

Islamic Approach to Violations against the Sanctity of the Deceased: A Case Study on Necrophilia in Islam

Fuadi Isnawan

Universitas Islam Indonesia, Indonesia

*Correspondence:  fuadi.isnawan@uii.ac.id

Abstract

This article investigates the legal implications of necrophilia within the framework of Islamic law, specifically addressing whether such acts can be categorized as *zinā* 'adultery'. The primary aim of this research is to analyze how Islamic teachings interpret and regulate sexual relations with deceased individuals, with a focus on the fundamental principles of human dignity and sanctity. Utilizing a qualitative method alongside a case study approach, this study involves a comprehensive review of Islamic texts, legal cases, and scholarly interpretations. The data sources encompass Islamic literature, the Qur'an, Hadith, and legal references, including scientific journals and academic books. The theoretical framework is anchored in the concepts of *maqāṣid syarī'ah*, particularly the preservation of religion '*ḥifẓ al-dīn*', intellect '*ḥifẓ al-aql*', and life '*ḥifẓ al-nafs*'. The findings indicate that necrophilia is regarded as a serious violation under Islamic law, representing a breach of both moral and legal standards, which results in stringent penalties. In conclusion, this study underscores the importance of upholding the dignity of the human body after death, as mandated by Islamic law. This research contributes by clarifying how Islamic law addresses necrophilia and reinforcing societal norms related to the sanctity of life and death.

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INTRODUCTION

The principle of honouring the deceased is a foundational aspect of Islamic jurisprudence, reflecting a deep-seated respect for human dignity that transcends life and death (Salma, 2021). This principle emphasize the sanctity of the human body and mandate respectful treatment after death (Petras Bahadur, 2020). Islamic law not only mandates that bodies be treated with reverence (Davoudi, 2022), but also views any act that desecrates a corpse as a violation of both moral and divine law. Such guidelines serve as an ethical and legal framework designed to protect human dignity, maintaining the sanctity of the deceased and supporting a broader understanding of human rights in Islam (Gabay & Tarabeih, 2024). However, the rise of crimes such as necrophilia challenges these values and exposes limitations in how traditional Islamic principles are incorporated into contemporary legal systems.

In many modern legal frameworks, necrophilia is either under-regulated or lacks specific punitive measures, highlighting a disparity between the respect Islam mandates for the deceased and the enforcement mechanisms available in secular legal systems (Cini & Vella, 2021). Despite the explicit emphasis Islam places on the sanctity of the deceased, necrophilia poses a disturbing violation of this sacred principle (Ela A. Leshem, 2024). In Islamic law, such acts are not only considered profoundly immoral but also represent a grave infringement on the human dignity that must be preserved even after death (Chusnul Azhar & Yunita Furi Aristyasari, 2020) (Ridho et al., 2024).

While Islamic law provides clear moral guidelines condemning necrophilia, the legal frameworks that should enforce these prohibitions often remain underdeveloped or insufficient (Maame Efua Addadzi-Koom, 2021). In many cases, existing laws address the violation of graves or desecration of bodies but fail to cover the full scope of offenses related to necrophilia, leading to

gaps in legal recourse ([Sharol Steven, 2023](#)). This legal ambiguity results in challenges to the implementation of Islamic ethical principles in modern legal systems.

Several documented cases in Indonesia highlight instances of necrophilia, underscoring the relevance and gravity of addressing sexual intercourse with corpses within the legal framework. The case are: A 19-year-old young man named M. Adi, with his sexual desires, raped a corpse who had the initials AE aged 15 years. AE is a 3rd grade student of SMPN 1 Kemlagi, Mojokerto, East Java. Adi raped AE twice. This rape occurred after AE was killed by a classmate who had the initials AB (15). Adi did this because of his sexual desires. Adi committed the immoral act twice. The first intercourse, he did not ejaculate. When he committed the second rape, Adi ejaculated, and he even released his sperm outside the victim's vagina ([CNN](#)). A teenager whose initials are JND made a confession that he committed the murder of a family of five in Babulu Laut Village, Babulu District, Penajam Paser Utara Regency, East Kalimantan. The 16-year-old JND killed five people at once consisting of a father, mother, and three children on Tuesday (6/2/2024) in the early morning. JND had a romantic relationship with the victim RJS. However, the relationship ran aground because the girl's parents did not give their blessing. According to AKBP Supriyanto as the North Penajam Paser Police Chief, the perpetrator JND not only killed the 5 people, but he also committed immoral acts against two of the victims' bodies. According to him, from JND's statement, after eliminating lives, he raped the mother and adult child, after which he was left behind ([Tito Dirhantoro, 2024](#)).

This study, therefore, seeks to bridge the gap between Islamic principles on human dignity and the modern criminal justice response to necrophilia. By examining the Islamic concept of honouring the deceased, this research evaluates the relevance and applicability of these principles in framing a legal response to crimes that violate the sanctity of the body. It aims to demonstrate that Islamic values, when effectively translated into legal provisions, can address the complexities of modern crimes involving the deceased. Furthermore, this study seeks to propose a model wherein Islamic principles regarding the sanctity of the deceased could serve as a universal framework adaptable to various legal systems.

In exploring these intersections, this research contributes to the body of knowledge by directly addressing necrophilia within the scope of Islamic legal thought, a topic that has received limited scholarly attention. A review of the literature from the last decade reveals that previous research has generally focused on the ethical considerations in handling corpses within Islamic contexts or the broader principle of protecting human dignity in life and death. However, few studies have specifically examined how these principles might be applied in cases involving necrophilia, leaving a significant gap in scholarship regarding criminal acts against corpses. By connecting Islamic ethical imperatives with modern legal issues, this study provides a state-of-the-art perspective on how classical jurisprudence can inform contemporary legal policy.

Research on necrophilia in Indonesia remains sparse, with limited clarity on its regulation under the country's existing legal framework. The first relevant study by Pasaribu and Hariyanto ([Pasaribu & Hariyanto, 2024](#)) reveals that necrophilia cases are commonly prosecuted under general criminal offenses such as murder, with little recognition of the act's specific nature. The Pornography Law (Law No. 44 of 2008) mentions sexual acts with corpses but lacks clear regulatory measures. Pasaribu and Hariyanto highlight the need for legal reform, proposing the classification of necrophilia as a general offense with a maximum prison sentence of 2 years and 8 months. This study emphasizes philosophical, sociological, and comparative legal analyses, proposing an urgent revision of Indonesia's laws. Similarly, Hapsari's work, examines the application of the Criminal Code (KUHP) and the TPKS Law in cases of corpse rape ([Hapsari, 2024](#)). Her analysis underscores a gap in explicit regulations under the Criminal Code, prompting an exploration of how the TPKS Law can bridge this legal void. The broader definition of sexual violence provided by the TPKS Law offers a clearer legal framework. Hapsari also discusses human rights considerations, emphasizing the continued respect for human dignity after death.

Pratiwi and Ahmad, in their study focus on the moral and legal aspects of corpse rape. According to their findings, the act of rape against a corpse is both highly immoral and a violation of the deceased's rights (Elza Deswira Pratiwi & Gelar Ali Ahmad, 2024). They analyze Article 271 of the New Criminal Code, categorizing such acts as improper treatment of corpses. However, they highlight the inadequacy of this article under the *lex certa* principle, advocating for clearer regulations inspired by international laws, such as the Sexual Offences Act 2003. Lastly, Marasabessy et al. analyze the enforcement of criminal law in a specific case involving lewd acts against a corpse (Santy Marasabessy et al., 2024). Their case study of a court decision underscores the need for harsher penalties to create a deterrent effect. They explore the concept of *concursum* (combination of offenses) as a policy and legal approach in handling such cases, emphasizing the necessity for stricter sentencing.

This study contributes to the existing literature by offering a holistic examination of necrophilia within the Indonesian legal context, bridging the gaps identified by prior research. Unlike Pasaribu and Hariyanto's emphasis on general criminal reform, this study focuses on aligning Indonesian laws with Islamic jurisprudence, particularly the protection of human dignity after death. Unlike Hapsari's exploration of the TPKS Law, this work delves into the broader ethical and theological underpinnings, offering a perspective grounded in *Maqashid al-Shariah* (objectives of Islamic law). While Pratiwi and Ahmad highlight legal inadequacies, this study seeks to propose an integrated legal and moral framework. Furthermore, the analysis of case law provided by Marasabessy et al. is expanded upon by examining necrophilia's criminal implications beyond *concursum*, advocating for reforms aligned with both national and international standards.

The objective of this research is to clarify the Islamic stance on the sanctity of the deceased and evaluate the relevance of these principles within the context of modern criminal law, particularly regarding crimes such as necrophilia. The research argues that the Islamic concept of human dignity offers a robust, adaptable foundation that can be integrated into diverse legal systems to address acts that violate the sanctity of the body. By addressing this gap in scholarship, this study aims to contribute both theoretically and practically to the development of a legal framework that recognizes and upholds human dignity across contexts and cultures.

This research is particularly significant due to the growing concern over necrophilia and the apparent gap in Indonesia's legal framework regarding the punishment for perpetrators who engage in sexual acts with corpses. Despite the severity of the crime, there is no explicit regulation in Indonesian law that directly addresses necrophilia as a distinct offense, leaving such cases to be prosecuted under general criminal provisions, such as those for murder or sexual assault. This legal ambiguity often results in inconsistent sentencing, and the lack of a clear legal definition may undermine the pursuit of justice for victims, both in terms of legal protection and moral recognition. Additionally, the absence of a specific legal framework for necrophilia in Indonesia contrasts with international standards, where many countries have distinct laws criminalizing sexual acts with the deceased. Given the moral, social, and legal implications of necrophilia, this research seeks to highlight the urgency of enacting laws that clearly define and penalize such acts. The establishment of such regulations would not only serve to protect human dignity and uphold societal values but also represent an important step towards modernizing Indonesia's criminal law to ensure it is in line with contemporary legal principles and human rights standards. This gap in the legal system presents a compelling opportunity for reform, aiming to strengthen the rule of law and provide more precise legal protections for the dignity of the deceased.

