

## Explication of Mosque Construction Funds from Roadside Charity Donations in the Perspective of Islamic Law Sociology

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### **Abstrak**

Penelitian ini bertujuan mengetahui karakteristik religiusitas, sosiologis, psikologis dalam polemik dana pembangunan masjid dari amal sumbangan pinggir jalan yang dilakukan oleh masyarakat Kecamatan Pakuniran Madura Indonesia. Metode penelitian menggunakan kualitatif dan pendekatan etnografi, teori struktural-fungsional, dan hukum-islam. Etnografi merupakan konsep aktualisasi aspek kebudayaan. Sedangkan teori struktural-fungsional Talcott Parson pada perspektif sosiologi-antropologi bertujuan menginterpretasikan masyarakat, agama dan pemerintah dalam struktur yang bertautan. perspektif hukum islam merupakan serangkaian syari'at Allah Subhanahu Wa-ta'ala yang menjadi acuan fundamental umat Islam dan mujtahidin dalam berfatwa. Sehingga antara etnografi, struktural-fungsional, dan hukum islam membentuk tringualisasi metodologi, yang menjadi teknik pengumpulan dan analisis data. Hasil Penelitian mendeskripsikan persepektif kegiatan donasi pinggir jalan dengan memformulasikan tiga fundamental data: (a) Perspektif etnografi terkait aktivitas sumbangan pingir jalan. (b) Struktural-fungsional komunitas sesuai konteks Talcott Parson. (c) Kesesuaian hukum islam terhadap amal sumbangan pinggir jalan. Studi ini mengidentifikasi fenomena masyarakat Pakuniran sesuai konteks, sehingga mentringualisasikan hasil yang kontradiktif antara aktivitas masyarakat dengan perspektif hukum islam.

**Kata Kunci:** Masyarakat Pakuniran, Donasi pinggir jalan, Hukum-Islam

### **Abstract**

This study aimed to determine the characteristics of religiosity, sociology, psychology in the controversy over mosque construction funds from roadside donations made by the people of Pakuniran District, Madura Indonesia. The research method uses qualitative and ethnographic approaches, structural-functional theory, and Islamic law (IL). Ethnography is a concept of actualizing cultural aspects. Meanwhile, Talcott Parson's structural-functional theory from a socio-anthropological perspective aims to interpret society, religion and government in a linked structure. The perspective of Islamic law (IL) is a series of shari'ah of Allah Subhanahu Wa-ta'ala which is the fundamental reference for Muslims and mujtahidin in giving fatwas. So that ethnography, structural-functional, and Islamic law (IL) form a triangular methodology, which becomes a data collection and analysis technique. Results The researcher describes the perspective of roadside donation activities by formulating three fundamental data: (a) Ethnographic perspective related to roadside donation activities. (b) Structural-functional community according to the context of Talcott Parson. (c) The conformity of Islamic law (IL) to roadside charities. This study identifies the phenomenon of the Pakuniran community according to context, thereby triangulating the contradictory results between community activities and the perspective of Islamic Law (IL).

**Keywords:** *Pakuniran community, Roadside fund-practice, Islamic law*

### **Introduction**

As it is understood that Muslims in Indonesia have their own uniqueness in their respective regions, this is because Indonesia has many tribes and cultures, therefore contradictions regarding religion are also nuanced, one of which is roadside charity donations used for mosque construction. This contemporary factual research is common in several regions in East Java to find disparities in charity fundraising methods linked to data collection and analysis techniques tracing the literacy of previous articles, distinguishively located in Probolinggo Regency, Pakuniran District. In the memoirs of the period from 1870 to 1900, charitable institutions had experienced progress (Negoro, 2015). In this perspective, where individual generosity in charity becomes things that are often misapplied like the premise of work, it is even implied that certain individuals represent institutions, foundations and religions as a place for charity (Kholilah, & Astuti, 2021; Lee, Choi, Moon, & Babin, 2014; Negoro, 2015).

