



Islamic Legal Study: Substitution of Sacrificial Animals with Money Based on The Evidences Regarding Sacrifice

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ABSTRACT

The opinion on whether or not it is permissible to replace sacrificial animals with an amount of money equivalent to the sacrificial animal has emerged as a contemporary fiqh issue caused by the condition of society. The practice of sacrificing in this way is considered more beneficial and has many benefits for the Muslim community itself, especially in unstable economic conditions. At first glance, this opinion is an alternative and very responsive to the problems that occur. However, there is not a single argument, either in the verses of the Qur'an or the hadith of the Prophet, as well as the consensus of scholars and the MUI fatwa, which states that replacing sacrificial animals with money is permissible. The research method used is a qualitative method with a literature review approach, namely by searching for and making library materials the main source by writing, reviewing, and reducing books, scientific works, books of scholars and other literature related to the evidence for sacrifice. The results of this study indicate that based on a review of the MUI fatwa Number 37 of 2019 concerning the Preservation and Distribution of Processed Qurban Meat, and the ijma' of scholars of the four schools of thought and supporting evidence, it was decided that replacing sacrificial animals with money is not permitted because the essence of qurban is iraqah ad-dam, namely (slaughter).

Keywords: *Sacrificial Animals, Opinions of Scholars, Islamic Legal Study*

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INTRODUCTION

Sacrifice is a religious practice that is not just an annual ritual, but is full of meaning and has a long history stretching back to the past. The essence of the sacrificial worship contains symbolism that represents the symbol of obedience, sincerity and sacrifice of a servant to Allah SWT. namely Ibrahim a.s and Ismail a.s. The story of these two prophets of Allah became the starting point of the tradition of sacrifice which is still carried out today.

In addition to being an individual worship, sacrifice also contains a significant social dimension in Islamic society. The implementation of sacrifice is not only limited to the slaughtering process, but also the process of distributing sacrificial meat to the community. Through this sacrifice, social values such as cooperation, mutual assistance, solidarity, empathy and concern for others can be realized.

In an increasingly complex modern context, the sacrificial worship continues to be more relevant and interesting to study. Changes and developments

in the era bring new challenges and opportunities in its implementation. On the one hand, various innovations have emerged in the processing of sacrificial meat, and on the other hand, contemporary issues have emerged in Islamic studies and the efficiency of the distribution of sacrificial meat.

Regarding this, in recent years there have been statements regarding the practice of replacing sacrificial animals with money of the same value. This issue arose precisely during the Covid-19 pandemic when people's mobility was limited and their financial conditions were unstable. In addition, the factor that caused this issue to arise was because it was considered easier and brought benefits to Muslims when compared to distributing it in the form of raw meat. Moreover, during the Eid al-Adha celebration, the number of animals slaughtered was very large so that meat was abundant everywhere. This is considered less effective and is considered wasteful. It would be better if the funds for purchasing sacrificial animals were collected and given to those in need, namely to help the poor, the destitute and other social assistance. The study of Islamic law on replacing sacrificial animals with money is one of the interesting contemporary fiqh issues to study. The majority of scholars agree that the essence of sacrifice is the slaughter of animals that have met the applicable terms and conditions. However, with various problems, dynamic conditions of society and social dynamics at this time encourage the emergence of questions regarding the permissibility of replacing sacrificial animals with money in the implementation process which is considered to contain more benefits and is useful. This article will discuss in detail the opinions of scholars regarding the law of replacing sacrificial animals with money and an analysis of the arguments that support or reject this practice.

METHOD

In general, the research method is defined as a scientific activity that is structured, planned, systematic and has a specific purpose, both practical and theoretical. It is said to be a scientific activity because it contains aspects of knowledge and theory. (Raco, 2010). The method used in this study is a qualitative method, which generally aims to provide an in-depth explanation and description of something. This method emphasizes the analysis of the deductive and inductive thinking process and observation of a phenomenon by further examining the substance of the meaning of it. The research approach used is library research, which makes library materials the main source and data. (Suparno, 2014: 2). By writing, reviewing, classifying and reducing books, scientific works, and other literature, both audio, visual and audio-visual, related to the law of replacing sacrificial animals with money based on the Qur'an, hadith and ijtiḥad of scholars.