METHODS

This study employs a qualitative research methodology to deeply explore the concept of the sanctity of the deceased within Islam and its violation through acts such as necrophilia. The choice of a qualitative approach enables a nuanced examination of complex social, legal, and religious constructs related to this sensitive topic (Zuchri Abdussamad, 2021). This method seeks to elucidate Islamic perspectives on maintaining and preserving the dignity and sanctity of deceased individuals,

drawing from Islamic jurisprudence (*fiqh*) and theological teachings. By analyzing primary religious texts and interpreting scholarly opinions, this study provides a comprehensive examination of the normative elements and doctrinal principles in Islamic law relevant to the issue at hand. This operational framework helps contextualize necrophilia within Islamic traditions, illustrating its implications as a violation against the sanctity of the deceased.

To facilitate a focused analysis, a case study approach has been adopted, allowing for an in-depth examination of real-world incidents that exemplify violations of the sanctity of the deceased through acts of necrophilia (Abdul Fattah Nasution & Meyniar Albina, 2023). By closely studying specific cases, the research contextualizes theoretical and normative principles within practical scenarios, demonstrating how Islamic teachings are applied. This approach offers critical insights into the broader implications of preserving the dignity of the deceased and highlights deviations from these established norms in Islamic contexts.

The study is presented as an analytical-descriptive research paper that analyzes and describes the phenomenon of necrophilia as a grave violation of the deceased's sanctity, with a focus on Islamic jurisprudence. Through a combination of doctrinal analysis and case studies, this research examines ethical norms, legal responses, and the implications of such violations within Islamic law. By providing both analytical depth and descriptive context, the study seeks to offer a comprehensive understanding of the issue.

The data sources for this research encompass a wide range of authoritative materials. Primary sources include the Quran and Hadith literature, forming the bedrock of Islamic jurisprudence. These texts offer essential guidance on matters concerning the sanctity and dignity of the deceased. To complement these primary sources, the study draws on scholarly works and interpretations, including classical and contemporary legal commentaries that provide diverse interpretations and rulings related to the treatment of the deceased. Legal documents and fatwas issued by recognized Islamic authorities are also examined, ensuring a broad and accurate representation of religious legal perspectives.

Data collection techniques utilized in this study include a systematic literature review of primary texts, scholarly works, legal opinions, and related academic sources to provide a comprehensive understanding of the sanctity of the deceased. A document analysis was conducted to scrutinize relevant texts, identifying normative and doctrinal elements that inform Islamic legal and ethical responses to violations. Additionally, case examination allowed for a focused review of specific instances of necrophilia, contextualizing doctrinal principles within practical scenarios and illustrating the application of Islamic teachings.

The data analysis process involves a qualitative content analysis, where data from secondary sources are carefully coded and categorized based on thematic relevance. This analytical technique allows the researcher to interpret complex legal and religious texts, identifying themes related to the sanctity of the deceased and the ethical implications of necrophilia. By categorizing data, the study identifies patterns and relationships within the literature, enabling a detailed analysis of the ways in which Islamic teachings can inform modern legal approaches. The final interpretation of the data seeks to bridge the gap between normative Islamic values and their practical application in contemporary criminal law, contributing to an understanding that is both theoretical and implementable.

The theoretical framework underpinning this research is grounded in the concept of *Maqāṣid Syarī'ah* (Objectives of Islamic Law), which emphasizes the preservation of essential human interests and values, including the sanctity and dignity of human life, both in life and after death (Ibrahim et al., 2019). Within this framework, protecting the sanctity of the deceased is seen as a fundamental principle. The study draws on Islamic ethics and jurisprudence to analyze necrophilia as a grave violation of this principle. Furthermore, it incorporates perspectives from various Islamic schools of thought, offering a diverse and balanced interpretation of religious and legal responses. This theoretical approach enables a holistic examination of the ethical, social, and legal dimensions

of the issue, providing a strong foundation for understanding Islamic views on violations against the deceased's sanctity.

RESULTS AND DISCUSSION

Concept of Necrophilia

Necrophilia, literally translated as 'love of the dead', traces its conceptual origins to the 19th century. Belgian psychiatrist Joseph Guislain is credited with introducing the term to medical and psychological discourse, emphasizing the act of sexual defilement of the deceased, or the attraction to corpses through physical or carnal acts. This definition reflects the unsettling nature of necrophilia, capturing both the physical intimacy sought with deceased bodies and the psychological complexities that motivate such behavior. The evocative description, "*May my quivering lips taste the coolness of yours as the warmth of my eternal love enters you and stays with you forever*", further underscores the desire to bridge the gap between life and death through intimacy. It exemplifies the complex, and often morbid, interplay between love, obsession, and control that lies at the heart of necrophilic behavior (Anand Kumar Vasudevan, Prashanthi Krishna Dharma, & L Eccleston, 2019).

Necrophilia, as a rare and often stigmatized paraphilia, involves deriving sexual pleasure from sexual acts with or the sexual abuse of deceased individuals. Etymologically, the term /necrophilia/ originates from the Greek words /philia/, meaning 'attraction' or 'love', and /nekros/ referring to a 'dead body'. This dual origin captures the disturbing yet complex interplay of attraction and death inherent in necrophilic behaviors. Stein et al. (2010) further elaborate on necrophilia as involving sexual relations with corpses, noting that it is considered an uncommon disorder. The rarity and clandestine nature of necrophilic acts make it difficult to accurately gauge their true prevalence. The hidden and often illicit nature of these behaviors suggests that instances of necrophilia might be underreported due to their taboo status within society. Consequently, any attempt to measure its prevalence is fraught with challenges and may remain elusive (Tippett, 2024).

According to Merriam-Webster, necrophilia is defined as an "*obsession with and usually erotic interest in or stimulation by corpses*". This condition has also been referred to as necrophilism, necrolagnia, necrocoitus, necrochlesia, and thanatophilia. Generally, necrophilia can be categorized into two main forms: sexual and nonsexual. Sexual necrophilia involves a person's desire to engage in sexual intercourse or any form of sexual contact with a corpse, often characterized by a deep-seated fixation on physical intimacy with the deceased. In contrast, nonsexual necrophilia is marked by a strong compulsion to handle, remain close to, or observe corpses without necessarily engaging in sexual acts. The distinction between these categories underscores the complex psychological motivations and behaviors associated with necrophilia, which often stem from deep-rooted psychological disturbances and cultural or personal factors that influence individuals' interactions with the deceased. This categorization also aids in understanding the broader implications of necrophilic acts, ranging from pathological to ritualistic behaviors observed in different societies and historical contexts (Bhaskar, 2020).

Rosman and Resnick (1989) developed a tripartite model to categorize necrophilic behaviors, differentiating between genuine necrophiles and pseudonecrophiles. Pseudonecrophiles experience only a temporary attraction to corpses and generally maintain a stronger preference for living partners. This transient interest contrasts with the persistent, focused behaviors of genuine necrophiles. The latter group is subdivided into three primary categories: necrophilic homicide, regular necrophilia, and necrophilic fantasy. Necrophilic homicide refers to individuals who commit murder to obtain a corpse for sexual purposes, driven by a premeditated desire to engage with the dead. Regular necrophiles, in contrast, do not actively create opportunities but instead seek out pre-existing opportunities to engage with corpses, demonstrating a more opportunistic approach. Lastly, necrophilic fantasy encompasses individuals who limit their necrophilic tendencies to fantasies of sexual contact with the deceased, without acting on these thoughts in real-world contexts. Rosman and Resnick's model, constructed after reviewing 122 cases, including 88 from documented

literature and 34 unpublished instances, provides a comprehensive and empirically grounded framework for understanding the spectrum of necrophilic behavior (Mark Pettigrew, 2019). That classification shown in figure 1.

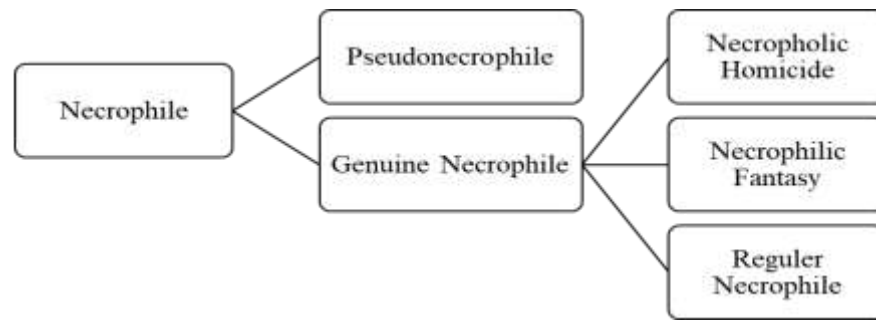


Figure 1. Tripartite Model of Necrophile from Rosman and Resnick

This categorization not only highlights the diversity of necrophilic tendencies but also emphasizes the complex interplay between thought, desire, and action in individuals with this paraphilia. By distinguishing between different manifestations, the model offers insights into the psychological and behavioral dimensions of necrophilia, aiding in both academic research and practical interventions. As further cases and variations are observed, this model remains adaptable, capable of incorporating new forms of necrophilic behavior that may emerge over time.

