

The Legitimacy of Qurbani Fiqhiyyah in the Name of Institutions: A Comparative Analysis between the Views of Classical and Contemporary Scholars

Ahmad Fakk Dominika Taqi Aha Putra^{1*}, Najmi Nahdin Afkari^{1*}, Muhammad Ma'aliyal
Umur¹, Ratna Nulinnaja¹, Kivah Aha Putra¹, J. Nabiell Aha Putra¹

¹Universitas Islam Negeri Maulana Malik Ibrahim Malang, Indonesia

*Corresponding Author Email: ahmadvakkdominika@gmail.com

ABSTRACT

This study discusses the legal legitimacy of the implementation of qurbani on behalf of institutions in the perspective of classical and contemporary fiqh and its relevance in the modern socio-religious context. The background of the research departs from the increasing practice of qurbani carried out by government, educational, and corporate institutions as a religious expression as well as a form of social concern. However, this practice raises juridical-theological issues related to the legitimacy of the institution as a perpetrator of qurbah worship which in shari'i requires the intention and ownership of the mukallaf individual. This study uses a qualitative approach with a literature study design through normative-theological and juridical-comparative analysis of primary sources in the form of verses, hadiths, and classical fiqh texts, and secondary sources in the form of contemporary literature and fatwas. The results of the study show that classical fiqh provides limited legitimacy for imams or leaders to perform qurbani on behalf of the ummah using public funds, while the contemporary view emphasizes that institutions are not the subject of mukallaf so they cannot become qurbani perpetrators independently. Thus, qurbani on behalf of the institution is only valid if the institution acts as a representative who distributes individual qurbani or mukallaf groups, while the use of institutional funds without determining the name of the sacrificer is classified as collective alms, not sharia qurban.

Keywords: Classical and Contemporary Fiqh, Legitimacy of Islamic Law, Qurban Institution.

ARTICLE HISTORY

Submitted,	October 16, 2025
Revised,	December 25, 2025
Accepted,	December 26, 2025

How to Cite:

Putra, A. F. D. T., Afkari, N. N., Umur, M. M., Nulinnaja, R., Putra, K. A., & Putra, J. N. A. (2025). The legitimacy of qurbani fiqhiyyah in the name of institutions: A comparative analysis between the views of classical and contemporary scholars. *Muaddib: Islamic Education Journal*, 8(2), 91-100.



<https://doi.org/10.19109/muaddib.v8i2.31491>

INTRODUCTION

The implementation of qurbani on behalf of institutions or agencies, both in the government, education, and corporate sectors, is increasingly prevalent as a form of religious expression as well as part of social programs in the celebration of Eid al-Adha (Zainarti, Hasibuan, & Afriyanti, 2025). Nevertheless, this practice raises juridical-theological problems (Rachmayanti & Bissalam, 2025). Classical jurisprudence basically gives legitimacy to the representation of imams using public funds (*baitul māl*) to perform qurbani on behalf of Muslims, while some contemporary fiqh authorities affirm that qurbani is worship *qurbah* which is individual, demands the existence of a clear intention and ownership of the subject of mukallaf (F. Rudiantara, Lazulfa, & Darmalaksana, 2022). Therefore, the institution is more appropriately positioned as a distributor or representative of the implementation of qurban, not as a worshipper itself. This manuscript examines various postulates of the Qur'an, hadith, as well as the views of classical scholars and contemporary authorities in order to examine the validity of the qurbani law on behalf of the institution and establish the limits of its application in modern institutional practice (Rosmita, Zulfiah Sam, Isra 'Aini, & Nasaruddin, 2023).

Departing from these normative tensions, this study proposes a solution approach through three interrelated conceptual stages (Kusnadi, 2022). *First*, build a typology of qurbani practices by distinguishing between institutional qurbani as collective alms and representative qurbani that dedicates sacrificial animals to certain individuals or groups of believers, in order to clarify the limits of terminology and its legal consequences (Rohadi, Patrihady, Fahma, Shalatiah, & Fuji, 2022). *Second*, arranging the framework of *niyābah* (representation) in the context of 'ibādah māliyah, so that religious institutions are positioned as facilitators or representatives who distribute qurbani on behalf of individuals, through administrative arrangements that include recording intentions, determining the name of mudhahhi, and ownership of sacrificial animals in accordance with the provisions of fiqh (Rindiyani, 2021). *Third*, test compliance with *maqāṣid al-syarī'ah*, especially in the aspects of benefit, distribution justice, and protection of *mustāhiq* rights, so that the practice of qurbani maintains the substance of worship while achieving its social effectiveness (Putri & Fahrullah, 2022). Thus, the direction of solving the problem of this research focuses on the development of an operational model of qurbani in accordance with sharia principles (*sharī'ah-compliant*), where the implementation of qurbani through a legal institution if the institution acts solely as a representative, the sacrificial animal is *tasharruf* on behalf of a certain mukallaf (individuals or groups according to the provisions of camels, cows, or goats), and the distribution of meat is carried out in compliance with the provisions of the applicable fiqh law (Rudiantara, Lazulfa, & Darmalaksana, 2022).

