

A Critique of the Tradition of Qurbani Meat Distribution in Temanggung from the Perspective of Shāfi'i Fiqh

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ABSTRACT

The tradition of distributing sacrificial meat in Sidoharjo Village, Candiroto District, Temanggung Regency, begins with the sacrificial shohibul coming to the slaughterer to slaughter the sacrificial animal on Eid al-Adha. The head of the sacrificial animal must be given to the slaughterer as wages (*ujrah*) for his slaughtering services. This tradition has been carried out since ancient times, under the pretext of not burdening the sacrificial shohibul in paying wages to the slaughterer. This study aims to find out more about the implementation of the tradition of distributing sacrificial animal meat in Sidoharjo Village, Candiroto District, Temanggung Regency. And to find out the review of Syafi'i jurisprudence on this matter. This research is field research, using descriptive qualitative methods, by collecting, analyzing and interpreting data. Data collection techniques were carried out using primary data obtained from interviews with research subjects. Secondary data sources were obtained from books, journals, theses and articles. Data collection and analysis is carried out to obtain the existing reality. The results of the research found that the Syafi'i School of Islamic Scholars agree that it is haram to give wages to the slaughterer from the body parts of the sacrificial animal. Such as meat, skin, head or something else. The sacrificial service basically aims to offer devotion to Allah SWT, so the sacrificial meat should be given in charity to those who are entitled to it and to obtain blessings, it is sunnah for the sacrificial shohibul to eat the sacrificial meat in moderation.

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Introduction

Allah created jinn and humankind solely to worship Him. One manifestation of human obedience to Allah SWT is the performance of the *qurbān* ritual, which must be undertaken with sincere intention solely for His sake. *Qurbān* refers to the offering of specific animals slaughtered at a prescribed time with the intention of drawing closer to Allah SWT. This act of worship commemorates the exemplary obedience of Prophet Ibrahim (peace be upon him), who was commanded to sacrifice his long-awaited and beloved son, Prophet Ismail (peace be upon him). Without hesitation, as an expression of absolute submission to Allah's command, Prophet Ibrahim carried out this instruction, which was willingly accepted by Prophet Ismail. By divine decree, Angel Jibril replaced Prophet Ismail with a ram, which Prophet Ibrahim subsequently sacrificed. Classical literature also indicates that the practice of sacrifice predates the era of Prophet Ibrahim, tracing back to the time of Prophet Adam (peace be upon him), when his sons, Habil and Qabil, were commanded to offer sacrifices from their best possessions. While one offered sincerely, the other demonstrated miserliness, highlighting the moral dimension embedded in the act of sacrifice (Sarkawi, 2022).

The patience exemplified by Prophet Ibrahim reflects the fortitude of an entire family in facing a divine trial that contradicted natural human desires. This historical narrative indicates that true patience emerges when individuals submit to divine commands that challenge human inclinations (Marjuni, 2019). For Muslims, *qurbān* is not merely a ritual act of animal slaughter and distribution; rather, it embodies a comprehensive form of worship that strengthens one's relationship with Allah (*ḥabl min Allāh*) as well as social relations among human beings (*ḥabl min al-nās*). Numerous spiritual and social values can be derived from the practice of *qurbān*. Spiritually, it enhances obedience and piety toward Allah SWT, while socially it cultivates compassion and solidarity within the community. This is particularly relevant in the Indonesian context, where communities frequently face natural disasters such as floods, landslides, earthquakes, and the recent COVID-19 pandemic, which claimed millions of lives. In such circumstances, mutual assistance becomes an essential social necessity (Kusnadi, 2021). Among the wisdoms of *qurbān* are reviving the Sunnah of Prophet Ibrahim, fostering *taqarrub* to Allah SWT, enlivening the remembrance of Allah through *takbīr* during Eid al-Adha and the Days of Tashrīq, cultivating generosity, eradicating greed, and nurturing communal solidarity while suppressing destructive instincts such as selfishness, arrogance, and exploitation (Isfiana, 2022).

