

WHAT TO DO AFTER A DEATH

A PRACTICAL GUIDE

FOR MUSLIMS

1. Introduction

The death of someone in the family or of close relatives or friends is often a time of great stress and emotion.

Quite often people are not familiar with what to do, either from a religious point of view or in terms of the practical steps that need to be completed to bury one's loved ones.

This information is intended to address the above needs.

The practical steps that are covered relate to the paperwork which needs to be completed to meet legal requirements, and to organizing the funeral itself.

To enable the burial to take place as quickly as possible we need to comply with the formalities of the law of Ontario, which requires that the death is certified and registered and the body properly taken care of, by burial.

The brief details described below gives you help and guidance about what to do from the moment of a person's death. For example, you will have to get a Medical Certificate of Death showing the cause of death, get the death registered, and arrange the funeral.

What is most important to realize is that if you are unsure about any aspect, or if you need help and support, members of the extended family, close friends and your local mosque/funeral director are always available to help and consult.

It is the practice, on hearing of a death of a fellow Muslim, to recite the following brief prayer:

Innaa lillayhi Wa Innaa Ilayhi Raaji'oon

(Verily we belong to Allah and will return to Allah)

2. Expected death

If the death was expected, contact the doctor who attended the deceased during their final illness.

If the doctor can certify the cause of death he or she will give you a Medical Certificate of Death (Form 16) that shows the cause of death (this is free of charge).

3. Expected death in hospital

If the death occurs in hospital, the hospital staff will contact the person named by the deceased as next of kin.

If close family or friends are in hospital, it is important that you make sure that hospital staff are aware of and have recorded details of the next of kin in case of emergency.

A doctor will issue a Medical Certificate of Death, as in section 2, above.

The hospital will keep the body in the hospital mortuary until the next of kin arranges for it to be taken away. Please note that the hospital will not release the body until the Burial Permit (Form 19) is obtained from the Office of Registrar General (City of Ottawa). The process for obtaining the Form is explained below in section 10 below.

Hospital staff will also arrange for the next of kin to collect the deceased's possessions. **If you are asked for permission to do a post-mortem consult before you agree to this. As it is an expected death, doctors will only ask for research purposes. There may be differing opinions on this issue. In general, Islamic Jurists have advised that post-mortems are not permitted unless they are required by the law.**

4. Unexpected death

If you discover a body or the death is sudden or unexpected, you should contact the following people:

- The Emergency Services
- The family doctor
- The deceased's next of kin
- The local mosque/funeral director

If necessary, the police will help find the people listed above.

If the cause of death is quite clear the doctor will be able to certify the cause of death and he or she will give you a Medical Certificate of Death that shows the cause of death.

5. Unexpected death - reporting to the coroner

The coroner is a doctor or lawyer responsible for investigating deaths. In any of the following circumstances the doctor may report the death to the coroner:

- If the cause of death is unknown or uncertain
- The death was sudden and unexplained, e.g. a sudden infant death (cot death)
- The death occurred in prison or in police custody
- The death was caused by an accident or injury
- The death was caused by an industrial disease
- The death occurred while the patient was undergoing an operation or did not recover from the anaesthetic.

The coroner is likely to be the only person to certify the cause of death under the above circumstances.

6. Unexpected death - coroner's post-mortem

The coroner may arrange for a post-mortem examination of the body to determine the cause of death if not known. The consent of relatives is not needed but they are entitled to be represented at the examination. When relatives have told the coroner they wish to be represented the coroner will, if at all practicable, tell them when and where the examination will be.

If the post-mortem shows that death was due to natural causes, the coroner may issue a notification, which gives the cause of death so that the death can be registered.

7. Unexpected death - inquest

An inquest is an enquiry into the medical cause and circumstances of a death. It is held in public, sometimes with a jury. It is up to the coroner how to organise the enquiry in a way which best serves the public interest and the interests of the relatives.

The coroner will hold an inquest if the death was:

- Violent or unnatural or
- Caused by an industrial disease or
- The death occurred in prison or
- If the cause of death remains uncertain after post-mortem examination.

The coroner may give you an Order for Burial so that the funeral can take place. This may be done before the inquest is completed, provided the body is not required for further examination.

8. Stillborn babies

If a baby is stillborn (born dead after 24 weeks of pregnancy) you will be given a Medical Certificate of Stillbirth (Form 8) signed by the doctor.

The Funeral Director along with the Person responsible for the deceased will complete the Statement of Death (Form 7).

Both Form 8 and Form 7 for the stillborn must be taken to the Office of the Registrar (City of Ottawa) to obtain the Burial Permit.

If a baby is stillborn before 24 weeks of pregnancy it is treated as a "non-viable foetus". You will be given a form by the doctor recording the details of the non-viable foetus. You do not however need to register the death of a non-viable foetus with the Office of the Registrar; no other paperwork is involved.

Islamic perspective

In Islam a foetus is defined as a morsel of flesh/blood/water if less than 120 days (17 weeks) inside a mother's womb. It becomes human after 120 days (17 weeks or more).

A birth given after 120 days (17 weeks) of pregnancy that is stillborn must be given a name. If it is difficult to determine the sex of the child then a neutral name suitable for both boys and girls must be given.

Both a foetus and stillborn must be buried. It is important that you do this promptly, especially for "non-viable foetuses", because if you do not then the hospital will make arrangements for disposal/burial in a multi-faith mass grave and your baby will be denied a Muslim burial.

Appendix A includes a table that explains the requirements regarding the funeral of a foetus and stillborn.

9. Organ donations

In Islam, there are different schools of thought regarding organ donation. Consult the learned scholars (*Ulamā*) you are happy with and act according to their ruling.

