

## **PERSIS PERSPECTIVE: HADITS STANCE ON THE DEAD'S TORTURE DUE TO FAMILY'S LAMENTATION**

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**Abstract:** PERSIS is a religious organization which actively involved in the field of hadith. Its activities started with routine learning groups of hadiths and Qur'an discussions, especially in relation to Islamic laws which then developed into a movement for organizational reforms. PERSIS argues that all hadiths must get through an initial assessment for their authenticity, both for the history of narrations and its authentic contents as narration validity becomes a regular problem due to its contradiction with the more valid texts. The study deploys a descriptive analytic method to analyze data and make classification before the conclusion is taken concerning the book writing. For instance, the hadith as narrated by Umar bin Khattab states that a dead body will be tortured because of the family members mourning. However, Aisha denied the authenticity of Umar's narration by proposing the Qur'an argument. Apparently, Umar relied on what he overheard from the Messenger with no Quranic support. Whereas, Aisyah referred to the history of a specific verse in the Qur'an even though what came from the Prophet was normally the interpretation of Quranic verses. In this study, PERSIS compiled different opinions among the messenger's friends and family's opinions about whether or not dead muslims were tortured in the grave due to the families' mourning and lamentation.

**Keywords:** Persis, The Dead's Torture, Family, Lamentation

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## Introduction

The hadith of the Prophet SAW about a dead being tortured because his family is crying is one of the hadiths that has received much attention from hadith experts. Two things cause this hadith to attract attention: *First*, the matan of this hadith is considered unacceptable by reason which wants justice to uphold that the consequences of a person's punishment should be based on the wrong actions that that person has committed and not the result of the wrong actions of others. *Second*, there are two different understandings among the Prophet's companions - those who are seen as having credible abilities in understanding religious texts - in understanding this hadith, namely those who understand textually that a dead person is tortured because of the crying of his family, and some friends who understand different that someone cannot be tortured for someone else's mistake.

Departing from these two reasons, often the hadith about a dead person being tortured because his family is crying, is used as a good example when a hadith expert discusses two subjects of hadith science, namely the science of hadith criticism (*science-hadith*), especially in the critical aspect (*nadal-matan*), and the knowledge of understanding contradictory hadiths (*ilmukhtalifal-hadith*) or *ilmata'arudhal-hadith*.<sup>1</sup> In the science of criticism, this hadith is often said to be contrary to the Qur'an verses, which state that "*walatazīrumāzīratunwīzraukbra.*" One does not bear the guilt of another. Meanwhile, in *ilmata'arudhal-hadith*, several hadiths about dead bodies being tortured because of the crying of their families, there are differences in editorial and meaning which are seen as contradictory, so a solution is needed for an understanding that is considered acceptable by reason and faith.

From PERSIS (United Islam) perspective, Muslims are not allowed to rely on Islamic laws merely on the Prophet's hadiths

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<sup>1</sup> In general, criticism of hadith consists of: First, criticism of the patterns of narration and bookkeeping of hadiths; second, criticism of the sanad and matan hadith; third, criticism of *'adalat al-shahabah* (friend justice). See Muhammad Sholikhin, *Hadis Asli Hadis Palsu: Studi Kasus Syekh MM Al-A'zami*, Ph.D dalam *Mengungkap Otentitas Hadis* (Yogyakarta: Garudhawaca, 2012), h. 9

without initial investigation of their validity through research of their sanad and matan.<sup>2</sup> Thus, decisions are made based on stricter rules, more valid texts, and the science of hadith regulated by hadith scholars to determine their validity, hasan (good), or even dhaif (weak/invalid), which will be unlikely to be implemented.<sup>3</sup>

Throughout its development, the quality of hadiths transmission from the Prophet's friends to Mukharrij<sup>4</sup> has changed regardless of to what extent they indicated equal validity with a wide range of reasons, especially in the fact that they were transmitted from Prophet and were accepted by his friends, then were retransmitted to other narrators. Thus, hadith is considered valid when it follows Surah An-Najm 3 and 4 suggestion that what was all revealed was from divine revelation.<sup>5</sup>

All relying on the prophet's speech, behavior, and attitude are called Matan some of which were under his original editorials, and others were based on his friends' editorials. Thus, his friends' capability to comprehend events and contexts around the Prophet's<sup>6</sup>

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<sup>2</sup> Sanad: series or collection of narrators (people who narrated the hadiths). Whereas, matan refers to the hadiths' contents. See: Mahmud ath-Thakhkhaan: Taisir Mustholah al-Hadith. (Kuwait : al-Ma'arif, 1985).

