



The Law on Burying Two Bodies in One Grave According to the Perspective of Islam and the Ulama

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Abstract

Fardhu kifayah is the law for the people to take care of the corpse, so that if the corpse is abandoned, the Muslims around the corpse will bear the sin. The management of the corpse has rules and rights that must be fulfilled to fulfill the rights of the corpse such as: washing, shrouding, praying, and burying. The management of the corpse must be in accordance with Islamic law which is contained in the Al-Qur'an and the provisions of the Prophet. This study aims to examine the burial provisions according to Islamic law by taking into account the issue of how the law of two bodies being made into one grave according to the perspective of Islam and the scholars. Through a qualitative descriptive method with library research techniques that use books as primary and secondary sources. The results of the analysis of this study are that the law of burying two bodies in one grave is not permissible except for urgent reasons. This is in accordance with the provisions of Islamic law and the opinion of the scholars. Therefore, if there is no urgent matter such as a natural disaster, the body should be buried according to Islamic law.

Introduction

Every human being will return to Allah SWT through death. Death is something unseen and only Allah knows it. Allah has ensured that every living person on this earth will one day experience death. When someone dies, several things arise that are related to the person they leave behind, including taking care of the body, which is a fardhu kifayah law, starting from washing, shrouding, praying and burying. If someone dies, the family and



the entire local community are obliged to bury the deceased. If the fardhu kifayah is not fulfilled then all the residents are guilty.¹

In the case of Vanessa Angel and Febri Ardiansyah, they were buried in one grave at the request of the family. According to Islamic law, burying one body in one grave is not permitted except in certain circumstances. Islamic Sharia teaches to bury one body per grave. This means that it is not permissible to bury two bodies simultaneously in one burrow except in certain circumstances. That is what the Prophet sallallahu 'alaihi wasallam did and ordered. "If there are a lot of bodies due to war or something else (such as a tsunami or landslide), and it is difficult to bury each body in one grave separately, then two or three bodies can be buried in one grave."

In Islamic history, the Prophet Muhammad (peace be upon him) allowed two bodies to be buried in one grave during the Battle of Uhud. This serves as a crucial reference for determining the rulings in similar situations today. However, applying such rulings requires a deep understanding of Islamic principles, scholarly fatwas, and the consideration of benefits and potential harms.

Therefore, studying the ruling of burying two bodies in one grave aims to provide a comprehensive understanding of Islamic guidelines in dealing with specific circumstances. This study also seeks to address the issue through the perspectives of scholars from various schools of thought, ensuring that the Muslim community can adopt solutions rooted in justice and the wisdom of Islamic law.

Based on the description above, this article will explain the Law of Two Bodies Being Made into One Grave According to the Perspective of Islam and Ulama to reduce differences of opinion that can cause disputes in society. Hopefully, this article can be a reference for problems that exist in society.

Methods

This research is included in the type of library research, namely research whose object of study uses library data in the form of books as data sources.² This research was conducted by reading, reviewing, and analyzing various existing literatures in the form of the Qur'an, Hadith, books and research results. In this study, the author uses a qualitative descriptive approach. Qualitative descriptive is a systematic study used to study or examine an object in a natural setting without any manipulation in it and without any hypothesis testing.

This study uses two data, namely primary data and secondary data. Primary data is data obtained directly from the research subject using a measurement tool or a direct data return tool on the subject as a source of information to be sought. Primary data used in the study are the Qur'an, related books, journals, and the results of Islamic legal decisions.

¹Baihaqi AK, Fiqh of Worship, (Bandung: M2S, 1996), p. 18-186

²Sutrisno Hadi, Research Methodology, (Yogyakarta: Andi offset, 2002) p. 9

Secondary data is data obtained from other parties not obtained by researchers from their research subjects.³ Secondary data from this study are supporting books and journals.

