

Traditional Impacities in The Frame of Worship: A Study of Fidyah Semyang Ritual in Suka Datang Village, North Curup Sub-District

Laras Shesa, Agus Riyan Oktor, Isnaini

Institut Agama Islam Negeri (IAIN) Curup, Indoneisa

Correspondence: shesalaras@gmail.com

Abstract. The tradition of paying *fidyah* with gold for people who have passed away in Suka Datang Village, Curup Utara District, Rejang Lebong Regency, or what the people there call *Fidyah Semyang*, is the subject of discussion for this study. The purpose of this study is to deeply examine the implementation and mechanisms of the performance of the payment of *fidyah* and to investigate the views of Islamic law on the practice of *fidyah* that applies in society. This research is a type of field research with a qualitative approach using phenomenology, ethnography, and a case study. The data sources in the study are divided into two types: field data as primary and library data as secondary data sources. From the implementation of the tradition of *Fidyah Semyang*, there was some equipment to carry out ritual activities in the form of gold, money, and fragrance. Therefore, from the side of Islamic law, the practice is obligatory if there is a will from the deceased, but if the dead does not make a will, then the law is *sunnah*. If it is viewed from the theory of '*urf*', the tradition of *Fidyah Semyang* is included in the realm of *al-'urf al-fasid* (broken rule). Then, if it is viewed from the practical point of view, the recipients of *fidyah* should also be poor and needy to be replaced by religious scholars who can be said to be adequate.

Keywords: Tradition; Ritual; *Fidyah Semyang*

Introduction

Indonesian society is prosperous with local culture and traditional issues. Culture, as well as local traditions in Indonesian society, provide not only color in state-run repainting but also influential in people's religious beliefs and practices. Islam, as a religion espoused by most Indonesian society, has close ties to the culture or local traditions in the archipelago. The relationship between Islam with local issues is a voluptuousness that never comes to an end. Religion and culture are two

essential societal elements that influence each other. When religious teachings enter a cultured community, there will be an exciting pull between religious interests on the one hand with cultural attractions on the other.

Along with the development of this modern all-time religious and social phenomenon, it turns out that various uniquely felt rituals are still found. This is what happened to the people of Suka Datang District Curup Utara Regency Rejang Lebong, where they still maintain the way they know as "*Fidyah Semyang*," or in the Indonesian language, is known as paying *fidyah* prayers for the deceased, which the members of the abandoned family stage rituals or offerings or prayers with the medium that must exist, such as money, gold as well as frankincense. This ritual is usually performed after the death of a person within seven days, 40 days, or whenever the impropriety is on the part of the family members left behind. However, the best time for the ritual is directly after that person has passed away.

The trend phenomenon of Indonesian Muslim societies shows the proper assumptions of the ritual practices/tradition of Indonesian society's religious and worshipping ways. Discussing worship will never be detached from prayer worship. Prayer in Islam constitutes a mandatory ritual that becomes the main foundation and is included in the language of Islamic law. The Prophet of Shidiqie revealed that worship is to face Allah's heart, to meet the substance that brings fear to grow His greatness and His power in awe-inspiring manners and in a word and deeds that begin with insult and be greeted.¹

Shalat is an obligation for all Muslims who cannot be bided; this corresponds to what has been listed in QS.Al-Baqarah verse 43, as follows:²

"Establish prayer, pay the zakat, and bow down with those who bow."

¹ Hasbi Ash-Shiddieqy, *Pedoman Sholat* (Semarang: Pustaka Rizqi Putra, 2007), 64.

²Muhammad Ferdian, "Al Quran Online Indonesia | Mushaf.Id," accessed June 14, 2022, <https://www.mushaf.id/>.

It has been a duty for all in terms of prayer. Then what if a Muslim does not carry out prayer? It has been known that it is a mandatory prayer for Muslims who have until the time of the *baligh*. Condemning the omission in the blessings of the clergy gives the picture to remain exercised by the one who left it, or in *fikih* terms is in the manner of *qada'*. *Qada'* itself in prayer is often interpreted as working on prayer beyond the time it has been made public.³

The problem is the matter of *qada's* prayers seeped at the point when the person in charge had died; could others replace it? Even in a part of Indonesian Muslim society exists a tradition whereby when his death has been imminent, one has been in check to his heirs to be willing to redeem the prayers that have not been implemented in his lifetime by way of paying *fidyah* (ransom) every prayer he left behind his life. In some literature, the worship associated with the treasures is, therefore, representative of others. As for worship associated with such bodies as prayer, it should not be represented to others during his life based on the word of Allah SWT in QS. Al-Najm verse 39 is as follows:⁴

“And a human being has no other than what he has earned.”

