FIVE QUESTIONS REGARDING JANĀZAH SALĀH AND BURIAL

(1) We have been taught to recite the additional words 'Wa Jalla Thanā'uka' in the Thanā' of Janāzah Ṣalāh. Is there a hadīth that substantiates this?

(2) Is it permissible to read Sūrah al-Fātiḥah in Janāzah Ṣalāh?

(3) Is it sunnah to read the verse of the Qur²ān 'Minhā Khalagnākum Wa Fīhā Nu^cīdukum Wa Minhā Nukhrijukum Tāratan Ukhrā' during burial?

(4) What is the ruling regarding reciting Sūrah al-Fātihah or the opening of Sūrah al-Baqarah after burial at the head-side and the final verses of Sūrah al-Bagarah at the foot-side?

(5) It is common to raise hands and make congregational $du^{c\bar{a}}$ after burial. Is this sunnah and was this the common practice in the time of the Prophet #?

بسم دلکش لالرحمق لالرحیح لالجولاب حامدل ومصلیا ومسلسا

(1) We have been taught to recite the additional words 'Wa Jalla Thanā'uka' in the Thanā' of Janāzah Salāh. Is there a hadīth that substantiates this?

The addition of 'Wa Jalla Thanā'uka' in the Thanā' of Janāzah Ṣalāh is commonly mentioned in many du^cā[,] and jurisprudence books.¹ It is also narrated from Imam Muhammad ibn al-Ḥasan (d. 189/805) that these words are also to be read in the Thanā³ of the daily Ṣalāh.² 'Allāmah Ibn ^cĀbidīn (d. 1252/1836) states that he has not come across this addition for Janāzah Ṣalāh except in Gunyat al-Mutamillī (p. 169) of ʿAllāmah Ibrāhīm Ḥalabī (956/1549) highlighting that this was not mentioned by earlier scholars and perhaps indicating his inclination to abstain from reading it.³ Nevertheless, subsequent scholars affirmed this addition for Janāzah Salāh as mentioned by Mawlānā ^cAbd al-Hayy Laknawī (1304/1886).⁴

¹ Gunyat al-Mutamillī (p. 169); Hāshiyah al-Ṭaḥṭāwī ʿAlā Marāqī al-Falāḥ (1: 259, 584); al-Durr al-Mukhtār (1: 488); al-Siʿāyah (2: 163); Fatāwā Dārul ʿUlūm Zakariyyā (2: 635).

² *Al-Mabsūț* (1: 12); *al-Muhiț al-Burhānī* (1: 356); *Badā²i^c al-Şanā²i^c* (1: 202); *al-Bināyah* (2: 184).

³ Radd al-Muhtār (1: 488).

⁴ Al-Siʿāyah (2: 163).

However, we have not come across any hadīth that mentions the addition or recital of these words in Janāzah Ṣalāh. There is a narration from 'Abd Allah ibn Mas'ūd (d. 32/652-3) (may Allah be pleased with him) that the words of the Thanā³ with 'Wa Jalla Thanā³uka'

سُبْحَانَكَ اللَّهُمَّ وَبِحَمْدِكَ وَتَبَارَكَ اسْمُكَ وَتَعَالَى جَدُّكَ وَجَلَّ ثَنَاؤُكَ وَلا إِلَهَ غَيْرُكَ

are from the most beloved words to Allah.⁵ However, the narration makes no reference to Ṣalāh. It is therefore advisable to read in Janāzah Ṣalāh the normal Thanā[,] that is read in all the Ṣalāh without this addition.

(2) Is it permissible to read Sūrah al-Fātiḥah in Janāzah Ṣalāh?

It is permissible to read Sūrah al-Fātiḥah in Janāzah Ṣalāh after the first takbīr with the intention of praising and glorifying Almighty Allah. This has been mentioned by many Ḥanafī scholars.⁶ In fact, Imam Ḥasan ibn Ziyād (d. 204/819-20) has narrated its permissibility from Imam Abū Ḥanīfah (d. 150/767).⁷ This is supported by several narrations that indicate that the Prophet ﷺ and some of his companions recited Sūrah al-Fātiḥah in Janāzah Ṣalāh.⁸

(3) Is it sunnah to read the verse of the *Qurʾān* 'Minhā Khalaqnākum Wa Fīhā Nuʿīdukum Wa Minhā Nukhrijukum Tāratan Ukhrā' during burial?