Results and Discussion

A. Understanding a Corpse According to an Islamic Perspective

The plural of the word corpse is al-Janaiz. In terms of language, the word corpse comes from Arabic and is derived from the ism masdar which is taken from the verb madi, namely janaza-yajnizu-janazatan wa jiinazatan. If the letter jim of the word is read fathah (janazatan), this word means a person who has died. However, if the letter jim is read kasrah, then this word means a person who is sleepy.

Imam Muhammad Ibn Ahmad al-Ramliy said that al-Janaiz, the plural form of corpse, is read with fathah and kasrah, he said that corpse is the name for the deceased who is on the coffin. Meanwhile, according to Imam Muhyiddin Nawawi al-Dimasyiq quoted the opinion of the author of the book al-Mathali' who narrated from Imam Ibn Faris where he said that the word al-janaiz is the plural form of masdar lafaz al-Janazah which is taken from the verb Janaza, Yajnizu, Janzan and Janazatan which means closing.

Meanwhile, according to the term, a corpse means someone who has died and the separation of his spirit from his body. A corpse is someone who has died whose life has been cut off from this world.⁴ In the big dictionary of Indonesian, the word corpse is defined as the body or body of a dead person.

A corpse is a deceased person who is placed in a bier (coffin) and is about to be taken to the grave to be buried.⁵ Meanwhile, Ustadz Labib Mz ⁶ expands the meaning of the word corpse, namely the severance of a person's relationship between the soul and body, the separation between the two and the change from one state to another.

From the several definitions above, it can be concluded that the meaning of a corpse or corpse is someone who has died and whose connection with this mortal world has been severed.

B. Public Cemetery (TPU) is an area of land provided for the purpose of burying

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³Saifuddin Anwar, Research Methods, (Yogyakarta: Pustaka Pelajar Offset, 2001) 3rd ed., p. 91

⁴Hasan Sadili, Indonesian Encyclopedia, (Jakarta: Van Hoere's New Idea) p.3

⁵ Supratiknya, A. Metodologi penelitian kuantitatif & kualitatif dalam psikologi. (2022) universitas Sanata Dharma.

⁶ Siregar, I., & Siregar, R. The Relevances between Poda Na Lima Philosophy with Islamic Perspective. 2021. Budapest International Research and Critics Institute (BIRCI-Journal): Humanities and Social Sciences, 4(4), 11746-11754.

A grave is a place of residence, abode, dwelling which is the final resting place of a deceased person. While a grave is a land where corpses are buried. The meaning of *afad al qubur* is the plural of *al qabr* which means a place to bury the dead or a place for human burial. The meaning of a bodies of every person without distinguishing religion and group whose management is carried out by the Level II Regional Government or Village Government.⁷

A grave according to language is a graveyard or burial ground. While a cemetery is a place to bury in the Government Regulation of the Republic of Indonesia Number 9 of 1987 the provision of land use for burial purposes referred to as a grave is:

- a. A Public Cemetery is an area of land provided for the purpose of burying the bodies of all people without distinction of religion or social class, the management of which is carried out by the Level II Regional Government or Village Government.
- b. A non-public burial place is an area of land provided for the purpose of burying bodies whose management is carried out by a social agency or religious body.
- c. A Special Cemetery is an area of land used for burial which due to historical and cultural factors has a special meaning.

C. Four Rights of the Corpse

In Islam, there are 4 rights that must be obtained by the corpse and it is an obligation for a Muslim who is still alive towards the deceased. The four rights of the corpse are to be bathed, shrouded, prayed for, and buried. For further explanation, it can be explained as below:

1. Bathed

The first right that must be fulfilled by the corpse is to be washed. Bathing a corpse is the first process carried out in managing a corpse. This is an act that ennobles and cleanses the body of the deceased. The law on washing a dead body is *fardhu kifayah*, which means that if someone in a village already does it, the obligation is terminated. However, if no one does, then everyone will sin.

The way to bathe a corpse begins with the corpse being gently seated. The person bathing places his right hand on the shoulder with his thumb on the curve of the nape, and his knees support the back of the corpse, then the corpse's stomach is massaged with the left hand to remove any dirt. Then the corpse is laid on its back and its genitals are cleaned with the left hand wrapped in a cloth.