In Islam, it has also been explained all about the homage to the corpse, which is also encapsulated in various rituals. With the variety of ways that some Muslim people in Indonesia run, particularly in *Suka Datang Village*, almost everyone there must have done that tradition if a family member died. To support this research, the author found some writings that could be used as a reference in the author's investigation because of the similarity of themes on different focuses among the study are as follows:

Field research on the tradition of fasting *fidyah* was conducted by Irham in 2011. His research was entitled *Implementation of Fidyah Fasting by Heirs for Families Who Died Reviewed According to Islamic Law (Study in the Headship of Bagan Punak Pesisir, Bangko District, Rokan Hilir Regency, and the legal status of the traditional fidyah of*

³ Rozzy Dirgantara Putra, “Perbedaan Pelaksanaan Qadha Salat Sunah Qabliyah Subuh Menurut Imam Abu Hanifah Dan Imam Asy Syafi’i” (skripsi, UIN Sunan Kalijaga, 2019), 5, <https://digilib.uin-suka.ac.id/id/eprint/37809/>.

⁴ Ferdian, “Al Quran Online Indonesia | Mushaf.Id.”

fasting). That research contrasts with the author's research that discusses the *fidyah* of prayers of people who have died, not the *fidyah* of fasting.⁵

Muslim research in 2004 was entitled *The Tradition of Qada 'Dead Prayer in the Community of Kwasen, Srimartani, Piyungan, Bantul, Yogyakarta (Hadiths Studies)*. Here it was explained that the tradition of *qada* 'prayer could still be found in various areas, one of them in the Kwasen community. The practice had become a tradition that had been cultivated. Meanwhile, according to the Kwasen community, *qada* 'prayer was used as an instrument of the scholars' command that must be carried out, to be careful; the pattern of its implementation was not different from the usual *qada* 'prayer. It was just changed with another intention. Kwasen's understanding of some authentic hadiths that discussed this issue was not far from what was possible. For the Kwasen community, it was not excessive when prayers were performed because the debt to Allah was more entitled to be paid.⁶

Muhammad al-Misri's book, *Four Hundred and Seventeen Mistakes of Prayer (Achieving the Perfection of the Sunnah Prayer of the Prophet)*, explains that performing the prayers of people who have died is allowed based on Islamic arguments. However, other opinions also state that praying for the corpse for a few rak'ahs is not permitted because God does not require it in the Qur'an or Hadith.⁷

Ardiyansyah and Arminsyah wrote a book titled *Law of qada 'obligatory prayers that are left intentionally (Perspective of Imam Al-Nawawi and Ibn Hazm)*. Here it is explained that *qada* 'prayers can be done by people who go it. According to al-Nawawi, in the context of *qada* ', the law for blessings that are left intentionally or unintentionally is the same. This means that it is equally obligatory to perform *qada* 'prayers.

⁵ Irham, "Pelaksanaan Fidyah Puasa Oleh Ahli Waris Untuk Keluarga Yang Meninggal Dunia Ditinjau Menurut Hukum Islam (Studi Di Kepenghuluan Bagan Punak Pesisir Kecamatan Bangko Kabupaten Rokan Hilir)," accessed June 14, 2022, <https://core.ac.uk/reader/300818956>.

⁶ Muslimin, "Tradisi Qada Salat Untuk Mayat Pada Masyarakat Kwasen Srimartani Piyungan Bantul Yogyakarta (Studi Hadis-Hadis Qada Salat Untuk Mayat)" (skripsi, UIN Sunan Kalijaga Yogyakarta, 2004), <https://digilib.uin-suka.ac.id/id/eprint/26201/>.

⁷ Muhammad Mishri, *417 Kesalahan Sholat* (Jakarta: Al-hambra, 2010), h.126.

Meanwhile, according to Ibn Hazm, qada' prayer is not allowed because it is a condemnation of those negligent in worship.⁸

Al-Iqtishadiyah journal of Sharia Economics and Sharia Economic Law volume III, a number I, June 2017, contains research by Akhmad Hulaify, Zakiah, and Syahrani, Lecturers of University of Kalimantan MAB Banjarmasin Indonesia with the title *mechanism of payment of fidyah with gold for people who have died in Gambah Village, Kandang District*. In this study, it is mentioned that the practice, if viewed from a historical point of view, has been going on for generations and has been going on for quite some time. Meanwhile, from the point of view of Islamic law, the practice is allowed, but some problems need to be examined more deeply regarding the change in the form of *fidyah* payment from the state of feeding to gold. This raises the law's ambiguity, which leads to the ambiguity of the legal status of gold used as a substitute.

Nurkholis Sofwan's research in 2018 entitled *Living Hadith: A Study on the Phenomenon of the Tradition of Fidyah Salat and Fasting for People Who Died in Indramayu*" explains that some scholars do not agree on the *fidyah* of prayer and fasting for people who died, and some others agree. The doctrine of *fidyah* is spread to the general public through studies in *pesantren*, mosques, and *mashallah* to become a strong tradition. The people of Indramayu interpret the hadith of *fidyah* of prayer and fasting as *ihthiyat* (caution) against the lack or debt of prayer and fasting of the deceased.