It is mustaḥab (desirable) to read مِنْهَا خُلْفَنَاكُمْ وَفِيهَا نُعِيدُكُمْ وَمِنْهَا خُرْرِجُكُمْ تَارَةً أُخْرَى (From the earth We created you, and We shall return you to it, and from it We shall raise you once again) during

⁵ Al-Firdaws Bi Ma²thūr al-Khiṭāb (1: 214).

⁶ Al-Mabsūț (2: 64); Badā[,]i^c al-Ṣanā[,]i^c (1: 313); al-Muḥīț al-Burhānī (2: 180); Tabyīn al-Ḥaqā[,]iq (1: 240); al-Bināyah (3: 215); al-Baḥr al-Rā[,]iq (2: 197); al-Durr al-Mukhtār (1: 173); I^clā[,] al-Sunan (8: 259); Fatāwā Rashīdiyyah (p. 356); Aḥsan al-Fatāwā (4: 235); Fatāwā Maḥmūdiyyah (13: 107).

⁷ Al-Muḥīţ al-Burhānī (2: 180). It is worth noting that many Ḥanafī scholars have given preference to reciting Sūrah al-Fātiḥah. They include ʿAllāmah Shurunbulālī (d. 1069/1659) (*Marāqī al-Falāḥ*, 1: 218; *al-Naẓm al-Mustaţāb Li Ḥukm al-Qirāʾah Fī Ṣalat al-Janāzah Bi Umm al-Kitāb*), Mullā ʿAlī al-Qārī (d. 1014/1605) (*Radd al-Muḥtār*, 2: 214), Shāh Walī Allah Dehlawī (d. 1176/1762) (*Ḥujjat Allah al-Bāligah*, 2: 57), Qāḍī Thanāʾ Allah Pānīpattī (d. 1225/1810) (*Fatāwā Rashīdiyyah*, p. 356), ʿAllāmah ʿAbd al-Ḥayy Laknawī (d. 1304/1886) (*al-Taʿlīq al-Mumajjad*, 2: 112; *Imām al-Kalām*, *Majmūʿah Rasāʾil al-Laknawī*, 3: 269), Muḥaddith al-ʿAṣr Shaykh Muḥammad Yūnus Jownpūrī (b. 1355/1936), Shaykh al-Islam Mufti Muhammad Taqi Usmani (b. 1362/1943) and my respected father Mufti Shabbir Aḥmad (b. 1376/1957).

⁸ Şaḥiħ al-Bukhāri (1335); Muṣannaf ʿAbd al-Razzāq (6437); Muṣannaf Ibn Abi Shaybah (11393); Sunan al-Tirmidhi (1026).

burial.⁹ When the body of the daughter of the Prophet [#] Umm Kulthūm (d. 9/630) (may Allah be pleased with her) was laid in the grave, the Prophet [#] is reported to have recited this verse.¹⁰ Although the narration has been classified as weak, Imam Nawawī (d. 676/1277) and others have deemed it acceptable to act upon this narration.¹¹ Some scholars have further mentioned that it is desirable to take three handful of soil and split the three parts of the verse on each handful respectively.¹² However, we have not come across any hadīth to substantiate this.

It is also worth noting that some narrations have the following addition after the aforementioned verse:

In the Name of Allah, for the sake of Allah and according to the religion of the Messenger of Allah.

