

Demolishing Graves

By

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We have used some of the translation of Ali Hasan Khan.

Please note according to the hanafee scholars the usage of the word makrooh here denotes something that is unawful and prohibited. (Refer to *Radd al-Mukhtaar* (1/429), *al-Bahr ar-Raa'iq* (2/19) and *Fath ul-Qadeer Sharh Hidaayah* (2/114). *Tasreeh Haashiyyah Talweeh* (pg.27) quotes from Imam Abu Haneefah and Imaam Muhammad Shaybaanee that according to them makrooh here means and denotes something that is haraam and prohibitively disliked.

1. Shaikh Abdul Qadir Jeelaanee [561H]

"The grave should be a handspan above the ground....however it is makrooh (prohibitively disliked) to make the grave with mortar." (*Ghuniyyatut-Taalibeen* (pg.640))

2. Imam Abu Haneefah [150H]

His student Imam Muhammad Shaybaanee said, *"We do not see to increase more than what has been taken out from it (ie the soil for the grave) it is rebuked to build the grave with mortar, or to plaster it with soil, or to put a landmark on, or to make a masjid near it or to write on it, then all of their affairs are prohibited. similarly it is also prohibited to build them with solid bricks or to put bricks inside. There is also no harm in sprinkling water over*

them and this is the statement of Abu Haneefah." (Kitaab al-Aathaar (pg.126)

3. Imaam Ibraaheem an-Nakaa'i [96H]

"It is narrated from Ibraaheem an-Nakhaa'i that he would consider it to be makrooh (prohibitively disliked ie unlawful in this context) to put a mark on a grave, to use solid bricks in the sidewall of the grave and or to build the grave."

4. Imam Muhammad Shaybaanee [189H]

Muhamamd ash-Shaybaanee said, "Abu Haneefah informed me that he said one my Shaikhs said to me whilst transmitting it to the Prophet (ﷺ) that he prohibited us from squaring the grave and from making the grave solid (ie with bricks, mortar, cement or plastering) Muhammad Shaybaanee said we take this and so does Abu Haneefah." (Kitaab al-Aathaar pg.251, also refer to his book Kitaab al-Asal (1/422), and his al-Jaam'e as-Sagheer (pg.118)

5. Allaamah Mahmood Aloosee [1270H]

He writes, "There is consensus that from the most haraam things and that which leads to shirk is praying near tombs, making masjids or structures over them. Therefore it is obligatory to destroy such structures or domes that have been erected over graves as they are more destructive than masjid ad-

Diraar because they have been established in disobedience to the Messenger of Allaah (ﷺ)" (Rooh al-Ma'anee (15/238)

6. Allaamah Marghinaanee Hanafee [593H]

He is the author of al-Hidaayah, he says, "*Using solid bricks and wood on graves is prohibited because elements are for making solid structures whereas graves are desolate.*" (Hidaayah (2/100) with Fath ul-Qadeer)

7 & 8. Allaamah Ibn al-Humaam [821H]

He said, "*Abu Haneefah said it was prohibited to make structures over graves.... and Abu Yoosuf also considered it to be prohibited to write on the graves. This is because the Jaabir narrates from the Messenger of Allaah that he said, "Do not make graves solid neither make structures over them, nor sit on them or write on them."* (Fath ul-Qadeer (2/100) Sharh Hidaayah)

He also said, "*This is because of what they used to do like, elevating graves and building beautiful and elevated structures over them. We do not mean the amount (of earth) rather the amount that is needed to distinguish the grave from the normal ground.*" (Fath al-Qadeer (2/101)

9. Allaamah Abdullaah bin Ahmad an-Nasafee Hanafee [710H]

He said, "Do not make graves into squares nor make them solid."
(Kunzud-Daqaa'iq Ma'a al-Bahr ar-Raa'iq (2/194))

10 & 11. Allammah Ibn Najm ud deen Hanafee [970H]

He said in the explanation of the the words in the Kunz, "Making graves solid is prohibited from the hadeeth of Jaabir because the Messenger of Allaah said "Do not make graves solid neither make structures over, nor sit on them or write on them." (Kunzud Daqaa'iq Ma'a al-Bahr ar-Raa'iq (2/194))

He also said, "The graves should be elevated from a hand span, and it is said four fingers, and what has been transmitted in the Saheeh from Alee about the command to level the graves concerning what is more than that." (Kunzud Daqaa'iq Ma'a al-Bahr ar-Raa'iq (2/194))