Methodologically, this research is a literature study that uses a normative-theological and juridical-comparative approach. The primary data sources include verses of the Qur'an, hadiths, especially Jabir's two narrations regarding the practice of the Prophet's sacrifice on behalf of himself and his people, as well as classical fiqh texts of the Shafi'i school that discuss the representation of imams in the management of public funds (Yusuf Aria Widjaja & Istifadah, 2023). The secondary data consists of contemporary literature and fatwas, such as those issued by the MUI and Dar al-Iftā', which regulate the position and role of institutions in the implementation of qurbani (Salim, Masyitha, Akmal, Rahmi, & Ferasyi, 2021). Data collection is carried out through literature studies, while the analysis combines content analysis and fiqh comparison with an inductive deductive thinking pattern, which is to reduce the design of modern institutional policies from general principles drawn from Nash (Wardi & Waldi, 2021). The validity of the data is maintained through triangulation of sources and the application of *sanad* and *matan* criticism to the main hadiths used as references (Hakimullah & Rofiq, 2023).

Theoretically, this research is based on the paradigm of Islamic legal normativism, the theory of *maqāṣid al-syarī'ah*, and the concept of *niyābah fī al-'ibādah al-māliyah* as a conceptual basis for representation in property-based worship (Winanti et al., 2023).

Based on the formulation of this problem, this study is designed to answer the main question of the legal legitimacy of the implementation of qurbani on behalf of institutions in the perspective of classical and contemporary fiqh, as well as its relevance in the modern socio-religious context. The purpose of this research is to examine the normative foundations and arguments of fiqh related to institutional qurban, examine the differences of views between classical scholars and contemporary thinkers, and formulate legal positions that are responsive to modern institutional dynamics without overriding sharia principles (Shidqi, Sobirin, & Fitri, 2024). The results of this research are expected to make a scientific contribution to the development of social jurisprudence discourse and applied Islamic law, as well as a reference for religious institutions and government authorities in formulating policies for the implementation of qurbani that are legally valid, institutionally effective, and oriented towards the benefit of the ummah.

METHOD

This study applies a qualitative approach with a literature study design (*library research*), because the focus of his study is related to normative Islamic law, especially regarding *The Legitimacy of Qurbani Fiqhiyyah in the name of Institution*. The literature approach was chosen to examine various authoritative sources, such as classical fiqh books and contemporary scientific works relevant to the research topic (Moleong, 2018). The subject of the research is not an individual, but a legal concept and the views of classical and modern scholars regarding the issue of institutional representation in qurbani worship. The main instrument in this study is the researcher himself as a *human instrument* which plays a role in selecting, interpreting, and organizing data systematically through the process of recording and analyzing the text. Data analysis is carried out with a descriptive-analytical and comparative approach, namely through the process of describing the views of scholars, studying legal arguments within the framework of *maqāṣid al-syarī'ah*, as well as assessing its relevance to the contemporary socio-religious context.

RESULT AND DISCUSSION

This discussion begins by affirming the novelty and positioning of the present study. Unlike previous studies, which generally describe the legal status of institutional qurban in a partial manner either by focusing narrowly on classical fiqh perspectives or by merely citing contemporary fatwas in a normative way this study explicitly constructs a comparative and integrative analysis of these two strands of thought within a single, systematic conceptual framework. The novelty of this research lies in the formulation of clear conceptual boundaries between qurban as an act of qurbah worship that requires a mukallaf subject and collective charity derived from institutional funds, as well as in the articulation of an operational model of *niyābah* in *māliyah* acts of worship that is relevant to modern institutional practices. Through this approach, the study not only addresses the question of the legal validity of qurban performed in the name of institutions, but also offers terminological clarification and an applicative framework that have not been explicitly formulated in prior scholarship.

Linguistically, the word Qurban comes from the word قربان – قرباً that is, those who approach it or approach it. Meanwhile, according to the term *syara' qurban*, livestock is a livestock that is slaughtered to get closer to Allah SWT on the day of Adha, the 10th of Dzulhijjah and the days of Tashriq (11th, 12th, and 13th of Dzulhijjah) (Yahya, 2021).

