Implementation of Sacrificial Worship in the Government Environment 
Pamekasan Regency Islamic Law Perspective

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Abstract

This study aims to determine the implementation of sacrificial worship in the Pamekasan Regency Government Environment. This research uses empirical legal research methods that use a type of socio-legal research with an Islamic law approach. The data collection used semi-structured interviews, non-participant observations, and document studies. The primary data source is from respondents who are directly involved in the implementation of sacrificial worship in the Pamekasan Regency Government. The rest is sought from secondary data in the form of a review of books related to this research topic. The sacrificial animals collected came from Regional Apparatus Organizations and vertical agencies in Pamekasan. The sacrificial animals were collected above the names of each agency without the name of the employee as the person who sacrificed even through the agency. Two problems are the main study in this study, namely: First, how to carry out sacrificial worship within the Pamekasan Regency Government. Second, how is the review of Islamic law on the implementation of sacrificial worship within the Pamekasan Regency Government. And this study produced, first; the implementation of sacrificial services carried out within the Pamekasan Regency Government in the form of collecting, slaughtering, and distributing them according to the rules set by the Pamekasan Regency Government. Second; because sacrificial animals are collected and slaughtered on behalf of agencies and not on behalf of their employees, according to Islamic law it does not include sacrificial worship in accordance with the provisions of sharia law but is counted as almsgiving.

Keywords: Islamic Law, Sacrificial Worship, Pamekasan Regency Government

A. INTRODUCTION

Allah SWT created man with the aim of self-devotion and obedience to worship Him. Everything related to activities, such as moving and every step is just to submit to Allah Swt.1 Religion, though in its simplest form a belief or belief in an external force outside of man, is believed to have existed since the existence of man himself. There is a connection between the existence of religion on the one hand with the existence of culture and civilization of mankind on the other. That is, from the very beginning religion or belief in human life and the rules of human life have existed in religion.2

The sacrificial service was observed as an attempt to recall the Prophet Ibrahim As. and provide convenience and enjoyment for the whole community on Eid al-Adha.3 Eid al-Adha or the Feast of Sacrifice is a recurring service every year on the 10th of Dzulhijjah. Sacrificial worship was offered at the behest of Allah Swt. to Prophet Ibrahim As. And for Muslims themselves, it is celebrated as one of the great days. Sacrifice is not mandatory, but only sunnah is the virtue of separate worship for people who have the breadth of sustenance to carry it out.4

Slaughtering sacrificial animals belongs to the sunnah and is a good deed. Slaughtering sacrificial animals is not mandatory. According to the judgment of the Shafi’i school, if the sacrifice is a sunnah sacrifice (not nazhar), then the sunnah is for the owner of the sacrifice to remove part of the

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1 Rozalinda, Fiqh Ekonomi Syaria (Jakarta: PT. Raja Grafindo Persada, 2016), 2.
4 Rasyid Hamdan, Bagian Pertama Karban Dan Perspektif Islam (Jakarta: Jakarta Islamic Center, 2011), 3.
sacrificial flesh. In any case, if the sacrifice is an obligatory nazhar (nazhar), then it is forbidden for the sacrificer to take a portion of the atoning flesh.\(^5\)

The use of sacrificial meat or the distribution of sacrificial meat, one of which is given to the poor and poor, enters into concern for the poor and poor. By sacrificing, there is the giving of sacrificial meat to the poor and poor with which they can get pleasure on the feast of the kurban.\(^6\)

Every Eid al-Adha or Kurban Day, the Pamekasan Regency Government always holds the collection, slaughter, and distribution of sacrificial animals, some of which are given to the community and some of the others are distributed through educational institutions or foundations and mosques in the Pamekasan area. The sacrificial animals collected come from institutions or agencies located in Pamekasan. Both vertical agencies such as State-Owned Enterprises, law enforcement agencies, and defence and security agencies, as well as agencies under the auspices of the Pamekasan Regency Government. The collection of sacrificial animals is carried out by employees who have been assigned to record the sacrificial animals to be sacrificed.