12. Allaamah Qadhee Khaan Hanafee [596H]

He said, "Graves should not be made to be plastered because the Messenger of Allaah forbade us from making plastering graves, from using silver on them and from building structures over them... also because it is narrated from Abu Haneefah who said graves should be made solid nor should they be plastered or a structure to be made over them." (Fataawa Qadhee Khaan (1/93))

13. Fataawa Alamgheeree

It is stated in it, “And the grave should be made curved by a hand span, and not square, nor should they be plastered. There is no harm in sprinkling water on them, and it is Makrooh to build structures on graves, to sit or to sleep on them.” (Fataawa Alamgheeree (1/166))

14. Fataawa Tataarkhaaniyyah.

It is mentioned in this Fataawa, “The graves should not be kissed because this is the custom of the Christians.”

15. Allaamah A'laa ud deen al-Hasakafee [1088H]

He said, “And they (the graves) should not be plastered because of the prohibition against it” (Durr ul-Mukhtaar (1/125))

16. Allaamah Ibn Abideen Shaamee [1252H]

He said “As for the building on them (ie graves), I have not seen anyone opine in allowing this” (Radd ul-Mukhtaar Sharh Durr al-Mukhtaar (1/601))

16. Allaamah Aynee Hanafee [855H]

He said, “And they should not be coated with plaster, nor should any structures be built over them, because this is for (making the graves) solid and

for beautification.” (Rumz al-Haqaa'iq Sharh Kunz (1/67), also al-Binaayah Sharh Hidaayah (3/302-303) of Allaamah Aynee.)

17. Allaamah A'laa ud deen al-Kasaanee Hanafee [587H]

“It is narrated from the Prophet (ﷺ) that he forbade likening the graves with the built up (urban) areas, solid (baked) bricks and wood are used for built up urban areas and because solid bricks are used for beautification, the deceased is not in need of this.” (Badai'a as-Sanai'a (1/372))

18. Qaadhee Ibraaheem al-Halabee Hanafee [956H]

He said, "The Three Imaams (Abu Haneefah, Muhammad Shaybaanee and Abu Yoosuf) said it was makrooh to plaster graves or to cover the graves with clay due to the Haddeth of Jaabir..... is transmitted from Abu Haneefah that he said it is Makrooh to build structures like houses, domes or things similar to them because of the aforementioned Hadeeth.” (Halabee al-Kabeer (pg.599))

19. Allaamah Siraaj ud deen Hanafee [773H]

He said, “It is Makrooh (prohibitively disliked ie unlawful) to build on graves.” (Fataawa Siraajiyah (pg.24))

20. Allaamah Abu Layth Samarqandee [373H]

He said, "It is Makrooh to plaster graves, to cover them with clay, to build on them, to write on them or to mark them by putting a sign on them."
(Fataawa an-Nawaazil (pg.82)

20. Allaamah Ahmad bin Muhammad al-Qadooree Hanafee [428H]

He said, "And using Solid (baked) bricks and wood (on graves) is Makrooh" (Qadooree (pg.60)

21. Allaamah Abu Bakr ibn Ali al-Haddaad al-Yamanee [800H]

He said, "It is Makrooh to, envelope graves with clay, to plaster them, to build on them, to write on them because of his (The Prophet's (ﷺ)) statement, "Do not do plaster graves, do not build on them and do not sit on them."" (al-Jawhirrah an-Nayrah (1/133)

22. Allaamah Ubaidullah ibn Mas'ood Hanafee [747H]

He said "And using solid bricks and wood is prohibitively disliked"
(Sharh Waqayaah (1/240)

23. Allaamah at-Tahtawee [1231H]

“The three (Imaams Abu Hanefah and his two students) said they (ie the graves) should not be plastered because of the saying of Jaabir that the Messenger of Allaah forbade doing this...And the prohibition by the Prophet (ﷺ) indicates what they have mentioned is Makrooh Tahrimee (prohibitively disliked as to being unlawful)” (In his notes to Maraqee al-Falaah A'la Sharh Noor al-Aydah (pg.335)

24. Allaamah Sayyid Murtadha az-Zubaydee [1205H]

He said, "The mentioning of the narration that shows it is Makrooh to plaster graves." (Uqood al-Jawaahir al-Muneefah Fee Adillah Madhab al-Imam Abee Haneefah (1/103).