<sup>3</sup> The basic rules refer to the texts of the Qur'an, as suggested in Q.S. Al-Hujurat: 6 (in case of a wicked person with a particular piece of news, they should get through an initial check...).

<sup>4</sup> Mukharrij are rawi (narrators), also known as hadith scholars who recorded hadiths in their books whether in the form of the prophet's speeches, behaviors or taqir. In addition, hadiths scholars recorded only the latest hadiths (in their books) narrated by a series of hadith's narrators. See: Mahmud ath-Thakhkhaan: Taisir Mustholah al-Hadith. (Kuwait: al-Ma'arif, 1985), p. 16.

<sup>5</sup> Al-Qur'an with Indonesian translation, Ministry of Religion of R.I. 1999. 53:3-4.

<sup>6</sup> Jamal Al-Banna : Nahwa al-Fiqh al-Jadid: as-Sunnah wa Dauruha fi al-Fiqh Jadid. (Cairo: Dar al-Fikr al-Islamy, 1997). This book showed Imam Syafi'ie's practical formulation and refutation arguing that the Sunnah was the most valid book after the Qur'an. Yet, Jamal al-Banna criticized: "Al-Qur'an is the only authoritative source of truth, while the sunnah normally sparks controversy among scholars about its stance/position. Therefore, new perspectives are always welcome over the sunnah one of which is through the Qur'anic paradigm, not merely the hadith narrators' paradigm. As long as hadiths are in line with the Qur'an, then it is considered valid/authentic regardless of some of their weaknesses, and thus those incompatible with the Qur'an are considered weak/invalid. Hence, matan comes as the barometer of hadith validity/authenticity.

experience and life played a pivotal role. Nevertheless, according to PERSIS scholars, the challenge of hadiths search is on the matter of its transmission, narration, and books covering particular hadiths to eventually determine their validity, goodness (*hasan*), or even weakness/invalidity (*dlaif*). In addition, another problem came up which was written by various mukharrijis with different or similar editorials.<sup>7</sup>

Some hadith scholars are convinced that not all collected hadiths originally came from the Prophet. This is an undeniable opinion as the collection of hadith must initially get through two methods: *Wurud* dan *Dalalah*.<sup>8</sup> Both methods are compatible with valid text regulation arguing when a wicked person appears with a particular piece of news/information, they should get through an initial investigation.<sup>9</sup>

Thus, it justifies the criticism of hadith's sanad and matan as a hadith should comprise a sanad and matan. However, in practice, they focused more on sanad criticism. Therefore, pros and cons emerge among hadith scholars as some confirmed problems on sanad even though they emphasize on sanad and matan criticism simultaneously.<sup>10</sup> The prophet's friends played a pivotal role in the

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<sup>7</sup> Interview with Salam Rusyadi (the Member of PERSIS Hisbah Board) on November 5, 2022.

<sup>8</sup> *Wurud* refers to hadith's origin to confirm its truth from the Prophet or not. Therefore, at least, two methods are required: criticism on matan and sanad. (*Matan* should be obtained from careful and in-depth research on hadiths' origin based on the text proposed by narrator/s. In addition, to refer to a particular sanad, careful and in-depth research must also be conducted, to eventually accept or reject sanad). Whereas, *Dalalah* refers to the meaning indicated by a particular hadith based on research on its *Wurud*. Thus, another two methods will appear: textual and contextual (textual refers to the hadith's understanding based on the text's verbal meaning. Whereas, contextual refers to how to understand the context around the hadith. See: Mahmud at-Tahakhkhan: *Taisir Mustholah Hadith*, or: Salahuddin Ibnu Ahmad ad-Dlabi: *Manhaj Naqd ind Ulama' al-Hadith al-Nabawi*. (Egypt, Dar-Pole, 1994).

<sup>9</sup> Ibid al-Qur'an : 49:6.

