



Eating up the property of the deceased

Second question of Fatwa No. 623

Q 2: Some Bedouins say that when one of them dies in the presence of another the latter starts firing until someone else knows about it and helps to prepare the dead, perform Salah (Prayer) on them, and bury them. People who provide such help come from afar and need to have food. The question is: Is it permissible to offer them food out of the money of the person who passed away?

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A: If those who come to help in preparing the deceased live far away, it is permissible that the inheritors of the latter may willingly feed them. However, if such inheritors are orphans or are not present; the people mentioned in the question should not be given food out of the property of the deceased because the Prophet (peace be upon him) said: (The property of a Muslim is unlawful (to take), unless (he gives it) willingly.) Any way, if the deceased used to live with such people in one town; his family is more worthy to be served food because the death of their testator makes them mentally and psychologically preoccupied. Proof of this point is that the Prophet (peace be upon him) commanded some of his wives to make food for the family of Ja'far ibn Abi Talib when the latter died. The Prophet (peace be upon him) justified this by saying: (they are too busy.)

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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