

# Negotiating Worship Priorities: A *Fiqh al-Awlawiyyat* Analysis of Al-Azhar Fatwa on Qurban and *Aqīqah* within Contemporary Economic Contexts

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**Abstract:** Legal tensions between qurban and aqīqah under contemporary socio-economic constraints require a systematic reorientation of worship priorities that balances personal devotional obligations with collective social responsibility. Although classical *fiqh* literature has discussed the legal status of both rituals, scholarly attention to how authoritative fatwa institutions operationalize methodological tools to reconcile normative texts with modern economic realities remains limited. Therefore, this study aims to examine official fatwa issued by Al-Azhar, a leading reference institution in the Muslim world, focusing on how it formulates priority judgments when Muslims face financial limitations. Using a qualitative design, discursive content analysis was applied to selected Al-Azhar fatwa, which integrate the framework of *Fiqh al-Awlawiyyat* (jurisprudence of priorities) and the *Maqāṣid al-Sharī'ah* approach to identify the ratio legis (*'illat al-ḥukm*), supporting Al-Azhar prioritization logic. The results showed that Al-Azhar consistently prioritizes qurban over aqīqah. This is reflected through *istislāḥī* reasoning that emphasizes qurban as a *muwaqqat* (time-bound) ritual whose benefits extend beyond the individual to broader communal welfare. The prioritization is further reinforced by the ritual strong association with public distribution, poverty alleviation, and social solidarity, making it more consistent with *maṣlaḥah 'āmmah* (public interest) in contexts of economic disparity. The results contribute to contemporary Islamic legal studies by clarifying how Al-Azhar negotiates worship conflicts through priority-based reasoning and proposing a practical normative model for lower-middle-class urban Muslim communities in managing competing devotional practices under financial pressure.



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## Introduction

The phenomenon of the post-pandemic global economic crisis has triggered a restructuring of priorities across various dimensions of life, including financial-based Islamic devotional practices (Sharma & Borah, 2022). Inflationary pressures and income uncertainty have created complex juridical negotiation spaces between theological imperatives and

material realities (Galadari, 2021). Qurban (Abidin et al., 2024) and *Aqīqah* rituals (Sulaeman, 2017), historically viewed as manifestations of both individual and social piety, are now frequently entangled in dilemmas regarding resource allocation. Contemporary legal thinkers have begun to question how the hierarchy of worship should be regulated when economic instruments can no longer simultaneously sustain the full ritual burden (Al Farisi et al., 2023). This sociological transformation demands a reinterpretation of classical texts to remain relevant to contemporary challenges. Consequently, the discourse on worship priorities is no longer merely a matter of technical jurisprudence but has shifted into a profound discourse on the sociology of law. Recent studies indicate that failure to formulate ritual priorities can impact the stability of Muslim household welfare in developing countries (Kirazli, 2024).

Within the Islamic tradition, Qurban and *Aqīqah* are two ritual pillars possessing robust spiritual and social dimensions (Edet, 2019). Qurban, performed during the festival of Eid al-Adha, serves as a symbol of total obedience and a mechanism for the redistribution of protein to the impoverished. Meanwhile, *Aqīqah* serves as an expression of gratitude for the birth of a child, traditionally enacted through animal sacrifice. Although both possess strong legitimizing bases in the prophetic sunnah, significant juridical tensions arise when individuals are confronted with limited economic resources. This tension creates practical confusion for communities wishing to perform both rituals but constrained by uncertain financial realities (Abdul Mannan Iftikhar et al., 2024). Determining the choice between celebrating a child's birth or participating in an annual communal ritual becomes a test of an individual's legal reasoning. This situation underscores the need for authoritative guidance capable of harmonizing devotional intent with available financial capacity.

The diversity of opinions within classical schools of jurisprudence provides a rich theoretical foundation while simultaneously creating ambiguity for modern society. The Shafi'i and Hanbali madhhabs tend to position *Aqīqah* as sunnah *muakkadah*, whereas in the Hanafi perspective, Qurban may hold an obligatory (*wajib*) status under certain conditions (Gad Makhlof, 2021). These differences in legal status are not merely terminological issues but reflect divergent philosophical views on personal obligation versus social responsibility. Classical discourse often operates under the assumption of stable resource availability, thus failing to adequately address economic risk mitigation in the modern era. This ambivalence between classical texts and contemporary contexts creates a vacuum in legal practice that necessitates new *ijtihād* interventions. Without unification or practical guidance from formal institutions, this diversity risks inducing psychological burdens for Muslims who lack an understanding of the scale of priorities. Therefore, the transition from fragmented opinions to an authoritative synthesis is crucial in current Islamic legal dynamics.

Numerous previous studies have attempted to map Qurban and *Aqīqah* practices from both normative and sociological perspectives (Nouman et al., 2021). However, the majority of literature remains descriptive-normative and has yet to sharply demonstrate how legal reasoning structures are formulated during economic emergencies (Lubis et al., 2025).

Prior studies tend to view fatwas as final products rather than epistemological processes involving macro-level considerations of public interest (Syatar et al., 2020). There is a tendency to bifurcate pure legal text studies from the economic realities empirically faced by legal subjects (Al-Marakeby, 2022). Few researchers have attempted to substantively integrate the concept of *Maqasid al-Shari'ah* in dissecting the priorities between these two rituals (Najib, 2020). Furthermore, studies on how global authoritative institutions respond to this dilemma on a methodological scale remain extremely limited. The absence of this integrative analysis leads to an incomplete and fragmented understanding of contemporary fatwa dynamics (Madyan et al., 2025).

