

### Performing the Janaazah salaah in the Graveyard

Q: Jana a'iz-106: The Janaazah salaah is performed here inside the graveyard. There is a tomb erected over one of the graves and it is against the wall of this tomb that the deceased is placed and the performed. The tomb therefore lies in the direction of the Qibla. Although many Ulema have performed the Janaazah salaah here none of the have every objected. However, a Molvi sahib came recently who said that the Janaazah salaah is not valid at this place and that every Janaazah salaah thusfar performed here was invalid. Is this correct?

Answer: It is best to designate for the Janaazah salaah an area of the graveyard in front of which there are no graves. If such a place is unavailable, it is permissible without any doubt to perform the Janaazah salaah facing towards a grave. When the Janaazah salaah has been ordained in front of the dead body, why should there be anything wrong with performing it facing towards a grave. It is salaahs that have Ruku and sajdah that are Makrooh in front of graves because carrying them out there resembles worshipping the grave.

A narration of Bukhaari and Muslim narrates that Rasulullaah SAW. once passed a grave and asked when the person had been buried. When the Sahabah RADI. informed him that the person had been buried that previous night, Rasulullaah SAW. asked, "why was I not informed?" the Sahabah RADI. explained that they did not want to wake Rasulullaah SAW. up during the dead of night. Rasulullaah SAW. then stood up to perform the Janaazah salaah and the Sahabah RADI. formed their rows behind him. Rasulullaah SAW. then led the Janaazah salaah. It is because of this that Fuqahaa say that it is correct to perform the Janaazah salaah at the graveside as long as the body has not started to decay. The statement in the question is therefore wrong which claims that the Janaazah salaahs performed previously are invalid. And Allaah knows best what is most correct.

The above Fatwa had been published when a colleague (may Allaah bless his knowledge) brought my attention to a Fatwa in Imdaadul Fataawaa (vol.1 Pg.733). After attentively listening to the Fatwa, I retract the Fatwa I have issued above and regard as practicable the Fatwa to be quoted below that was issued by Hadhrat Moulana Ashraf Ali Thanwi RAH.

### Salaah Between Graves being Makrooh

I have been issuing the Fatwa of permissibility for a long time, as will be seen at the end of the first volume of Fataawaa Imdaadiyyah Pg.49. The point I have argued is that a grave is no greater in status than a dead body and since it is permissible to perform the Janaazah salaah in front of a dead body, it is all the more permissible to do so before a grave.

However, a friend pointed out to me a Hadith stating that Rasulullaah SAW. prohibited performing the Janaazah salaah between graves. The reason stated is that the Janaazah salaah is also a salaah prescribed by the Shari'ah and any salaah performed in a graveyard is Makrooh Tanzeehi. It is also stated that the chain of narrators of this Hadith is Hasan.

This is therefore a clear Hadith in this regard and the Ahadeeth receive preference to analytical reasoning. I therefore retract my previous Fatwa. Although such a salaah will be valid, it will still be Makrooh.

With a bit of thought, a reply to the above analytical reasoning also came to mind. The reply is that while Fuqahaa permit performing salaah with a lamp or candle-in front of one, they forbid performing salaah with a live coal in front. This is because no one worships the lamp and fire, but the fire-worshippers worship the live amber. This applies also to the issue at hand because while people do not worship corpses, they do worship graves." (Imdaadul Fataawaa Vol.1 Pg.733)

### Further Clarification on the Issue

Q: Janaa 'iz-107: I hope that you are well. I have received a copy of the eighth volume of Fataawaa Raheemiyyah and thank you abundantly for it. While studying the book, I passed your Fatwa first permitting the Janaazah salaah in the graveyard and then retracting the Fatwa, with substantiation from the Fatwa of Hadhrat Moulana Ashraf Ali Thanwi RAH.

I am submitting this to you for further clarification. You have issued two Fatwa in (Vol.1 pg.362) and (vol.3 Pg.101) permitting the Janaazah salaah in the graveyard with a few conditions. Apart from your Fatwa, there are others who have permitted it, such as Ahsanul Fataawus (Vol.4 P5.225), Umdatul Fiqh (Vol.2 Pg.529) Allaama Shaami RAH. has also permitted it in (vol. 2 Pg.42).

We request you to shed further light on the issue.

Answer: Dear Molvi Sahib. I have received your kind letter and am pleased to note that you are studying the eighth volume of Fataawaa Raheemiyyah with eagerness. I truly appreciate it. May Allaah reward you.

With regard to your question pertaining to the Janaazah salaah in the graveyard, I wish to clarify that my retraction was with regard to the issue of performing the Janaazah salaah with graves in front of one or around one, as indicated by the Hadith stating, "Rasulullaah SAW. prohibited performing the Janaazah salaah between graves". As for areas in the graveyard which are designated for the Janaazah salaah and are separate, Janaazah salaah performed there is permissible without doubt.

Please see the reply in Fataawaa Raheemiyyah (vol.1 Pg.362) since the reply there is most comprehensive. I find it appropriate to repeat it here.

Answer: It will be permissible and not at all Makrooh to perform the Janaazah salaah in the graveyard if there are no graves in front, if the graves are far away or if the graves are hidden from view. Jaami'us Sagheer (Vol.2 Pg.181) clearly states that it is forbidden to perform salaah between graves. Badaai'us Sanaa'i (Vol.1 Pg.315)? quotes from Imaam Abu Haneefah RAH. that the Janaazah salaah should not be performed between graves. In fact, both Hadhrat Ali RADI. and Hadhrat Abdullaah bin Abbaas RADI. regarded it to be Makrooh to perform the Janaazah salaah in the graveyard. And Allaah knows best what is most correct.

Since the Hadith prohibits performing salaah between graves, it is this that we need to practise. Since the Fatwas in Ahsanul Fataawaa and Umdatul Fiqh seem to be based on analytical reasoning, it is the Hadith that will receive preference, as Hadhrat Moulana Ashraf Ali Thanwi RAH. stated, This is therefore a clear Hadith in this regard and the Ahadeeth receive preference to analytical reasoning." In fact, Allaama Shaami RAH. also specifies that the Janaazah salaah is permissible in that area of the graveyard where there are no graves.

Your question has further filtered the issue and correlated my Fatwas. May Allaah reward you abundantly. And Allaah knows best what is most correct.

Fatawa Rahimiyyah vol.3