Result and Discussion

Implementation of Fidyah Semyang Ritual in Suka Datang Village Community, North Curup District

The unity of legal principles leads to a new and exciting understanding for more in-depth study, as well as the issue of *fidyah*. In the concept of fiqh, *fidyah* or *fidaa* or *fida`* means if he gives a ransom to

⁸ Sadam Husein, "Hukum Mengqada' Salat Yang Ditinggalkan Dengan Sengaja Menurut Pandangan Ibnu Hazm Dan Imam Nawawi" (skripsi, UIN Sunan Kalijaga, 2016), h.56-58., <https://digilib.uin-suka.ac.id/id/eprint/22278/>.

someone, then that person will save him.⁹ In Suka Datang Village Community, North Curup District Rejang Lebong, a ritual custom was implemented when one of the community members died. The ritual was meant to honor family members who had preceded them and aimed to cleanse or atone for the obligations of the dead while living in the world, namely prayer obligations. Thus this ritual has been named the designation “Fidyah Semyang,” or in the Indonesian language, it was called fidyah prayer or qadha prayer.

In the fiqh books, fidyah is known by the term *Ith'am* which means to feed. As for the prayers of the people of Fiqih, it is something that should be given to the poor in the form of food as a substitute because someone leaves prayer and fasting. About prayer issues, prayer is unofficial worship. Therefore, prayer worship cannot be replaced with any other charity unless a postulate allows it. Based on this, in the opinion of the diligent in the Shafi'i mazhab, prayer cannot be replaced with fidyah, although in the case of the person who died.¹⁰

Discussing the fidyah of prayer, in this case, it has been mentioned in hadith and books of jurisprudence that a person who dies and has a debt of worship should be paid *fidyah* by his family. This was what the people of *Suka Datang* Village held in implementing the tradition of *fidyah* in their environment. Based on the research, there were differences in views regarding this *fidyah semyang* ritual in the community of Suka Datang village. The idea was based on the personal knowledge of the society that is already familiar with the tradition but in different understandings.

Based on the interview results, the community of Suka Datang Village did not all agree with the existence of this prayer fidyah; they considered this ritual like playfulness. Their disapproval of this *fidyah semyang* was not for no reason, for first, Fidyah semyang with the model

⁹ Akhmad Hulaify, Zakiyah Zakiyah, and Syahrani Syahrani, “Mekanisme Pembayaran Fidyah Dengan Emas Untuk Orang Yang Yang Sudah Meninggal Di Desa Gambah Luar Kecamatan Kandangan,” *AL-IQTISHADIAH : Ekonomi Syariah Dan Hukum Ekonomi Syariah* 3, no. 1 (July 1, 2017): h.26., <https://doi.org/10.31602/iqt.v3i1.1005>.

¹⁰ Hulaify, Zakiyah, and Syahrani, “Mekanisme Pembayaran Fidyah Dengan Emas Untuk Orang Yang Yang Sudah Meninggal Di Desa Gambah Luar Kecamatan Kandangan.”

rotated had no strong postulate but merely a local tradition. Second, in practice, not all were invited to follow the rule of the Fidyah semyang were poor, but rather one who was already accustomed to following the ritual. There were even capable societies that participated in the implementation of the Fidyah Semyang tradition. This led to the fidyah that was supposed to be the right of the poor to be less targeted.

As conveyed by M. Orphan, Fidyah Semyang was not taught in the Qur'an. According to the Orphans, he had not yet known the truth that there was or did not have a strong postulate on the grounds of executing the fidyah semyang ritual. He thought that the sin of leaving prayer was a sin that could not be abolished with fidyah. It also conveyed that in this tradition's presence, Fidyah semyang had an ugly impact on the future generation. Since the thought of those who would be prepared when the prayer was not carried out, it might be in the qhada by his heirs later when that person had died, or in other words, one might first prepare some money which he then reminded of his heirs that after he died please present this tradition of Fidyah semyang to make up for the sins of the aftermath of one's life does not exercise prayer. M. Orphans also conveyed that this tradition was tantamount to playing with prayer and religion since all could be struck flat, whether the dead person was formerly diligent in worship or someone who did indeed never worship.

Then according to M. Yatim, in the implementation of this ritual of Fidyah Semyang, using gold as a tool was a must. The gold did not fully belong to the person who would be rewarded for his prayers. Instead, the loan proceeds from the surrounding community, then after the ritual procession is completed, the gold is returned. So, according to him, it was a joke because Yatim's element of fidyah did not exist. Although later, M. Yatim did not wholly reject the tradition of Fidyah Semyang, which had long developed in his community. He still respected the community that implemented the rule.¹¹

Similar to the above opinion, Malinda also considered that the fidyah of prayer did not have a strong proposition as well as the proposition of the fidyah of fasting. Then Malindia added in the

¹¹ M. Yatim (Villager of Suka Datang), Interview, April 07, 2020

implementation of this tradition of Fidyah Semyang, the house's walls were covered with curtains, and photo frames or paintings were all taken down. Then there was also incense that must be present when this tradition would be performed. According to him, this incense summoned the spirits to be prayed for. In other words, before praying, the heart that wanted to be prayed for was called first so that the energy came and heard.¹²

