

## Funeral Prayer in Absentia

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A number of people sent me queries concerning the correct opinion on praying *Salât al-Janâzah* in absentia (on a person who is not present). The question was obviously relevant since people all over the world prayed *Salât al-Janâzah* for Shaykh Ibn Bâz *rahimahullâh*.

Before I briefly answer the question, I would like to mention the fact that this occurrence (that so many millions of people prayed over Shaykh Ibn Bâz) is in and of itself an indication *insha-Allâh* of the status and sincerity of the Shaykh. As some of the *salaf* said: The criterion between the person of *Sunnah* and the person of *bid'ah* is the *Janâzah*; meaning that Allâh *azawajal* blesses the scholar of the *Sunnah* to have many people pray for his forgiveness. The *Janâzah* of Imâm Ahmad was attended by more than a hundred thousand people, according to some reports, and for that time and age that is an astounding figure.

In the *Janâzah* prayer of Shaykh Ibn Bâz, it was estimated that over a million people were present in the *Harâm*, and over fifty-thousand accompanied the bier to the grave. Also, all over the Kingdom, by Royal Decree, every single Masjid prayed the *Salât* on the Shaykh after *Salât al-Jumu'ah*. I attended the prayer in the Prophet's Masjid, where Shaykh al-Qâsimî (the grandson of the one who compiled *Majmû' al-Fatâwa*) gave a short but eloquent *Khutbah*, in which he praised knowledge, and the people of knowledge, and mentioned Shaykh Ibn Bâz, and his qualities, and the loss that this was to the *Ummah*. People were openly crying ...

One point that the Shaykh did mention, however, and I felt that this was a very important point, is that people should not despair, for there will always be good in the *Ummah* as long as there are scholars and students of knowledge. He also emphasized the fact that the death of Shaykh Ibn Bâz should cause all of us to ponder over the status of knowledge in our lives, and how important it is that all of us - each and every one of us - must do his best to try to fill the large vacuum that is left.

The point that I was trying to make was that I believe this is the first time in history where so many people have prayed over a single person - literally millions and millions of people world-wide. This not to mention the fact that people of all statuses, kings (King Fahd and the royal princes all came to Makkah to pray), dignitaries of all nationalities, scholars (Shaykh Uthaymîn, Shaykh Subayil, ... even Qardawî came to Makkah!) and average people, the vast majority of whom had not even met the Shaykh ... yet their hearts will filled with love for him, and great sadness at his death ...

This is something that can *only* come through the blessings of Allâh *subhânahu wa ta'alâ*, no amount of publicity, or writing, or speeches, or *fatwas*, can make a person achieve such a status. The only way this comes about (and this was something that Shaykh al-Qasimî mentioned) is when a person sticks to the *Sunnah*, and increases his sincerity to Allâh, and makes his *da'wah*, to Allâh, for Allâh, and by the commandments of Allâh. Then, and only then, will his *da'wah* be blessed, and the people will accept him, and love him ...

Verily, the death of Shaykh Ibn Bâz is something that causes the hearts to melt, and the eyes to cry, and the souls to despair ... but to Allâh we belong, and to Him we will return. We pray that

Allâh blesses us with more scholars, and helps us all to increase in knowledge. *ûmîn*

Concerning the *fiqhi* question that was posed, briefly, there are two opinions on the issue. Before mentioning them, it is relevant to mention that the only occurrence in the *Sunnah* of *Salât al-Janâzah* in absentia is when the Prophet *sallallâhu 'alayhi wa sallam* prayed for Najâshi, the ruler of Abyssinia, the same day that he died. This incident is reported in *Bukhârî* and *Muslim*.

The first opinion is that of the *Hanafîs* and *Mâlikîs*, and is that it is not permissible to pray over a person who is not present.

Ibn 'îbidîn states in his famous *Hâshiyah* (v. 3, p. 99): "And of the conditions of the *Janâzah Salât* ... is that the body be placed in front of the Imâm ... so it is not permissible upon one who is absent (*ghay'ib*). As for the Prophet's prayer upon Najâshi, then it is interpreted that ... this was a specialty only allowed for him (*khusûsiyyah*) ... another proof for this is that many of the Companions died during his lifetime, but it is not reported that he prayed for any of them."

