

ONE SHEEP PER FAMILY?

Question

With regards *qurbaani*, is it true that one sheep/goat may be slaughtered on behalf of an entire household?

Answer

The above was undoubtedly the opinion of some of the *Salaf* (pious predecessors). It is the opinion of the Maaliki and Hambali madhabs. However, it was not the opinion of all the *Salaf*. Thus, Imaam Tirmidhi wrote in his *Sunan* that Abdullah bin Mubaarak (ra) and others among the People of Knowledge are of the opinion that a sheep/goat suffices for only one person.¹ This is the opinion of Imaams Abu Haneefah and Sufyaan Thawri (ra). (According to them, one sheep/goat may not be slaughtered on behalf of an entire household.) Although some Shaafi'i commentators of hadith (Khattaabi and Nawawi) are inclined to the Maaliki-Hambali opinion, many hadith commentaries and Shaafi'i fiqh-texts indicate agreement with the opinion of impermissibility.

¹ Sunan At-Tirmidhi V.4 Pg.91

Arguments of Impermissibility

Argument One

- *Qurbaani* is an '*ibaadah* (act of worship) that is *waajib* upon every *baaligh* individual in possession of the minimum *nisaab* of *zakaat* on the day of Eid-ul-Adha.
- There is no '*ibaadah* that can be performed in fulfilment of two people's responsibility at the same time. For example, if a man possesses R10 000 and the value of his wife's gold jewellery is R10 000, he cannot pay R250 as *zakaat* for him and his wife. Similarly, a man cannot perform haj on behalf of himself and his deceased parent at the same time.
- Accordingly, it cannot be permissible for a man to slaughter one sheep/goat in fulfilment of his and somebody else's *qurbaani*.
- Remember that the '*ibaadah* in *qurbaani* is in *iraaqat-ud-dam* (spilling of blood). In slaughtering one sheep/goat, this *iraaqat-ud-dam* takes place only once. So then how can it suffice for the '*ibaadah* of more than one person?²
- In view of the above, one could question our permitting the slaughter of a cow (or camel) on behalf of seven people. The difference, however, is that there is *ijmaa'* (consensus) that one cow has seven shares and can be slaughtered on behalf of seven people.

Argument Two

The *sharee'ah* has stipulated that one cow has seven shares. Put differently, one cow is equal to seven sheep. Accordingly, if it is

² Badhl-ul-Majhood V.13 Pg.38 and Dars-e-Tirmidhi V.5 Pg.159

permissible to slaughter a sheep on behalf of more than one person, it should be permissible to slaughter a cow on behalf of more than seven people. Would this not result in nullification of the *hudood* (limits) stipulated by the *sharee'ah*?³

Argument Three

There is also *ijmaa'* (consensus) that the minimum that a person may slaughter for *qurbaani* is a sheep or goat. However, if it is permissible to slaughter one sheep on behalf of more than one person, it would mean that each person is slaughtering less than one sheep. For example, if there are four members in the family, each would have slaughtered a quarter of a sheep. So is this not in conflict with the *ijmaa'*?⁴

Argument Four

What about the hadith which states that upon slaughtering Nabi *sallallahu alaihi wasallam* said, "O Allah, accept (this *qurbaani*) on behalf of Muhammad, the family of Muhammad and the *ummah* of Muhammad"?⁵ Another hadith states that upon slaughtering, Nabi *sallallahu alaihi wasallam* said, "This is on behalf of those among my *ummah* who did not slaughter".⁶ Despite these *ahaadith*, none of the Fuqahaa, not even Imaams Maalik and Ahmad (ra), say that one sheep or goat would suffice for the entire *ummah*. Instead, they say that Nabi *sallallahu alaihi wasallam* merely meant inclusion of his *ummah* in the

³ I'laa-us-Sunan V.17 Pg.209

⁴ I'laa-us-Sunan V.17 Pg.210

⁵ Saheeh Muslim Hadith 5053

⁶ Sunan At-Tirmidhi V.4 Pg.91

reward of this *qurbaani*. He did not mean that this one sheep absolves the entire *ummah* of their *qurbaani*.⁷