This research gap becomes increasingly evident when examining how institutional fatwas are frequently cited without understanding the underlying *Manhaj Iftā* (fatwa methodology) (Othman, 2024). Most studies merely present fatwa content without explaining the *Takhrīj al-Manāt* (identifying the effective cause) process or the identification of the legal basis performed by scholars (Zaprul Khan, 2018). There is an urgent need to examine how a major institution conducts *Tahqīq al-Manāt* (ascertaining the applicability of the legal cause) to ensure fatwas remain contextual to current global economic conditions (Zaprul Khan, 2018). Existing research focus has predominantly targeted local practices, thereby overlooking the influence of global authorities such as Al-Azhar (Mohamed, 2025). Indeed, Al-Azhar plays a central role as a reference for legal moderation, with opinions that transcend national boundaries (Mohiuddin, 2022). Without dissecting its legal formulation methodology, the logic behind the hierarchy of worship offered to the Ummah cannot be understood. Therefore, this study aims to fill this void by dissecting the epistemological reasoning behind Al-Azhar's fatwas regarding Qurban and *Aqīqah*.

Al-Azhar, through its Fatwa House and academic affiliations, possesses unrivaled moral authority in responding to contemporary legal and ethical issues (Al-Marakeby, 2022). Al-Azhar's approach, which relies on the *Maqasid al-Shari'ah* framework, seeks to establish a balance between individual devotion and communal responsibility. The institution does not merely view texts as static entities but also considers economic variables as key elements in legal determination. The application of the *Maslahah Mursalah* principle serves as a vital instrument for Al-Azhar in providing solutions to legal conflicts faced by the Ummah in the modern era. In the context of Qurban and *Aqīqah*, Al-Azhar plays a pivotal role in providing a moderate and social-reality-based framework of thought. This strategic position makes Al-Azhar's fatwas a primary object of study for understanding the transformation of Islamic legal reasoning on the global stage. An analysis of these legal products will provide an overview of how religious moderation is actualized through fatwa policies responsive to public welfare.

This research aims to construct the epistemological reasoning and fatwa methodology of Al-Azhar scholars in formulating the legal hierarchy between Qurban and *Aqīqah* ('Allām, 2023). The primary focus of this study is to provide a solution framework based on Fiqh al-Awlawiyyat to address the dilemma between theological obligations and financial

constraints. Through a comprehensive literature review of official fatwa documents and classical texts, this study will dissect the legal logic employed. The analytical process will involve identifying the *ijtihad* instruments applied by Al-Azhar in prioritizing one form of worship over another. This research will also explore how the concept of public interest is integrated into decision-making regarding the allocation of ritual funds. It is expected that the results of this study will provide theoretical clarity on how the hierarchy of worship is constructed rationally and contextually. Finally, this study will present a synthesis that can serve as a guide for Muslims in making appropriate religious decisions amidst economic pressure.

This study is expected to contribute significantly to contemporary fatwa discourse through an integrative analysis of legal texts and macro-economics. The findings from this research will enrich the field of the sociology of Islamic law, particularly in understanding how religious authorities renegotiate with global challenges. Its practical contribution lies in providing a foundation for formulating worship guidelines that are more sensitive to the welfare conditions and purchasing power of the community. By highlighting Al-Azhar's methodological approach, this research offers a model of moderation that can be adapted by fatwa institutions across the Muslim world. The significance of this study also lies in its effort to reduce legal ambiguity at the grassroots level through explanations based on robust legal reasoning. This study proves that Islamic law possesses the flexibility to remain steadfast amidst crises without disregarding the fundamental principles of Sharia. Thus, this article is not merely a study of pure law but also a reflection on the adaptability of Islam in facing global economic uncertainty.

## Research Methods

This research employs a qualitative content analysis design utilizing a comparative-normative-juridical approach, specifically engineered to dissect the construction of legal reasoning within the contemporary fatwas issued by Al-Azhar institutions. The selection of this methodology is predicated on the exigency to transcend mere procedural description toward a profound epistemological analysis of Islamic legal products. This approach enables a systematic mapping of continuity and change in legal doctrines through the technique of *muqāran al-madhāhib* (comparative jurisprudence). The justification for this method lies in its capacity to dialectically confront modern fatwa texts with the authoritative classical texts of the four Sunni schools of law. Within this framework, the research does not merely report fatwa outcomes but critically explores the argumentative structures underpinning each legal determination. Such procedures ensure that every finding is grounded in hermeneutic rigor capable of unveiling the internal dynamics of religious authority in Egypt. Consequently, this methodology serves as a critical instrument for understanding how classical legal traditions are adapted in response to the evolving complexities of contemporary issues.

The data corpus in this study is determined through a purposive sampling strategy to ensure the representativeness and validity of the analysis regarding Al-Azhar's official institutional positions. Inclusion criteria focus on fatwas published within the last two decades that specifically address modern social, medical, and economic problems. The rationale for selecting this period is to capture the paradigmatic shift within Al-Azhar institutions as they encounter massive waves of modernization and globalization. The primary documents analyzed include collective resolutions from the Islamic Research Academy (Majma' al-Buhūth al-Islāmiyyah) and the Egyptian Fatwa House (Dār al-Iftā' al-Miṣriyyah), which hold the highest jurisprudential authority. To avoid inaccurate generalizations, exclusion criteria are applied to the individual opinions of scholars that do not represent the official institutional view. These primary data are subsequently triangulated with authoritative classical legal texts (*qawl mu'tamad*) to test the methodological consistency between tradition and innovation. This stringent sampling strategy ensures that the resulting analysis possesses empirical depth and a robust theoretical foundation within global Islamic legal discourse.

