

The obligation to sacrifice for a wealthy person

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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

In the name of Allaah, the Most Merciful, the Bestower of Mercy

Question: To whom the Udh-hiya (i.e., the sacrificial animal) of 'Eed ul-Adha is obligatory? May Allaah bless you.

Answer: All praise is due to Allaah, the Lord of the Worlds. Peace and blessing be upon whom Allaah sent as a mercy to the Worlds, upon his Family, his Companions and his Brothers till the Day of Resurrection.

The sacrificial animal is incumbent on the wealthy person, who can afford it, in addition to his principal needs. This is the opinion of Al-Ahnaaf (the followers of the Imaam Aboo Haneefah) and Al-Maalikiyya (the followers of the Imaam Maalik)¹, in accordance with the Prophet صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ saying: "**He who has the capacity, and does not sacrifice, may not approach our Musallah (place of prayer - on the 'Eed)**"². It is also supported by what was reported by Mikhnaf Ibn Sulaym that the Prophet صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ said in `Arafa: "O people! Every family must offer a sacrifice every year and a `Ateera"³⁴. The `Ateera was abrogated by the Prophet صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ saying: "**Neither Fara⁵ nor `Ateera is permissible**"⁶ and the abrogation of Al-`Ateera does not imply the abrogation of the sacrifice of 'Eed ul-Adha, since there is no correlation between the two statements which would imply that if a ruling is cancelled the other ruling will be also cancelled. What makes this opinion the strongest is what was reported by Jundub Ibn Sufyaan Al-Bajali who said: I witnessed the Prophet صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ to have said on the Day of Nahr (i.e., slaughter). He said: "**Whoever slaughtered the sacrifice before offering the 'Eed prayer, should slaughter another sacrifice in its place; and whoever has not slaughtered their**

¹ See : "Sharh Muslim" (13/92).

² Reported by Ibn Maajah in his "Sunan" in the chapter of "Sacrifices", concerning whether sacrifices are obligatory or not? (hadeeth 3123), Al-Haakim in "al-Mustadrak" (hadeeth 7565), Ad-Daaraqutnee in his "Sunan" (4/276) and Ahmad in his "Musnad" (hadeeth 8074), from the hadeeth of Aboo Hurairah رَضِيَ اللهُ عَنْهُ. This hadeeth is judged Hassan (good) by Ahmad Shaakir in his recension of "Musnad Ahmad" (16/120) and Al-Albaanee in "Takhreej Mushkilat Al-Faqr" (102).

³ `Ateera: it was a sheep which used to be slaughtered during the month of Rajab.

⁴ Reported by Aboo Dawood in his "Sunan" in the chapter of "Sacrifices", concerning the obligation of sacrifices (hadeeth 2788), At-Tirmidhee in his "Sunan" in the chapter of "Sacrifices" (hadeeth 1518), An-Nasaa'ee in his "Sunan" in the chapter of "Al-Fara` Wal `Ateera", concerning Al-Fara` and Al-`Ateera (hadeeth 4222), Ibn Maajah in his "Sunan" in the chapter of "Sacrifices" concerning whether sacrifices are obligatory or not? (hadeeth 3125), from the hadeeth of Mikhnaf Ibn Sulaym رَضِيَ اللهُ عَنْهُ. Al-Albaanee judged it as Hassan (good) in "Al-Mishkaat" (the second recension) (hadeeth 1478).

⁵ Fara`: It was the first offspring (they got of camels or sheep) which they (pagans) used to offer (as a sacrifice) to their idols.

⁶ Reported by Al-Bukhaaree in his "Saheeh" in the chapter of "Al-`Aqeeqa" (new born sacrifice), concerning Al-`Ateera (hadeeth 5157) and Muslim in his "Saheeh" in the chapter of "Sacrifices", concerning Al-Fara` and Al-`Ateera (hadeeth 5116), from the hadeeth of Aboo Hurairah رَضِيَ اللهُ عَنْهُ.

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sacrifice yet, should slaughter now"⁷. Its obligation is evident, especially that there is an order to perform the slaughter again⁸.