10. How a death is registered

To avoid delay, the death must be registered by the Office of the Registrar General for the City in which the death occurred.

Refer to **Appendix B** for list of offices where burial permits can be obtained

You should go to the Office of the Registrar General (Ottawa City Hall) as soon as possible if you need the Certificate for Burial or the Certificate of Registration of Stillbirth. Please note that only the Office of the Registrar located at the downtown City of Ottawa office is available during weekends and holidays. The Satellite offices are open only during normal office hours (Monday to Friday).

11. What happens at the registrar's office

When you go to the Registrar you should take these two forms:

- The Medical Certificate of Death ([Form 16](#)) given by the doctor **or** the Coroner, and
- The Statement of Death ([Form 15](#))

The Registrar (Office of the Registrar General at the City of Ottawa location) who registers the death will give you the Burial Permit ([Form 19](#)).

Refer to samples of the above three [forms](#)

The above mentioned Burial Permit gives permission for the body to be buried. No burial can take place at the cemetery without presenting the form to the cemetery staff.

12. Funeral arrangements

As soon as you have the right documents for burial, or are sure of getting the documents by a particular time, you must plan the funeral.

You must have a Burial Permit (Form 19) otherwise a burial cannot take place. The process for obtaining the document is explained above.

There are five main points for the preparation of a Muslim's body for burial as listed below:

- Body Washing or Ghusul
- Shrouding the body - Kafn
- Funeral Prayers (Janāzah Salāh)
- Funeral procession (carrying the funeral bier to the grave)
- Burial

The practical aspects of arranging funerals cover:

Making arrangements for Ghusul

Arranging transport of the body (from wherever it is being kept to the place where Ghusul is to take place, to the home of the family if required, to the mosque if Janāzah Salāh is to take place there and then finally to the cemetery)

Making arrangements with the cemetery

You can arrange all or any of the above either through your local mosque or through a Muslim funeral director (The Ottawa Muslim Association, Masjid Bilal, Jami Omar and SNMC all have washing facilities and perform the duties of a funeral director in the context of preparing and transporting the body for burial, thus these two organizations in Ottawa are referred to as Muslim Funeral Directors). You can if you have the knowledge do any or all of the above yourself with help from friends and family.

Also find out if the person who died had already made arrangements for burial in a particular cemetery by checking their will and/or looking through their documents.

13. The religious importance of burying quickly

In accordance with Sharee'ah, burial should not be delayed on any account or for the arrival of family members or for any other reason.

Rasulullah (s.a.w.) has emphasised:

"Make haste in burying the deceased (mayyit): because if it is the Janāzah of a pious servant, then enjoin this goodness with its station quickly; and if it is the Janāzah of an evil person then quickly dispose of such a load from your shoulders." (Bukhari, Muslim, Aboo Dawood, Tirmizi, Nasa'ee, Ibne Maajah)

Islamic scholars have stated:

"If a person dies on a Friday, it is better to make all arrangements and bury the deceased before the Jumu'ah congregational Salāh. Delaying funeral with the thought that there will be many more participants in the Janāzah Salāh after Jumu'ah is undesirable (makrooh)." Moreover, the blessings and forgiveness for the deceased that will be acquired in a few (even though it be a handful) attending the funeral prayers before Jumu'ah in accordance with the command of Rasulallah (s.a.w) is more worthy than delaying the funeral prayers for later, notwithstanding the greater number of participants likely to attend.

14. How to perform the funeral prayers (Janāzah Salāh)

See article on [Islamic Funeral Rites and Practices](http://www.muslimcemetery.ca) on this website: www.muslimcemetery.ca

APPENDIX A – TABLE EXPLAINING GHUSUL, KAFN AND JANĀZAH SALĀH REQUIREMENTS FOR STILLBORN BABIES

	Ghusul	Kafn	Name	Janāzah Salāh
120 days and under (foetus)	No	No, wrap in a piece of cloth	No	No
120 days and under but signs of limb formations visible (hands, legs, feet, nose, mouth etc)	Yes	No, wrap in a piece of cloth	Yes	No
From 120 days and up to stillbirth	Yes	No, wrap in a piece of cloth	Yes	No
At time of birth should only the head emerge and signs of life were noticeable before death	Yes	No, wrap in a piece of cloth	Yes	No
At time of birth if more than half the body emerges and the child lives before dying *	Yes	Yes	Yes	Yes
* Half the body implies emergence of the top torso up to the chest if a head first delivery and up to the naval if feet first delivery.				

APPENDIX B – REGISTRAR OF DEATHS

<p>City of Ottawa Main Office 10 Laurier Avenue West, Ottawa, Ontario, K1P 1J1 Telephone: 613-580-2400 24- hour service, 7 days a week is available. Outside of office hours, inform the security guard at main door that you wish to obtain a burial-permit. You will be escorted to an official</p>
<p>City of Ottawa Service Centre Orléans Client Service Centre, 255 Centrum Blvd., Suite 11. 8.30 a.m. to 4.30 p.m., Monday to Friday.</p>
<p>City of Ottawa Service Centre Ben Franklin Place Client Service Centre, 101 CentrepoinTE Dr., Nepean 8.30 a.m. to 4.30 p.m., Monday to Friday</p>
<p>City of Ottawa Service Centre Kanata Client Service Centre, 580 Terry Fox Dr., Kanata. 8.30 a.m. to 4.30 p.m., Monday to Friday.</p>

APPENDIX C

Statement of Death – [form 15](#) (Form 7 for Stillborn)

Medical Certificate of Death – [form 16](#) (Form 8 for Stillborn)

Burial Permit – [Form 19](#)

