



WAGES IN READING AL-QUR'AN AT THE GRAVE

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Abstrac

The problem of this research lies in the practise of setting wages for services to read the Qur'an at the graves of people who have just died with a certain number and determined by the party renting commercializing the reading of the Qur'an. The main pupose of implementation gurading graves of people who have just died is to help mayit in his barzakh, recitation of Qur'an as a helping media for mayit. Usually society carried out this guarding grave for their family or their parents which as long as their live in the world ignore their obligation to God of Allah and they had worse morals, as their faith to the spirit of their family or their parent's spirit they looking for the people who has been prepare the service for reading the Qur'an at their graves and the recitation as a prayer for the spirit. To guarding the grave the reader had make a rate for a night as much as IDR. 1.000.000 it can be increase and can be decrease according to the agreement of two parties in their contract and based on the conditions of the the object in ijarah, this practise have not been fulfilled as a whole, namely the point of benefit the object ability of the object to be transacted in an ijarah agreement and this object include in an obedient of the heirs to pray for their parent's spirit. This research written by qualitative descriptif method with data collection techniques in the form of observation, interviews, documenation, and additional book as a literature references. The main discusssin in this research is an implementation of wages in reading the Qur'an at the grave and review of fiqh muamalah about that implementation. In fiqh muamalah review the implementation of reading the Qur'an in the grave with the rate of payment is forbidden in Islam based on narrative hadits "read the Qur'an and do not take eat something from it" read the Qur'an at the grave is allowed but not to be commercial to take much money from worship work Based on agreement of ulama Mazhab Maliki and Syafi'i allowed to take repayment from the Qur'an (as not to be commercializing) while Hanafi and Hanbali didn't allowed to take repayment from the Qur'an and based on the benefit of the object of ijarah is not fulfilled and the object ability to be transacted.

Key Word; *Recitation, Ijarah, Fiqh*



A. Introduction

In the reality of community life it is inseparable from the many types of *muamalah* (relationships) that occur between one party and another, humans as individuals and also social beings have dependence on other people in various aspects both in the fields of sale and purchase agreements, leasing, cooperation, and similar agreements with the aim of achieving *falah* for the common good. Humans are in up level and noble position because humans can use their mind and that is one of human's character.¹

There is a meaning of society towards guarding the grave by reading the Qur'an at least as a helping media for *mayit* because they have believed it can be helper for the deceased in the grave so that they are given the convenience to answer all problems in the grave and keep the deceased away from the torture the grave because arrogance of men or women cause of the advantages that they have will lead them to the sin.² In Islamic law should be the least object allowed by Personality in this case regarding the wages obtained from reading the Al-Qur'an there are differences of opinion or *khilafiyah* by Fiqh scholars such as the gain from reading the Al-Qur'an expects wages from reading the Al-Qur'an or depends your life on obtaining the material from Al-Qur'an as is the case with wages for reading the Al-Qur'an for people who have passed away.³ In its implementation if someone died, then the heirs who were left behind would look for people had been used to guarding the tomb by reading Al-Qur'an in the grave for 3 days and 3 nights or 7 days 7 nights according to the agreement between the people need services and with people who provide services. In terms of the people who provide the service will determine the rate of pay should be at paid by the tenant if the tenant undertakes then there was agreement between two parties. In its implementation, if someone dies especially parents, the heirs left behind will find people who are willing to look after the graves as for the heirs according to Islamic Law are husband, wife, son, girl, grand father, grand mother, aunt and uncle too. To keep right and obligation of the people in contract of work in Islamic law there is work protection, such as if an accident occurs when a worker working he is entitled to receive coverage for the accident that happened to him.⁴ Article 64 of law number 39 year 1999 concerning human rights stipulates that every child has right to receive protection from economic exploitation activities and work that endangers him that can interfere with their physical, moral, mental, spiritual health and so on.⁵

of this research is field research with data collecting method Observation in the village of Pasir Lancat regarding the implementation of wages for reading the Qur'an were carried



out directly, the target of observation is the community involved in this implementation namely tenants and rents and also village governments officials. To collected research of data has conducted interviews with parties involved in implementing of wages on reading Qur'an namely with the tenants and In carrying out this method of documentation, documentation of research activities was presented in three forms namely list of interview, photos of parties who reciting the *Qur'an*, and scientific support reference (books) in this study.

