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THE LAW OF RECEIVING WAGES FOR TEACHERS OF THE QUR'AN, THE PERSPECTIVE OF ULAMA SYAFIIYAH AND HANAFIYYAH

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Abstract

The Syafiiyah and Hanafiyah scholars' perspectives on the background of their divergent viewpoints on the legality of receiving compensation for teaching the Qur'an are presented in this study. The law governing the payment for teaching the Qur'an, as well as the legal procedures used by Hanafiyah Ulama and Syafiyah Ulama, are the source of the disagreement that leads to the issue. Normative legal research is the kind that it is. This study's research topic relates to the views and legal strategies held by Syafiiyah and Hanafiyah scholars regarding compensation for Qur'an instruction. The research data are different viewpoints and justifications advanced by both traditional and modern academics. While the data sources are various fiqh references, such as books, papers, and newspapers, both print and electronic, which contain details about the status of receiving compensation for teaching the Qur'an services, as well as fiqh books written by classical and modern scholars regarding wages for doing so. The findings of the study on the opinions of the Ash-Shafi'i scholars suggest that charging for the teaching of the Qur'an is acceptable regardless of whether the pupils are children or adults, even when doing so would otherwise be considered fardhu 'ain. While the Hanafiyah scholars hold that it is forbidden to be paid for work that has religious overtones, argued that since Sahih hadiths were included in the quality of hadiths narrated by Bukhari, these hadiths should be used as support for claims that receiving or accepting compensation for teaching the Qur'an is acceptable.

Keywords: Wages, Teacher, Perspective

A. INTRODUCTION

Humans are social beings who always participate in society, give and receive from others, and share among themselves to meet their basic needs and advance in life.¹ Each

person can fulfill their own needs within this community, both materially and spiritually.

Because everything that gives rise to laws with coercive power, such as economic and societal needs, cannot be separated from ethics and applicable regulations in life and social

¹ Hamzah Yaqub, *Kode Etik Dagang Dalam Hukum Islam* (Bandung: CV Diponegoro, 2012).

affairs.² The general Islamic way of life is actually more accurately referred to as Islamic law.³

Qur'an occupies an important position in the mission of guiding people in a better direction. Qur'an, which literally translates to "perfect reading," is a name that Allah chose, which is truly appropriate because there has not been there hasn't been a single reading since people first learned to read and write, which is 5,000 years ago. Al-Karim Qur'an, the perfect recitation that is so glorious. There is no reading like the Qur'an, which hundreds of millions of readers who do not comprehend its meaning and/or are unable to write using the script read. even adults, teenagers, and children who memorize letters by letter. There is no reading like the Qur'an, which is dictated by how to read it: where it is shortened, lengthened, refined, or forbidden; where it must begin and end; even the song and rhythm are dictated, all the way to the ethics of reading it.⁴

Teachers who teach the Qur'an are paid, either voluntarily or in accordance with an agreement. If the wages are used for personal gain or as representatives of an institution, they must be reported to the institution. It is deemed reasonable to be paid for teaching the Qur'an at this time because the community has essentially made no complaints. The Syafi'ah and Hanafiyah scholars do not adhere to the professional behavior and respect that is expected of people in the globalization era.

There is a paradigm shift related to the role of the Qur'an teacher in this contemporary development that emerges in the midst of

society. The teaching of the Qur'an is now considered a profession by society in terms of social status, which is obviously very problematic when dealing with texts. And there is no question that the Qur'an is the highest form of religious knowledge; in fact, teaching the Qur'an is worship, and Allah SWT will reward you for it.

Giving rewards in religious activities, including da'wah and other religiously related activities, is actually not a new phenomenon; it has happened frequently and has been happening for a very long time. This is particularly clear in the phenomenon of filling out religious lectures, which occurs in both academic forums and general religious lecture forums in the community. In these forums, there is a lot of activity regarding the event committee rewarding religious figures, ustadz, ustadzah, who fill out the lectures.⁵

The right to welfare belongs to everyone. Islam suggests two routes to satisfy all requirements. Every member of society is responsible for providing for their basic needs, namely clothing, food, and shelter, either directly or through fathers, guardians, and heirs.⁶

The pay in society at this time was becoming more diverse, including the pay for Qur'an teachers. But what about the law If in the past the Prophet could answer any question directly and without delay, everything has changed since the Prophet Muhammad's death, which halted the revelation. The Companions therefore require a legal justification that can be interpreted in a number of different ways in case there are any questions. Particularly in the

² Soetami, Sitti, *Pengantar Tata Hukum Indonesia* (Bandung : PT Erisco, 1992). h. 9

³ Abdurrahman Wahid, "Menjadikan Hukum Islam Sebagai Pembangunan": *Pengantar Juhaya S. Praja Hukum Islam di Indonesia*, (Bandung: RemajaRosdaKarya, 1991), h.3

⁴ Shihab Quraish, *Wawasan Al-Quran: Tafsir Maudhu'i Atas Berbagai Persoalan Umat* (Bandung: Mizan Media, 2019).