Qurban or udhiyyah plural of dhahiyyah is the slaughter of animals in the morning (Faisol, 2023). What is meant here is to get closer or worship to Allah SWT by slaughtering certain animals on the day of Hajj (Eid al-Adha) and the next three days of tashriq, namely 11, 12, 13 Dzulhijjah in accordance with the provisions of sharia' (Saleh, 2008), The evidence about qurbani has been explained in the Qur'an and the Hadith of the Prophet, including the Qur'an Surah al-Kautsar: 1-2 (Departemen Agama RI, 2009) :

إِنَّا أَعْطَيْنَاكُمْ الْكَوَافِرَ فَصَلِّ لِرَبِّكَ وَانْحِرْ

Meaning: "Indeed, We have given you many blessings. So establish prayer for your Lord; and sacrifice."

This verse explains that everything we do must be intended only for Allah SWT as well as in carrying out qurbani must be intended only for Him (Dikko, Hussaini, Alkali, Bandiya, & Abdullahi, 2023). As for the Qur'an Surah [22]: 36-37 (Departemen Agama RI, 2009):

وَالْبَدْنَ جَعَلْنَاهَا لَكُمْ مِنْ شَعَابِرِ اللَّهِ لَكُمْ فِيهَا حَيْثُ فَادْكُرُوا اسْمَ اللَّهِ عَلَيْهَا صَوَافَّ فَإِذَا وَجَبَتْ جُنُوبُهَا فَكُلُّوْهَا مِنْهَا
وَأَطْعِمُوهَا الْقَانِعَ وَالْمُعْتَرَّ كَذَلِكَ سَحَرْنَاهَا لَكُمْ لَعَلَّكُمْ تَشْكُرُونَ ٣٦ لَنْ يَنَالَ اللَّهُ حُوَمُهَا وَلَا دِمَأُهَا وَلِكُنْ يَنَالُهُ التَّقْوَى
مِنْكُمْ كَذَلِكَ سَحَرَهَا لَكُمْ لِتُكَبِّرُوا اللَّهَ عَلَى مَا هَدَيْنَكُمْ وَبَشِّرُ الْمُحْسِنِينَ ٣٧

Meaning: And We have made for you camels a part of the Shari'ar of Allah, and you have obtained much good from them, so call upon the name of Allah when you slaughter them standing (and bound). Then when he has collapsed (died), then eat some of it and feed the one who is willing with what he has (who does not ask) and the one who asks. Thus we have subdued the camels to you, May you be grateful. The flesh of the camel and its blood cannot attain Allah, but it is the piety of you that can attain it. Thus Allah has subdued it for you so that you may glorify Allah for His guidance to you. and bring glad tidings to those who do good.

The above verse explains that Allah SWT has prepared certain animals to be slaughtered in a good way, then the animals are distributed to the people around them, especially the poor because they are all commands from Him and if the commands are carried out then we are among those who are pious and remember His greatness. Chapter *Istihbab al-Dhahiyah wa Dhabhiha Muba-bil-Yad wa la Yuwakkilu biha wa al-Tasmiyah 'inda Dhabh* with number 3635 (Al-Naisabouri, 1955).

عن انس قال ضحى النبي بكتبين املحين اقرنين ذبحهما بيده وسمى وكبر ووضع رجله على صفاحهما

Meaning: "From Anas, he said: "The Prophet sacrificed with two white sheep mixed with black and horned. He slaughtered them with his own hands, called on the name of Allah, performed takbir, and put his feet near the base of the lamb's neck." (Hadith Narrated by Muslim, No. 3635).

The above hadith explains that the Prophet (peace and blessings of Allaah be upon him) also performed qurbani with two white, horned goats which he slaughtered himself in accordance with the prescribed rules, specifically by mentioning the name of Allah and performing takbir. Before examining the practice of institutional sacrifice, it is essential to understand the underlying legal status of qurban. Scholars of Fiqh differ in determining the law of qurbani, resulting in two primary perspectives (Saleh, 2008).

The first perspective considers the act of qurbani to be mandatory. This view is prominently held by Imam Abu Hanifah, who argues that qurbani is obligatory for any

individual who possesses the financial ability (Arifin, Luayyin, & Pertiwi, 2023). This position is strengthened by the Word of Allah SWT in Surah Al-Kautsar verses 1-2 and the hadith narrated by Ibn Majah: "Whoever has the means to make a sacrifice but does not do so, let him not approach our place of prayer."

The second perspective, held by the Shafi'i, Maliki, and Hanbali schools, classifies the law of qurbani as Sunnah Muakkadah (a highly recommended sunnah). This is especially emphasized for those who can afford it, noting that the Prophet consistently performed the sacrifice every year (Faisol, 2023). Under this classification, while the act is virtuous and encouraged, it is not strictly mandatory; therefore, an individual who does not perform it is not considered to have committed a sin.