Al-Khalîlî says in his *Matn* (v. 3, p. 71 of *al-Mawâhib al-Jalîlî*): "And it is not permissible to pray for ... one who is absent (*gha'ib*)."

The second opinion is that of the *Dhahirîs*, *Hanbalîs* and the *Shâfi'îs*. They hold that it is allowed to pray over a person in absentia, and claim that the prayer of the Prophet *sallallâhu 'alayhi wa sallam* over Najâshi was not a speciality only for him.

Imâm an-Nawawî states in his *Rawdat at-Talibîn* (v. 2, p. 130), "And it is permissible to perform the *Salât* in absentia."

Ibn Hazm states in his *al-Muhalla* (v. 5, p. 138), "And a dead Muslim is prayed over even in absentia."

The Hanbalîs, however, add a condition. Ibn Qudâmah says in his *Mughnî* (v. 4, p. 446), "And it is permissible to pray the *Salât* in absentia ... up to one month of the person's death."

The reason for this difference of opinion is whether the prayer of the Prophet *sallallâhu 'alayhi wa sallam* over Najâshi was something that was special for him or not? Those that claim that it was, say that Allâh caused the earth to 'swallow up', and so the Prophet *sallallâhu 'alayhi wa sallam* could see Najâshi in front of him. However, this is not authentically narrated in any *hadith*, so it cannot be accepted. Also, as it is well known in the science of *Usûl al-fiqh*, to claim that something is special for the Prophet *sallallâhu 'alayhi wa sallam* requires evidence and clear proof, and in this case there is none.

So between these two opinions, the stronger one without any doubt is the second one, i.e., that it is allowed to pray the *Janâzah* prayer in absentia.

However, the scholars who allowed this type of prayer themselves differed over the conditions concerning *when* this was allowed. There are three opinions that I have come across (if anyone comes across any more, please forward them to me).

The majority of them, and this is what the *madhhab* of the *Hanbalîs* and *Shâfi'îs* is upon, is that there is no condition whatsoever. So, even if a person has been prayed over, it is still allowed to pray for him in another country. This is also the opinion of ash-Shawkânî (*Nayl al-Awtâr*, v. 4, p. 63).

Some scholars, amongst them Shaykh Ibn Bâz himself, and the opinion of the *Hay'at Kibâr al-Ulâma* of the Kingdom, stated that this was to be done only when the person that died was of a

high status, and had aided Islâm, such as a just king, or a scholar. (See *Fatâwa al-Lajnah ad-Dâ'imah*, v. 8, p. 418, *Fatwa # 5394*).

Shaykh Uthaymîn says of this opinion, "This is a middle opinion (between the two extreme opinions) which many modern and past scholars have chosen." (*Sharh al-Mumtî*, v. 5, p. 438).

The last opinion is that of Shaykh ul-Islâm Ibn Taymiyyah and others, who stated that this was only to be done when a person died without having a *Janâzah* performed on him. So, for example, when a person dies in a non-Muslim country, and there are no Muslims to pray for him, then in this case the *Salât* should be performed for him.

Now, the reason for the difference of opinion concerning these conditions is: What was the reason ('illah) due to which the Prophet *sallallâhu 'alayhi wa sallam* prayed for Najâshi?

Was it to show that it was permissible (which is what the first group says), and thus allowed for everyone?

Was it due to the fact that Najâshi was an important person (the second group)?

Or, was it due to the fact that he was the only Muslim in the country, and none of the people prayed for him (the third group)?