RESULTS AND DISCUSSION

Definition of Sacrifice

In the Big Indonesian Dictionary (KBBI), sacrifice means offering to God (such as sheep, cows, camels that are slaughtered on the day of Eid al-Adha). The word sacrifice in Indonesian is a translation from Arabic. (Compiler Team, 1996: 545). In a literal sense, the word sacrifice comes from the word *قرب, يقرب, قربان* which means to approach him or approach him. Meanwhile, according to sharia, sacrifice is livestock that is slaughtered with the aim of getting closer to Allah SWT. on Eid al-Adha on the 10th of Dzulhijjah and the days of Tasyriq on the 11th, 12th, and 13th of Dzulhijjah. Sacrifice or *udhiyyah* is the plural of *dhahiyah*, which is the slaughtering of animals in the morning. (Mas'udi, 2023: 493). According to Imam Nawawi, the word *udhiyyah* is the singular form, while its plural form is *adlahiy*. While the word *dlahiyah* is the plural form of *dlahaya*. Both

mean sacrificial animals. And it is called dlahiyyah or tadhhiyyah because the sacrifice is usually done at the time of dhuha or at the time of Eid al-Adha. (Nawawi, 1414: 382).

In Ash Shihah fi Al Lughah 2/28, Al Jauhari explains that etymologically, sacrifice comes from the word qaruba-yaqribu-qurban-qurbanan, meaning to approach. Qaruba ilaihi means to approach Him, as in the word of Allah ta'ala: "Inna Rahmatallahi Qariibun Minal Muhsinin" (Indeed, the mercy of Allah is close to those who do good). While in terminology, sacrifice means slaughtering a certain animal with the intention of qurbah (getting closer) to Allah SWT. at a certain time. (Abdullah, 2016: 109). According to Ahmad Taswin (2007: 1) from a linguistic perspective, sacrificial slaughter means cutting to eliminate the life of an animal. And from the perspective of the Shari'a, it means killing animals that are halal for Muslims to eat by using sharp tools other than nails, teeth and bones. According to Wahbah al-Zuhaili (1984: 544), udhiyyah (sacrifice) in linguistic terms is the name for an animal that is slaughtered on the Eid al-Adha holiday. Based on the definitions above, a conclusion can be drawn that sacrifice is a worship activity in Islam which is carried out by slaughtering certain livestock on the Eid al-Adha holiday and Tasyrik days such as cows, goats, buffalo and camels with the intention of getting closer to Allah SWT.

Evidence and Legal Basis for the Command to Sacrifice

The implementation of the qurban worship began to be prescribed in the second year of Hijri, which coincided with the revelation of the sharia of zakat fitrah, zakat mal, and Eid prayer. The main source of the basis for the sharia of the qurban worship is based on the Al-Quran and Hadith as well as the ijma' of the scholars. One of the sharia of qurban is found in the word of Allah SWT. in QS Al-Kautsar verse 2, namely:

فَصَلِّ لِرَبِّكَ
وَأَقْرِبْ

Meaning: "So establish prayer for your Lord and sacrifice." (QS. Al Kautsar: 2).

Sheikh Nawawi in Tafsir Marahu Labid explains the verse above, that the word wanhar means to sacrifice (slaughter), namely the sacrificial animal facing the Qibla. In al-Sunan al-Kubra, Imam Baihaqi also explains, the word wanhar means to slaughter the sacrificial animal on Eid al-Adha. (Imawan, 2022: 11). Another verse of the Qur'an is also explained, namely:

وَلِلَّهِ أَمَةٌ جَعَلْنَا مَنَسَكًا لِـتَذْكُرُوا اسْمَ اللَّهِ عَلَىٰ مَا رَزَقْتَهُمْ مِّنْ بَهِيمَةِ الْأَنْعَامِ فَلِلَّهِمْ إِلَهُ وَحْدٌ فَلَهُ اسْلُمُوا وَبَشِّرِ الْمُخْبِتِينَ

Meaning: And for each people We have prescribed slaughter (sacrifice), so that they mention the name of Allah on the livestock that Allah has provided for them, then your God is the Almighty God, therefore you submit to Him. And give good news to those who submit obediently (to Allah). (QS. Al Hajj: 34).