According to Anil Aggarwal, professor of forensic medicine, necrophilia, sometimes referred to as necrolagnia, necrocoitus, necrochlesis, or thenatophilia, involves sexual attraction to or engaging in sexual acts with corpses. The majority of individuals identified as necrophiles are heterosexual males between the ages of twenty and fifty, though cases involving homosexual or female necrophiles have also been documented (Petras Bahadur, 2020). While necrophilia is a rare form of paraphilia, its occurrence has been recorded across various cultures and historical contexts worldwide. Certain necrophiles may deliberately seek employment in settings such as mortuaries or coroner's offices, where they can gain access to deceased bodies and exploit such situations. In clinical terms, necrophilia is recognized as a paraphilic disorder and classified within frameworks such as the ICD-10 and the Diagnostic and Statistical Manual of Mental Disorders (DSM) (Kumar et al., 2019).

Notably, Anil Aggarwal, has developed a comprehensive ten-tier classification system for necrophilia based on his research (Bhaskar, 2020). This classification aims to provide a clearer understanding of the complexities surrounding necrophilia and its various manifestations (Fuadi Isnawan, 2024).

Table 1. Anil Aggarwal Necrophilia's Classification

Class	Type	Characteristic
I	Role players	Individuals in this category, referred to as role players, derive sexual arousal not from actual corpses but from living individuals who simulate being dead. This phenomenon is sometimes termed pseudonecrophilia.
II	Romantic necrophiles	Romantic necrophiles experience a desire to maintain a connection with their deceased loved ones. They may engage in preserving the bodies or body parts of these individuals, seeking to fulfill their romantic inclinations and derive sexual arousal from their preserved remains
III	Necrophiliac fantasizers	This class includes individuals who primarily engage in fantasies involving sexual relationships with the deceased. The mere presence of a corpse or a cemetery can elicit sexual arousal or pleasure for these individuals.

IV	Tactile necrophiles	Tactile necrophiles take a step further than fantasizers, requiring physical contact with a corpse to achieve sexual gratification. This group may include medical students who experience arousal during dissection.
V	Fetishistic necrophiles	Known as necrofetishists, individuals in this category focus on the fetishistic aspect of necrophilia. They may cut parts from deceased bodies to derive sexual pleasure from tactile sensations, but unlike romantic necrophiles, their motivations are not rooted in affection.
VI	Necromutilomaniacs	Known as necrofetishists, individuals in this category focus on the fetishistic aspect of necrophilia. They may cut parts from deceased bodies to derive sexual pleasure from tactile sensations, but unlike romantic necrophiles, their motivations are not rooted in affection.
VII	Opportunistic necrophiles	Opportunistic necrophiles do not initially seek sexual encounters with the deceased. However, if they find themselves in a situation where they become aroused in the presence of a corpse, they exploit that opportunity for sexual intercourse.
VIII	Regular necrophiles	Regular necrophiles exemplify classic necrophilia, as they find sexual pleasure exclusively with the deceased, although they may occasionally engage in sexual activities with living partners.
IX	Homicidal necrophiles	This category is considered the most dangerous, as homicidal necrophiles commit murder to fulfill their sexual desires. They are often associated with unnatural sexual practices and can be involved in acts of cannibalism.
X	Exclusive necrophiles	Exclusive necrophiles find sexual intercourse with living individuals nearly impossible. For them, engaging with a corpse is essential to experiencing sexual pleasure.

Considering these ten classifications, it becomes evident that, similar to other forms of sexuality, there exists a broad spectrum of necrophilic behaviors. For instance, individuals categorized as Class I necrophiles do not engage in sexual activities with corpses; instead, they derive arousal from the mere fantasy of death. Conversely, Class IX necrophiles actively seek to kill others in order to engage in sexual acts with their deceased bodies, as for them, the fantasy must manifest in reality. In contrast, Class II necrophiles may not necessarily be perceived as threatening or perverse, depending on the context of the situation (Petras Bahadur, 2020). A notable example is the 2013 case of a woman who slept beside her husband's decaying corpse for nearly a year following his death. A pathologist who examined this case remarked, "This is not the first time I have made a discovery of this kind; I've encountered two or three other instances where individuals continued to sleep with their partner's corpse. Such cases may be viewed as disturbed rather than perverse, and they certainly differ significantly from the other classifications proposed by Aggrawal. In this context, the prevention of a lawful and decent burial—a crime under the common law of England, Wales, and Northern Ireland—might serve as a more appropriate basis for legal action than the charge of necrophilia itself, particularly if the corpse has not been abused. This highlights the fact that necrophilia remains a largely misunderstood concept, with insufficient recognition of the diverse range of behaviors it encompasses (Tippett, 2024, p. 116).

The case of David Fuller stands as one of the most disturbing instances of necrophilia in British legal history. Convicted of the murder of two women and the sexual abuse of over 100 corpses, Fuller's crimes shocked the nation. His extensive library of images documenting these acts led prosecutors to label his offenses as "unimaginable sexual depravity." The severity of his actions exposed significant legal and systemic gaps in addressing necrophilia as a criminal offense. Before

the implementation of the Sexual Offences Act 2003 in the UK, sexually interfering with a corpse was not classified as a distinct sexual crime. This legal oversight existed due to the belief that a deceased body lacked legal rights, leaving surviving family members as indirect victims. However, the intense emotional trauma experienced by the families of Fuller's victims highlighted the need for legal reform. Relatives expressed profound grief, with some stating that Fuller had "destroyed our souls" and "ruined hundreds of family members' and friends' memories of their loved ones." The Fuller case underscored the hidden nature of necrophilia-related crimes, which often occur in secluded environments like hospitals and mortuaries. The psychological profile of necrophiles, as suggested by criminologists, aligns with offenders seeking secluded opportunities to commit such acts. Despite the rarity of reported cases, experts argue that the actual prevalence might be higher due to the secretive nature of the crime. The case has prompted calls for stricter sentences, with campaigners advocating for increased penalties from the current maximum of two years to a minimum of ten years. An independent inquiry was also launched to investigate how Fuller evaded detection for so long and to recommend preventive measures, including enhanced mortuary security and stricter surveillance protocols ([Guardian, 2021](#)).

A 24-year-old New York City man, Anthony Merino, has been detained on charges of engaging in sexual acts with the corpse of a 92-year-old woman in the morgue of the hospital where he was employed. The incident occurred at Holy Name Hospital in Teaneck, New Jersey, and came to light when a hospital security guard reported witnessing the act firsthand. Local police promptly responded to the report, apprehending Merino at the scene and bringing him in for further questioning. In an official statement, a spokesperson for Holy Name Hospital condemned the act as a "heinous crime" and expressed their deep sympathy and condolences to the victim's family. Merino, who had been employed at the hospital for only 14 days and had passed a criminal background check prior to his hiring, has been charged with "desecrating human remains," a second-degree offense under New Jersey law. If convicted, he faces a maximum prison sentence of 10 years. The court set bail at \$400,000, with conditions requiring Merino to surrender his passport and undergo a psychological evaluation. In addition to his role at Holy Name Hospital, Merino was also working part-time as a histology technician at Overlook Hospital in Summit, New Jersey. The latter institution confirmed that Merino had passed a background check before his employment and had no prior complaints filed against him during his brief tenure there. This case highlights the concerning phenomenon of necrophilia, a psychological condition classified under the broader category of paraphilia. According to Michael Fogel, Chair of the Forensic Psychology Department at the Chicago School of Professional Psychology, paraphilia involves unusual sexual fantasies and urges, such as attraction to non-human objects or deriving arousal from pain or humiliation inflicted on oneself or a sexual partner. The Merino case serves as an extreme example of this condition, underscoring the need for comprehensive legal, psychological, and ethical frameworks to address such rare but deeply troubling behaviours ([News, 2009](#)).

In a deeply disturbing case from Jalandhar, India, an e-rickshaw driver has confessed to the murder and posthumous sexual assault of a 22-year-old nurse on December 25. The incident came to light after the nurse's body was discovered in a secluded area of Gadowlai village under Lambra police jurisdiction the following day. The victim, who had traveled to the Khambra church near Jalandhar for a Christmas party organized by a local pastor, was last seen boarding the e-rickshaw at Nakodar Chowk. According to Deputy Superintendent of Police (Investigation) Surinder Pal Dhogri, footage from one of the 200 CCTV cameras in the area captured the victim entering the rickshaw alongside two other women, which eventually led to the identification of the driver. The accused, a man in his early thirties, reportedly admitted to picking up the nurse on December 25 around 1 PM. After dropping off the other two passengers, he deviated from the usual route, claiming it was a shortcut, and stopped in an isolated area under the pretext of a mechanical issue. When the nurse resisted his advances, he fatally smothered her by pressing her neck against the seat. Following her death, the driver dragged the nurse's body to a secluded spot and sexually assaulted her. Shockingly, he returned three hours later to repeat the act. During the investigation,

the accused also confessed to preying on two other women in the preceding three months. In one instance, the victim complied out of fear for her life, while in another, the woman's alarm drew attention, forcing him to flee (Singh, 2024).

A good and in-depth understanding of necrophilia cases is important because this crime has its roots in psychological disorders. This indicates that the handling of these cases requires a multidisciplinary approach that integrates various aspects such as legal aspects, psychology. It is also necessary to educate the public with legal counselling (Petras Bahadur, 2020). Understanding necrophilia cases also has important implications for legal aspects and the protection of human rights. Such acts clearly damage human dignity. The damage is not only to the families of living victims but also to those who have died. If this is not responded to properly, it will affect public confidence in the legal system and law enforcement.

In Indonesia, the Indonesian criminal law rules that potentially used (Isnawan, 2024) to the types described above are as follows: First, article 180 of the Criminal Code (Hanafi, 2019)(Handoko, 2018) *"Any person who with deliberate intent and unlawfully digs up or removes a corpse or moves or transports a corpse which has been dug up or removed, shall be punished by a maximum imprisonment of one year and four months or a maximum fine of four thousand five hundred rupiahs"*.

