Removal of Infected Muslim Body Covid-1 According to MUI Fatwa No. 18 Years 2020

Fakhrurazi¹, Adlia Marshinta², Hasanah Aulia³, Rajiv Nazry Faizullah Sina Gula⁴⁺, Wawan Setiawan⁵, Okta Rosfiani⁶

University of Muhammadiyah Jakarta, Indonesia | kamamulamakera@gmail.com¹
University of Muhammadiyah Jakarta, Indonesia | kamamulamakera@gmail.com²
University of Muhammadiyah Jakarta, Indonesia | hsnhauliaa04@gmail.com³
University of Muhammadiyah Jakarta, Indonesia | kamamulamakera@gmail.com⁴
University of Muhammadiyah Jakarta, Indonesia | wawansetiawan61572@gmail.com⁵
University of Muhammadiyah Jakarta, Indonesia | kamamulamakera@gmail.com⁶

Correspondence Author*

Received: 10-12-2023 Reviewed: 15-12-2023 Accepted: 29-12-2023

Abstract

As a result of the COVID-19 pandemic, infected individuals have spread far and fatally affected a significant number of people. Indonesia is fearful and nervous about getting COVID-19. Even when COVID-19 patients have passed away, the virus can still spread to others who come into contact with a dead body. The qualitative, statutory, and normative research approach used to write this thesis is library research (library research) based on secondary sources. A qualitative investigation was carried out on the numerous documentary studies that have been done, which were done by looking through and perusing a variety of literature. Qualitative data is descriptive in nature, meaning it is gathered using words rather than statistics. The study's findings indicate that managing Muslim bodies infected with Covid-19 differs from handling corpses in general and calls for specific handling in accordance with MUI fatwa no. 18 of 2020 for managing the bodies of Muslims infected with Covid-19, in order to prevent infection of the general public and law enforcement personnel performing their duties.

Keywords: pandemic, COVID-19, MUI fatwa no.18 of 2020, corpse, management

Introduction

The government said on March 2, 2020, that two patient cases that tested positive for COVID-19 had entered Indonesia. Nevertheless, specialists, including Mr. PR, an epidemiologist from the University of Indonesia (UI), stated that the primary cause of COVID-19, the SARS-CoV-2 corona virus, has been present in Indonesia since early January. "It is highly probable that the virus (SARS-CoV-2) has infected Indonesia since early January," Pandu stated on Monday, April 5, 2020, during an online debate titled "Mobility Population..."

The respiratory system is attacked by the corona virus, also known as severe acute respiratory syndrome coronavirus 2 (SARS-CoV-2). COVID-19 is the name of the illness caused by this viral infection (Durbin et al., 2023). The corona virus can result in serious lung infections, moderate respiratory system damage, or even death. The COVID-19 corona virus can infect anyone (Leite et al., 2023). The Task Force for the Acceleration of Handling COVID-19 Republic of Indonesia revealed data indicating that as of May 3, 2021, there were 1,677,274 positive confirmed cases, resulting in 45,796 deaths overall. The COVID-19 case mortality rate is approximately 2.7% at this point in time (Pittara, 2022).

The global government has implemented remedies and measures, yet it is unable to stop deaths (Hapid & Dewi, 2023). Thousands of people have died as a result of the COVID-19 pandemic worldwide, regardless of their age, gender, religion, or nationality. Of all the deaths, Muslims account for a sizable portion (Chuang et al., 2023). Undoubtedly, all living things will eventually die. It is inevitable that someone will pass away (Alenazi et al., 2023). Even if someone tries to escape it, death will undoubtedly find them. As a result, the Prophet gave the command to always recall death, which caused a Muslim to hastily prepare his supplies. (Irfan, 2013).

"Say, "Indeed, death is what you are running from, verily, death will meet you, then you will returned to (Allah), who knows the unseen and the real. Then He will tell you about what you have do it” (Qs: Al-Jumu’ah: 08) (Depag RI, 2015).

Because those who passed away were such honorable creatures of Allah SWT, those who die need to have their honor preserved. Thus, the departed must receive special treatment from the living before confronting Allah SWT. The handling of the dead is governed by Islamic law, which all Muslims should be aware of. It was intended to be used for administering the corpse in compliance with Islamic legal regulations (Irianto, 2017, p. 2). Unless the deceased was a martyr battling the unbelievers and the infant was miscarried (siqth), a Muslim corpse must be cleaned, covered, prayed for, and buried before it reaches the ideal month (6 months) (Hamdani, 2008).