The Law of Qurbani in the Name of the Institution According to Classical Scholars

Every year, when facing the Eid al-Adha holiday, we are treated to various news presentations that inform us that Company A distributes sacrificial animals in the form of cows, with a certain amount. Not to forget, several government agencies also hold individual meetings among their employees. In fact, the Head of State also distributed sacrificial animals to a number of regions with the intention of being used as sacrificial animals. At the level of private agencies that are closest to the community, there is also a culture of holding sacrificial animals. Each of the above parties, sometimes the funds for the purchase of sacrificial animals sometimes come from individual (personal) funds, but there are also those from agency or foundation funds.

For the purchase of sacrificial animals from private funds, there are no difficulties at all regarding their legal status. The problem is whether the funds are taken from the cash funds of the foundation or agency. After all, the cash of an agency or foundation is a description of a mutual fund and legally includes a joint fund. However, there is a limitation in the provisions in the sharia that joint sacrifice is only allowed for a maximum of 10 mudlahhi (sacrificers) with the object of the sacrificial animal in the form of a camel, 7 sacrificers if the object is in the form of a cow. As for goats, it is only allowed if it is intended for 1 sacrificial person (Al-Zuhaili, 1985).

And in Indonesia, generally the joint sacrifice is carried out in the form of a cow. Is there a legal link regarding qurbani on behalf of an institution or agency? At least there is a hadith that states that the Prophet (peace and blessings of Allaah be upon him) sacrificed 2 goats every year. One of them is for the Prophet, and the other is for his people (Muslim, 1998). This hadith is indirectly considered as the main postulate for joint qurbani and qurbani carried out by an agency/foundation. In *Tuhafatu al-Muhtaj 'ala Syarh al-Minhaj*, it is expressly stated that: (Al-Haitami, 1984).

ويسن للإمام أن يضحي من بيت المال عن المسلمين بذمة في المصلحة وإن ينحرها بنفسه رواه البخاري وإن لم تتيسر
بذمة فشاة وإن ضحي عليهم من ماله ضحي حيث شاء

It means: "And it is sunnah for the Imam to slaughter a sacrificial animal in the form of a budnah camel taken from the treasury of Baitul Mal which is intended on behalf of Muslims all at the place of prayer and also sacrifice for himself. Hadith narrated by al-Bukhari If it is not easy to get a budnah camel, then a goat is enough. And if the sacrifice for this Muslim is taken from his own treasury, then he can do it if he wants."

In Nihayatu al-Muhtaj, it is further explained that the ability to take funds for qurbani from the treasury of this foundation or agency, is to note that the cash funds are loose (Al-Din al-Ramli, 1984).

وَان لِلإِمَامِ الذِّبْحُ عَنِ الْمُسْلِمِينَ مِنْ بَيْتِ الْمَالِ إِنْ اتَّسَعَ

Meaning: "Indeed, an imam should slaughter the sacrifice in the name of the Muslims taken from the treasury of the baitul mall, if the cash is loose".

The sunnah of the imam or the leader of the agency/foundation to sacrifice in such a pattern is because the sharia sits a leader as a representative of all the members (yaqum maqama al-kulli).

وَبَعْضُ أَهْلِ الْبَيْتِ وَالْإِمَامِ جَعَلُهُمَا الشَّارِعُ قَائِمِينَ مَقَامَ الْكُلُّ

Meaning: And some temple scholars and imams, Allah has made them as representatives of all Muslims (those in that institution) (Al-Din al-Ramli, 1984).

The implementation of qurbani on behalf of all members involved in the agency does not abort the demand for sacrifice for the rich in the agency.

وَلَا يَسْقُطُ بِفَعْلِهِ الْطَّلْبُ عَنِ الْأَغْنِيَاءِ وَحِينَئِذٍ فَالْمَقْصُودُ مِنَ الذِّبْحِ عَنْهُمْ مُجْرِدُ حَصْوَلِ الثَّوَابِ لَهُمْ

Meaning: The demand for sacrifice does not fall on the rich because of the sacrifice of the Imam. Because what is meant by the slaughter of the sacrifice by the imam is only the achievement of the reward of sacrifice in general for Muslims (who are involved in the agency)". (Al-Din al-Ramli, 1984).

If the qurbani carried out on behalf of the agency is determined/mu'ayyanah so that its status is to occupy the status of mandatory qurbani, then all provisions regarding mandatory qurbani also apply to the leader of the agency and at the same time members of the agency.

وَحِيثُ امْتَنَعَتْ عَنِ الْغَيْرِ وَقَعَتْ عَنِ الْمُضْحِيِّ إِنْ كَانَتْ مَعِينَةً وَالْفَلا

Meaning: And if the sacrificial meat is prevented from being eaten by the party who makes the obligatory sacrifice, then if the sacrifice in the agency is determined (as a mandatory sacrifice), then the provision also applies to the mudlahhi and members of the agency. However, if it is not mandatory, then there are no provisions that apply to it". (Al-Din al-Ramli, 1984).