بِئَاءَ وَجِبَتْ جُنُوبُهَا فَكُلُوا مِنْهَا وَأَطِيعُوا أَلْفَاعَ وَالْمُعْتَرَّ ۚ كَذَلِكَ سَخَّرْنَاهَا لَكُمْ لَعَلَّكُمْ تَشْكُرُونَ

Meaning: "And We made these camels for you part of the message of Allah's religion, you will obtain many good things from them. So say the name of Allah (when you are going to slaughter it) while standing (and the feet are tied). Then, when it has fallen (died), then eat some of it and feed it to those who are satisfied with what they have (don't beg) and those who ask. Thus We subjected (the camels) to you, so that you may be grateful." (QS. Al Hajj: 36).

The Hadith of the Prophet SAW states that sacrifice is a form of worship that is very much liked by Allah SWT. to be carried out on the Eid al-Adha holiday, namely:

God willing, God willing, God willing, God willing, God willing

وَأَشْعَارُهَا وَأَطْلَفُهَا وَأَنَّ الدَّمَ لَيَقَعُ مِنَ اللَّهِ ۖ وَسَلَّمَ قَالَ مَا عَمِلَ آدَمِيٌّ مِنْ عَمَلٍ يَوْمَ نَهَارِ

Meaning: It was narrated from Aisyah that the Messenger of Allah. said: "The son of Adam does not perform any deed on the Day of Nahar (Eid al-Adha) that is more

beloved by Allah than the flow of blood (sacrificial animals). Indeed, he will come on the Day of Resurrection with his horns, feathers and hooves. And indeed the blood has reached Allah SWT. before the blood spills on the ground, then you should be happy about it." (HR. Hakim, Ibn Majah and At-Tirmidhi; he said this hadith hasan lagi gharib).

These arguments explain that the command to sacrifice is the order of the Prophet Muhammad. and very loved by Allah SWT. And this command is intended for a Muslim who is mature, intelligent and capable, and has sufficient sustenance to provide for himself and his family on that day. According to scholars such as Imam Nawawi in the book al Majmu' Syarah Muhaddzab, the law of sacrificing is sunnah. If you do it you will get a reward, and if you don't do it you won't be guilty. However, this is a sunnah sukakadah, which is highly recommended to be implemented or practiced. Even though it is not mandatory, it would be good for people who are able to do it. And the law of sacrifice is obligatory for people who vow to make sacrifices. (Nawawi, 1414: 383). This law is based on the hadith of the Prophet Muhammad. in Sahih Muslim, may Allah bless him and give him peace and blessings(And the Messenger of Allah, may Allah bless him and grant him peace)

سَلَّمَ قَالَ : (إِذَا رَأَيْتُمْ هَلَالَ ذِي الْحِجَّةِ، وَأَرَادَ

Meaning: "If you see the crescent of Dhul-Hijjah, and there is one of you who wants to make a sacrifice, then let him refrain (not cut) some of his hair and nails". (Narrated by Muslim).

The word want (arada) in the hadith indicates that the law of making a sacrifice is not obligatory but rather sunnah. In line with this opinion, Shaykh Nawawi al Bantani in Qut al-Habib, the law on sacrificing is the sunnah sukakadah 'ala al-kifayah which means that if one person from a family makes a sacrifice then it is enough to invalidate the sunnah for the other members of his family, unless he makes a vow (promise to make a sacrifice) then it is obligatory for him to sacrifice. Even though sacrificing is sunnah, Rasulullah SAW. set an example to always make sacrifices every year. As in the following hadith of the Prophet:

(سَلَّمَ بِالْمَدِينَةِ عَشْرَ سِنِينَ، يُضَحِّي كُلَّ سَنَةٍ

Meaning: "The Messenger of Allah lived in Medina for 10 years, and he sacrificed every year." (HR. Ahmad & Tirmidhi)

Although the statement above states that the law of sacrifice is sunnah muakaddah, it turns out that there are differences of opinion from the experts of Islamic jurisprudence regarding this matter. Imam Abu Hanifah and his followers stated that the sacrifice worship is obligatory to be carried out every year for those who are able and do not travel (not on the road). At-Tahawi and others stated the same thing, namely that it is obligatory as stated by Abu Hanifah. The evidence they use and put forward is:

A. Allah's command contained in Q.S al-Kautsar: 2. Allah's amr (command) contained in the verse contains the meaning of obligatory.