⁵ Askhabi Moh Aqim, 'Pemberian Imbalan Dalam Aktifitas Dakwah Agama Islam', *Journal Fisip Unair*, 4.2 (2015).

⁶ Riyadi Fuad, 'Sistem Dan Strategi Pengupahan Perspektif Islam', *Jurnal Iqtishadia*, Vol. 8, No. 1, Maret, 2015.

modern era, where issues like the issue of paying Qur'an teachers a living wage are becoming more and more common.

There must be rules to serve as guidelines for human conduct. because people want to live well-ordered lives. But not everyone has the same idea of what constitutes a righteous and orderly life. As a result, standards or benchmarks that affect one's personal and interpersonal life are required.⁷This will foster a climate of safety and justice. Because, with the exception of matters whose position is unclear, each treatment is inextricably linked to explicit provisions.

Everything that is ambiguous (vague) needs to have a legal foundation in order to provide certainty for human life. such as the issue of figuring out the law regarding the payment of salaries to teachers of the Qur'an. The views of the two scholars differ due to differences in the fiqh rules used to determine a legal argument because of differences in the legal istinbath used by the Syafiiyah and Hanafiyah scholars to determine the arguments they used. This is because some thoughts on the law of receiving wages for Qur'an teachers are different.

Teachers who teach the Qur'an are paid, either voluntarily or in accordance with a contract. Since there haven't been many community complaints thus far, compensation for Qur'an teachers is currently regarded as fair. Fiqh scholars, on the other hand, disagree with this. There hasn't been a clear consensus on the legality of paying Qur'an teachers a salary up until now. For example, scholars from the Syafiiyah and Hanafiyah schools of thought disagree on whether it is appropriate to pay people to teach the Qur'an. The author is interested in discussing how the law accepts

salaries for Qur'an teachers according to the views of the Syafiiyah and Hanfiiyahscholars based on the background mentioned above.

This study's objective is to investigate how the legal istinbath method of law of receiving wages from the viewpoints of the Syafiiyah and Hanafiyah scholars can lead to an analysis of the current issues.

B. RESEARCH METHODS

It is the type of legal research known as normative. Normative legal analysis is a method approach It examines theoretical issues concerning legal principles, conceptions, views, and doctrines, regulations, and the legal system by researching books, laws, regulations, and other research-related documents. The object of this research is to examine the opinions and legal methods used by the Syafiiyah and Hanafiyah scholars regarding wages for teaching the Qur'an. The research data are various opinions and arguments put forward by classical and contemporary scholars. While the data sources are fiqh books written by classical and contemporary scholars about wages for teaching the Qur'an, there are also various fiqh references, such as books, papers, and newspapers, both print and electronic, that contain information about the progress of receiving wages for teaching Qur'an services.⁸

C. RESULTS AND DISCUSSION

Wages Ujrah

Ijarah, also known as wages, is a broad term for aqad that refers to the exchange of benefits for a specific sum of money. Sayyid Sabiq contends that an al-ijarah is a contract or transaction in which one seeks to gain advantage by paying compensation.⁹

⁷ Purnadi Purbacaraka Soerjono Soekanto, *Sendi-Sendi Ilmu Hukum Dan Tata Hukum* (Bandung: Citra Aditya Bakti, 1993).

⁸ Sri Mamudji Soerjono Soekanto, *Penelitian Hukum Normatif (Suatu Tinjauan Singkat)* (Jakarta: Rajawali Pers, 2001).

⁹ Syaripudin, 'Perspektif Ekonomi Islam Tentang Upah Khataman Al-Qur'an', *Naratas*, Vol. 02 No (2018).

Wages in Islam are known as *ijarah*. Etymologically the word *Al-Ijarah* comes from the word *al-ajru'* which means *al-'iwad* which in Indonesian means compensation or wages.¹⁰ While in terms of *ijarah* is contract of transfer of usufructuary rights (benefits) of a good or service within a certain time with the payment of wages, without being followed by a transfer of ownership of the goods itself. Therefore, Hanafiyah said that *Ijarah* is a contract for benefits accompanied by compensation.

