

Legal Rulings on Slaughtered Animals

احكام الذبائح

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Note: Please report all errors and omissions with page numbers (& all relevant details) to webmaster@central-mosque.com

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Translator's Note

The consumption of lawful food is an issue of paramount importance for every Muslim. There is a direct link between the consumption of lawful foods and the ability of a person to worship Allah. *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* has also issued a very severe warning for those people who consume unlawful food. He is reported to have said, "The body of a person who is nourished by unlawful food will not enter Jannah (paradise)¹.

Similarly, the *dud'* (invocation) of a person who eats unlawful food is not accepted. It is narrated in an authentic Hadith that *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* once described a person who has been on a long journey, his hair is disheveled, and dust has gathered on his body. This person raises his hands to the sky and cries out, "O my Lord, O my Lord," whereas his food and drink is from unlawful sources. His body has also been nourished with unlawful food. [If this is the case] then how can his invocation be accepted²?"

Dua' is a great asset and weapon of the Muslims which they can resort to at times of need and difficulty. This Hadith emphasizes how important it is for Muslims to ensure that they eat only lawful food in order for their duas to be accepted and for Allah to remove their difficulties. We can deduce from this that one practical step which Muslims can take for dealing with the current crisis is to make it a priority to eat only lawful food and do all that is in their capacity to abstain from doubtful or unlawful food.

There are many serious issues regarding unlawful and lawful foods which affect Muslims in recent times. The masses even the Islamic scholars have held conflicting views on these issues, thus causing great confusion for the average Muslim. One of these issues is the permissibility of consuming the 'food of the people of the book' as mentioned in the Holy Quran, Some people have used this verse to prove that all meat found in western countries is lawful, irrespective of whether it was slaughtered according to Islamic law or not. Similarly, many Muslims hold the view that it is lawful to consume any meat slaughtered by non-Muslims and sold in their stores, irrespective of how it is slaughtered, as long as the Muslim himself recites the name of Allah at the time of eating. There is a great fear that many Muslims are eating doubtful meat or meat which does not meet the requirements of slaughter under Islamic law based on their incorrect understanding of this verse, thereby exposing themselves to all the spiritual harms of eating unlawful food mentioned above. It is extremely important to clarify this matter and explain the true meaning of this verse along with the conditions which need to be met in order for the meat of the people of the book to become lawful.

Another important issue is the modern method of slaughter which is currently being used in slaughterhouses and abattoirs. This automated method has brought about many contentious issues which could possibly make the slaughtered animal unlawful to consume. These problem areas include machine slaughtering, the practice of stunning the animal before the slaughter, the recitation of the name of Allah on each animal, as well as others. There is a great need to clearly identify those aspects of the new method of slaughter which are acceptable in Islamic law and those which are not acceptable so that the Muslim consumer can know which meat to consume.

¹ At-Tarhib Wa At-Tarhib (vol. 2, pg. 552-3)

² Sahih Muslim (1015)

Similarly, there has been great controversy amongst Muslims in recent times regarding the meat imported into Saudi Arabia and the imported meat sold in Makkah and Madina in particular. Some concerned Muslims have been abstaining from this meat, whereas a good percentage is either unaware of this issue or feels that this meat is lawful. The matter has been further complicated by the fact that Muslims have not had access to reliable and accurate information regarding how this meat was slaughtered. Thus, it is of utmost importance for Muslims to gain further clarification in this regard, especially when we take into consideration the fact that Allah more readily accepts the duas of his servants in these two holy places.

The Muslim world desperately needs to resolve these abovementioned issues so that Muslims can know with certainty which foods are lawful and which are unlawful. The translator happened to come across a book written by Mufti Taqi Usmani called *Ahkaam Adhabaih (Legal rulings on slaughtered animals)* which very thoroughly and convincingly addressed these issues as well as others, making it an indispensable book for every Muslim in today's times. The only drawback was that this book was written in the Arabic language as a presentation to an Arab audience, meaning that the general public did not have access to it. Thus, the translator felt that there was a great need for this book to be translated to the English language in order to educate Muslims on these important issues.

What further adds value to this book is the fact that the author is a world renowned scholar and an authority with regards to contemporary issues of Islamic Jurisprudence. He holds a degree in law and has served as a Judge at the Shariah Appellate Bench of the Supreme Court of Pakistan. Mufti Taqi also is the deputy chairman of the Jeddah-based Islamic Fiqh Academy, which indicates that he is held in esteem by Muslims of all backgrounds. He has written more than 40 books on a wide range of topics in the Arabic, Urdu, and English languages. These books have been widely accepted by Muslims all over the world. In short, the contents of this book carry greater weight because of the auspiciousness and high esteem of the original author.

