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## **Laws of Work that Intersects with Non-Muslim Religious Rituals**

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### **Abstract**

This research aims to find out the laws that work in a place that intersects with other religious worship, whether the wages are halal or not halal. This study is a qualitative study with a descriptive analytical method. The results of the study show that the work is technical and does not necessarily show an attitude of glorifying non-Muslims in the context of their worship. In addition, aspects of usefulness and economic needs are also considered, as long as there are no elements that directly conflict with the principles of sharia.

**Keywords:** Laws of work, Intersects non-Muslim, religious rituals

### **Introduction**

The law of wages from the work of someone who works in the TV and large screen rental sector, often gets work installing, and playing videos (video jockeys) at church events, of course it contains videos that deify the Prophet Jesus, even though the person does not believe in what they believe, this still makes the heart hesitate. It should be noted that scholars have different opinions regarding the question as conveyed (Perngmark et al., 2023). However, before discussing further regarding the differences of opinion, the author would like to explain first that the contract that occurs in this practice is an ijarah or rental contract. Ijarah is one of the contracts in fiqh and its law is permissible and valid, as long as the conditions and pillars in it are met (Altinyelken, 2022). Simply put, ijarah can be interpreted as a contract to rent the services of someone or rent property for a predetermined period and price (Selby, 2020). The definition according to fiqh is a contract for a benefit that is desired, known, can be given, and its use is legalized according to sharia, with clear compensation. (Zakaria al-Anshari, Asnal MATHALIB FI SYARHI RAUDHIT THALIB, [Beirut, Darul Kutub Ilmiah: n.d.], volume II, page 403).

### **Literature Review**

This study investigates how intersections of sociocultural identities, such as gender, socioeconomic status, and religion, influence sleep opportunity and ability among employed

Israelis aged 40-60. Through semi-structured interviews, it reveals that these intersections lead to diverse experiences and management of sleep, emphasizing the need for tailored interventions that consider sociocultural contexts. (Zarhin, 2023)

The paper presents a case study of a Muslim palliative care nurse who faced ethical dilemmas when a cancer patient requested expanded terminal sedation, which he initially refused due to his belief that the patient was not terminally ill and concerns about violating his religious principles. The nurse experienced frustration and uncertainty, highlighting the need for careful examination of cases involving expanded terminal sedation, as well as the importance of providing healthcare providers with adequate support and preparation to address their moral and religious concerns. (Othman & AlOsta, 2024)

This paper examines the connection between food and eating in Islam and Christianity, highlighting how these religions encourage ecologically responsible consumption that benefits both individuals and society. It argues that traditional religious frameworks can offer modern solutions to contemporary societal challenges, emphasizing the relevance of these faiths in promoting safe and socially conscious living today. (Dorairajoo, 2024)

## **Research Method**

This research uses a qualitative approach with a descriptive analysis method. The data needed are data in the form of descriptive data and sourced from books, journals and articles that present cases as an example. Departing from the case studies that have been described by several media and written works, the researcher then conducted an in-depth descriptive analysis.

## **Result and Discussion**

In this case, the person who works providing video installation and playback services is called al-ajir. While the party renting the services (the church or event organizer) is called al-musta'jir (sannam Khan et al., 2019). As for the goods or equipment used in the work (Saad Najam et al., 2019)v, such as TV, large screen, audiovisual system, and others are called al-ma'qud 'alaih, which is the object in the rental agreement (ijarah). However, the ijarah agreement is divided into two parts. There is an ijarah that is permitted or also called ijarah jaizah and its law is valid, namely an ijarah agreement whose all conditions and pillars are met. There is also a defective ijarah or ijarah al-asidah, namely an ijarah agreement that does not meet the conditions and provisions, and its law is not permitted.(Dieste, 2022)

As for the pillars of ijarah, there are four, as written by Sheikh Musthafa al-Khin, Sheikh Musthafa al-Bugha, Sheikh Ali as-Syarbaji, namely: two parties to the agreement; shighat (pronunciation/greeting of the contract); benefit; and wages. (Al-Fiqhul Manhaji 'ala Mazhabil Imam As-Syafi'i, [Damascus, Darul Qalam: 1992], volume VI, page 139). Each of the pillars of ijarah above has its own requirements. For example, the benefits contained in an ijarah contract, one of the conditions must be benefits that are legally permitted. This means that these

benefits do not conflict with the principles of Islamic law and do not contain any prohibited elements (Asadullah et al., 2021). Therefore, it is not legal and it is not permissible to rent something for immoral purposes. This opinion as recorded by Sheikh Wahbah Az-Zuhaili, in his book says: (Bibi et al., 2022)