In its own ethnographic study, regarding the Madurese tribe in the horseshoe area (Pasuruan, Probolinggo, Situbondo), the distinction of Probolinggo Regency is the excess of the war that occurred between the Dutch with the help of the Mataram kingdom against the Blambangan kingdom (Banyuwangi), the majority of whose troops were from Madura island with the motive of jihad fi sabilillah to eradicate the remnants of the Hindu kingdom

on the island of Java, which eventually led to the demographic arrangement in the horseshoe area (Pasuruan-Probolinggo-Situbondo) of the former Blambangan (Banyuwangi) kingdom so that it became the factual existence of the Madurese tribe in Probolinggo, in terms of Pakuniran District. Therefore, a follow-up ethnographic study that focuses on the socio-cultural paradigm (Anderson-Levitt, 2012; May, 1997; Van der Geest, & Finkler, 2004) of the Madurese community of Pakuniran, one of which is about the charity of roadside discord that is like a culture at the Pakuniran Madurese community level.

In the book *Mirror for Man* there are three hierarchies in interpreting culture: (a) culture is a term to refer to and define according to the perspective of ordinary people. (b) culture is all behavior connected to beauty, which is analogous to art alone. While (c) culture is the coherence of the community's way of life in adapting to the natural context and social context, this definition is in line with the culture interpreted in ideational theory (Kluckhohn, 2017), where culture is a community idea which is then described through organized behavior as a manifestation of an action. From some of these definitions, it is inferred that roadside charity seeking activities are structural-functionalist behaviors (Parsons & Shils, 2017; Parsons, 2017a, 2017b) carried out by the Pakuniran Madurese community.

Structural-functionalism is a view that analogizes society as a biological organism composed of interrelated organs, these things become a reference so that the organism can collaborate in carrying out its functions to survive (Rakova, & Fedorenko, 2021). This structural-functionalist theory is a theory that gives an impression of the latest social science matters, as for the functionalist originators including: Herbet Spencer, Émile Durkheim and August Comte. So elaborate a cultural community like a healthy biological organism (Saifuddin, 2015). Concerning cultured organisms, both material and non-material, there is mutual relevance with dialective nuances between humans with the ability to define both internal and external agitation, where humans are exposed to culture (Crăciun, & Lipan, 2020).

In socio-cultural prescriptions there are social institutions, such as family, religion, government which are partial manifestations of social structures, which are relatively fixed in an intertwining of social entities (Ali, 2008; Hamati-Ataya, 2014). Tracing the specific schematic of social prescription matters, Rosenberg and Coser define function as an impression of social activities that are focused on the adaptation of a scheme of personal substance (Poloma, 2010). Alluding to religious matters as one of the social structures in general, specifically regarding the search for roadside charity donations for the construction

of mosques which are socially supported by the majority of the Madurese community of Pakuniran, so that the need for a study of social life to understand the benefits and suitability in the view of Islamic Law (IL) later.

Islamic Law (IL) is a legal analysis like a catalyst to present divine validity which is also applied as an implementation of mercy and safety in human life. This implementation is as stated in the Qur'an and As-sunnah as a premise in answering the Islamic Law (IL) paradigm that is manifested as the times develop, so the urgency of ijihad efforts and interpretations of scholars to harmonize the manifested paradigm with the basis of sharia or Islamic Law (IL) IL itself (Hakiem, Kesuma, & Muhajir, 2004). This is oriented towards the nature of Islamic Law (IL) which implements the benefit and rejects the harm or takes advantage and rejects the harm, the interpretation of these things becomes *maqâshid al-tasyrîf* (Zionis, 2012).

Regarding the search for roadside charity donations for mosque construction which is one of the IL paradigms, this manifests a paradox for the majority of the Pakuniran Madurese community. In the first perspective there are parties who agree, there is also a second perspective that is counter, so that from the polemics that occur in this community, Islamic Law (IL) defines this matter as ethical or not based on sharia. These matters first examine socio-cultural prescriptions with the perspective of ethnographic Talcott Parson sociology, and its benefits to the Pakuniran Madurese community, so that from several perspectives this provides a signal of Islamic Law (IL) resolution to answer the polemic of roadside charitable donations for mosque construction by the majority of Pakuniran Madurese.