In my humble opinion, the first opinion is the weakest. This is because it is well-known that many of the Companions died outside of Madînah during the lifetime of the Prophet *sallallâhu 'alayhi wa sallam*, but he did not pray for any of them (to be more accurate, there are no authentic reports that he prayed for other Companions. There are some weak reports that he prayed for some Companions that died outside of Madînah, cf. *Nayl al-Awtâr*, v. 3, p. 62). Had it been something encouraged, the Prophet *sallallâhu 'alayhi wa sallam* would not have left it for no reason, especially since he was so eager to pray for his Companions. He said concerning the old, black woman that used to clean the Masjid and whom the Companions buried at night without telling him, "*Why did you not inform me? For verily my Salât upon them is a mercy ...*" and he went to her grave and prayed over her. So, this shows that he would not have left the *Janâzah* prayer upon such Companions for no reason.

Therefore, it seems as if one of the last two opinions is the correct one. Both of these opinions have very good reasons ('illah) for them.

It can be said that the Prophet *sallallâhu 'alayhi wa sallam* prayed for Najâshi because of his status, and to show that a person who has helped Islam (since Najâshi sheltered the Muslims who emigrated to his country) should be given the honour of having *Janâzah* performed on him in absentia.

It can also be stated that since Najâshi was the only Muslim, and no one prayed for him, the Prophet *sallallâhu 'alayhi wa sallam* prayed for him.

In my humble opinion, between these two opinions it cannot be stated with one-hundred percent certainty which of the two is correct. This is because it is a matter of *ijtihâd* what the exact reason behind the Prophet *sallallâhu 'alayhi wa sallam* praying *Janâzah* over Najâshi was. Also, Ibn Qudâmah brings a very good point. He states (*al-Mughnî*, v. 3, p. 336), "... they (the 'other side') state that since no-one prayed over Najâshi (this was why the Prophet *sallallâhu 'alayhi wa sallam* prayed over him) ... but this is very improbable, for Najâshi was the King of the Abyssinians, and he accepted Islâm and openly proclaimed it, so it seems very improbable that no-one would have followed him (in accepting Islâm), and (therefore) not pray over him."

In other words, what is the evidence that no one prayed over Najâshi? There are no reports to the contrary (i.e., that no one prayed over him). Also, as Ibn Qudâmah points out, it does seem unrealistic that Najâshi, who was so loved by his people, and who openly accepted Islâm and helped the Prophet *sallallâhu 'alayhi wa sallam*, would not have succeeded in converting some of his people, and thus there would have been some Muslims to pray over him. So, based on these facts, perhaps the second opinion (that it should be prayed over a person of status) is more realistic.

On the other hand, it could be argued that no mention is made of these Abyssinian converts (if they ever existed), and also there are no reports in the books of Islâmic history concerning these people, and what happened to them or their progeny. Therefore, if no mention is made of them, then there is no evidence to suggest that they exist, and anyone who claims that they did must bring forth his proof! So, in light of this reason, the third opinion (that it should only be prayed over a person for whom *Janâzah* has not been prayed) seems to be more realistic!

So, which of the two opinions is correct? Like I stated earlier, it really seems difficult to defend one over the other. (Therefore, I would advise the brothers, even if they follow another opinion, not to cause a *fitnah* when some people do pray *Salât al-Janâzah* over a famous person, as long as that person was one who helped Islâm).

However, perhaps the second opinion has some slight weight over the third one (please note the emphasis!!!)

On what basis, though? Well, both sides put forth a statement that they use to justify their opinion.

The second group (those that say the 'person of status' condition) states: Najâshi was a just Muslim ruler, who aided and helped the Muslims, and therefore the Prophet *sallallâhu 'alayhi wa sallam* prayed for him.

The third group states: Najâshi was the only Muslim in his country, and was not prayed over.

Now, it could be stated: The statement of the second group is an indisputable fact. All the books of history mention this. The statement of the third group, however, is not fact, and is based on circumstantial evidence. Nowhere does it state that no one accepted Islâm, or that Najâshi was not prayed over. These are only presumptions. and no evidence can be brought forth to support it.

Therefore, since the second group is basing their opinion on an indisputable fact, whereas the third one is basing it on disputable opinion, perhaps the second group has some slight advantage in the opinion that they hold, and therefore it is allowed, even encouraged, to pray over someone who helped and aided Islâm, whether the body is in front of the group, or in absentia.

And Allâh *subhânahu wa ta'âla* knows best!!!