These words have also been narrated in another narration which mentions that the Prophet would recite these words when a deceased would be laid in the grave. Other versions of the same narration mention: يشم الله وَعَلَى مِلَة رَسُولِ الله (In the Name of Allah and according to the religion of the Messenger of Allah) and and according to the Messenger of Allah) and according to the Sunnah of the Messenger of Allah).¹³ These narrations are sound and it is for this reason scholars from all four schools of thought including Imam Abū Yūsuf (d. 182/798), Imam Muḥammad (d. 189/805) and Imam Shāfi^cī (d. 204/820) have mentioned that it is mustaḥab (desirable) for the person laying the deceased in the grave to read: يِسْمِ الله وَعَلَى مِلَةً

⁹ Nayl al-Awțār (4: 100); I^clā² al-Sunan (8: 348); al-Furū^c (3: 376); al-Mubdi^c (2: 271).

¹⁰ Musnad Aḥmad (22187); al-Mustadrak (3433); Maʿrifah al-Ṣaḥābah (7359); al-Sunan al-Kubrā (6726); Tārīkh Dimashq (3: 153).

¹¹ Al-Majmū^c (5: 293); al-Sunan al-Kubrā (6726); al-Badr al-Munīr (5: 313); Majma^c al-Zawā²id (3: 43); al-Talkhīș al-Ḥabīr (2: 301); I^clā² al-Sunan (8: 348).

¹² Rawdah al-Ṭālibīn (2: 136); al-Bināyah (3: 257); Tuḥfah al-Muḥtāj (3: 172); Mugnī al-Muḥtāj (2: 39); Nihāyah al-Muḥtāj (3: 9); Mirqāt al-Mafātīḥ (3: 1223); Radd al-Muḥtār (2: 237). The first person to have mentioned this within the Hanafī school appears to be Imam Abū Bakr al-Zabīdī (d. 800/1398) in al-Jawharah al-Nayyirah (1: 109) who has also mentioned another set of duʿās for the three handful of soil. However, no evidence has been provided from earlier sources.

¹³ Muşannaf Ibn Abī Shaybah (3: 19); Musnad Aḥmad (4813; 5370); Sunan Ibn Mājah (1550); Sunan Abū Dāwūd (3213); Sunan al-Tirmidhī (1046); Ṣaḥīḥ Ibn Ḥibbān (3109); al-Sunan al-Kubrā (7061); Naşb al-Rāyah (2: 301).

¹⁴ Al-Āthār (379); al-Aşl (1: 421); al-Umm (1: 317); Tuḥfat al-Fuqahā² (1: 255); al-Muḥīṭ al-Burhānī (2: 190); Fatḥ al-Qadīr (2: 138); al-Mugnī (2: 373); al-Majmu^c (5: 291); al-Furū^c (3: 376); al-Mubdi^c (2: 271); al-Inṣāf (2: 546); al-Tāj Wa al-Iklīl (3: 44).

(4) What is the ruling regarding reciting Sūrah al-Fātiḥah or the opening of Sūrah al-Baqarah after burial at the head-side and the final verses of Sūrah al-Baqarah at the foot-side?

Imam Abū Bakr al-Khallāl al-Ḥanbalī (d. 311/923) narrates on the authority of Ibn 'Umar (d. 73/693) (may Allah be pleased with him) that the Prophet said, "When one of you passes away, do not sit [and wait] rather rush him to his grave, and one should recite the opening verses of [Sūrah] al-Baqarah by his head and the final verses by his feet in his grave."¹⁶ The narration of Imam Ṭabarānī (d. 360/971) and Imam Bayhaqī (d. 458/1066) mentions Sūrah al-Fātiḥah to be read by the head.¹⁷ Imam al-Bayhaqī suggests that this narration is mawqūf (suspended) and is a statement of Ibn 'Umar (may Allah be pleased with him). Imam Tabrīzī (d. ca. 741/1340) concurs with this.¹⁸ All three narrations of Khallāl, Ṭabarānī and Bayhaqī have a common narrator therein, Yaḥyā ibn 'Abd Allah ibn al-Đaḥhāk (d. 218/833-4) who is a weak narrator.¹⁹