Wages in Islam are commonly referred to as *ijarah*. According to the term *fiqh ijarah* means the granting of utilization rights on condition that there is compensation. Whereas according to the term is a contract to get benefits with payment. Say *Ijarah* comes from the word *al-ajru* which in language is called deep *al-'iwadh* the Indonesian language is interpreted as compensation and wages. From the definition of some scholars, *Ijarah* can be understood as exchanging something for the reward, that is translated into Indonesian as rent and wages hire. Where is leasing (*baiu 'manafi'*) which means selling benefits and wage wages (*baiu 'khuwwaati'*) which means selling power or strength.

Idris Ahmad from Hendi Suhendi claims that paying salaries entails taking advantage of others' work by compensating them under specific terms. *Ujrah*, on the other hand, is the absolute responsibility to perform something at a specific rate on a specific work, in *Syara'* language.¹¹

From the foregoing understanding, it may be inferred that *ujrah* refers to the sum paid by the employer in exchange for a worker's services being rendered in accordance with the contract. *Ujrah* results from an *ijarah* contract,

which according to *al-Ijarah*, is meant to ease people's societal burdens. Many people are wealthy yet unable to work. Yet, a lot of individuals require money despite having the authority or knowledge. Due to the existence of *al-Ijarah*, there is mutual advantage and reciprocal benefit for both sides.¹²

The requirement to pay the salary arises at the conclusion of the employment if the *ijarah* contract is for a job. Islam has prescribed *al-Ijarah* in the form of lease or the status of salary as *muamalah*. According to *Jumhur Ulama*, the original legislation is permitted or permissible if it is carried out in accordance with the guidelines established by *syara'* based on the passages of the Koran, the Prophet's hadiths, and the requirements of the *Ijma' Ulama*.

If the renter, or *musta'jir*, follows these requirements, he has the right to receive his pay:

1. Complete the task.

Based on the following hadith, which Ibn Majah narrated:

عَلَيْهِ وَسَلَّمَ أَعْطُوا الْأَجِيرَ صَلَّيْ اعْنَهُمَا قَالَ : قَالَ رَسُولُ أَوْ عَنِ ابْنِ عُمَرَ رَضِيَ اعْنَهُ عِنْدَ أَجْرَهُ قَبْلَ أَنْ يَجِفَّ عَرْفُهُ . رَوَاهُ ابْنُ مَاجَهَ . وَفِي الْبَابِ عَنِ أَبِي هُرَيْرَةَ رَضِيَ اعْنَهُ أَبِي يَعْلَى وَالْبَيْهَقِيِّ وَجَابِرِ عِنْدَ الطَّبْرَانِيِّ وَكُلَّهَا ضِ عَافٌ .

It translates to:

“Pay wages/salaries before the sweat of his labour dries” as related by Ibn Umar RA.¹³

2. Benefits flow if *ijarah* is made for products. if the items have been damaged before usage *Ijarah* is thus nullified.

¹⁰ Sayyid Sabiq, *Fikih Sunnah* (Bandung: PT Alma'arif, 1987).

¹¹ Kuni Qonitazzakiah, 'Analisis Hukum Islam Terhadap Penetapan *Ujrah* Bagi Pandega Tambak Di Desa Kalanganyar Kecamatan Sedati Kabupaten Sidoarjo', (2020).

¹² Abdul Rahman Ghazali Dkk, *Fiqh Muamalah* (Jakarta: PRENADAMEDIA, 2010).

¹³ Kahar Masyhur, *Bulughul Maram I Terjemah* (Jakarta: PT Rineka Cipta, 1992).

3. Even when *ijarah* is not fully achieved, rewards are still achievable.

4. Hasten the mutually agreed-upon arrangement, accelerate payments.

Ujrah can be paid in full, in installments, or in stages. Conditions for accelerating and postponing salaries, such as accelerating some of the wages while deferring the remainder, are acceptable. Nonetheless, it must be done with both parties' consent. Nonetheless, if no agreement is reached regarding accelerating or postponing salaries, payments must still be made beyond the due date.¹⁴

The same is true for the existence of salaries and how they relate to contracts. Scholars of *Syafi'iyah* and *Hanabilah* contend that a contract is necessary for salaries to exist. The scholars of the *Hanafiyah* and *Malikiyah* contend that salaries are owned based on the terms of the contract but are distributed gradually based on the needs of the *'aqid*. The scholars of *Hanafiyah* and *Malikiyah* base pay responsibilities on three scenarios:

1. Requires salaries to be accelerated in the body of the contract
2. Speeding up without restrictions
3. By disbursing benefits gradually. It is acceptable for salaries to be terminated if two parties to a contract agree to do so.

