

## Analysis of Abu Hanifah's Opinion on the Sale of Sacrificial Animal Skins

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### ABSTRACT

*This study aims to examine the views of Islamic jurists regarding the ruling on selling the hide of sacrificial animals and to analyze Abu Hanifah's opinion in relation to the practice of selling sacrificial animal hides in Lowungu Village, Bejen District, Temanggung Regency. This research employs a qualitative descriptive method, and data were collected through direct interviews with informants involved in the implementation of the sacrificial slaughter. The findings reveal two principal views in Islamic jurisprudence concerning the sale of sacrificial animal hides. Some scholars such as Abu Hanifah, Atho', al-Awza'i, Ahmad, Ishaq, Abu Thaur, and one opinion within the Shafi'i school permit the sale of the hide of sacrificial animals, provided that the proceeds are distributed to the beneficiaries (mustahik) of the sacrifice. The Hanafi school also allows the hide and internal parts of the sacrificial animal to be exchanged for items that bring greater benefit to the recipients. In contrast, scholars from the Maliki, Hanbali, and Shafi'i schools, including Imam Nawawi, hold that selling the hide of sacrificial animals is not permissible. Meanwhile, the sacrificial committee in Lowungu Village sells the hides due to practical considerations, such as the absence of community members capable of processing them, which may lead to neglect, damage, or waste. The proceeds from the sale are used to support the operational needs of the sacrificial activities, including purchasing plastic bags, committee consumption, and allocating a portion for the mosque's funds.*

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## Introduction

One of the major challenges faced by developing countries in the modern era, particularly those striving to achieve a just and prosperous society, is the complexity of combating poverty. In the contemporary world, it is undeniable that nations compete to enhance their economic conditions, including Indonesia. Economic development constitutes a crucial component of national development, as ensuring the welfare of all citizens is one of the primary objectives of the Unitary State of the Republic of Indonesia, as mandated by the Preamble of the 1945 Constitution. To achieve this goal, Indonesia must pursue development in material, physical, and spiritual dimensions, including the cultivation of comprehensive religious awareness grounded in faith and the first principle of Pancasila, namely belief in the One and Only God. Islam is a universal religion that regulates all aspects of human life. As social beings, humans inevitably interact with one another in fulfilling both material and spiritual needs. Islam formulates a distinctive system, particularly evident in its economic framework, which is rooted in *sharī'ah* as the primary source and guideline for Muslims in conducting economic activities (Juhaya, 2018). Furthermore, Islam encompasses the objectives of *sharī'ah* (*maqāṣid al-sharī'ah*) (Sumarjoko, 2017) and provides operational guidance to achieve social welfare and a better quality of life. These principles emphasize socio-economic justice, fraternity, and a balanced fulfillment of material and spiritual needs.

Islam views humans as socio-economic and cultural beings created by Allah who depend on one another through mutual exchange in various spheres of life, including trade, leasing, agriculture, industry, and services. As a comprehensive way of life, Islam permeates all dimensions of human existence, including the economic sphere. The Islamic system seeks to dialectically integrate economic values with theological and ethical principles. Consequently, economic activities are not solely based on material considerations but are also anchored in transcendental values, thereby transforming them into acts of worship. Moreover, Islamic economic transactions (*mu'amalāt*) strongly emphasize humanistic values. In social interaction, individuals possess mutual interests that generate rights and obligations. Each person holds rights that must be respected by others and, simultaneously, bears obligations toward others. These relationships are regulated by legal norms to prevent conflicts of interest. The legal norms governing rights and obligations in social life are known as *mu'amalah* law. In Islam, the scope of *mu'amalah* is extensive; in fact, the Qur'ān and Sunnah predominantly address matters related to social and economic transactions, including exchange, trade, lending, wages, business ethics, and other contractual relations.

One of the most fundamental transactions in Islamic jurisprudence (fiqh al-mu‘āmalāt) is sale and purchase (bay‘) (Sumarjoko, 2015). Sale and purchase refer to a voluntary agreement between two parties to exchange goods of value, whereby one party delivers the goods and the other provides compensation, in accordance with mutually agreed terms validated by shari‘ah. The legal validity of a sale depends on the fulfillment of its conditions, pillars, and related requirements. The object of sale may include goods or money, provided that it possesses value and its use is permissible under Islamic law. In general legal terms, sale and purchase are defined as an agreement in which one party binds itself to deliver an object, while the other agrees to pay a predetermined price, as stipulated in Article 1457 of the Indonesian Civil Code. Commercial transactions, if conducted without proper legal and ethical norms, may result in social harm and disorder. In Islamic law, trade cannot be separated from the importance of a valid contract (‘aqd). Linguistically, ‘aqd denotes an agreement (DSN-MUI, 2018) and represents a binding expression between the seller and the buyer. A transaction is not considered valid without *ijāb* and *qabūl*, which signify mutual consent. While these are generally expressed verbally, written communication is permitted when verbal expression is not possible.