B. Discussion and Result

Ijarah according to language is the sale and purchase of benefits, while in *syara'* has the same meaning as language. Therefore, Hanafiyah says that *ijarah* is a contract for benefits accompanied by rewards. Just as *ta'liq* (hanging) is not valid in trading, then *ta'liq* in *ijarahis* also not valid. But according to the majority of jurists, relying on pilgrimage in the future is legal. As for the *Syafi'iyah* scholars, it is forbidden to hang *ijarahon* goods in the future as prohibited in buying and selling, except to hang *ijarah* on dependents. For example, "I oblige you to bring my goods to this country or until the next month." This is because the goods under the liability can receive a delay, such as making a greeting to an item delivered at a certain time.⁶ There are two operational meanings of renting in Indonesian, rent is usually used for objects, in Arabic it is called *ijarah*, according to SayyidSabiq in *Fiqhsunah* *ijarah* comes from the word *al-ajru* (wages) which comes from *al 'iwadh* (change / compensation). Property right is relationship between humans and wealth that are determined by *syara'*.⁷

Hanafiyah scholars argue that *ijarahis* a contract or a benefit with a substitute. Meanwhile, the *Syafiiyah* scholars argues that *ijarah* is a contract of benefit that contains a specific purpose and change, and accepts a substitute or ability with a certain substitute, while the *Malikiyah* and *Hanabilah* scholars state that *ijarah* is the property of a benefit that is changeable within a certain time with a substitute.⁸ The conditions for valid *Ijarah* are as follows:

1. The willingness of two parties who perform *ijarah*, the contract made by children, adults but with no sense of reason to rent out their property and them as laborers is not valid.
2. Knowing the perfect benefits that will be accrued so as to prevent disputes.



3. The goods that will be used as the object of the contract that are transacted can be utilized according to the criteria, reality, and syara. If the benefits of what is to be used as the object of *ijarah* are not clear then the contract is invalid.
4. That benefits are permissible, not what is forbidden in Islam.
5. The object that is rented out is not an obligation for the tenant, for example, to hire someone for obligatory prayers or to hire someone who has not yet performed *Hajj* to replace the tenant's *Hajj*.
6. The object of *ijarah* is something that is provided in general. The reward or wages in the rental must be in the form of property which has a clear value which is known either by witnessing or by informing its characteristics. It can be seen in terms of levels, types, and properties.⁹ The pillars of *ijarah* are:¹⁰
 - a. *Mu'jirand Musta'jir*,. The perpetrator of *ijarah* contract who is already baligh and has a healthy mind, so that the contract made by the crazy people and children is not valid.¹¹
 - b. *Shigat* consent *Kabul* between *mu'jirand musta'jir*.
 - c. *Ujrah*, it is required that both parties know the amount in terms of renting and wages.

Argument of Mazhab about Wages in Worship Work It is not permissible for *ijarah* to perform obligations because a person performing his duties is not entitled to a wage from the job, such as the person who pays his debts. So it is not legal to perform *ijarah* to perform acts of worship and obedience such as prayer, fasting, pilgrimage, becoming an imam, adzan, teaching the Qur'an and knowledge that causes people to refuse to perform congregational prayers, study the Qur'an and seek knowledge. The scholars have different points of view in terms of wages or rewards for jobs that are worship in nature or a manifestation of obedience to Allah. The Hanbali school argues that *al ijarahin* acts of worship or obedience to Allah is like hiring other people for prayer, fasting, pilgrimage, or reading the Qur'an whose rewards are given to certain people such as the spirits of people elderly who rent, become *muadzin*, become priests, and other types of law are unclean (*haram*) to take wages from the work based on the words of the Prophet Muhammad "Recite the Qur'an and do not shall find eating roadwas"¹² in other hadiths prophet Muhammad Said If you lift someone be *Muadzin* then don't take (you give) from the call to prayer a reward.¹³ Actions such as the call to prayer, prayer, pilgrimage, fasting, reading the Qur'an and *dzhikr* are classified as *taqarrub* deeds to Allah, the immorality and authenticity of Al-Qur'an has been guaranteed by Allah and its