Second, article 181 of the Criminal Code (Handoko, 2018) *"Any person who buries, hides, carries away or removes a dead body with intent to conceal its death or birth, shall be punished by a maximum imprisonment of nine months or a maximum fine of four thousand five hundred rupiahs"*.

Third, article 340 of the Criminal Code (Handoko, 2018) *"Any person who with deliberate intent and with premeditation takes the life of another person, shall, being guilty of murder with premeditation, be punished by death or life imprisonment or a maximum imprisonment of twenty years"*.

Fourth, article 6b of the TPKS Law (Rizki Setyobowo Sangalang, 2022) *"Every person who commits physical sexual acts directed against the body, sexual desires, and/or reproductive organs with the intention of unlawfully placing a person under his/her control, both inside and outside of marriage shall be punished with a maximum imprisonment of 12 (twelve) years and/or a maximum fine of Rp. 300,000,000,00 (three hundred million rupiah)"*.

Fifth, article 6c of the TPKS Law (Mahendra et al., 2024) *"Every person who abuses his/her position, authority, trust, or influence arising from deceit or a relationship of circumstances or takes advantage of a person's vulnerability, inequality or dependency, forces or by misleading him/her to commit or allow to commit copulation or obscene acts with him/her or with another person, shall be punished with a maximum imprisonment of 12 (twelve) years and/or a maximum fine of Rp. 300,000,000,00 (three hundred million rupiahs)"*.

Sixth, article 12 of the TPKS Law (Kartika & Hapsari, 2023) *"Any person who by violence or threat of violence or by abuse of position, authority, trust, inducement arising from deceit or a relationship of circumstances, vulnerability, inequality, helplessness, dependence of a person, debt bondage or giving payment or benefit with intent to gain, or utilizes the sexual or other organs of the body of that person directed against sexual desire with him/her or with another person, shall be punished for sexual exploitation, with imprisonment of up to 15 (fifteen) years and/or a maximum fine of Rp. 1,000,000,000,00 (one billion rupiah)"*.

Various forms of necrophilia, whether involving physical acts, desecration, or exploitation of corpses, can be addressed through specific articles of the Indonesian Criminal Code and related laws. The following table summarizes the relevant legal provisions that can be applied to different manifestations of necrophilia, illustrating Indonesia's comprehensive legal response to such transgressions while emphasizing the protection of both living and deceased individuals' dignity and social ethics: (Isnawan, 2024)

Table 2. Potentially Used Article of Necrophilia

Class	Type of Necrophilia	Potentially used articles
I	Role players	Article 6b UU TPKS Article 12 UU TPKS
II	Romantic necrophiles	Article 180 KUHP Article 181 KUHP
III	Necrophiliac fantasizers	Article 6b UU TPKS Article 12 UU TPKS
IV	Tactile necrophiles	Article 6b UU TPKS Article 6c UU TPKS
V	Fetishistic necrophiles	Article 180 KUHP Article 181 KUHP
VI	Necromutilomaniacs	Article 180 KUHP Article 181 KUHP
VII	Opportunistic necrophiles	Article 6b UU TPKS
VIII	Regular necrophiles	Article 6b UU TPKS Article 12 UU TPKS Article 180 KUHP Article 181 KUHP
IX	Homicidal necrophiles	Article 340 KUHP
X	Exclusive necrophiles	Article 6b UU TPKS

Based the table 2, the legal response to necrophilia in Indonesia reflects a comprehensive approach that targets different manifestations of this behavior, providing clear parameters for sanctioning perpetrators and safeguarding ethical norms. For Role Player necrophilia, which involves the enactment of sexual acts through role-playing scenarios with a corpse, Indonesian law enforces strict measures via the combined provisions of Articles 6b and 12 of the Law on the Crime of Sexual Violence (TPKS Law). These articles ensure protection for the human rights and dignity of victims, emphasizing the severe repercussions for any individuals involved in such degrading acts. The TPKS Law offers a contemporary framework that focuses on maintaining respect for human dignity, even after death, by imposing stringent penalties on violators.

In the case of Romantic-type necrophilia, which typically involves acts such as grave digging or concealing a corpse for romantic or emotional reasons, the criminal code focuses on protecting the sanctity and respect due to the deceased. Articles 180 and 181 of the Indonesian Criminal Code are applicable here, outlining criminal offenses against acts of tampering with graves or disrespecting a corpse. These provisions reflect the broader societal commitment to preserving the dignity of the deceased and maintaining public order by criminalizing acts that disturb grave sites or conceal bodies. Necrophiliac Fantasizers present a unique challenge, as their behavior often does not result in direct criminal acts but may have potential pathways that lead to harmful conduct. Although fantasies themselves are not explicitly punishable, the law remains vigilant regarding their potential to manifest into actual crimes.

This legal attention reflects a broader societal and regulatory focus on preemptively addressing behaviors that may evolve into tangible threats. Tactile Necrophiles, who seek physical contact with corpses without engaging in sexual acts, necessitate the application of Articles 6b and 6c of the TPKS Law. These articles aim to prevent and punish unauthorized access to corpses, thereby addressing the violation of human dignity and preserving public morality. By emphasizing such enforcement measures, the law seeks to deter and penalize any form of abuse or exploitation of human remains. Fetishistic Necrophiles, who mutilate corpses or remove body parts to satisfy their fetishes, are directly addressed by Articles 180 and 181 of the Criminal Code. These provisions clearly prohibit acts of desecration and mutilation, affirming that the law not only defends against physical violations but also upholds social and ethical values.

Through these articles, Indonesian law seeks to prevent acts that would deeply offend social norms, threaten public order, and desecrate the memory of the deceased. Necromutilomaniacs and Opportunistic Necrophiles, who either mutilate corpses or exploit them for personal gain, are also held accountable under Indonesian law. Their actions represent a violation of both legal statutes and fundamental human rights and moral standards (Petrus Bahadur, 2020). Such behavior disrupts societal norms and breaches the inherent sanctity that should be preserved for the deceased. Laws concerning these offenses aim to reinforce the importance of human dignity and moral decency in society.

Finally, the acts of Homicidal Necrophiles and Exclusive Necrophiles are treated with particular severity. Homicidal necrophiles, who commit murder as a prelude to necrophilic acts, are recognized as engaging in the most heinous crimes and are prosecuted under Articles 338 (murder), 339 (aggravated murder), and 340 (premeditated murder) of the Criminal Code, as well as relevant provisions in the TPKS Law and Article 180. Their actions embody extreme cruelty and violate fundamental societal values, posing significant threats to public safety and moral order. Exclusive necrophiles, who are incapable of finding sexual gratification with living partners, also represent a serious breach of societal norms due to their reliance on deceased bodies for sexual satisfaction. This behavior undermines public decency and necessitates firm legal measures to prevent its occurrence (Isnawan, 2024).

The Concept of Human Dignity Beyond Death

In Islam, the sanctity and dignity of human beings are paramount, extending beyond life and into death. The religion strictly prohibits any actions that would harm, desecrate, or disrespect the deceased. This prohibition reflects Islam's broader commitment to human dignity, which is seen as an intrinsic value bestowed by God (Mohammad Asrul Bin Hamdani & Abdul Kholiq Syafa'at, 2021). The Qur'an places humans in a position of high esteem, affirming their inherent dignity, as explicitly stated in Surah Al-Isrā' verse 70 (El-Karimah, 2020).

This verse underscores that humans possess intrinsic value, which must be respected as creations honoured by Allah (Suharmin Syukur et al., 2021). This honour is comprehensive and not confined to any single aspect but extends to their right to be treated with respect at every stage, both in life and after death. Scholars interpret this verse as a recognition of every individual's right to dignified treatment, establishing an ethical and moral foundation for honouring the deceased (Indah Widya Jaya Putri Nasution et al., 2024).

In this interpretation of the verse from Surah Al-Isrā' verse 70, Imām Al-Suyūṭī, through his work *Tafsīr al-Jalālayn*, emphasizes that humans are honoured by Allah due to their intellectual capacity and their heavier responsibilities compared to other creatures. This divine honour manifests in the obligation to respect both the living and the deceased. Respecting fellow humans, whether they are alive or dead, is seen as an embodiment of the divine law (sharia) outlined in the Quran, as it reinforces the principle of human dignity under all circumstances. This interpretation is critical in understanding Islamic teachings on the sanctity of human life, emphasizing that this reverence extends beyond death. The fact that human beings are distinguished by their intellect, reason, and moral responsibilities necessitates that both their living and deceased states be respected, forming a core ethical foundation in Islamic law (Arifandi, 2023).

In contemporary tafsir, Quraish Shihab's *Tafsir al-Misbah* provides a nuanced interpretation of Surah Al-Isrā' verse 70, emphasizing the special status of humans compared to both rational and non-rational beings. He interprets the phrase */mimman khalaqnā/* as referring to created beings, including those with intellect, such as jinn and angels. This interpretation suggests that while humans possess potential superiority over these beings, it is not absolute but conditional upon their moral and intellectual conduct. Shihab further highlights that human dignity, as stated in the Quran, forms the basis of Islamic perspectives on human rights. Every person, regardless of background, deserves respect and acknowledgment of their fundamental rights, including life, freedom of expression, religion, work, and association. However, these rights are framed as divine gifts

bestowed by Allah, governed by His laws, and subject to religious guidance (Quraish Shihab, 2002).

This perspective underscores the balance between human entitlements and divine obligations in Islamic teachings. Comparing this interpretation to classical tafsir, such as *Tafsīr al-Jalālayn*, highlights a continuity in recognizing human dignity while expanding on its implications for modern human rights discourse. Shihab's interpretation bridges classical Islamic ethics with contemporary human rights principles, emphasizing that human honour in Islam extends universally and remains bound by divine law, reaffirming the sanctity of both life and death.