After the cloth is replaced, the teeth and nostrils are cleaned as well. And don't forget that it is *sunnah* to prioritize the right over the left in bathing the corpse from the hair to the feet. It is also *sunnah* to water the corpse as many times as an odd number: 3, 5, 7 or 9.

⁷Government Regulation of the Republic of Indonesia Number 9 of 1987 Provision and Use of Land for Cemetery Purposes

Watering with soapy water by rubbing it slowly and evenly. If it feels clean, then rinse it with clean water with an odd number too, then rinse it with camphor water or perfume.⁸

There are several things that need to be considered when bathing a corpse, namely:

a. Provisions for washing a corpse

When a Muslim dies, whether a child, adult, or elderly person, it is obligatory to bathe the body, whether the body is intact or only partially. However, there are three things that cause the body not to be bathed, namely the body of a martyr, a person who dies in a fire and his entire body is destroyed due to very severe injuries and a fetus that is born dead before its body is fully formed.

b. Valid conditions for bathing a corpse

In bathing a corpse, there are several valid conditions that must be met. According to Muhammad Sholikin, the valid conditions in bathing a corpse are: (1) Intention, (2) The water is absolutely pure, (3) There are no obstacles, (4) It is Sunnah to remove the corpse's clothes, (5) Applying the rules of bathing.

2. Shrouded

After getting the first right, the corpse has the right to get the second thing, which is to be shrouded. Shrouding the corpse is the same as giving clothes to the corpse using plain white cloth without stitches. Only ties are allowed in several parts so that they do not come loose. The ties when in the grave must be removed first before being covered with soil. The ties for the corpse after being shrouded are usually located on the left side so that when it is opened during burial it is easy to remove.

The shroud for a male corpse consists of 3 (three) pieces of white cloth. The shroud for a female corpse consists of 5 (five) pieces, namely: long cloth, baju kurung, head veil, long cloth for basahan, waist to foot cover. Long cloth to cover the hips and thighs, the shroud for children consists of 1 (one) piece of white cloth or 3 (three) pieces of white cloth. The main shroud: white cloth, clean, holy, simple, strong.⁹

3. Prayed for

After being shrouded, the next right that the body must receive is to be prayed for. Praying for the body is a shared obligation to pray for the body after the body is in a clean state or after being bathed with an imam as the leader, it is sunnah to do three rows back to back, with four takbirs without bowing and prostrating. The funeral prayer performed by hundreds of people will be able to provide intercession for the deceased as the Prophet

⁸ Ahmad, Yusrizal, et al. "Urgensi Pelatihan Fardhu Kifayah Dalam Meningkatkan Pengetahuan Masyarakat Tentang Fardhu Kifayah (Studi Kasus Pada Masyarakat Desa Ara Condong, Kecamatan Stabat, Kabupaten Langkat, Sumatera Utara)." *Journal Of Human And Education (JAHE)* 3.2 (2023): 277-282.

⁹ Ahmed, Rizwan, Christian Maria Firrone, and Stefano Zucca. "A test rig for the full characterization of the dynamics of shrouded turbine blades." *Mechanical Systems and Signal Processing* 189 (2023): 110080.

SAW said: "If a Muslim dies and is prayed for by more than a hundred Muslims, then the prayers offered by them will provide intercession for the deceased (HR. Muslim).¹⁰

4. Buried

If you feel that caring for the body is sufficient, take the body as soon as possible to the cemetery for burial. Try not to let the body stay at home for too long. In order to accompany the body, the atmosphere should remain quiet and calm and on foot. The attendants are around the body, in front, behind, on the left and on the right. There are two types of making a grave, namely: 1) using a method called cempuren, namely where the body is placed in the middle of the grave. 2) In a way called burrow, namely the place where the body is outside the walls of the grave. The length of the grave is adjusted to the length of the body, the width is approximately 80 cm, and the depth is approximately 150 or 200 cm.¹¹

D. Procedures for Burial of a Corpse

The history of the first human burial or burial was carried out by Adam's son, Qabil. At that time he was confused about what to do about his brother Abel who died because of him, so Allah SWT. sent two crows which killed each other and one died, then the crows scratched the ground and buried the dead crow. Seeing what the crow was doing, Qabil buried his brother. This story is found in Qs. Al-Maidah: 27-31.