<sup>10</sup> Ibid, Adz-Dzabbi, a sample of criticism on sanad was shown in Ibn Khaldun works, and a sample of criticism on *sanad* and *matan* was shown in Musthofa as-Siba'ie's works and Abu Syu'bah. Whereas, Ibn al-Qayyim (died 751 H/1350 AD) first introduced the method of hadith criticism in his book: *Al-Mannar al-Munif*. In addition, Ibn al-Madini (with his book: *Al-Ilal*) was one of

messenger's speech, behavior, and attitudes even though, as ordinary people, they also had some challenges of making mistakes, especially with the issue of hadith codification as it was not a regular work to do. Thus, they relied on their memorization; a cultural characteristic factor.

The Prophet's friends normally received hadith from the messenger with both direct and indirect methods. The indirect method refers to other friends' intermediaries even though some others could have overheard the hadith from another friend but nothing was particularly carried out. Thus, two methods of hadith transmission came up: the first person (friend) accepted the hadith but he kept silent; no specific attempt was conducted and with no particular comments. Furthermore, the second person received the hadith from the first person but he made a denial or even prompted criticism as he considered it as the first person's mistake due to both different points of view.<sup>11</sup>

There were many factors of problems encountered by the messenger's friends one of which was that they deployed a different editorial rather than what the messenger meant. In other words, they used their own editorials with their comments completing the hadith.<sup>12</sup> As the hadith narrated Bukhari as saying: Ibn Umar stated that the dead will be tortured due to his family's lamentation. Such as hadith triggered multiple interpretations among hadith scholars about whether it was specifically for disbelievers or for all. Hence, it is not allowed to mourn the dead despite the fact that the Prophet once wept over his mother's grave.

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Bukhari's teachers who wrote a book of extensive criticism of hadith matan. Yet, in fact, with this book, he focused on sanad criticism. Whereas, Az-Zarkasi with his work: *Al-Ijabah Fi Ma Istadrakathu as-Syayyidah Aisyah ala Shahabah*. This a more practical book, but both books (except Ibn Qayyim) had limited content for the practical study of Matan Hadith critique. Furthermore, Saladin ad-Dlabi with his work: *Manhaj Naqd al-Matn Ind Ulama 'al-Hadith an-Nabawi* (1403H/1983 AD) with various advantages and has been translated into many languages as it covered more discussion on hadith matan criticism.

<sup>11</sup> Phil Kamaruddin Amin : *Menguji Kembali Keakuratan Metode Kritik Matan Hadith*. (Jakarta Selatan:Hikmah, 2009), 401. dan lihat juga Shalahuddin ad-Dlabi.

<sup>12</sup> Interview with Salam Rusyadi on November 5, 2022.

This particular circumstance—the hadith stating that the dead body will be tortured due to the family's mourning/lamentation—led to the hadith's criticism among friends and scholars' upcoming generation. For instance, when Aisyah managed to criticize some friends and scholars as she had strong memorization of a wide range of hadiths to Abu Hurairah,<sup>13</sup> Umar bin Khattab,<sup>14</sup> Ka'ab al-Ahbar<sup>15</sup> on her accord. The study deploys a descriptive analytic method to analyze data and make classification before the conclusion is taken concerning the book writing.<sup>16</sup>

## Result and Discussion

### The Brief History of PERSIS

PERSIS organization, established in 1923, the organization of reform thoughts, showed its identity for *ijtihad*, especially in the field of Islamic law complying with the Qur'an and sahih hadith. PERSIS has been convinced that there are no ways of understanding Islam without internalizing its laws. PERSIS was initially established through discussion groups conducted by traders who were, back then,

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<sup>13</sup> Aisyah's criticism addressed to Abu Hurairah referred to various matters, such as the issue of kids as the result of adultery which Abu Hurairah considered humiliation (derogatory), the dead body will presumably be tortured due to the family's mourning. In addition, those who carry the corpse (dead body) are obliged to have ablution. Furthermore, Those who perform the *witr* have no obligation for prayer, and some other regulations with which the narration is all history valid.