Imam Abū at-Ṭayyib Muhammad Syamsul Haq al-'Azhim Abadi elaborates on the importance of respecting both the living and the deceased. He clarifies that any harm or injustice inflicted upon a corpse is equally as sinful as if done to a living person. This underlines the concept that death does not diminish the dignity or rights of a human being, and that the sanctity of a person continues even after death. In Islam, the protection and respect of the human body, both alive and dead, is seen as a divine obligation. Violating this respect by harming a deceased individual is considered a severe offense in Islamic law, reflecting the continuous nature of human dignity. Through this perspective, Imam al-'Azhim Abadi stresses that both physical integrity and spiritual respect must be maintained, reaffirming the ethical foundation in Islamic teachings regarding the sanctity of life and death (Rania Shaima Farha et al., 2024).

In Islamic legal thought, this affirmation of human dignity forms a strong foundation for prohibiting actions that degrade the deceased (Nawawi, 2023). This verse is seen as an ethical principle that prevents any form of behavior that would tarnish the dignity of a deceased person, such as mutilation (Hardivizon et al., 2023) or inappropriate exploitation (Lefolle, 2022). This principle aligns with the concept of *ḥifz al-naḥs* 'protection of life' within *maqāṣid syarī'ah* (the objectives of Islamic law), which applies not only in life but also posthumously, as the body must still be honoured (M.Mustaqim Roslan, 2024). This approach within *maqāṣid syarī'ah* allows Islamic law to prohibit dishonourable actions toward the deceased as part of the holistic protection afforded to humans (Muhammad Afiq Abd Razak et al., 2023).

Thus, this principle of honouring the deceased, rooted in the understanding of Surah Al-Isrā' verse 70, serves as a universal guide in Islamic law. It establishes that human dignity persists beyond death, encompassing the right to be treated with respect. These interpretations highlight that honouring humanity is a responsibility that must be preserved by Muslims, recognizing human rights that endure even after death, with the duty upon others to honour these beings created by Allah.

In Islamic teachings, the sanctity and honour of a person extend even after death, ensuring that both the soul and body of a Muslim are respected. The Quran in Surah Al-Isrā' verse 70 underscores the special status granted to humans by Allah, which remains even in death. Hence, in Islamic tradition, causing harm or showing disrespect to a deceased person is strictly prohibited. Such respect manifests in the rituals and practices surrounding death, where care is taken to preserve the dignity of the deceased through proper handling, washing, and burial (Bastiar et al., 2022). This reflects Islam's comprehensive view that the human body must be treated with honour, upholding a person's dignity in both life and death (Yusup, 2024).

Expanding on these principles, it becomes clear that Islamic jurisprudence places a high priority on ensuring that every step taken after death is done with reverence (Nurma Yunita & Femalia Valentine, 2020). The prohibition against harming a deceased body is rooted in the same respect Islam affords the living, emphasizing the continuity of honour (Yuliana Nelisma & Barmawi, 2022). This respect is not limited by the condition of the body or the circumstances surrounding the death; instead, it is an intrinsic right granted by Allah. Islamic scholars interpret this as extending to all Muslims, regardless of their social status, ensuring universal protection and reverence (Abdurahman Syayuthi, 2020).

Islamic law places a significant emphasis on the dignity of the human being, not only during life but also after death. This is evident from the ethical principles and rituals surrounding the

treatment of the deceased. While a living person and a deceased individual are inherently different in their state, respect for the dead remains paramount. The traditions that govern the treatment of the dead reflect the continuous sanctity Islam affords humans (Nur Afni A. et al., 2022).

Islamic teachings emphasize the inherent dignity of human beings, extending even beyond death. The process of handling a deceased body in Islam, reflects this principle by mandating respectful treatment at every stage. Upon the news of death, relatives are required to demonstrate patience and acceptance of divine will, as highlighted in the Surah Al-Baqarah verses 155-157, which states that true believers express their submission to God in times of trial. Rituals such as *istirja'*, where one recites the phrase *Innā lillāhi wa innā ilayhi rāji'ūn*, reinforce the recognition of life's transient nature and the importance of patience. The *ta'ziah* serves as a means of offering comfort, encouraging mourners to remember the virtues of the deceased and to seek solace in shared faith. Furthermore, the bathing, shrouding, and burial of the deceased follow meticulous guidelines designed to honour the individual's dignity. The washing of the body, performed by close family or friends, is approached with care and respect, using a prescribed method that ensures privacy and dignity. The deceased is then shrouded in simple, clean fabrics, with an emphasis on modesty, and the burial is carried out with the utmost respect, often involving communal participation. Notably, the burial site is to be distinct for Muslims, reflecting the importance of communal identity in Islam. These practices underscore a profound respect for the deceased and a commitment to upholding their dignity in both life and death. They highlight the Islamic belief in the sanctity of human life and the enduring respect owed to individuals, which aligns with universal human rights principles. This approach to the treatment of the deceased not only preserves the dignity of the individual but also reinforces the communal bonds and moral obligations of the living, reflecting a holistic understanding of humanity that transcends cultural boundaries (Irma Purnamayanti, 2021).

A key hadith, narrated by Imām Abū Dāwūd from 'Āisyah, illustrates this teaching, where the Prophet Muhammad said: *"Breaking the bone of a deceased person is like breaking it while they are alive"*. This statement highlights the gravity of disrespecting a body, suggesting that physical harm inflicted upon a deceased individual is as severe as if it were done to a living person. This hadith has become a cornerstone in Islamic jurisprudence, laying the foundation for the respectful treatment of bodies post-mortem (Muhammad Hatta et al., 2019). The prohibition against breaking a person's bones is unequivocal, reflecting a commitment to honour the sanctity of human existence as ordained by Allah. This principle holds true regardless of whether the individual is living or deceased, highlighting that even the remains of a person, reduced to mere bones, deserve reverence and protection (Mohd Hafiz Jamaludin et al., 2021).

The Prophet Muhammad unequivocally prohibited any actions that would harm or disrespect the deceased, emphasizing that the dignity of every human being is to be upheld at all times. While Islamic law stipulates that there is no legal retribution '*diyat*' for transgressions committed against a corpse, this fact does not mitigate the seriousness of such offenses. Acts of mutilation, injury, or any form of disrespect toward the deceased are deemed *ḥarām* 'forbidden' and are viewed as violations of fundamental Islamic principles. The absolute nature of this prohibition underscores that exceeding the bounds of respect for the dead is not only an ethical concern but also a moral obligation within Islam. This reflects a broader ethical framework that prioritizes the dignity of individuals, irrespective of their life status. (Haswir, 2011)

Al-Qardhawi, underscore the profound respect afforded to human dignity, even after death. He emphasizes that while certain Hadiths address the specific act of breaking a corpse's bones, the overarching principle extends beyond this to encompass any form of mutilation or desecration of the deceased. This perspective highlights that actions such as dismemberment or neglect of the body are explicitly prohibited in Islam, drawing a clear line against practices reminiscent of the pre-Islamic era, where disrespect for the dead was prevalent, particularly during times of war. Such prohibitions reflect a broader Islamic ethos that values the sanctity of human life and the inherent dignity of every individual, regardless of their status as living or deceased. This framework

establishes a moral imperative for Muslims to treat the remains of the deceased with honour and respect, reinforcing the notion that human dignity is an enduring right that must be preserved even after death (Rasta Kurniawati Br.Pinem, 2020).

According to Yahya al-Laithi, Imam Malik interprets the prohibition of breaking a corpse's bones in the hadith as a sin for the one who commits it. Imam al-Nawāwī, referencing Imam Shafi'e's *al-Umm*, echoes this interpretation. Al-Ṭahāwī further explains that the hadith illustrates that human dignity '*karāmah insāniah*' persists in the body after death. Consequently, breaking human bones, whether of the living or deceased, is prohibited due to the sanctity '*al-ḥurmah*' inherent in both. This view is also supported by Ibn Hajar in *Fath al-Bārī*, affirming the sanctity of human remains even post-mortem. This collective interpretation highlights the continuity of human dignity and the ethical obligation to respect it, irrespective of life or death (Ahmad Amer Rahimi & Mohd Anuar Ramli, 2020).

The continuity of this respect is further demonstrated through Islamic funeral rites, which emphasize careful handling, cleanliness, and prompt burial. The deceased are to be treated with the utmost care, ensuring that their dignity remains intact even after death (S.I. Bahrul Ulum A., 2022). These teachings collectively reinforce Islam's holistic approach to human honour, emphasizing the sanctity of the body in both life and death. By protecting the deceased from any form of indignity, Islam upholds its principles of human dignity as a timeless and universal ethical requirement.

Islamic teachings advocate for the prompt burial of deceased individuals, emphasizing the importance of providing a dignified resting place for the deceased. This practice is grounded in the teachings of the Prophet Muhammad (peace be upon him), who advised that expediting funeral arrangements is essential. According to a narration from Abū Hurairah (may Allah be pleased with him), the Prophet said, "*Hasten in the handling of the deceased. If he was a righteous person, you offer him goodness, and if he was not, you remove the burden from your shoulders.*" This guidance underscores the Islamic principle of honouring human dignity, even after death. By ensuring a swift and respectful burial, the community acknowledges the value of the deceased and fulfills a moral obligation to treat them with respect, regardless of their life choices (Urwatul Wisqa, 2023).