B. Hadith of Abu Hurairah which contains a threat to those who are able but do not carry out the sacrifice worship not to approach the house of Allah. Rasulullah SAW. said:

لَا يُقْرَبَنَّ مُصَلَّنًا (رواه احمد وابن ماجه قال : مَنْ وَجَدَ سَعَةً فَلَمْ يُضَحِّ

Meaning: "From Abu Hurairah r.a, Rasulullah Saw. said: Whoever has the opportunity but does not sacrifice, do not approach our prayer place." (HR. Ahmad and Ibn Majah).

The threat above applies to those who are capable but ignore Allah's commands, which are obligatory. If the Prophet's command was sunnah, then the Prophet would not have mentioned such a serious threat to people who did not carry it out. So in fact there is no benefit in getting closer to Allah by abandoning the obligation of sacrificial worship.

C. The hadith states that the prophet continued to carry out sacrificial worship even though he was on a journey, as explained in the following Sauban hadith:

"The Messenger of Allah. had slaughtered the sacrificial animal and then he said, "O Sauban, keep this meat well. Will continue to eat it until (we) reach Medina" (Muslim). (Jayusman, 2012: 438-439).

Imam Syafi'I in the book al-Umm mentioned that the law of sacrifice is sunnah as the explanatory text below,

رحمة الله تعالى الضحايا سنة لا اجب تركها (قال الشافعي)

What is meant: " Imam Syafi'i, may Allah SWT have mercy on him, said: slaughtering (sacrifice) is sunnah and I do not like to leave it."

Imam Syafi'I explained that the law of sacrifice is sunnah, besides that Imam Syafi'I also did not like to leave the sacrifice, so every year he always performed the sacrifice. (al-Syafi'I, 243). Imam Syafi'I also divided the law of sacrifice into 2, namely Sunnah ainiyah (for each individual), and sunnah Kifa'i (if the number of ahlul bait is large). This means that if it has been done by one person then it is enough for the whole family. Based on the hadith of Mikhnaf bin Sulaim:

عن مخنف بن سليم قال كنا و قرفا مع النبي صم سمعته يقول يا أيها الناس

Meaning: "From Mukhnaf bin Sulaim said we were standing with the Prophet and I heard him say: O people, it is sunnah for every household to slaughter a sacrifice every year." (As-Shan'aniy, 1960: 93). In line with Imam Syafi'I, Imam Malik in his book al-Muwattha' also stated that the law of sacrifice is sunnah, as stated in

قال مالك الضحية سنة وليست بواجبة ولا اجب لاحد ممن قوي علي ثمنها ان يتركها

What is meant by: "Imam Malik said: The law of sacrifice is sunnah, not obligatory, and I do not like someone who is able to do it but leaves it." On the other hand, Abu Bakr, Umar, Bilal, Abu Mas'ud al-Badri, Suwaid bin Ghoflah, Said bin Musayyab, Alqamah, 'Atha', ash-Shafi'i, Ishaq, Abu Saur, and Ibn Munzir (in this case they are all called Jumhur) of the opinion that sacrificial worship is sunnah sukakad, that is, it is not obligatory but it is makruh to leave it for those who are able. The argument they use is the following hadith of Umm Salamah: "That the Prophet SAW. said, "If you have seen the new moon at the beginning of the month of Zulhijjah and one of you wants to make a sacrifice, then do not cut his hair and nails." (HR Muslim). This hadith shows that sacrifice is not obligatory by using redaction (arada) which means wanting which implicitly implies a choice between carrying it out or not. As for the prohibition not to cut hair and nails because of the wisdom contained in it, namely as said by Imam Nawawi is to free us from the fire of hell. Because it will be a witness in the afterlife for the sacrifice that was carried out. (Al-Syaukani, 200- 201).