As also conveyed by Bilal of Suka Datang village, Jahidin. In an interview, he explained that implementing fidyah Samyang gives a bad image of worship, which makes people reluctant to worship. Jahidin, who are the Muhammadiyah community, mentioned that there is no strong evidence about the fidyah of this prayer, in contrast to the fidyah of fasting, which does exist in the Al-Quran.¹³

If you look at the interview results above, the implementation of this tradition contained supernatural elements, which was evident from the use of incense when this tradition was performed, which was associated with bringing the spirits. Then from the interview results, not all people accepted the traditiruleyah semyang because things could not make sense to them. According to the Head of the Indigenous Consultative Body (BMA) of Desa Suka Datang, Wansur, prayer was an act of worship that should not be abandoned. Given the importance of prayer, we should be able to cover the lack of prayer with fidyah. He also conveyed that in addition to being a redeemer of prayer debts, the fidyah of this prayer was also understood as alms for the deceased. So the prayer debt of the person who had died had to be paid by his family members. Prayer was a form of worship to God, so the obligation to God was more entitled to be fulfilled.

Wansur further explained that the tradition of Fidyah Semyang had been passed down from the previous ancestors by the people of Suka Datang Village. As for implementing this ritual, Wansur mentioned several tools, such as gold, money, and perfumes must exist. Fragrances here could be in the form of smell or incense. The money prepared was about Rp. 800,000, then gold was usually about 100-300 grams. Then

¹² Malindia (Villager of Suka Datang), Interview, April 07, 2020

¹³ Jahidin (Bilal of Suka Datang), Interview, April 07, 2020

Wansur added that rice should be used as a tool of fidyah. Still, they followed the way of Imam Hanafi Mazhab, that mentioned that it could be exchanged for money for staple food, so they traded the cash for gold, and the acquisition of gold was the result of a loan. Then, after all the equipment was ready, the room had to be empty, which meant that the statues, masks, or pictures and photos had to be taken down. The purpose of lowering the figures, covers, images, and photographs was according to the belief that the angels could come down and witness the ritual without being disturbed by these things.

According to the Head of *Suka Datang* Village, Jamil Ashari, the implementation of the tradition of *fidyah semyang* was like a loose cloth that covered it. In other words, the shortcomings of one's worship during one's life, especially prayer, would be replaced by this *fidyah semyang*. As also conveyed by Lela Wati, the equipment from the implementation of Fidyah Semyang was in the form of money, gold, and perfumes. However, not too much was conveyed by Lela Wati because she said that she did not understand the meaning and purpose of implementing this ritual. Moreover, men only attended this tradition, so it was less known. After all, not everyone could follow the rule.

The tradition began with the family handing over gold and money to the filler (ritual leader). Then the filler started the ritual in the way the gold, the money, and the cloth had wrapped around were swirled as much as the calculations had been set to the worshippers. As the filler said, the ritual of the turnover was: "I will be made to you of property for aborting the obligatory goods of worship to thee." Then the worshipper replied: "I accept; I do charity to thee." It was repeated between the filler and the worshippers as often as the rounds until the round calculation was complete. After that, the money and the cloth sowed were distributed to the worshippers, and the filler took the rest. From the results of the interview as well as the *fidyah semyang* procession, the implementation of the *fidyah semyang* in the community of Suka Desa Datang was more inclined to Hanafi clerics, whereby its *fidyah* payment system was replaced with money or gold for staple food as applicable to the Syafi'i clergy.

Islamic Law's View on the Tradition of Fidyah semyang Ritual of Suka Datang Village Community

Regarding the prayers left by the person who died during his life, there is a provision or opinion of the scholars about the necessity or permission of the heirs of the deceased to perform qadha 'of the prayers left behind, whether with the devotion itself or with fidyah. So, in this case, we can refer to the scholars' testimony about the law of delegating (anniyabah) worship to others.

First: Scholars agree that worship is related to property such as zakat, sadaqah, and kaffarat, so it can be delegated to others, whether the person charged with the worship can do it himself or not, still alive or dead. Because the obligations that apply to him are related to property, they can be delegated to others. For example, if a person must pay zakat maal, but before he pays it, he dies, the obligation remains valid, and it is the heirs who remove it from the property of the deceased.

Second: As for if the worship is related to the body, such as prayer and fasting, then according to the scholars' agreement, it should not be delegated to others during his life, based on the words of Allah SWT:¹⁴

*"And that a man obtains nothing other than what he has earned."
(QS. An Najm: 39).*

And the words of the Prophet SAW:

"Do not put your hand on the wall, and do not put your hand on the wall. It is not permissible for a person to fast for others, and it is not permissible for a person to pray for others." (Narrated by Abd Razzaq and Malik from Ibn Umar).