In practice, sacrificial animals collected by agencies are goats and or cows. The agency is concerned with deposits of sacrificial animals to the People's Welfare Administration Section of the Regional Secretariat of Pamekasan Regency as the leading sector as well as the person in charge of the ministry. Usually, before the implementation, it is preceded by a letter from the Regent of Pamekasan to each agency to participate in collecting sacrificial animals through the leading sector that has been appointed.

The collection of sacrificial animals by agencies is not accompanied by a list of the names of employees as persons who will sacrifice. The deposit of sacrificial animals to the leading sector (Administrative Section of the Kesra Setda of Pamekasan Regency) is only in the form of a report based on the name of each agency. Then the committee recorded in the list of collectors/depositors of sacrificial animals to be reported to the Regent, what agencies have participated in sacrificing by mentioning the type of sacrificial animal and its number.

The phenomenon that occurs and runs sustainably within the Pamekasan Regency Government is that the sacrificial animals in question are not given individual names by the sending agency. This deviates somewhat from the custom of the Madurese specifically people and Indonesian society in general that every sacrificial animal, both cows, and goats, must be clear who is the person who sacrifices. Whether individually if it is a goat or a collective of seven people from the agency employees if it is a cow. The Regent's sacrificial animals did not mention the names of those who were sacrificed.

The collected sacrificial animals will then be distributed by the community through coupons and institutions in need by submitting proposals in advance. Regarding which institutions get sacrificial animals as a whole (not meat) is determined through the Regent's disposition which is passed on to the leading sector that handles it. Sacrificial animals that are slaughtered are carried out in a special slaughter place that has been provided by the clerk / leading sector. Upon completion of the slaughter, the meat of sacrificial animals is distributed to the people who have received coupons before.

The distribution of sacrificial animal meat within the Pamekasan Regency Government is distributed to people who are underprivileged or who are entitled to receive sacrificial meat and orphans either in their respective homes or in orphanages.\(^7\)

The focus of the problems that will be answered through this study is, first; how to practice the implementation of sacrificial worship within the Pamekasan Regency Government, and secondly; how to review Islamic law on the practice of performing sacrificial worship within the Pamekasan Regency Government. This study is very urgent to be carried out because it is to find out the practices carried out by agencies within the Pamekasan Regency Government or other vertical agencies when

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\(^6\) Muhammad Abduh Tuasikal, *Panduan Qurban* (Yogyakarta: Pustaka Muslim, 2015), 81.

performing sacrificial worship. In addition, this study will dissect the practice of sacrificial worship as mentioned above in terms of Islamic law.

The theory used in this study is Islamic law compiled from the fiqh of four madhabs. The results of interviews and observations in this study will be adjusted to the rules in the jurisprudence of four madhabs, namely madhab Hanafi, madhab Maliki, madhab Syafi'i, and madhab Hambali.

This research is very important to do because there has been no previous research that examines the process of implementing sacrificial worship in the government environment. Considering that government agencies are very different from institutions such as foundations or schools. In schools, for example, the implementation of sacrificial worship by means of donations from students is a form of early education for students. It will be different from government agencies that have a budget consisting of the Regional Budget and Expenditure Revenue. This is one of the important points that must be dissected and studied in such a way that it can provide insight into the validity of the implementation of the sacrifice according to Islamic law.

B. RESEARCH METHOD

This research is empirical legal research using studies or types of socio-legal (socio-legal research). This socio-legal study utilizes the study of social science disciplines on the process of work or the influence of law on the social life of society. Meanwhile, the approach is in terms of Islamic law at the level of practice in society. Uniquely in Islamic law or jurisprudence research, it is generally deduced from authentic and reliable texts by considering empirical aspects of people's life behavior that require normative answers.

The source of this research data is employees in the Pamekasan Regency Government Environment, both as leading sector organizers and as agencies that collect sacrificial animals. The data collection used semi-structured interview methods, non-participant observations, and document studies related to the implementation of sacrificial services. These data were then analyzed with a model developed by Miles and Huberman cited by Sugiyono, namely; data reduction, data presentation, and verification or concluding.