The operationalization of the *Maqāṣid al-Sharī'ah* framework in this research functions as a critical analytical instrument rather than a mere descriptive supplement to the legal narrative. This study adopts the *Maqāṣid* theory developed by Abu Ishaq al-Shatibi to evaluate whether the ratio legis (*illah*) produced by Al-Azhar scholars aligns with the protection of public interest (*maslahah*). The technical analysis process is conducted by deconstructing each fatwa through the schema of protecting essential necessities (*dharuriyyat*), contextualized within contemporary socio-political realities. The researcher performs a deconstruction of the fatwa's reasoning structure to identify whether the decisions are formalistic-textual or teleological-substantive in nature. This approach allows for a profound evaluation of the extent to which the principle of legal flexibility (*al-murūnah*) in Islamic law is implemented in addressing the challenges of modernity. By utilizing *Maqāṣid* as an analytical lens, this research is able to map the priorities of public interest adopted by Al-Azhar across various crucial legal issues. Ultimately, this analysis aims to confirm the epistemological validity of these fatwas within the overarching framework of the universal and adaptive objectives of Sharia.

Data analysis procedures are conducted through the extraction of formal-legal arguments, which are then synthesized to generate a new interpretive model of legal flexibility within the institution. The initial stage begins with the categorization of arguments based on the legal sources utilized, ranging from the Qur'an and Hadith to extensions via legal analogy (*qiyas*). The subsequent phase involves a comparative analysis to detect interpretative shifts when compared to the traditionally dominant views within the four Sunni schools of law. The researcher meticulously verifies citations from classical texts to ensure that the interpretations are neither partial nor subjectively biased. The results of this synthesis are then positioned within the global academic debate concerning religious authority and the transformation of modernity in the Muslim world. The theoretical



contribution of this research design lies in its ability to offer a fatwa evaluation methodology that integrates the rigor of philological tradition with the depth of systematic analysis. This methodological consistency ensures that the study provides a significant contribution to the development of Islamic legal studies in high-repute international journals.

## Result and Discussion

### The Legal Status of Qurban and Aqīqah in Islamic Jurisprudence

The theological discourse surrounding the legal ontology of qurban reveals fundamental divergences in interpretative methodologies that transcend mere technicalities of ritual practice. While the majority of jurists employ a linguistic analysis that classifies qurban as *sunnah muakkadah* (emphasized prophetic tradition), the Hanafi school adopts a more rigorous approach, elevating its status to *wajib* (obligatory) based on the authoritative implications of prophetic warnings (Lubis et al., 2025). The textual foundation in Surah al-Kawthar serves as the central locus in the construction of this obligatory argument, which is subsequently contrasted with persistent prophetic traditions (Abdullah, 2020). The transition from classical texts to contemporary discourse necessitates a profound understanding of the socio-legal contexts underpinning these divergent opinions. That financial capability constitutes a decisive variable defining the boundary between recommendation and obligation in modern qurban practices. This dialectic reflects the complexities of formulating Islamic law, which must balance ritual compliance with the economic capacity of the *mukallaf* (legally accountable individual). Consequently, an understanding of the legal foundations of qurban is inseparable from a deep analysis of the hierarchy of evidence (*dalil*) utilized by each major school of thought (Isa et al., 2024).

Comparatively, the legal framework of *aqīqah* exhibits distinct methodological characteristics when contrasted with qurban, despite both involving the ritual slaughter of livestock. The classification of *aqīqah* as *sunnah muakkadah* by the majority of schools is predicated on the absence of imperative commands and the non-universal nature of the companions' practices (Mohadi, 2023). This perspective is expanded by Aksoy (Aksoy, 2024), who emphasizes that *aqīqah* functions primarily as a symbol of gratitude and the construction of early religious identity for a child within the Muslim community. However, the position held by the Hanafi school, which tends to categorize *aqīqah* as *mubah* (permissible), indicates methodological skepticism regarding the binding nature of the relevant hadiths, as analyzed by Spahić-Šiljak (Spahić-Šiljak, 2020). The absence of an explicit Quranic foundation for *aqīqah* creates a more flexible interpretative space for jurists to determine the degree of ritual urgency. This results in *aqīqah* often being positioned below qurban in the hierarchy of *ibādah māliyah* (financial worship) due to differences in the transmission strength of supporting texts. A synthesis of these perspectives confirms that while *aqīqah* possesses a strong spiritual-familial dimension, it remains within a facultative legal scope for those facing financial constraints.

The exploration of priorities between qurban and *aqīqah* under resource scarcity requires the technical application of *Maqasid al-Shariah* principles that transcend surface-level narratives. Abidin et al. (Abidin et al., 2024). assert that qurban facilitates the achievement of *maslahah āmmah* (public interest) through collective nutritional distribution, which directly supports the objectives of *hifz al-nafs* (preservation of life) and *hifz al-mal* (preservation of wealth). In contrast, Okyere-Manu et al. (Okyere-Manu et al., 2022) argue that although *aqīqah* aligns with the objective of *hifz al-nasl* (preservation of progeny), its utility tends to be more private and spiritual for the immediate family unit. Within the framework of legal gradations, Ilham and Ivahni (Ilham & Ivahni, 2024) propose that the collective benefits generated by qurban provide a higher juridical urgency compared to the individualistic nature of *aqīqah*. The application of the jurisprudential maxim prioritizing worship with broad benefits is crucial here, where rituals with social reach must take precedence over those with limited utility. This indicates that determining priority is not merely a matter of original legal status, but of optimizing the sociological impact of each ritual act. This integration of *maqasid* allows contemporary jurists to perform more equitable legal engineering within the context of societies characterized by wide economic disparities.

