

A Bequest to be Cremated

Q: Janaa'iz-75: A person calling himself a Muslim passed away recently. His beliefs were improper and he always scoffed at the injunctions of Islaam. People were well aware of his nature. When dying, he made a bequest not to be buried. but to be cremated. Since he preferred cremation, which is a hallmark of the Kuffaar, can it be said that he preferred Kufr? Should the janaazah salaah be performed for him?

Answer: The Ummah is unanimous upon the fact that it is Fardh Kifaayah to bury the dead. The fact that the person in question made a bequest to be cremated shows that he disliked the ways of Islaam and honoured the ways of the Hindus. Furthermore, this also entails looking down upon the ways of Islaam. Scoffing at the Shari'ah is Kufr. It will therefore be incorrect to bathe and shroud the person in the Sunnah manner and to perform the janaazah salaah for him.

No person with respect for Islaam in his heart and who regards Rasulullaah SAW. to be the true Rasool SAW. will ever care to do this. Tafseer Baydaawi states that wearing things like the Ghiyaar and the Zunnaar (which are salient features of some Kuffaar) is regarded as an act of Kufr and indicate that the person rejects the Shari'ah even though the items themselves are not Kufr. The person who believes in Rasulullaah SAW. as the Rasool of Allaah SAW. will never have the courage to display these things.

Mirqaat has also made it clear that honouring the holy days of the Kuffaar and celebrating it by wearing good clothes and participating in their festivities is an act of Kufr.

Maa Laa Budda Minhu (Pg.145) states that if a Muslim wears the Zunnaar, he will not be regarded as a Kaafir only if he does it to safeguard himself from harm. However, he will be regarded as a Kaafir if he wears it for business reasons.

It states further that celebrating the Noroz holy day of the Majoos or the Holi and Diwali holy days of the Hindus will render a person a Kaafir. The same will apply if a Muslim makes a remark stating that these are such good celebrations. Similarly, going out to celebrate the festivities of these days with the Kuffaar also makes one a Kaafir, even if one goes out in support of them.

Tajnees also states that our scholars are unanimous about the fact that the person who is convinced that the ways of the Kuffaar are good is a Kaafir himself. Nurul Fataawao also states that regarding any of the Hindu customs as being good will render one a Kaafir. Umdatul Islaam states that enacting any of the customs of the Kuffaar will also make one a Kaafir, such as colouring a bull or a horse red and yellow when one has a new house. And Allaah knows best what is most correct.

Fatawa Rahimiyyah vol.3