

Review of *Tafsir Ahkam Rawai' Al Bayan Tafsir Ayat Al Ahkam Min Al Qur'an* Against MUI Fatwa Number 18 of 2020 Regarding Guidelines for the Dead Body Management (*Tajhiz Al-Jana'iz*) of Muslims Infected with COVID-19

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ABSTRACT

The fatwa commission of the Indonesian Ulema Council (MUI) has issued a fatwa regarding guidelines for handling the dead bodies of Muslims infected with the COVID-19 virus in March 2020, as a reference for medical personnel and all Indonesian people in the management of dead bodies. However, in the community, there are still those who ignore these guidelines because they are considered inhuman or not in accordance with the guidance of Islamic law. This attitude then raises doubts and questions for other individuals. For this reason, this study aims to analyze the suitability of the MUI fatwa regarding guidelines for managing dead bodies in the review of *Tafsir Ahkam*. Furthermore, this study reviews the verses related to the management of dead bodies in the interpretation of *Tafsir Ahkam Rawai' Al Bayan Tafsir Ayat Al Ahkam Min Al Qur'an* against MUI Fatwa Number 18 of 2020.

Keywords: *tafsir ahkam, tajhiz al-jana'iz*, dead bodies infected by COVID-19

1. INTRODUCTION

COVID-19 is an infectious disease from Wuhan, China, developed in late 2019 and has become a major problem worldwide [1]–[4]. The impact of this disease will be mild respiratory problems, fever, cough, fatigue, and even death [5]–[8]. There are several reports that someone who has physical contact with the dead body infected by COVID-19 has the possibility of being exposed to an infection or virus. In other words, the infection has a negative impact on the mortician while carrying out their duties [9]. Referring to this, the handling of dead bodies exposed to COVID-19 must be given more attention. On the other hand, the problem of managing the dead body is closely related to Islamic religious law. Considering that Indonesia is a country with a majority Muslim population globally, the procedure for handling Muslim dead bodies infected by COVID-19 is vital [10]. It is based on the importance of maintaining the safety of the human soul (*hifz al-nafs*) [11].

In March 2020, the MUI Fatwa Commission issued a fatwa regarding guidelines for managing Muslim dead bodies exposed to COVID-19. Furthermore, this fatwa has become a reference for the medical team in handling the dead bodies [12]. In this regard, some scholars believe that the so-called *ulil amri* or leaders whose decisions people must obey to carry out religious provisions in the state are those who have the ability or competence and are experts in the fields under their authority [13]. The MUI Fatwa Commission issued a decision in the guidelines for managing dead bodies involving medical personnel as the party implementing these guidelines. Medical personnel, in this case, are experts who have expertise in their fields regarding the management of dead bodies exposed to the virus. On the other hand, the practice of managing dead bodies in the community has not fully implemented the guidelines for handling COVID-19 dead bodies because they are considered inhumane, such as wrapping a dead body in plastic [3]. Even more, some people are still holding fast to the guidelines for managing Muslim dead bodies

according to the sharia [10], such as being bathed and shrouded like a Muslim dead body who died before this virus case spread.

For this reason, this study discusses several sections in more detail to get a conclusion. Various related theories are described to direct this research to be of higher quality in accordance with the problems studied [14]. The problems discussed in this study include (1) how the management of dead bodies is carried out so that they fulfill all their rights without harming the mortician during the COVID-19 pandemic, and (2) what arguments are underlying the process of managing the Muslim dead bodies infected by COVID-19. This study also examines whether the guidance on managing Muslim dead bodies exposed to COVID-19 in the MUI fatwa Number 18 of 2020 is in accordance with the guidance of Islamic sharia in the review of *Tafsir Ahkam Rawai' Al Bayan*. This book was written by Muhammad Ali Al Sabani, which discusses the miraculous content of the legal verses in the Qur'an.

