, and even if it has

not completed four months, but it has formed features of a human child, it must be given Ghusl, as a precaution. In the event of both of these circumstances being absent, the foetus will be wrapped up in a cloth and buried without Ghusl. Am I correct to understand that besides Ghusl, it will also be Wajib to give Tahnit and Kafan?

A) Whenever Ghusl is Wajib then Hunut and Kafan are also required. (H.K.)

Q) When giving Tayammum to a Meyyit, is it necessary that the palms of the person doing Tayammum to a Meyyit must be placed on the forehead of the Meyyit in such a way that his right palm is on the right side of the forehead of a Mayyit and his left palm is placed on the left side of the forehead of a Mayyit.

Similarly, is it also necessary that he should be stroking the right hand of the Meyyit (from the wristjoint to the end of the fingers) with his left palm followed by passing his right palm over the back of the Meyyit's left hand.

A) That is not obligatory. A person giving tayammum to the dead body should strike his own palms on earth and then wipe them on the face and back of the hands of the dead body. And the recommended precaution is that he should, if possible, use the hands of the dead for its Tayammum. (L.O.)

Chapter 7

Method of Performing Ghusl-e-Mayyit

Ghusl for a dead body is similar to Ghusl of Janabat. It should be given by way of Tartibi. The obligatory precaution is that a corpse should not be given Ghusl Irtimase.

Step One

Before giving Ghusl, it is necessary to remove all dirt and oily substances from the dead body, which may prevent water from reaching the skin. If there is any 'ayn Najasat on any part of the dead body, it is obligatory to first remove it before giving Ghusl. And it is required that before the dead body is given Ghusl, it should be clean and free from all other Najasat.

It is recommended that the dead body should be laid, with feet facing the Qiblah, during the Ghusl. After the three Ghusls have been completed, it is better that the dead body is laid in the same way as it is laid when Salatul Mayyit is prayed.

Step Two – Ghusl with Water Mixed with Sidr

Make a niyyat, "I am washing this dead body with SIDR WATER Wajib Qurbatan Ilal-lah" and wash the body with SIDR water in which small quantity of berry or lotus leaves have been added or its essence squeezed from a parchment paper.

Note: Care should be taken that the water does not become Mudhaf.

Step Three – Ghusl wiWater Mixed with Camphor

Make a Niyyat, "I am washing this dead body with CAMPHOR WATER Wajib Qurbatan Ilallah". And wash the body with camphor water in which a little camphor has been added.

Note: Care should be taken that the water does not become Mudhaf.

Step Four – Ghusl with Clean Water

Make a Niyyat, "I am washing this dead body with CLEAN WATER Wajib Qurbatan Ilallah" and wash the body with clean (tap) water.

After all these Ghusls, the body should be gently dried with a clean towel..

Some Basic Rules

While giving Ghusl cover the body, or at least the private parts of it, with a sheet of cloth or any type of cover. It is Haraam to look at the private parts of a Mayyit.

- The method of giving Ghusl is Tartibi - in sequence, first head and neck, then the right side and finally the left, the way we ordinarily do our Ghusl.
- While performing Ghusl it is better to recite Surah/Ayat of the Qur'an and Du'a for the marhum than keeping quiet or chatting.
- The person giving Ghusl should be a Muslim, preferably a Shia Ithna-Asheri, adult, sane and should know the basic, essential rules of Ghusl. He should belong to the same gender.
- It is Haram, as a precaution, to take any remuneration for giving Ghusl. If any remuneration is paid and the person receives it as an earning, Ghusl will be void (batil). The person who gives Ghusl to the dead body should keep the niyyat of Qurbatan Ilallah (obedience to and for the pleasure of Allah).
- If both SIDR leaves and camphor or either of them is not available, then the body should be given Ghusl, on the basis of precaution, with pure water instead of the Ghusl which is not possible. In such a case, after the three Ghusls, one tayammum should be performed on the Mayyit.
- If water is not available or the body has open and bleeding wounds or partially crushed, or any other valid reason for abstaining from using water, and, as no rule of Jabirah is applicable to Ghusle Mayyit, one Tayammum should be given instead of Ghusl. Apparently one Tayammum is sufficient. However, the recommended precaution is to give three tayammums, and in one of the tayammums, there should be a Niyyat of 'Ma fi-zimmah' which means that the person giving Tayammum resolves that this Tayammumis given to absolve him of his responsibility.
- Method of giving Tayammum to the Mayyit is that the person giving Tayammum strikes his own palms on earth and then wipes them on the face and back of the hands of Mayyit. However, the obligatory precaution is that he should, if possible, use the hands of the Mayyit to do its own Tayammum.