An analysis of the fatwa methodology adopted by authoritative institutions such as Al-Azhar and Dar al-Ifta reveals a reconstruction of classical opinions to address global economic challenges. The procedure of *takyīf fiqhī* (legal characterization) conducted by these institutions tends to reinforce the positions of Imam al-Nawawi and Ibn Qudamah, who prioritized qurban due to its strictly limited temporal constraints. Abidin et al. (Abidin et al., 2024) highlight how modern fatwa institutions contextualize the urgency of qurban as a tool for mitigating food crises in various regions impacted by economic instability. Meanwhile, Mappasessu and Akmal (Mappasessu & Akmal, 2025) explain that the temporal flexibility in performing *aqīqah* allows for delays without nullifying its ritual value, unlike the rigid boundaries of qurban. This emphasis on the sociological dimension indicates a paradigm shift from textualist *ijtihād* toward an *ijtihād* that is more oriented toward the tangible welfare of the ummah. Ilham and Ivahni (Ilham & Ivahni, 2024) add that this legal reconstruction is vital to prevent excessive financial burdens on individuals while maintaining the essence of ritual obedience. Thus, contemporary fatwa authorities play a vital role in synchronizing Shariah requirements with the empirical realities faced by the *mukallaf* today.

The socio-economic context of contemporary Muslim societies necessitates a re-evaluation of how animal sacrifice rituals are managed as effective instruments of Islamic public policy. According to Ilham and Ivahni (2024), qurban has transformed into a significant means of economic distribution, particularly through meat distribution systems that are increasingly organized professionally. These findings are supported by Abidin et al. (2024), who state that the effectiveness of qurban in reaching the impoverished far exceeds the impact of *aqīqah*, which tends to remain circular within close family circles. Mappasessu and Akmal (2025) also argue that within the framework of Islamic economics, qurban functions as

a seasonal wealth redistribution mechanism capable of massively stimulating the livestock sector. The priority given to qurban thus has a strong argumentative basis in public policy theory based on maximal utility for the population. This shift in focus indicates that contemporary jurists are beginning to integrate legalistic approaches with more comprehensive social impact analyses. This strategy allows the Shariah to function not only as a set of static ritual rules but also as a practical solution to economic inequality across the globe.

Holistically, the synthesis of literature from the last decade confirms that the debate concerning qurban and *aqīqah* has evolved from sectarian disputes toward a dialogue on the hierarchy of public benefit. Mohadi (2023) and Lubis et al. (2025) agree that the flexibility in postponing *aqīqah* represents a form of *rukhsah* (legal concession) provided by the Shariah for parents facing urgent economic hardship. Conversely, the temporal rigidity of qurban analyzed by M. Y. Isa et al. (2024) demands more structured financial planning for the community to fulfill this social obligation. This cross-literary dialogue demonstrates that Islamic law possesses the internal flexibility to adapt without compromising its core theological principles. Through the integration of authoritative texts and sharp *maqasid* analysis, the priority framework between these two acts of worship becomes increasingly clear and intellectually justified at a global level. The success of implementing these priorities will depend heavily on how religious authorities communicate the values of justice underlying these legal rulings. In conclusion, a profound understanding of this hierarchy of financial worship is key to fostering a Muslim society that is both religious and responsive to the challenges of collective welfare.

### **Al-Azhar's View on Prioritizing Qurban and Aqīqah**

The construction of fatwas produced by the formal institutions of Al-Azhar, specifically the Islamic Research Academy (Majma al-Buhuth al-Islamiyyah) and the Egyptian Fatwa House (Dar al-Ifta al-Misriyyah) ('Allām, 2023), demonstrates a sophisticated synthesis between classical jurisprudential traditions and contemporary *Maqasid al-Shariah*. This methodological framework facilitates a dynamic mechanism of prioritization, or *fiqh al-awlawiyyat*, when resolving conflicting ritual obligations under stringent economic pressures (Gad Makhoul, 2021). Al-Azhar no longer merely employs a purely textualist approach; rather, it integrates sociological considerations into every legal decision issued. This collective fatwa authority, or *fatwā jamā'ī* (collective fatwa), emphasizes that every act of worship possesses a distinct degree of urgency based on the social impact generated for the broader community. Through an examination of the original Al-Fatawa al-Azhariyyah documents, it is evident that the scholars within this institution consistently position public welfare (*maslahah*) as a decisive variable in performing *tarjīh* (weighing), or the preponderance of legal weight. Therefore, the priority between qurban and *aqīqah* is viewed as a methodological discourse that transcends the mere technical execution of individual rituals.



This approach ensures that Islamic law remains relevant and applicable amidst the increasingly complex fluctuations in the purchasing power of modern Muslim society.

The priority of qurban over *aqīqah* is doctrinally justified through the principle of *al-wajib al-mudayyaq* (an obligation restricted) by a very narrow time window (Mohamed, 2025; Muhammad, 2025). The temporal rigidity of Eid al-Adha and the *Tashriq* days necessitates the immediate execution of the qurban ritual so that its religious value is not permanently lost within a single annual cycle. Conversely, the flexibility of *aqīqah* allows it to be classified as a sunnah that can be deferred (*al-wajib al-muwassa*), without in any way diminishing its legal validity in the eyes of the Sharia. Al-Azhar asserts that missing the limited time for qurban equates to losing the opportunity to participate in a collective ritual that serves as a major symbol (*sha'ir*) of the Muslim Ummah. The legal reasoning (*illat*) underlying this decision is the effort to maintain the integrity of the worship time definitively established by the primary texts (*nass*). In the context of resource scarcity, funds must be strategically allocated to rituals with a higher risk of temporal expiration to avoid the loss of *maslahah*. Consequently, the postponement of *aqīqah* is regarded as a pragmatic step that does not compromise the essence of divine devotion for a devout believer (Serrano-Ruano, 2022)..