Ijarah is Arabic for "recompense" or "services given as wages for an act." *Ijarah*, according to *Shara*, is a contract or commitment relating to the use and gathering of data from people, things, or animals. *Ijarah* is a contract in which one party agrees to benefit others in exchange for receiving *'iwad* (replacement remuneration) in the form of cash or certain goods. So, for *ijarah* to exist, there must be providers of services and payers of wages.¹⁵

Ijarah can mean compensation, ransom, or reward, depending on the language. According

to *Syara*, it entails signing a contract in order to benefit from something obtained from another person by making a payment in accordance with a predetermined agreement that also includes some conditions. *Al-ajru* is derived from the word *al-ajru*, which, in accordance with the language, denotes wages and compensation in Indonesian.¹⁶

Ujrah's pillars and terms

- a) In order for an economic actor to achieve high morale and devoted service to communal affairs, wages (*ujrah*) must be carried out by consensus or through kinship, or more precisely, through open consultation.
- b) Wages must be stated in a clear manner, just like *mal mutawaqin*. A concrete explanation of the criteria is also required. Because wages are gifts given in exchange for benefits received, and gifts must be obvious, Because there is a *jihalah* component involved if you employ people with unclear wages (uncertainty).
- c) The payment of wages to employees must consist of a variety of items. Pay for work done, or something similar, is an example of something that isn't in accordance with the circumstances. As a result, the applicable law is invalid because it can result in usury. comparable to paying workers to construct a house with building supplies or homes as payment
- d) Wages should not be the same as benefits of a type that have been made in an agreement, and in law is not valid when assisting someone use someone else's wages. This goes for both making agreements and leasing. Due to the similarity in benefits, this has illegitimate issues, and as a result, we may be required

¹⁴ Sayyid Syabiq, *Fiqh Sunnah Jilid 4 Terjemah Nor Hasanuddin* (Jakarta: Pena Pundi Aksara, 2006).

¹⁵ Sudarsono, *Sepuluh Aspek Agama Islam* (Jakarta: Rineka Cipta, 2014).

¹⁶ Hendi Suhendi, *Fiqh Muamalah* (Jakarta: PT Raja Grafindo Persada, 2014).

to pay someone appropriately after utilizing their services.¹⁷

type of wages

1. Equal wages (*ujrah al-misli*)

Equal wages is wages that are commensurate with their work and commensurate according to the type of work, in accordance with the number of values stated and agreed by both parties, namely the employer and the recipient of the work (worker) at the time of the service purchase transaction, then with that for determining wage rates for both parties involved in the transaction purchase of services, but have not yet determined the agreed wages they must determine reasonable wages according to their work or wages that would normally be enforceable and commensurate with the type of work. The goal is determined wage rates commensurate is to maintain the interests of both parties, either service sellers and service buyers, and avoid element exploitation in every transaction thus, through wage rates equivalent, every dispute that occurs in a sale and purchase transactions services will be resolved fairly.¹⁸

2. Wages already mentioned (*ujrah al-musammah*)

The wages mentioned (*ujrah al-musammah*) are conditions when mentioned must be accompanied by the willingness to be accepted by both parties transacting wages. Thus, the *musta'jil* should not be forced to pay more than what is required already

mentioned, as the *ajr* also cannot be forced to be less than what has been mentioned, but wages. This is a wage that must follow the provisions of *Syara'*. If the wages are mentioned during the transaction, use them at that time then the wage at that time was the wage mentioned (*ujrah musammah*). If it hasn't been stated, then the wages can't be applied, then the wages can be applied commensurate wages (*ujrah misli*).¹⁹

Pillars and Terms of Wages

Regarding the delivery of this reward in detail in Islam has provide guidance, namely the completion of work and accelerate inform of service or agreement of both parties in accordance with The condition is to speed up the payment of workers' wages. If in the contract there is no agreement to accelerate or postpone, if the wages are related to time certain conditions, then it must be fulfilled after the expiration of that period.

For example, a person who rents a house for one month, then a period of one month has passed, then he is obliged to pay rental. The most important issue in *ijarah* is regarding fulfillment the rights of the *musta'jir*, especially the right to be treated well in work environment, rights to social security, and rights to equal remuneration worthy. For this reason, it is necessary to study the provisions of the *musta'jir's* rights, especially about wages. Payment of wages is an obligation that must be fulfilled by a person who hires or hires someone to do work. Wages are rights that must be received by people who are employed after the job is done.

¹⁷ Abdurrahmani Al-Jazir, *Fiqh Empat Madzab, Al-Fiqh 'Alal Madzah Ibil Arba'ah* (Semarang: CV. As-Syifa', 1994).

¹⁸ M. Arskal Salim, *Etika Investasi Negara Prespektif Tafsir Ibnu Taimiyah* (Jakarta: Logos, 1999).