According to Imam al-Shāfiʿī, the legal ruling of *qurbān* is *sunnah muʾakkadah*. If the sacrifice is voluntary (not vowed), it is recommended that the sacrificer consume a portion of the meat. However, if the sacrifice is obligatory due to a vow (*nadhr*), it is prohibited for the sacrificer to consume any portion of the meat, a ruling upon which there is scholarly consensus. Furthermore, Imam al-Shāfiʿī holds that the meat of the sacrificial animal should be divided into three portions: one-third for the sacrificer, one-third to be donated to the poor, and one-third to be given as gifts to the wealthy (Ajib, 2019). In contrast, Imam Ibn Qāsim al-Ghazzī argues that it is preferable for all the meat to be donated, with the sacrificer consuming only a minimal portion to obtain blessings from the sacrifice (Thantawi, 2017).

In the tradition of animal sacrifice in Sidoharjo Village, Candiroto District, Temanggung Regency, the entire slaughtering process is delegated to a respected elder regarded as competent and authoritative—a practice that has been preserved for generations. This elder personally invites individuals to assist in the slaughtering process through door-to-door visits. In the distribution process, all animal heads are allocated to the slaughterer regardless of quantity. At his discretion, some heads may be distributed to others; otherwise, those wishing to obtain them must purchase them from him. The *shāhib al-qurbān* receives the left front leg, while assistants involved in the slaughter are compensated with portions of meat. Before distribution to the wider community, some of the meat is cooked to host the slaughterer and his assistants. Additionally, the hides of the sacrificial animals are sold, and the proceeds are used according to the slaughterer's personal discretion. Based on this practice of meat distribution in Dusun Loning, Sidoharjo Village, Candiroto District, Temanggung Regency, this study seeks to examine more deeply the implementation of the sacrificial meat distribution and to analyze its legal status from the perspective of Shāfiʿī jurisprudence.

Method

This research employs a field research approach using a qualitative descriptive method. Data were collected, analyzed, and interpreted to capture and reflect the empirical reality of the practice. Primary data were obtained through interviews with research subjects, while secondary data were sourced from books, academic journals, undergraduate theses, and scholarly articles. Data collection and analysis were conducted to achieve an accurate understanding of the existing practices.

Results

Conceptual Clarification

According to the *Kamus Besar Bahasa Indonesia*, criticism refers to an evaluation or response that includes an assessment of the merits and shortcomings of a work, opinion, or practice (Nadia, 2022). Etymologically, the term “criticism” derives from the Greek word *kritēs*, meaning judge, with the verb *krinein* signifying to judge or assess. This root also gave rise to the term *kriterion*, meaning a basis for judgment, and *kritikos*, referring to an evaluator of literary works. Throughout history, the concept and application of criticism have continued to evolve (Agelica, 2022). In the same dictionary, tradition is defined as a custom or practice passed down through generations and preserved by a community under the belief that it represents the most correct and appropriate way of conduct (Rofiq, 2019). Many traditions that develop within society represent manifestations of culture. According to Benedict, tradition constitutes a cultural construction shaped by dominant values that influence behavioral norms, thereby forming a society’s cultural patterns (Werdanengsih, 2019).

1. Qurbān

Etymologically, the term *qurbān* derives from the Arabic root *qariba-yaqrabu-qurbān*, meaning to approach or draw near. In Indonesian usage, *qurbān* refers to an offering made to Allah SWT, such as sheep, cattle, or camels slaughtered during Eid al-Adha. Another term for *qurbān* is *udḥiyyah*, derived from *duḥā*, the time when the sun begins to rise, during which the sacrifice is prescribed. In Islamic jurisprudence, *udḥiyyah* denotes the ritual slaughter performed after sunrise on Eid al-Adha (Ajib, 2019). The *qurbān* ritual serves as an act of *taqarrub* (seeking closeness) to Allah SWT and involves slaughtering eligible animals such as goats, sheep, cattle, buffaloes, or camels beginning on the 10th of Dhu al-Hijjah after the Eid prayer and continuing until the 13th of Dhu al-Hijjah, known as the Days of Tashrīq (PWNU, 2022). In many regions of Indonesia, the ruling of *qurbān* follows the Shāfi‘ī school, classifying it as *sunnah mu’akkadah*—a strongly recommended act of worship (Hariyanto, 2018).