As Muslims, we naturally have our own customs when it comes to caring for the deceased. According to Islamic tradition, the body should be cleaned, covered, prayed over, and buried. Hospitals that handle the bodies of COVID-19 victims follow certain guidelines when it comes to treating corpses (Mashabi, 2020). Furthermore, it was reported that the handling of Covid corpses involves the use of plastic wrapping, which is required by Islamic law for burial (with the face facing the ground). However, when the Covid-19 corpse was handled by a medical professional, a problem arose when some residents in several areas refused to have the corpse handled because they were afraid they would contract the virus. In addition, some families of deceased patients did not accept the hospital's decision to not allow the corpse to be taken and handled, forcing them to take it by force, which led to the spread of the Covid-19 virus.

The Indonesian population in Indonesia has received instruction regarding Islamic law
from the Indonesian Ulema Council, an organization of Ulama in Indonesia. The most recent fatwa, number 18 of 2020, about the guidelines for managing the bodies (Tajhiz al-Jana'iz) of Muslims infected with Covid-19 was once again declared by the Indonesian Ulema Council on Friday, March 27, 2020. In line with Syara's perspective, Muslims who lost their lives as a result of the Covid-19 pandemic fall under the heading of "martyrdom in the afterlife" according to The MUI. It is necessary to honor the corpse's rights to be cleaned, covered, prayed for, and buried. In order to protect police, the rights of the body must also be implemented while adhering to medical protocol (MUI, 2020). As previously explained, this study examines the variables that impact the process of issuing a fatwa on the Guidelines for Managing the Bodies (Tajhiz al-Jana'iz) of Muslims afflicted with the Covid-19 pandemic.

Literature Review

Definition of COVID-19

A novel coronavirus type is the cause of the infectious disease known as Coronavirus Disease 2019 (COVID-19). In Wuhan, China, instances of pneumonia with an unclear etiology first surface towards the end of December 2019 (Li et al, 2020). The Wuhan Seafood Market is thought to be connected to the case, according to the findings of the epidemiological study (Narang et al., 2023). The Chinese government subsequently declared on January 7, 2020, that the case's root cause was later, SARS-CoV-2 (Severe Acute Respiratory Syndrome Coronavirus 2) was introduced as a novel coronavirus type (Kemenkes RI, 2020). Coronaviruses are a member of a broad viral family that can infect humans and animals. Certain corona viruses have been linked to respiratory infections in humans, which can range in severity from the common cold to more serious conditions including severe acute respiratory syndrome (SARS) and Middle East respiratory syndrome (MERS) (Wu et al., 2023). The COVID-19 coronavirus disease is caused by the coronavirus that was most recently identified. Before the Wuhan, China, epidemic in December 2019, these novel infections and illnesses were unknown. COVID-19 has since spread over the world and affected several nations (WHO, 2020).

The environment that the virus lives in in humans or animals. Viruses cannot survive for very long outside of the body. Perhaps within a few days, or perhaps within a few hours. In the instance of COVID-19, this is true (Türk Börü et al., 2023). Viruses are more resilient than dead stuff in biological matter (Kurogi et al., 2023). A portion of COVID-19 that is expelled as saliva, mucus, or phlegm also enters the respiratory system of a person who is far away from the COVID-19 carrier—roughly two meters away (Gulakala et al., 2023). Additionally, some of the virus falls and adheres to surfaces in close proximity to COVID-19 carriers. One place that will serve as a source of COVID19 transmission is where the virus falls. It's possible that we touched COVID-19 by accident because its position point is hidden and unknown (Büyükşireci et al., 2023). Therefore, avoiding contact with any surface in a public area—such as escalators, elevators, railings, phone gangang and remote controls, trolleys, and smart toilets—is a straightforward method of preventing the spread of COVID-19 to our hands (Nadesul, 2020).
Symptoms of COVID-19

What COVID-19 symptoms are present? The three most typical signs of COVID-19 are exhaustion, fever, and a dry cough. Aches and pains, nasal congestion, headaches, conjunctivitis, sore throats, diarrhea, loss of taste or smell, skin rashes, or discolorations of fingers or feet are other less typical symptoms that some individuals may have (Mohseni et al., 2021). These are usually modest symptoms that start out slowly. Some people have the infection, but their symptoms are really modest. About 80% of patients recover from the illness without needing hospital care. Approximately 1 in 5 COVID-19 cases result in severe illness and respiratory difficulties. Serious illness is more common in the elderly and in those with underlying medical conditions such as cancer, diabetes, high blood pressure, heart disease, and lung issues. Nonetheless, COVID-19 can infect anyone and cause life-threatening illness (WHO, 2020).