This hadith emphasizes the respect accorded to the deceased by advocating for the prompt handling of the funeral, reflecting the fundamental principle in Islam that every individual, whether good or bad, is entitled to dignity after death (Muhammad Alfis & Solehuddin Harahap, 2020, p. 111). The analysis of the respect inherent in this hadith can be outlined as follows: (1) Prompt Management of the Deceased. The first aspect of respect lies in the exhortation to expedite funeral arrangements. This underscores the importance of providing appropriate attention and action during this critical moment, ensuring that the body receives a proper resting place and is not left unattended. In this context, hastening the burial signifies a mark of respect and responsibility towards the deceased. (2) Recognition of Goodness. For individuals known to be virtuous, the hadith emphasizes that they are the most deserving of prompt burial. This recognition reflects an appreciation for the good deeds and positive contributions made by the individual during their lifetime. The respect shown here lies in acknowledging a life filled with goodness and virtue. (3) Disposal of Evil. In the case of those not recognized as good, the hadith states that their burial serves to relieve the community of the burden of their wrongdoing. This indicates that, despite any shortcomings or faults the individual may have had in life, Islam still provides an opportunity to honour them in death. The prompt burial serves as a means to conclude any moral weight that their actions may have imposed, thereby suggesting that society should free itself from the negative influence of such individuals. (4) Community Obligation. The hadith also reflects the community's responsibility to honour the deceased, irrespective of their moral reputation. This conveys that every individual, regardless of their societal status, deserves appropriate treatment and should not be neglected.

Necrophilia as A Form of Violation of Corpses

Necrophilia remains a behavior that is not fully understood, although it has been observed in certain animal species. This phenomenon is also referred to by various terms such as necrophilism, necrolagnia, necrocoitus, necrochlesis, paraphilia, and thanatophilia. Despite its deeply disturbing nature, necrophilia continues to persist in several countries, even though most legal systems have enacted laws criminalizing this form of sexual deviance ([Islam et al., 2021](#)).

First and foremost, many necrophiles are motivated by a profound aversion to engaging with living partners. This aversion stems from various factors, including fear of rejection, intimacy issues, or difficulties in forming connections with others. In this context, human corpses are perceived as devoid of the emotional, intellectual, and physical challenges that come with living interactions, allowing necrophiles to pursue their sexual interests without the complications of mutual consent. Secondly, necrophiles often experience a sense of control during sexual encounters with corpses, as the deceased cannot reject or contest their actions. This perceived lack of resistance may provide a false sense of empowerment, allowing them to engage in sexual acts without fear of the emotional or physical repercussions typically associated with relationships involving living individuals. Furthermore, individuals who engage in necrophilia may lack sexual inhibitions, self-esteem, and social recognition, which can lead to a disregard for societal norms and the consequences of their actions. This detachment from societal expectations may foster an environment in which necrophilia is seen as an acceptable outlet for their desires. Finally, the use of substances may contribute to the development of fantasies surrounding necrophilia. Individuals may associate sexual practices with corpses as warm and loving, interpreting these acts as a form of reunion with a deceased partner. This belief can create a distorted view of intimacy, wherein necrophiles perceive their actions as expressions of love rather than violations of ethical boundaries ([Athulya S Menon & Nitin Nishad, 2024](#)).

In many jurisdictions, necrophilia is explicitly criminalized, often classified as a form of sexual assault. This reflects a societal aversion to the desecration of human remains and the protection of public morality. Criminal statutes across various legal systems prohibit sexual contact with corpses, aiming to preserve the dignity of the deceased and prevent further harm. However, there are significant variations in how these laws are justified. Some legal frameworks focus on the emotional harm inflicted upon the deceased's surviving relatives, emphasizing the psychological impact that such actions have on families and communities. In these cases, the deceased individual's rights are viewed as secondary, with the law primarily designed to safeguard the well-being of those left behind. In contrast, certain legal systems do not recognize any residual rights for the deceased, seeing them as having no claim to dignity after death. This creates a legal gray area where the body becomes an object rather than a subject of protection. Necrophilia is also sometimes categorized under broader statutes that cover "crimes against nature," including acts like sodomy and bestiality, which further complicates the legal positioning of the crime. The ambiguity surrounding the legal status of the deceased poses challenges in determining the societal and legal consequences of necrophiliac acts. The complexity arises from the intricate legal position of a body that, while no longer alive, still carries societal significance ([Shubhankar Paul, 2023](#)).

In the context of necrophilia, while corpses are no longer considered legal individuals, they retain their recognition as human entities. This status creates a complex legal and moral dilemma, especially when certain families view the deceased with deep reverence and sanctity. In many legal systems, the corpse is seen as the property of the closest relatives, adding another layer of distress when a violation like necrophilia occurs. This perspective complicates the classification of necrophilia, as it is often regarded as a tragic event rather than a direct sexual assault on a living individual. In some jurisdictions, such as certain states in the United States, necrophilia is formally recognized as a crime, while in others, it may be classified as an offense rather than a criminal act. The mistreatment of a corpse, including acts of necrophilia, is fundamentally viewed as a violation of societal decency and morality. The challenge, however, lies in determining appropriate legal responses and punishments for such acts, given that the harm caused is often conceptualized as an

affront to societal values rather than direct harm to a living person. Nevertheless, these violations demonstrate a clear disregard for both the deceased and their surviving family members, who may experience significant emotional and moral harm as a result (Anjali Raj, 2023).

The sanctity of the deceased is paramount, and there are specific rituals mandated to ensure the respectful handling of a body after death. Bathing '*gusl*', shrouding '*kafan*', praying '*ṣalāt al-janāzah*', and burying the body are integral parts of the Islamic funeral rites, which are deeply rooted in the preservation of human dignity. These acts reflect the duty of the living to honour the dead according to the commands of Allah. Violating this sanctity by engaging in acts such as necrophilia represents a severe breach of Islamic ethical and legal principles (Aryani Witasari et al., 2022). Necrophilia not only disregards the prescribed rituals for handling the deceased but also constitutes a grave violation of the respect due to the dead, an act that Islam unequivocally condemns. According to Islamic jurisprudence, the body of a deceased person is to be treated with the utmost care, free from any form of desecration or disrespect. Islamic scholars agree that any form of physical violation of a corpse, including sexual acts, is forbidden.

The treatment of the deceased is governed by principles that emphasize respect, dignity, and honour. Necrophilia is viewed as a grave violation of these principles. According to Islamic teachings, the preparation and handling of a corpse is not only a religious obligation but also a reflection of the inherent dignity of the human body, even after death. Islamic law mandates that the body be washed, wrapped in a shroud, prayed over, and buried in accordance with specific guidelines, all of which symbolize the respect owed to the deceased (Bela Monis Mughal & Masooma Batool, 2022).

These rituals highlight the sanctity of the human body, underscoring that even in death, a person retains their dignity and must be treated with care and reverence. The act of necrophilia fundamentally contradicts these Islamic values. It is considered a desecration of the body, which is to be honoured and protected from harm or disrespect. The bathing of the corpse, a *fard kifāyah* 'mandatory communal duty', performed by close family members, is an act of purification and respect. Wrapping the body in a shroud, as prescribed by the Prophet Muhammad, signifies covering the deceased properly and treating them with the utmost honour. Necrophilia, by contrast, violates the sanctity of these sacred rites and disrupts the social and religious responsibility that Islam places on the community to care for the dead (Nurhayati & Purnama, 2021).

Necrophilia in certain interpretations, can be classified as *zinā* 'adultery'. According to Islamic jurisprudence, any sexual activity outside the bounds of a lawful marriage is categorized as *zinā*, which includes acts performed on a deceased person. The fundamental principle in Islamic law emphasizes the sanctity of the human body, both in life and death, making any form of sexual misconduct with a corpse an egregious act. Some scholars from the Shafi'i, Hanbali, and Shia Zaidiyah schools classify such actions as permanent adultery. They argue that offenders should face the full punishment for adultery, serving as a severe deterrent to others. From this perspective, violating a dead body is considered not only a transgression of moral norms but also an affront to the dignity of the deceased. Imam Malik, another influential jurist, asserts that anyone who engages in sexual relations with a corpse, regardless of whether the deceased is their spouse or not, should be punished for adultery, except in cases where the offender is deceased. However, if a woman forcibly inserts a deceased man's genitals into her vagina, it is regarded as a foolish act that does not induce pleasure, and thus would only warrant a *ta'zir* penalty (Hannani et al., 2023).

The perverse and dehumanizing nature of necrophilia, which often involves not only sexual intercourse but also other disturbing acts such as mutilation, decapitation, and even cannibalism, is viewed within Islamic thought as an affront to the sacredness of the human body. Such acts, as described in modern studies on necrophilia, reveal extreme deviance and a detachment from moral norms, echoing the severe prohibitions against desecrating a body in Islamic teachings. These actions are seen as violating the core principles of honour and respect that Islam upholds for both the living and the deceased (Anand Kumar Vasudevan, Prashanthi Krishna Dharma, & L. Eccleston, 2019).

The concept of necrophilia is unequivocally considered a violation of these sacred principles. Islamic law meticulously regulates the handling of the deceased body based on gender, familial ties, and marital status, and these rules reflect the deep respect accorded to the deceased. For instance, only individuals of the same gender and close familial ties—such as officially designated corpse washers and family members—are allowed to perform the ritual washing of the body. This washing is a crucial part of the religious practice, symbolizing purification and respect for the dead. Gender differences also play a significant role in these regulations. While a wife is permitted to wash and prepare her deceased husband's body for burial, the reverse is forbidden; a husband cannot wash his deceased wife's body because, upon her death, their marriage is considered annulled. This prohibition illustrates the clear boundaries of intimacy and respect established by Islamic law. Even within the context of marriage, the death of a spouse creates a legal separation, preventing any potential overstepping of intimate boundaries after death. For a husband, his wife remains in marital connection for four months and ten days after his death, during which time she holds the right to see and touch her husband's body, signifying a continued bond. Engaging in any sexual act with a deceased body, however, is a clear violation of Islamic teachings. Such acts contradict the very essence of the respect and dignity that Islam mandates for the dead. Necrophilia is not only considered an act of desecration but also a profound moral transgression, as it undermines the sanctity of both the body and the religious rituals that ensure its respectful treatment. This practice violates the ethical, legal, and spiritual frameworks that Islam upholds regarding the treatment of the dead, making it an unequivocal breach of human dignity (Zengin, 2022).