<sup>14</sup> Aisyah's criticism of Umar bin Khattab in relation to *shalah* (prayer) as narrated by Ibn Abbas that Umar once testified that the Prophets had forbidden after-dawn and after-Ashr prayer. However, when confronted with Aisyah, Ibn Abbas considered Umar's denial, the Prophet stated: Do not you choose the time of sunrise for prayer, and it is forbidden to choose the time of sunset as the sun emerges from satan's two horns. (as narrated by Muslim), see also Sahih Bukhari. Muslim narrated that Umar made a mistake in the prohibition of choosing the moment of sunrise and sunset for prayer. Likewise, Aisyah also gave the same criticism to Umar and Abu Hurairah about tortured dead body due to the family's mourning.

<sup>15</sup>The criticism confirmed a hadith arguing that those who did not participate in the war of Badr will unlikely come into paradise as stated in Q.S. Maryam: 71 (And no one of you will but merely come to the hell).

<sup>16</sup> Jujun S Suriasumantri, "Penelitian Ilmiah, Kefilsafatan dan Keagamaan: Mencari Paradigma Kebersamaan", in Harun Nasution et.al. *Tradisi Baru Penelitian Agama Islam Tinjauan Antar Disiplin Ilmu*, (Bandung : Pusjarlit & Penerbit Nuansa, 1998), 44-50.

concerned about the condition of Islam and Muslims. They felt the static condition of Islamic matters and were doctrine to stand for a particular madhab (scholars of Islamic law) and no chance for *ijtihad*. Thus, the attitude of *strong taqlid* (blind pious) leads ummah (the believers) to do some religious actions but with no basis of valid texts (the Qur'an and hadith). Thus, many *bid'ah* actions were carried out, which also leads to shirk, khurafat, and other munkarat (bad) actions.

PERSIS is a new movement organization and opens for *ijtihad* (open thought) to eventually rediscover Islamic pure teachings in the form of da'wah, building Islamic boarding schools and other educational institutions, the establishment of PERSIS educational institutions was to implement Islamic law in society one of which through *ijtihad*. Three years after the PERSIS organization was founded (1926), A Hasan appeared in the organization of PERSIS. He studied and developed some problems. A Hasan was basically a trader and other traders such as Muhammad Yunus and Zamzam, played a particular role in founding the United Islam (PERSIS). Furthermore, they studied some events discussed by the young group and old group who disputed *talafudz niyat* (reciting the intention in prayer with *ushalli*), *talqin*, *tahlil*, *manaqiban*, and others.

In fact, the younger group disagreed and argued that those issues were not supported by the Qur'an and Sunnah as opposed to the older group who proposed a strong defense against it. Thus, A Hasan attempted to find out the major causes of differences especially to approach various people with different views, including KH Abdul Wahab Hasbullah. A. Hasan asked him about *Ushalli* which was responded with a simple answer but then A. Hasan asked for the right answer with reasons supported by the Al-Quran and Sahih Hadith. In fact, after A. Hasan's serious investigation of the Al-Quran and Sahih Hadith, he did not find a strong acceptable reference.<sup>17</sup>

Hence, along with PERSIS development especially through A. Hasan's thoughts which uphold *jihad* and *ijtihad*, PERSIS new generations, and all educational institutions are all, influenced by A.

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<sup>17</sup> Syafiq A Mughni, *Hasan Bandung Pemikir Islam Radikal*, (Surabaya, Bina Ilmu : 1994),16

Hasan's footsteps by implementing Islamic laws through the spirit of jihad and ijtihad. A Hasan appeared in PERSIS due to its movement of thinking to originate hadith and fiqh based on authentic hadith books. A Hasan was interested in the PERSIS struggle as he wanted to eradicate all kinds of shirk, taklid, bid'ah, superstition, and other misleading thoughts.<sup>18</sup> Furthermore, PERSIS assumed that true faith would not be enforceable without eradicating those that conflicted with sources of Islamic law, ijtihad could not be enforced without eradicating them, it was this kind of view that shaped the morale of his struggle in the future so that it seemed to the public that A. Hasan's appeal seemed to lift PERSIS struggle, even his movement seemed revolutionary in purifying Islamic teachings, both through debate after debate, and the establishment of magazines such as Pembela Islam, Al-Fatwa, Al-Lisan, and others, to preserve ijtihad for the ummah to rediscover pure Islamic teachings.