أَنَّ تَكُونَ الْمَنْفَعَةُ الْمَعْقُودُ عَلَيْهَا مُبَاحَةً شَرْعًا: كَاسْتِئْجَارِ كِتَابٍ لِلنَّظَرِ وَالْقِرَاءَةِ فِيهِ وَالنَّقْلِ مِنْهُ. لَا يَجُوزُ  
الِاسْتِئْجَارُ عَلَى الْمَعَاصِي

This means, “The benefit that is the object of the contract must be permissible according to sharia, such as renting a book to read, study, and copy its contents. It is not permissible to rent something for the purpose of sin.” (Al-Fiqhul Islami wa Adillatuh, [Damascus, Darul Fikr: nd], volume V, page 468). So, what if someone works in a church or in non-Muslim places of worship, such as installing and playing videos at church events, as has been determined? What is the ruling?

The opinion of the Shafi'i school, the first opinion says that it is not permissible, because building a church is considered a forbidden act, so if the work is still carried out, then the wages are not entitled to be received (Spahic, 2021). Meanwhile, according to the second opinion, the contract is valid and the wages are entitled to be received, because the church that is built in this case is only considered a residential building, as if someone hired workers to build an ordinary house (Burdah, 2018). Therefore, the ruling is permissible, including a valid ijarah, and the wages obtained are also entitled to be received. (Hartmann, 2008)

فَلَوْ اسْتَأْجَرَ مُسْلِمًا لِبِنَاءِ كَنِيسَةٍ، فِيهِ وَجْهَانِ: أَحَدُهُمَا: لَا يَجُوزُ لِأَنَّهُ حَرَامٌ، وَإِذَا عَمِلَ لَا يَسْتَحِقُّ  
الْأَجْرَةَ. وَالثَّانِي: يَصِحُّ، وَيَسْتَحِقُّ الْأَجْرَةَ؛ لِأَنَّ الْكَنِيسَةَ مَا هِيَ إِلَّا بِنَاءٌ يَسْكُنُونَهُ كَمَا لَوْ اسْتَأْجَرَهُ لِبِنَاءِ  
دَارٍ

This means, “If someone (a non-Muslim) hires a Muslim to build a church, then there are two opinions. The first opinion says that it is not permissible, because it is forbidden. If the work is still done, then he is not entitled to wages. The second opinion says that the right is valid, and he is entitled to wages, because the church is nothing more than a building where they live, just as if someone hired him to build a house.” (At-Tahdzib fi Fiqhil Imam As-Syafi'i, [Beirut, Darul Kutub Ilmiah: tt], volume VII, page 536). Based on the two opinions above, if correlated with the question of renting video installation and playback services at church events, then the law also has two points of view.

The first is not permissible, because it is considered a form of contribution to something that is contrary to Islamic teachings, and the wages are invalid. However, if you follow the second opinion, the law is permissible (Haque, 2013). Apart from the two opinions from the Syafi'iyah school of thought above, there are also two opinions in the Hanafi school of thought, as noted by Sheikh Zainuddin Ibnu Nujaim, one of the most famous scholars in the Hanafi school (Siraj et al., 2022). Opinion of the Hanafi School: The first opinion is that the law is permissible and not makruh. However, in the book Ad-Dakhirah as quoted by Ibnu Nujaim, when a Christian enters a bath, the servants in that place may serve him if there is no element to glorify them. Meanwhile, according to the second opinion, it is makruh to serve him if the aim is to glorify him. In one of his books it is stated:

وَلَوْ أَجَرَ الْمُسْلِمُ نَفْسَهُ لِيَعْمَلَ فِي الْكَنِيسَةِ فَلَا بَأْسَ بِهِ. وَفِي الذَّخِيرَةِ إِذَا دَخَلَ يَهُودِيَّ الْحَمَّامِ هَلْ يُبَاحُ لِلْخَادِمِ الْمُسْلِمِ أَنْ يَخْدُمَهُ قَالَ إِنْ خَدَمَهُ طَمَعًا فِي قُلُوسِهِ فَلَا بَأْسَ بِهِ وَإِنْ خَدَمَهُ تَعْظِيمًا لَهُ يُنْظَرُ إِنْ فَعَلَ ذَلِكَ لِيَمِيلَ قَلْبُهُ إِلَى الْإِسْلَامِ فَلَا بَأْسَ بِهِ وَإِنْ فَعَلَهُ تَعْظِيمًا لَهُ كُرْهٌ ذَلِكَ

This means, "If a Muslim hires himself out to a dhimmi (non-Muslim who lives under the protection of Islam) to work in a church, then the law is permissible. In the book of ad-Dakhirah it is stated: If a Jew enters a bath, is it permissible for a Muslim servant to serve him? (Imam Al-Qarafi, author of the book ad-Dakhirah) said: 'If he serves him because he hopes for his reward, then there is nothing wrong with it. However, if he serves him in order to glorify him, then it is necessary to see: If he does it with the aim of attracting him to Islam, then there is no problem. But if he does it purely because he glorifies it, then it is makruh.'" (Al-Bahrur Raiq Syarh Kanzid Daqaiq, [Beirut, Darul Ma'rifah: tt], volume VIII, page 231). The same opinion was also conveyed by Imam Ibnu Abidin, also one of the most famous scholars in the Hanafi school of thought. In his book he explains that working in a non-Muslim place of worship, or working to repair a place of worship, is permissible, because simply working is not considered a sin.

وَلَوْ أَجَرَ نَفْسَهُ لِيَعْمَلَ فِي الْكَنِيسَةِ وَيُعَمِّرَهَا لَا بَأْسَ بِهِ لِأَنَّهُ لَا مَعْصِيَةَ فِي عَيْنِ الْعَمَلِ

This means, "If someone hires himself to work in a church and repair it, then there is nothing wrong with it, because there is no sin in the work itself." (Raddul Muhtar 'alad Durri Mukhtar Syarh Tanwiril Abshar, [Beirut, Darul Kutub Ilmiah: nd], volume XXVI, page 481). It is interesting to review further that Imam Ibn Abidin and the majority of scholars of the Hanafiyah school of thought allow the work without it being disliked, and even consider there to be no sin in the work itself. He views that a job or transaction is not immediately considered sinful just because it is possible to be used for something that is prohibited by the Shari'a. What determines whether something is sinful or not is not the work itself, but how the person who hired him uses the results of the work.

For example, a Muslim works as a builder who builds or renovates a church. In Ibn Abidin's view, all he does is arrange stones, mix cement, and erect the building. Of course this does not include acts of worship or support for a particular belief, but rather ordinary technical work. If the building is then used for worship by others, then that is their choice and responsibility, not the worker. From the explanation above, in the author's opinion, referring to the opinion of Imam Abu Abdillah Al-Baghawi that the law of installing and playing videos in church events has different opinions. (Oka et al., 2017)

The first opinion states that this work is not allowed because it is considered a form of contribution to something that is contrary to Islamic teachings, or a forbidden act, so that the wages received are not valid. The second opinion says it is permissible, because this kind of work is only a general installation technique, and the wages received are also permissible. Meanwhile, referring to the opinions of Sheikh Zainuddin Ibn Nujaim and Ibn Abidin, the law of this work is permissible and not makruh as long as it is not intended to glorify non-Muslims, such as so that they are interested in Islam, or because it is intended to get wages from them. However, if the aim is to glorify them, then the law is makruh. (Selby, 2020)

## Conclusion

Based on the explanation above, the author suggests following the opinion that allows from several opinions that have been mentioned, because the work is technical and does not necessarily show an attitude of glorifying non-Muslims in the context of their worship. In addition, aspects of usefulness and economic needs are also considered, as long as there are no elements that directly conflict with the principles of sharia. Thus, following the opinion that allows can be a more flexible choice and remains within the corridor that is justified in Islam.

