



Pakistan: Parents padlock graves of deceased daughters to prevent necrophilia

## Description

**“The prophet of Allah took off his gown and put it on Om Ali and slept with her in her grave and they kicked dirt on him, saying: ‘Oh messenger of Allah, we saw you do something no one else has ever done.’ He said: ‘I dressed her in my gown, so she can wear the gowns of paradise and I slept with her in her grave to relieve her of the torments of the grave.’” (*Kanz al-‘Ommal in Sunan al Aqwal wa al-Af’al*, vol. 16, p. 158)**

“There is no need to rewash a dead woman if her husband has sex with her after she dies....And there is no punishment for anyone who has sex with a dead woman or limits sex to sex with a dead woman.” (Abd Al-Hameed Al-Sharawani, *Howashi al-Sharwani* (Al-Qubra, Egypt: Al-Maktabah Al-Tojariah, 1983, vol. 1, p. 263)

“There is no restriction against sex with a dead woman or an animal.” (Mohammad Al-Sherbini Al-Khateeb, *Al-Iqna3 fi Hal al-Faz: Abu Shoja’a* (Beirut: Dar al-Fikr, 1994, vol. 2, p. 521)

“Anas said: ‘I was present when the daughter of God’s messenger was being buried. He was sitting beside the grave and I saw his eyes shedding tears. He then asked, “Is there any of you who did not have sexual intercourse last night?” Abu Talha replied that he had not, so he told him to go down into her grave, and he did so. Bukhari transmitted it.’” (*Mishkat al-Masabih* 1715)

“Shafi’i, Hanbali, and Hanafi books reveal: Sexual intercourse with a dead wife is ‘not adultery,’” translated from “??? ?????????? ?????????? ?????????? ????: ??? ???? ???? “??? ???” [Youm 7](#), September 21, 2017:

The assertions of Sheikh Sabri Abdel-Raouf, the author of the fatwa on sexual intercourse with a dead wife, that it was not a fatwa but rather transmitted from the books of the previous imams, prompted “Youm 7” to search for the origin of these old books, and the surprise was, that the man did not state his own opinion, but rather quoted from the books, as he has already said.

We searched for his first book, “Explanation of the Short Description of Al-Khalil in Maliki Jurisprudence.” The matter was easy: in a search of “the chapter on adultery” and what is related to it, which defines the idea of “adultery” and what are the matters related to it, and who should be subject to the hadd punishment, the text was as follows: “As for the husband, if he intercourse with his wife after her death, before or after her, then there is no punishment for him.”

So this is the first text that Sheikh Sabri Abdel Raouf told us, upon which he based his statement or fatwa, the husband who had sex with the wife after her death, in any way, it is not adultery, and the hadd is not applied!

As for the book “Jahd al-Muhtaj fi Sharh al-Minhaj” by the Shafi’is, it also said: “There is no restriction upon sexual intercourse with a dead person, according to the more correct view.” The footnote commented: “There is no restriction upon sexual intercourse with a dead person, according to the more correct view, because this is something that is alienated from nature, and the perpetrator shall be reprimanded or punished.”

Here the Shafi’is are more clear. Rather, this is what Sheikh Sabri Abdel Raouf said, that it is an act that is not in the nature of humans, and they resent it, and likened it to drinking urine, so there is no need to put a general punishment, rather it is a punishment that is left to the ruler.

In the book *Al-Mughni* by Ibn Qudamah, he said that the matter has two sides, one of which is that it is forbidden, and one of them is that it is not subject to a prohibition, which is the stance of Abu Hanifa and Al-Shafi’i, meaning that Ibn Qudamah Al-Maqdisi here says that Abu Hanifa and Al-Shafi’i said that it is not forbidden.

It was not difficult to find the books on which Sheikh Sabri Abdel Raouf relied. It was an easy matter. The books of the Hanafi, Shafi’i, and Maliki schools of jurisprudence said it, and it is a larger issue than the professor at Al-Azhar University, it is a “case of old books” with everything in them.

“Moroccan Cleric Abd Al-Bari Al-Zamzami: Husbands May Have Sex with Dead Wife’s Corpse; Women May Use Carrots as Vibrators,” [MEMRI](#), March 24, 2012:

*Following are excerpts from an interview with Moroccan cleric Abd Al-Bari Al-Zamzami, a member of the International Union of Muslim Scholars, and from an address delivered by Al-Zamzami. The interview was posted on the Internet on May 11, 2011 and the address on March 24, 2012....*

**Abd Al-Bari Al-Zamzami** : A few days ago, I was asked by the *Al-Sabbah* newspaper about men who have sex with their dead wives. The truth is that this question took me by surprise, and I asked the journalist whether there really are people who do this deplorable and disgraceful act, which is not to be expected from a normal, balanced person. Only a mentally or psychologically unbalanced man would do such a thing.