A. Hasan played a pivotal role in the efforts to spread the PERSIS ideology. However, the idea of eliminating actions and thoughts which contradicted Islamic law also existed. Nevertheless, the efforts of elimination required ijtihad referring to the Qur'an and sahih hadith.<sup>19</sup> As a matter of fact, to understand and practice Islamic teachings, Muslims normally get through three endeavors: ijtihad, ittiba,' and taqlid. A Hasan was strongly against the efforts of Taqlid. Furthermore, he suggested that those who did not have the capability for ijtihad, should take Ittiba'; conducting particular actions but with good understanding, and good reasons supported by authentic references such as the Qur'an and Sunnah.<sup>20</sup> The views of A Hasan about taqlid were frequently against the views of KH A Wahab Hasbullah of Cirebon who had a wide range of support from other ulemas and scholars.<sup>21</sup>

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<sup>18</sup> Ibid.

<sup>19</sup> Ibid

<sup>20</sup> Syamsul Falah, *Pandangan Keagamaan Persatuan Islam*, Studi atas Fatwa-fatwa Dewan Hisba tahun 1983-1987 (Bandung, Research Report of IAIN Sunan Goenoeng Djati :1998), P. 14-15.

<sup>21</sup> Ibid.104.



## Hadith about tortured Dead Body due to Family's Lamentation

عَنْ عُمَرَ رَضِيَ اللَّهُ عَنْهُ قَالَ : قَالَ رَسُولُ اللَّهِ " ص : إِنَّ الْمَيِّتَ يُعَذَّبُ بِبَعْضِ  
بُكَاءِ أَهْلِهِ عَلَيْهِ

Which means: As narrated by Umar as saying: The Messenger stated: A dead person is tortured in the grave due to the family's mourning/lamentation.<sup>22</sup>

When Aisha received such a hadith while Umar had just passed away, she prayed that God the Al-Mighty may bestow Umar with mercy. In addition, she took the oath by the name of Allah that the messenger never stated that a dead believer will not obviously be tortured due to the family's mourning/lamentation. On the contrary, the messenger proclaimed: "Verily, Allah adds disbeliever's torment will be tortured as his family is mourning before his dead body." Furthermore, Aisha stated: The Qur'an is clear enough: "One will surely not bear others' sins. Salam Rusyadi confirmed that what Aisyah suggested was crystal clear as it complies both the Qur'an and hadith.<sup>23</sup>

From 'Abdan, from 'Abdullah, from Ibn Juraij, from 'Abdullah bin 'ubaidillah bin Abu Mulaikah has stated; "Uthman's wife passed away in Mecca, and we came to witness (her funeral). Ibn 'Umar and Ibn 'Abbas were also present while I was sitting between the two." Or, as stated: "I was sitting near one of the two, then another person came and sat beside me." Furthermore, Ibn 'Umar radiallahu 'anhuma said to 'Amru bin 'Uthman: "Isn't it forbidden to cry indeed Rasulullah (PBUH) has said: "Indeed, the dead will surely be tortured due to his family's crying?" Thus, Ibn 'Abbas said: "Indeed 'Umar once said some of those" and then he added that: "I was with 'Umar from the city of Mecca to Al Baida in which he saw someone on his animal under a tree, and said: "Go and see who he is

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<sup>22</sup> Zainuddin Ahmad bin Abdul Latif as-zabidi : *Mukhtasar as-Sahih al-Bukhari* (Riyadl : Dar as-Salam , 1996), 302

<sup>23</sup> Ibid, Salam

riding his animal!" Then, I came to see him who turned out to be Shuhaib. Then I told him. He ("Umar) said, "get him here!" I returned to meet Shuhaib and I said: "Go and meet Amirul Mu'minin." Yet, when 'Umar was on someone's killing attempt, Shuhaib came to his body and said: Oh, my brother, Oh, friend." So 'Umar said, "O Shuhaib, why are you crying for me when the Prophet stated the above-mentioned hadith."<sup>24</sup>

From another story: 'Abdullah bin Yusuf has informed us that Malik forwarded from 'Abdullah bin Abu Bakr from his father from 'Amrah bint 'Abdurrahman he confirmed that he heard 'Aisyah, the Prophet's wife stated: "The Prophet once passed the grave of a Jewish woman whose husband wept for her, then the Prophet stated: *"They really weep for her when she is being tortured in her grave"*.<sup>25</sup> In other words, the Prophet confirmed that when the family wept over one's grave, he, at the same time, is tortured in his grave.<sup>26</sup>

