

BLISSFUL DEPARTURE

FIQH OF DEATH & INHERITANCE

Preparing for Death

- Remember death excessively
- Longing to meet Allah
- Dying upon Iman
- Having a righteous death
- Having righteous company to perform janazah and make dua

Death in Islam

- There are 3 Phases of Life:
 - Dunya
 - Barzakh
 - Akhira
- Death is a transition from Dunya to Barzakh
- Death is not seen as something negative for a muslim
- Source of peace for a believer

Writing a Will

- Writing a will is a consistent reminder of death
- Encouraged to not sleep without an updated will
- What to include in the will:
 - Debts receivable or payable
 - Outstanding Zakaat, Missed prayers, fasts, Hajj
 - Assigning up to 1/3 of an individual's wealth to be given to an individual/cause
 - Any business dealings or partnerships pertinent to the heirs
- Ensuring the will is a valid legal document

Sickness in Islam

- Every difficulty removes sins
- Chance of tawba, it's a mercy
 - Encouraged to increase in dhikr while sick
 - Earning reward of patience in difficulty
- Dealings are invalid on the deathbed if one's mental state is compromised
- Rulings become lightened upon a sick person based on their ability
 - Wudu
 - Prayer
 - Fasting
 - Hajj

Visiting the Sick

- One of the rights of a muslim
- Strengthens community and maintains relationships
- Virtues of visiting the sick
- Prophet SAW even visited his worst enemies
- Should be brief and not a burden on the sick
- Shouldn't speak negatively, try to maintain a light mood

What happens at Death

- Reminding the dead to say Shahada
- Doors of tawba close at the moment of death
- Angels coming down
 - Glad or Evil tidings
- Angel of death coming
- Soul is removed and lifted
 - Raised to عليين or taken to سجين
 - Start of life of Barzakh

Barzakh

- Starts immediately after death
- Soul goes to Sijeen or 'Iliyeen
- Soul is the primary actor in this phase
 - The deceased is still aware of their surroundings
- Begin to experience reward or punishment in the grave

The Prophets

- The Prophets are alive in their graves
- The earth does not eat the bodies of the Prophets
- Prophets only pass on knowledge, no inheritance
- They are to be buried in the place they pass away
- Strong connection between body and soul
 - Isra/Miraj
 - Musa AS praying in his grave

The Martyrs

- Types of Martyrs:
 - Dunya and Akhira
 - Dunya only
 - Akhira only
- They are alive in the graves
 - Father of Jabir
 - Ja'far

﴿وَلَا تَحْسَبَنَّ الَّذِينَ قُتِلُوا فِي سَبِيلِ اللَّهِ أَمْوَاتًا بَلْ أَحْيَاءُ عِنْدَ رَبِّهِمْ يُرْزَقُونَ﴾ (3:169)

«And never think of those who have been killed in the cause of Allah as dead. Rather, they are alive with their Lord, receiving provision(3:169)»

- Their souls take various forms and enjoy the blessings of Jannah

The Pious

- Connection between the soul and the physical world vary based on the individual
- In the barzakh they experience blessings of Jannah
- See their actions come to them in a beautiful form
- Angels are beautiful and comforting
- Grave expands as far as the eye can see
- Clothes of Paradise
- Souls visiting each other

The Wretched

- Experience the punishments of Jahannam
- See their deeds come to them in a terrible form
- Angels are terrifying
- Grave is constricting
- Clothes of Hellfire
- Isolated

Washing the Body

- Among the rights of a muslim
 - Mandatory upon a community, if not done everyone is sinful
- A human being is to be respected while alive and after death
- Should be done by close relatives and friends
- Men should wash men and women should wash women
- Awra should remain covered while washing
- Start by removing Najasah from the body
- First wash the areas of Wudu
- Then wash the right side of the body then the left

The Burial Shroud

- Also a communal obligation
- Shroud must be clean and pure
- Must be from permissible types of clothing
- Should be around the value of the clothes of the living
 - Shouldn't be extravagant nor extremely cheap
- 3 levels of shrouding
 - Sunnah
 - Minimum
 - Necessity

Levels of Shrouding

- Sunnah
 - Men: 3 Cloths
 - Women: 5 Cloths
- Minimum
 - Men: 2 Cloths
 - Women: 3 Cloths
- Necessity
 - Whatever can be found at the time that can cover the body
 - Even if leaves or other objects are needed

Janazah

- Right of a Muslim
- Source of forgiveness for the deceased
- Reward for those who participate
- It is a communal obligation
- Consists of 4 Takbeer with no Rukoo' or Sujood
- Should be led by Community leader or closest relative

Burial

- The reward of following a Janazah all the way to the burial
- The burial should not be delayed unnecessarily
- Deceased should be buried in the graveyard of the muslims nearest to where they passed away
- Bodies should not be transported unless there is a clear need
- Closest relatives should be the ones who bury
- Untie the knots holding the shroud
- Should be buried facing the Qiblah
- Nothing should be placed in the grave with the body
- Should not bury multiple people in one grave unless there is a necessity

Burial

- 2 methods of burial:
 - Lahd
 - Shaqq
- The grave should not be elevated or decorated
- Should be recognizable but not venerated in any way
- After burial it is preferred to stay around the grave and make dua for the deceased

Condolences

- Condolences can be for any calamity not just death
- Should be limited to 3 days
- Should be brief and lighthearted
- Avoid burdening the family
- Should bring food for the family
 - The family should not be burdened with feeding guests