purity and purity forever.¹⁴ Therefore you cannot take wages for that work apart from God. As an illustration, we often encounter in several regions in Indonesia when someone dies, the deceased's family will ask the students or neighbors to read the Qur'an at home or at the grave for 3 nights, seven nights, or even up to forty nights. then after finishing reading the Al-Qur'an and certain *dzikir* at a predetermined time they are rewarded for their services. As buying and selling which prohibits the provisions of the object of sale and purchase in line with the wages prohibited in Islam.¹⁵ The implementation of wages reading Qur'an at the grave include in *ijarah* contract The form of *ijarah* contract among *mu'jir* and *musta'jir* is an oral form and describe the willing of two parties as long as the periode of lease, delivery of wages. Based on an interview with Mr. Torang Hasibuan as a lesse he said "*Biasana upah mambaca qur'an on diserahkon setelah salose membacana tolu ari tori borngin, tapi on harus adong kesepakatan awal nabjsa jadi upah on dilehen pada hari pertama membaca qur'an dengan alasan halak na diupah on memerluhon biaya kebutuhan keluarganya selama ia membaca Qur'an dengan alasan selama periode mereka inda bias bekerja songon hari biasana*" the wages will submitted on the last day of periode of lease to be precise at night of closing namely *khatmul Qur'an* at *musta'jir*'s house.¹⁶ Amount of *khatam*, time for reading the Qur'an the implementation of guarding the grave starts from the first night after a person dies is buried until the third night after the funeral. Based on interview with Mr. Muhammad Abidin Harahap he said "*selama tolu ari tolu borngin sejak malam pertama mayit dikebumikan sampai malam ketolu atau kepitu*".¹⁷ Executing personal to guarding the grave include in two groups that are usually asked to guard the grave by reading the Qur'an namely a group from Pasir Lancat Village and from another village. People who read Al-Qur'an are those people who have basic religion such as and religious leaders, personal executing of reading Qur'an is not their special profession in general, they work as a rubber and oil palm farmers as well as company workers. Place for executing based on an interview with on of the cemetery guards executors in Pasir Lancat that place of execution namely in the grave of people who have just died and for the last day they have read the Qur'an in the funeral home namely general *khatam* Qur'an with villagers. Wages in reading the Qur'an to guarding the grave for three days and three nights as much as IDR. 2.500.000'-if the party being offered agrees with this amount of wages, that is the amount they receive for three days and three nights. However, sometimes the party who will be paid will make an offer with a nominal wage of IDR. 1.000.000 over night some even ask for IDR. 1.500.000 over night for the implementation of the Qur'an at the cemetery for three days and three nights, the wages earn



will be divided equally by each member. The rights and obligations of *Musta'jiras* agreed upon with *mu'jir*, namely:¹⁸ Provide wages before or after the lease ends according to the agreement, provide food and drink needs as well as equipment needed by *mu'jir* during the rental period. Right and obligation of *mu'ir* namely do everything that is promised to be done during the lease. Maintain the secret and good name of the temple expert as well as the burial expert who is being recited by the Qur'an if during the lease, mystical or strange things happen around the cemetery. If one person experiences a strange incident during the lease period and tells the incident to someone other than the Qur'an member, the *musta'jir* has the right to deduct their wages or not even pay it at all. Understanding of society towards guarding graves by reading the Qur'an as helping media for *mayit* with the guarding of the graves of people who have just died by reading the Qur'an it is believed by the community, especially in the village of Pasir Lancat, that it can be a helper for the deceased in the grave so that they are given the convenience to answer all problems in the grave and keep the deceased away from the torture of the grave. As for the other meaning of the people of the village of Pasir Lancat for the recitation of the Qur'an in the grave, it is necessary if people who die often commit immoral acts during their life in the world far from being obedient to worshipping Allah so that the community thinks by calling a group of people to recite the Qur'an in the person's grave can help the deceased in the grave. While in the world people can worship to Allah in every conditions, leniency is not justified by immorality, in another words that all activities that have an element of immorality must not get relief or ease in *syara'*.¹⁹ While Ibnu Taimiyah argues that *wasilah* prayer to people who are still alive or have passed away is *shirk*.²⁰ Self approach to Allah Implementation of guarding the graves by reciting the Qur'an in the grave is an inner therapy that is felt by those who participate in its implementation and form of mutual help. Between communities will create a cooperative relationship by providing an advantage for both parties. Whether it is a material gain or an inner satisfaction over the form of cooperation between the wages and those who are paid. Based on *Fiqh Muamalah* the pillar requirements of *ijarah* in implementing the lease for reading the services of the Qur'an in Pasir Lancat village have been fulfilled, namely: *mu'jir* and *musta'jir*, *shigat* (contract), and *ujrah*. But in terms of the object of *ijarah* are not fulfilled so that the benefits of the lease can't be handed over or felt by the tenant, to perform acts of worship and obedience such as prayer, fasting, pilgrimage, becoming an *imam*, *adzan*, teaching the Qur'an and knowledge that causes people to refuse to perform congregational prayers, study the Qur'an and seek knowledge.