2. METHOD

The type of research used was descriptive analysis research, with the data sources used being literature. Meanwhile, the approach used was a normative approach. A normative approach is a legal approach that sees religion in terms of its main and original teachings. The data collection technique was carried out by collecting primary data in the form of MUI Fatwa Number 18 of 2020 regarding guidelines for managing Muslim dead bodies exposed to COVID-19. In addition, in this study, there was secondary data in a book of *Tafsir Ahkam Rawai' Al Bayan* with Fiqh rules and other literature related to research. The data processing method applied in this study began with describing the primary data and then describing it. Furthermore, the researchers looked at various Fiqh rules, books, and other literature and then analyzed them. After the data were collected, further data analysis was carried out by applying the descriptive analysis method. The descriptive analysis in this study was conducted by describing the MUI Fatwa Number 18 of 2020 regarding guidelines for managing Muslim dead bodies infected with COVID-19. The analysis results were then reviewed using *Tafsir Ahkam* to get clarity from truth or vice versa.

3. RESULTS AND DISCUSSION

3.1 MUI fatwa on guidelines for managing COVID-19 dead bodies

Based on the problems formulated, this study examines the MUI Fatwa Number 18 of 2020 regarding guidelines for managing Muslim dead bodies infected by COVID-19 [15] by reviewing from the point of view of *Tafsir Ahkam Rawai' Al-Bayan Tafsir Ayat Al-Ahkam Min Al-Qur'an* by Muhammad Ali Al Sabani. Fatwas generally include reaffirming the provisions of the MUI Fatwa Numbers 14-7 of 2020 following medical protocols and procedures. It is done by the competent authority and is subject to sharia law. Meanwhile, prayers and funerals will continue, as usual, avoiding exposure to COVID-19. According to the Sharia perspective, Muslim bodies exposed to COVID-19 must be bathed, shrouded, prayed, and buried. Muslims who die due to the COVID-19 outbreak are categorized as martyrs in the afterlife, and their rights as dead must be fulfilled. Its application must maintain the safety of officers while still paying attention to the provisions of the health protocol [15].

The procedures for bathing the dead bodies affected by COVID-19 include (a) the dead bodies are bathed without removing their clothes; (b) the officer must be of the same sex as the dead body being washed and shrouded; (c) if no one bathes the same sex, the dead body is still bathed by the one who is there, and the dead body is still wearing clothes. If not, it will be *tayammum*; (d) the officer cleans the dirt on the dead body (if any) before bathing the dead body; (e) the officer bathes the dead body by rinsing it using water evenly [15].

Meanwhile, the procedure for bathing the dead bodies exposed to COVID-19 according to medical experts is that if it is not possible to wash the body, it can be replaced with *tayammum* as determined by the sharia, namely by (1) wiping the face and hands of the dead body (at least up to the wrists), and (2) the officer continues to use PPE for protection when bathing. If bathing or burying the body is deemed dangerous for the officers, experts think that the body of the deceased is not bathed according to the provisions of the *syar'iyah* emergency [15].

The fatwa also discusses guidelines for bathing dead bodies affected by COVID-19 by (a) after being bathed or *tayammum*, or in an emergency, without being bathed or *tayammum*, the dead body must be wrapped in a cloth covering the body of the deceased and put in a safe and watertight bag to prevent the spread of the virus and the safety of officers; (b) after being shrouded, the dead body is placed in a watertight and airtight coffin, with the position tilted to the right so that when buried, the dead body is facing the Qibla; (c) if the dead body is still found to be unclean (*najis*) after being shrouded, the *najis* may be ignored by the officer [15].

Furthermore, the guidelines for praying dead bodies infected with COVID-19 are as follows. (a) It is sunnah to speed up the prayer of the dead bodies

after being shrouded; (b) carried out in a location that is safe from the spread of COVID-19; (c) at least one Muslim person comes in person (attend). If it is not possible, it is permissible to pray at the grave before and after the burial. If it is not possible, it is permissible to pray from a distance (unseen prayers); (d) those who pray must protect themselves from the spread of COVID-19 [15].

Finally, the guidelines for burying dead bodies exposed to COVID-19 apply as follows. (a) It is carried out in accordance with sharia regulations and medical protocols; (b) burial is made by being taken to the grave with the coffin without opening the plastic and shroud; (c) in an emergency (*al-dlarurah al-syar'iyyah*), more than one dead body may be buried in one grave, in accordance with the provisions of the MUI Fatwa Number 34 (*Tajhiz Al-Jana'is*) of 2004 concerning the management of dead bodies in an emergency [15].