The legal foundation of *qurbān* is based on, among others:

a. Qur’an, Surah al-Kawthar (108): 1–3

إِنَّا أَعْطَيْنَاكَ الْكَوْثَرَ فَصَلِّ لِرَبِّكَ وَانْحَرْ إِنَّ شَانِئَكَ هُوَ الْأَبْتَرُ

Meaning: “Indeed, We have granted you abundant blessings. So perform prayer for your Lord and offer sacrifice. Indeed, those who hate you — they are the ones cut off.”

a. Ḥadīth narrated by ‘Ā’ishah (may Allah be pleased with her)

عَنْ عَائِشَةَ أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ مَا عَمَلٌ أَدْمِيٌّ مِنْ عَمَلٍ يَوْمَ النَّحْرِ أَحَبَّ إِلَى اللَّهِ مِنْ إِهْرَاقِ الدِّمِ إِنَّهَا لَتَأْتِي يَوْمَ الْقِيَامَةِ بِقُرُونِهَا وَأَشْعَارِهَا وَأَظْلَافِهَا وَأَنَّ الدَّمَ لَيَقَعُ مِنَ اللَّهِ بِمَكَانٍ قَبْلَ أَنْ يَقَعَ مِنَ الْأَرْضِ فَطَيِّبُوا بِهَا نَفْسًا

“From ‘Ā’ishah (may Allah be pleased with her), that the Prophet said: There is no deed performed by the son of Adam on the Day of Naḥr that is more beloved to Allah than the shedding of blood (the sacrifice). Indeed, on the Day of Resurrection it will come with its horns, hooves, and hair, and indeed its blood reaches Allah, the Exalted and Glorious, at the very place of slaughter before it falls upon the ground. Therefore, perform the sacrifice with sincere intention.” (Ḥadīth narrated by Ibn Mājah and al-Tirmidhī)

The performance of qurban is governed by several essential pillars that ensure its legal and ritual validity. These pillars consist of the act of slaughtering (dḥabḥ), the person who carries out the slaughter (dḥābiḥ), the animal that is slaughtered, and the instrument used in the slaughtering process (Syaifullah, 2021). Each of these elements must be present in order for the act of qurban to be considered valid according to Islamic law. In addition to these pillars, qurban is subject to specific conditions. The sacrificial animal must belong to the category of livestock (an‘ām), which includes goats, sheep, cattle, and camels. While male animals are preferable, female animals are also deemed permissible. The animal must also meet the required age criteria: sheep must have shed their milk teeth at more than six months of age or have reached one year even if the teeth have not fallen out; cattle and goats must be at least two years old; and camels must be no less than five years old. In terms of allocation, one goat is sufficient for one person, whereas one cow, buffalo, or camel may be shared by up to seven individuals. Furthermore, the animal offered for qurban must be free from physical defects that would diminish the amount or quality of meat typically consumed, such as extreme emaciation, a severed ear, lameness, or other similar defects. Lastly, the intention (niyyah) to perform qurban must be made either at the time of slaughter or when designating the animal for sacrifice. However, in the case of vowed qurban (qurban nadzar), the articulation of intention is not required (Anwar, 2017).

2. The Science of Fiqh

Linguistically, fiqh derives from al-fahm (understanding), meaning comprehension of the legal verses (āyāt al-aḥkām) found in the Qur’an and Ḥadīth. Fiqh represents the explanation or interpretation of Qur’anic verses and legal Ḥadīths by Muslim scholars. Fundamentally, fiqh scholars do not create laws, as law originates from

Allah SWT; rather, they derive rulings from their sources, namely the Qur'an and Hadith. Simply put, fiqh is the science that regulates the provisions of Islamic law (sharī'ah) concerning human actions in relation to Allah SWT, human relations with one another, and human interaction with nature, derived from detailed evidences. Within fiqh, the matters discussed concern 'amaliyyah rulings, namely laws governing human actions in the fields of worship ('ibādah), transactions (mu'āmalah), marriage, inheritance (mawārith), criminal law (jināyah), governance (siyāsah), and others (Hafsah, 2016).

From this definition, fiqh can be understood as a discipline concerned with understanding and interpreting detailed legal verses of the Qur'an and the Prophetic Hadith. Islamic legal rulings are derived by scholars through processes of interpretation and legal reasoning, rather than being independently created by them. Consequently, differences of opinion (khilāfiyyah) among scholars are both natural and inevitable. These divergences arise from several factors, including variations in linguistic proficiency, depth of knowledge, and scholarly specialization; the differing social, historical, and contextual circumstances in which legal rulings are formulated; and differences in the extent to which scholars comprehensively understand and reconcile Qur'anic verses and legal Hadiths within their legal reasoning (Hafsah, 2016).