There are differences of opinion of *mazhab* priests this issue²¹ was agreed upon by the Hanafiyah and Hanabilah scholars in one of the rules of the Hanafiyah scholars mentioned "Not entitled to the wages of the hired person for obedience" and "renting something that is obligatory is not allowed". Therefore, a person who hires his wife for a period of one month to take care of a household is not allowed in Islamic law.²² As for the arguments supporting on the impossibility of obtaining wages from worship work as said by prophet:

اقراوالقران ولا تا كلوابه

The meaning: Read the Qur'an and don't eat anything from Qur'an.

Maliki and Syafi'i schols allow taking wages in exchange for teaching the Qur'an and the sciences because this is type of reward for actions that known. As for supporting on impossibility as prophet said:

ان احق ما اخذتم عليه اجرا كتاب هلا

The meaning: In fact the one who has the most right for you to take the reward is to read the book of Allah.

Based on the information from the *musta'jir* that the wages they give to the *mu'jir* are the requests of the *mu'jir*, regardless of any negotiations between the two parties. In the context of *muamalahfiqh* there is a theory that says "read the Al-Qur'an and don't eat anything from the Qur'an", in the book *Al Fiqh Islam WaAdillatuhu* written by WahbahAzZuhaili also explains that the direction of doing one's obligations is not valid. Doing his obligation is not entitled to get wages from that work, like a person who pays his debt.²³ So, it is not legal to do *ijarah* for tice of worship and obedience, such as praying, fasting, pilgrimage, becoming an *imam*, calling to prayer, and teaching the Koran, because it is renting as an obligatory practice.

Then if it is related to the legal requirements of the object of *ijarah*, one of which is that the object of *ijarah* must be clear and not prohibited in Islamic law, the practice of wages for reading the Qur'an in the grave that occurs in the village of PasirLancat as a research location is contrary to Islamic law. Because the people in the village of PasirLancat, especially the *mu'jir*, have commercialized reading the Qur'an and the benefit of the object for rent cannot be felt or enjoyed by the *musta'jir* as it should be justified in the *ijarah*.



C. Conclusions

Based on the research the writer can conclude the results of the research as follows:

1. Implementation of guarding the grave starts from the first night after a person dies is buried until the third night after the funeral. In practice, since the first night guarding the grave begins. In the village of Pasir Lancat, there has often been a wage for reciting the Qur'an in a cemetery. Not every person who dies reads the Qur'an in the grave, this is based on the material needed to pay for the services of reading the Qur'an which is categorized expensive, the party who makes wages in the village of Pasir Lancat is generally a family level middle and upper economy. To guarding the grave for three days and three nights as much as IDR. 2.500.000'-if the party being offered agrees with this amount of wages, that is the amount they receive for three days and three nights. However, sometimes the party who will be paid will make an offer with a nominal wage of IDR. 1.000.000 over night some even ask for IDR. 1.500.000 over night for the implementation of the Qur'an at the cemetery for three days and three nights.
2. Based on the information from the *musta'jir* that the wages they give to the *mu'jir* are the requests of the *mu'jir*, regardless of any negotiations between the two parties. In the context of *muamalah fiqh* there is a theory that says "read the Al-Qur'an and don't eat anything from the Qur'an", in the book *Al Fiqh Islam Wa Adillatuhu* written by Wahbah Az Zuhaili also explains that the direction of doing one's obligations is not valid doing his obligation is not entitled to get wages from that work, like a person who pays his debt with regard to the practice of wages that occur for reading the Al-Qur'an at the graves of people who have recently died in terms of *Fiqh Muamalah*, it is against Islamic law and the conditions for the rental object and also the rental benefits made by the community in the village of Pasir Lancat do not meet the requirements as explained in fiqh books. Because the terms of the validity of the lease according to Wahbah Az Zuhaili's book, that the object for lease is not the obligation of the tenant, then the benefits of the rental object must be clear and can be utilized, and in other statements in fiqh books it is stated that it is prohibited to take wages from reading the Qur'an.



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End Note :

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- ¹²Kitab Musnad Ahmad Kitab Hadis Imam 9 Lidwa Pustaka I Software No. 14981.p. 123.
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- ¹⁶Based on an interview with Mr. Torang Hasibuan and Mr. Hatta as a lesse
- ¹⁷This is based on an interview on 27 th December 2020 with Mr. Muhammad Abidin Harahap as a person who read the Qur'an
- ¹⁸Interview with Mrs. Sawiyah Dalimunthe at the informant's house on January 1, 2021, 10.23 am-11.00 am.
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