Essentially, sale and purchase constitute contractual relationships that generate reciprocal obligations, namely the delivery of goods by the seller and payment by the buyer. Every transaction involves at least two parties and is formalized through *ijāb* and *qabūl* (DSN-MUI, 2018). Through such transactions, individuals obtain goods through others, creating continuous reciprocal interactions that are indispensable in social life. Therefore, trade plays a vital role in improving societal welfare. To achieve welfare, harmony, and trust within society, Islam obliges Muslims to uphold justice, even against themselves, and to maintain honesty in measurement and weighing. Justice is reflected in the fulfillment of accurate measures and scales, as emphasized in the Qur‘ān, Surah al-Isrā’ (17):35: “Give full measure when you measure, and weigh with an even balance. That is better and yields the best outcome.”

Allah commands believers to obey all His injunctions and prohibitions. Worship (‘ibādah) encompasses not only devotion to Allah but also responsibilities toward fellow humans. One example is the ritual of qurban (animal sacrifice), which combines devotional and social dimensions. The obligation of qurban is stated in the Qur‘ān, Surah al-Kawthar (108):1-3, and reinforced by a hadith narrated by Imam Ahmad from Abu Hurairah, indicating the seriousness of neglecting this act for those who are capable. The qurban ritual is performed during Eid al-Adha through the slaughtering of sacrificial animals, with the primary objective

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of assisting the poor and providing them with sustenance and joy. In practice, various parts of the sacrificial animal—such as meat, bones, horns, feet, and skin—are distributed to maximize their benefit. However, contemporary practices reveal that certain parts, particularly animal skins, are often sold by qurban committees due to limited processing skills and perceived lack of utility. The legality of selling sacrificial animal skins remains a subject of scholarly debate. While scholars such as Imam al-Shāfi‘ī and Imam al-Nawawī prohibit the practice, others, including Imam Abū Ḥanīfah, al-Ḥasan, and al-Awzā‘ī, permit it under specific conditions, such as exchanging it for goods or donating the proceeds. In Lowungu Village, differing opinions among qurban committee members regarding this practice have generated practical and legal concerns, prompting this study to further examine the legal status of selling sacrificial animal skins within the framework of Islamic jurisprudence.

## Method

This study employs a qualitative research method, as it requires in-depth data collection, processing, and analysis to understand the practice of selling sacrificial animal skins from the perspective of Islamic jurisprudence (fiqh), particularly the concept of *maṣlahah* (public interest). The qualitative approach is chosen because the data are presented in the form of words rather than numerical figures, allowing the researcher to describe the phenomenon in a more comprehensive and contextual manner. This method does not prioritize large sample sizes but instead emphasizes the richness and depth of information. Once the collected data are sufficiently detailed and capable of explaining the research problem, additional sampling is deemed unnecessary.

The study also adopts a descriptive-analytical approach, in which the researcher systematically presents information obtained from both literature and field data, followed by careful and critical analysis (Chang, 2014). Through this approach, the research seeks to generate an in-depth understanding of the practice of selling sacrificial animal skins by qurban committees and to examine its conformity with Islamic legal principles.

## Results and Discussion

### Jurists' Views on the Sale of Sacrificial Animal Skins

Islamic jurists (*fuqahā’*) differ in their opinions regarding the legal ruling on selling the skins of sacrificial animals (*uḍḥiyah*). Their views can be summarized as follows. First, a group of scholars—among them Abū Ḥanīfah, ‘Atā, al-Awzā‘ī, Aḥmad ibn Ḥanbal, Ishāq, Abū Thawr, and one opinion within the Shāfi‘ī school—maintain that the skin of a sacrificial animal may be

sold, provided that the proceeds are distributed to those entitled to receive the meat (*mustahiq*). This view emphasizes the social benefit derived from the sacrificial act.