Based on the above evidence, the second opinion which states that the law of sacrifice is sunnah muakkadah is stronger when compared to the first opinion. This is based on:

- a. Verse 2 of the letter al-Kautsar which is used as evidence for the obligation of sacrifice , in the interpretation of which scholars have different opinions. The most famous opinion regarding the meaning of this verse is: "Pray for Allah and sacrifice for Allah". This means that this verse does not explain the legal context of sacrifice but rather emphasizes the importance of straightening out the intention in making a sacrifice, namely seeking reward and pleasure of Allah.
- b. While the Hadith of Abu Hurairah narrated by Ibn Majah is a mauquf hadith, as explained by the imams (muhadditsin).

The Virtue of Sacrifice

Sacrifice as taught by the Prophet Muhammad SAW. has many advantages, namely as follows:

First, sacrificing is the practice that is most favored and loved by Allah, with many rewards, as well as the testimony of sacrificial animals on the Day of Judgment. This

sacrificial fadhilah is based on the hadith of the Prophet Muhammad. narrated by Ibn Majah, "The Messenger of Allah said: "There is no deed that the son of Adam does on the day of sacrifice (nahr) that is more beloved to Allah than sacrificing (slaughtering an animal), because he will come on the Day of Resurrection with horns, hooves and the feathers. And truly (the reward of sacrifice) the blood of animals will reach Allah before it reaches the ground, so you will be happy." (HR. Ibn Majah).

Second, as a form of emulating the Prophet Abraham and receiving a reward of goodness for every strand of hair from the sacrificed animal. Zaid bin Arqam narrated that the companions asked: "O Rasulallah SAW. what is sacrifice?" Rasulallah SAW. said: "(sacrifice is) the sunnah of your father Prophet Ibrahim". They asked again: "What is the reward for us?" Rasulallah SAW. said: "Every strand of hair is a good deed, every strand of animal hair is a good deed (reward)." (HR. Ibn Majah).

Third, it is the best gift for Eid al-Fitr. Abdullah bin Abbas narrated, Rasulallah Saw. said: "You should not spend your wealth on something more important than sacrificing on the Eid al-Adha holiday." (HR. Baihaqi).

Fourth, efforts to obtain forgiveness (maghfirah) from Allah SWT. Imran bin Hushain narrated, Rasulallah Saw. said, "O Fatimah, stand and watch your sacrificial animal, because indeed Allah will forgive you for every sin you commit starting from the first drop of blood that falls. And say, "Indeed, my prayer, my worship, my life and my death are for Allah, Lord of the worlds. There is no partner for Him, that's why I was ordered to be the first to surrender." Rasulallah saw. then asked: "Is this practice specifically for you and your family or is it general for all Muslims? The Prophet then said: "Yes, common for Muslims." (HR. Baihaqi)

Fifth, you can protect yourself from hellfire. Abdullah bin Hasan narrated from his father; Ali bin Abi Talib, from the Prophet Muhammad, said: "Whoever sacrifices sincerely, it will be a barrier to himself from the fire of hell." (HR. Thabrani). (Imawan, 2022: 18-20).

Istinbat of the Law of Replacing Sacrificial Animals with Money

The essence of the sacrificial worship is in the process of slaughtering the animal. However, in recent years a question has arisen regarding the permissibility of replacing sacrificial animals with money of the same value as the sacrificial animal, because it is considered to contain many benefits for the recipient, which the money can be allocated for other living needs. There is also the idea that giving money is simpler and does not require more time and money to do compared to other objects, such as slaughtering sacrificial animals. So it cannot be denied that the idea of distributing money at the price of sacrificial animals has emerged and been questioned among the community. Based on the above, there are two problems that can be studied, namely: 1) replacing sacrificial animals with money that is the same value as a particular sacrificial animal and 2) entrusting a certain amount of money to the mosque, sacrificial committee, institution or institution that provides sacrificial animal meat distribution services. However, in this study, the focus of the discussion will be the law of replacing sacrificial animals with money that is the same value as the sacrificial animal.