From the description above, it can be interpreted that between ethnography which is implemented to study culture, and Talcott Parson's sociology regarding structural-functional (Parsons & Shils, 2017; Parsons, 2017a, 2017b) which discusses the social order of society. So as to signal the completion of Islamic Law (IL) by looking at *maqâshid al-tasyrîf* from the polemic of roadside charitable donations for the construction of mosques made by the majority of the Madurese community of Pakuniran, then from three points of view or methodological tringularization, the resulting data has a level of actuality in formulating an answer. So it can be concluded that theology and ideology imprinted on the social order can concretize and synchronize themselves with the dominant system (Parsons & Shils, 2017; Parsons, 2017a, 2017b).

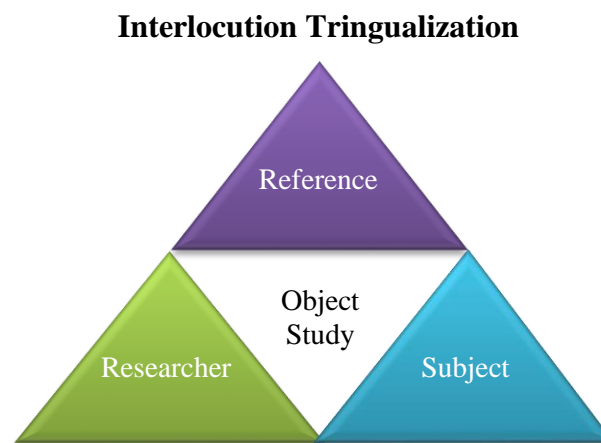
### **An Ethnographic Perspective**

In an ethnographic study literature, the occurrence of a research is triggered by a phenomenon that will become a paradigm of study to find the truth from several points of view, so that the truth is obtained to answer the actual paradigm. However, based on phenomenological scholars indicate that there is a lack of researcher intentions in matters of science and research that are linked to historical values, beliefs and cultural culture so that they have an impact on objectivistic-positivistic intellectual patterns and abstraction then deny the historical value, spirituality, and idealism of human life, in essence, research science does not start from deductive logic alone, but also lies in factual observation (Husserl, 1964, 1970); MacLeod, 2015; Schutz, 1970; Zijlstra, 2019; Pözlner, & Wright, 2019).

Tracing the essence of the perception of phenomenological scholars, including the following: transcendental phenomenology (the phenomenon of personal experience exception), life experience (life experience), The science of them (the view of the contributor), self-knowledge (individual dialectics), A priori of life world (signs of life), Life of depth (the essence of life), Epoche (filtration), Intentionality consciousness (awareness of revealing new theories), Essence (essence), Clusters of meanings (pieces of meaning), Textual and structural description (textual and structural description), Intersubjectivity (inter-subjectivity) (Heidegger, 2008); Husserl, 1964, 1970; Merleau-Ponty, 1962; Schutz, 1970; Sudaryono, 2012), it is embodied in the manifestation of ethnographic prescriptions as a research method of cultural culture in terms of exploratory descriptions based on factual field data (Harris, 2001).

Referring to the observation of specific factual data contributors in the field (Van Maanen, 2006), from the other side ethnography is explicated as a description of the strokes of art and science of distinctive and exotic cultures (Fetterman, 2019; Fetterman, & Pitman, 1986), according to (Ricoeur, 1978, 1982) the ethnographic motive is to standardize oral prescriptions to a written format. Meanwhile, ethnographic research accentuates the observation of the community in structuring the culture that arises from the mind to be applied to their lives, by understanding the perspective of community reality (Spradley, 2016). From the various perspectives above, it can be concluded that ethnography is the basic premise of cultural interpretation, so that when viewed from the theory of ideational ethnography based on dependent variables and influence variables (independent variables) to prioritize factual facts.