Within the framework of *Maqasid al-Shariah*, the distribution of qurban meat is perceived to have a systemic impact on the protection of life (*hifz al-nafs*) through the massive provision of animal protein for the impoverished. Unlike *aqīqah*, which tends to be domestic and is often limited to family circles or close relatives, qurban functions as an instrument of wealth redistribution that crosses social boundaries. Al-Azhar scholars argue that the significance of qurban in maintaining the nutritional stability of the lower-class society provides a superior *maslahah* value compared to the micro-scale nature of *aqīqah*. This aligns with the objectives of Sharia to minimize suffering and promote social justice through organized charitable practices at both national and global levels. The micro-economic impact of mass animal slaughter also contributes to the strengthening of the livestock sector, which supports the collective protection of property (*hifz al-mal*). Therefore, qurban is not only an expression of individual piety but also a supporting pillar of communal welfare that is crucial during economic crises. The sharpness of this analysis indicates that Al-Azhar fatwas pay close attention to the variable of social reality (*al-wāqi*) in establishing equitable legal priorities.

The process of legal deduction (*istinbat*) carried out by the Al-Azhar fatwa committee is also heavily influenced by *Fiqh al-Maalat*, or the profound consideration of the long-term consequences of a legal act. By prioritizing qurban, Al-Azhar ensures that the symbolic tradition of Prophet Ibrahim's obedience remains preserved as a global unifier for the Ummah at a synchronized momentum. The application of the *Sadd al-Dzariah* approach (blocking the means) is also evident in preventing the potential neglect of significant Islamic symbols if the Ummah were to prioritize personal-familial rituals. Although several classical schools of thought (*madhahib*) hold varying views regarding the legal status of these two rituals, Al-Azhar performs a *tarjih* that leans towards the broader public interest. The intellectual

courage in synthesizing various perspectives from the Shafi'i and Hanafi madhhabs provides a balanced legal solution for Muslim families facing financial dilemmas (Othman, 2024). This fatwa serves as an ethical guideline that alleviates the psychological burden of the Ummah by providing a strong legal justification for their choice of ritual priority. This reflects the institution's commitment to religious moderation, harmoniously blending transcendental obedience with social functionality.

Lastly, the flexibility provided in the practice of *aqīqah*, including the possibility of substitution with charity (*sadaqah*) in urgent conditions, demonstrates the inherently ease-oriented nature of the Sharia. Al-Azhar explicitly recognizes that the core of *aqīqah* is an expression of gratitude for the birth of a child, which can essentially be manifested through various other forms of social benevolence. This approach effectively eliminates difficulty (*rafu al-haraj*) for parents burdened by unrealistic social expectations amidst economic hardship. The emphasis on the temporal leniency of *aqīqah* provides space for the Ummah to fulfill religious obligations without sacrificing fundamental family financial stability. Overall, the position of Al-Azhar provides clear legal navigation in managing conflicts between two rituals that both hold noble positions in the Islamic tradition. The results of this analysis reinforce the theory that Islamic jurisprudence in the hands of Al-Azhar authorities continues to evolve into a problem-solving instrument for contemporary humanitarian challenges. The integration between robust *ushuliyyah* principles and sensitivity toward economic realities establishes this fatwa as a superior model in the dynamics of global Islamic law development.

### **Qurban and Aqīqah Fatwas Amid Economic Inequality: A Maqasid Analysis**

The ontological reconstruction of *Maqasid al-Shariah* within contemporary Islamic legal reasoning is inextricably linked to the theoretical foundations established by al-Ghazali in *al-Mustasfa* (Al-Ghazali, 1999) and systematically formalized by al-Shatibi in *al-Muwafaqat* (Al-Syatibi, 2003). This approach transforms Islamic law from mere literal-formalistic compliance into a pragmatic instrument oriented toward the public interest (*maslahah ammah*), particularly in addressing economic anomalies where the financial resources of the ummah are limited. In contemporary fatwa discourse, *Maqasid al-Shariah* functions as an epistemological parameter for establishing a hierarchy of priorities or *fiqh al-awlawiyyat*. Prioritizing the sacrifice (qurban) over the birth ritual (*aqīqah*) is not merely a managerial choice but a manifestation of prioritizing collective interest (*Maslahah Ammah*) over individual or familial interest (*Maslahah Khassah*). This analysis demands a profound understanding of how sacred texts interact with dynamic and fluctuating social realities. Through this lens, the effectiveness of every ritual act must be measured by its success in achieving the substantial objectives of the Sharia, which transcend the technical boundaries of worship. Consequently, the dialectic between qurban and *aqīqah* serves as a crucial case study for testing the relevance of Islamic law against issues of global distributive justice.

The depth of the comparative legal characterization (*takyif fiqhi*) in this matter necessitates an examination of the temporal dimensions or the timing of each ritual's

performance. Qurban is a time-bound (*muwaqqat*) act of worship, strictly tied to specific dates—Eid al-Adha and the days of *Tashriq*—meaning that missing this window results in the loss of the annual ritual opportunity. Conversely, *aqīqah* possesses more flexible or absolute (*mutlaq*) temporal characteristics, where its performance can be deferred until the family's financial condition reaches sufficiency without nullifying its validity. Within the logic of Islamic jurisprudence, the conflict between time-sensitive obligations and flexible ones requires the application of the legal maxim *al-amru idhā dāqa ittasa'a* (When matters become constrained, they expand), which posits that when a matter becomes constrained, its legal application widens. This flexibility provides the space for the faithful to prioritize qurban, which carries broader and more urgent socio-religious significance (*shiar*). Postponing *aqīqah* under economic hardship is not regarded as a neglect of the prophetic tradition (*sunnah*), but rather as a form of adherence to the hierarchy of legal urgency. Therefore, the tension between these two rituals is resolved through the principle of legal weighting (*tarjih*) based on temporal urgency and social impact.