Even though an agency has carried out qurbani on behalf of its members, the qurbani by that agency is sunnah and occupies the degree of alms because allying outside the limits that has been determined by sharia' in the reward of qurbani is not a characteristic of qurbani.

وَالشُّرُكَ فِي الثَّوَابِ لَيْسُ اِضْحِيَّة

Meaning: "Associating in the reward of qurbani (beyond the limits set by shari'a) is not qurbani" (Al-Din al-Ramli, 1984).

Associating in merit with a capacity more than that determined by the sharia', the law occupies the degree of shared alms. That is why, because the agency's treasury is a joint treasury, the qurbani that has been carried out by the agency is not able to drop the demand to carry out the order to personally sacrifice the rich people in the agency.

From the above argument, it can be concluded that the Qurbani carried out by agencies or institutions using cash funds together is valid and has a merit value, because there is a basis

for the hadith of the Prophet and the views of scholars in classical fiqh books (such as *Tuhfah al-Muhtaj* and *Nihayah al-Muhtaj*) that allow leaders or imams to sacrifice on behalf of Muslims using mutual cash funds (*Baitul Mal*). However, the qurbani carried out by the agency does not abort the personal obligation for the wealthy who can afford it, because the essence of qurbani remains attached to individuals who have a spaciousness of sustenance. Thus, agency qurbani is more appropriate to be placed at the level of collective alms and the acquisition of general rewards for all members, not as a substitute for individual compulsory sacrifices.

In the current context, a number of fatwa institutions and ulama' provide more contextual views regarding the legal status of qurbani on behalf of institutions, including: The Indonesian Ulema Council (MUI) emphasized that qurbani is only valid if it is carried out by Muslim individuals. Institutions can only function as representatives or distributors of sacrifices, not as subjects who sacrifice. Thus, if a company or agency buys sacrificial animals, the status must be clear that the animals come from the individuals who sacrificed, not from the institution (Majelis Ulama Indonesia, 2019). Dar al-Ifta' al-Mishriyyah (Egypt) explained that institutions or companies are not mukallaf so they cannot intend to sacrifice. If an institution buys a sacrificial animal with funds belonging to the institution, then the animal is more appropriately referred to as shadaqah sunnah in the form of animal slaughter, not as a sharia sacrifice that aborts the guidance of the sunnah of mu'akkadah (Al-Ifta' al-Mishriyyah, 2010).

Wahbah al-Zuhayli emphasized that the worship of the Qur'an such as qurbani is invalid if it is associated with other than mukallaf. Therefore, an institution cannot be a qurbani perpetrator. What is valid is to declare qurbani to a certain individual who is the owner of the property or the party who represents it to the institution (Wahbah Al-Zuhaili, 1985). In practice, many educational institutions, companies, and government agencies distribute qurbani by including the name of the institution. However, scholars emphasize that in fiqh, the status of qurbani still belongs to the individuals behind the institution (e.g. employees, donors, or leaders). If the funds come purely from the institution's treasury, then the status is shadaqah sunnah, not shari'i qurbani in the true sense (Al-Jaziri, 1990).

Based on the views of contemporary scholars, it can be concluded that the sacrificial worship requires the perpetrator to repent with clear intentions and ownership (milk) over animals. Because the institution/company is not the subject of mukallaf, the determination of qurbani "in the name of the institution" is not valid as a Qur'anic worship; The status of slaughter with institutional funds is more accurately qualified as shadaqah sunnah, not qurbani that aborts the sunnah of mu'akkadah. Consequently, the practice of qurbani through institutions is only valid if the institution acts as a representative/distributor for individuals who sacrifice, with the determination of the name and intention of each fund owner; On the contrary, the inclusion of the name of the institution as the perpetrator of the sacrifice makes the sacrifice invalid according to sharia.

عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ قَالَ شَهِدْتُ مَعَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ الْأَضْحَى بِالْمُصَلَّى فَلَمَّا قَضَى حُصُبَّتُ نَرَى مِنْ مِنْبِرِهِ وَلِيَ بِكْبُشٍ فَدَبَّحَهُ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِيَدِهِ وَقَالَ يَسِّمِ اللَّهُ وَاللَّهُ أَكْبَرُ هَذَا عَيْنِي وَعَمَّنْ لَمْ يُضَعِّفْ مِنْ أُمَّتِي

Narrated from Jabir (may Allah be pleased with him) he said: I went with the Messenger of Allah (peace and blessings of Allaah be upon him) on the day of 'Eid al-Adha in the Mushalla (the field of prayer). After the sermon was finished, the Messenger of Allah (peace and blessings of Allaah be upon him) came down from the pulpit and brought him a kibashi goat, and the Messenger of Allah slaughtered it with both his hands and said, "By mentioning the

name of Allah, Allahu akbar, this is my sacrifice and the sacrifice of anyone from my people who has not sacrificed.”