Regarding the ethnographic polemics of the Pakuniran Madurese community regarding roadside donations for mosque construction, in the theory of ideational ethnography, it is necessary to carry out interlocution to retrieve the reality of interpretation between the researcher and the culture of the community under study, thus forming a trilingualization of interlocution between related community subjects, relevant theories and references, and researchers (**Figure. 1**) (Kluckhohn, 2017), in obtaining a variety of interpretations and the intellectual level of a study which will be greatly influenced by the quality, intensity of understanding of the subjects in an object of study under study. This is done to manifest a concretization regarding the perception of a perspective arising from a cultural culture, thus forming a continuity of reference between cultural actors, namely the community and researchers as reviewers.



**Figure. 1 Interlocution Trilingualization**

Trilingualization of the above interlocution will present the basic assumptions of a culture, namely something that is considered valid and something that is considered invalid by the community, so it is not strange, in the social intensity of society, cultural culture issues are very diverse, sometimes in harmony and sometimes contradictory, some even stimulate conflict, things that happened in the sampit tragedy between the Madurese and Dayak tribes of Kalimantan. This happens because something that is believed to be valid by the community will become an absolute belief such as religion, mythology, and ancestral ethics, so it happens because the factual reality of the community in cultural consensus manifests considerations in determining actions, based on this paradigm, ideational ethnographic studies are applied (Burchardt, & Westendorp, 2018; Dawson, 2018).

### **Structural-Functional Perspective**

As mentioned earlier, Talcott Parson's structural-functional theory is a theory that describes the culture of society as a mechanism consisting of several classifications that are interrelated and integrated in equilibrium (Ritzer, 2014), so that some of the sociologists such as Herbert Spencer and August Comte analogize the culture of society as a biological organism, because they assume there is an interconnection of biological organisms in the body that is coherent to the pattern of society (Parsons, 1990). (Dahrendorf, 1968; Dawson, 2018) assumes, structural functionalism implies that society has a relativity of substance that varies harmoniously and is integrated, so that the functions in the community entity mutually maintain the system pattern of community culture based on the value of consensus.

Therefore, Parson presented several functional criteria of a social entity (Van den Berghe, 1967), as follows: 1) Social entities must be systematized so that they can proceed in equilibrium with other systems. 2) Social entities must get support from social systems in order to justify their continuity. 3) Social entities must realize the significance of their subject parameters. 4) The social entity must manifest the eminent participation of its contributors. 5) Social entities must apply personalities that serve to eliminate potential obstruction. As for balancing a social entity structure so that it functions as the above criteria, it must maintain the representation contained in the A-G-I-L pattern as an abbreviation of: (1) Adaptation to the environment is a capability of a community entity structure to adapt to its environment so that it is significant in providing prevention to the pattern of its community structure. (2) Goal Attainment, namely a community entity must determine goals to prioritize the achievement of a social entity applied by its contributors. (3) Integration (Assimilation) is the synchronization of social entity subjects of consensus on the rules and principles essential to community culture, thus integrating a cordial social entity (Johnson, 1986). (4) Latency or latent pattern-maintenance is the basic instrument of an entity in realizing the continuity of the structure of procedures for the rules and principles of community culture (Parsons & Shils, 2017).

From the representation stated above, it will make the entities in society collaborate with each other and function harmoniously, for the organizational structure of a community entity (Perdue, 1986; Rakova, & Fedorenko 2021). Considering the polemic of roadside donations for mosque construction from the perspective of Talcott Parson with the A-G-I-L pattern whether it is in harmony or not, it is necessary to take a functionalism approach, as manifested by (Nasikun, 1987; Megawati, Niswah, Mahdiannur, & Segara, 2022;



Vanderstraeten, 2013) that functionalism is an interpretation of society in the coherence of constituent entities regarding its prominent capacity, namely the prevalence of rules, customs, and culture, besides that in the reality of a sociological perspective, there is a symbiotic mutualism between religion and society, in other words, society can be influenced by religion and vice versa (Heiphetz, & Young, 2017; Kahmad, 2006).