Historically, the scope of fiqh was initially very broad and could be understood as deep knowledge and understanding of various matters. Over time, however, its scope narrowed to legal issues and eventually became focused primarily on Islamic legal literature (Sariyekti, 2018). Studying fiqh is farḍ 'ayn (an individual obligation) for every Muslim, as it concerns proper procedures of worship that ensure the validity of one's acts of devotion to Allah SWT. For example, every Muslim is obliged to learn the correct way to perform prayer, as well as the sciences related to its validity, such as ablution, purification from impurities, dry ablution (tayammum), and cleansing after relieving oneself (istinjā'). Muslims are also required to learn knowledge related to other acts of worship, such as fasting, zakat, and hajj. Included among obligatory knowledge is mu'āmalah, which regulates various interactions among humans, such as buying and selling, leasing, and custodianship. These sciences are individually obligatory because actions not based on proper knowledge may be invalid or unacceptable (Khoiron, 2018).

3. The Tradition of Qurban Meat Distribution in Sidoharjo Village, Candiroto District, Temanggung Regency

One characteristic of humans as social beings is their inability to live independently without assistance from others. Therefore, one way to meet their needs is through

mu'āmalah, particularly in the distribution of qurban meat practiced by the community of Sidoharjo Village, Candiroto District, Temanggung Regency. This is done by giving the head of the sacrificial animal to the slaughterer as compensation and allocating a portion of the meat to assistants. This tradition has been practiced for generations. Such a long-preserved tradition holds particular significance, as long as it does not contradict Islamic law (sharī'ah), and may continue to be practiced, especially when it contains social benefits (maṣlaḥah) for the community (Qodriyah et al., 2022).

Upon closer examination, the parties involved in the practice can be systematically classified into three main roles. First, the slaughterer is the individual who provides professional services in the form of expertise and skill in slaughtering sacrificial animals in accordance with religious requirements. Second, the assistants are those who support the slaughtering process by preparing the necessary equipment and assisting in the distribution of the qurban meat to eligible recipients. Third, the shohibul qurban refers to the person who offers the sacrificial animal to be slaughtered, motivated solely by the intention of seeking the pleasure and approval of Allah SWT.

In practice, the compensation system operates as follows: the shohibul qurban hands over the sacrificial animal to the slaughterer, requesting that it be slaughtered on Eid al-Adha. Through this handover, an established tradition automatically applies, whereby the head of the sacrificial animal is given to the slaughterer as compensation. In addition, a portion of the meat is allocated as compensation for assistants involved in distributing the meat and preparing the necessary arrangements. This agreement is conducted verbally without a written contract, as it is widely recognized as a long-standing tradition. The cooperative system between the shohibul qurban, the slaughterer, and assistants involves many individuals, depending on the number of animals to be slaughtered. Based on confirmed data regarding the number and type of animals, the slaughterer contacts assistants door-to-door according to need. Although no explicit wage agreement is stated, the practice is commonly understood due to its traditional nature. This compensation practice is considered beneficial for all parties involved, as such cooperation enables the work to be completed effectively and efficiently.

4. A Shāfi'ī Jurisprudential Review of the Tradition of Qurban Meat Distribution in Sidoharjo Village, Candiroto District, Temanggung Regency

Sharī'ah constitutes a set of regulations governing all aspects of human actions, encompassing both 'ibādah (acts of worship) and mu'āmalah (social transactions). 'Ibādah regulates the relationship between human beings and Allah, while mu'āmalah

governs relationships among human beings. Humans are created solely to worship Allah SWT; therefore, all actions should ultimately be directed toward devotion to Him alone (Tiana & Ngatiyar, 2022). Based on field research findings obtained through interviews, as well as library research involving translated classical texts, books, and other relevant sources related to the study entitled “A Critique of the Tradition of Qurban Meat Distribution in Sidoharjo Village, Candiroto District, Temanggung Regency,” the next step of this study is to examine how Shāfiʿī fiqh views the practice of qurban meat distribution occurring in Sidoharjo Village. As discussed in the previous chapter, the tradition of qurban meat distribution in Sidoharjo Village involves the shohibul qurban providing compensation to the slaughterer in the form of the head of the sacrificial animal. This practice begins when the shohibul qurban comes to the slaughterer requesting that the animal be slaughtered, due to the former’s inability to perform the act independently. The agreement reached between the two parties is that the slaughterer receives compensation in the form of the animal’s head, corresponding to the number and type of animals slaughtered.