Seeing this phenomenon, the arguments relating to sacrifice both in the Al-Qur'an and the hadith that have been explained have answered this legal problem, although not implicitly. As in Surah Al-Kautsar verse 2: "So pray for your Lord and sacrifice (as worship and to draw closer to Allah)." According to scholars, especially mufassirin, what is meant by sacrifice in the verse above is slaughtering a sacrificial animal. (Katsir, 2000: 510). In surah al-Hajj verse 36 which means: "And We made the camels for you part of the message of Allah's religion, you will obtain many good things from them. So say the name of Allah (when you are going to slaughter it) while standing (and the feet are tied). Then,

when it has fallen (died), then eat some of it and feed it to those who are satisfied with what they have (don't beg) and those who ask. Thus We have subjected (the camels) to you, that you may be grateful."

According to the majority of scholars, the meaning of the verse **وَجِيئَتْ جُنُوبُهَا فَيَدًا** above is the fall of the sacrificial animal after being slaughtered. This emphasizes that the sacrificial animal was slaughtered, even this verse also explains the technicalities of slaughtering it specifically, namely with its feet tied. Where in this verse it is explained by scholars that camels are slaughtered standing up while cows/buffaloes and goats must be laid down or reclined first before being slaughtered. (Al-Zamakhsari, 1955: 155). Furthermore, referring to the hadiths of the Prophet SAW. which contain many tutorials on how the Messenger of Allah slaughtered sacrificial animals and ordered his companions to follow suit.

God willing, God willing: God willing, God willing may Allah bless him and give him

peace and blessings **أَفْرَيْنِ قَالَ وَرَأَيْتَهُ يَذْبُحُهُمَا بِيَدِهِ وَرَأَيْتَهُ** love

Meaning: "From Anas bin Malik he said: "Rasulullah Saw. sacrificing with two white kibasy goats that had grown horns, Anas said: I saw him slaughter the two goats with his own hands. I saw him stamp his foot on the base of the goat's neck, then he recited Bismillah and Takbir." (HR. Bukhori no. 5558 and Muslim no. 1966).

Regarding the slaughtering of sacrificial animals, the Prophet Muhammad SAW has set criteria or characteristics of animals that are permissible or not to be slaughtered, such as the hadith below. In the hadith narrated from al-Barra bin Azib, the Prophet SAW. said about the characteristics of a good sacrificial animal, God willing God bless you And the Messenger of Allah (peace and blessings of Allaah be upon him) said: "There are four types of animals that are not permissible to be used as sacrificial animals, 1) those whose eyes are clearly blind, 2) those whose (physical) condition is clearly sick, 3) those whose (legs) are clearly lame, and 4) those whose (bodies) are thin and have no fat." (Hadith Hasan Sahih, narrated by al-Tirmidhi: 1417 and Abu Dawud: 2420). In another hadith it is also stated,

God willing, God willing, God willing, God willing, God willing

أَخَذَهَا وَأَخَذَ الْكَبِشَ فَأَضْجَعَهُ ثُمَّ دَبَّحَهُ ثُمَّ قَالَ بِاسْمِ اللَّهِ God willing God bless you **وَسَلَّمَ أَمَرَ بِكَتْشِ أَقْرَنَ فَأَتَى بِهِ لِيُضَحَّ وَيُؤْمِنُ**
أُمَّةَ مُحَمَّدٍ ثُمَّ ضَحَّى بِهِ

"From Aisyah r. and slaughtered it while praying: In the name of Allah, O Allah, accept from Muhammad and Muhammad's family and Muhammad's people, he sacrificed with that lamb." (Sahih Hadith Muslim History 1967).

The great imams of the four schools of thought have also determined the criteria and characteristics of the most afdal types of animals to be sacrificed as quoted in Nur's writing (2016: 154-155), namely as follows:

In terms of type

1. According to Imam Malik, the most afdal sacrificial animals are sheep (dha'n), cows, then camels for reasons of cleanliness of their meat.
2. According to Imam Syafi'i and Hambali, the most afdal animals to be sacrificed are camels, cows, sheep and goats. This order is based on the amount of meat from the animal. According to Syafi'i, male sacrificial animals are more afdal than females, and fat ones are more afdal than thin ones.