Quoted from Minhaaj of Ayatullah Al-Sistani Dama-Dhilluhu.

271) If the body of the dead person becomes impure after or during Ghusl with an external impurity or from it, and it can be purified without difficulty or dishonor, then it is obligatory even if it is after the person has been placed in the grave, according to what is more prudent. Yes, that is not obligatory after burial.

272) If urine or semen is discharged from the deceased, it is not necessary to repeat his Ghusl, even if it is prior to his being placed in the grave.

Q) If there was some sort of insertion into the body of a mayyit, for example a tube or a Cather, and we know blood will come out, can we close it shut with a thread/needle.

A) Yes, you can. (L.O.)

Q) When camphor or lote-berry leaves [sidr] are not available to perform ghusl for a dead person, what should be done?

A) First, it is necessary to wait if there is possibility of obtaining camphor and sidr. However, if these are not available, then, pure water should be used in their stead and the intention should be using pure water in place of camphoric and lote-berried water. After the three ghusls are given, it is ihtiyat Wajib, i.e. obligatory precaution, to give the corpse one Tayammum. (F.S.)

Part 1

Second Obligatory Wajib Act – Tahnit Application of Camphor Powder to Specific Parts of the Body

Tahnit

After first wajib act has been completed, the second Wajib act istahnit (to give Hunut). This involves applying fresh fragrant camphor powder on seven parts of the body which rest on the ground when prostrating (doing Sajdah).

These are:

the forehead,
both the palms of hands,
both the knees,
and both the big toes.

Note: It is Mustahab to apply camphor on the tip of the nose.

Camphor must be powdered and fresh. It will not be sufficient if it is so stale that it lost its fragrance.

It is, as an obligatory precaution, to start tahnit starting with the forehead. It is not to observe sequence while applying to other parts mentioned above. The niyyat should be, before commencing tahnit, "I am doing Tahnit/Hunut on this dead body Wajib Qurbatan Ilallah.

It is Mustahab to mix a small quantity of Turbah (soil of the land around the shrine of Imam Husayn a.s.) with camphor, but it should not be applied to those parts of the body where its use of it may amount to disrespect, i.e. the knees and the big toes. It is also necessary that the quantity of Turbah should not be so much that the identity of camphor disappears or is obscured.

Part 2

Third Obligatory Wajib Act – Kafan – Shrouding the Mayyit

Rules Relating to Kafan

After the second Wajib act has been completed, the third wajib act is Kafan i.e., shrouding or systematically wrapping the body with three obligatory - Wajib and several additional recommended - mustahabpieces of cloth, as outlined below.

As a precaution, each of the three pieces of cloth used for Kafan is not so thin as to show the body of the deceased. However, if the body is fully concealed when all the three pieces are put together, it will be sufficient.

Wajib Pieces of Kafan

a. Loin cloth

It is an apron like cloth worn around the waist. The wajib portion of the loin cloth should completely cover both the front and back part of the body from the navel to the knees. However, it is recommended that it should be long enough to cover the body from the chest up to the feet.

b. Tunic (shirt)

It is a piece of cloth similar to a long shirt that covers the body from the shoulders to below the knees, preferably to the ankles.

c. Inner Wrapper (Sheet Cover)

A large sheet of cloth that covers the entire body. As a precaution, it should be long and wide enough so that the front and the back part overlap each other, and the top and the bottom ends can be tied with a string.

Chapter 8

Mustahab Pieces of Kafan

- a. Outer Wrapper - a second large sheet like the first sheet (for both males and females)
- b. Scarf to cover the head and the neck (for females only)
- c. Turban to cover the head (for males only)
- d. A piece of clothing to cover the complete area of the private parts and should be long enough to secure around the hips. (for both male and female)
- e. A strip of cloth to cover the whole area of the breast (for female only).

It is Mustahab (recommended)

- The cloth for “Kafan” should be white.
- The body should be kept in such a position so that the right shoulder faces Qibla as it is done for Salatul Mayyit.
- Two fresh green twigs of a tree inscribed with Shahadah (Kalma), called Jareedatain, should be kept in the Kafan with the dead body.
- Recite surahs/ayats from the Qur'an and Istaghfar while shrouding the body.