C. RESULT AND DISCUSSION

1. Implementation of Sacrificial Worship in the Pamekasan Regency Government Environment

Collective sacrificial worship is often encountered in the community, its implementation takes several forms. For example, the slaughter of sacrificial animals is carried out in various religious institutions such as mosques and educational institutions such as schools. However, this research focuses more on the implementation of sacrifices within the Pamekasan Regency Government. Sacrifice is etymologically derived from the Arabic Dāhiyyah and Udhiyyah. It is so named because it is adapted to the time of its implementation, that is when the sun rises. Or it is carried out after Eid al-Adha prayers which are still in the duha time. In the sense of terminology, sacrifice is the name for livestock that are slaughtered in order to draw closer to God on the Feast of Sacrifice / Eid al-Adha. According to Wahbah al-Zuhaili as quoted by

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10 Cik Hasan Bisi, Model Penelitian Fiqh (Jakarta Timur: Prenada Media, 2003), 354.

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Jayusman, that sacrifice is the slaughter of certain animals with the intention of drawing closer to Allah at a predetermined time.\textsuperscript{14}

Eid al-Adha or the feast of sacrifice is a holiday that is commemorated every year by Muslims. The feast of sacrifice is synonymous with the activity of slaughtering sacrificial animals that will be offered to underprivileged or entitled people, such as the poor and orphans. The Pamekasan Regency Government Office every Eid al-Adha is never absent from carrying out sacrificial services. Because the Pamekasan Regency Government Office facilitates Regional Apparatus Organizations (RAO) and other institutions or agencies to distribute sacrificial animals. As the leading sector appointed to carry out the collection, slaughter, and distribution of sacrificial animals is the People's Welfare Section of the Regional Secretariat of Pamekasan Regency.

Not only that, some of the sacrificial animals collected in the Pamekasan Regency Government Office (in the form of animals) will be distributed to several educational institutions or foundations and mosques around the Pamekasan Regency Government Office. The collection of sacrificial animals is carried out since D-7 before Eid al-Adha. The sacrificial animals come from both horizontal and vertical agencies in Pamekasan Regency.

The implementation of this activity began with the sending of a letter from the Regent to the heads of agency offices in the form of requests for sacrificial animals, either cows or goats. The number of sacrificial animals is handed over to each agency that is willing to fulfil the Regent's letter. After that, a collection was carried out which was handled by the People's Welfare Section of the Regional Secretariat. Before being distributed or slaughtered, the collected animals have carried out a veterinary examination by the health office to ensure that the animals to be distributed meet animal health standards. The People's Welfare Section is in charge of recording all collected sacrificial animals, either in the form of cows or goats which are then reported first to the Regent before distribution.

In the collection of sacrificial animals, the collection agency only submits the type of animal, the number, and the name of the agency concerned. Without being followed by the names of the sacrificial personalities of the service employees of the agency as is customary for the implementation of sacrifices in the community. Considering that the rules used in sacrifice, especially in the Madurese people, are to deposit animals along with the name of the person who sacrificed in accordance with the law of sacrifice.

The day before Eid al-Adha is usually the leading sector, in this case, the People's Welfare Section accepts the Regent's disposition regarding the distribution of sacrificial animals as a whole (without being slaughtered first) to the applicant or according to the Regent's policy by looking at the number of sacrificial animals collected from the type of cow or goat. The rest is distributed in the form of meat packaged weighing 1 kg. The distribution in the form of meat is distributed to the public through the exchange of official coupons circulated the day before Eid al-Adha by the People's Welfare Section. The number of coupons is adjusted to the number of each type of sacrificial animal to be slaughtered.

The slaughter of sacrificial animals is carried out after the implementation of the Eid al-Adha prayers. Animals that are ready for slaughter are taken to a pre-prepared slaughter site. It should be understood that the animals to be slaughtered are not given the records of the names of the sacrifices as is customary for sacrificial slaughter in society. After slaughter, the meat of sacrificial animals is collected and wrapped weighing 1 kg plus bones and skin. After that, it is distributed to the community in exchange for coupons that have been obtained previously.