The contract (ʿaqd) established between the shohibul qurban and the slaughterer is purely verbal rather than written. It is based on mutual trust and has been practiced for generations. The provision of compensation to the slaughterer is intended as remuneration for his expertise in slaughtering sacrificial animals, a task that the shohibul qurban is unable to perform.

Based on the research findings, the handover of the sacrificial animal from the shohibul qurban to the slaughterer constitutes a wakālah (agency) contract. Linguistically, wakālah derives from al-ḥifẓ (protection) and al-tafwīḍ (delegation). Terminologically, wakālah refers to the delegation of authority to another party to carry out a legal act on one’s behalf, provided that such an act is known and permitted under Sharīʿah provisions (Nurjaman et al., 2022). A wakālah contract may be executed either with or without remuneration. As narrated by Ibn Qudāmah in al-Mughnī, the Prophet Muhammad SAW practiced wakālah when he delegated Unais to carry out a punishment, ‘Urwah to purchase a goat, and Abū Rāfi‘ to conclude a marriage contract—all without compensation. On other occasions, the Prophet also appointed officials to collect charity (zakāt) and compensated them for their services. This indicates that agency contracts are permissible both with and without remuneration (Mujahid, 2019).

Fiqh rulings are inherently dynamic, evolving in response to changing times and remaining flexible to meet societal needs. Issues requiring juridical interpretation continually arise, particularly in the field of muʿāmalah, where individuals are granted

freedom to engage in social transactions as long as they remain within the bounds of Shari'ah. This demonstrates that Islam provides space for societal innovation toward improvement, as long as progress—especially in mu'amalah—does not violate Islamic principles, particularly those established within fiqh jurisprudence. The practice of compensating the slaughterer with the head of the sacrificial animal in Sidoharjo Village is one such form of mu'amalah, undertaken solely as remuneration for the slaughterer's services. The term wage or *ujrah* originates from *al-ajr*, which carries a meaning similar to *al-thawāb* (reward). In Arabic, however, *al-ajr* and *al-ijārah* have distinct meanings. *Al-ajr* refers to the reward granted by Allah SWT for acts of obedience, whereas compensation derived from an *ijārah* contract is termed *ujrah*. According to Ḥanafī scholars, *ijārah* is a transaction involving the exchange of benefits for a specified and permissible consideration. Thus, *ujrah* represents compensation for services rendered by labor (Waruru, 2021). In fiqh mu'amalah, wages fall under the category of *ijārah*. *Ujrah* (wages) constitutes a right for workers and an obligation upon employers, provided in the form of monetary compensation for the utilization of labor.

Based on its classification, *ujrah* (wages) in Islamic jurisprudence is divided into two principal types. The first is *ujrah al-mithlī*, which refers to compensation that is determined according to the nature of the work and the profession involved, based on the customary equivalence of the benefits derived from the service rendered. This type of wage is assessed in proportion to prevailing standards and societal norms for similar work. The second is *ujrah al-musammā*, namely wages that are explicitly stipulated at the outset of a transaction. This form of compensation is considered valid provided that the agreed-upon wage is willingly accepted by the contracting parties, both outwardly and inwardly, at the time of the agreement (Islamiati, 2022).

Zakariyyā bin Muḥammad bin Aḥmad bin Zakariyyā al-Anṣārī as-Sunaikī (823–926 H / 1420–1520 CE) was a qāḍī and a distinguished Shāfi'ī scholar renowned for his expertise in hadith, fiqh, and tafsīr. In his juristic works, he maintained the view that giving qurban meat to a butcher as compensation is unlawful (ḥarām), emphasizing that sacrificial meat should not be treated as a wage for services rendered.

وَيَحْرُمُ الْإِتْلَافُ وَالْبَيْعُ لِشَيْءٍ مِنْ أَجْزَاءِ أَضْحِيَّةِ التَّطَوُّعِ وَهَدْيِهِ وَإِعْطَاءُ الْجَزَارِ أُجْرَةً مِنْهُ بَلْ هُوَ عَلَى الْمُضْحِي وَالْمُهْدِي كَمُؤْنَةِ الْحَصَادِ

“It is unlawful (ḥarām) to remove or sell any part of an animal offered as a voluntary qurban or hady, and it is also unlawful to give the butcher his wage from any part of that sacrificial animal. Rather, the cost of the butcher must be borne by the person offering the qurban or hady, just as harvesting costs are borne by the owner.” (Zakariya, 2000).