3.2 Fatwa Analysis

The MUI fatwa explains that the management of dead bodies, especially during bathing and burial, must be handled by competent authorities and in accordance with medical protocols. It is because in dead bodies with COVID-19, transmission to living people can occur through physical contact and droplets or fluids that come out of the dead bodies' openings when it is transferred or when in contact with the dead bodies [16], [17]. According to sharia, Muslims who die due to exposure to the COVID-19 virus is categorized as martyrdom in the afterlife. A martyr is a person who died while fighting against infidels to defend Allah's religion. Thus, the person is not bathed even when in a state of *junub* [18]. The martyrdom of the hereafter is to die because of being mistreated or hurt, to die from shock, to die of cholera, to die by drowning, to die from something hit by something, to die from a fire, or to die while studying Allah's religion (in seeking knowledge) [19]. People who died due to the COVID-19 pandemic are relevant to those who died from cholera or the *Tha'un* epidemic [10]. It is because both are epidemics in terms of health whose bodies still have to be bathed and fulfilled their rights.

Moreover, several things need to be considered in the process of bathing and burying the dead bodies infected by COVID-19 while still carrying out Islamic law, fulfilling the rights of the bodies, and protecting themselves from the transmission of COVID-19. It is in accordance with the MUI fatwa that has been described previously. When the body is washed, the clothes do not have to be removed. In a history of the benefits of hadith, 'Aisyah ra. said that "*When they were about to wash the Prophet's body, they said: 'By Allah, do not we know whether we should take off the Prophet's clothes or wash him with his clothes?' Allah let them sleep when they disputed so that they did not*

rest on his chest, except his chin, then someone spoke to them from the corner of the house that they did not know who was speaking (he said), 'Cover his garment over Prophet!' Then, they got up and went to the Messenger of Allah, and I washed him with his clothes. They poured water on the Prophet's clothes and rubbed them with his clothes, not directly with their hands. 'Aisha ra. said, "If I had known about my affairs which I found out later, he would not have been bathed except by his wives" [18]. In this case, the way to bathe is to splash water three or more times throughout the body as needed by the person who takes care of it. In addition, the caretaker of the dead bodies must use PPE (Personal Protective Equipment) to minimize transmission to the caretaker of the dead bodies [20].

For the caretaker of the dead bodies, it is required to have the same gender as the dead bodies. If it is not there, the body is still bathed in its clothes or with *tayammum* by wiping the face and both palms with dust [15]. It is permissible that if a woman dies, but there is no mahram, husband, or woman in the place, then let it be with *tayammum*, and vice versa [19]. According to the Shafi'i school of thought, if it is not possible to do *tayammum*, bathe, and shroud, which is a condition for the validity of prayer, it can be buried immediately without bathing and shrouding. Meanwhile, according to some Syafii scholars, it must still be prayed [21].

Furthermore, in the guidelines for managing the dead bodies infected by COVID-19 in the MUI fatwa, the bodies are wrapped and then put in a bag. Then, the corpse is placed in a watertight and airtight container (crate) to prevent transmission. The way to position the body is to face to the right to face the Qibla directly when buried [15]. It is also contained in the guidelines for managing for dead bodies infected by COVID-19 issued by Majelis Tarjih and Tajdid, the Central Leadership of Muhammadiyah, and the Bahtsul Masail Institute, the Nahdlatul Ulama Executive Board, whose contents are more or less the same as the MUI fatwa guidelines [20].

Regarding the burial of dead bodies with coffins, according to al-Ramli, the law is *makruh* based on *ijmak*, except for some circumstances [21]. When viewed from the consequences that will occur for the benefit of others, such as preventing the transmission of COVID-19, it is more recommended. If there are still *najis* on the dead body after being shrouded, the officer can ignore the *najis* [15]. Regarding the discharge of *najis* after the process of being bathed and before being shrouded, the majority of scholars agree that it is obligatory to wash the *najis* on the affected body. However, to bathe him again, there is a dispute. Some think it is not obligatory, and some believe it is obligatory to perform ablution. On the other hand, some say it is obligatory to repeat the bath [22]. However, if *najis* are found after being shrouded, this situation is outside the normal situation

or occurs rarely, but it may exist. Based on the various views that have been presented, the researchers have the view that in a state of urgency, it is included in an emergency and can get relief in solving it. The solution is to ignore the *najis* and still be buried afterward without having to wash the *najis*.