However, the clerics added that the ban in these hadiths related to exemption from the burden of *Shariat* is not the gift of worship to others. The official opinion of 4 *Mazhab* stipulates state that this provision is general. There must be no shift in the obligation of adoration or prayer from others who are still alive and have died. Only Hanafiyyah circles argue that *Qadha* prayers may be made over *mayites* who before dying were cautious about the blessings he left behind than his heirs paid

¹⁴ Ferdian, "Al Quran Online Indonesia | Mushaf.Id."

kaffarat in the form of 1/2 sho'/2 mud/12 ounces of the staple food over any prayer left behind. However, in principle, the clergy prohibits the practice of representing the obligations of worship both of the living and the deceased, as it foresees the function of the worship itself. The purpose of prayer is to submit to Allah, to feel ashamed of oneself, to obey His law, and to fulfill his heart with remembrance until a servant may feel the presence and supervision of God with his heart and limbs and not neglect Him. And he has sought to wish for his pleasure and bring himself nearer to God, and the practice of representing worship to others and those who are opposed to him. The opinion of this *mayyta* is that of a *Malikiyya* cleric named Ibn Hakam and some who disobey the qaul qadim from the Priest of *Shafi'I*.

Third: As for the matter, for the people of Al Hanafiyyah, Al Malikiyyah, and the Assyrian Shafi'iyyah (the number of scholars), the law remains the same as it lives (its savage should not be represented or *diqadha'* by others). Except for Ibn Abd Al Hakam of Al Malikiyyah, who argued the presumption of someone *qadha'* the prayer the *mate* left behind during his life.¹⁵ Most clerics forbid it because the *qadha'* prayers of the deceased person forego the function of the worship itself. As the explanation of the Astro Syatibi priest in Al Muwafaqat (2/167):

“Indeed, the purpose of worship is to Allah’s submission, to feel ashamed of oneself, to obey His law, and to fulfill his heart with remembrance, until a servant may feel the presence and supervision of God with his heart and limbs not neglect from Him.”

“And always seek to expect his pleasure and bring himself closer to God according to his means. Whereas the Niyabah (representing worship to others) forego this purpose even against him”.

But Al Hanafiyyah argues if the mayite who had an obligation to *qadha'* prayer before death was in the zeal to his guardian or heir to *qadha'* his prayers with *kaffarat*, then it is mandatory for them to carry out the will in the form of 1/2 sho'/2 mud/12 ounces of the staple food over any prayer left behind. The *kaffarat* itself could only be taken from

¹⁵ Sadam Husein, “*Hukum Mengqada' Salat Yang Ditinggalkan Dengan Sengaja Menurut Pandangan Ibnu Hazm Dan Imam Nawawi.*”

the 1/3 treasure it went as the provisions of the will law allowed only a maximum of 1/3 of its property.

The testament was only valid after the supervised died, with the provisions already established with the levels of the will 1/3. The strong-headed opinion also made it clear that the new will prevailed after the preaching died.¹⁶ Therefore the transfer of the property from the supervised to the receiving will occur after the supervised died. But if the mat never keeps an eye on doing so, it falls off the prayer's obligation because of a user (death). Whereas some of the Shafi'ids, the unsympathetic opinion argues that the mayite guardian would have been about to give fidyah over each prayer left as much as one mud/6 ounce of the staple food.¹⁷

Whereas the Al Hanabilah circle distinguishes between fardhu prayer and votive prayer. For the blessing of fardhu, they argued that there was no duty to be a prayer for the benefit of the term of his life. That was not the case after he died. As for the votive prayer, then if he cannot afford it because an udzur breaks, there is no need to be paid by his heir, whereas if at his origin he is capable of doing but has not been done to death, it is confined to his heirs to produce his votive. And it is allowed for other than the guardian to pay his vows with the permission of the rooftop without the consent of the mayytes of his life.

The clerics agreed that whoever left fardhu prayer was obliged to call it. Both prayers were left behind him deliberately, forgetting, not knowing, nor from falling asleep. Women who were menstruating and nymphs had no obligation to pray, even though the time was comprehensive. For, the duty of deciduous prayer was over them. But for the losers, for the faint, mad, and drunk, the scholars' differed in addressing this; among them, the opinions were:

1. Hanafi's madzhab says that the loss caused by an intoxicating object is forbidden. Hence the qadha of prayer is obligatory upon it. And when

¹⁶ Zakiah Daradjat, dkk. *Ilmu Fiqh 3*. Cet. Ke 2, (Proyek Pembinaan Prasarana Dan Sarana Perguruan Tinggi Agama Islam/IAIN di Jakarta, DIREJEN Pembinaan Kelembagaan Agama Islam, Departemen Agama), 1986, h. 186-187

¹⁷ Muslimin, "Tradisi Qada Salat Untuk Mayat Pada Masyarakat Kwasen Srimartani Piyungan Bantul Yogyakarta (Studi Hadis-Hadis Qada Salat Untuk Mayat)."

the unbelievers are lost, they will be devoured of worship in the presence of two conditions. His impression or insane lasted onward to more than five times the time of worship, if only five times the prayer or less, then obligatory qadha' upon it. Arguably, Unconscious during that time of fainting or insaneness at prayer time. If he is aware and has not prayed, then obligatory qadha' is upon him.