Abdurrahman Al-Juzairi in his book *al-fiqh ala muzahhibilarba'ah* mentions the procedures for burial or burial according to four schools of thought, namely:

1. Digging a deep hole, if it is not polluted by odor and is free from disturbance by wild animals. Scholars have different opinions about the depth of the grave:
 - a. Malikiyyah is of the opinion that it is makruh to study it further without any need.
 - b. Hanafiyyah says that the minimum depth of the excavation is half the size of a standing person, if it is deeper then that is better.
 - c. The Syafi'iyyah is of the opinion that it is sunnah to dig a hole the size of a standing person and raise both hands to the sky.
- d. Hanafilah believes that it is sunnah to explore dug holes without any particular restrictions. The most important thing is that the excavated soil is sufficient to insert the body into the ground and must not be placed on the surface of the ground.
2. Making a grave in the grave if the soil is not loose. Malikiyyah is of the opinion that making a grave in soil that is not loose is Mustahab not Sunnah, while making a syaq in soil that is not loose is Mubah. Meanwhile, according to Shafi'iyyah, making a grave in soil that is not loose is more afdhal, not just mubah.
3. Placing the body in the grave.

¹⁰ Bonhoeffer, Dietrich. *Psalms: The prayer book of the Bible*. Broadleaf Books, 2021.

¹¹ Gao, Zhi-Wen, Yong Wang, and Wallace CH Choy. "Buried interface modification in perovskite solar cells: a materials perspective." *Advanced Energy Materials* 12.20 (2022): 2104030.

- a. Hanafi school of thought: The corpse must be faced towards the direction of the Qibla, the reason being that it is likened to a person who is praying.
- b. Syafi'i Madzab: it is sunnah to place the body on the north side, tilted to the right, and it is makruh to place the head of the body on the south side, with the position tilted to the left. The obligation to face the body towards the Qibla is based on a hadith narrated from Sayyidina Ali, which means: Narrated from Sayyidina Ali Bin Abi Talib, he said: "A person from the descendants of Abdul Mutolib died, and the Prophet ordered Ali: "Face the body towards the Qibla." .
- c. Hambali School: Covering the grave of the deceased with something like a board or something else so that the body is not touched by the excavation used to fill the grave, and to honor the body. This procedure is based on the history that when the Prophet was buried and after being faced towards the Qibla, the hole where his body was located was covered with bricks.
- d. Imam Maliki's school of thought:
 1. The law of facing the body towards the Qibla when buried is sunnah, based on the word of Allah in Qs. Al-Mursalat :25-26

الْمَنْجَعِلَ الْأَرْضِ ضَعْفَاءُ
أَحْيَاءُ وَأَمْوَاتُ

Meaning: Did We not make the earth a place of gathering,
Meaning: for the living and the dead?
In this verse, Allah does not clearly state the obligation to face the body towards the Qibla. So Imam Mâliki gave the sunnah law.
 2. It is mandatory to cover the body with a board or something else so that the body is not touched by the excavation used to fill the grave and to venerate the body.

If it is not possible to bury it, such as if it died on a ship, and it is far and difficult to land, and the smell has begun to be contaminated, then the body may be tied to a heavy object and then put into the sea.

E. The Law on Burial of Vanessa Angel and Febri Ardiansyah's Bodies in One Grave According to Islamic Perspective

Vanessa Angel and Febri Ardiansyah are artists and a married couple, they are a couple who love each other. However, bad fate befell them on Thursday, November 4, 2021. They had an accident on the Jombang Toll Road. The car containing 5 people, namely the driver, babysitter, Gala (Vanessa and Febri's child), Vanessa and Febri, hit the concrete toll barrier. And finally killed Vanessa Angel and Febri.