In addition, it is *sunnah* to hasten the funeral prayer for dead bodies infected by COVID-19 while still following the provisions of health workers. Protecting the benefit of the living takes precedence over the personal benefit of the dead bodies [21]. After that, the body is buried according to medical protocol by including it with the coffin without opening the coffin, bag, and/or shroud. The body must be positioned sideways to the right when placed in the coffin in accordance with Islamic sharia. Furthermore, it can be done in an emergency regarding the burial of two or more bodies [18].

3.3 Review of Tafsir Ahkam Rawai' Al Bayan Tafsir Ayat Al Ahkam Min Al Qur'an

The general provisions in treating Muslim bodies exposed to COVID-19 are to fulfill the rights of the bodies according to the sharia while maintaining the safety of the officers caring for the dead bodies. In the rules of Fiqh, it is stated that *dar'ul mafaasid aulaa min jalbil mashaalih*, which means preventing damage or *mafsadat* is more important than taking benefit [23]. Judging from these rules, it can be understood that preventing *mafsadat* on nurses for dead bodies who are still alive and healthy is prioritized over the benefit of the dead bodies infected by COVID-19 [21]. It is in accordance with the word of God in the Qur'an Surah Al Baqarah verse 195, in which there is a prohibition against plunging oneself into destruction.

Departing from the hadith of Abu Hurairah ra. narrated by Bukhari ra., hadith number 7288, Chapter *Iqtidha bi Sunani Rasulillah* juz 9 page 94, the Prophet *sallallaahu 'alaihi wasallam* said: [24]:

رَمَائِمٌ مُّكْتَرَمًا اَذِاَوْ ، هُوْبِتْتَجَافٍ عَنِ شَيْءٍ نَعْمٌ مُّكْتَبِهِنَّ اَذِاَوْ
مُنْعَطْسًا اَمْ هُنْمِ اَوْتَافٍ

Meaning: "If I forbid you to leave something, then leave it. If I order you to do something, then do it according to your ability." [21].

Based on the hadith study results above, it can be understood that something forbidden to be done should be abandoned. Also, they should be done according to the ability of those who are ordered. In this case, taking care of the Muslims dead bodies infected by COVID-19 must continue to be carried out to fulfill their rights because they are included in the category of martyrdom in the afterlife. However, in its management, they still pay attention to medical protocols and the safety of the dead body management

officers. Therefore, in its management, it is possible to take some relief (*rukhsah*) in accordance with the rules and guidelines of Islamic sharia, considering the spread of the COVID-19 virus through droplets with COVID-19 patients or fluids released by the bodies of the COVID-19 patients. Indeed, Allah wants ease and does not want difficulty for His servants in carrying out His orders. It can be related to the obligation of fasting for every Muslim, and the existence of relief (*rukhsah*) for people traveling and sick people, as in the Word of Allah in the Qur'an Surah Al Baqarah verse 185.

With the above-mentioned explanation, the authors took these two verses to see how the review of *Tafsir Ahkam Rawai' Al Bayan* in Surah Al Baqarah verses 185 and 195 of the MUI Fatwa regarding guidelines for managing dead bodies is as follows.

3.3.1. QS. Al Baqarah [2]: 185.

In the book *Rawa'i Al Bayan Tafsir Ayat Al Ahkam Min Al Qur'an* in the seventh part, this verse is mentioned to contain good things that we can take. Also, one of the rules in religion that Fiqh experts take from this verse is *Al Masyaqqotu tajlibu at taisiir* (difficulty must have ease). Moreover, Allah SWT in the sharia does not want difficulties for humans, but Allah wants ease, goodness, and benefits [25].

In the book *Mukhtashar Tafsir Ibn Kathir* Surah Al Baqarah verse 185, juz 1 page 161, written by Muhammad Ali Al Shabuni, it is explained [26],

مَّا يَصِلَا يَيْدَعُ قُشَيْدَ يَنْدَبِ يِ فِضْرَمَ يَبِ نَاكِ نَمَوْ
يَيْدُوِي وَ اُ اَعَم

If someone is sick, there is *masyaqqoh* (difficulty, disturbance, objection) in him that can cause the pain to worsen or hurt him while fasting, Allah wills in the next sentence ease and does not want difficulty. With the existence of *masyaqqoh* and *idza* that can worsen the illness, Allah makes it easy by allowing breaking the fast or called *rukhsah* (lightening), but it is still paid outside the month of Ramadan [26].