The translator has done his best to ensure that the translation is accurate and that the message of the original book is preserved. He has consulted with specialists and scholars of Islamic law throughout the translation, and had them participate in the -editing process. At certain places, the translator has included additional information with the permission of the author in the form of appendices to shed further light on certain issues.³

May Allah use this book to give Muslims the correct understanding of the spirit of Islam and save them from unlawful food.

Abdullah Nana

³ Since English grammar and spelling varies from country to country, the translator would like to inform the readers that this translation was done in **U . S .** English.

Author's Preace

JUSTICE (RTD) MUHAMMAD TAQI USMANI

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Vice President Darul-Uloom Karachi

This book was originally written by me in Arabic and was presented before the Islamic Fiqh Academy Jeddah. The basic purpose was to explain the principles of Shariah about slaughtering an animal and to dispel some misconceptions about them. Some issues relating to the modern techniques of slaughter were also discussed for consideration and further research by 'Ulama'.

Moulana Abdullah Nana has rendered this book into English with my permission. Due to my heavy involvements I could not review the translation. However, I went through some of its parts and found them correct.

I pray to Allah Ta'ala that He may bless this effort with His approval and make it beneficial for the readers.

Muhammad Taqi Usmani 22/4/1426

30.5.2005

Introduction

Allah (SWT) has made it lawful for the Muslims to eat from the wholesome meat of animals and to derive benefit from their other parts. However, Allah (SWT) has made this permissibility subject to the laws of the Quran and Sunnah (sayings of the *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)*). These laws emphasize the fact that an animal in its origin is similar to a human in that both have life, perception, and senses through which they feel both pleasure and pain. If this common link between humans and animals was to be taken into consideration, then it should have been unlawful to slaughter animals, eat from their meat, and derive benefit from their other body parts. However, Allah (SWT) made humans the best of creation and made the entire universe subservient to them. Everything Allah (SWT) has created is for the benefit of humans, and it is in this regard that He (SWT) says:

Translation: *"It is He who created for you all of that which is on the earth."*⁴

Because of the fact that animals were made lawful to consume contrary to their original position (of life being sacred) solely due to the grace of Allah (SWT), He has kept this permissibility subject to certain laws which are related to worship. When a person slaughters according to the laws of the Quran and Sunnah, he acknowledges that this animal was made lawful for him only through the bounty and grace of Allah. He also realizes that his right to derive benefit from these animals and enjoy himself in eating them can only be acknowledged by thanking Allah for this bounty and by slaughtering the animal according to the method stipulated by Allah.

It is for this reason that Islamic law is superior to the laws of other religions in specifying the method of slaughter, stipulating the fundamental principles behind the slaughter, and establishing the laws of slaughtering. The slaughtering of animals is not an ordinary affair in which a person is free to do as he wishes without having to follow any rule or principle for the method of slaughter. Rather, slaughtering is a matter related to worship in which a Muslim is bound to follow the laws described by the Quran and the Sunnah.

Therefore, the view of Mufti' Muhammad Abduhu and his student Shaikh Rashid Ridha that the slaughtering of animals is an ordinary affair in which a person is free to do as he pleases is clearly wrong and goes against the clear texts of the Quran and Sunnah. It is narrated in an authentic Hadith that *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* said⁵:

Translation: *"Whoever performs our Salah (method of prayer), faces our qiblah (direction of the Holy Ka'ba in Makkah), and eats the animals which we slaughter is a Muslim who is deserving of the protection of Allah and his Messenger (Sallaho Alaihe Wassallam)"*.

There is another narration which emphasizes this point even more clearly.

Translation: *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* said⁶, *"I have been ordered to wage war with people until they say that there is no god but Allah. When they recite this, perform our Saldh, face our qiblah, and slaughter according to our way of slaughter, then their blood and wealth becomes sacred for us, except that blood and wealth in which a right has been established"*.

⁴ Quran(2:29)

⁵ Sahih Bukhari (391)

⁶ Sahih Bukhari (392)

In this Hadith, *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* has drawn a parallel between the Islamic method of slaughter and Saldh and facing the qiblah. Thus, he has alluded to the fact that the Islamic way of slaughtering is a distinct symbol of Islam through which a Muslim can be distinguished from a non-Muslim and an indication that the slaughterer is a Muslim, by means of which his blood and wealth becomes sacred. Can there be any proof greater than this in establishing the fact that the Islamic method of slaughter is a matter related to worship and is a distinctive symbol of Islam from which we can infer that the slaughterer is a Muslim?