This prohibition is also based on a hadith narrated by ‘Alī ibn Abī Ṭālib.

عَنْ عَلِيِّ رَضِيَ اللَّهُ عَنْهُ قَالَ أَمَرَنِي رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنْ أَقُومَ عَلَى بُذْنِهِ فَأَقْسِمَ جَلَالُهَا وَجُلُودُهَا وَأَمَرَنِي أَنْ لَا أُعْطِيَ الْجَزَارَ مِنْهَا شَيْئًا وَقَالَ نَحْنُ نُعْطِيهِ مِنْ عِنْدِنَا

“From Sayyidunā ‘Alī ibn Abī Ṭālib (may Allah honor his face), he said: The Messenger of Allah instructed me to take care of his sacrificial animals. I then distributed their coverings (jilāl)—that is, coverings made of leather to protect the animals from the cold—and their skins. He also instructed me not to give any part of the sacrificial animal to the butcher as payment. And he said: ‘We will give the butcher his wage from our own wealth.’” (Zakariya, 2000).

Shaykh Ibrāhīm ibn Muḥammad ibn Aḥmad al-Shāfi‘ī al-Bājūrī (1783 CE / 1198 H – 1860 CE / 1276 H), a Shāfi‘ī scholar, wrote in his work Ḥāshiyat al-Bājūrī: (Making the sacrificial meat a wage for the butcher is also unlawful), because giving it as wages implies a sale. If the person offering the sacrifice gives it to the butcher not with the intention of wages but with the intention of charity, then it is not unlawful. He may give it as a gift, or use it as a container for water, as leather footwear (khuff), or similar items such as making a cloak from the hide, and he may lend it out. However, giving it in charity is more virtuous.” (al-Bājūrī, n.d.).

In various textual formulations within the Shāfi‘ī school, Imām al-Nawawī states that selling or using any part of the sacrificial animal—whether its meat, skin, horns, or hair—as wages is entirely prohibited (Manap, 2023). Abū ‘Abdillāh Syahrul Fatwā ibn Lukman, in his work Fiqh Praktis Ibadah Qurban (Practical Fiqh of Qurban Worship), explains the ruling on giving part of the sacrificial meat to the butcher as follows: According to this view, the permissibility of giving a portion of the sacrificial animal to the butcher depends on the intention and basis of the gift. When the butcher is given part of the qurban—such as the head, skin, or meat—on the grounds that he is poor or purely as a charitable gift, this practice is considered permissible. In such a case, the butcher receives the meat not as a worker being compensated, but as a legitimate beneficiary who is entitled to a share of the sacrificial distribution. However, the ruling differs when a portion of the sacrificial meat is given to the butcher explicitly as wages or compensation for his services. In this situation, the practice is deemed impermissible. This prohibition is supported by a hadith narrated by al-Bukhārī and

Muslim, in which the Messenger of Allah ﷺ instructed the management of his sacrificial camels, ordered that their meat, skins, and coverings be distributed as charity, and explicitly forbade giving any part of the animal to the butcher as payment for his work (Lukman, 1442 H).

Muhammad Ajib, in his work *Fiqh al-Qurban from the Perspective of the Shāfi'ī School*, states that all scholars of the Shāfi'ī school unanimously agree that it is unlawful to give wages to the butcher taken from any part of the sacrificial animal, such as its meat, skin, head, or any other part. This is because the meat of the sacrificial animal must be given freely as charity, not as compensation. However, if a part of the sacrificial animal is given to the butcher as charity rather than as wages, then this is permissible. He further proposes a solution that the butcher's wage should be taken from the wealth of the shohibul qurban (the person offering the sacrifice) or the qurban committee, not from the sacrificial animal itself.

