



Burying disbelievers in Muslim graveyards

Fatwa no. 335

All praise be to Allah Alone, and peace and blessings be upon His Messenger, and his family and Companions.

The Permanent Committee for Scholarly Research and Ifta' has examined

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letter no. 24786 of 9/12/1392 A.H., sent by His Royal Highness the King (may Allah protect him) to His Eminence, the Chairman of the Departments of Scholarly Research, Ifta', Daw'ah, and Guidance in regard to the Law of Graveyards, and Washing and Burying the Dead that has been drafted by the Ministry of Health. His Royal Highness requests a Fatwa (legal opinion issued by a qualified Muslim scholar) on the subject of burying non-Muslims in Muslim graveyards. His Royal Highness (may Allah protect him) wants to know the Islamic opinion as to whether non-Muslims can be buried in Muslim graveyards or whether they should be sent back to their homelands. The committee has also read the enclosed copy of the private letter, no. 10118 dated 8/5/1391 A.H., sent by His Royal Highness (may Allah protect him) to His Eminence the Deputy Mufti, which states: "It is apparent now that when any of these people [non-Muslims. trans.] die, whether they are young or old, their body is sent to their homeland as they are considered as foreigners. It is therefore better to be silent about this issue and not make it public." The committee also examined the explanation given by His Eminence, the Chairman of the Departments of Scholarly Research, Ifta', Daw'ah, and Guidance, to refer the matter to the Permanent Committee for Scholarly Research and Ifta' for its opinion on what was inquired about by His Royal Highness.

After studying the issue, the answer of the Permanent Committee is as follows:

It is not permissible to bury non-Muslims with Muslims in Muslim graveyards; in fact, non-Muslims should be buried far away from them, as they will be harmed by their proximity. This is the opinion of the scholars (may Allah be merciful to them) that is mentioned in their books. The scholars even referred to an issue that explains their stance regarding the non-Muslim dead and the reason why they should be buried far from Muslim graveyards. The author of "Al-Muqni" stated: "If a Dhimmy (protected non-Muslim living under Islamic rule) woman is pregnant by a Muslim man and she dies, she should be buried alone with her back to the Qiblah (direction faced for Prayer towards the Ka'bah)."

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In explanation to this, he said in a footnote: "This is because she is a Kafir (disbeliever), so she should not be buried in the Muslim graveyard, but her baby is judged to be a Muslim, so it should not

be buried with the Kafirs." As the government of our country (may Allah protect it and strengthen its ruler) does not grant citizenship to non-Muslims, it is in its interest and will reduce its problems with others if it does not assign graveyards for non-Muslims. So, if any of the non-Muslims die and their relatives ask for their body to be transported to their homeland, it is better to grant them their request.

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

Permanent Committee for Scholarly Research and Ifta'

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