### **Islamic Law Perspective**

Islam is a universal and special religion so that the laws in it are varied, covering problems related to human behavior as individual and social beings, vertical relationships with God and fellow humans (Al-Maliki, & Mustaqim, 2003). According to (Zuhayli, 1991) Islam does not believe in the ideology of authoritarianism which is oriented towards suppression without any related understanding and interpretation, but Islam has a democratic tendency which is based on rahmatan lil alamin. While the Islamic Law (IL) perspective is a set of rules that are contained in syarak law regarding human behavior and are comprehensive, which are manifested from the Al-Qur'an and As-sunnah and other syarak postulates through various ijtiḥad methods (Dahlan, 2011).

In the previous literature, it was explained that ijtiḥad efforts and interpretations of scholars endeavored to answer or imply between the factual paradigm and the basis of sharia or Islamic Law (IL) itself, but in ijtiḥad efforts, there are various variations of methods in an effort to prioritize the essence of Islamic Law (IL), namely implementing benefits and rejecting mischief, then the method applied to one of the variations of the ijtiḥad method is the sadd al-dzari'ah method as an analytical instrument regarding the paradigm to be studied, the search for roadside donations for mosque construction. Sadd al-dzari'ah according to etymology is a configuration of idhafah phrases and patterned on the word sad (سد) from سد - يسد - سد - which means keeping something defective or damaged perspective, while al-dzari'ah (الذريعة) is a word meaning instrument (Manzur).

In the perspective of terminology there are varied perspectives, scholars of ushul fiqh interpret al-dzari'ah is all the problems that express the substance of sharia prohibitions (Al-Zuhayli, 1998), tracing (Rusyd) al-Dzari'ah is something that is basically allowed but becomes an instrument of prohibited activities, matters of commerce that lead to usury, It is also manifested as an instrument towards behavior that is legalized or forbidden (Zahrah, 1994), al-dzari'ah is also interpreted as the essence of benefit in an instrument that implies harm (Syātibī, 1997), while the perspective of the Malikiyah scholars expressed that al-dzari'ah is the manifestation of a behavior whose substance is permissible but if applied it



can fall into something prohibited by Sharia (Al-Qurtubi, & al-Ansari, 1967). Mengenai paradigma suatu problem dapat dikategorikan prohibisi syariat jika merunut kriteria sebagai berikut (Syātibī, 1997):

- a) The application of activities that are oriented towards harm is a manifestation of the rule (دَرَأُ الْمَفَاسِدِ مُقَدَّمٌ عَلَى جَلْبِ الْمَصَالِحِ) "Rejecting harm takes precedence over taking benefit" (Hakim, & Ahmad Musadad, 2021) so that from the rule can be interpreted an activity that the level of orientation of the misfortune exceeds the benefit, so that dzari'ah includes the substance of sharia prohibitions, and if there is a contradiction between misfortune and benefit, then the benefit takes precedence.
- b) The tendency of mischief exceeds the benefit, so if the mischief is more dominant than the benefit, the dzari'ah must be abandoned and if the benefit is more dominant, it is allowed (Syarifudin, 2014). Tafahus, specifically behavior as expressed, does not mean justifying the intention of the perpetrator as bad, but what is calculated is the impact of his behavior (Zahrah, 2007).
- c) The application of permissible activities that the percentage of harm exceeds the benefit, dhari'ah in the benchmark is a form of vigilance in doing charity, then if the benefit and harm are commensurate then apply the rule "Rejecting harm takes precedence over taking benefit" (Hakim, Ahmad Musadad, 2021), while between the forbidden and the halal that is fused then use the rule (إِذَا اجْتَمَعَ الْحَلَالُ وَالْحَرَامُ غَلِبَ الْحَرَامُ) "When the halal mingles with the forbidden, the forbidden thwart the halal" (Syarifudin, 2014).

In an ethnographic journal literature, (Duranti, 2012) suggests that in a study, mastery in interpreting written language is needed, because a language offering is linked to a logic game, so that in a research the theoretical continuity of a scientific article is very necessary. So that in the rescription between ethnography, structural-functional, and Islamic Law (IL), it will form a methodological trilingualization where the researchers in this study conclude three problem formulations: (a) The ethnographic perspective of the Pakuniran Madurese community regarding roadside donation activities. (b) Structural-functional of Pakuniran Madurese community according to Talcott Parson's perspective. (c) Islamic Law (IL) coherence regarding roadside donation charity in Pakuniran Madurese community.