Argument Five

If one sheep could be slaughtered on behalf of an entire household (even if there are a hundred members), fulfilment of *qurbaani* would be so easy that hardly anybody would fail to do so. That being the case, there would be no reason for Nabi *sallallahu alaihi wasallam* to warn us saying, “Whoever has the means to slaughter but does not slaughter should not attend our *musallaa* (i.e. the *eid salaah*)!”⁸

The Ahaadith of ‘Aaisha and Jaabir (ra)

The above discussion does not mean that, Allah forbid, we reject the *ahaadith* of ‘Aaisha and Jaabir (ra). However, our interpretation of these *ahaadith* differs from Maaliki-Hambali interpretation. According to us, all the *ahaadith* that imply that Nabi *sallallahu alaihi wasallam* slaughtered one goat on behalf of more than one person must be interpreted in the same manner as the *ahaadith* that state that Nabi *sallallahu alaihi wasallam* slaughtered a single goat on behalf of his entire *ummah*. Thus, our view is that in all these *ahaadith* Nabi *sallallahu alaihi wasallam* merely meant inclusion in reward. He slaughtered the animal on his behalf but intended that his wives receive a share in the reward.⁹ The Shaafi’i jurists, Shirbeeni and Ramali (ra) gave this explanation in their *Al-Iqnaa’* and *Nihaayat-*

⁷ I’laa-us-Sunan V.17 Pg.209 and Takmilah Fath-ul-Mulhim V.3 Pg.565

⁸ I’laa-us-Sunan V.17 Pg.210

⁹ I’laa-us-Sunan V.17 Pg.209 and Takmilah Fath-ul-Mulhim V.3 Pg.565

ul-Muhtaaaj respectively.¹⁰ *Ahaadith* indicating that Sahaabah (ra) would slaughter a single goat or sheep on behalf of their entire families should interpreted in the same manner.

The Hadith of Abu Ayyub (ra)

Advocates of the sufficiency of a single sheep/goat on behalf of an entire family cite the hadith of Abu Ayyub Ansaari (ra) in which he states, “During the time of Nabi *sallallahu alaihi wasallam* a man would slaughter one goat on his and his family’s behalf and then they would eat and feed . . . until people began boasting to each other and the situation reached the extent that you (now) see.”¹¹ They also cite a hadith from Abu Sareeha in which he says, “An entire household would slaughter one or two goats but now our neighbours call us misers (if we slaughter only one goat)”.¹²

Our explanation is that in those days only the head of the household would possess sufficient wealth for *qurbaani* to be *waajib* on him. Generally, a man’s wife would not possess sufficient wealth for *qurbaani* to be *waajib* on her. Hence, the meaning of the above statements of Abu Ayyub and Abu Sareeha (ra) is that they would not slaughter separate animals for the wives, their *ghair baaligh* children and their *baaligh* children who were not owners of *nisaab*. Considering that we (followers of the Hanafi madhab) do not regard it *waajib* for a man to make *qurbaani* on behalf of his wife (who does not possess the

¹⁰ Al-Iqnaa’ V.2 Pg.260 and Nihaayat-ul-Muhtaaaj V.8 Pg.126

¹¹ Sunan At-Tirmidhi V.4 Pg.91

¹² Sunan Ibn Maajah Hadith 3148

minimum *nisaab* of *zakaat*) and his *ghair baaligh* children, these narrations are actually supporting our madhab.¹³ Commenting on the hadith of Abu Ayyub (ra), Imaam Muhammad (ra) wrote in his Mu'atta that this hadith is with regards a poor man upon whom *qurbaani* is not even *waajib*.¹⁴

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07th Dhil-Hijjah 1438
29th August 2017

¹³ I'laa-us-Sunan V.17 Pg.211

¹⁴ Mu'atta Al-Imaam Muhammad Pg.282