25. as-Sarkhasee Hanafee [571H]

He reports from the Prophet (ﷺ) that he, “He (The Prophet (ﷺ)) forbade plastering graves” (Mabsoot (2/62)

26. Qadhee Ibrahim Hanafee

He said, “And the domes built over graves, it is obligatory to destroy them because they have been built in disobedience and opposition to the Messenger , and every construction that is built in disobedience and opposition to the Messenger deserves more to be destroyed than the mosque of Dhirar.” (Majalis ul-Abraar (pg.129)

27. Allaamah A'la ud deen as-Samarqandee [539H]

He said, "The Sunnah concerning the grave is that it should be slightly curved and not square, it should not be enveloped with clay, nor plastered, and Abu Haneefah held to be Makrooh to build on graves." (Tuhfatul Fuqaha (1/400)

28. Allaamah A'laa ud deen Turkamanee [745H]

He said, "The graves are to be levelled as done per usual." (al-Jawhar an-Naqee A'la Baihaqee (4/3)

29. Allaamah Hasan ash-Sharnublaalee Hanafee [1069H]

He said, "Using solid bricks and wood is prohibitively disliked (ie Makrooh Tahreemee)(ie using them on graves)... it is haraam to build on graves for beautification and it is prohibitively disliked if it is done to (make the grave) solid after burial" (Noor al-Aydaah Ma'a Tarjamah Noor ul-Isbaah (pg.153)

30. Qadhee Thanaullah Pani Pati Hanafee [1225H]

He writes, "and what which is practiced at the graves of saints that they build high structures, the lighting of lanterns or anything else that they do synonymous to these matters are all Haraam and are prohibitively disliked." (Mala Bud Minhu (pg.67)

31, 32, 33 & 34. Allaamah Mulla Alee Qaree [1014H]

In explanation of the Hadeeth mentioning innovation of misguidance, he said, “And this is what the Imams of the Muslims shunned like the building on graves and plastering them.” (Mirqaat Sharh Mishkaat (1/414)

He also said, Shaikh Mulla Alee Qaree in explanation of the hadeeth, “They have taken the graves of their apostles as places of worship” The reason for being cursed is because they would prostrate to the graves of the prophets in veneration, and this is clear and open shirk. They would to pray to Allaah at the places where the Prophet’s (ﷺ) were buried. They would prostrate on their tombs and they would face their graves whilst being in a state of prayer thinking that they are worshipping Allaah. Thereby Exaggerating in the veneration of Prophet’s (ﷺ) and that is hidden shirk. It contains veneration of the creation which has and there is no authorisation for. The Prophet (ﷺ) forbade his Ummah from doing this as it is the practice of jews, It contains hidden shirk and this is what some of the comenetaors from ours Imaams have said.” (Mirqaat, Sharh Mishkaat (2/ 202])

Mulla alee Qaaree also said, “Oh Allaah do not make my grave an idol” Meaning Oh Allaah do not make my grave like an idol which people venerate, or a place place of frequent visitation, or greeted with the

prostrations, Like we hear and we see nowadays in some of the shrines (and tombs) that we witness.” (Mirqaat Sharh Mishkaat (2/228)

He also said, “It is cited in al-Azhaar, (He the Prophet (ﷺ)) forbade the plastering of graves due to prohibition, to make structures (over graves) is to plaster them. This forbiddance of erecting structures is even so if the individual is the owner (of the land) and it is Haraam if the shrine is common and in the open. It is therefore obligatory to demolish them even if it is a masjid.” (Mirqaat Sharh Mishkaat (3/1217)

35. Imaam Shaafi'ee [204H]

He said, "I did not see the graves of the Muhaajireen or of the Ansaar to be plastered (ie solid). The narrator (Tawoos said) said from the Messenger of Allaah he forbade the building of structures over graves and from plastering graves (in order to make them solid)... I have seen the leaders demolishing the structures built over graves in Makkah and i did not see the jurists (Fuqaha) eprimand them for this." (Kitaab al-Umm (1/277)

36. Imaam Muzanee [264H]

It is narrated from him that he said, "Structures/domes should not be built over graves neither should they be plastered (in order to make them solid)" (Mukhtasar al-Muzanee (no.37)