2. Maliki Madzhab says that the faint does not abort qadha.¹⁸ So the madman and the fainter shall be obliged to qadha. Meanwhile, for the drunken, when illegitimate goods cause his drunkenness, he shall be obliged to qadha, but if caused by lawful interests, then he shall not be obliged to qadha.
3. Hambali Madzhab says that people who faint and are drunk because of illegitimate objects are obligatory qadha, whereas madmen are not obligatory qadha.
4. Syafi'i's devotions say that the madman is not obliged to qadha when his insane spends all his time praying.¹⁹

Fidyah is to feed the poor instead of someone who leaves the obligation of prayer as one who goes fast. For each prayer, this fidyah payment is as much as one mud (6 ounces). In some postulates, there is indeed only fasting *fidyah*; however, with *illat* prayer, it is equated with fasting, hence the refurbishment or allocation of the *fidyah* of worship for the poor. As for the *faqir*, of course, it is more primary to obtain it because of its more concerning condition than the poor. With this specific mention (mentioning the word 'Poor' in the Qur'an), the *fidyah* division is not for eight groups in the division of zakat. And it is worth noting this is the realm of opinion among the *Syafi'i* madzhab.

From some explanations, the prayer of the prayer is only forbidden to leave prayer, and that when one is given blessing, then one is obliged to have his prayers, so that when one dies and leaves *fardhu* prayer, then it is obliged to be repaid or paid for by his *fidyah*. But in this case, the clerics' differed opinions; some accepted the presence of *qadha'* or *fidyah*, while others refused.

¹⁸ Ash-Shiddieqy, *Pedoman Sholat*, h.69.

¹⁹ Muhammad Jawad M, *Fiqih Lima Madzhab* (Jakarta: Basrie Press, 1991), 172.

“Indeed Abdullah bin Umar r.a. commanded the woman whose mother had once been shaking prayers in Quba”, and then the mother died before she had time to do so. Ibn Umar said to the woman: Do prayers for your mother.

It is mentioned that: Ibn Burhan quotes from *qaul qadim* that it is indeed obligatory for the guardian/parent if the dead leave the (inheritance) to be done in exchange for his (*qadha'* of the abandoned prayer), as in the fasting. The salute left by *mayite* can be replaced by paying for a meal of 1 mud (6 ounces) for each of its prayers (Syaikh Abu Bakar Syatha, *I'anatu al-Thalibin*, Juz I, Page 24)

This opinion is also reinforced by the clerics' Shafi'iyah, as mentioned by *al-Ibadiy* of Asy-Syafi'i: “Indeed the prayer must be *qodho'* by others, whether the dead are in perceived for this or not.” It is because there are hadiths that explain it. Even the priest as-Subki does *qadha'* prayer left *mayite* from some of his relatives.²⁰

It will be made to the *mayytes*, or it will be explained in the Book of *Nihayatuz Zain* that the Prophet used to do prayers of the sunnah whose rewards were bestowed on the *mayite*. Including one of the two-private sunnah prayers on the first night to entertain *mayites* in the grave.

In a citation, it is explained that Imam Ahmad and *Jumhur Ulama'* stated that the reward of worship awarded to *mayites* would come to him. It was confirmed by the explanation of some of Abu Hanifah's companions in Muhammad ibn Yahya Al-Kahhal's history that Abi Abdillah was once asked about until the reward of prayer and prayers was presented to his mother or father. Then Abi Abdillah said that they would come to them. According to Imam Abu Hanifah, *fidyah* is paid for one mud of rice as a ransom for one prayer he left. According to the school of Sunnah *waljamaah*, he can reward his deeds and blessings to others (*corpses*), and the reward can come.

Therefore, when a person has died and still has the responsibility of praying, according to the Syafi'i school, his guardian is allowed to recite

²⁰Syekh Zainudin Al-Malibari, *Fathul Mu'in*, trans. Aliy As'ad (Kudus: Menara, 2010), 12.

the prayers left behind. Meanwhile, according to Imam Abu Hanifah, his fidyah only needs to be paid by his heirs. However, many Ulama 'reject the existence of qadha' and fidyah prayers for people who have died because prayer is bodily worship that cannot be delegated to anyone except himself who performs it.²¹

The excerpt explains that the most famous explanation of the rejection of opinion until the reward of worship representatives to the dead is from the Syafi'i and Maliki schools. All Ulamas agree that representing people in terms of fasting and prayers from living people is not valid at all; either the person designated can perform worship or not. The four Madhhabs say it is not proper to replace the dead as it is to replace the living. As has been explained in several books of jurisprudence that people who die and still bear the prayers, then it is not necessary to qadha or pay fidyah; as one of the quotations:

"Whoever dies and still leaves the obligatory prayers, it is not obligatory to qadha 'or pay fidyah."

