

Fiqh Rulings Regarding those who have Passed Away due to the Coronavirus (COVID-19)



Shaykh Sulaymān Al-Ruhaylī ^{حفظه الله}

Translator: Yasar A. Rahman

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Shaykh Sulaymān Al-Ruhaylī (may Allah preserve him)

1. The original ruling is that he is to be treated similar to any other deceased person. So his body should be washed and shrouded. The funeral prayer should be performed for him and then he should be buried in a Muslim graveyard.
2. However, if experts say that washing him will cause harm and they fear that it is likely that the disease will be transmitted to the one washing him, then in this case if it is possible to wash him from far in that water is poured over him from a certain distance, then this is exactly what is to be done and we suffice with this.

3. If he cannot be washed even at a safe distance, then Tayammum (dry ritual purification) is to be performed.
4. But if experts say that Tayammum is also harmful, then Tayammum should not be performed either and his condition is therefore like the “Fāqid al-Tahōrain”, the one who does not have access to either of the two purifiers (water and sand etc.) or he is unable to use either of them.
5. If possible, he should be shrouded.
6. However, if he cannot be shrouded according to Islamic Law due to harm being caused, then we suffice with the covering that the health authorities cover him with before they hand over his body to his family. This covering should not be

unsealed if experts say that doing so would be harmful.

7. He is then to be buried in this state in the graveyards of the Muslims.
8. If it is possible to pray the funeral prayer over him, then whosoever from the Muslims can do this should do so.
9. In the case that this is not possible due to his body for example not being returned to his family, and instead the concerned authorities transport his body and bury him, then if there are any Muslim doctors in the hospital, they should pray over him before he is taken away.
10. However, if there are no Muslim doctors, then the prayer can be performed at his grave if the location of his grave is known.

11. In the case that this is not possible due to restrictions or due to not knowing the location of his grave, then in this situation the absentee funeral prayer is to be performed for him according to the most correct view, and Allah knows best.

Additional points concerning Muslims residing in Europe

Question

Is it permissible for the deceased to be kept in a freezer until this affliction ends, and then his body be sent to his country of origin so that he be buried in the graveyards there?

Answer

The underlying principle and the original ruling is that the deceased should be buried without delay, and this is what should be done.

However, it is permissible to delay his burial for some benefit and with the condition that his body does not undergo any change as the Companions did with the Prophet - peace and blessings of Allah be upon him.

So it is permissible not to bury the deceased in the country where he died, and instead keep him in a freezer until it is feasible to transport his body to the country of his origin for burial: if his body is safe from undergoing any change, his family believe that there is a benefit in not burying him in the country where he died, and with the condition that there is no harm done to any of the inheritors in regards to their inheritance because there are amongst them inheritor(s) who have not yet reached the age of puberty or that the inheritors are in agreement regarding this and amongst them there is no one who has not yet reached puberty. However, what is better and more

proper is that the deceased should be buried without delay.

We ask Allah, the Most High, to have mercy upon the Muslims who have died, to protect them from the punishment of the grave and the Hellfire, and to remove this calamity sooner rather than later.

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