Authoritative fatwa institutions such as Al-Azhar, in formulating these priorities, do not rely solely on the literal text but utilize the methodologies of *maslahah mursalah* (unrestricted public interest) and *istihsan* (juristic preference) to respond to the dynamics of the ummah (Maulidizen & Raihanah, 2019). This methodology deconstructs the legal reasoning structure that views qurban as a strategic instrument for maintaining social stability through the equitable distribution of wealth. Al-Azhar perceives that qurban contains the dimension of *sadd al-dhariah*, namely closing the loopholes of hunger and systemic poverty that could threaten the integrity of an individual's faith. The *usuliyyah* analysis employed focuses on the transition from primary necessities (*daruriyat*) to secondary needs (*hajiyyat*) within the context of community nutritional fulfillment. In the view of Mohammad Hashim Kamali, such fatwa methodology reflects the adaptive and inclusive character of Islamic law toward changing times. The application of *maslahah* in these fatwas proves that Islamic law is not a static set of rules but a living system responsive to humanitarian challenges. Thus, the fatwa's inclination toward qurban is a preventive measure to safeguard the existence of society amidst global economic shocks.

An analysis of the Five Essentials (*al-Daruriyat al-Khamsah*) demonstrates that the practice of qurban simultaneously protects three primary pillars of the Sharia: *hifz al-din* (preservation of religion), *hifz al-nafs* (preservation of life), and *hifz al-mal* (preservation of wealth). The success of qurban in preserving religion is evident in the strengthening of collective identity and the massive Islamic presence in the public sphere. Medically and sociologically, qurban contributes to the preservation of life by providing animal protein to vulnerable social groups who rarely consume meat. From an economic perspective, qurban facilitates capital rotation and asset distribution from the wealthy (*agnia*) to the impoverished (*dhuafa*), thereby preventing the accumulation of wealth among a few individuals. Jasser Auda emphasizes that a systemic approach to *Maqasid* must view the law as a functionally

interconnected social safety net. This distinguishes qurban from *aqīqah*, whose scope of *hifz al-nafs* tends to be limited to the domestic environment and familial ceremonies. Consequently, qurban carries a heavier ontological weight in the balance of public interest due to its broader transformative reach.

In the perspective of the sociology of law, fatwas regarding the priority of worship act as a solution to nutritional inequality and wealth distribution issues in developing nations. Professionally managed distribution of sacrificial meat can serve as an effective nutritional intervention mechanism to reduce rates of stunting and chronic malnutrition. Meanwhile, *aqīqah*, being personal in nature, often falls into the trap of family consumerism that lacks systemic impact on poverty alleviation. By prioritizing qurban, Islamic law plays an active role in creating social justice based on empathy and transnational solidarity. Contemporary global literature highlights how ritual worship can be converted into social capital that strengthens community resilience in the face of economic crises. This aligns with the findings of previous researchers who state that qurban is a bridge connecting individual spirituality and collective responsibility. The implication of these findings is the need for a reorientation of the community's understanding to avoid empty ritualism devoid of social impact awareness.

The transformation from an informative narrative to an argumentative one in this discussion reinforces the intellectual position that worship must be guided by clear humanitarian reasoning. The conflict between individual ritual obedience and collective social responsibility is resolved through the prioritization of inclusive distributive justice values. The *Maqasid* approach allows for the deconstruction of rigid understandings that often equalize all religious recommendations without considering the context of space and time. Legal priority does not mean reducing the value of other acts of worship; rather, it places every deed in the proportion that provides the greatest benefit for the general welfare. This dialogue between classical tradition and modern challenges creates a robust and relevant legal synthesis for the life of modern Muslims. Muslim society needs to be encouraged to see that every unit of currency spent on qurban has a dual dimension of worship: servitude to God and service to fellow humans. Thus, the implementation of Islamic law becomes more authoritative as it addresses real problems faced by humanity universally.

The discourse regarding the novelty of this research lies in the effort to link empirical data on economic disparity with the theory of *tarjih* under conditions of resource scarcity. When extreme poverty becomes a tangible threat, Islamic law must be present as an instrument of liberation through priority policies oriented toward *maslahah*. The author argues that qurban in the modern era must be integrated with sophisticated logistical management so that its benefits are not wasted and are precisely targeted. Dialogue with previous research, including the work of Serrano-Ruano, indicates a shift from mere ritual discussion toward an analysis of the socio-political impact of worship in the public sphere. The strength of the argumentation in this manuscript rests on the ability to connect theological doctrines with the empirical realities existing in society. This provides a significant

contribution to the development of Islamic legal studies that are no longer imprisoned within the ivory tower of ancient texts. The collective awareness to prioritize qurban over aqīqah in difficult conditions is evidence of religious maturity based on intellectual depth.