Taking a point from Al Shabuni's statement, it is relevant to the problem of the COVID-19 pandemic, in which there are difficulties or *masyaqqoh* experienced by officers when taking care of Muslim dead bodies infected by COVID-19. The Indonesian scholars took this verse as one of the arguments in deciding the guidelines for managing dead bodies that, indeed, Allah wants ease and does not want difficulties for His servants. For example, when bathing the dead body, the officers continue to use PPE, and the body is still bathed in its clothes, or the body can be performed *tayammum*. According to experts, if it is not possible to bathe to prevent the spread of the virus, it still pays attention to Islamic sharia.

3.3.2. QS. Al Baqarah (2): 195

Judging from the language, the word *At tahlukah* with *dhommah* on the letter Lam (ل) means *halak* or destruction. The origin of the word is from: *halaka-yahluku-halakan-wa tahlukatan*. Abu 'Abidah said: *at tahlukah* and *al halaak* and *al hulku* are from one word, *mashdar* from *halaka*. In the book, *Lisanu al 'Arabic, at tahlukah* means *al halaak*, and it is said everything that leads to destruction. In the fifth section, it is stated that some scholars believe that "I do not know *mashdar* in Arabic in *wazan tafulah* with the letter 'ain (ع) with *dhommah*, except for this verse; *walaa tulquu bi aidiikum ila tahlukati*, which means 'and do not throw yourself into destruction." [25].

In the book *Mukhtashar Tafsir Ibnu Katsir* juz 1 page 172, it is said that this verse describes jihad in the way of Allah. Whoever abandons jihad in the way of Allah, one of them does not carry out his obligations by paying *infaq*, is included throwing himself into an accident or destruction [26].

Specifically, this verse talks about jihad with material possessions, but in general, this verse relates to the prohibition of harming oneself in perdition. In one of the rules of commentary, it is stated about the generality of *lafazh* and the specificity of the cause (*umum al lafzhi wa khusus as sabab*) that if a verse is revealed for a certain reason by using a general expression, the law applies to that cause and everything included in the *lafazh* [27]. Thus, this verse concerning the prohibition against immersing oneself in perdition is taken by Indonesian scholars as one of the arguments in establishing guidelines for the management of dead bodies, namely for officers who handle dead bodies to maintain health protocols by using PPE to prevent transmission of the COVID-19 virus.

People who believe have two obligations towards themselves, namely trying their best to bring good to themselves and rejecting disasters as much as possible and putting their trust or surrender to Allah because they believe that everything that happens is according to Allah's provisions and decrees [28]. Therefore, humans should try to protect themselves from annihilation.

4. CONCLUSION

Based on the explanation above, it can be concluded that the MUI Fatwa Number 18 of 2020 regarding guidelines for the management of Muslim dead bodies infected by COVID-19, in general, is in accordance with the book of *Tafsir Ahkam Rawai 'Al Bayan* and in accordance with the principles of Fiqh regarding emergencies and benefits. Meanwhile, the arguments used include QS. Al Baqarah [2]: 185, which states that, indeed, Allah will ease and does not want difficulty for any of His servants. It is relevant to every verse in the MUI fatwa regarding guidelines for

managing dead bodies to take relief in the difficulties encountered while still paying attention to Islamic sharia. Next, QS. Al Baqarah [2]: 195 is about the prohibition of plunging oneself into destruction related to the health protocols that must be carried out for dead body management officers when taking care of dead bodies infected by COVID-19 as using PPE (Personal Protective Equipment).

AUTHOR'S CONTRIBUTION

All people, especially Muslims in Indonesia, should cooperate with health workers in complying with health protocols, especially in the process of handling dead bodies infected by COVID-19 so that they are fully handed over to trusted medical personnel to prevent the spread of the virus and maintain the benefit of the dead bodies and the surrounding community.

ACKNOWLEDGMENT

We thank all health workers who have tried their best and wholeheartedly in taking care of patients, especially for people with COVID-19. Thank you also to the members of the Indonesian Ulema Council and all experts in Islamic law and the health sector who have tried hard in making decisions in the face of the COVID-19 pandemic, which has greatly affected the lives of Muslims, in particular.

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