## Research Method

The research method is qualitative, and the research approach used ethnography, which are given in Madurese. The research subject are the Pakuniran Madurese community

including five contributors by providing semi-structured questions for current factual studies to ascertain the perspective of reality, uncovering the critical meaning of the contributors & copying general documents to obtain a comprehensive conception of broad explicit evidence. The five contributors with pseudonyms are: 1) Gedheng lawong, 2) Embik peteng 3) Se mardeh 4) Klebun manes, and 5) Bah jidoor. The data collection stage through interviews was based on the researcher's feedback to the community regarding mosque construction funds. Data analysis through data synchronization based on ethnographic theory, sociology from the perspective of Talcott Parson.

### **Research Finding**

It should be noted that the activity of roadside donations for mosque construction carried out by the majority of Pakuniran Madurese is an activity that is classified as a hand-raising activity with religious dogma, where this fundraising entity is affirmed by the majority of Pakuniran Madurese as the most effective and prospective effort, with only a sentence of praise and prayer.

#### **An ethnographic perspective on roadside donation activities**

Regarding the previous problem, the matter practiced by the majority of Madurese Pakuniran is manifesting a cultural reality born from the community's perspective regarding how they obtain as much mosque construction funds as possible, instantly and simply, so that it then underlies the principle of expediency of their social nature which provides ethnographic characteristics, characterizing that the social spirit of Madurese society is very high which is marked by the enthusiasm of residents if there is difficulty or distress, based on testimony: "People here are known for their social solidarity, so indirectly, if a relative is in trouble, or has a problem, most of them will help solve it" (**Se mardeh**).

In addition, the ethnographic characteristics of Madurese Pakuniran also bear elusive familial solidarity, so that when they understand that their relatives are doing donation activities on the side of the highway, with compassion, those who drive will throw their money and then will be collected by the officers on guard, usually at the crossroads, this is evidenced by the motive for their giving, in the testimony: "I gave out of pity, after all, it was only spare change to count as alms, even if it was only a thousand rupiah" (**Embik peteng**).

The activity of seeking donations is not carried out personally, but consistently between two to five people or even more, in their action they apply loudspeakers to call for road users to give their money for the construction of the mosque, although in a partial individual perspective regarding sound distraction, which sometimes gets a negative assessment from some road users, this is affirmed by testimony: “This is very disturbing, they joke a lot and are noisy, while the location of the mosque construction is not in this village” (**Se mardeh**).

From the above paradigm, it can be coherent that the ideational roadside donation activity wants to obtain as much funding as possible by utilizing the psychological condition of sympathy from people passing by, so that it gradually becomes cultured (Kluckhohn, 2017), where according to (Burchardt, & Westendorp, 2018; Dawson, 2018; Spradley, 2016) that culture arises from the mind to be applied to life, by understanding the perspective of community reality.

#### **Structural-functional perspective on roadside donation activities**

In this perspective, roadside donation activities are manifested as a social entity structure, because in reality, these activities are firmly organized in the community without any resistance, although there are community perspectives that reap the pros and cons, but these activities seem to exist and begin to be followed as a new professional entity in the community, this is based on testimony: “Originally, the people here went to the mosque in the next village to worship, but now another mosque has been built, even though the location is close, which is a concern for the congregation of the old mosque to the new mosque. The reality of the construction of the new mosque was such that a committee was formed, divided into three locations, and the employees were paid fifty thousand per day from morning to evening” (**Bah jidoor**).

In addition to these polemics, in application, the majority of people who work as roadside donation officers do not have a competent level of education, so they assume that the job is good, and they believe that the activity is one of the instant livelihoods, rather than their previous profession, based on testimonials: “The work of selling peanuts does not necessarily sell all of them, while guarding the location of the practice is just sitting while broadcasting, one day paid fifty thousand, the work is not harder than selling traveling peanuts” (**Gedheng lawong**).