¹⁹ Taqyuddin An-Nabhani, *Membangun Sistem Ekonomi Alternatif Prespektif Islam* (Surabaya: Risalah Gusti, 1996).

basis of wage law

Qs. Al-Baqarah: 232

وَإِذَا طَلَّقْتُمُ النِّسَاءَ فَبَلَغْنَ أَجَلَهُنَّ فَلَا تَعْضَلُوهُنَّ أَنْ يَنْبَغْنَ
أَنْ يَأْتِيَنَّكُمْ مِنْكُمْ إِذَا اتَرَاضُوا بَيْنَهُمَا لَمَعْرُوفٍ ۗ لِكَيْ يُعْطِيَ
مَنْ كَانَتْكُمْ مِنْهُ نِهَايَةُ الْيَوْمِ الْيَوْمِ الْآخِرِ ۗ لِكَمَا زَكَاكُمْ
أَنْ تَطَهَّرُوا ۗ وَاللَّهُ يَعْلَمُ وَأَنْتُمْ لَا تَعْلَمُونَ

The translation: "And if you divorce (your) wives, then reach their Idah, then don't stop them from getting married to their future husbands again (again), if there is compatibility between them in a good way.

Qs. At-Thalaq: 6

أَسْكِنُوهُنَّ مِنْ حَيْثُ سَكَنْتُمْ ۖ لَكُمْ جِدْمٌ وَلَا تَضَارُّوهُنَّ ۗ
وَصِيقُوا عَلَيْهِنَّ أَنْ يَكُنَّ وَأَلْتَحْمِلْنَ أَنْفُسَهُنَّ
حَمْلَهُنَّ فَإِن زَعَيْنَ كَمَفَاتُوهُنَّ جُورَهُنَّ وَأَمْرُ
وَأَبْنَيْكُمْ بِمَعْرُوفٍ وَإِن تَعَاسَرَ تَمَفَسَّرْ ضِعْلَهُنَّ آخِرِ ۗ

The translation "Put them (wives) where you live as best you can, and don't bother them to restrict their movements (hearts). Negotiate well between you (and the divorced wives), and if you run into problems, another woman may breastfeed the child for her. And if they (the divorced wives) are pregnant, then give them their living until they give birth, then if they breastfeed your (children), then give them a reward.

Qs. Al-Qasas: 26

قَالَتَا خذْهُمَا يَا أَبَتَانَا جِرْ هَاتَا خَيْرَ مَنَاسِنَا جِرْ تَأَقْوِيَالِ
أَمِينُ

Translation: "And one of the two (women) said, "O my father! Make him a worker (for us), actually the best person you take as a worker (for us) is someone who is strong and can be trusted."

QS An-Nahl: 16

وَمِنْ ثَمَرَاتِ النَّخِيلِ وَالْأَعْنَابِ تَتَّخِذُونَ مِنْهُ سَكَرًا
وَرِزْقًا حَسَنًا إِنَّ فِي ذَلِكَ لَآيَةً لِّقَوْمٍ يَعْقِلُونَ

The translation: And from the fruits of dates and grapes you make intoxicating drinks and good sustenance. Indeed, in that there is truly a sign (of Allah's greatness) for those who understand

The ujah/wages awarding system in Indonesia

To make it simple to comprehend the restrictions on paying wages and to categorize them as fair wages, there are various types of wages in the law of wages. These are a few examples of what wages or ijarah are.

Idris Ahmad contends that paying wages or receiving ijarah amounts to exploiting the services of third parties by replacing them with predetermined conditions.²⁰ According to Nurumansyah Haribuan, wages or ijarah are all different kinds of income that a person can earn through economic activity, whether in the form of cash or goods for different lengths of time.

Determination of wages for labor must reflect fairness, and takes into account the variety aspects of life, so that the Islamic view of rights labor in receiving wages is more materialized. Wages given to someone must be in proportion to activities that have been issued, should also quite useful for the fulfillment of the necessities of life that reasonable.

Wages should be based on a contract employment agreement. Because it will cause cooperative relationship between workers and employers or entrepreneur which contains the rights and obligations of each party. The right of one party is obligations for other parties, the existence of obligations

²⁰ Suhendi.

thatThe main thing for employers is to pay wages.

According to the previously described understanding, *ujrah* or *ijarah* is the execution of a contract through the transfer of use rights without any ownership transfer for goods or services in exchange for payment of wages. The transfer of benefits places a strong emphasis on *ujra* and *ijarah* transactions. based on concepts that are roughly comparable to those of buying and selling.