37. Imaam Nawawee [677H]

He said in explanation of the hadeeth of Jabir, "Nonetheless building structures over graves if the the place belongs to the one who is building the structure then it is prohibited and it is if is a generally in the open then it is Haraam as texts from Imaam Shaafiee and his followers elucidate. Imaam Shaafi'ee said in *al-Umm*, "I have seen the Imaams of Makkah they would instruct the demolition of structures built over graves and they would present the (the hadeeth of the Prophet (ﷺ)) in support for their demolition, "Do not see a grave except that it is level with he ground." (Sharh Saheeh Muslim (7/32), Study Edn. (1/312), refer also to *al-Majmoo* (5/296)

38. Allaamah Ibn Hajr al-Haithamee Makkee [974H]

He said, "It is obligatory to to destroy and flatten the high graves and the structures and domes build over them." (*az-Zawaajir Fee Iqtiraab al-Kabaa'ir* (pg.163)

39. Allaamah Abdul Wahhaab ash-Sha'araanee.

He said, "The Prophet (ﷺ) prohibited plastering graves (ie making them solid) and from sitting on them." (*Kashf al-Ghummah Ann Jamee'a al-Ummah* (1/149)

40 & 41. Shaikh Abdul Haqq Dehlawee Hanafee

He said, "The grave should not be touched with the hands nor be kissed. One should also not bow towards the grave and neither should he rub or place his face on the earth (of the grave) as this is the custom of the Christians." (Isha'ah al-Lama'at Sharh Mishkaat (1/763)

He also said in another place, "It is unlawful and prohibited to kiss the graves, to prostrate towards them and to put your cheeks on them. Someone has narrated it is permissible to kiss the grave of your parents, however what is correct and authentic is not to kiss the graves." (Mudarrij an-Nabuwwah (2/424)

42. Allaamah Mujadid ud deen Fairozabaadee [817H]

He said, "They (The Salaf) would not raise the graves or build them with bricks. Nor would they make structures or domes over graves. All of these affairs are innovations which are prohibited and they oppose the way of the Prophet (ﷺ). As he sent Alee Ibn Abee Taalib and said to him to destroy all the images and level all the graves to the ground. He also forbade building masjids over graves and from putting light (lanterns) over the graves and he cursed such actions." (Safar as-Sa'adah A'la Kashf al-Ghummah (1/183)

43. Shaikh Mujaddid Alf Thanee Hanafee

He said, "He (prohibitively) disliked that graves be kissed." (Zubdatul Maqaamaat (pg.210)

44. Shaikh Qutb ud deen Dehalwee Hanafee

He said, "The grave should not be touched nor be kissed. Similarly one should not bow towards the grave or rub his face on the earth of the grave as this is the habit and custom of the Christians." (Mazaahirul Haqq (2/85))

45. Imaam Sufyaan ath-Thawree [161H]

He would say it is impermissible to make houses, a masjid or to farm land over graves. (Mu'assasah Fiqh Sufyaan ath-Thawree (1/681-682), Musannaf Abdur Razzaaq (3/506))

46. Imaam Kaysaan

Imaam Tawoos transmits from his Father, Kaysaan he would prohibit the building of structures over graves or to plaster them. (Musannaf Abdur Razzaaq (3/506 no.6493))

47. Imaam Tawoos ibn Kaysaan [106H]

He said in reply to Nu'maan ibn Shaybah, "Do you not know The Prophet (ﷺ) forbade us from building structures over graves, plastering them (to make them solid) or to curtain them off, verily your best grave is that which is unknown." (Musannaf Abdur Razzaaq (3/506 no.6495))

48. Imaam Hasan al-Basree [110H]

He would say it is *prohibited and makrooh* to cover the grave with clay and to plaster to them (in order to make them solid)" (Mu'assasah Fiqh al-Hasan al-Basree (2/773), Musannaf Ibn Abee Shaybah (3/29), al-Muhalla (5/133)

49 & 50. Allaamah al-Hajaawee Hanablee and Allaamah al-Buhootee Hanablee

They said, "The grave should be a handspan from the ground because the Prophet's (ﷺ) grave was also a handspan from the ground. as-Saajee has transmitted via the hadeeth of Jaabir it is makrooh to have the grave more than a handspan.... It is also prohibited to plaster the grave, to shape it and to beautify it with ornaments. It is an innovation to build structures over graves whether they are level with the graves or not due to what Jaabir narrates from the Messenger of Allaah (ﷺ) that he forbade the plastering of graves, sitting on them and from building structures over them. This is narrated by Muslim."(ar-Rawdh al-Murab'e Bi-Sharh Zaad al-Mustaqn'e (1/104-105)

