7864 - Burying one who neglected prayer with the Muslims

the question

In our country the Muslims are buried in a graveyard of their own, but anyone who bears the label of “Muslim” may be buried there, and most of them were people who did not pray or observe the limits set down by the religion. What should be done when visiting these graves in which there is no distinction between true Muslims and those who were not Muslim? What about me, if I die and am buried with people who did not pray? Can I leave instructions that I am to be buried with people who did pray, or what should I do? Please advise me, may Allaah reward you with good.

Detailed answer

Praise be to Allah.

Muslims have to have graveyards of their own, in which no one else should be buried. The person who does not pray and who dies when he is a person who has neglected prayer should not be buried in the Muslim graveyard, because the one who does not pray and denies that it is an obligation is a kaafir according to scholarly consensus. If he does not pray out of laziness, then he is a kaafir according to the more correct scholarly view. It is prescribed in Islam for a Muslim to leave instructions that he should be buried in the Muslim graveyard if there is also a non-Muslim graveyard in the vicinity, lest he be buried with the non-Muslims.

And Allaah is the Source of strength. May Allaah bless our Prophet Muhammad and his family and companions, and grant them peace.