He then quotes the statement of Imām al-Nawawī (1233 CE / 631 H – 1277 CE / 676 H) in *al-Majmū' Sharḥ al-Muhadhdhab*, "It is not permissible for the skin of the qurban or any other part to be used as payment for the butcher, because the person offering the sacrifice should instead give it as charity to the butcher." (al-Nawawī, n.d.). Zakariyyā al-Anṣārī, in his work *Asnā al-Maṭālib Sharḥ Rawḍat al-Ṭālib*, further explains:

وَلِأَنَّهُ إِنَّمَا أَخْرَجَ ذَلِكَ قُرْبَةً فَلَا يَجُوزُ أَنْ يَرْجَعَ إِلَيْهِ إِلَّا مَا رُخِّصَ لَهُ فِيهِ وَهُوَ الْأَكْلُ وَخَرَجَ
بِأَجْرِهِ إِعْطَاؤُهُ مِنْهُ لِفَقْرِهِ وَإِطْعَامُهُ مِنْهُ إِنْ كَانَ غَنِيًّا فَجَائِزًا

"Because he (the person offering the sacrifice) brings forth his sacrifice in order to draw closer to Allah (as an act of worship), he is not permitted to take it back except for what has been allowed, namely consuming a portion of it. What is excluded from the notion of wages is giving the sacrificial meat to the butcher because he is poor, and/or giving him a portion even if he is wealthy; such giving is permissible." (Zakariya, n.d.).

The purpose of the ritual of qurban is solely taqarrub (seeking closeness) to Allah SWT; therefore, it is not permissible for the sacrificial meat to be taken back by the shohibul qurban for the purpose of paying the butcher (Salleh, 2023). Accordingly, the meat of the sacrifice must be distributed as charity to others, and it is recommended (sunnah) that a portion be eaten together with one's family as a means of seeking blessing (tabarruk). When the shohibul qurban takes part of the sacrificial animal as wages for the butcher or his assistants, this is tantamount to reclaiming the sacrificial meat. This is because a portion of the sacrificial animal is taken as compensation for the butcher's services, whereas the original intention of slaughtering the sacrificial animal is purely to seek the pleasure of Allah. In the case that occurs in Desa Sidoharjo, Kecamatan Candirot, Kabupaten Temanggung, the shohibul qurban gives

the butcher the head of the sacrificial animal as wages and sets aside a portion of the meat as payment for the assistants. The shohibul qurban argues that this practice relieves him from having to incur additional expenses to pay the butcher and his helpers. Thus, it can be concluded that the practice of distributing sacrificial meat in Desa Sidoharjo, Kecamatan Candiroto, Kabupaten Temanggung—namely, giving the head of the sacrificial animal as wages to the butcher and a portion of the meat to his assistants—is unlawful (ḥarām) from the perspective of Shāfiʿī fiqh, based on the evidences discussed above. Under no pretext may such a practice be justified in contradiction to the Sharīʿah, except in cases of genuine necessity that are recognized by the Sharīʿah (li al-ḍarūrah).

Conclusion

Based on the results of the research, through an analysis of all the data obtained by the author and presented in the preceding chapters, the following conclusions can be drawn in accordance with the formulated research problems: The tradition of distributing sacrificial meat in Desa Sidoharjo, Kecamatan Candiroto, Kabupaten Temanggung begins with the shohibul qurban requesting assistance from the butcher to slaughter the sacrificial animal on the day of ʿĪd al-Aḍḥā. In accordance with the prevailing tradition, the head of the sacrificial animal is obligatorily given to the butcher as payment for his slaughtering services. Although this practice is carried out without a formal wage contract, it has become an entrenched custom practiced since ancient times. Payment in the form of the animal's head is intended to avoid burdening the shohibul qurban. When reviewed from the perspective of Shāfiʿī fiqh and based on the consensus of scholars, this tradition of distributing sacrificial meat is unlawful (ḥarām). This is because the act of qurban is intended as taqarrub to Allah SWT through the charitable distribution of the sacrificial meat. Taking any part of it as wages is equivalent to reclaiming the sacrificial animal by its owner and then transferring it as compensation for slaughtering services.

References

- Ajib, M. (2019). *Fiqh Qurban Perspektif Madzhab Syafi'i* (A. A. Asy Syafi'i, Ed.). Jakarta Selatan: Rumah Fiqih Publishing.
- Angelica, N. (2022). Kritik Novel Islammu Adalah Maharku Karya Ario Muhammad Pendekatan Religius. *Basindo: Jurnal Kajian Bahasa, Sastra Indonesia, Dan Pembelajarannya*, 7(1).
- Al-Anshari, Z. (2000). *Asna al-Mathalib Syarh Raudl ath-Thalib*. Bairut: Dar al-Kutub al-Ilmiyyah.
- An Nawawi. *Al Majmu' Syarh al-Muhadzdzab*.
- Anwar, A., Mahin, A., Akbar et al, (2017). *Fikih Kurban Praktis*. Kediri: LBM NU Kota Kediri.