When the psychological condition of the community's dependence on the profession arises, in fact, begging becomes an instant means of earning a living, thus killing a community

entity that agrees to this activity under the pretext of helping religiosity activities, namely building mosques. This is affirmed by the alibi of the cognitive competence of people who do not have certain skills, by referring to testimony: “What else could he do if he could only do that? He was not good at farming and did not have his own land, nor was he good at raising cattle. That's why his job is to be an employee of a place of practice” (**Klebun manes**).

Thus the activity of roadside donations applied by the Madurese community of Pakuniran is a structured existentialism spearheaded by some religious leaders who bring sociological effects in the region, they convince the public that these activities are noble activities because they are based on helping religious matters in the form of mosque construction. The sociological effect is marked by the characterization of religious figures to be used as role models and guidelines in social solidarity or in other aspects of religiosity, according to testimonies: “Yes, of course it can, the formation of the practice committee because it was spearheaded by respected figures. these figures who invite community cohesiveness to build a mosque on the pretext of syiar to build the house of Allah” (**Bah jidoor**).

This fact or condition is coherent that roadside donation activities are a sociological mechanism of integrated classification to get an instant job under the pretext of religiosity in the equilibrium of community entities in the A-G-I-L pattern (Ritzer, 2014), because the perspective (Nasikun, 1987; Megawati, Niswah, Mahdiannur, & Segara, 2022; Vanderstraeten, 2013) related to functionalism is an interpretation of community coherence, its relevance to rules, customs, and culture. In the relevance of the rule itself, the community entity agrees to the activity as existentialism religiosity, in the form of building a mosque, which optimizes the psychological condition of mutual respect and in its application becomes a profession for some social entities to scavenge sustenance from Allah, where the factual reality is that begging becomes an instant means of making a living (Parsons & Shils, 2017; Parsons, 2017a, 2017b).

### **The perspective of Islamic Law (IL) and sociology regarding roadside donation activities**

In the previous analysis, we discussed sadd al-dzari'ah, which is a manifestation of an instrument of permissible and prohibited behavior, based on the benefit and harm of a behavior. Regarding the activity of roadside donations, it is allegedly classified as behavior that implies wickedness, because it obstructs the rights of other road users, this is according

to public testimony: "I never give to that place, because this indirectly, besides disturbing public order, is also used as a job in the name of religion, while the employees remain" (**Klebun manes**).

This activity is classified as begging behavior as an alibi for building a mosque. The practice officers implement this activity as a profession because they get paid in their substance as practice guards who indirectly broadcast that people who cross the road are willing to give money for the construction of the mosque, this refers to the testimony: "Yes, it's a fun job, only broadcasting from morning to evening for fifty thousand per day, people are moved to donate, while they themselves are stingy, the road is already small and is still narrowed by installing flags and artificial speed bumps in the middle of the road" (**Se mardeh**).

In its application, there is a benefit caused, namely in the form of providing an open means of giving alms, by voicing sentences and prayers that move the hearts of road users to be willing to donate some of their money to be allocated to the construction or renovation of the mosque, but these activities are allegedly giving birth to the nature of riya because based on testimonials from: "if I made a monetary donation to the practice. This must be broadcast using loudspeakers which is feared to cause riya, thus eliminating the sense of sincerity in my heart. It would be better to give directly to the mosque box" (**Klebun manes**). And it can be coherent that this activity presents several evils. Firstly, it interferes with the rights of road users, which is enshrined in the Prophet's prohibition against activities that obstruct the rights of other road users, regarding avoiding the evil rather than seeking the good, referring to the Prophet's hadith:

إِيَّاكُمْ وَالْجُلُوسَ عَلَى الطَّرِيقَاتِ. فَقَالُوا مَا لَنَا بِدُّ، إِنَّمَا هِيَ مَجَالِسُنَا نَتَحَدَّثُ فِيهَا. قَالَ فَإِذَا أَبَيْتُمْ  
إِلَّا الْمَجَالِسَ فَأَعْطُوا الطَّرِيقَ حَقَّهَا قَالُوا وَمَا حَقُّ الطَّرِيقِ قَالَ غَضُّ الْبَصَرِ، وَكَفُّ الْأَذَى،  
وَرَدُّ السَّلَامِ، وَأَمْرٌ بِالْمَعْرُوفِ، وَنَهْيٌ عَنِ الْمُنْكَرِ

