

Fatwa no. 19895

**Q: My father became ill and had to be hospitalized. He suffered another disease resulting in his leg being amputated. He is now paralyzed and unable to sit up on his own. One day he asked me to sit next to him and instructed me to bury him in Al-Madinah Al-Munawwarah after his death which is 400 km away from Al-`Ula district where I live. He also divorced my mother, and asked her to forgive him as he forgave her. She remained in the house attending to his needs because he is unable to move and we are busy with work and studies. Please enlighten us, may Allah reward you.**

**A: First**, if the deceased instructed his family to bury him in a particular country or place, they are not obliged to carry out his instructions. He can be buried with Muslims in any suitable place, all praise be to Allah.

**Second**, if this Talaq (divorce pronounced by a husband) is the third, he becomes non-Mahram (not a spouse or an unmarriageable relative) for your mother.

She is not allowed to stay with him, uncover her face in front of him, or have conjugal relations with him.

If this is the first or second Talaq, it is a revocable Talaq whereby he is allowed to take her back in marriage provided that her `Iddah (woman's prescribed waiting period after divorce or widowhood) has not expired.

She has the rights and duties of a wife, and can look after your father. If he did not revoke the Talaq either expressly by word of mouth, or implicitly by resuming marital relations within her `Iddah, he becomes non-Mahram for her and is not allowed to be alone with her unless he concludes a new marriage contract.

May Allah grant us success. May peace and blessings of Allah be upon our Prophet Muhammad, his family and Companions.

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