However, Imam Țabarānī (d. 360/971) transmits another narration in which the Prophet \cong is reported to have recited the opening verses and final verses of [Sūrah] al-Baqarah by his head.²⁰ The narrators of this narration are all reliable, as mentioned by 'Allāmah Haythamī (d. 807/1405).²¹ A similar narration has been narrated by Imam Abū Bakr al-Khallāl (d. 311/923), Imam Abū Bakr al-Dīnawarī (d. ca. 330/941), Imam Abū al-Qāsim al-Lālkā³ī (d. 418/1027) and others, which suggests that this was the practice of 'Abd Allah ibn 'Umar (d. 73/693) (may Allah be pleased with him).²²

Many jurists have considered the aforementioned narrations and recommended that the opening five verses of Sūrah al-Baqarah should be recited by the head and the final two verses should be read by the feet. This is the view of Mullā 'Alī al-Qārī (d. 1014/1605) as well as the

¹⁵ Refer to Muṣannaf ʿAbd al-Razzāq (3: 496); Muṣannaf Ibn Abī Shaybah (3: 18).

¹⁶ Al-Amr Bi al-Maʿrūf Wa al-Nahy ʿAn al-Munkar Li al-Khallāl (p. 88).

¹⁷ Al-Mu^cjam al-Kabīr (13613); Shu^cāb al-Īmān (8854).

¹⁸ *Mirqāt al-Mafātī*ḥ (3: 1228).

¹⁹ Majma^c al-Zawā³id (3: 44); al-Jarḥ Wa al-Ta^cdīl (9: 164); al-Majrūḥīn (3: 127); Tahdhīb al-Kamāl (31: 409); Siyar A^clām al-Nubalā³ (8: 399); Tahdhīb al-Tahdhīb (12: 319).

²⁰ Al-Muʿjam al-Kabīr (19: 220, no. 491); Naṣb al-Rāyah (2: 302).

²¹ Majma^c al-Zawā'id (3: 44). Also see al-Badr al-Munīr (5: 336); al-Talkhīṣ al-Ḥabīr (2: 301); al-Bināyah (3: 252); Nayl al-Awṭār (4: 98).

²² Al-Mujālasah Wa Jawāhir al-'Ilm (757); al-Amr Bi al-Ma'rūf Wa al-Nahy 'An al-Munkar (p. 88); Sharḥ Uṣūl I'tiqād Ahl al-Sunnah Wa al-Jamā'ah (6: 1227). Also see Tārīkh Baghdad (19: 145); Tārīkh Dimashq (47: 230); Tahdhīb al-Kamāl (22: 538).

Hanbalī jurists Burhān al-Dīn ibn Mufliḥ (d. 884/1479) and Manṣūr ibn Yūnus al-Bahūtī (d. 1051/1641).²³ Many other scholars including Imam Nawawī (d. 676/1277), 'Allāmah Ibn Qudāmah (d. 620/1223), 'Allāmah Munāwī (d. 1031/1622), 'Allāmah Ibn 'Abidīn (d. 1252/1836), 'Allāmah Ṭaḥṭāwī (d. 1231/1816) agree with this but without specifying the head or the feet.²⁴ Others have suggested that the opening and final verses of Sūrah al-Baqarah should be recited by the head. This has been narrated from Imam Aḥmad (d. 241/855)²⁵ as well as the Shāfi'ī scholar and saint Abū al-'Abbās Aḥmad ibn Muḥammad ibn Sulaymān (d. 819/1416).²⁶ There is therefore flexibility in this matter. Similarly, it is permissible to recite Sūrah al-Fātiḥah instead of the first five verses of Sūrah al-Baqarah.

(5) It is common to raise hands and make congregational $du^{c}\bar{a}^{2}$ after burial. Is this sunnah and was this the common practice in the time of the Prophet \cong ?