- Baijuri, S. M. I. (Tidak ada catatan tahun). *Hasyiyatul Baijuri*. Beirut: Darul Fikr.
- Hafsah. (2016). *Pembelajaran Fiqh*. Bandung: Citapustaka Media Perintis.
- LBM PWNU JATENG. (2022). *Panduan Lengkap Fiqh Kurban: Konsep dan Implementasi*. Semarang: LBM PWNU JATENG.
- Lukman, A. A. S. F. bin. (1442 H). *Fikih Praktis Ibadah Kurban*. Bekasi: Pustaka Syahrul Fatwa.
- Hariyanto, B. (2018). Dinamika Ibadah Kurban Dalam Perkembangan Hukum Islam Modern. *Mizani: Wacana Hukum, Ekonomi Dan Keagamaan*, 5(2).
- Isfiana, N. (2022). Metode Tawa D' Lompat (Tanya Jawab Dua Kelompok Debat) Untuk Meningkatkan Hasil Belajar Fikih Materi Kurban Dan Akikah. *Edutrainee: Jurnal Pendidikan Dan Pelatihan*, 6(2).
- Islamiati, D. (2022). Analisis Sistem Upah (Ujrah) Buruh Tani Kelapa Sawit Di Desa Penyeladi Kabupaten Sanggau. *Jurnal Muamalat Indonesia*, 2(2).
- Kusnadi. (2021). Tafsir Tematik Tentang Ibadah Kurban (Studi Surat Al-Hajj: 36). *Jurnal Ulumul Syar'i*, 10(2).
- Marjuni, R. (2019). Nilai-nilai Tarbiyah Ibadah Kurban dan Relevansinya dengan Pembelajaran Pendidikan Formal. *Palapa: Jurnal Studi Keislaman dan Ilmu Pendidikan*, 7(2).
- Mujahid. (2019). Analisis Penerapan Akad Wakalah Bil Ujrah Pada Layanan Go-Food. *At Taradhi: Jurnal Studi Ekonomi*, 10(1).
- Syariah. *Al-Infaq: Jurnal Ekonomi Islam*, 13(1).
- Qodriyah, L., & Sumarjoko, H. U. (2022). Tradisi Pembuangan Ayam Jawa Di Jembatan Kali Progo Oleh Keluarga Pengantin Dalam Perspektif Urf. *IQTISAD: Reconstruction of Justice and Welfare for Indonesia*, 9(2).
- Rofiq, A. (2019). Tradisi Slametan Jawa Dalam Perspektif Pendidikan Islam. *Attaqwa Jurnal Ilmu Pendidikan Islam*, 15(2).
- Salleh, J. M., Kedin, N. A., Sulaiman, S. B., & Mahat, M. A. (2023). The Muslim Community's Understanding of the Basic Laws of Qurban Distribution. *International Journal of Academic Research in Business and Social Sciences*, 13(1).
- Sariyeki, E. (2022). Urgensi Ushul Fiqh Dan Persoalan Kontemporer. *Citra Ilmu*, 18(35).
- Sarkawi. (2022). Nilai-Nilai Dakwah Dalam Ibadah Kurban. *Islamika: Jurnal Ilmu-Ilmu Keislaman*, 22(1).
- Thantawi. (2017). Tinjauan Hukum Islam Terhadap Praktik Pemberian Daging Kurban Kepada Panitia Sebagai Upah (Studi Kasus Di Kecamatan Blang Bintang Kabupaten Aceh Besar). *Skripsi*, Program Studi Hukum Ekonomui Syari'ah Jurusan Syari'ah dan Hukum, UIN Arraniry Darussalam Banda Aceh.
- Tiana, S., & Ngatiyar. (2022). Status Ujrah (Upah) Pada Akad Ijarah: Studi Upah Fotografer Pre Wedding. *An Nawawi: Jurnal Hukum Dan Ekonomi Islam*, 2(2).
- Waruwu, A. A. (2021). Ujrah Dalam Perspektif Tafsir Hadis Tematik. *Mubeza: Pemikiran Hukum Dan Ekonomi Islam*, 11(1).
- Wirdanengsih. (2019). Makna Dan Tradisi-Tradisi Dalam Rangkaian Tradisi Khatam Qur'an Anak-Anak Di Nagari Balai Gurah Sumatera Barat. *Gender Equality: International Journal of Child and Gender Studies*, 5(1).