Talqīn Dead Before and After Burial; An Analysis of the al-Shafi‘i and Maliki Schools of Thought

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Abstract
This article examines the analysis of the views of the al-Shafi‘i and Maliki schools on the talqīn of the dead before and after being buried. The type of research used by the author in this study is a qualitative research type, which is a type of research that brings library research data sources in the form of books or other scientific works, using a normative approach (shari‘a), which is an approach to the problem that will be studied based on texts in the Qur’an, Sunnah, and ijma‘ of the scholars and obtained from various literatures related to the problems that the author will discuss, both sourced from primary and secondary data. The results of this study found differences in views between the scholars of the al-Shafi‘i School and the Maliki School regarding the legal status of talqīn before and after burial, using the legal istinbath technique of each school. The al-Shafi‘i school of thought is of the view that the law of talqīn before being buried or in a state of death is sunnah as well as after being buried based on the arguments and istinbath of the school's law. Unlike the Maliki school of thought, the law of talqīn before burial is sunnah, and the law of talqīn after being buried is makruh, based on the legal argument that after burial it is considered weak.

Keywords: Talqīn Dead; Burial; al-Sha‘fii School; Maliki School.

Abstrak

Kata Kunci: Talqīn; Pemakaman; Mazhab al-Sya‘fii; Mazhab Maliki.

Introduction
Disagreements over establishing Islamic law are caused by human factors and other factors related to religion. The causative factors have evolved in tandem with societal developments.
with the evolution of law in subsequent generations. Throughout the history of Islamic law, it has become increasingly developed to the point where it can generate strong opposition, particularly among ordinary people.

Concerning the underlying differences between priests of different schools of thought, the causes of ikhtilaf are classified into four categories:

1. Understanding the Qur'an and Sunnah of the Prophet Muhammad.
2. Special reasons regarding the sunnah of the Prophet.
3. Causes related to qaidah fiqiyyah and ushuliyyah.
4. The reasons related to the use of arguments outside the Qur'an and the sunnah of the Prophet Muhammad.

In the jurisprudence of worship, especially in the jurisprudence of the management of corpses, there are also differences in views, both in bathing, shrouding, praying to the burial of the dead, especially in the case of furuuiyyah (branches) of organizing the corpse. There is ikhtilaf in the al-Shafi’i and Maliki schools in terms of talqīn or guiding someone at the time of death and talqīn of the deceased buried. talqīn itself has a meaning according to the language of teaching, understanding orally, namely, someone who teaches something orally to others, then what is taught is followed by the person concerned.

Meanwhile, the term refers to teaching and reminding people who are dying or have recently been buried with certain sentences in the context of the relationship between the living and the dead. Additionally, some scholars interpret talqīn as having two meanings, namely teaching two sentences of the creed to those seeking to depart from this world and instructing or reminding the deceased to answer questions from Munkar and Nakir angel.

According to the well-known Maliki and Hambali schools of thought, the term talqīn (after the body has been buried) is makruh. "O so and so, say Lā ilāha illā Allāh, Muhammad Rasulullah," talqīn says here to the grave's inhabitants. Alternatively, the phrase "O so and so, say; Rabbīyallah, Dīn al-Islām, my religion,

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1 Ahmad Musadad, Muqaranah Mazahib (Madura: Duta Media Publising, 2017), p. 106.
Prophet Muhammad "may be used. (Allah is my Rabb, Islam is my religion, and my prophet Muhammad saw).³

Meanwhile, among al-Shafi'i scholars, it is recommended to perform talqīn on the deceased, both during death and after burial.

**Methods**

The type of research used by the author in this study is a qualitative research type, which is a type of research that brings library research data sources in the form of books or other scientific works. Using a normative approach (shari'a), which is an approach to the problem that will be studied based on texts in the Qur'an, Sunnah, and ijma of the scholars and obtained from various literatures related to the problems that the author will discuss, both sourced from primary and secondary data. After data collection, it is processed using data analysis techniques, specifically by reviewing and analyzing the data and interpreting the collected data to describe the phenomenon under study.