This hadith was narrated by Abu Dawud in his *Sunan* (II/86), At-Tirmidhi in his *Jami'* (1/141), and Ahmad (14/308; 14/364). All of the narrators are classified as *tsiqat* (trusted), although there are records related to one of the narrators named al-Muththalib who is known to narrate a lot of hadith in a *mursal*. This is mentioned by At-Tirmidhi through his comment that the hadith is classified as *gharīb*, that is, it is only narrated by one companion through a certain channel. Thus, At-Tirmidhi hinted at the possibility of a disconnection of the sanad between al-Muththalib and Jabir. However, this weakness does not detract from the validity of the hadith because there are *mutāba'ah* (strengthening narrations) from other lines that convey different redactions but have the same substance. The existence of this supporting history strengthens the status of the hadith as a whole so that it can be accepted (*maqbūl*) as a legal basis in the discussion of qurban.

عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ قَالَ ضَحَّى رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ بِكَبِيْشَيْنِ فِي يَوْمِ الْعِيدِ فَقَالَ حِينَ وَجَهَهُمَا (إِنِّي وَجَهْتُ وَجْهِي لِلَّذِي فَطَرَ السَّمَاوَاتِ وَالْأَرْضَ حَتَّىْمَا وَمَا أَنَا مِنَ الْمُشْرِكِينَ) (إِنَّ صَلَاتِي وَشُكْرِي وَمُحْبَّاتِي وَمُمَاتِي لِلَّهِ رَبِّ الْعَالَمِينَ لَا شَرِيكَ لَهُ وَبِذَلِكَ أُمِرْتُ وَأَنَا أَوَّلُ الْمُسْلِمِينَ) اللَّهُمَّ إِنَّ هَذَا مِنْكَ وَلَكَ عَنْ مُحَمَّدٍ وَمَمْتَهِ تَمَّ سَمَّى اللَّهُ وَكَبَرَ وَدَبَحَ

Narrated from Jabir ibn Abdillah, he said: “The Messenger of Allah (peace and blessings of Allaah be upon him) slaughtered two goats of kibash on the Day of ‘Eid. After directing them (to the Qiblah), he said, ‘I have turned my face straight to Allah Who created the heavens and the earth and I am not of the disbelievers. Indeed, my prayer, my slaughter, my life and my death are for Allah, the Lord of the worlds, there is no ally for Him and that is what I have been commanded, and I am the first to surrender. Yes, Allah! Verily, this is from You and for You, the sacrifice of Muhammad and his people.’ Then He mentions the asma of Allah, takbir and then slaughters it.” This recitation was narrated by Ad Darimi, 1,864, and this is the recitation of his narration; Abu Dawud, 2,413; Ibn Majah, 3,112 and Ahmad, 14,491.

The context of the Prophet’s qurbani on behalf of his people shows the existence of a leadership and general representative function (*imāmah ‘āmmah*), in which the Prophet acts not only as an individual, but as a representative of all Muslims. In the context of modern institutions, these functions are carried out by the leaders of the institutions or the parties responsible for the management of the common fund. Therefore, it is possible to make *qiyyas* (legal analogies) between the Prophet and modern institutions: just as the Prophet sacrificed on behalf of his people using his own wealth which also reflected the interests of the ummah, so institutions that sacrificed on behalf of all its members using mutual cash funds have the same meaning in sharia law. The purpose of both is the same, which is to get closer to Allah and distribute benefits to the wider community. Based on this analogy, qurbani on behalf of the institution can be considered legitimate, because the institution is essentially an administrative manifestation of the collective intention of the ummah or its members that it represents.

CONCLUSION

Based on the results of a comparative analysis of classical and contemporary fiqh views, it can be concluded that regarding *The Legitimacy of Qurbani Fiqhiyyah in the name of Institution* is limited and depends on certain conditions. In the classical fiqh view, the implementation of qurbani using a common fund or *baitul māl* is permissible if it is carried out by an imam or leader on behalf of Muslims, as long as the funds are loose and directed to the