Impact of COVID-19

Positive COVID-19 instances nearly always recover on their own or self-limit. Just 2% of cases pose a serious risk to life. Very little in comparison to SARS, SanDB. We don't actually need to be overly scared of COVID-19 because of this (Noori, 2021). The only group whose chance of dying increases with age is the elderly. The lungs are affected by COVID-19 in roughly 50% of cases. Merely 5% require ICU support, and a mere 2 to 3% require a ventilator breathing apparatus. The majority of cases just need for conventional intravenous hydration therapy and enough oxygen. Usually, a person passes within one to fourteen days after exhibiting symptoms (Nadesul, 2020).

What about bodies in COVID-19? Is it spreadable? Mucous fluid from the corpse's mouth and nose is probably still contagious to anybody who bathe it or come into close contact with it after being touched at the funeral because the virus is most likely still present in the patient's body. When we touch a corpse and fail to wash our hands, the viral mucus that has spread throughout the body can spread indirectly, contaminating our hands when they come into contact with our mouth, nose, eyes, or nose. Thus, full protective equipment is required when touching the bodies of COVID-19 patients in order to prevent infection (Nadesul, 2020).

Rukhshah

Rukhsah, according to Hanafiyah circles like al-Bazdawi, is a legal reprieve granted to believers in the face of obstruction, even though it is prohibited for those without such obstacles. In Saiin (2018). According to As-Shatibi, rukhsah is a law that is imposed because to the existence of a very heavy age; it is an exception to the original law of a general nature (kulli), which shows that something is prohibited, and it is only applicable to those who are in dire need (Salsabila et al, 2021). Islam permits rukhsah for a purpose; nonetheless, this forbearance should not be applied arbitrarily (Anwar et al., 2020). In order for the worship performed to receive alleviation, Rukhsah also has requirements that must be fulfilled (Ahmed & Taufiq, 2021). The first of these is Mukallaf, who is the one who is impacted by taklif (Rohim, 2022). The second signifies the accomplishment of a person's capacity to fulfill the entire criteria, which is puberty or adult human physical and psychological conditions (Asman & Muchsin, 2021). Thirdly, one must possess intelligence or rationality. When one is rational, aware of their place in the world, and able to comprehend all facts, they are granted indulgence.
in worship (Salsabila et al, 2021).

**Fiqh Daruroh**

Emergency jurisprudence, also known as fiqh adh-dharûrah, is defined as jurisprudence that tries to explain the laws of sharia law in response to difficult and emergency situations in order to overcome difficulties generated by these events. Human welfare is safeguarded by emergency jurisprudence (Al-Bayanuni, 2018).

**General Provisions on the Management Of Corpses According To Islamic Jurisprudence**

In Islam, the four most fundamental forms of retirement are bathing, draping, praying, and burying the deceased. However, a martyr's body is just prayed for before being interred right away. The fardhu kifayah is the burial law. The term "fardhu kifayah" refers to a common duty that all Muslims in a location have; if one has fulfilled it, the other is free to do the same.

**Bathing the Corpse** (Hassan, 1982).

a. It's best to bathe the corpse is his family. It is more important for a husband to bathe his wife's corpse or vice versa.

b. The one who bathes the corpse of the man must be the man, as well as the corpse of the woman by the woman. Except by the muhrimnya. (husband and wife, fathers and children).

c. Take care and maintain the aurat during bathing until kafani.

1. **Shrouding the Body**

   After the corpse is washed, then the next step is to close it. The closure is carried out immediately after the body is bathed. The person who enveloped the corpse was the closest person to him. Basically the purpose of covering the corpse is to cover it from eye view and as a respect for it. Because covering the aurat and honoring him is obligatory as long as he is alive, as well as when he has died. The shroud at least covers the cloth that covers the entire body of the corpse, both male and female corpses. Ideal for men with three layers of fabric. Each cloth covered his whole body. While the woman's body must be covered with five pieces of cloth (Maksum, 2023).

2. **Praying the Body**

   After the body is washed and shrouded, the next step is to pray the corpse. The funeral prayer is fardhu kifayah for Muslims who attend. It is an obligation imposed on all Muslims, but if it is done by one person, then everyone is considered to be doing it (Cantika, 2023).

3. **Burying the Body**

   The body was buried in a hole as deep as a standing person with arms waving upwards and with a width of one dzira' or more than one span. Based on a hadith narrated by Imam Tarmidzi regarding the companions who were killed during the battle of Uhud, the prophet said (Muttaqin, 2018):

   اَخْفُروُاَوَأَبْسُغُواْ أَخْسَبُوُّ

   “Dig the grave, make it wider and make it better”
Research Method

This research was written using a qualitative, statutory, and normative research methodology, namely library research (library research) based on secondary sources. Qualitative investigation conducted on the numerous documented studies already in existence, enabling the writer. In terms of data kinds, the quality of material is given priority in this study. In essence, this study is a literary study, which is done by looking through and tracking down different works of literature. When data is gathered using a qualitative approach, it is descriptive in nature and does not involve numerical values.