**The Legal of Talqīn**

Linguistically, the word is derived from لَقَّنَ، يُلَقِّنُ، تَلْقِينُا (laqqana-yulaqqin-talqīna) is verbally teaching or explaining something to other people, followed by the person being taught, and reminding people who are dying or have recently been buried with certain sentences.⁴

According to the term talqīn, it has two meanings: first, teaching people who will die the monotheistic sentence; and second, reminding people who have died, who have recently been buried, of how many things are necessary for him to face the two angels who will appear.⁵ According to him, one of the Prophet's words regarding talqīn is contained in a hadith narrated by Imam Muslim, Imam Abu Dawud, and Imam Al-Nasa'i:

\[
\text{عَنْ أَبِي هُرَيْرَةَ قَالَ رَسُولُ الله صَلَّى الله عَلَيْهِ وَสَلَّمَ لَقَّنُوْا مَوْتَكُمْ لاَ إِلَهَ إِلَّا}
\]

**Meaning:**

"Speak to those who are dying among you with the words lā ilāha illā Allāh," the Messenger of Allah said through Abu Hurairah. 

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According to the majority of scholars, the pronunciation of مَوْتََكُمْ in the hadith above refers to people who are close to death, not to people who have died. The hadith makes use of the term majaz (figurative meaning). However, the pronunciation is not incorrect if the word is interpreted in its original sense: people who have died. Because, according to the rules of the Arabic language, it is necessary to direct a lafaz to the meaning of the majaz through the use of qarinah (indication), either in the form of a word or a condition indicating that what is meant by the word is the majaz’s meaning and not the original meaning.6

The majority of people believe that the spirits of those who have died can hear and feel the presence of those who are still alive and can even respond to the greetings of those who visit them. They also believe that by reading and conversing with the corpse after burial, he can receive advice and benefit from it.7

The legal basis for talqīn has been extensively explained in hadiths and scholar comments regarding the permissibility of talqīn in corpses both during and after burial, among the arguments stating the permissibility of talqīn, and throughout the literature, I have discovered that the majority of scholars from among the four priests agree on this point. The schools of thought permit talqīn, even if they are affiliated with the Imam Malik school of thought, which maintains that talqīn is not available (makruh), and even if there is no literacy affiliated with the Maliki school, which maintains that talqīn is forbidden or haram, if not heretical.8

a. Qur’an

Mentally circumcised dead bodies that are adults despite being martyred after burial.9 Explicitly stated in the Surah al-Ẓāriyāt verse 55:


dākkār Ḩan al-dākkār tārif al-muʾmīnīn

Meaning:
“Continue to issue warnings, as they are beneficial to believers”.10

6 Ibid.
b. Hadith

Among the hadiths that state the ability to communicate with the dead are the following: Abdullah bin Ja’far narrated by Ibn Majah, no. 1446:

لاقنو مَوتاَكِمْ لاَ إِلَّهَ إِلَّاَ اللَّهِ

Meaning:

“Talqīn the deceased among you, lā īlāha illā Allāh.”

مارواَهُ سعِّيْدُ بْنُ مَنْصُوْرِّمِّنْ طَرِّيْقِّ رَاشِّيْدِّبْنِّ سَعْدَ، وَضَمْرَةَ بْنِّ حَبِّيْبَ، وَغَيِّْْهَِِّاقَالُوا: اذَا سويَ عَلَى المَي ِّتِّ قَبُْْهُ وَانْصَرَفَ النَّاسُ عَنْهُ كَانُو يَسْتَحِّبُونَ أنْ يُقَالَ لِّلمَيَّتِّ عِّندَقِّْْهِّ: يََفْلاَنُ قُل: لاَ إِلَهَ إِلاَالله، قُل: اَسهد أن لا إله إلا الله،ثلاش م راتٍ، قُل: ربِ الله، وَدِّيْنِِّ الاسْلاَمُ، وَنَبِِّ محمد، شُمَّ ي َنْصَرِّفُ.

Meaning:

“It was narrated that Sa’id bin Mansur, from the path of Rashid bin Sa’d, Dhamrah bin Habib, and others, said: “After the grave has been leveled and the crowd has dispersed, they recommend that the corpse by the graveside be addressed as follows: "O so and so, declare that there is no god but Allah." Declare: I testify that there is no god but Allah. At least three times. Declare: "My Lord Allah." Islam is my religion. Muhammad, My Prophet". Then proceed.”