General Etiquettes

- To have the intention of visiting the graveyard
- To be present minded and ponder over death
- To be calm and humble
- Recite the greeting mentioned in hadith
- Avoid walking or sitting on graves
- Avoid wailing or reacting in an extreme fashion
- Avoid joking and laughing
- Make dua for the deceased and for yourself

Visiting the Grave of the Prophet SAW

- Increase in sending peace and blessings upon the Prophet SAW as you approach the masjid
- Shower before entering the masjid
- Wear the most elegant clothes available
- Enter with composure and humility
- Stand in front of the grave and send salutations on the Prophet SAW as well as Abu Bakr and Umar RA
- Do not harm or inconvenience others who are there

How the Salaf Visited Graves

- Silence and Contemplation
- Dua for the deceased
- Speaking well of the deceased
- Crying over the deceased
- Being visibly affected after a Janazah
- Not eating after a Janazah

What can we do for the Deceased?

- Dua
- Sadaqah
- Umrah/Hajj
- Quran
- Respecting their friends and family

The Science of Inheritance

- The science of Islamic inheritance law is known as ilm al-fara'id
- Fara'id addresses three things:
 - Who inherits
 - Who does not inherit
 - How much is inherited
- It is a communal obligation to provide training to Muslims so they will become informed on the Islamic rulings surrounding inheritance

The Science of Inheritance

- The science of Islamic inheritance law is known as ilm al-fara'id
- Fara'id addresses three things:
 - Who inherits
 - Who does not inherit
 - How much is inherited
- Studying the science of inheritance is a fard kifayah

Components of Inheritance

- Three major components to inheritance:
 - Almuwarith: the deceased
 - Alwaarith: the inheritors
 - Almawrooth: the designated amount
- Three things that stipulate inheritance:
 - Marriage
 - Familial ties by blood
 - The freeing of a slave
- Three things that prevent inheritance:
 - A slave cannot inherit as they are not free
 - A murder cannot inherit from the one they murdered
 - A difference in religion; A kafir cannot inherit from a Muslim and vice versa

Rights of the Wealth of the Deceased

- These are the rights upon the wealth of an individual after their passing:
 - The right of covering the expenses of the janazah/burial/shroud of the deceased
 - The right of covering the debts of the individual after they have passed
 - Wasiyyah
 - Inheritance

Distribution of Inheritance

- After taking out the expenses of the deceased from their janazah, their debts and their wasiyyah, their wealth is now defined for the distribution of inheritance.
- Three major conditions that need to be met in the distribution of inheritance:
 - Confirmation of the death of al-muwarith
 - Confirmation of the life of al-warith
 - Knowledge on the science of inheritance

Male Inheritors

- The son
- The son's son, and anything lower
- The father
- The father's father (grandfather), and anything higher
- The full brother
- The brother who shares the same father
- The brother who shares the same mother
- The full nephew (the full brother's son)
- The consanguine nephew (the half-brother's son through the same father)
- The full uncle (the father's full brother)
- The consanguine uncle (the father's half-brother through his father)
- The cousin (the son of the father's full brother)
- The consanguine cousin (the son of the father's half-brother through his father)
- The husband
- The man who is related through the freeing of a slave

Female Inheritors

- The daughter
- The son's daughter
- The mother
- The mother's mother (the grandmother through the mother)
- The father's mother (the grandmother through the father)
- The full sister
- The sister who shares the same father
- The sister who shares the same mother
- The wife
- The woman related through the freeing of a slave

Types of Inheritance

- Fard: A specific portion assigned to an individual.
 - This amount is set and cannot be changed irrespective of the inheritors in the equation.
 - For example, some will inherit a fourth, an eighth, two-thirds; as defined by the Qur'an and the sunnah
- 'Asabah: An inheritance that happens with a level of fluidity.
 - This amount is determined fluidly based on the equation of who is involved and who is alive at the time the wealth is distributed.

Rules of Allocating Inheritance

- Allocation for Parents
 - The father and mother of the deceased will each get $\frac{1}{6}$ of the portion if there are children in the equation.
 - However, if there are no children in the equation, the mother of the deceased will get $\frac{1}{3}$ of the portion, while the father will get the remaining amount.
 - If the deceased has siblings (two or more), the mother will get $\frac{1}{6}$ of the portion, while the father will get $\frac{5}{6}$ and he will prevent the siblings from getting their share.

Rules of Allocating Inheritance

- Allocation for Children
 - The son of the deceased will get double of the daughter's share; the male will get the portion of two females.
 - If there are fixed inheritors, meaning parents/spouses, which have specific portions allocated to them, the first allocation will go to the parents ($1/6$ each), and then the spouse, while the remaining portion will be divided amongst the children according to their gender.
 - If the deceased leaves only one child behind; irrespective of gender, the child will get all of the inheritance which remains.
 - If the deceased has no surviving children, but their children have left behind children; meaning the grandchildren of the deceased, they will inherit the portion directly as if they are the children.

Rules of Allocating Inheritance

- Allocation for Spouses
 - If the wife dies, the husband gets $\frac{1}{2}$ of the portion. But he gets $\frac{1}{4}$ of the portion if she has left behind children and grandchildren, or their descendants in the equation.
 - If the husband dies, the wife gets $\frac{1}{4}$ of the portion. But she gets $\frac{1}{8}$ if he has left behind children and grandchildren, or their descendants in the equation.