According to Ibn Hajar al-Haitami, necrophilia is classified as a grave sin *kabira* and an immoral act, violating the ethical principles upheld in Islamic teachings. He categorizes it as one of the major sins due to its severe infringement on human dignity and moral conduct. Sheikh Abu Hamid further supports this by stating that it is forbidden for a husband to look at his deceased wife with lustful intent, much like it is forbidden for a man to look at any other woman with such feelings. This prohibition is grounded in the broader Islamic principle that even after death, a person retains their dignity, and any form of inappropriate behavior—particularly sexual misconduct—violates the sanctity of the deceased. This stance aligns with the core Islamic value of preserving human honour, both in life and death. In the case of a deceased spouse, the relationship is considered to have ended with death, and thus, any further interaction must be free from desires that violate this sanctity. Sheikh Abu Hamid's interpretation reinforces that the body of the deceased, regardless of their relationship in life, must be treated with the utmost respect, and any transgression against this is both morally and legally forbidden (Arif Budiman, 2020). The inclusion of necrophilia within the scope of serious moral and legal infractions in Islamic jurisprudence illustrates the deep respect Islam commands for the human body. Any act, whether physical or visual, that seeks to exploit or degrade a deceased individual is not only a violation of personal dignity but also an affront to the moral fabric of society.

Adultery, defined as intimate intercourse between individuals who are not legally married, is universally regarded as a prohibited act across various cultures and religions. In Islamic teachings, adultery is condemned as immoral and sinful, with severe penalties prescribed for those who engage in it. The etymology of the term */zinā/* 'adultery' stems from Arabic *zinā*, signifying an act that contravenes the sanctity of marriage. This transgression is not only a violation of legal and social norms but also an affront to religious values, as it infringes upon the rights of Allah. Importantly, while the prohibition against adultery is rooted in Islamic doctrine, it transcends geographical boundaries, impacting diverse Muslim communities worldwide. For instance, Indonesia, home to the largest Muslim population globally, exemplifies how local cultural practices intersect with Islamic law. In Indonesia, the interpretation and enforcement of laws regarding adultery reflect both religious principles and societal norms, shaping the legal landscape in which such acts are judged (Farah Edhar Khaerunisa).

From an etymological perspective, the term */zinā/* originates from the Arabic word, which means to commit an immoral act. Meanwhile, in an epistemological context, *zinā* refers to the act of

sexual intercourse *jimā'* that occurs without a valid marriage bond, whether it is outside of legitimate ownership or in ambiguous situations. In the Quran, the word *zinā* appears six times (Siti Nurkholisoh & Ahmad Soheh Mukarom, 2021) and can be found in several different surahs. These surahs are: Surah Al-Nisā verses 24-25, Surah Al-Isrā verse 32, Surah Al-Furqān verse 68, Surah An-Nūr verse 2, Surah Al-Mumtahanah verse 12.

Surah Al-Nisā verses 24-25 provide a very clear arrangement regarding legal marriage. In addition, the meaning contained in the verse is sexual intercourse which is permitted in Islamic teachings. The sexual relationship can only be done if the man and woman are in a legal marriage. This shows that any sexual intercourse outside of a valid marriage is a serious violation of the teachings of Islam, as well as necrophilia, which involves sexual intercourse with corpses that are clearly done without consent and outside of a valid marriage (Taufiq, 2017). Every human body, be it living or deceased, has inherent honour under Islamic teachings. Necrophilia clearly contradicts many of the fundamental values set out in Islamic teachings on the treatment of corpses.

Surah Al-Isrā verse 32 warns all Muslims to avoid committing adultery. In this regard, Islamic teachings do not narrowly cover illegitimate sexual relations but also a wide range of actions that lead to various kinds of moral violations in sexual matters (Noor Izzati Amelia et al., 2024). Necrophilia, which is simply said to be a deviant sexual act committed with a corpse, can be considered as an act that attacks the honour of the corpse because the corpse does not have the right to give consent to the act. Therefore, necrophilia does not only violate the sanctity of the corpse, but also violates Islamic teachings on justice for victims and their families, respect for human honour whether alive or dead, and the prohibition of all forms of sexual behavior that violate moral and legal boundaries.

Surah Al-Furqān verse 68 explains the strong prohibition against three things that will be cursed by Allah. These 3 things are worshiping other than Allah, killing without a valid reason, and committing adultery. These three prohibitions clearly highlight how seriously Islam takes actions that violate various social, moral and ethical values. In Islamic teachings, adultery is categorized as illegitimate sexual intercourse and is clearly against the moral teachings of Islam (Jamaludin & Erihadiana, 2023). Necrophilia, which does not actually involve intercourse with a living person, can still qualify as a form of violation of various values regulated in Islamic law. Islam describes the corpse as an entity that must be protected and respected, as emphasized in Islamic teachings about the obligation to take care of the corpse in a respectful manner. Necrophilia clearly contradicts this principle, as it objectifies the human body after death, and ignores the right of the corpse to be protected and honoured.

The violation of the rights and sanctity of the human soul affirmed in Surah Al-Furqān verse 68, which prohibits killing without a legitimate reason, makes it clear that Islam places a high value on human life and honour as a whole. When it comes to necrophilia, this prohibition has clear relevance, especially in cases where the act of necrophilia is committed by first killing the target person. Homicidal necrophiles, who commit murder with the intention of obtaining the victim's body to fulfill their sexual desires, exhibit a form of crime that severely violates Islamic values. Such acts are not only limited to taking the life of a person without a valid reason, but also tarnish human honour after death, desecrate the sanctity of the corpse and degrade human dignity in the eyes of society. In addition, in the case of exclusive necrophiles, where they can only feel sexual gratification through intercourse with corpses, such acts clearly show extreme moral degradation that violates Islamic principles of respect for corpses. Such acts not only violate moral and religious boundaries, but also pose a serious threat to social order and humanity.

Surah An-Nūr verse 2 describes the punishment of those who commit adultery. This is done as a very strong warning that violation of sexual norms and morality is a sinful act in Islam (Bela et al., 2023). The punishment illustrates how much Islam values human sanctity and honour as a whole, both in life and after death. When it comes to necrophilia, it is clearly a serious violation of human honour. In Islam, the honour and sanctity of the human body must be preserved even after death, and treating the body in a way that dehumanizes the deceased is an unacceptable insult.

Necrophilia is not only a form of sexual perversion, but also a violation of the fundamental Islamic principle of respect for human beings, living or dead. In Islamic teachings, the threat of punishment for such acts serves the function of safeguarding the morality of society and protecting the human body from all forms of abuse. It illustrates that human honour should not be violated under any circumstances, even after death. Disrespectful treatment of the dead can undermine the existing social order, create injustice, and contradict religious values that protect human dignity.

Surah Al-Mumtahanah verse 12 explains the importance of a Muslim's promise and compliance in practicing the teachings of Islam and maintaining various moral values that are the pillars of life. The verse instructs Muslims to hold fast to various principles of faith and maintain purity in every aspect of life, including in the context of treating fellow humans with respect and dignity, both during life and after death (Yusuf & Qomaria, 2023). In this case, necrophilia is clearly an act that directly contradicts the noble values of Islam. The act reflects a very serious moral deviation, as it involves the abuse of corpses that should be respected according to religious teachings. Necrophilia violates the rights of corpses and degrades human dignity, which in Islamic teachings must be treated with respect. The dishonourable treatment of corpses represents a violation of the values of sanctity and faith that every Muslim is obliged to safeguard. It also undermines trust and social norms in society, given the importance of maintaining the honour and dignity of the human body, both during life and after death. Islam demands purity of heart, mind and behavior, so any action that undermines these values is considered a sin.

In the teachings of Islam, human bodies and lives have honour that must be preserved, both in the life phase and the death phase. This is based on the teachings of Islam which teach that every human being is created in a perfect, noble state and has values of honour that must be maintained and respected by other humans. Various acts categorized as destruction, harassment, or abuse of corpses, such as necrophilia, not only reflect a deviant sexual behavior but also an act of harassment of various human values upheld by Islamic law. Legally, abuse committed against corpses can be considered a serious violation of Islamic teachings. Islamic law has clearly explained the rules that prohibit various kinds of harassment of the human body. The teaching to respect the corpse, from bathing, shrouding, to proper burial, shows how noble the human body is. Necrophilia is a serious violation of this teaching because it undermines the sanctity and dignity of human beings.

As a continuation and culmination of monotheistic traditions, Islam offers a comprehensive system of sharia, clearly distinguishing between permissible '*ḥalāl*' and prohibited '*ḥarām*' acts to ensure justice and welfare. This framework, is intended to protect the essential needs and interests of human society, aligning with the fundamental objectives of Islamic law. Scholars have identified five primary dimensions that *maqāṣid syarī'ah* seeks to protect: religion '*dīn*', life '*nafs*', reason '*aql*', progeny '*nasl*', and property '*māl*'. This holistic approach aims to maintain social harmony and human dignity by addressing both spiritual and material needs. When these dimensions are upheld, society thrives in a balanced, just, and equitable manner. Conversely, neglecting or violating any of these aspects may lead to societal decay and moral degradation (Maulida & Ali, 2023).