The Legal of Maddhab

Madhhab is derived linguistically from šīgat maşdar mīmī (adjective) and isim eating (a place word) which are used from fi’il ‘zahaba, yahabu’, which means to go; mazhab also refers to al-ra’yu (opinion), view, beliefs, ideologies, doctrines, teachings, and sects.

While the term "school" encompasses two concepts, the first is the way of thinking or method used by a mujtahid when determining the law of an issue based on the Qur'an and sunnah. Second, madhhab refers to a mujtahid's fatwa or opinion on issues derived from the Qur'an and sunnah. From these two interpretations, it can be concluded that the school is the primary concept or foundation upon which mujtahids base their approach to solving problems in Islamic law.
The Qur’an and the traditions of the Prophet Muhammad contain the following arguments regarding the legal basis of the school of thought:

a. Qur’an

Allah Stated in An-Nahl verse 43:

Meaning:

“And we did not send anyone before you except men to whom We revealed revelation; therefore, if you are unsure, consult someone who is knowledgeable”\(^{15}\)

This verse praises scholars of knowledge, particularly those who possess knowledge of the Qur’an, because Allah commands that they be referred to in all matters. This verse also contains a tazkiyah (recommendation) for scholars, as Allah Almighty commands that those who are unsure about Islamic law issues should consult them. That it is the responsibility of ordinary people to inquire of those who are experts in knowledge; the experts in knowledge referred to here are those who comprehend Allah's texts and books. This is Ibn 'Abbas', Mujtahid's, and Al-opinion. Dahhak's.\(^{16}\)

The scholars agree that the preceding verse is an instruction to those who do not understand Islamic law to seek clarification from those who do. This verse also establishes the precedent for obligating the common people to be taqlid to the madhhab's Imam.

b. Hadith

In an authentic hadith narrated by a Muslim priest, the Messenger of Allah states:

\[
خَيْرُ النَّاسِ قَرْنَٰئِيِّ النَّاسِ، كَيْفُ الْعِلْمِ فَلْيُبَيِّنُنَّ الْعِلْمَ فَلْيُبَيِّنُنَّ مَنْ يَلْقَوَنَّهُمْ.
\]

Meaning:

The best of people are my generation, then the next generation, then the next generation. (HR, Muslim, no. 2533, Bukhari, no. 3651.)

Following these three generations, of course, is equivalent to following the Prophet, because knowledge was accepted by the companions during the Prophet’s

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\(^{15}\) Kementerian Agama RI, Al-Qur’an Dan Terjemahannya.

lifetime, and then the companions transmitted the knowledge they received from the Messenger of Allah to the Tabi'ın, who then passed it on to the Tabi'it Tabi'ın.  

The al-Shafi'i and Maliki Schools of Thought's Perspectives on the Deceased's Talqīn Before and After Burial

1. The al-Shafi'i school of thought prior to and following burial

According to the Shafi'iyyah school of thought, the deceased's talqīn, whether in a state of naza '(sakrah al-maut) or after burial, is a sunnah talqīn.

Sunnah law, or mandup in fiqh, requires that one perform an act because it is considered good and highly recommended; the person who performs the act is entitled to a reward in the form of a reward; however, if the claim is not carried out or abandoned, it is acceptable.

Muslims are also instructed to direct the face of a dying person towards the Qibla by tilting his body to the right, but if this is difficult, it is sufficient to point his legs towards the Qibla by laying his back and raising his head slightly. Slightly to the Qibla, it is also recommended that people who are near death mentally or spiritually guide themselves to say the creed, so that the prospective deceased remembers to say it, as Rasulullah has conveyed:   

لَقِنْنا مَوْتَكُمْ لَا إِلَهَ إِلَّاَالله فَإِّنَّهُ لَيْس مُسْلِّم يُقُوْلُُاعِّنْدَالمَوْت إلاَّأَنجته مِّنَ النَّار

Meaning:

Speak (talqīn) the words la ilaha illallah to those who are about to die, because every Muslim who does so will be saved from the fires of hell.