Abū Ḥanīfah further holds that it is recommended (*sunnah*) for the meat of the sacrifice to be divided into three portions: one-third to be consumed by the person offering the sacrifice, one-third to be given to relatives or close acquaintances even if they are wealthy, and one-third to be distributed to the poor. According to him, the skin and internal organs of the sacrificial animal may be exchanged for items that are more beneficial to the recipients of the sacrifice. Consequently, Ḥanafī scholars permit exchanging the skin for something useful, although they do not explicitly frame this transaction as a “sale” in a technical sense.

In contrast, scholars from the Mālikī and Ḥanbalī schools prohibit the sale of sacrificial animal skins, considering it impermissible and invalid to sell any part of the sacrificial animal. Ibn al-Mundhir also narrates this opinion from ‘Atā, al-Nakha‘ī, and Ishāq. Based on relevant prophetic traditions, these scholars conclude that no portion of the sacrificial animal, including its skin, may be given as compensation to the butcher.

Imām al-Shāfi‘ī holds that selling the skin of a sacrificial animal is unlawful (*ḥarām*) and that such a transaction is invalid if conducted by the person offering the sacrifice (*muḍahhī*) or by a wealthy recipient. If the skin is sold to someone who is not entitled to receive it, compensation must be given. If it is sold to a rightful recipient, the seller must return the money, and the meat or skin received is regarded as charity. However, if the seller is a poor recipient, the transaction is permissible and valid. Al-Shāfi‘ī further maintains that it is obligatory to give at least a small portion of the sacrificial meat to the poor, while the remainder may be distributed to relatives and acquaintances, whether wealthy or poor, and it is recommended (*sunnah*) for the sacrificer to consume a small amount. Imām al-Nawawī, in various authoritative Shāfi‘ī texts, explains that it is impermissible to sell the meat, skin, horns, or hair of a sacrificial animal, and likewise impermissible to use the skin as payment for the butcher. Nevertheless, the person offering the sacrifice is allowed to take the skin for personal use.

Meanwhile, according to Imām al-Nakha‘ī and Imām al-Awzā‘ī, as cited in Sharḥ al-Nawawī ‘alā Ṣaḥīḥ Muslim, the skin of a sacrificial animal may be exchanged for household equipment that can be loaned for communal use, such as weighing scales or containers (Nawawī, n.d.). From these discussions, it can be concluded that there are two principal views regarding the sale of sacrificial animal skins. A number of scholars—including Abū Ḥanīfah, ‘Atā, al-Awzā‘ī, Aḥmad, Ishāq, Abū Thawr, one opinion within the Shāfi‘ī school, and Imām al-Nakha‘ī—permit the sale of the skin provided that the proceeds are allocated to eligible recipients. The Ḥanafī school also allows the skin and internal organs to be exchanged for items

that are more beneficial to the recipients. Conversely, Mālikī, Ḥanbalī, Shāfi‘ī scholars, and Imām al-Nawawī generally prohibit the sale of sacrificial animal skins (Nawawī, n.d.).

### **Analysis of the Sale of Sacrificial Animal Skins in Lowungu Village According to Abū Hanīfah’s Opinion**

Following the slaughtering process, the qurban committee immediately distributes the meat, typically allocating one package per household. Each package contains not only meat from cattle or goats but also other consumable parts such as bones and internal organs, including intestines, liver, and stomach. The skin, however, is excluded from these packages, as most community members are unwilling or unable to process it. Consequently, the committee sets the skins aside, after which mobile buyers commonly purchase them at each slaughter location. Like other forms of trade, the sale of sacrificial animal skins is subject to legal and ethical regulations. In Islamic law, a sale (*bay’*) is defined as a voluntary exchange of goods possessing value between two parties based on mutual consent and in accordance with the principles sanctioned by *shari‘ah*. Sacrificial animal skins retain functional value, commonly used for making drums (*bedug*) or other musical instruments that serve religious and cultural purposes.

