# 154381 - She died during the ‘iddah following divorce; can her husband wash her?

## the question

A woman was divorced by her husband, and during the ‘iddah she died. Is it permissible for her husband to wash her when she was observing ‘iddah?

## Detailed answer

Praise be to Allah.

Firstly:

In the answer to question no. 14016, we stated that it is permissible for one of the spouses to wash the other (ghusl in preparation for burial).

Secondly:

If the wife dies during the ‘iddah following divorce (talaaq), if it was a revocable divorce, it is permissible for the husband to wash her; by the same token, if the husband dies after issuing a revocable divorce, his wife may wash him, because the woman who is revocably divorced still comes under the rulings on wives, so she has the same rights and duties as other wives.

Ibn Qudaamah (may Allah have mercy on him) said: If he divorces his wife, then one of them dies during the ‘iddah, if the divorce (talaaq) was revocable, then they come under the same rulings as spouses before divorce, because she is still regarded as a wife and should observe ‘iddah following the husband’s death; and she inherits from him and he inherits from her, and it is permissible for him to have intercourse with her.

End quote from al-Mughni, 2/201

But if the divorce was in return for compensation (as in the case of khula‘) or there had been three

divorces (talaaqs), it is not permissible for one of them to wash the other, because the marital relationship has come to an end.

Ibn Qudaamah (may Allah have mercy on him) said: If it was a final, irrevocable divorce, It is not permissible, because it is haraam to touch or look (at one another) when still alive, and that applies more emphatically so after death.

End quote from al-Mughni, 2/201

Ibn ‘Abd al-Barr (may Allah have mercy on him) said: They (the scholars) are unanimously agreed that an irrevocably divorced woman cannot wash her husband if he dies during her ‘iddah.

End quote from al-Istidhkaar, 3/11.

An-Nawawi (may Allah have mercy on him) said: They are unanimously agreed that the case of complete or irrevocable divorce, the surviving spouse cannot wash the spouse who has died.

End quote from Sharh al-Muhadhdhab, 5/116

And Allah knows best.