2. Review of Islamic Law on the Implementation of Sacrificial Worship in the Pamekasan Regency Government Environment

The implementation of sacrificial worship is determined in the second year of Hijri, along with the distribution of zakat fitrah, zakat mal, and Eid al-Fitr prayers. The foundation of sacrificial worship is based on the head of the Qur'an, hadith, and ijma' ulama. The word of God underlying sacrificial worship is mentioned in surah al-Kautsar (108) verse 2:

\[
\text{فَصَلْنِي لِرَبِّيَ وَانْحَرَۗ ۚ }
\]

Then perform prayers for the sake of your Lord, and sacrifice (as worship and draw closer to God).\(^{15}\)

The above verse implies that one can perform sacrificial worship to draw closer to Allah Swt as Khaliq after performing Eid al-Adha prayers. Although its nature is a sunnah for capable people, its essence and benefits are deeply felt by the receiving community.

In addition, sacrificing with predetermined livestock is a form of gratitude for the favors that have been bestowed by the Power in the form of sustenance. Because, the sustenance that has been received by humans should be thanked for more blessings, one of which is by doing sacrificial worship. This is as explained in surah al-Hajj (22) verse 34:

\[
\text{وَلِكُلِّ أُمَّةٍ جَعَلْنَا مَنْسَكًا لِيَذْكُرُوا اسْمَ اللَّهِ الَّذِيٞ }
\]

\[
\text{إِلَّا مَا زَفَّهُمْ مِنْ ٍٔ بِهِمَّةِ الآلَامِ فَالْمَكْعَودُ}
\]

\[
\text{٤٣}
\]

And for every people, we have decreed slaughter (sacrifice), that they may call upon the name of Allah for the sustenance that God has given them in the form of livestock. Then your God is the One True God, therefore surrender yourself to Him. And deliver (Muhammad) glad tidings to those who are obediently submissive (to Allah).\(^{16}\)

Even in one hadith, the Prophet Saw strongly condemned people who can perform sacrificial worship but do not approach the place of prayer.\(^{17}\) The district is a warning to the ability to share with others who have not been able to sacrifice.

The approach referred to in sacrificial worship is to increase the level of devotion of a person by intermediary flowing the blood of sacrificial animals. For what is calculated in the quality of his closeness to Allah Swt is his sincerity to share with others through sacrificial flesh. This is as confirmed in surah al-Hajj (22) verse 37:

\[
\text{فَأَلْهُمْ وَأَحَدُ فَلَهُ ۗ أَسْلَمُوا ۗ وَبَشَّرُوا المُخْبِتِينَ}
\]

\[
\text{٤٣}
\]

The flesh (sacrificial animal) and its blood will never reach God, but what reaches Him is your piety. It is for your sake that He subjugates it to you so that you may glorify God for the instructions He gives you. And give glad tidings to those who do good.\(^{18}\)

Jurists differ on the law of performing sacrificial services. In the Hanafi madhab consists of two factions. According to Abu Hanifah, sacrificing the law is mandatory for the able and not on the way. While according to his followers such as Abu Yusuf that sacrificing his law sunnah muakkad.\(^{19}\) Meanwhile, in Maliki’s madhab, sacrifice is an obligation for every Muslim whether at home or as a traveler unless he is performing the hajj. But there is another opinion in this madhab, that for people who are on the way are not obliged to sacrifice based on the companions of Abu Bakr and Umar when they are on the way not to perform sacrifices.\(^{20}\) Meanwhile, according to the Shafi’i and Hanbali madhabs, sacrifice is a muakkad

\(^{15}\) Kementerian Agama RI, Al-Qur’an Terjemah & Tajwid (Bandung: Sygma Creative Media Corp., 2014), 602.
\(^{16}\) Kementerian Agama RI, 336.
\(^{18}\) Kementerian Agama RI, Al-Qur’an Terjemah & Tajwid, 336.