Abdul Aziz Syarbani argues that if a person (corpse) is prayed either in remembrance or the like with a sincere intention to God, then the reward for those who read it and those addressed in the prayer will arrive. Similarly, the ability to recite the blessings of the deceased is based on the opinion of Imam Syibromalisi, Al-Ibadi, Ishaq, Atha, Ibn Asyirin, Ibn Daqiqi Al-Id, and Tajuddin As-Syubky. On the other hand, Syafi'I Mazhab argues, "People who die who still have qodho prayers have no order or instruction to qodho or pay fidyah prayers of that person." However, we need to know that many scholars believe that it is perfect for making the fidyah of the prayers of the deceased, including Imam Al-Qolyuby, Imam Nawawi, Imam Albughowy, Imam Ar-Rofi'i, and Imam Algoffal, explained "feeding one mud (675 gr) from each obligatory prayer left."

Imam Abu Hanifah only allows the payment of fidyah for the prayers of the deceased on the condition:

1. There is a will to make fidyah from the person who died
2. Staple food can also be with money for 1/2 sha '(1.9 kg).

²¹Ahmad Zainuri, *Asy-Syifa'* (Kalikondang: Darul Al-Thaba'ah, 2013), 3.

3. A day and night are counted six times the obligatory prayers.
4. It is not permissible to rotate alms (faqir A gives alms to faqir B and faqir B returns to give alms to faqir A and so on).

Considering:

1. The deity of prayer is the second Islamic sphere after worship and is the charity of worship that will be firstly reckoned (recounted) by God SWT in the afterlife. Muslims should, therefore, always pay attention to the implementation of prayer and not abandon it.
2. That is true because one and another are among the less perfect Muslims in the course of prayer that when they are still in debt of prayer that when they die, they have an obligation of worship that they leave behind while they are still alive.
3. The adherent that some Muslims suspect (assuming) even believe is that the debt of prayer left behind by the dead may be paid by giving *fidyah* to the poor fakir. Meanwhile, others reject the understanding and even judge it as a sinful deed.
4. Affirmatively, to straighten out the understanding of some Muslims and avoid disputes resulting in weak Islamiyah ukhuwah, the MUI of DKI Jakarta Province viewed the need to issue Fatwa on the Fidyah Shalat immediately.

The advice and opinions of the clerics of the participants of the Fatwa Commission of the Indonesian Ulama Assembly (MUI) of DKI Jakarta Province on 25 p.m. discuss *Fidyah Shalat*. By putting his trust in God SWT and pleading with His ridhas to ratify as follows:

1. Inherently, every human being will receive a reward (of knowledge or torment) according to his deeds while still living in the world's realm. They will not be rewarded for what others do.
2. And every soul will be rewarded with its deeds, and the faithful will require those who believe in helping their fellow believers and praying for it so that God will accept their deeds and their sins will be forgiven. As the Messenger of the SAW exempted was the heir narrated of the Bukhari Priest of Abu Hurairah's Companions RA;

“The obligation of the Islamic over the other Islamic there are five;

answering greetings, looking at the sick, accompanying the corpse (to the grave), fulfilling invitations, and praying for the sneezing.” Likewise, the hadith narrated by Imam Abu Daud of Uthman ibn Affan RA’s companion; “Apostle SAW if finished burying his corpse standing on his grave and worshipping; ‘Pray forgiveness for this brother and ask him for faith’s disputation because he is now being asked (by Angels of Munkar and Nakir).”

And the word of Allah SWT in the letter of al-Hasyr verse 10:

“And those who came after them (Muhammad and Anshor), they said: “Our Lord, forgive our brethren who have believed before us and us, and do not let our hearts malice against those who believe; Our Lord, You are Most Compassionate, Most Merciful.” Al-Hasyr (59): 10²²

Based on the verse of the Qur'an and the Hadith above, the clerics have agreed that prayer and good deeds reserved for the mayite will come to a point and benefit him. Even Shaykh al-Islam Ibn Taimiyah fortified as follows: “Whoever said that prayer or good deeds reserved for mayites, the reward did not come to him and then they were among the heresies.”

1. The Islamic religion also advises the mayite family to do shaleh and sadaqah on behalf of mayites, qadha’ the Hajj worship which has been compulsory over mayites but while life has not been implemented and so on. All the rewards of the charity of the shalih reserved for the mayite will come to and be of benefit to him. It is based on the sahih hadith that Imam Ahmad bin Hambal of ‘Father RA:

“From ‘Father RA that a man was saying to the Apostle SAW: ‘Indeed my mother has died suddenly. I’m sure if he had the chance to speak would have been sadaqah. Would he have rewarded if I had recitation in his name?’ The Messenger of the SAW replied: “Yes.”