The hadith was narrated by Abu Hafsah bin Syahin during a marfu' discussion of Ibn Umar's funeral prayer, while the Muslim priest narrated it from Abu Hurairah, but only with lafaz

عن أبي هُرَايْرَة قَالَ فَأَيْنَاء مَوْتَكُمْ لَا إِلَهَ إِلَّاَالله فَإِّنَّهُ لَيْس مُسْلِّم يُقُوْلُُاعِّنْدَالمَوْت إلاَّأَنجته مِّنَ النَّار

Meaning:

"Speak (talqīn) to those who are dying among you with the words La ilaha illallah," the Messenger of Allah stated from Abu Hurairah."

When viewed through the lens of sanad quality, there is no doubt that this hadith was narrated by competent narrators. While some of them may have daif status, this has little effect on the quality of the sanad, which will increase if numerous pathways strengthen its meaning. Thus, if there are numerous hadiths that are similar to the text of their eyes and are narrated by numerous narrators, hadiths that are considered weak or weak can be considered hasan.

According to one of the al-Shafi’i school of thought’s scholars, Imam An-Nawawi, many scholars recommend communicating with the dead.

Meaning:

"Whoever is experiencing death, then remind him by saying ‘الله لا إله إلا الله’ so that his last sentence will be ‘الله لا إله إلا الله’ as mentioned in the hadith, "Who is the end of his word is: ‘الله لا إله إلا الله’, then he goes to heaven ". This talqin order is a recommended order. The scholars have agreed on this talqin. The scholars have made it permissible to multiply the talqin and continue without stopping so that people who are sakaratul-mau are not confused because of their difficult and difficult conditions until it causes displeasure in his heart and he says inappropriate words. According to the scholars, if the person who is dying has said ‘الله لا إله إلا الله’ once, then there is no need to repeat the Talqin. Except after saying that he said other words, then the talqin was repeated again so that the end of his sentence was ‘الله لا إله إلا الله’. akaratul-mau to remind him, do good to him, close his eyes and exercise his rights. All these matters are agreed upon by the scholars based on ijma.)

From the presentation of the preceding hadith and the explanations of al-Shafi’i scholars regarding the sunnah of the deceased's talqin both during naza' (sakrat al-maut) and after burial, Al-Hasan stated that Rasulullah saw and was asked "what is the most important practice?" "You died when your tongue was wet," the Messenger of Allah replied, "because you were a reminder of Allah swt."
According to them, this type of discourse was discouraged, and among those who stated that it was recommended were Al Qadhi Husain Al Mutawalli, Shaykh Nasr Al Maqdisi, Ar-Rafi'i, and others who were not Shafi'i scholars.  

2. An examination of the Maliki School of Thought before and after it was buried

   a. Talqīn the deceased prior to his or her burial (sakarat al-maut state)

   According to the Maliki school, it is recommended that people who are dying read the Shahada (lā ilāha illā Allāh), which is based on the Prophet Muhammad's words.

   Scholars disagree on whether the bodies of people in the throes of death should be oriented toward the Qibla. There are scholars who believe it is permissible, and others who believe it is not permissible to narrate from Imam Malik on this subject; this is a long-standing teaching. According to Sa'id bin Al Musayyib, he denied this act. And there is no history from a friend or a tabi'iin who teaches and practices regarding the advice to direct the people of death toward Qibla.

   Imam Al-Qurtubi of the Maliki school of thought believes that mental talqīn is recommended during the time of death, as Abu Nu'aim mentions in his hadith from Makhul from Ismail Ibn 'Yasy ibn Abu Mu'adz 'Utbah ibn Hamid. Once upon a time, the Messenger of Allah, peace be upon him, stated, "Bring those who are about to perish with you and teach them to say la ilaha illalah. Give them the glad tidings of heaven, for the devil is extremely close to those who are about to die at that time. I swear that seeing the angel of death hurts more than a thousand sword slashes; I also swear that the spirit will not emerge until he sweats from the pain caused by his errors ". Additionally, the scholars stated that Muslims have passed down the mental kinship of corpses from generation to generation.

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b. The Maliki school’s view on *talqīn* after burial

*Talqīn* during and after burial, according to the Maliki school, is makruh, and mentalqīn is only recommended at the time of death. Even reading any verse or surah near someone who is about to die is makruhkan and is not taught by Salaf scholars, but there are also Maliki scholars who agree with the scholars who recommend reading Surah Yasin next to the *Sakrat al-Maut*.  

