

Islam Question & Answer

General Supervisor:
Shaykh Muhammad Saalih al-Munajjid

4658 - Graves are a Waqf (endowment) for those who are buried in them

the question

I live in one of the Muslim countries and I have a piece of farmland. When I was digging, I found some ancient graves on the eastern side, but I found nothing in them except some old bones. I need this land, so what is the ruling in this case?

Detailed answer

Praise be to Allaah.

From what you say, it seems that the land you are asking about is a graveyard and that your farm borders it on the west. It is not part of your farm, since when you dug in it you found old graves containing bones, as you admit. It does not belong to you and it is not part of your farm, rather it is a Waqf (endowment) for those who are buried there, and it is not permissible for you or anyone else to take possession of it or use it for residential purposes, farming, construction, erecting tents or any other purpose. May Allaah bless our Prophet Muhammad and his family and companions.