From the perspective of Islamic commercial law, the sale of leftover sacrificial skins conducted by the committee does not involve elements of usury (*ribā*). The Qur’ān permits trade while prohibiting *ribā*, as lawful trade serves human welfare. The committee carries out the transaction in compliance with the established pillars (*arkān*) and conditions of sale. One essential pillar is *ṣighah*, which signifies mutual consent between seller and buyer. In this context, consent is clearly present, as the committee and local community willingly agree to the transaction, given their inability to utilize the skins themselves. The transaction thus becomes mutually beneficial: the committee obtains funds for mosque-related needs, while the buyer acquires the skins for further resale. This finding is consistent with interviews conducted with members of the qurban slaughter committee in Lowungu Village. According to Abū Hanīfah, the recommended division of sacrificial meat into three portions reflects the charitable nature of the *udhhiyah*, even though the sacrificer may benefit from a portion of it. Some scholars consider it preferable for the entire sacrifice to be donated, yet allowing the sacrificer to partake in a portion is seen as a form of seeking blessings (*tabarruk*).

This demonstrates that the sacrifice fundamentally constitutes an act of charity, notwithstanding the permissibility of limited personal use. For this reason, the Shāfi‘ī school prohibits the sale of any part of the sacrificial animal, including its skin. By contrast, the Ḥanafī

school permits the sale of the meat or skin on the condition that the proceeds are donated or used for legitimate household needs. This view is also cited by Taqiyah al-Din al-Husayni in *Kifayat al-Akhyar*.

*It means: "It should be understood that the essence of the ritual sacrifice (udhiyah) lies in the utilization of the body of the sacrificial animal itself. Therefore, the meat of the sacrifice may not be sold, including its skin. Moreover, the person offering the sacrifice is not permitted to give the skin to the butcher as payment for slaughtering the animal, even though the sacrifice is a recommended (sunnah) act of worship. The sacrificer may donate the skin as charity. Alternatively, the skin may be used to produce items such as khuff (waterproof leather footwear), sandals, buckets, or other objects. However, it must not be given to another person as remuneration for slaughtering. The legal status of the horns of the sacrificial animal is equivalent to that of its skin."* (Taqiyah al-Din al-Husayni, 1970)

According to Imām Abū Ḥanīfah, the person offering the sacrifice is permitted to sell the skin of the sacrificial animal and subsequently donate the proceeds. The revenue obtained from selling the skin may also be used to purchase various items that are beneficial for household needs. "We analogize it (qiyās) to the ruling on meat." The author of *al-Taqrīb* mentions a less common opinion stating that the skin of the sacrificial animal may be sold, and the proceeds should be allocated to those entitled to receive the sacrificial meat, as is customarily done (al-Bāghā, Dieb, 1978).

The explanation above clearly demonstrates the difference of opinion between the Shāfi'i and Ḥanafī schools of law. Nevertheless, this disagreement is not sharply polarized, since although Imām Abū Ḥanīfah permits the sale, he restricts its permissibility by stipulating that the proceeds must either be donated as charity or utilized for legitimate household needs. From our perspective, the person offering the sacrifice should carefully consider the social context of the surrounding community. If, for instance, there are neighbors who are in greater need of cash than of a cowhide, it is advisable to sell the skin of the sacrificial animal to a collector and donate the proceeds to those neighbors in need. Alternatively, the skin may be given directly to the needy neighbor so that they may sell it themselves. From the discussion above, it is evident that some jurists prohibit the sale of sacrificial animal skins. However, the qurban committee holds the view that engaging in such transactions is permissible due to practical considerations, such as the absence of community members who are willing or capable of processing the skins, which would otherwise be neglected, damaged, or wasted if left unused. Utilizing sacrificial animal skins—for example, by donating them to institutions

capable of processing them for communal benefit, such as mosques for bedug drums, study circles for marawis instruments, or Islamic boarding schools (pesantren) for institutional needs—does not pose a legal problem. This practice aligns with the Ḥanafī school, which allows the skin and internal organs of the sacrificial animal to be exchanged for items that are more beneficial to the recipients of the sacrifice.

## Conclusion

1. Based on the discussion above, the sale of sacrificial animal skins conducted by the qurban committee in Lowungu Village occurs due to the committee's lack of expertise in processing the skins and the community's unwillingness to utilize them. Consequently, the committee sells the skins and allocates the proceeds for public purposes, such as purchasing plastic bags, cigarettes, beverages, and snacks for slaughtering committee members, with the remaining funds deposited into the mosque treasury.
2. The Ḥanafī school (Abū Ḥanīfah), in deriving the legal ruling on selling sacrificial animal skins, employs an *istiṣlāḥī* (public interest-oriented) method. According to this school, selling the skin of a sacrificial animal is permissible on the condition that the proceeds are donated as charity or used for legitimate household needs.

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