The book of Bukhari confirmed a mauquf hadith reported that Mughirah once stated: "I heard Allah's Messenger state: "The dead body will be tortured due to their family's mourning."<sup>27</sup>

The first hadith narrated by Umar bin Khattab confirming tortured dead body due to the family's mourning/lamentation was obviously an authentic hadith yet mauquf which means a hadith with only one reference or words of friends and only a part of friends' ijthihad referring to something taken from the Prophet. However, when Aisyah received the same information/narration, she denied it (Umar's statement). Aisyah confirmed it as a mauquf hadith as it was not related to any verse in the Qur'an. That way, Aisyah eventually responded and made a similar statement/narration but directly related to the Qur'an and hadith. Thus, PERSIS scholars agreed with Aisha's statement even though Mughirah (another best friend of the messenger) confirmed it as a mauquf hadith—ijthihad of the messenger's friend.

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<sup>24</sup> Ibid Zainuddin. See Q. S :Al-Fatir : 18. Also see Q.S.: An-Najm : 38.

<sup>25</sup> Ibid as-Zabidi, 303. This particular hadits was also narrated by Muslim.

<sup>26</sup> Ibid. As-Zabidi, 303.

<sup>27</sup> Ibid.

Therefore, to have a good understanding of sunnah such as avoiding deviations, falsifications, and erroneous interpretations also need a good understanding of the Qur'an's guidance. In this case, PERSIS goes with Aisyah's statement about this particular issue.

The Qur'an becomes the referential principle of Islamic law. Whereas, Sunnah supports the Qur'an with its theoretical as well as practical explanation. Furthermore, the commandment taken by the prophet was forwarded to the people of God the Almighty. Therefore, no particular text in the Qur'an will contradict the other. However, in case of any contradiction over the Qur'an, only the hadith needs to be corrected despite its valid/authentic transmission. Thus, it is obvious that no probability of the hadith and the Qur'an being contradictory to each other even though the prophet's friends indicated some contradictions.

Thus, without Aisyah's criticism towards some friends, the majority of Muslims would be misunderstanding the valid texts, especially hadiths. Some friends, back then, might have forgotten that the context was actually part of what was described in the Qur'an. In other words, some friends, in that particular case, might not have a good comprehension of the hadiths' content, and it could be worse for the muslim's upcoming generation.

Hence, narrating a hadith that contradicts the Qur'an must have a strong basis, both in terms of valid texts or in the point of view of the narrators' comprehension with obviously valid ways of transmission. That way, hadiths of the same theme should be collected. Whereas, hadiths of clear contradiction with the Qur'an have two probabilities such as the hadith's invalidity or mistakenly misunderstood hadiths.

Thus, the sunnah interprets the Qur'an. In other words, the sunnah provides details of verses with wide meaning, explores the hidden and biased meanings, indicates the specialty of the general meanings, and limits the absolute meaning. These features should be applied to understand the authentic hadiths to avoid contradictions among valid and more acceptable texts. In case of conflict or contradiction, it will unlikely appear for a long time. In addition, it will

surely indicate no conflict among valid texts due to a thorough exploration of its meaning as the messenger's friends will immediately make some corrections to one another.

However, the contradiction among valid texts can be anticipated and even avoided through two texts combination or adjustment. Thus, the seemingly conflicting texts' messages can relatively be implemented. In addition, it is better than simply attempting text tarjih as it means ignoring one text and prioritizing the other. Thus, ways to have a proper understanding of sunnah is by adjusting two contradictory hadiths with seemingly different contents, combining one hadith with another, sorting hadiths according to each proportion so that no conflict of meaning is detected, and yet, even indicating each other's complement.

## Conclusion

Based on the description above, it can be concluded that the hadith about the deceased being tortured because of the crying of his family was narrated by Umar and Ibn Umar, which stated that the corpse was tortured because of the crying of his family, corrected by Aisha. According to Aisyah, the understanding of Umar and Ibnu Umar in the hadith they narrated is contrary to the word of God "*walā tazīrun wāziratun wīzran kabrā*," (a person cannot bear the faults of others). Based on this verse, according to Aisyah, the corpse cannot be tortured because of the crying of the family. Here Aisyah's opinion is more accurate and is followed by PERSIS.

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