Hafiz Ibn Hajar says in the commentary of this Hadith, "We can deduce from this Hadith that we will deal with people according to the external actions which they present to us. This means that we will apply the laws of Islam to a person who outwardly does an action which is a distinguishing feature of Islam, unless he does something contrary⁷.

If the slaughtering of animals did not have to be governed by specific laws, then it would have been lawful to eat the meat of animals slaughtered by pagans, Magians (fire worshippers), and atheists, and the permissibility would not been limited to the meat of animals slaughtered by Muslims or- the people of the book (Jews and Christians). It is obvious that it is not necessary that the producer of foods other than meat (vegetables, etc.) be a Muslim or from the people of the book. Instead, it is lawful for us to eat these foods, regardless of who produces them. Therefore, if the slaughtering of animals was an ordinary matter which was not governed by the laws of worship, then it would have also been lawful to eat the meat of animals regardless of who the slaughterer is. This proves that meat products have a special status in Islamic Law and that these animals have to be slaughtered in accordance to the laws prescribed by the Quran and Sunnah in order for them to become lawful for us to consume.

In the light of what has been mentioned above, the laws of hunted and slaughtered animals are one of the most important chapters mentioned in the books of Fiqh (Islamic law). The scholars of Fiqh have described in detail the laws of slaughter derived from the Quran, Sunnah, and the narrations of the Sahabah (companions of *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)*) and Tabii'n (people who saw the Sahabah "). That is why you will not find a single book of Fiqh which does not contain a separate chapter for laws of hunted and slaughtered animals. It is not our objective to discuss all these laws in this book, but we do intend to discuss the fundamental principles behind these laws and apply them to our current situation. This book outlines the following topics.

1. The method of slaughter in Islamic Law and its conditions i. The procedure for killing the animal
2. Reciting the name of Allah during the slaughter
3. The slaughterer must be a Muslim or from the people of the book
4. The method of slaughter implemented in modern slaughterhouses
5. The ruling for when the slaughterer's identity is unknown
6. The ruling of imported meat

We ask Allah to grant us divine ability to do that which is correct and to guide us towards that which pleases Him.

⁷ Fathul Bari (vol. 1, pg. 497)

Chapter 1: The Method of Slaughter In Islamic Law And Its Conditions

In Arabic, the literal meaning of the words tadhkiyah and dhakdh is 'to complete.'⁸ Hence, we will use this word in Arabic to describe a person who is old-aged and whose intelligence is complete. The method of slaughter in Islamic law is also called 'dhakdh' because all the requirements for an animal becoming lawful to consume are 'completed' by slaughtering according to this method. Imam Qurtubi has written in his commentary of the Quran that the verse, "except [those animals] which you made dhakdh of," refers to those animals which were slaughtered completely according to Islamic law.⁹ Some scholars hold the view that tadhkiyah means to perfume and beautify the smell of something because a pleasant smell begins to emanate from the animal once its blood flows out.

The above discussion was regarding the linguistic meaning of this word. According to Imam Qurtubi, the technical definition of tadhkiyah is to make the blood of the animal flow and cut the vessels when it is an animal which can be slaughtered as such. The lower part of the neck near the chest will be pierced when it is an animal which can be slaughtered in this manner (i.e. a camel). Otherwise, if the animal cannot be subdued, then the hamstrings of the animal will be cut. In both cases, the slaughterer should make the intention for slaughtering and reciting the name of Allah.

Because of the fact that there is a difference of opinion regarding some of the conditions in Qurtubi's definition, a better definition of dhakdh is to kill an animal according to the method of slaughter shown by Islam for making an animal lawful for consumption¹⁰.

The scholars of Fiqh have laid down three basic conditions for the slaughter to be valid in Islamic law. The first condition is regarding the method used to kill the animal. The second is that the name of Allah be recited, and the third is that the proper qualifications be found in the slaughterer. We will now discuss these three conditions in some detail.

⁸ See Ltsanul A'rab (vol. 14,288)

⁹ Tafsir Qurtubi (vol. 6, pg. 51)

¹⁰ Tafsir Qurtubi (vol. 6, pg. 52-53)

Chapter 2: The Procedure for Killing the Animal

The method of killing an animal in Islamic law differs according to the category of the animal. If the animal cannot be subdued either because it is a wild animal or domesticated animal which runs wild, then it is sufficient to wound it with a sharp, piercing object which causes its blood to flow until it dies. It is not necessary to slaughter or pierce the lower chest of these animals. This type of slaughter is called "Adh-dhakdh Al-Idhtirary" i.e. the method of slaughter which is resorted to only at the time of necessity. This method can only be used for hunting. It is not the objective of this treatise to explain the laws of this type of slaughter.