"Do not sit by the roadside." They said, "That is what we are accustomed to, for it is a place where we mingle." The Messenger of Allah said, "If you do not want to leave such a gathering then fulfill the right of way." They asked, "What is the right of way?" The Messenger of Allah replied, "Lowering the gaze, removing distractions on the road, answering the greeting and commanding the good and forbidding the evil." (**Bukhari no. 2285**)

Second, the activity of begging or begging, where the funds obtained are essentially for the construction of the mosque but the application is also used as an honorarium or wage for the roadside practice officers, giving rise to negative public perceptions based on the reality of actual findings that occur in the field that have been described, regarding begging or begging, then coherence to the Prophet's hadith:

مَا يَزَالُ الرَّجُلُ يَسْأَلُ النَّاسَ حَتَّى يَأْتِيَ يَوْمَ الْقِيَامَةِ لَيْسَ فِي وَجْهِهِ مِزْعَةٌ لَحْمٍ

"A person who always begs others, on the Day of Resurrection he will face Allah with not a single piece of flesh on his face" (**Muslim no. 1725**).

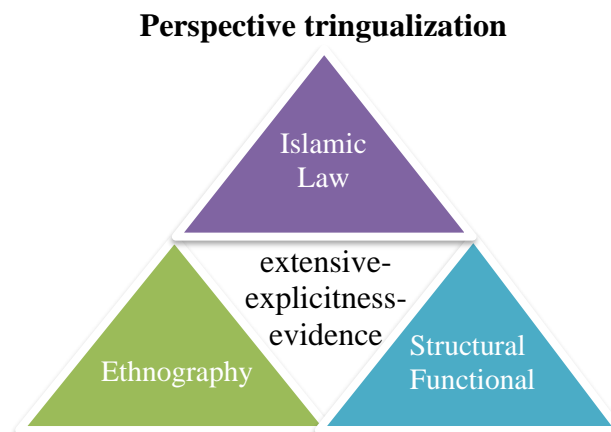
مَنْ سَأَلَ النَّاسَ أَمْوَالَهُمْ تَكْتُرًا فَإِنَّمَا يَسْأَلُ جَمْرًا فَلْيَسْتَقِلَّ أَوْ لِيَسْتَكْتِرْ

"Whoever begs from others in order to increase his wealth has, in fact, asked for coals of fire; it is up to him whether he will collect a little or increase it." (**Muslim no. 1726**)

Third, these activities can also stimulate the nature of *riya*, because they voice these activities with loudspeakers, so that it affects the intention of the giver of alms, whether it is sincere for Allah, or wants to be praised by others, while in the *sadd al-dzari'ah* rule states that roadside donation activities are permissible activities, For example, provided that the roadside charity officer does it sincerely for Allah alone without receiving a penny salary or honorarium, and in its application does not disturb public order on the highway and the community environment, tracing the perspective of *sadd al-dzari'ah* by referring to the IL rule, namely; "Rejecting mischief takes precedence over taking benefit" (Hakim, & Ahmad Musadad, 2021).

## Conclusion

The roadside donation from an ethnographic view concludes as an activity whose ideation is to obtain massive and instant financial conditions by accommodating the compassion of the community's social culture entities. In the structural-functional view, the activity is interpreted as a structured organization in financial collection with the alibi of religious activities in the equilibrium of community entities. Meanwhile, the IL view assumes that the activities of roadside donation practices carried out by the Madurese community of Pakuniran are actions that contain mischief such as obstructing the rights of other road users, causing psychological conditions of begging or begging, and stimulating the nature of *riya*, so it is contrary to the Islamic Law (IL) rules. This is constructed on the paradigm of comprehensive conception of extensive explicit evidence (**Figure 2**).



**Figure. 2 Perspective tringularization**

So that the social relevance of the community partially understands the existentialism entity as a religious convention activity that stimulates a sense of mutual submission, and in its application, it becomes an instrument for seeking sustenance from Allah following the factual conditions of the social entity of the community.

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