In relation to supplication after burial, it is worth noting three points:

Firstly, supplicating and seeking forgiveness for the deceased after burial is Sunnah.²⁷ ^cUthman ibn ^cAffān (d. 35/656) (may Allah be pleased with him) narrates that when the Prophet ^{as} would complete burying the deceased, he would stand at the grave and say: "Seek forgiveness for your brother, and ask steadfastness for him, for he will be questioned now."²⁸ Imam Ibn Abī Shaybah (d. 235/849) has narrated two specific du^cā³s made by Anas ibn Mālik (d. 93/711-2) (may Allah be pleased with him) after burial.²⁹

Secondly, there is a difference of opinion regarding the raising of the hands. The majority of scholars and jurists have not mentioned the raising of the hands which suggests that they should not be raised. This is the view of Mawlānā Zafar Aḥmad ʿUthmānī (d. 1394/1974).³⁰ Ḥakīm al-Ummah Mawlānā Ashraf ʿAlī Thānawī (d. 1362/1943) and Mufti Maḥmūd Ḥasan

²³ Al-Mubdi^c (2: 281); Kashshāf al-Qinā^c (2: 147); Mirqāt al-Mafātiḥ (1: 216).

²⁴ Al-Adhkār (p. 162); al-Majmū^c (5: 294); al-Mugnī (2: 353); Fayd al-Qadīr (5: 151); Hāshiyah al-Ṭaḥṭāwī 'Alā Marāqī al-Falāh (1: 621); Radd al-Muḥtār (2: 237).

²⁵ Tārīkh Baghdad (19: 145); al-Tāj Wa al-Iklīl (3: 52).

²⁶ Al-Đaw³ al-Lāmi^c (2: 112).

 ²⁷ Al-Kāfī Fi Fiqh al-Imam Aḥmad (1: 369); al-Mugnī (2: 353, 377); al-Adhkār (p. 162); al-Majmū^c (5: 291, 292, 294); Majmu^c al-Fatāwā (1: 165; 24: 330); Zād al-Ma^cād (1: 479); Fayḍ al-Qadīr (5: 151); Ḥāshiyah al-Ṭaḥṭāwī ʿAlā Marāqī al-Falāḥ (1: 560; 616); Nayl al-Awṭār (4: 110); Radd al-Muḥtār (2: 237); ʿAwn al-Ma^cbūd (9: 30).

²⁸ Sunan Abū Dāwūd (3221); al-Mustadrak (1372); Ithbāt 'Adhab al-Qabr Li al-Bayhaqī (211).

²⁹ Muṣannaf Ibn Abī Shaybah (3: 19, 20).

³⁰ Imdād al-Aḥkām (1: 745).

Gangohī (d. 1417/1996) are also inclined towards this.³¹ This is supported by the fact that the aforementioned hadīth makes no reference to raising the hands and the majority of the narrations make no reference to this, bearing in mind that hundreds of burials occurred in the time of the Prophet ^{see}. Furthermore, Mufti Rashīd Aḥmad Ludyānwī (d. 1422/2002) suggests that it was not the practice of our elders to raise their hands.³²

However, Mufti Maḥmūd Ḥasan Gangohi (d. 1417/1996) suggests that it is permissible to raise hands provided one faces the Qiblah and not the grave.³³ This is supported by a narration of Imam Abū ^cAwānah (d. 316/929) in his *Ṣaḥīḥ* that mentions that after the burial of ^cAbd Allah Dhū al-Bijādayn (d. 9/630), the Prophet ﷺ faced the Qiblah raising his hands.³⁴ Imam Abū Nu^caym (d. 430/1038) has also narrated this ḥadīth, which also mentions a supplication the Prophet ﷺ made during the night burial: اللهُمَّ إِنِّي ٱَمْسَيْتُ عَنْهُ رَاضِيًا فَارْضَ عَنْهُ اللهُعَامَ إِنِّي ٱلْمُسَيْتُ اللهُمَ إِنِي ٱللهُمَ إِنِي اللهُمَ إِنَى اللهُمَ إِنَى اللهُمَ اللهُمُ اللهُمَ المُعَامُ (d. 1422/2002) retracted from his earlier position of prohibition and suggests that raising the hands is mustaḥab (desirable).³⁶ Therefore, there is no harm in raising the hands whilst making du^cā³ so as long as it is not regarded necessary and one faces the Qiblah.

