317206 - If he cooked one third of the udhiyah and invited his relatives, does that mean that he does not have to give any of it as gifts?

the question

I heard that the Sunnah is to divide the udhiyah into three, one third to be given in charity, one third to be given as gifts, and one third for oneself. So if I cook one third of the udhiyah and invite my relatives to a meal, will this count as giving it as a gift? Or does giving a gift mean I have to hand it the meat over to them uncooked?

Detailed answer

Praise be to Allah.

A number of jurists regarded it as preferable to divide the udhiyah into three, then eat one third, give one third as gifts and give one third as charity to the poor, because of the report narrated from Ibn Mas`ud and Ibn `Umar.

Ibn Qudamah (may Allah have mercy on him) said in *Al-Mughni* (9/488): What is preferable is for the individual to eat one third of his udhiyah, give one third as gifts and give one third as charity, but if he eats more, that is permissible.

Ahmad said: We follow the hadith of `Abdullah: he may eat one third himself, feed whomever he wants with one third, and give one third in charity to the needy.

`Alqamah said: `Abdullah sent his sacrificial animal with me [during Hajj], and instructed me to eat one third, send one third to the family of his brother `Utbah, and give one third in charity.

It was narrated that Ibn `Umar said: [When you offer] udhiyah and hadiy (sacrifice during Hajj), one third is for you, one third is for your family, and one third is for the needy.

This is the view of Is-haq and is one of the two views of ash-Shafa`i. According to his other view, he said: He should divide it into two halves, and eat one half and give one half in charity, because Allah, may He be Exalted, says (interpretation of the meaning): {then eat thereof and feed the wretched poor} [al-Hajj 22:28].

As-hab ar-ra'y said: The more he gives in charity the better, because the Prophet (blessings and peace of Allah be upon him) sacrificed one hundred camels [during Hajj], and issued instructions that one piece be taken from each camel and put in a pot, then he and `Ali ate the meat and drank the broth. And he sacrificed five or six camels, and said: "Whoever wishes, let him cut off a piece," and he did not eat any of their meat at all. And we have another report from Ibn `Abbas which describes the udhiyah of the Prophet (blessings and peace of Allah be upon him). He said: He would feed one third to his family members, feed one third to his poor neighbours, and give one third in charity to beggars. Narrated by al-Hafiz Abu Musa al-Asbahani in *Al-Waza'if*; he said: it is an authentic (hasan) hadith.

And because these are the words of Ibn Mas`ud and Ibn `Umar, and we do not know of anyone among the Sahabah who had a different view, it is a matter of consensus. Moreover, Allah, may He be Exalted, says: {eat thereof and feed [the poor] who do not ask, as well as those who do} [al-Hajj 22:36].

The poor person who does not ask is the one who shows up so that you will feed him, but he does not actually ask. Three categories of recipients are mentioned, therefore the meat is divided between them in thirds.

Regarding the verse which was quoted as evidence by the companions of ash-Shafa`i, Allah – may He be Exalted – did not explain how much of it he should eat and how much he should give in charity, but He refers to it in this verse, and it was explained by the Prophet (blessings and peace of Allah be upon him) in his actions, by Ibn `Umar in his words and by Ibn Mas`ud in his instructions.

Regarding the view of as-hab ar-ra'y, it has to do with the meat of sacrificial animals [in Hajj], and

the meat of the Hajj sacrificial animals is too much, and it is not possible for an individual to divide it and take one third, so he should give all of it in charity.

This matter is flexible, so if someone gives all or most of it in charity, that is permissible, and if he eats all of it except for an uqiyah that he gives in charity, that is permissible. End quote.

Shaykh Ibn `Uthaymin (may Allah have mercy on him) said: Regarding the words “let him eat, give gifts and give charity in thirds,” this is the view favoured by the companions of Imam Ahmad (may Allah have mercy on them), and this is what was narrated from the early generations (the salaf, may Allah have mercy on them).

And it was said: rather he should eat and give in charity in halves, because Allah, may He be Exalted, says: {then eat thereof and feed the wretched poor} [al-Hajj 22:28] and {eat thereof and feed [the poor] who do not ask, as well as those who do} [al-Hajj 22:36]. And Allah, may He be Exalted, did not mention giving gifts, because giving gifts is for the purpose of creating love between people, and that can be achieved by giving them some of the sacrificial meat or by giving other things.

This view is closest to the apparent meaning of the Qur’an and Sunnah, but nevertheless, if people have the custom of exchanging gifts of sacrificial meat, this is something that is preferable, because it is included in the general meaning of the command to do that which will create love and friendship among people. Undoubtedly, if you give some of the sacrificial meat during the days of sacrifice to a rich person, he will appreciate it more than if you were to give him other kinds of food such as dates, wheat and the like. If this serves an interest, then it is something good and required, but stipulating that it should be one third requires evidence from the Sunnah.

The Messenger (blessings and peace of Allah be upon him) gave all the meat of the camels sacrificed during the Hajj in charity, except for the pieces that he (blessings and peace of Allah be upon him) chose to be put together in a pot and cooked.(*Ash-Sharh al-Mumti`*, 7/482).

The matter is flexible, so if you give one third of the meat as gifts, that is good, and if you cook it and invite your family to eat, that is good, but giving the raw meat is better, and that is the

custom that people follow with regard to the udhiyah.

With regard to the amount that is to be given to the poor person, you should give him meat to take home, not invite him to a meal. It says in *Sharh al-Muntaha* (1/613): What matters is giving some of the raw meat to the poor man, and it is not sufficient to feed him, which is what is required in the case of expiation (kaffarah). End quote.

And Allah knows best.