## References

- Altinyelken, H. K. (2022). Muslim Youth Negotiating Boundary Maintenance between the Sexes: A Qualitative Exploration. *Journal of Muslim Mental Health*, 16(2). <https://doi.org/10.3998/jmmh.534>
- Asadullah, B. S., Hussain, T., & Akhlaq, U. (2021). Religious and Political Reforms and Reconstruction of Mujaddid Alf e Thani in Muslim of sub-continent. *Al-Aijaz Research Journal of Islamic Studies & Humanities*, 5(3). [https://doi.org/10.53575/arjish.v5.3\(21\)e4.40-46](https://doi.org/10.53575/arjish.v5.3(21)e4.40-46)
- Bibi, B., Akbar, J., & Muhaimin, D. A. (2022). غیر مسلموں کے جنازے میں شرکت اور تعزیت سے متعلق شرعی حکم. *Al-Duhaa*, 3(01). <https://doi.org/10.51665/al-duhaa.003.01.0153>
- Burdah, I. (2018). Indonesian muslim students' view of buddhists and Buddhism after Silaturahmi (visiting buddhists). *Studies in Interreligious Dialogue*, 28(2). <https://doi.org/10.2143/SID.28.2.3285640>
- Dieste, J. L. M. (2022). The Jewish Djinn in Northern Morocco. Old and New Neighborhoods. *Siberian Historical Research*, 3. <https://doi.org/10.17223/2312461X/37/2>
- Dorairajoo, S. (2024). Faith is Good to Eat: Islam, Christianity, and Eating for a Great Present and Better Future. *Journal of Religion and Health*, 63(5), 3374–3392. <https://doi.org/10.1007/s10943-024-02128-y>
- Haque, Z. (2013). Muslims Cultural and Religious Practices as a Minority Group in Nepal. *Proceedings of Economics Development and Research*, 64(9).
- Hartmann, N. (2008). Encyclopaedia of the Qur'an. *American Journal of Islam and Society*, 25(3). <https://doi.org/10.35632/ajis.v25i3.1453>
- Oka, T., Hussin, N. A. M., & Hagström, A. S. (2017). The diversity of indigenous wisdom on grief: Exploring social work approaches to bereavement. *The IAFOR International Conference on the Social Sciences*, November.
- Othman, E. H., & AlOsta, M. R. (2024). A case study of Muslims' perspectives of expanded terminal sedation: addressing the elephant in the room. *BMC Medical Ethics*, 25(1), 136. <https://doi.org/10.1186/s12910-024-01110-3>
- Perngmark, P., Sahawiriyasin, O., & Holroyd, E. (2023). Experiences of Thai-Muslim patients regarding inconsistent antiretroviral therapy adherence: An exploratory descriptive qualitative study. *Belitung Nursing Journal*, 9(3). <https://doi.org/10.33546/bnj.2426>
- Saad Najam, K., Sannam Khan, R., Waheed, A., & Hassan, R. (2019). Impact of Islamic

- practices on the mental health of Muslims Introduction and Background. *International Dental & Medical Journal of Advanced Research* •, 5(July).
- sannam Khan, R., Hassan, R., Saad Najam, K., Sannam Khan, R., & Waheed, A. (2019). Impact of Islamic Practices on the Mental Health of Muslims. *Article in International Dental & Medical Journal of Advanced Research*, 5.
- Selby, J. A. (2020). Lemons, Katherine. Divorcing Traditions: Islamic Marriage Law and the Making of Indian Secularism. *Anthropologica*, 62(2). <https://doi.org/10.3138/anth-2020-0020.br10>
- Siraj, A., Shaikh, F. A., Shukla, V. K., Nanda, I., & Punhani, R. (2022). Impact of mobile applications and Internet of Things (IoT) in halal tourism. In *Tourist Behavior: Past, Present, and Future*. <https://doi.org/10.1201/9781003282082-11>
- Spahic, O. (2021). Vincent le Blanc as the Second Non-Muslim in Makkah and Madinah. *Journal of Islamic Thought and Civilization*, 11(2). <https://doi.org/10.32350/jitc.112.15>
- Zarhin, D. (2023). The pull into wakefulness: How sociocultural categories intersect to shape sleep opportunity and sleep ability in Israel. *Sleep Health*, 9(6), 852–859. <https://doi.org/10.1016/j.sleh.2023.08.003>