The three categories of data utilized in this study are Primer, Secunder Legal Materials, and Tersier Legal Materials. Qualitative data analysis is the method used for data gathering and presentation in this study. All of the information gathered on thorough interpretation and reasoning, which the author will thereafter explain in narrative form into words that are comprehensible and straightforward.

Result and Discussion


On Wednesday, March 27, 2020, the Indonesian Ulema Council modified its fatwa number 18 of 2020 regarding the Body Management Guidelines (Tajhiz al jana'iz) for Muslims infected with Covid-19. Before, as stated in MUI Fatwa Provisions No. 14 2020 point 7, the handling of bodies exposed to COVID-19, particularly in the areas of bathing and wrapping, had to be done in accordance with health procedures and by authorized personnel, all the while keeping Sharia compliant. In terms of burial and prayer, follow customary procedures with great care to ensure that no healthy individuals come into contact with Covid-19 (kemenag, 2020).

Muslims who died due to the Covid-19 outbreak, according to the MUI's view, according to Shara's view fall into the category of martyrs in the afterlife. Physical rights such as bathing, shrouding, praying, as well as burying must be filled. The exercise of the rights of such bodies is also obliged to consider the safety of officers by complying with the provisions of the protocol medical (Riani, 2020).

Starting from the first right, namely bathing, MUI views that according to Sharia, the body is bathed without having to undress. The officers who bathe the sex must be the same as the body that bathed or veiled. If there is any feces in the body, then it needs to be cleaned first. The body is bathed by pouring water evenly to all parts of the body. This process of bathing the corpse can be replaced with tayamum if it is not possible to bathe it. The procedure of tayamum is to wipe the face and both hands of the corpse (at least up to the wrists) with dust. If some experts say the body of covid-19 should not be bathed or tayamum because it is dangerous for officers, then in accordance with the provisions of Dlarurat Syar'iyyah (emergency law), the body does not need to be bathed or tayamum (Kemenag, 2020)
Analysis Related to Guidelines for Management of Bodies

The COVID-19 outbreak is one such disaster a test from Allah on the basis of the nature of God, the Most Rahman and Rahim, so Muslims must face it with patience, trust, and business. This is as explained in the words of Allah SWT:

وَلَنَبْلُوَنَّكُمْ بِشَيْءٍ مِِّنَ الْخَوْفِ وَالْجُوْعِ وَنَقْصٍ مِِّنَ الْأَمْوَالِ وَالْأَلْفَسِ وَالْثَّمَرَةِ وَبِتَشَرِّرِ الصَّبِيرِ (155) الدُّنِينَ رَبَّهُمْ وَرُحْمَةٌ وأُولِيَّ الْبُرْرِ (156) أوَلِبَكَ عَلَيْهِمْ صَلَوْتُ مِنَّ اِذَا أَصَابَتْهُمْ مُّصِيِّبَةٌ قَالُوا اِنَّا لِلِِّّٰ وَاِنَّآ اِلَيْهِ رٰجِعُوْنَِۗ (157) اَلَّذِيْنَ اِذَآ اَصَابَتْهُمْ مُّصِيْبَةٌ (155) اَيُّهُمْ الْمُهْتَدُوْنَ

“(155) Indeed, We will test you a little fear, hunger, loss of property, souls and fruits. Give me news happy for those who are patient; (156) (namely) those who When disaster strikes they say: "Innā lillāhi wa innā ilaihi rāji'ūn (Indeed, we belong to Allah and to Him we belong return)"; (157 ) People who receive blessings and mercy perfect from their Lord and they are the ones who get it instruction . ” QS. Al- Baqarah (2) Al-Qur’an verse: 155-157

COVID-19 patients died who had previously tried with faith to prevent and/or treat it, then received a reward like the reward of a martyr. This is as explained in the hadith of the Prophet SAW when one day an epidemic occurred. infectious and deadly diseases (al-tha’un) occur. Plague victims who put their trust and fear in Allah will receive the reward of martyrdom:

“From 'Aisyah ra, the wife of the Prophet, (she said): I asked Rasulullah saw about al tha’un. The Prophet then answered: Indeed the al- tha’un (infectious and deadly disease) outbreak was a test Allah send it to anyone. He wills and so does Allah make it a mercy (a form of love) for people who believe. If al-tha’un happens in your country, be patient there (prayer and try) and seek reward from Allah, and in time the same he realized that nothing would happen to him other than what had happened outlined, then there is no other reward except for him a reward like a reward a martyr” [HR. al Bukhar]

Treatment efforts as a form of effort must be carried out. Therefore In this case, experts, including the government, are obliged carry out these efforts while continuing to provide everything needs related to it. The order for treatment is in accordance with the hadith of the Prophet SAW:

"From Umm Darda' (narrated) she said: From the Prophet (saw): Indeed, Allah created the disease and is the cure. Therefore, take the medicine, but do not seek treatment with that which is haram” [HR alṬabrān ]”.