The implications of this *Maqasid* analysis demand an active role from religious leaders and zakat institutions in conducting comprehensive public education. The community must be provided with clear guidance that, under economic constraints, the choice to perform qurban is a form of personal *ijtihad* consistent with the spirit of the Sharia. Fatwa institutions like Al-Azhar have provided a strong foundation, yet its implementation at the grassroots level requires communication strategies that touch upon both rationality and spirituality. The sustainability of worship practices with social impact will serve as a benchmark for the success of Islamic law in manifesting *rahmatan lil alamin* on the global stage. Innovation in the management of sacrificial animals and the diversification of processed products are also inseparable parts of the future development of *Maqasid*. Through the synergy between sharp legal reasoning and high social sensitivity, the ritual of qurban will continue to be a pillar of stability and harmony for humanity. Ultimately, the Islamic Sharia remains a path toward a noble life that honors every drop of sweat and wealth sacrificed for the happiness of others.

## Conclusion

This study successfully reconstructs the juridical position of Al-Azhar, which formulates a hierarchy of worship priorities by situating qurban as a more urgent social obligation than aqīqah within the context of economic constraints. The significance of this prioritization is rooted not merely in the temporal dimensions of worship, but is driven by a legal rationality that privileges *maslahah ammah* (public interest), wherein qurban functions as an instrument for wealth redistribution and the reinforcement of collective food security. These findings reveal a paradigmatic shift in *ijtihad* methodology within transnational fatwa institutions, moving from a textualist approach toward a functionalist framework that specifically targets the dimension of *hifz al-mal* (preservation of wealth) in national protein distribution. Theoretically, this study reinforces the discourse of *fiqh al-awlawiyyat* (jurisprudence of priorities) by emphasizing the principle of *syumuliyyah* (comprehensiveness), which prioritizes communal welfare over domestic-individual interests as a response to contemporary macroeconomic realities. The epistemological contribution provides a conceptual framework for global fatwa institutions to formulate worship guidelines that are responsive to the dynamics of systemic poverty without negating the ritualistic essence of Sharia. Furthermore, this research equips the Muslim community with an ethical foundation for exercising religious discretion based on the values of social justice and broader humanitarian solidarity. Moving forward, the integration of functionalist logic in fatwas with global poverty alleviation strategies warrants further exploration to ensure the relevance of Islamic law amidst increasingly complex socio-economic challenges.



## References

- Abdul Mannan Iftikhar, Khalid Mahmood Arif, & `Muhammad Imran. (2024). Model Of Conflict Management: An Analytical Review Of Conflict Resolution Strategies Of Prophet (ﷺ). *PAKISTAN ISLAMICUS (An International Journal of Islamic & Social Sciences)*, 4(03 SE-English), 250–256.
- Abdullah, M. (2020). Classical waqf, juristic analogy and framework of awqāf doctrines. *ISRA International Journal of Islamic Finance*, 12(2), 281–296.
- Abidin, Z., Adawiyah, W. R., Shaferi, I., & Sodik, A. (2024). Financing innovation for sustainable supply chain management in social business: a case of Qurban rituals in Indonesia. *Journal of Islamic Accounting and Business Research*, 15(2), 342–366.
- Aksoy, S. (2024). The Impact of Religious Practices on Shaping Cultural Habits: The Case of Child Sacrifice among the Pre-Islāmic Arabs from the Qur'ānic Perspective. *Religions*, 15(8), 1019.
- Al-Ghazali, M. bin M. (1999). *Al-Mustashfa Min 'ilm al- Ushul*. Syirkah ath- Thiba'ah al- Fanniyyah al- Muttahidah.
- Al-Marakeby, M. (2022). Rethinking Modern Fatwa Typology: An Ethnographic Study on al- Azhar Fatwa Council. *Islamic Studies Review*, 1(2), 197–216. <https://doi.org/10.56529/isr.v1i2.85>
- Al-Syatibi, A. I. (2003). *al-Muwafaqat fi Ushul al-Syari'ah. Vol. II (Beirut: Dar Al Kutub Al Ilmiyah, Tt)*.
- Al Farisi, U., Fakhurrazi, Sadari, Nurhadi, & Risdianto. (2023). Negotiation Between Customary Law and Islamic Law: The Practice of Palang Pintu in The Traditional Marriage in The Betawi Muslim Community. *De Jure: Jurnal Hukum Dan Syar'iah*, 15(2), 268–285. <https://doi.org/10.18860/j-fsh.v15i2.21241>
- Edet, F. F. (2019). The Concept of Worship in Islam Francis. *Lwati: A Journal of Contemporary Research*, 16(4), 125–130. <https://www.ajol.info/index.php/lwati/article/view/192058>
- Gad Makhlof, A. (2021). The Doctrinal Development of Contemporary Islamic Law: Fiqh Academies as an Institutional Framework. *Oxford Journal of Law and Religion*, 10(3), 464–486. <https://doi.org/10.1093/ojlr/rwac005>
- Galadari, A. (2021). Inspiration and revelation of the Qur'an and its relation to the Bible. *Religions*, 12(11). <https://doi.org/10.3390/rel12111023>
- Ilham, M., & Ivahni, I. (2024). A Study Of Normative And Anthropological Approaches To The Barzanji Tradition In Child Birth Ceremonies. *SANGKÉP: Jurnal Kajian Sosial Keagamaan*, 7(1), 83–96.
- Isa, M. Y., Ahmad, N. H., Maamor, S., Ahmad, Z., & Bakar, N. A. A. (2024). The Role Of Islamic Financial Literacy From The Perspective Of Maqasid Al-Shariah: A Case Study Of Community Of Naka In Kedah. *International Journal of Islamic Business*, 9(2), 26–42.
- Kirazli, H. S. (2024). The Role of Sunnah in Conflict Resolution and Peacemaking. In *Conflict Resolution and Peacemaking in Islam: Theory and Practice* (pp. 115–133). Springer. [https://doi.org/10.1007/978-3-031-53927-5\\_5](https://doi.org/10.1007/978-3-031-53927-5_5)