51. Allaamah Ibn Qudaamah al-Maqdisee [620H]

He said, "It is prohibited to make structures over graves, plastering them and putting a headstone with writing on it because Imaam Muslim has transmitted in his Saheeh the the Messenger of Allaah (ﷺ) forbade the plastering of graves (with the intention of making them solid) and building over them. Imaam Tirmidhee added "and also writing o them (ie the

headstone) and said this hadeeth is *Hasan Saheeh* and the prohibition is due that such is beautification and the deceased is not in need of it." (*al-Mughnee* (3/439))

52. Allaamah A'laa ud deen al-Mardawee

He said, "It is *makrooh* to plaster graves, to build on them and to write on them. Plastering graves (to make them solid) is *makrooh* without any difference of opinion. Similarly putting a headstone, to shape it and to beautify it with ornaments are all innovations. Nonetheless erecting structures over graves is *makrooh* according to the correct madhab whether the structures is level with the ground or not." (*al-Insaaf Fee Ma'arifah ar-Raaj'e Min Khilaaf A'la Madhab al-Imaam Ahmad bin Hanbal* (2/549))

53. Qaadhee Abu Shuj'ah al-Asfahaanee

He said, "Structures should not be built over graves and nor should graves be plastered (for them to be made solid)" (*Matn al-Ghaayah Wat-Taqreeb* (pg.14))

54 & 55. Allaamah Ibn Rushd al-Qurtubee [595H]

He said, "Imaam Maalik and Imaam Shafi'ee said it is *makroob* to plaster graves (in order to make them solid)" (*Bidaayahul-Mujtahid* (1/449))

He also said, "So it is prohibitively disliked to pass (by the grave alot) and thereby sending salutations upon him. Similarly regular visitation of the grave and sending salutations there may transform it into a masjid. The Messenger of Allaah (ﷺ) forbade us from this with his saying, "Oh Allaah, do not make my grave an idol." (al-Bayaan Wat-Tahseel (18/444-445)

56. Allaamah Abu Mudhaffar ibn Habeerah

He said, "(The 4 Imaams) are unanimously agreed it is makrooh ie prohibitively disliked use raw bricks on graves..." (al-Ifsah Ann Ma'aanee as-Sihaah Fil-Fiqh Alal Madhab al-Arba'a (1/156)

57. Allaamah Qaadhee A'yaadh [554H]

He was asked about people of Madeenah who stand by the grave once a day or more, and they send salutations and make supplicate for a while. He said, "I have not heard this from any of the people of fiqh, and nothing is good for the latter part of this ummah except that which was good for its first part. I have not heard from the people of the earlier period of this ummah that they used to do that." (ash-Shifa Bit- Ta'reef Huqooq al-Mustafaa (2/676)

58. Imaam Maalik [179H]

He said "It is makrooh to plaster graves and to build structures over them." (al-Muduwwanah al-Kubraa (1/170)

59. Abul Hasan Moosaa Kaadhim [183H]

He said, "It is not correct to build structures over graves or to sit on them, to plaster them or to put clay on them." (Tahdheeb ul-Ahkaam (1/461), al-Istabsaar (1/2187

60 & 61. Imaam Ja'afar Saadiq [148H]

He said, "The Messenger of Allaah prohibited praying on graves, sitting on them and making structures over them." (Tahdheeb ul-Ahkaam (1/461), al-Istabsaar (1/482)

He also said, "Do not build structures over graves..." (Tahdheeb ul-Ahkaam (1/461)

62. Allaamah Muhammad bin Jamaal ud deen [786H]

He said, "A grave should be 4 fingers high from the face of the ground."

63. Allaamah Abu Ja'afar Toosee [460H]

He said, "The grave should be made 4 fingers high from the ground and no addition earth should be put back than what was originally removed. There is consensus that it is prohibitively disliked (ie Makrooh Tahreemee) to plaster graves and to make structures over permissible places....It is also

makrooh to renovate and to restore a graves after they have deteriorated." (*al-Mabsoot al-Fiqh al-Imaamiyyah* (1/187).

64. The Hanafee book 'Sharh Jaam'e Sagheer' mentions, "Graves should not be touched nor kissed because this is the habit and custom of the Christians."

65. The Hanafee book 'al-Mudhmaraat' mentions, "Graves should not be kissed as this a custom of the Christians."

And many more