In terms of fur

The selection of sacrificial animals is based on the color of their fur which is white, then yellow, gray (not pure white), a mixture of white and black, then black.

In terms of age

1. According to the Hanafi school of thought: goats aged 1 year and entering their 2nd

year, for cows and buffaloes 2 years entering their 3rd year, for camels 5 years entering their 6th year.

2. According to the Maliki school of thought: goats/sheep aged 1 year and entering their 2nd year. Cows/buffaloes aged 3 years entering their 4th year, camels aged 5 years entering their 6th year.
3. According to the Syafi'i school of thought: camels aged 5 years entering their 6th year, cows and goats aged 3 years and sheep 2 years.
4. According to the Hambali school of thought: goats 1 full year, cows 2 years and camels 5 years.

The evidence and narratives above all very clearly state that sacrifice is the slaughter of certain animals that have been agreed upon and there is not a single evidence that shows that replacing sacrificial animals with money is permissible. Even the Prophet Muhammad SAW. himself has said and given an example of the practice of sacrifice which starts from the slaughtering process, the size/content of the meat distributed to the community, and must be distributed to the recipients as soon as possible. Words:

(وَسَلَّمَ فِي اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: "الْحَزْرُوا تَلْتَهَا، وَصَدَّقُوا بِالْبَاقِي". رواه البخاري ومسلم)

Meaning: "From Aisyah r.h.a, she said: "In the past, the people of the desert came to the Messenger of Allah SAW. on the day of sacrifice and then they took some of the sacrificial meat. Then the Messenger of Allah SAW. said: "Keep a third of it, and give the rest in charity". (Narrated by Bukhari and Muslim).

Judging from the hadith of the Prophet SAW. above, various concepts of thought and ijtiḥad of scholars emerged as rejections and oppositions regarding the practice and law of replacing sacrificial animals with money, which will be explained below. In this case, Muhammad bin Abi Sahl Al-Sarkhasiy in Al-Mabsuth juz II (Al-Sarkhasy, 1989: 157) stated that the slaughter of the sacrifice cannot be measured by price because it contains an essence whose nobility cannot be described. The following is an excerpt from his statement:

لَمْ يَكْفِيهِمْ حَتَّى تَتَأَدَّى بِالْعَيْمَةِ بِخَلْفِ الْهَدَايَا وَالضَّحَايَا فَإِنَّ الْمُسْتَحَقَّ فِيهَا إِزَافَةُ الدَّمِ فَكَانَ

"What is recognized as the right of the mustahiq of zakat is the aspect of benefit to fulfill their needs, so it is permissible to give it in the form of its price. This is different from hadyu and qurban, the essence of which is the flow of blood (slaughter), so if after the sacrificial animal is slaughtered it dies before being distributed, then there is no obligation whatsoever imposed on the person who makes the sacrifice. The sacrificial slaughter cannot be measured in terms of price, and the meaning of its glory cannot be rationalized."

Also quoting the opinion of Sheikh Muhammad Nawawi Al-Bantani in his book which he entitled Riyadhul Badhiah as follows:

لِلْعِبَادَةِ تَتَعَلَّقُ بِالْحَيَوَانَاتِ فَاحْتَضَتْ بِالنَّعَمِ كَالزَّكَاةِ فَلَا تَصِحُّ التَّضَحُّيَةُ إِلَّا بِالْأَنْعَامِ وَهِيَ
وَجُزْأًا

Meaning: "Sacrifice is not valid except with livestock, namely camels, cows, or buffalo and goats. This is because the sacrifice is related to animals, so it is specifically for livestock, just like zakat, so it is not valid for anything other than livestock,"

A similar concept of thought was also conveyed by Sheikh Ibn Nujaim al-Mishri in Al-Bahr al-Raiq. As for A short quote from the sentence is: "The compiler of Kanz al-Daqaiq limits (the discussion regarding the permissibility of giving in the form of price) in the obligation of zakat. The problem is, it is not permissible to give in the form of price for sacrifice, hadyu and freeing slaves because the essence of sacrifice is the flow of blood (slaughter) which is not can be measured by price".