public benefit. This kind of practice has a merit value and can be categorized as shadaqah jamā'iyyah (collective almsgiving), but it does not abort the obligation or the recommendation to perform qurbani for financially capable individuals. Meanwhile, in the perspective of contemporary scholars such as the Indonesian Ulema Council (MUI), Dar al-Iftā' al-Mishriyyah, and Wahbah al-Zuhayli, institutions or corporations are not included in the subject of mukallaf so they do not have the legal capacity to intend the sacrificial worship independently. Therefore, the implementation of qurbani on behalf of the institution is only valid if the institution acts as a representative or facilitator who distributes qurbani on behalf of individuals or groups of mukallaf with clear intentions and ownership of animals. If the qurbani is carried out using institutional funds without determining the name of the sacrificer, then the status is not sharia qurbani but sunnah alms that are social. Thus, normatively, the implementation of institutional qurbani is permissible as long as it follows the principle of niyābah fī al-'ibādah al-māliyah and is in line with the goals of maqāṣid al-syārī'ah, which is to maintain the sincerity of worship, ensure the clarity of ownership, and direct the implementation of institutional qurbani to the value of benefit, transparency, and social justice according to the guidance of Islamic law.

REFERENCE

Al-Din al-Ramli, S. (1984). *Nihayatu al-Muhtaj ila Syarh al-Minhaj*, Juz 8. Beirut: Dar al-Fikr.

Al-Haitami, I. H. (1984). *Tuhfatu al-muhtaj 'ala syarh al-minhaj* (Juz 9). Beirut: Dar al-Fikr.

Al-Iftā' al-Mishriyyah, D. (2010). *Fatawa 'asriyyah fī al-udhhīyyah*. Kairo: Dar al-Iftā'.

Al-Jaziri, A. R. (1990). *Al-fiqh 'ala al-madhāhib al-arba'ah* (Juz 2). Beirut: Dār al-Kutub al-'Ilmiyyah.

Al-Naisabouri, M. (1955). كتاب صحيح مسلم. Sahih Muslim. 33, p. 520.

Al-Zuhaili, W. (1985). *Al-fiqh al-islāmī wa adillatuh*. Damaskus: Dār al-Fikr.

Al-Zuhaili, Wahbah. (1985). *al-Fiqh al-Islāmī wa Adillatuh, Jilid 4*. Damaskus: Dār al-Fikr.

Arifin, M., Luayyin, R. H., & Pertiwi, F. A. (2023). Jual beli kulit hewan kurban menurut hukum ekonomi syariah (Studi kasus Masjid At Taqwa, Sumberbulu, Tegalsiwalan, Probolinggo). *JSE: Jurnal Sharia Economica*, 2(1), 65–76. <https://doi.org/10.46773/jse.v2i1.569>

Departemen Agama RI. (2009). *Al-Qur'an dan terjemahannya*. Depok: Cahaya Qur'an.

Dikko, M. U., Hussaini, U., Alkali, Z. A., Bandiya, M. A. M., & Abdullahi, M. (2023). The moderating effect of corporate governance in the relationship women owned enterprises: A proposed conceptual framework. *Fudma Journal of Management Sciences*, 6(2), 167–186. <https://doi.org/10.33003/fjms-2023-0602-14>

Faisol, A. (2023). Analisis pemikiran Asy-Syafi'iyyah dalam berkurban pada masa wabah Penyakit Mulut dan Kuku (PMK) di Madura. *Urnal Al-Hakim: Jurnal Ilmiah Mahasiswa, Studi Syariah, Hukum Dan Filantropi*, 5(1), 40–58. <https://doi.org/10.22515/jurnalalhakim.v5i1.6490>

Hakimullah, A., & Rofiq, A. (2023). Tinjauan hukum Islam terhadap praktik qurban di Pondok Pesantren Nurul Huda Kapongan Situbondo. *Al-Qawaaid : Journal of Islamic Family Law*, 2(1), 60–72. <https://doi.org/10.52491/qowaaid.v2i1.92>

Kusnadi, K. (2022). Tafsir tematik tentang ibadah kurban (Studi surat Al-Hajj: 36). *Ulumul Syar'i : Jurnal Ilmu-Ilmu Hukum dan Syariah*, 10(2), 29–43. <https://doi.org/10.52051/ulumulsyari.v10i2.141>

Majelis Ulama Indonesia. (2019). *Fatwa MUI tentang ibadah dan thaharah*. Jakarta: Komisi Fatwa MUI.

Moleong, L. J. (2018). Metodologi penelitian kualitatif. *PT Remaja Rosdakarya*.

Muslim, I. (1998). *Shahih muslim* (p. 326). p. 326.