Al-Ahkam

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sunnah, not mandatory. Madhab Shafi'ī adds the sacredness of sacrifice including individual sacrificing and kifāyah for families who depend on one person.\(^{21}\)

The implementation of sacrificial worship in the community is carried out by individuals, groups by means of joint ventures, schools, companies, and even government agencies such as the Pamekasan Regency Government. The question then arises, are the sacrifices carried out by companies or government agencies in accordance with the rules of Islamic law as explained in fiqh? This needs a more in-depth study to find the answer. There are a few things that need to be understood, first; costs incurred to purchase sacrificial animals. The Regional Apparatus Organization in purchasing sacrificial animals certainly does not collect or ask for dues from its employees. Instead, it allocates these funds from the Regional Budget and Expenditure Revenue. Either through the budget in the Activity Plan and Budget or through the saving funds of the various activities carried out. That is, the funds still belong to local governments. So, the government funds purchased by sacrificial animals, even if they are named after the agency / RAO, are not sacrificial services. But as ordinary almsgiving that is carried out during the Feast of Sacrifice. Moreover, the animal is not above the name of the employee of the agency concerned. Therefore, such a practice of sacrificial worship does not abort the demand of carrying out the sacrificial order for the persons of its employees who can afford animals for sacrifice.

Second; agencies or RAOs are government-owned institutions. It is an inanimate object that can’t do anything about it. Whereas the one who sacrifices (mudahhī) is bound by man's deeds in sacrifice, such as intention, must not cut his hair and nails as early as the 1st of Dzulhijjah until the completion of the execution of his sacrificial slaughter, as hadith of the prophet:

\[إذا رأى يَتَّبِعُ هُلال ذي الْهَيْجَةُ وأرَادَ أَحْذَكُمْ أَن يُصْنِّفُ فِي مَسْكِنِكَ عَنْ شَعْرِهِ وَاَطْفَاهُ.
\]

*If any of you see the moon hilal of Dzulhijjah and intend to sacrifice, then he should refrain (from cutting) his hair and nails.*

The above hadith deals with the deeds of the one who sacrifices (mudahhī) related to the intention to perform the sacrifice and it is recommended not to cut his hair and nails until he has finished performing his sacrifice. Therefore, if the sacrificial animal handed over by the OPD within the Pamekasan Regency Government is named after the agency, then it cannot be punished as a sacrifice. But it is considered an ordinary alms that is slaughtered and distributed at the time of Eid al-Adha. For not fulfilling obligations and recommendations as a sacrificial person (mudahhī). And these activities still get rewards considering that animals or meat are given to the community as a form of concern for others.

Third; To be considered a sacrificial worship, it must take steps that can meet the element of its validity. Like; (1) government agencies or OPDs within the Pamekasan Regency Government must make donations (grants) to their employees to buy sacrificial animals. And (2) must specify the names of the pecurbans of the employees of the agency. If the animal is a goat, it is enough for 1 person and the cow can be for 7 employees. Or with another option, namely the head of the agency concerned who carries out sacrificial services and his reward is given to all his employees. The naming of sacrificial animals is intended to be nothing but to fulfill the requirements of sacrificial worship from the side of the person who is in charge (mudahhī) in order to intend and perform other recommendations, such as not to cut his hair and nails until the completion of his sacrificial slaughter and obtain part of his sacrificial flesh.


D. CONCLUSION

The Pamekasan Regency Government Office on every Eid al-Adha has never been absent from carrying out the collection, slaughter and distribution of sacrificial animals and or meat to the community. These activities are carried out centrally in a place that has been determined by the leading sector in charge. Sacrificial animals are obtained from agencies or RAO within the Pamekasan Regency Government. Even if the sacrificial animals collected above are the names of each agency, they are not called employees.

According to Islamic law, according to the study of jurisprudence, the implementation of the collection, slaughter and distribution cannot be called sacrificial worship. Because of the non-fulfillment of one of the conditions for the implementation of sacrificial worship, that is, the one who sacrifices (mudahhī) is not a human being but an institution that cannot do human deeds, such as other intentions and recommendations in sacrifice. To be considered a sacrificial service, agencies or RAO within the Pamekasan Regency Government must include sacrificial animals with the names of their employees as sacrificial persons (mudahhī).

E. REFERENCES