Quoted from Minhaaj of Ayatullah Al-Sistani Dama-Dhilluhu.

289) If the Kafan becomes impure with an impurity from the deceased person – or anything else – the impurity must be removed, even if he has been placed in the grave, by washing or cutting it out in a way that does not affect his being covered. If that cannot be done, then it should be changed, if possible.

Q) I have a point that I am seeking clarification on — in using cotton wool, other padding and plastic to cover the private parts of the dead body after Ghusle Mayyit (especially when the dead body is discharging waste matter from his private body part), the kafan may be well preserved from coming into contact with the najasat. But what about the body itself? It may be najis from the excretion but this will not be evident because of the precautionary measures taken.

Is it obligatory to check the body before burial for its Taharat?A) There is no need to check body

before burial. However, if thenajaasat is evident then it would be cleaned before burial. Allah knows the best. (H.K.)

Follow-up Questions

If the Najasat becomes evident on the Kafan which would mean that the body has also become Najis. In the grave yard (or after the dead body has been placed in the grave) where there is no water facility for making the body and the Kafan Paak, the part of the najaasat on the Kafan can be cut, but what about the Najasat on the body?

Under the above circumstances, what is the dictate of the Shari'ah?

A: If there is Haraj (difficulty) to clean the najaasat on the body then there is no need to worry about it and the deceased can be buried after taking care of the Kafan. (H.K.)

Q) As I understand the wajib portion of the Kafan should not have been stitched. If it becomes necessary for the pieces to be joined together because of insufficient length then the thread to be used should be drawn from the kafan. Is my understanding correct? Does the same rule apply to the mustahab portion of the Kafan as well?

A) Stitching the Kafan is not forbidden, although it is Makrooh to stitch it using the saliva. (M.M.)

Q) To protect the kafan from becoming najis, in the event there is discharge of waste matter from his private body part, sometimes diaper is used as underwear to absorb bodily waste. Normally readymade diapers are used which have stitches on. Is this allowed in our Shariah?

A) Using diapers is allowed for dead body, and it does not matter if it is stitched as stitching the Kafan is allowed. (M.M.)

Q) During the time of putting kafan on the deceased, it is recommended to place branches under both arm pits. I do not recall the name but as this may not be easily available, someone again suggested to place leaves. If this is so, any particular leaves?

A) It is Mustahab to place two fresh green twigs (called Jareedatayn) with the dead person. The most appropriate method is to place one of them on the right side near his collarbone in contact with his body, and the other on the left side from the collarbone between the shirt and the wrapping cloth (izar). It is better that the two twigs are from the date palm. If that is not available, then from the Sidr or pomegranate tree, and if these two are not available then from others, otherwise any fresh stems. It is also recommended that the Jareedatayn be inscribed with Shahadah and the names of the infallible Imams (a.s.)

Note: There is no mention of leaves as a replacement for Jareedatayn.

Part 3

Fourth Obligatory Wajib Act – Salatul Mayyit

Rules Relating To Salatul Mayyit

The next wajib act is Salatul Mayyit - (Namaz-e-Janaza) for every Muslim. The Salat is also obligatory for a Muslim child who has completed six years. As an obligatory precaution, it should also be prayed for an under six year old child, if the child is Mumayyiz, a religious terminology which means that the child knows what Salat is and can also distinguish good from bad or right from wrong. If the child is not Mumayyiz, then the Salat could still be prayed with the Niyyat of Raja'.

Positioning the Coffin

The body, in a coffin, is laid on its back before the person(s) praying in congregation, head on the right side of the congregation, and the right shoulder facing towards Qibla. Those praying, stand close to the coffin in a row(s) stretching along both sides from the middle of the coffin. Imam stands in front reciting loudly and M'amumeen should not remain quiet and just listen but actually follow the recitation. It is recommended that they all be in (wudhu). For a male mayyit the Imam stands near the abdomen of the Mayyit while for a female mayyit, Imam stands near the chest of the Mayyit.

NB. If the Salaat is not prayed in congregation then one should not be distant from the body. i.e. the coffin should be close to him and he should be directly facing the coffin.

The Salat has no Ruku or Sujood. It is prayed in a standing position. There are five Takbirs with recitations after each Takbir.

The details of the normal and shorter methods of praying Salatul Mayyit can be obtained from the Islamic Laws book of Ayatullah Al-Sistani Dama- Dhilluhu.