2. The scholars differed on the need or not for qadha’ or paid fidyah in exchange for prayer left by someone who had died. This dissent is due to the absence of a single nash of the Qur’an or Hadith who sharply (clearly) illuminates the issue. The one described in the Qur’an is a

²² Ferdian, “Al Quran Online Indonesia | Mushaf.Id.”

fasting fidyah for people who cannot afford to carry it out because of the chronic parents of rent or pain, as mentioned in al-Baqarah ayah 184

According to the Jumhur of the Ulama, including Shalat Zainuddin al-Malibari, the author of the book of Fathul Mu'in, if anyone dead has the debt of Shalat Fardlu, then there is no need to be retaliated' or pay his fidyah. Meanwhile, scholars such as as-Subki and Ibn Burhan argued that if anyone who died had the debt of Fardlu prayer, then it would be paid his fidyah if the mayite left the property (tirkah). They say if anyone is dead, that he may be born to the poor, and that he may be requisitioned by the poor, and that he may be requisitioned from the goods of the people of the poor; and that is the relic of the unbelievers, or from the wealth of his family. This caption can be read in the book of I'anatut Thalibin as follows;

"Whoever died and still had the prayer debt, then need not be qadla' or paid his fidyah. In part, the opinion of the priests of a mujtahid is that the prayer should be qadla'. It is based on hadith narrated by Imam al-Bukhari and others. Some of our scholars (Syafi'i madzhab) chose this opinion; even Imam as-Subki practiced it instead of prayer left by one of his relatives".

About dissent among the fiqh clerics above, the MUI Fatwa Commission of DKI Jakarta chose the opinion of the clergy, who stated that prayers might have been left mayite. At the same time, still alive could be in-qadla' or replaced by fidyah pay. So, that does not mean the surviving may go prayer to be replaced by paying fidyah or supervising his family to be put to an after death; even then, the blessings he left behind were qadla' or paid fidyah.

In the implementation of the ritual of *fidyah semyang* in the community of Suka Datang Village, Curup Utara District, which has been done from generation to generation and passed down to the next generation, it refers to the consensus of scholars, which we know that the source of Islamic law other than the Qur'an and Sunnah, there is called Ijma'. So that when a problem is not found in the Qur'an or Sunnah, it can refer to as Ijma'. By what is carried out by the community of Desa *Suka Datang* in the implementation of *fidyah semyang*, which can replace the

prayers left during his life by way of *qadha*, which is then paid by way of *fidyah*.

In the tradition of *Fidyah Semyang*, if the Suka Datang Village community refers to the consensus of Imam Hanafi, then it can be replaced by the *fidyah* of prayer for the deceased when the deceased is bequeathed to his heirs because it is obligatory if the dead is made a will. If the contradiction of 'urf with *nash* of a special nature causes the law in *nash* to fail, there is not acceptable. By the Tradition of *Fidyah Semyang* di Suka Datang, the fact of the theory of 'Urf is contrary to the teachings of Islam because the *nash* or proposition that in detail mentions the *fidyah* of prayer for the deceased does not exist. Then it is seen from the theory of 'Urf where the tradition of *Fidyah Semyang* is included in Al-'urf al-faced (The broken), which is a habit that is contrary to the arguments of *syara'* and the basic rules that exist in *syara'*, which mentions that the tradition of *Fidyah semyang* should be done if there is a will from the deceased, but what happens in the field is that most of the dead have no will for it. Implementing this ritual in the Suka Datang Village community is only the wish of the heirs, not because there is a will from the deceased. As well as in the practice of *fidyah semyang*, this is twisted in a way in the official views of the scholars of the four sects that there is no guidance.

Conclusion

The community implemented the *Fidyah Semyang* tradition of the community of the North Curup Subdistrict Suka Datang Village to cover the shortage or debt of prayer of its deceased family members. The execution of the tradition was carried out after the dead were buried or a few days after the death of the person, but even better implemented when the deceased had not been buried. The equipment that must exist when carrying out this tradition of *Fidyah Semyang* were gold, money, and fragrance. Gold here was not a little, but rather heavy-hundreds of grams of gold, then a minimum of cash was worth Rp. 800,000. Once all the equipment was ready, *Fidyah Semyang's* procession would be started by a leader called *Wasi* and some of his *Jamaah* members. All the fixtures of the gold and the money would be wrapped in cloth and swiveled as much as predetermined by the age of the *mayite*. Once all processions are completed, the money would be shared with the members of *Jamaah*,

whereas Wasi would take the rest.

The Fidyah Semyang law runs on the community of Suka Desa Datang when it is seen from its legal side that the legal standing is obliged to carry out the fidyah when the mayite leaves the property. If the mayyt goes no property, then the statutory of his law is for the sake of the heir, and the other, who is close to the mayytes. Then it is seen from the theory of 'Urf where this tradition of Fidyah Semyang belongs to the Al-'urf al-fasid (the one that is broken). Since most of the public carried out the tradition not because of the will of the mayite, it was only the desire of the mayite's family or heirs alone.

Later in the order of practice and mechanism of fidyah, this needs to be observed even deeper. This is because the criteria of acceptance of the fidyah should be the fakir and poor, but what happens were the clerical abundances that, when viewed from the economic side, should be considered sufficient.

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