

## FATWA

### The Time of Death and paying Inheritance.

**Q.** I always thought that the time of death has been written and is final when the rooh (soul) was created, until a few days ago one scholar told me that it is not the case. The time of death can be changed with duas or by someone's nazir (evil eye) or with black magic.

It is obligatory for the relatives of a deceased person to pay off his debts urgently, now in a situation where the deceased has left more than enough wealth to pay off his debts and that wealth is in the widow's control and she is hesitating/delaying/postponing to pay off the debts while his other immediate relatives want to pay off the loan immediately although they have no control of the deceased's wealth from where the debts were to be paid off, now in this situation the burden will still be on the deceased or on his widow?

When people come to claim a debt from a deceased person what the relatives of the deceased have to do in order to make sure that the claim is genuine in case where there is no written proof found.

**A.** The time of death has been fixed by Allah and no one can escape it when that time arrives. Allah says in the Holy Quran (7:34).

'Every one has a fixed term. When their fixed term arrives, they cannot delay it an hour nor can they bring it forward.

This fact is also borne out in many other verses of the Quran and traditions of the Holy Prophet (S.A.S.) that the time of death is fixed by Allah.

With respect to this time (i.e. of death) being changed with duas, evil eye or black magic, these are not established in the traditions.

There is a hadith recorded by Imam Tirmizi from Salman (R.A.) who says that the Prophet (S.A.S.) said, 'Nothing returns or restrains the decree (Qaza) except Dua (supplication) and nothing increases in age except goodness and righteousness'. (Imam Tirmizi says that this hadith is good).

While explaining this tradition, the scholars have stated that whatever is decreed for man is known to Allah alone. No one knows what good or bad, may be fall him. Similarly, the appointed time for one's death is also known to Allah alone. As such, no one can say whether his/her time has been extended or shortened since this knowledge is only with Allah. In the same manner, no one can claim that his/her (Qadr/Qaza) decree has been changed since this is known only to Allah.

It should be understood that man is surrounded by his/her decree and cannot escape it. Whichever direction he goes to, he will fall within the decree of Allah. As such when a misfortune touches man, he is given the choice to either pray to Allah for its removal or to leave off praying. In both cases a decree has been written, if he prays, Allah shall remove his misfortune and if he leaves off pray then his misfortune would remain. Whichever direction he turns to, he is still within the borders of his Qadr (Decree).

Having said this, the explanation of the above hadith is that the word 'Qaza' refers to those harmful things

which a person fears and he wishes that they may not befall him. In this case when he is given the ability to supplicate, Allah protects him from these misfortunes and changes the person's state. However these are within the decree of an individual. In this case the word 'Qaza' in the hadith is used in a figurative sense, since the answering of a person's dua is in conformance to his expectation of his bad state being changed to a good one. (i.e in the eyes of a person, he thinks that his Qadr has been changed, although it is still within the Qadr (decree) of Allah.)

The word 'Qaza' in the hadith can also be used in its true and actual sense. In this case the hadith means that the dua helps and eases one's decree, to the extent that a person thinks that no misfortune has befallen him, (although it has actually befallen him). It is in this connection Imam Tirmizi has quoted the hadith of Ibn Umar (R.A) which states that 'Dua brings benefit to that which descends and to that which does not descend'. (Tuhfatul Ahwazi – Commentary of Jamiut Tirmizi)

The hadith goes further to state that 'and nothing increases the age the age except goodness'. (kindness and obedience to Allah). Here also the scholars have stated that the word 'increase' can be used in its true and actual sense and it can also be used in its figurative sense.

In its true and actual sense, it means that being kind to others and being obedient to Allah can bring about an increase in one's age. However, this increase also falls within the Qaza/Qadr (decree) which has been written for a person. Allah says in the Holy Quran, 'And no aged man is granted a length of life nor is a part cut off from his life, but is in a book.' (35:11)

While explaining this topic, the scholars have written that 'Sometimes it is written about a person that if he performs Hajj he would live until sixty years and if he does not perform Hajj, he will live until forty years'. (Maalimul Tanzeel). In other words, no one can escape the time which Allah has fixed for him and this knowledge is known only to Allah.

In the figurative sense, the word 'increase' refers to the meaning that one's life will be filled with a great amount of blessings to the extent that he would accomplish in his lifetime that which others would not accomplish. Allah would make his tasks easy for him so that he would complete a great amount of work in a short time. (In this way, it looks as if he was given a long life).

The above was an explanation regarding the effects of dua on one's decree, no mention has been made in the hadith nor in its commentary regarding the time of a man's death being changed through dua.

As far as the effect of 'Nazar' 'bad eye', 'evil eye' is concerned, there is a tradition recorded by Imam Tirmizi from the hadith of Abdullah bin Abbas (R.A) who says that the Messenger of Allah (S.A) said, 'Had there been anything to precede (outstrip) Qadr (decree), it would be the 'Nazar' (bad/evil eye). (Imam Tirmizi says that this hadith is sound and good. The hadith has also been recorded in Sahih Muslim, Muatta, Ibn Majah, Musnad of Imam Ahmad).

The hadith tells us that if there was anything to affect one's Qadr (decree) it would have been the 'Nazar', however, since there is nothing that can affect one's Qadr, Nazar would not be able to affect it.

While commenting on this hadith, Hafiz Ibn Hajar Asqalani, the great commentator of Sahih Al Bukhari says, 'This hadith shows in an exaggerated manner the harmful effects of bad/evil eyes (Nazar), not that it is capable of changing one's Qadr (decree). (Fathul Baari-Commentary of Sahih Al Bukhari).

There is no mention in the hadith nor in its commentary regarding 'someone's nazar' changing another

person's time of death.

With respect to black magic, this too has an effect on a person like that of nazar, however it cannot change the Qadr (decree) of Allah nor can it change the time of a person's death.

With respect to question two, the burden shall be on the widow of the deceased and not upon the deceased.

In the case of question three, if there is no written proof then witnesses should be called to testify the truth of the claims. If there were no witnesses at the time of those transactions then the relatives of the deceased can request the claimants to take an oath in Allah's name that they are speaking the truth with respect to the claims they are making.

*And Allah knows best.*

*Mufti Waseem Khan*