From the perspective of *maqāṣid syarī'ah*, particularly in relation to *ḥifẓ al-dīn* or the preservation of religion, necrophilia constitutes a profound violation of religious norms, ethics, and principles that Islam upholds to maintain the sanctity and purity of faith (Hakim & Azizi, 2023). *Ḥifẓ al-dīn* focuses on maintaining, protecting, and respecting the tenets of religion, including adherence to moral conduct, ethical boundaries, and reverence for all aspects of human dignity and sanctity, even in death (Tahir & Hamid, 2024). Islam places a significant emphasis on respecting and protecting the deceased, as demonstrated by clear guidelines regarding how bodies are to be treated after death, rooted in the belief that human dignity does not end with life but extends to the afterlife. Necrophilia, as a behavior that desecrates the deceased, starkly contradicts Islamic teachings on moral purity and respect for life and death. Engaging in such acts reflects a departure from the boundaries of ethical and religious conduct set forth by Islam and undermines the moral order that *ḥifẓ al-dīn* seeks to establish and preserve. Protecting religion also encompasses

safeguarding societal values and moral norms derived from religious teachings, and necrophilia represents a breach of those norms, potentially corrupting faith and degrading moral integrity within the community.

The principle of *hifz al-nafs*, or the preservation of life, encompasses both the physical and spiritual dimensions of human existence, emphasizing the holistic safeguarding of bodily integrity and the soul's purity. When viewed through this lens, necrophilia emerges as a profound violation of this essential objective within the framework of *maqāṣid syarī'ah*. From the physical perspective of *hifz al-nafs*, necrophilia desecrates the tangible integrity of a human body, an act that contravenes the Islamic mandate to respect and honour the deceased. Islam prescribes specific rituals and practices for handling and burying the dead, demonstrating a commitment to preserving the sanctity of the human form, even after life ends. The act of necrophilia not only defiles this sanctity but also breaches the boundaries of acceptable conduct, causing harm to the dignity and sanctity that Islam strives to protect. In the spiritual dimension, *hifz al-nafs* focuses on maintaining the purity of the soul, emotions, intellect, and moral conduct. Necrophilia represents a grave moral transgression that degrades human emotions and perverts the ethical and spiritual standards Islam seeks to uphold. It reflects an act that can lead to spiritual decay, corrupting the individual's inner state and disrupting the moral fabric of society. Such behavior, rooted in perversion, contradicts the spiritual preservation that Islam mandates, threatening the moral integrity of the soul and contributing to the erosion of communal ethics and values (M.Mustaqim Roslan, 2024).

The prohibition and prevention of necrophilia within the principle of *hifz al-nafs* are essential to preserving both the physical and spiritual dimensions of human existence. In terms of physical sanctity, the protection of the deceased's body reflects the broader Islamic ethos of respecting human dignity at every stage of existence. Islam mandates specific rites, such as proper washing, shrouding, and burial of the dead, all of which emphasize respect and reverence. Necrophilia, as a violation of this sanctity, represents a profound transgression, desecrating what should be treated with utmost honour. Such acts are deeply offensive, not only to the physical integrity of the deceased but to the societal values and norms that demand respect for all human beings, living or dead. From a spiritual perspective, the act of necrophilia goes beyond a mere physical violation, it reflects a deep-seated corruption of moral and spiritual standards. The preservation of *nafs* is central to Islamic teachings, as it guides behavior toward righteousness, ethical living, and social harmony. Engaging in such perverse acts not only harms the individual by corrupting their soul but also threatens the moral and spiritual fabric of society. It can lead to a breakdown in social ethics, eroding the shared values that underpin a morally upright community.

The principle of *hifz al-'aql* 'preservation of the intellect' is crucial for ensuring that human reasoning, cognitive abilities, and intellectual faculties remain intact and functional. Islam emphasizes that intellect is one of the essential components of human existence, enabling individuals to engage meaningfully with their faith, society, and personal growth. *Hifz al-'aql* specifically aims to protect the mind from corruption or damage, as an impaired intellect can hinder the individual's ability to discern truth, understand religious teachings, and make sound moral decisions. This preservation of intellectual integrity ensures that individuals are capable of understanding the values of Islam, maintaining personal discipline, and making informed decisions that contribute to both individual and societal well-being (Dede Nurwahidah et al., 2024).

From the perspective of *hifz al-'aql*, necrophilia is seen as a clear violation of the need to protect intellectual and moral integrity. It is not only a crime against human dignity but also a mental and psychological corruption that disrupts rational thinking. In such a state, the individual's ability to think critically and ethically is impaired, which is why Islamic law forbids such behavior. By prohibiting acts like necrophilia, Islam ensures that the individual remains intellectually sound, capable of maintaining ethical standards, and able to reflect upon and uphold the values of *hifz al-'aql*. Furthermore, Islam's prohibition of necrophilia aligns with its broader goals of protecting society from intellectual and moral degradation. A healthy intellect enables individuals to contribute positively to society, engage with religious knowledge, and adhere to ethical principles. Acts like

necrophilia, which are rooted in moral corruption, represent a threat to this intellectual and spiritual well-being. Therefore, Islam's legal and ethical framework, by preventing such actions, preserves the integrity of the intellect and safeguards the individual's ability to reason and reflect within the moral and spiritual contexts that underpin Islamic teachings (Alias et al., 2024).

As a paraphilic disorder, Necrophilia poses significant ethical, moral, and psychological challenges that intersect with legal frameworks. Ethically, it raises critical concerns about respecting the dignity of the deceased, as the act inherently violates principles of autonomy and consent. Since a corpse cannot consent, such conduct is universally condemned, emphasizing the importance of protecting bodily integrity even after death. The moral debates surrounding necrophilia often extend to the emotional and psychological harm inflicted on the deceased's loved ones, highlighting its broader societal implications. Psychologically, necrophilia is categorized as a paraphilic disorder involving persistent fantasies, urges, or behaviors directed toward corpses. It frequently coexists with other mental health disorders, including personality and trauma-related conditions. Psychological research suggests that factors such as adverse childhood experiences, distorted thinking patterns, and dysfunctional coping strategies may contribute to the development of necrophilic tendencies (Krishna & Babu, 2024).

Clinically, necrophilia is often classified in several typologies based on the intensity and type of behavior exhibited by the perpetrator. Case studies show that these categories are not necessarily static, but rather evolve over time. For example, individuals who initially fit the profile of a necrophilic fantasizer, as classified by Rosman and Resnick, may experience behavioral escalation towards more severe forms such as necrophilic homicide. This was seen in the case of G a 40-year-old married German man who has two children, in a study conducted by S.S.T. Boureghda, W. Retz PhD, F. Philipp-Wiegmann and M. Rösler PhD in 2011, who showed a progression of behavior from fantasy to actual acts involving bodily mutilation. Aggrawal's classification approach highlights that necrophiliacs can move from one category to another over time. G. initially fit the profile of a necrophilic fantasizer but later demonstrated characteristics of a necromutilomaniac and tactile necrophile through acts of mutilating and storing body parts. Although he did not meet the criteria of an exclusive necrophile as he still had sexual relations with his wife, the progression of his behavior led to more extreme acts. This progressive development corresponds to the DSM diagnosis for paraphilia disorder, which suggests that the intensity of the behavior may increase over time in the absence of intervention. This case reinforces the importance of considering a more dynamic diagnostic approach in assessing necrophilia, given that its behaviors and clinical classification often change significantly (Boureghda et al., 2011).

In many cultures around the world, respect for the dead is an important part of the social and moral values of the community. Traditions such as the building of the pyramids in Egypt and the process of mummification show how important it is to honour those who have died. Many cultures observe death ceremonies with great reverence, based on the belief in an afterlife. Violations of this value are considered against social norms and cause emotional suffering for the families left behind. When rules related to respecting the dead are compared to social prohibitions on deviant sexual practices, a debate arises as to whether emotions can be the basis of coercive laws. While emotion-based regulation is often considered less legitimate in academic contexts, the prohibition of necrophilia goes beyond mere emotional reactions. It violates more objective social norms, such as consent requirements, protection of private property, and public health and safety. As such, the imposition of criminal sanctions for necrophilia is not only based on moral grounds but also to protect broader legal rights and interests. This regulation reflects the need for legal protection that ensures respect for human dignity even after death (Yadav, 2023).

CONCLUSION

Necrophilia, characterized by an attraction to or sexual acts involving corpses, remains a complex issue intersecting legal, ethical, and religious domains. Islamic law, emphasizing the sanctity and dignity of the human body even after death, unequivocally condemns necrophilia as a

severe moral and legal transgression. Rooted in the principles of *Maqāṣid Syarī'ah*, particularly the preservation of life '*ḥifẓ al-naḥs*', intellect '*ḥifẓ al-aql*', and dignity, Islamic jurisprudence upholds the inviolability of the deceased, framing necrophilia as both a violation against the deceased and an affront to societal moral values. The Quran and Hadith provide a theological basis for this stance, underscoring respect for human dignity irrespective of life or death. From a legal perspective, Indonesian criminal law reflects similar concerns by criminalizing acts of corpse desecration through provisions such as Articles 180 and 181 of the Indonesian Criminal Code. These articles, alongside more specific laws addressing sexual offenses, illustrate a concerted effort to safeguard public morality and individual dignity. However, despite these protections, challenges persist in ensuring comprehensive legal coverage due to varying interpretations of human dignity and the deceased's legal status.

This study acknowledges certain limitations, including the scarcity of empirical data on necrophilia cases in Islamic jurisdictions and potential variances in legal interpretations across different Islamic schools of thought. Future research could explore comparative legal analyses between Islamic and secular legal frameworks to identify potential harmonization strategies. Additionally, interdisciplinary studies incorporating psychological, sociological, and theological perspectives could provide a deeper understanding of the motivations behind necrophilic acts and inform more effective policy development. Through such endeavors, legal systems can better align with the universal ethical mandate of preserving human dignity in both life and death.

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