Q) Where should the imam of the salaatul mayyit stand in reference to where the people should be. Since there are no ruku/sajda, everyone is shoulder to shoulder. So if the imam stands at the coffin, can the people be next to him or should he be at the coffin and the rest should be behind him?

A) If Namaz-e-Mayyit being offered in Jama'at, the ma'momeen would stand behind the Imam. (L.O.)

Q) 1] Can a person pray Salatul Mayyit wearing shoes?

2] Can a man and a woman stand in the same row in Salatul Mayyit prayed in congregation?

3] Can a woman stand in front of a man in Salatul Mayyit prayed in congregation?

A) 1] Yes, he can

2&3) It is mustahab to stand behind them (L.O.)

Q) What is the minimum height at which a Mayyit should be kept for Salaatul Janazah?

A) Urf (convention, custom, common understanding) determines if the height at which the Janazah is kept is considered to be in front of the person praying or above him. It has to be in front of the person praying Salatul Janazah. (F.S.)

Part 4

Fifth Obligatory Wajib Act – Dafan (Burial)

Place of Burial

After Salatul Mayyit, the body should be buried in a Muslim grave yard. It cannot be buried in non Muslim cementery unless a portion of that cementary has been specifically allocated and reserved to Muslims.

Method

The Mayyit should be laid in the grave on its right side so that the face remains towards the Qibla.

Note: It is recommended that the persons who lower the dead body in the grave should be pak, bare-headed and bare-footed.

It is Mustahab, that the coffin, after arrival in the graveyard, is placed a short distance away from the dug up grave and moved slowly to the grave by pausing and putting back on the ground and lifting up again, three times. At the fourth time, it is finally lowered into the grave. If the dead body is of a male, it should be put on the ground at the third time in such a manner that its head should be towards the lower side of the grave and at the fourth time it should be lowered into the grave from the side of its head. In the case of a female, it should be placed on the ground at the third time towards the Qibla and the body should be lowered into the grave sideways.

Also, a piece of cloth should be spread over the grave while lowering the body of a female so that the bystanders should not be able to see. In the absence of mahram, close relatives should lower the body in the grave.

Q) Does the above mustahab act make any difference whether it is done before or after the Salaatul Meyyit because sometime Salatul Mayyit is prayed in the grave yard after the Meyyit has been placed near the grave?

A) It is after prayer. (L.O.) After the body has been laid in the grave, the ties at both ends, and in the middle, of the Kafan should be unfastened and some earth should be put under the right cheek of the Mayyit. A pillow of earth should be made under the head.

Before closing the grave **Talqin** is then recited.

Talqin

Before closing the grave, the person reciting the Talqin should hold the right shoulder of the dead body with his right hand and should place his left hand tightly on its left shoulder and draw his face close to the ear of the dead body. Then, shaking shoulders of the dead body, he should say thrice: "Isma' ifham ya... (Listen and understand, O') mention the name of the deceased as the son of his father. For example, if the name of the deceased is Muhammad and his father's name 'Ali, say Muhammad ibn 'Ali thrice.

The full text of Talqin, for both a male mayyit and a female mayyit can be obtained from the Islamic Laws of Ayatullah Al-Sistani Dama-Dhilluhu.

After the Talqin, and closing the grave it is Mustahab that those who participated in the burial, except the near relatives, throw small quantity of soil into the grave, using the back side of their right hand. The grave then is filled with earth, using shovels or by mechanical means. After the grave has been shaped, close members of the family then sprinkle water over the grave, followed by Tanzil, the recitation, seven times, of Surah al-Qadr and any short Du'a for Maghfirat of the deceased.

Note: It is Mustahab that the grave be rectangular in shape and its height equal to four fingers' span.

Q) A child of 3 years expired. Besides, Ghusl, Hunoot and Kafan, is it also recommended to recite Talqeen and request for the prayers of Wahshat?

A) As for Talqeen for Mayyit whose recitation is Mustahab, I checked a number of books and there is no mention about it being recommended for children. Salaat of Mayyit is not wajib for children under six years so it is safe to say that there is no talqeen for children under six. Rather, Maulana Rizivi believes that there is no talqeen for a mayyit who is not a baligh. Allah knows the best. (H.K.)

Q) A question came up during the sehri program on Ghusl and Kafan. At the time of talqeen, someone mentioned that the name of deceased should not be mentioned. The talqeen does say: Isma'e Ifham, Ya fulan ibn fulan where this is substituted for the name of the deceased.