This view is consistent with the Abu Hanifa school, also known as the Hanafi school, which maintains that while speaking after burial is neither prohibited nor ordered, historical evidence indicates that it is. According to the Maliki school of thought, which holds that the *talqīn* ends with the burial and that once it is buried, it becomes makruh, the *talqīn* is only practiced during the time of death.  

Hadith in Abu Dawud Number 2710

> حَدَّشَنَا مُسَدَّدْ حَدَّشَنَا بِّشْرٌ حَدَّشَنَا عماره بِّنْ غَزِّيَه حَدَّشَنَا يََْيَ بِّنْ عماره قَالَ سمعتُ اَبََ سَعِّيْدٍ ي َقُولُ قَالَ رَسُوْلُ الله صَلى االه عليه وسلم لَق ِّن ُوْا مَوْتََكُمْ ق َوْلَ لاَ إَلَهَ إِّلاَالله

Meaning:

“Musaddad, Bishr, Ummarah bin Ghaziyyah, and Yahya bin Ummarah, said Yahya, I heard Abu Sa'id say, Rasulullah SAW said, “Teach the dead by saying *lā ilāha illā Allāh*.””

The word *لَق ِّن ُوْا* is written in the editorial of the *talqīn* hadith contained in the book of Sunan Abu Dawud above. If an Arabic grammatical approach is taken, this word, according to nahwu expert scholars, is in the form of amar, which indicates the meaning of command. The implication of fiil amar demonstrates that the hadith’s law is an “obligatory” order that must be followed. It is stated in the Usul Fiqh discipline that the الأصل في الأمورالوجوب lens, scholars conclude which means "Remind".

Regarding the ulama’s opinion on the command of mental kin corpses, al-Sindi argues that *talqīn* is for people who are about to die, not for people who have

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died, because talqīn is a new practice (biah) according to some scholars. Meanwhile, the proper procedure is to say the monotheistic sentence next to the person about to die, rather than ordering him to say it. The objective is for what he is discussing to be the conclusion of his speech. According to the ulama of Jumhur While talqīn is a sunnah order, it is not permitted to be repeated or carried out continuously. This is to avoid boring and complicating the situation of the person speaking. Talqīn is considered makruh if it is done from the heart and generates conversation unrelated to the act of talqīn. Additionally, according to Jumhur, mentalqīn-dead is performed once and cannot be repeated unless the person about to die is speaking about something other than talqīn’s words. Al-Qari argues in his book al-Mirqat that the hadith narrated by Abu Dawud requires that talqīn be mandatory. This view was shared by a group of scholars and some Maliki scholars.25

**Conclusion**

According to talqīn, the term has two meanings: first, to teach people who will die the monotheistic sentence; and second, to remind people who have died, people who have recently been buried. According to the Shafi’i school of thought, the deceased’s talqīn, whether in a state of naza’ (sakrat al-maut) or after burial, is a sunnah to talqīn. According to the Maliki school, it is recommended that people who are dying read the Shahada (lā ilāha illā Allāh), which is based on the words of the Messenger of Allah. Even reading any verse or surah near someone who is facing death is makruh and is not taught by Salaf scholars, but some Maliki scholars agree with the Salaf scholars who recommend reading the surah.

Talqīn is a fiqh-based practice of managing corpses that is mostly practiced by Muslims out of respect and affection for those who have died and those who are dying. It is hereby expected that those who are mentally qin or who read talqīn will understand how to and read in talqīn corpse. By comparing the al-Shafi’i and Maliki schools of thought on the issue of talqīn during the funeral and after burial, Muslims can determine which talqīn is permissible according to the al-Shafi’i and Maliki schools, avoiding misunderstandings among Muslims. With the title analysis of the

madhhab priest's views on talqīn, it is hoped that it will be possible to allow freedom in choosing the opinion that he believes is the strongest to be practiced without blaming other opinions, as each opinion has its own arguments and reasons for establishing the law. By comparing the views of the al-Shafi'i and Maliki schools, which are the most popular and influential in Indonesia, we can provide perspectives on talqīn to the Indonesian people.

References