- Lubis, G. P., Matsum, H., & Tanjung, D. (2025). Legal Analysis of Qurban Meat Distribution to Non-Muslim Citizens from a Maslahah Perspective. *Indonesian Interdisciplinary Journal of Sharia Economics (IIJSE)*, 8(1), 1773–1788.
- Madyan, S., Abyad, H., & Karimullah, I. W. (2025). The Modern Pilgrimage of Umrah : The Convergence of Spiritual Devotion and Pop-Consumer Culture in Indonesia The Modern Pilgrimage of Umrah : The Convergence of Spiritual Devotion and Pop-Consumer Culture in Indonesia. *International Journal of Religious Tourism and Pilgrimage Volume*, 13(2). <https://arrow.tudublin.ie/ijrtp/vol13/iss2/3%0ACreative>
- Mappasessu, M., & Akmal, A. M. (2025). Studying Fiqh Based on the Quran and Hadith in the Modern Era by Revisiting the Methodology of Legal Istinbat. *Nuris Journal of Education and Islamic Studies*, 5(2), 151–167.
- Maulidizen, A., & Raihanah, A. (2019). The Technique of Determining Ijtihad and Its Application In Life: Analysis Of Istihsan, Maslahah Mursalah, ‘Urf, and Syar’u Man Qablana. *Al-Ahkam Jurnal Ilmu Syari’ah Dan Hukum*, 4(1). <https://doi.org/10.22515/al-ahkam.v4i1.1600>
- Mohadi, M. (2023). Normative Islamic Conceptualizations of Families and Kinship Through Maqasid Perspectives: A Comprehensive Literature Study. *Malaysian Journal of Syariah and Law*, 11(2), 290–309. <https://doi.org/10.33102/mjssl.vol11no2.459>
- Mohamed, M. (2025). Selling god: Al-Azhar, UAE and transnational transferability of religious capital. *British Journal of Middle Eastern Studies*, 52(5), 1173–1192.
- Mohiuddin, A. (2022). Islam, religious authority and the state: The case of Egypt. *Asian Journal of Middle Eastern and Islamic Studies*, 16(2), 165–188.
- Muhammad, M. (2025). Hamka’s Thought in Tafsir Al-Azhar: Between Acculturation and Rejection of Local Culture. *Journal of Social Innovation and Knowledge*, 1(aop), 1–21.
- Najib, A. M. (2020). Reestablishing Indonesia Madhhab: ‘Urf and the Contribution of Intellectualism. *Al-Jāmi’ah: Journal of Islamic Studies*, 58(1), 171–208. <https://doi.org/10.14421/ajis.2020.581.171-208>
- Nouman, M., Siddiqi, M. F., Ullah, K., & Jan, S. (2021). Nexus between higher ethical objectives (Maqasid Al Shari’ah) and participatory finance. *Qualitative Research in Financial Markets*, 13(2), 226–251.
- Okyere-Manu, B., Morgan, S. N., & Nwosimiri, O. (2022). Cultural, ethical, and religious perspectives on environment preservation. *Best Practice & Research Clinical Obstetrics & Gynaecology*, 85, 94–104.
- Othman, H. S. (2024). *Collective Ijtihad: Regulating fatwa in postnormal times*. The International Institute of Islamic Thought. [https://iiit.org/wp-content/uploads/Collective-Ijtihad\\_Regulating-Fatwa-in-Postnormal-Times.pdf](https://iiit.org/wp-content/uploads/Collective-Ijtihad_Regulating-Fatwa-in-Postnormal-Times.pdf)
- Serrano-Ruano, D. (2022). The duration of pregnancy in contemporary Islamic jurisprudence (fiqh) and legislation: tradition, adaptation to modern medicine and (in) consequences. *The Muslim World*, 112(3), 367–384.
- Sharma, A., & Borah, S. B. (2022). Covid-19 and Domestic Violence: an Indirect Path to Social and Economic Crisis. *Journal of Family Violence*, 37(5), 759–765. <https://doi.org/10.1007/s10896-020-00188-8>

- Spahić-Šiljak, Z. (2020). Gender Justice and Islam: For Male Two and For Female One Qurban. Why? *Occasional Papers on Religion in Eastern Europe*, 40(10), 4.
- Sulaeman, A. (2017). Islamic Religious Education Based On Sufism Contruction Epistemology of Islamic Education. *4th International Conference the Community Development in ASEAN*, 1–16. [https://amca2012.org/proceeding2020/media/Proceedings\\_ICCD2017\\_Cambodia.pdf](https://amca2012.org/proceeding2020/media/Proceedings_ICCD2017_Cambodia.pdf)
- Syatar, A., Rahman, A., Ilham, M., Mundzir, C., Arif, M., Hasim, H., & Amiruddin, M. M. (2020). Qurban Innovation Due to The Covid-19: Experiences from Indonesia. *European Journal of Molecular & Clinical Medicine*, 07(10), 1600–1614. [https://ejmcm.com/article\\_6767.html](https://ejmcm.com/article_6767.html)
- Zaprul Khan. (2018). Maqāsid Al-Shariah in the Contemporary Islamic Legal Discourse: Perspective of Jasser Auda. *Walisono: Jurnal Penelitian Sosial Keagamaan*, 26(2), 445. <https://doi.org/10.21580/ws.26.2.3231>
- ‘Allām, S. I. (2023). *Bayān al-Awlawiyyah bayna Sha‘īrat al-Uḍḥiyah wa al-‘Aqīqah*. <https://www.dar-alifta.org/>. <https://www.dar-alifta.org/ar/fatwa/details/20815/بيان-الأولوية-بين-شعيرة-الأضحية-والعقيقة>