Furthermore, Wahbah al-Zuhaili in his book al-Fiqh al-Islam wa Adillatuhu emphasized

the same thing, the implementation of sacrifice is not valid only by handing over the price or money, unlike zakat fitrah, the purpose of which is to meet the needs the poor.

In addition, there are many statements from other scholars who state that sacrifice is specifically for livestock, such as:

- a. Zakaria al-Anshary: "The condition for sacrifice is livestock, namely camels, cows and goats, whether female, khuntsa or male, even though they have been castrated".
- b. Al-Shan'ani: "Based on the consensus of scholars, it is not permissible to sacrifice with other than livestock."
- c. Al-Sayyid Sabiq: "And the sacrifice is not performed except from camels, cows and goats and there is no reward (not valid) from other than these three types of animals."

All the related evidence in the verse of Al- The Quran and the hadith of the Prophet SAW, as well as the consensus of scholars have very clearly ruled that the practice of replacing sacrificial animals with money equal to the value of the animal is invalid and not allowed. Contemporary Indonesian scholars who are members of the Indonesian Ulema Council (MUI) also stating the same meaning even though with different sentences. The intention is not to explicitly state directly that replacing sacrificial animals with money is not allowed. The MUI cleric stated in the Indonesian Ulema Council Fatwa Number 37 of 2019 in the legal provisions in letter b concerning the Preservation and Distribution of Qurban Meat in Processed Form, it is stated that the meat of sacrificial animals is distributed in the form of raw meat. Then in letter b, considering that it is necessary to distribute sacrificial animals to other areas or communities in need. However, considering the remote and inaccessible terrain, the MUI allows the distribution of sacrificial meat in other processed forms such as corned beef, rendang and the like. This is stated in the article considering letter d. From this explanation, the author understand that the MUI also has an opinion on the same matter, that sacrifice must be with animals. Even the sacrificial meat can be changed in various forms due to the excuses as explained above. There is not the slightest mention by the MUI of replacing sacrificial animals with money. Even on even in urgent conditions. From what has been explained and explained, then based on consideration of the verses of the Qur'an and the hadith and the consensus of the scholars of the four schools of thought and other scholars as well as the results of our discussions as the author with reference to the supporting evidence above, it has been decided that replacing the sacrificial animal with money that has the same value as the animal is haram or not valid/not allowed. From the aspect of fiqh, all four schools of thought (Syafi'i, Maliki, Hanafi, Hambali) also state that sacrifice is an act of worship whose aspect is *iraqah ad-dam* (slaughter) then the law of the practice of replacing sacrificial animals with money is haram or not allowed. Although the practice of sacrificing like that is not valid, it is not in vain and is not included in the act of *bid'ah* even though implicitly the Prophet Muhammad SAW never carried out or admitted that he could replace animals sacrifice with money. However, in the logic and reasoning of economic jurisprudence, what is shared with the intention of sacrifice is valuable as charity.

CONCLUSION

The practice of replacing sacrificial animals with money is strictly prohibited in the legal concept of Islam. It is very clear that the evidence of the Qur'an and hadith as well as the thoughts of scholars oppose this legal practice. Because sacrifice is a form of worship whose aspect is *iraqah ad-dam* (slaughter), it means that the practice of

replacing sacrificial animals with money is not allowed. Nevertheless, the act of giving alms is highly recommended and of course gets the reward of merit and goodness that Allah SWT has promised. However, this cannot be equated with the special practice of sacrifice. Because the slaughter of sacrificial animals has a deep spiritual meaning and cannot be replicated simply by giving a sum of money with the same nominal value as the sacrificial animal. The practice of sacrifice is also a form of expression of gratitude to Allah SWT for the abundance of sustenance given, as well as a form of submission and obedience to Him. Therefore, it is very important to comply with the concepts and rules that have been established as a form of fulfilling religious obligations in sacrifice as well as maintaining and participating in communal worship that has been carried out for centuries since the obligation of sacrifice was established by Allah SWT.

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