When implementing social distancing, funerals and health protocols must always be observed, so that COVID-19 can be avoided. According to this Fatwa, bodies that are not bathed are then covered in a cloth that covers the entire body. The body is then put into a safe,
impermeable body bag. This is to prevent transmission of the virus while maintaining the safety of officers. If feces are still found on the body of the corpse after being shrouded in the shroud, the officer can ignore the feces. The fatwa states that after such a wrapping process, the body is then put into a coffin that is not watertight and air. The body is tilted to the right so that when buried the body faces the Qibla. After that, according to this fatwa, those who carry out prayers are obliged to guard themselves from virus transmission, so that the prayer location is in a safe place from Covid-19 transmission (dev, 2020)

"Bathing the deceased is fardhu kifayah for ijma’. What is meant by fardhu kifayah is that if the obligation has been carried out by a person / group that is considered insufficient, then it is dependent for others. If absolutely nothing is done, then everything is sinful. You know, indeed bathing the dead, fanning him, praying him is fardu kifayah without khilaf”

The fatwa states that after such a wrapping process, the body is then put into a coffin that is not watertight and airtight. The body is tilted to the right so that when buried the body faces the Qibla. After that, according to this fatwa, those who carry out prayers are obliged to guard themselves from virus transmission, so that the prayer location is in a safe place from Covid-19 transmission.

If no safe place is found, then funeral prayers are allowed performed in the cemetery before and after burial. If you still haven't it is possible, then you can use supernatural (far) prayers. The last is burying the dead, it needs to be done accordingly with sharia provisions and health protocols. The burial process is carried out by putting the body into the coffin and then in the grave without having to opening the coffin, plastic, and shroud of the corpse. Due to the state of emergency (ad-dlarurah al-syar'iyyah), burial of the dead in one grave is allowed. This is in accordance with the provisions of MUI Fatwa Number 34 of 2004 concerning Funeral Implementation (Tajhiz al-Jana'iz) In Emergencies (Azhar/Thobib).

COVID-19 Body Management Procedures

Explanation of Prof. Dr. Budi Sampurno (Professor of the Faculty of Medicine, University of Indonesia and Prof. drh. Wiku Adisasmito (Head of the COVID-19 Task Force Expert Team) on March 24, 2020, among others, that COVID-19 patients who died (MUI, 2021):

a) Immediately handled, cleaned the dirt, covered the limb holes with cotton, diaphaneyed, wrapped in special plastic so as not to leak.

b) The body is then forwarded to the mortuary to be placed in a coffin. In this retirement room is limited to 4 hours, then put into a special ambulance to be taken to the grave place.

c) After prayer, the body is sent to the burial place. It may be buried in a public cemetery, but it must be in accordance with the mortuary management protocol (issued by the Ministry of Religious Affairs or Local Government). In the protocol, the distance between the grave and the water source is at least 50 meters and the distance to the settlement is 500 meters.
d) All of the above activities are carried out by special officers wearing personal protective equipment (PPE).
e) Family members who wish to see and light and bury must wear personal protective equipment.
f) We and the medical team need a description of the procedures for bathing, mortifying, and abusing the body (MUI, 2020).

Conclusion

The COVID-19 pandemic has resulted in a large number of deaths and widespread infection. To begin with, many Indonesians are fearful of getting the disease and are afraid that they will get it. When COVID-19 patients pass away, the virus is still present and can spread to those who come into contact with their corpse. Many have also questioned how to properly bathe and bury Muslim COVID-19 patients' bodies, as well as whether they should be treated like regular corpses in accordance with Sharia law. Consequently, the Indonesian Ulama Council (MUI), has issued a fatwa on the procedures for managing COVID-19 bodies. Burial of several bodies in one grave is allowed due to emergencies (al-darurah qur'ah) as stipulated in the provisions of MUI Fatwa no. 34 of 2004 concerning Management Bodies (Tajhiz al-jana'iz) in emergencies.

References


Durbin, P. M., Viana, G., Allareddy, V., Kusnoto, B., Ravindran, S., Kadkol, S., &