The principles of Islamic economic perspective wages which are essentially forcreating economic justice for all people in relation to employers andemployees who have work relationships. The principle of justice in Islam, of courseensure that the wages received by workers must be appropriate and appropriatewhat is produced by the labor itself to the company in establishing cooperation. So, it must be paid fairly, not so low that you can't sufficient for the basic needs of its workforce and wages may also not be paidtoo high so that the employer loses the real share of the output of laborthe same. Wages paid to different workers must be based on the responsibilities and type of work carried out. Wages should be given in accordance with the level of needs and welfare of the communitylocal. If the people's standard of living increases then the wage rate shouldobtained must also be increased so that workers can fulfillhis life needs. In addition, in Islam, the determination of wages is also mandatorybased on the value of the person's

own work where everyone has the expertise anddifferent persistence

Muhammad Muhammad Ibn Idris asy-Shafi'i Ibn Idris asy-Shafi'i and his thoughts

The school's main figure was Asy Shafiithat flourished and developed in Egypt. Residents of Cairo, Egypt (with the exception of Alexandria and al-Bahirah), as well as those in the following countries outside of Egypt: Somalia, Eritrea, Kenya in East Africa, some of the population of Zanzibar (others are members of the "Ibadi school"), Syria, Lebanon, and a portion of the population of Yemen (partly belong to the Zaidi Shia school of thought). The majority of people in South Yemen, the Emirati nations in the Arabian Gulf (apart from Moskat and Oman, which adhere to the Hanbali-Wahhabi school), all Kurdish people, and Indonesia follow this.²¹

According to the Shafi'i school, paying someone to teach the entire or a portion of the Qur'an is acceptable. The reason is that, even though the law is *Fard al-Kifayah*, these actions do not necessitate *niyat*, and they may still be compensated, as in the case of a zakat distribution officer's or 'Amil az- *Zakah*'s employment, which is compensated.²²

Ijarah is described by Shafi'iyyah as a contract for a benefit that has a specific purpose, is legal, can be donated,²³ and is legal with a specific replacement. Imam Shafi'i claims that since the Qur'an is taught,²⁴ it is permissible to engage in *ijarah* because both the work's purpose and its compensation are clear.²⁵ in *ALUmm*'s book *Ijarah* is allowed to

²¹ Ali Abdul Wahid Wafi, *Perkembangan Mazhab Dalam Islam: Rifyal Ka'bah* (Jakarta: Minaret, 1987).

²² As-Sayyid Muhammad Syata ad-Dimyati, *l'annah at-Talibln Syarh Fath al-Mu'in*, (Cet. 1, Mesir:Matba'ahMamuniyyah ttp.), Vol. 3, h. 113. Muhammad asy- Syarbaini al-Khatib, *Mughnl al-MuhtajllaMa'rifatiMa'aniaalfazh al-Minhaj*, (Mesir:Mustafa al-Babi al-HalabiWaAuladuh 1957) ll:344. Yahya ibn Syaraf an-Nawawi, *al-Majmu'*

Syarh al-Muhazzab (Beirut:Dar al-Fikr ttp) ,Vol. 15, h.16.

²³ A Muhammad asy- Syarbaini Al-Khatib, *Mughnl Al-Muhtaj Lla Ma'rifati Ma'ani Alfazh Al-Minhaj* (Mesir: Mustafa al-Babi al-HalabiWaAuladuh, 1957).

²⁴ As-Sayyid Muhammad Syata ad-Dimyati, *L'annah at-Talibln Syarh Fath Al-Mu'in* (Mesir: Matba'ahMamuniyyah ttp.).

²⁵ Yahya ibn Syaraf An-Nawawi, *Al-Majmu' Syarh Al-Muhazzab* (Beirut: Dar al-Fikr).

go on the pilgrimage, just as *ijarah* is allowed to work other jobs. In fact, *ijarah* that contains goodness is preferable to *ijarah* that does not contain any goodness, God willing. No matter how much money he makes, he is entitled to receive it as he would for any other type of work; there is no distinction between the two.²⁶

According to the *Istinbath* method used by the traditional jurists of the Shafi'i school, it is acceptable to be paid for teaching the Qur'an for the following justifications and arguments;

- a) Narrated by Abu Dawud Kharijah Bin Shami, the Ruqyah Hadith.
- b) History of Bukhari's Hadith According to Abu Nu'man
- c) Hadith Ali Bin Abdullah's Bukhari History
- d) From Sidan Mudharib: Hadith Ruqyah Riwayah Bukhari
- e) Medina Experts' Charities
- f) It does not require intention because it is not worship.