In any case, I do not have the right to prohibit things. *Fatwas* are not shaped according to one's will or whim. Rather, they reflect the law of Allah.

[...]

Therefore, I do not have the right to prohibit that act merely because I consider it deplorable.

[...]

The evidence I relied upon in this case was that a wife's death does not sever her relations with her husband. A wife's death does not sever her marital relations with her husband. She remains his wife *post mortem*, in the Hereafter, just as she was his wife in her lifetime.

[...]

It is perfectly clear that marital relations are not severed by a wife's death. She remains her husband's wife. This being the case, the husband has the right to do whatever he wants with her. For instance, he may kiss her. It is common for a husband to kiss his wife after her death, out of love and sorrow. This is something that is done, and there is nothing wrong with it.

[...]

The fact that such an act is permissible does not make it commendable or even acceptable. Having sex with your wife's corpse is permitted but not commendable.

"Egypt's women urge MPs not to pass early marriage, sex-after-death laws: report," by Abeer Tayel, Al Arabiya, April 25, 2012:

Egypt's National Council for Women (NCW) has appealed to the Islamist-dominated parliament not to approve two controversial laws on the minimum age of marriage and allowing a husband to have sex with his dead wife within six hours of her death according to a report in an Egyptian newspaper.

The appeal came in a message sent by Dr. Mervat al-Talawi, head of the NCW, to the Egyptian People's Assembly Speaker, Dr. Saad al-Katatni, addressing the woes of Egyptian women, especially after the popular uprising that toppled president Hosni Mubarak in February 2011.

She was referring to two laws: one that would legalize the marriage of girls starting from the

age of 14 and the other that permits a husband to have sex with his dead wife within the six hours following her death....

The controversy about a husband having sex with his dead wife came about after a Moroccan cleric spoke about the issue in May 2011.

Zamzami Abdul Bari said that marriage remains valid even after death adding that a woman also too had the same right to engage in sex with her dead husband....

But it seems his view on partners having sex with their deceased partners has found its way to Egypt one year on.

Egyptian prominent journalist and TV anchor Jaber al-Qarmouty on Tuesday referred to Abdul Samea's article in his daily show on Egyptian ON TV and criticized the whole notion of "permitting a husband to have sex with his wife after her death under a so-called 'Farewell Intercourse' draft law."

"This is very serious. Could the panel that will draft the Egyptian constitution possibly discuss such issues? Did Abdul Samea see by his own eyes the text of the message sent by Talawi to Katatni? This is unbelievable. It is a catastrophe to give the husband such a right! Has the Islamic trend reached that far? Is there really a draft law in this regard? Are there people thinking in this manner?"...

"Taliban has sex with dead bodies, reveals Afghan woman who came over to India," OpIndia, August 22, 2021:

A woman who has come over to India from Afghanistan has revealed that Taliban has sex with dead bodies. The woman, called Muskan by [News18](#), worked in the police force in Afghanistan and has come to India due to fear of the Taliban and lives in New Delhi....

She continued, "They rape dead bodies too. They don't care whether the person is dead or alive... Can you imagine this?" Muskan said that if any woman worked for the government, they would suffer a terrible fate....

"Pakistan: Unidentified men dig up the grave of a teenage woman and rape her corpse, 17 accused being interrogated, investigation underway," OpIndia, May 7, 2022:

On May 5, Thursday, some unknown men dug out the corpse of a teenage girl and raped it in the Chak Kamala village in Gujrat, Pakistan....

"Unsafe in Graves," Daily Times, April 28, 2023:

That a woman is raped every two hours in a country taking great pride in its family-oriented values has been hammered to the point of repetition in our collective conscience. But the heart-wrenching sight of padlocks on the graves of females is enough for the entire society

to hang its head in shame and never dare to look at the so-called vessels of honour. This is being done as a desperate bid to ensure the sanctity of dead bodies in case some randy monsters cherry-pick them to satiate their lust. Considering the rampant rise in necrophilia, one can't help but understand the urge to protect loved ones.

After all, what is the worth of a woman in a sexually frustrated society other than an easily accessible toy whose limbs can be twisted at the pettiest of whims?...

BY ROBERT SPENCER

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**Date Created**

05/02/2023