Thirdly, we have not come across any hadīth that suggests that the Prophet ^{##} would make congregational du^cā² after burial in the way that has become customary in our community. The aforementioned discussion regarding raising the hands affirms this. The prevalent congregational du^cā² has not been mentioned by the majority of the scholars. In fact, the aforementioned hadīth explicitly states that the Prophet ^{##} would ask the companions to ask for forgiveness and steadfastness for the deceased. Similarly, Imam Ibn Abī Shaybah (d. 235/849) narrates from Ibn Abī Mulaykah (d. 117/735-6) who said, "When the burial of ^cAbd Allah ibn al-Sā²ib (n.d.) finished, Ibn ^cAbbās (d. 68/687-8) stood at the grave, then supplicated, then he returned."³⁷ This narration suggests that ^cAbd Allah ibn ^cAbbās (may Allah be pleased with him) supplicated individually. In fact, the narration of Imam ^cAbd al-Razzāq (d. 211/827) explicitly states that ^cAbd Allah ibn Abī Mulaykah (d. 117/735-6) did not hear any words from

³¹ Malfūẓāt Ḥakīm al-Ummat (3: 235); Fatāwā Maḥmūdiyyah (13: 278).

³² Aḥsan al-Fatāwā (4: 224)

³³ Fatāwā Maḥmūdiyyah (13: 278). Also see (13: 276).

³⁴ Fatḥ al-Bārī (11: 144).

³⁵ Ḥilyah al-Awliyā[,] (1: 122).

³⁶ Aḥsan al-Fatāwā (4: 224).

³⁷ Muṣannaf Ibn Abī Shaybah (3: 20).

the supplication³⁸, thereby affirming that the $du^{c}\bar{a}^{3}$ was not congregational. Therefore, it is preferable to supplicate individually.

If however a congregational du^{\bar{a}} takes place, this is permissible on the condition that the congregational feature is not regarded as a post-burial Sunnah and it does not become a habitual practice. Mufti ^{Abd} al-Raḥīm Lājpūrī (d. 1422/2001) issued an edict in favour of congregational du^{\bar{a}} after burial. Mufti Sa^{\bar{c}}īd Aḥmad Ṣāḥib writes in the footnote that the permissibility is subject to it not being regarded necessary and not becoming a customary practice.³⁹ It is therefore important to educate the community gradually in a constructive manner and avoid using the prevalent congregational mode habitually.

Finally, it is worth noting that the primary purpose of Janāzah Ṣalāh is supplication and seeking forgiveness for the deceased.⁴⁰ Imams should therefore not rush the Janāzah Ṣalāh and allow themselves and the congregation sufficient time after the third takbīr to make du^cā².

Allah knows best Yusuf Shabbir, Blackburn, UK 24 Jumādā al-Thāniyah 1437 / 2 April 2016 Approved by: Mufti Shabbir Ahmad Sahib

³⁸ Muṣannaf ʿAbd al-Razzāq (6502).

³⁹ *Fatāwā Raḥimiyyah* (7: 95). Muftī Sa'īd Pālanpūrī explains in '*Ilmī Khuţbāt* (2: 52) that the narration in *Sunan Abū Dāwūd* (3221) indicates that the Prophet ²⁸ would not perform congregational du'ā² after burial, nor would he supplicate loudly, otherwise there would not have been a need to instruct the companions to supplicate to Allah for forgiveness and steadfastness for the deceased. He further explains that this has been the practice of the people of Deoband and Saharanpur as observed by him over the past fifty years. In other words, after the verses of the Qur'ān are recited at the grave, congregational or loud du'ā' does not take place. Rather, people supplicate individually. Similarly, in Fatāwā Qāsmiyyah (10: 116), Mufti Shabbīr Aḥmad Qāsmī and Mufti Muḥammad Salmān Manṣūrpūrī (b. 1386/1967) suggest that it is better to avoid congregational du'ā' after burial.

⁴⁰ Al-Mabsūț (2: 64); Badā²i^c al-Ṣanā²i^c (1: 313, 315); al-Muḥīț al-Burhānī (2: 188); al-Mugnī (2: 360); al-Majmū^c (5: 223); Sharh Muslim (7: 30).