The *ijara* of teaching the Qur'an is legal, according to Imam Malik and Imam Shafi'i, because the work is clear and the pay is clear. The Prophet also once wed a woman with the Qur'an as his dowry. The Qur'an can therefore be used as a replacement item. The Prophet of Allah added, "Teaching the Qur'an is undoubtedly something from which you are most entitled to receive compensation. (Ahadith Saheeh).²⁷

Even in situations where teaching the Qur'an turns into *fardhu 'ain*, according to Imam Malik and Imam Asy-Shafi'i, it is acceptable to accept payment for doing so, whether the pupils are children or adults. This is because of the Ibn Abbas hadith, which is supported by the Prophet's observation that a

man should treat the teachings of the Qur'an as a dowry for his future wife.²⁸

Wahbah az-Zuhaili said, "As for physical worship work whose benefits do not reach other people who are not the perpetrators, such as praying and fasting and the like rather than religious worship, then do not take *al-Ju'lu* (wages) for them. And as for those whose benefits also reach other than the perpetrators, such as calling to prayer, teaching *fiqh*, teaching the Qur'an, becoming *qadhi*, and giving The claim is based on a hadith by Abu Sa'id concerning *ruqyah* with *al-Fatihah*.²⁹

In allowing to receive Wages for teaching the Qur'an, Fuqaha The classics of the Maliki School and the Shafi'i School use *Qa'idah Lughawiyyah Tariqah al-Mutakallimin*. Because they approached the texts with an understanding of the meaning (context). So much so adapted to the conditions and situations surrounding the text (*asbabilwurud*), as well as further circumstances such as the charity of the *madinah* experts which are a reflection of the understanding of texts that existed beforehand, also with pay attention to the situation in the future. This is what causes them argue that taking wages from teaching the Qur'an is allowed

The Thoughts of Abu Hanifa

Al-Imam Abu Hanifah, whose real name is an-Nu'man ibn Thabit (699–767 M/80–150 H), is the main character of the school that developed in Kufah, Iraq. In contrast, two-thirds of the population of Iraq are of Arab descent and follow the *al-Khurdi* adheres to the Shafi'i school of thought tribe, which makes up the other third of the country's population. All Turkistanis and those who are descended from Turks outside of Turkistan, including in

²⁶ Imam Abi 'Abdillah Muhammad bin Idris Asy-Shafi'i, *Al-Umm Juz 2* (Beirut: Darul Kutub Al-'Alamiyah, 2002).

²⁷ Wahbah Al-Zuhaili, *Fiqh Islam Wa Aditullah (Ahli Bahasa Abdul Hayyie Al Kattani, Dkk.)* (Jakarta: Gema Insani Press, 2011).

²⁸ Abu Muhammad i Al-Mishr, *Taisir Al-'Alim Fi Akhdz Al-Ujrah 'Ala Al-Qur'an Wa at-Ta'Lim, (Bolehkah Ustadz Menerima Amplop)* (Jakarta: Pustaka Inner, 2008).

²⁹ Al-Zuhaili.

Afghanistan and Bukhara, adhere to the Hanafi school. Additionally, the majority of Muslims in Pakistan (the minority there are Isma'iliyah and Ja'fariyah school Shias).³⁰

The Hanafi School is known for its frequent use of Qiyas. To sum it up, the Hanafi School establishes law in accordance with the following principles: Qur'an, as-Sunnah, valid Atsar, Companions' Fatwas, Qiyas, Ihtihsan, and Customs or 'Urf of society.

Both Hanafi and Hanbali School scholars forbid receiving compensation for teaching the Qur'an. Hanafi scholars consider studying the Qur'an readings (writings) or reading it to be an act of worship.³¹ Therefore, it is not acceptable to demand payment from someone for teaching their children from the Qur'an. Additionally, it was stated that the Hanafi School essentially views all acts of worship performed by Muslims in exchange for payment as invalid.³²

According to the Hanafiyah movement, it is improper to be paid for work that has religious overtones. Ibn Abidin said that in theory, Muslims are required to perform certain acts of obedience, and receiving payment for those acts is prohibited. Scholars of the Hanafiyah have firmly agreed that it is against the school's principles to profit financially from work that has a religious significance. The Hanafiyah group is of the opinion that it is unlawful to receive wages from work that has religious nuances. Ibn Abidin stated that in principle any act of certain obedience is for Muslims, it is forbidden to take wages for it. Hanafiyah scholars have firmly agreed that the principles of their school do not allow taking wages from work that has religious value.³³

This hadith, which the Hanafiyah group cites, demonstrates that it is forbidden to deduct payment for religious services. Worship must be performed sincerely for the benefit of Allah and must not be tainted by worldly religious practices, such as reading the Qur'an for almsgiving, teaching the Qur'an, or leading the call to prayer. It is strictly forbidden to accept gifts, let alone pay for them.