Ibn Taymeeyah رحمه الله said: "As for the sacrifice, the most likely is that it is obligatory, since it is one of the most important distinctive signs of Islaam. It is the general rite in all the towns and it is associated with prayer in Allaah's saying:

قُلْ إِنَّ صَلَاتِي وَنُسُكِي وَمَحْيَايَ وَمَمَاتِي لِلَّهِ رَبِّ الْعَالَمِينَ

[Say (O Muhammad): "Verily, my Salaat (prayer), my sacrifice, my living, and my dying are for Allaah, the Lord of the `Aalameen (mankind, jinn and all that exists)]⁹

Allaah عزَّ وجلَّ said also:

فَصَلِّ لِرَبِّكَ وَأَنْحِرْ

[Therefore turn in prayer to your Lord and sacrifice (to Him only)]¹⁰

So, Allaah عزَّ وجلَّ ordered to sacrifice as well as to perform prayer". Then he (Ibn Taymeeyah) said: "And those who deny the obligation (of sacrificing) do not have a proof, their argument is the Prophet صلى الله عليه وسلم saying: "**Whoever intends to offer a sacrifice and he enters the month of Dhu Al-Hijjah, he should neither get his hair cut nor should he get his nails trimmed**"¹¹. They said: "The obligation does not depend on the will of the person"; in fact, this is a general expression, as obligations are not let to the will of the person, as saying: if you want to do it, then, do it, but the obligation is, rather, related to a condition in order to show a ruling, like Allaah's عزَّ وجلَّ saying:

إِذَا قُمْتُمْ إِلَى الصَّلَاةِ فَاغْسِلُوا

[When you rise up for As-Salaat (the prayer), wash...]¹²

They (The scholars) explained it as follows: If you intend to rise up. They also explained it: if you intend to recite (Qur'aan) then say the Isti'aadha (saying: A`oodhu Billaahi Min Ash-Shaytaan Ar-Rajeem i.e.: I Seeking refuge in Allaah from Satan the outcast)¹³. Indeed, purification is obligatory as well as the recitation (of Qur'an) during the prayer. Allaah عزَّ وجلَّ said:

⁷ Reported by Al-Bukhaaree in his "Saheeh" in the chapter of "Sacrifices", concerning whoever slaughtered (his animal) before prayer should slaughter again (hadeeth 5242) and Muslim in his "Saheeh" in the chapter of "Sacrifices", concerning its time (hadeeth 5064), from the hadeeth of Jundub Ibn Sufyaan Al-Bajali رضي الله عنه.

⁸ "As-Sayl Al-Jarraar" of Ash-Shawkaanee (4/74).

⁹ Soorah al-An'aam [6:162]

¹⁰ Soorah al-Kauthar [108:2]

¹¹ Reported by Muslim in his "Saheeh" in the chapter of "Sacrifices", concerning the forbiddance for one who intends to offer a sacrifice to get his hair cut after the beginning of Dhu Al-Hijjah...(hadeeth 5117), Abou Dawood in his "Sunan" in the chapter of "Sacrifices", concerning getting one's hair cut during the ten first days of the month of Dhu Al-Hijjah (hadeeth 2791), At-Tirmidhee in his "Sunan" in the chapter of "Sacrifices", concerning abandoning trimming his hair during the first ten days of Dhu Al-Hijjah (hadeeth 1523) and An-Nasaa'ee in his "Sunan" in the chapter of "Sacrifices", concerning sacrifices (hadeeth 4361), from the hadeeth of Um Salamah رضي الله عنها.

¹² Soorah al-Maa'idah[5:6]

¹³ They pointed to the verse 98 in the Soorah of an-Nahl (The Bees): [And when you recite the Qur'aan, seek refuge in Allaah from Satan the outcast] Soorah Nahl [16:98] (translator's note).

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إِنَّ هُوَ إِلَّا ذِكْرٌ لِّلْعَالَمِينَ. لِمَنْ شَاءَ مِنْكُمْ أَنْ يَسْتَوِيَم

[Verily, this (the Qur'aan) is no less than a Reminder to (all) the `Aalameen (mankind and jinn), to whomsoever among you who wills to walk straight)]¹⁴

And the will to be straight is obligatory¹⁵.

I said: As for arguing by the traditions reported about Aboo Bakr, `Umar and Aboo Mas'ood صلى الله عليه وسلم concerning the optionality of sacrificing, the Companions of the Prophet رضي الله عنهم differed on its ruling. So, we have to choose of their opinions the one which is supported by proofs. Their opinions are in fact proofs for those who have the view that a wealthy person must sacrifice. On the other hand, the reported traditions are Mawqoof (stop at Companions) and contradict the aforesaid Marfoo` (hadeeth directly attributed to the Prophet صلى الله عليه وسلم) texts, and "*The Marfoo` takes precedence over the Mawqoof*" as it is stated by the rules of jurisprudence.

The perfect knowledge belongs to Allaah سبحانه وتعالى. Our last prayer is all praise is due to Allaah, the Lord of the Worlds. Peace and blessing be upon our Prophet, his Family, his Companions and his Brothers till the Day of Resurrection.

Algiers Rabee` Al-Awwal 30th, 1429 H April 6th, 2008

¹⁴ Soorah at-Takweer [81:27-28]

¹⁵ "Majmoo`Al-Fataawa" of Ibn Taymeeyah (23/162).