A) Mentioning of the name in the talqin is not necessary; it can be replaced by hadhal mayyit or hadhihil mayyit. However, mentioning the name is not a problem at all. (M.R.)

Q) I understand, it is recommended to recite two TALQINS after death. 1] Immediately after the corpse has been laid in the grave. 2] After all the people have departed after burial. There is a tendency in certain Islamic Centers of reciting TALQIN after the corpse has been clothed with KAFAN and TAHNIT. Is this act provided in the Shariah and is it Mustahab to do so?

A) It is Mustahab (recommended) to say Talqeen before death (Ehtidhaar), so that the person repeats the Truth before death. After death, there are no Talqeens but two ; one after putting the dead person in the grave before burial, and second Talqeen when dead is buried and people have left the grave.

After the Burial

It is Mustahab that, after burial and after the persons who attended the funeral have gone, the guardian of the Marhum/a or the person whom the guardian grants permission should recite the Talqin and the Du'a once again for the Mayyit.

Note: 1] It is Mustahab that after the burial, the bereaved family is consoled. 2] It is Mustahab that food be sent to the members of the family of the deceased for 3 days. It is, however, Makrooh to eat with them in their homes.

Chapter 9

Ghusl Mase Mayyit (Ghusl for Touching a Dead Body)

If a person touches a Mayyit which has become completely cold and has not yet been given all three Ghusl-e-Mayyit, with any part of his body including nail, he should do Ghusl Mase Mayyit. The method is the same as that of other prescribed Ghusls, i.e. Janabat. After performing Ghusl for touching a dead body, the recommended precaution is that he should also perform Wudhu when he has to pray.

Note: Ghusl of Mase-Mayyit will not be Wajib if a person touches a dead body which has not become entirely cold even if he touches a part which has become cold. Q) Is taking a bath mandatory for a medical student who has to touch skeletons and corpses?

A) Bath becomes obligatory upon a person who touches a dead body containing flesh and bones. If only bones or a piece of flesh is touched, there is no necessity of taking a bath. The student may touch a corpse whilst wearing gloves and avoid the necessity of taking a bath. (M.M.) Q) Does it make any difference if the dead body one touches, is that of a non-Muslim?

A) It does not make any difference. If a person physically comes in contact with the dead body of a non-Muslim, he will have to take bath. (M.M.)

Q) A na-baligh child touches a dead body which has become cold and before having been given the three ghusls.

The question is:

Is it Wajib for him to perform Ghusl Mase Meyyit while he is still na-baligh?

A) Yes the ghusl is wajib. (H.K.)

Q) Will it become Wajib for him on attaining bulugh if he did not perform it?

A) Yes, he/she should perform the ghusl upon becoming baligh. (H.K.)

Q) Since he is na-baligh, shari'i implication is not applicable to him and will he still be required to perform Ghusl Mase Meyyit now nor on attaining bulugh?

A) Here age or bulugh is not a criterion according to Ayt Sayyid Seestani (dz). (H.K.)

Q) I vaguely remember, I am not sure if my memory is not deceiving me, may be some 40 years back, a mas'ala had arisen when a mother died having a living child in her womb. When a living

child was brought out, naturally he had a physical contact with the body of her dead mother. When a question was asked, probably at the time of Agha Burujardi, or Agha Muhsin Hakim or Agha Khoei, I cannot remember, the reply then obtained was that it will be wajib for the said child to perform Ghusl Mase Meyyit on attaining bulugh.

A) All answers to the above three questions apply if the child was removed from the mother's womb after she had become cold. Please check with a local Muslim doctor on this. I strongly presume that the child is delivered when the body is still warm. (H.K.)

Exhumation

It is Haraam to open the grave of a Muslim even if it belongs to a child or an insane person. However, there is no objection in doing so if the dead body has decayed and turned into dust.

Digging up or destroying the graves of the descendants of Imams, the martyrs, the Ulama and the pious persons is Haraam, even if they are very old, because it amounts to desecration.

Note: There are certain cases where digging up the grave is allowed. Details can be obtained from the Islamic Laws of Ayatullah Al-Sistani Dama- Dhilluhu.

Condolences

It is recommended (Sunnah), in fact, a religious, moral and social duty of Mu'mineen that condolences should be conveyed to the family of the deceased after the burial and expression of sorrow and sympathy should be shown to the members of the bereaved family.

