

Clearing an Old Graveyard with Bulldozers and Tractors

Q: Janaa'iz-103: (1) Because a graveyard in -our locality has not been used for several years, it is infested with thorny bushes and riddled with holes. The land is also not level' The people of the- locality wish to clear the ground and-scrape off 3 to 3 ?? feet of ground with bulldozers to make it level. Is this permissible? If this is not permissible with bulldozers, can tractors be used? If both are not permissible, can labourers be employed to do it?

(2)What is the ruling concerning making solid pathways in the graveyard for the convenience of the people?

(3) If all of the above are not permissible, what method should be employed?

Answer: (1,2,3) The method to be employed for clearing your graveyard needs to be one that accords the proper respect to the graves. It is not permissible to stand, sit or recline on a grave. Note the following Ahadeeth:

1.Hadhrat Jaabir RADI. reports that Rasulullaah SAW.forbade them from plastering graves from building atop them and from sitting on them.

2. Hadhrat Abu Hurayrah RADI. narrates that Rasulullaah SAW. said, "For Any of you to sit on alive coal that burns through his clothing and reaches his skin is better than him sitting on a grave.

3. Hadhrat Abu Marthad Ghanawi RADI. reports that Rasulullaah SAW. said, "Never sit on a grave and never perform salaah facing one.

4. Hadhrat Amr bin Hazam RADI. reports that when Rasulullaah SAW. once saw him reclining against a grave Rasulullaah SAW. said' "Do not bother the occupant of that grave.

5. Hadhrat Aa'isha RADI. narrates that Rasulullaah SAW. said, "Breaking the bone of a dead person is like breaking the bone of a living person.

All of the above Ahadeeth emphasise the respect that needs to be accorded to graves. Scraping the land with bulldozers and tractors will serve only to revile the graves. If even reclining on a grave has been prohibited, how can crushing them beneath bulldozers and tractors be permitted?

Since the graveyard is an old one, there may be several grave tops that have been completely effaced. There is therefore the strong possibility that even though it may? not seem to be so, there is a great possibility that the bulldozers and tractors will be ploughing over them. Remember also that the graves of little children will be? shallow and scraping the land with a bulldozer may easily expose the body. The intention to use bulldozers and tractors should therefore be forgotten.

The graveyard is a place where lessons need to be learnt and is not a recreation field or a park where it is necessary to have solid pathways. Because the Tasbeeh made by green plants and trees benefit the deceased, cutting them down is prohibited. There is, of course, no harm in doing so if the plants are dry and the trees wilted.

There is also no harm in clearing pathways between the graves when they are an obstacle for visitors. And Allaah knows best what is most correct.

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