The *Lughawiyah Qaidah Thariqah al-Ahnaf* is undoubtedly used by the Hanafi School and the Hanbali School. Due to the fact that the Nash Qur'an, which forbids selling Allah's verses for a pittance, and the Hadith, which forbids using the Qur'an to enrich oneself or look for food, as well as threats against those who receive gifts because of the Qur'an, are approached by understanding the language (text) rather than the context or taking *Asbab al-Wurud* into consideration, are approached differently. Rules were created in a way that strengthened their schools of thought. Specifically, receiving a reward for performing any of a Muslim's obligatory deeds is not justified.

The Ubadah Hadith makes it abundantly clear that it is forbidden and haram to adopt the Qur'an teachings as one's own. As stated in the hadith of 'Abdurrahman bin Syibl about finding food with the Qur'an, Rasulullah SAW forbade it. Furthermore, the fundamental tenet of prohibition is denial, and there is no justification that shifts from prohibition to skepticism. Similar to the words of the Prophet Muhammad, "Whoever reads the Qur'an, then ask Allah," the Qur'an forbids begging from people. The hadith of Abu Hurairah, which states that whoever studies religion in order to obtain worldly goods, will not smell the

³⁰ Muhammad al-Khudari Bek, *Tarikh at-Tasyri al-Islami*, (Beirut: Dar al-Fikr, 1995), h. 33, 127-129.

³¹ al-Mabsut As-Sarakhsi, *Hasyiyah Radd Al-Muhtar 'Ala Ad-Durr Ai- Mukhtar* (Mesir: Mustafa at-Babi al-Halabi Wa Auladuh).

³² Abu Bakr Al-Marghiyani, *Al-Hidayah Syarh 'Ala Al-Bidayah, Dicitak Bersama Qadi Zadah, Nata'ij Al-Afkar Fi Kasyf Ar-Rumuz Wa Al-Asrar* (Beirut: Dar al-Fikr, 1966).

³³ Muhammad Al-Khudari Bek, *Tarikh At-Tasyri Al-Islami* (Mesir: Dar al-Fikr, 1995).

fragrance of heaven, supports this hadith. This demonstrates that it is unlawful to receive payment for imparting religious knowledge.³⁴

According to the description given above, it appears that the development of ikhtilaf between the two scholars was caused by differences in their understanding of texts (sunnah) that were communicated to them, in addition to the fact that their knowledge of hadith was not the same and that they held disparate views regarding the justification for the application of law. and various locations. The Ahl al-Ra'yi scholar, Imam Hanafi, always favors al-ra'yu over khabar ahad when establishing laws, whether they are inferred from the Qur'an or hadith. If he comes across a hadith that appears to be in conflict, he uses qiyas and istihsan to ascertain the law. The difference in the development of Islamic thought is due to this factor.

Knowing the two scholars' deviations and the reasons behind them will help us escape taqlid because we will be aware of the arguments they use and how they approach figuring out a problem's law. So that it is possible to develop expertise in fiqh law and further the study of the disputed issues while looking into better and more precise legal systems and methods. If the justifications for the disagreement are not quite accurate, an effort can be made to adjust their proportions. Therefore, if a friend or scholar issues a fatwa based solely on ra'yi because there is no hadith in question.

D. CONCLUSION

Based on the results obtained, the authors conclude that the law of receiving wages for teaching the Qur'an is permissible as long as

there is no harm in it and it becomes a burden for those who provide it. With wages for teaching the Qur'an, of course, it is a form of appreciation and contribution to teaching the Qur'an. Imam Asy-Shafi'i is of the opinion that it is permissible to take a fee to teach the Qur'an, whether the students are children or adults, even in conditions where teaching the Qur'an becomes fardhu 'ain. Meanwhile, the Hanafiyah group is of the opinion that it is unlawful to receive wages from work that has religious nuances. Ibn Abidin stated that, in principle, any act of certain obedience is for Muslims, and it is forbidden to take wages for it. The Hanafiyah scholars have agreed to expressly state that their school's principles do not allow taking wages from work that is worthy of worship, so the authors review the traditions presented and the arguments used in creating this research journal. The authors state that the quality of the hadiths narrated through the Bukhari route from Ibn Abbas is included in the Sahih hadith, so the hadith deserves to be used as proof or argument about being allowed to accede so that with this status, the hadith is basically worthy of being used as an argument in the social life of society at this time and as an argument for the permissibility of receiving wages for Qur'an teachers.

According to the compiler's opinion, that is the opinion of the Classical Fuqaha and the Fuqaha Contemporaries who state the permissibility of the law to receive wages for the service of teaching the Qur'an, more and more very relevant to held. Similarly, the authors chose the Istinbath method The law they apply, because it is more in accordance with the circumstances now.

³⁴ Al-Khatib.

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