Bereaved Family

With regard to the bereaved family, it is important that they should bear the loss with patience by often reciting “Inna lil-Llah wa inna ilahi Raji’oon”, recite Qur’an, pray Salat, pay Sadaqa to the poor and remember Marhum/Marhuma with Du’aand Istighfar, organize recitation of the Qur’an and Majalis of Imam Husayn (a.s.) all forIthale Sawab for the departed soul. These are a few ways of benefiting the departed soul.

- If a foetus of 4 months or more is still-born it is obligatory to give it Ghusl, Hunut and Kafan.
- If it has not completed 4 months, but it has formed features of a human child, it must be given Ghusl, Hunut and Kafan as a precaution.
- In the event both the above circumstances being absent, the foetus will be wrapped up in a cloth and buried without Ghusl, Hunutor Kafan.
- It is obligatory to offer Salatul Mayyit for every Muslim as well as for a Muslim child if he/she has completed 6 years of age.
- If a child had not completed 6 years, but he/she was a Mumayyiz (a discerning child) who knew what Salat was, then as an obligatory precaution, Salatul Mayyit for him/her should be offered. If he/she did not know of Salat, then the prayers may be offered with the Niyyah of 'Raja'.
- As for Talqeen for Mayyit whose recitation is Mustahab, I checked a number of books and there is no mention about it being recommended for children. Salaat of Mayyit is not wajib for children under six years so it is safe to say that there is no talqeen for children under six. Rather, Maulana Rizivi believes that there is no talqeen for a Mayyit who is not a baligh. Allah knows the best. (H. K.)

Q) I seek your advice if there is any relevance in the Shari'ah pertaining to the following issue proposed for implementation:

"'Miniature Graves' – There is a suggestion that based on the hadith that should somebody's parents/relatives be buried far [distant lands], one should make a mark at the kabrastan and recite fateha on the marhum[een] – miniature graves [12" x 18"] with a plastic marker] can be made and placed within our boundaries. Such graves to be allocated at a minimum hadiya of between \$ 50 and 100."

A) To make a permanent marker as miniature graves of parents is really going over the board. The Prophet (s.a.w.w.) had asked a person to go and symbolically make a marking of a grave and pray at that grave. But it was never intended that a person should buy a plot and erect a permanent symbolic grave, and then periodically visit that 'grave'! This practice should be stopped before it gets out of hand. Ask those who are interested to pay that same amount has charity in the name of their parent(s) and there surely will be more reward for them. (M.R.)

Q) Based on what I have been informed is that it is makrooh to light fire on the grave. The

question is: Is it Makrooh to place a lighted "agarbathi" (a perfumed sort of stick when lighted gives good smell) on the grave?

A) There is no problem in that.

In this particular case, while it was not a Muslim graveyard. The family of the deceased had purchased a small portion to accommodate about 6-8 Kabr. For family members which when buried facing Qiblah would accommodate hardly 3-9 Kabr.

The question is, will this very small and insignificant portion of a large cemetery be considered an acceptable portion and that a Muslim body can be buried in this portion.

A) The example that you have written cannot be classified as "a Muslim cemetery" and therefore it would not be right to bury in that cemetery.

Q) Is a Mu'min who committed suicide entitled to receive the same burial rituals normally given to the dead body of a Muslim?

A2) Yes, even in case of a person condemned to death in an Islamic court, ghusl, Kafan and namaze-Mayyit have to be done. And there is no problem in saying the last zikr in namaz-e janaza—the eventual Judge is Allah. As for talqin, it is also okay; however, you should know that reciting the talqin is not Wajib anyway, it is recommended (Mustahab). (M.R.)

Q) Kafan is donated to our Islamic Center for use for shrouding a dead body whenever any person dies. The Kafan donated is more than normally required. Therefore, there are small pieces of Kafan left over. The left over pieces are very small and cannot be used for Kafan. We have many of such very small pieces which cannot be used for Kafan. Will it be appropriate to sell these small pieces from the left-over of Kafan clothes and use the money obtained from the sale of these small pieces left over exclusively for MEYYIT as and when needed?

A) Based on the situation that you have mentioned, there is no problem in selling the extra pieces and using the money for the same purpose. (M.R.)

Q) When there is no heir for a deceased Muslim person in the foreign land, who should take charge of his burial?

A) 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 kifâ'i, on the Muslims to handle the burial. (S.Org)

Q) A Christian woman converted to Islam upon her marriage with a Mu'min. The marriage ended in divorce. She then converted back to Christianity. She dies. Shari'i, can the Islamic Center arrange Majlis for "isale Sawaab of the said Marhuma"?

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