The family requested that Vanessa and Febri be buried in one grave. Because they were a couple who loved each other, and the family's hope was that even though they had died,

they could still be together. In the end, they were buried in one grave. This has become a phenomenon for Indonesian society, especially for Muslims, is it permissible for two bodies to be buried in one grave? This has become something that has caused many pros and cons. Let's look for legal views according to the perspective of Islam and Ulama.

1. The law of 2 bodies being buried in one grave according to Buya Hamka.

In his study, someone asked Buya Hamka, was it Ustadz's sin when my late father was buried in one grave to fulfill my mother's wish?

Then Ustadz Buya Hamka answered, burying or interring 2 bodies in one grave is only permitted or allowed in an emergency, for example, a natural disaster such as a tsunami that causes many casualties, then it is permissible to bury them in one enlarged grave. If the bodies died in normal circumstances, then they are buried in each grave. Wills or requests that are not in accordance with sharia do not need to be carried out.

2. Imam Rafi'i in his book explains:

في حال الاختيار أن يدفن كل ميت في قبر كذلك (فعل النبي صلى الله عليه وسلم وأمر به) فإن كثرة الموتي بقتل الموتي
وعسر أفراد كل ميت بقبر دفن الاثنان والثلاثة في قبر واحد هو غيره

Which means: "It is Sunnah in cases of non-urgency (ikhtiyar) to bury each body in one grave. That is what the Prophet sallallaahu 'alaihi wasallam did and ordered. "If there are a lot of bodies due to war or something else (such as a tsunami or landslide), and it is difficult to bury each body in one grave separately, then two or three bodies can be buried in one grave."

- a. Imam Abdullah bin Mahmud bin Maudud Al Mushalli Al-Hanafi said that it is disliked to bury two people in one grave, except in emergency situations and the two must be separated by soil.
- b. Imam Syafi'i also said: I don't like women's bodies being buried in the same grave with men's bodies, even if it's an emergency and there's no other way, then the man's body is placed in front of the woman's body, and the two are separated by land.
- c. Abu Dawud, an-Nasai, Ibnu Majah, at-Tirmidhi and al-Baihaqi narrated a hadith in which Hisyam bin Amir said "After the battle of Uhud was over, there were several Muslims who became victims, and several other people were injured. (Then we said: "O Messenger of Allah, to make a grave for each corpse is too heavy for us), (then what will you order us? So he answered: "Dig, widen, deepen and beautify it, then bury it two or three people in one hole.

Next, prioritize those who have the most knowledge of the Qur'an. (He said, and my father was one of the three people, and he was among those who had the most knowledge of the Qur'an, so that him too takes precedence).¹²

Based on the evidence of the hadith and the opinions of Islamic scholars, the law of burying two bodies in one grave is said to be haram and makruh. This law may be the legal basis that one body buried in one grave is more recommended and is included in Islamic law according to the Qur'an and Hadith. So it is not permitted to bury two bodies in one grave as is the teaching of the Islamic religion, except in emergency situations such as natural disasters that result in many people dying.

Conclusion

According to Islamic law, burying one body in one grave is not permitted except in certain circumstances. Islamic Sharia teaches to bury one body per grave. This means that it is not permissible to bury two bodies simultaneously in one burrow except in certain circumstances. That is what the Prophet sallallahu 'alaihi wasallam did and ordered. "If there are a lot of bodies due to war or something else (such as a tsunami or landslide), and it is difficult to bury each body in one grave separately, then two or three bodies can be buried in one grave."

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¹²Muhammad Nashiruddin Al-Abani, "Laws and Procedures for Managing Bodies According to the Qur'an and as-Sunnah" (Imam Asy-Syafi'i Library, 2005) p. 322

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