Putri, M. Y., & Fahrullah, A. (2022). Praktik murabahah hewan qurban pada Koperasi Syariah Al Abrar Surabaya dalam perspektif ekonomi Islam. *Jurnal Ekonomika Dan Bisnis Islam*, 5(1), 160–171. <https://doi.org/10.26740/jekobi.v5n1.p160-171>

Rachmayanti, A. C., & Bissalam, U. (2025). Dekonstruksi tradisi Kudus membaca larangan penyembelihan sapi dalam perspektif pemikiran Mohammad Arkoun. *Mukaddimah: Jurnal Studi Islam*, 10(1), 81–100. <https://doi.org/10.14421/mjsi.v10i1.4240>

Rindiyani, M. A. (2021). Praktik pelaksanaan ibadah kurban di Madrasah Ibtidaiyah Swasta Mahabbatullah Kota Jambi dilihat dari perspektif hukum Islam. *Jurnal Wasatiyah*, 2(2), 50–62. Retrieved from <https://jurnal.iim-jambi.ac.id/index.php/Wasatiyah/article/view/109>

Rohadi, P. H. W., Fahma, F. A., Shalatiah, N. L., & Fuji, S. (2022). Pelaksanaan qurban Bulan Sabit Merah Indonesia (BSMI) NTB di masa pandemi Covid-19. *Indonesian Red Crescent Humanitarian Journal*, 1(2), 74–80. <https://doi.org/10.56744/irchum.v1i2.25>

Rosmita, R., Zulfiah Sam, Isra 'Aini, & Nasaruddin, N. (2023). Arisan kurban dalam perspektif hukum Islam. *AL-KHIYAR: Jurnal Bidang Muamalah dan Ekonomi Islam*, 3(1), 60–79. <https://doi.org/10.36701/al-khiyar.v3i1.908>

Rudiantara, F., Lazulfa, H. L., & Darmalaksana, W. (2022). Syariat penyembelihan dan pendistribusian daging kurban dalam tafsir fiqh Imam Syafi'i: Studi kasus di Indonesia. *Gunung Djati Conference Series*, 9(1), 13–23. Retrieved from <https://conferences.uinsgd.ac.id/index.php/gdcs/article/view/674>

Rudiantara, F., Lazulfa, H. L., & Darmalaksana, W. (2022). Syariat penyembelihan dan pendistribusian daging kurban dalam tafsir fiqh Imam Syafi'i: Studi kasus di Indonesia. *Gunung Djati Conference Series*, 9, 13–23. Retrieved from <https://conferences.uinsgd.ac.id/index.php/gdcs/article/view/674>

Saleh, H. E. H. (2008). *Kajian fiqh nabawi & fiqh kontemporer*. Jakarta: RajaGrafindo Persada.

Salim, M. N., Masyitha, D., Akmal, M., Rahmi, E., & Reza Ferasyi, T. (2021). Pelaksanaan monitoring pemotongan hewan qurban tahun 2021 di Dusun Timur Kopelma Darussalam Banda Aceh. *Jurnal Pengabdian Aceh*, 1(3), 133–138. <https://doi.org/10.63168/jpa.v1i3.66>

Shidqi, I. A., Sobirin, & Fitri, A. A. (2024). Manajemen pendistribusian daging kurban di Ma'had Al-Zaytun. *Jurnal Ilmiah PGSD FKIP*, 10(3), 253–262. <https://doi.org/10.36989/didaktik.v10i3.4109>

Wardi, S., & Waldi, I. (2021). Diskursus pengamalan berqurban menurut LDII dan Al Washliyah; berqurban secara berjama'ah (patungan). *Islamijah: Journal of Islamic Social Sciences*, 2(1), 29. <https://doi.org/10.30821/islamijah.v2i1.14679>

Widjaja, Y. A., M., & Istifadholi, N. (2023). Strategi pemasaran produk simpanan qurban Koperasi Syariah Mitra Usaha Ideal (KOPSYAH MUI) cabang Dukun Gresik. *SAUJANA : Jurnal Perbankan Syariah Dan Ekonomi Syariah*, 5(1), 34–46. <https://doi.org/10.59636/saujana.v5i01.124>

Winanti, W., Basuki, S., Kamar, K., Himmy'azz, I. K., Kumoro, D. F. C., Adiyanto, A., ... Yusuf, Y. (2023). Edukasi tata kelola dan penyembelihan hewan qurban secara syar'i pada Kampung Tematik Drum Bujana. *Prosiding Konferensi Nasional Pengabdian Kepada Masyarakat Dan Corporate Social Responsibility (PKM-CSR)*, 6(1), 1–8. <https://doi.org/10.37695/pkmcsp.v6i0.1878>

Yahya, B. (2021). *Fiqh qurban*. Surabaya: CV. Global Aksara Pers.

Zainarti, Z., Hasibuan, A. M., & Afriyanti, Y. (2025). Analisis profil dan strategi pengembangan usaha ternak sapi kurban di Medan Krio Sunggal. *Zoologi: Jurnal Ilmu Hewan*, 3(2), 1–12. <https://doi.org/10.62951/zoologi.v3i2.194>