If the animal can be subdued - either because it is domesticated or a wild animal which humans can overpower - then it is necessary to make the blood flow by cutting the vessels. This is supported by the following narrations:

1. *Sayyidina Rafi' Ibn Khadij (RA) narrates in a long hadith that his grandfather asked Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam),¹¹ "Can we slaughter using a bamboo?" Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam) replied, "Eat from those animals whose blood was drained and upon whom the name of Allah was recited."*

This question was regarding the word 'dhabah', and according to *Sayyidina A'ta Ibn Abi Rabah (RA)*, 'dhabah' is to cut the vessels¹². Both the question and answer of this Hadith establish that the method of slaughter recognized by Islam is to cut the vessels, thereby causing the blood to flow.

2. *Sayyidina Ibn Abbas (RA) and Sayyidina Abu Hurayrah (RA) narrate that Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam) told us to avoid the sharitah of Satan, i.e. an animal slaughtered, cut only to the extent of the skin, and left to die without cutting the vessels.¹³* Ibn Al-Athir says that a sharitah is a female camel or another type of animal that is slightly pierced in the throat, similar to the process of cupping. The vessels are not cut and neither is the blood drained out. This practice was common during the days of ignorance before Islam. The Arabs would cut a small part of the throat and would consider it to be a valid method of slaughter. The reason for attributing this type of slaughter to Satan is that Satan is the one who motivates them do so¹⁴.
3. *Sayyidina A'diy Ibn Hatim (RA) narrates that he said, "O Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam), one of us shoots an animal (while hunting) and does not have a knife with him. Should he slaughter the animal with a flint or a piece of a stick?" Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam) answered, "Make the blood flow with the instrument of your choice and recite the name of Allah." Imam An-Nasa'i has narrated this Hadith with the following words, "I send my dog and it attacks an animal. I do not find a knife to slaughter the animal; therefore I slaughter it using a flint or a piece of stick." Sayyidina Rasul-ullah (Sallallahu 'alayhi*

¹¹ Sahih Bukhari (5497)

¹² Irnam Bukhari has quoted this statement of A'ta without a chain of narrators

¹³ Imam Abu Dawud has narrated this hadith and has not commented on the chain of narrators. A person called A'mr Ibn Abdullah Al-Aswar is one of the narrators of this hadith, also known as A'mar Ibn Barq. Hafiz ibn Hajar has described him in At-Taqrīb as being an honest person and having slight weakness in him (in narrating hadith)

¹⁴ Jamiu'l Usul (vol. 4, pg. 483)

wa sallam) said, "Make the blood flow with the instrument of your choice and recite the name of Allah."¹⁵

4. *Sayyidina* Abdullah Ibn Abbas (RA) says, "Eat an animal whose vessels are cut"¹⁶. On the basis of this Hadith and others, the scholars of Fiqh have made it a condition that the veins of an animal be cut in order for the slaughter to be valid. These veins are located in the neck of the animal and they are in essence two. Ibn Manzfir narrates from Ibn Sayyidi that this refers "to the two jugular veins"¹⁷ connecting the head to the upper chest"¹⁸. However, some scholars of Fiqh have taken a more general meaning of this word and have also included the windpipe and the esophagus. Kasani says, "The vessels"¹⁹ are four; "the windpipe, esophagus, and the two jugular veins in between"²⁰ The windpipe is the passage for air and the esophagus is the passage for food. The scholars are unanimous that it is best to cut all four (the two jugular veins, esophagus, and windpipe).²¹ However, there is a difference of opinion regarding the permissibility of cutting less than four.

Imam Shafi'i (RA) requires that the esophagus and the windpipe of the animal be cut. Thus, the slaughter will be valid when these two are cut, even if the two jugular veins are not cut.²²

There are various views narrated from Imam Malik, and the preferred view according to his followers is that the windpipe and the two jugular veins must be cut, which means that it is not necessary to cut the esophagus according to him.²³

Similarly, there are also various views narrated from Imam Ahmad. In one narration, his view is the same as Imam Shafi'i. According to another narration, it is necessary to cut the two jugular veins along with the esophagus and the windpipe. In other words, it seems that he has required that all four vessels be cut²⁴.

Imam Abu Hanifa (RA) holds the view that the animal will become lawful to consume when any three are cut. Abu Yusuf (RA) requires that the esophagus and the windpipe be cut, along with one of the jugular veins. According to Imam Muhammad (RA), the major part of each of the four must be cut.²⁵

¹⁵ An-Nasa'i (4401) One of the narrators of this hadith is Murayy ibn Qatariy AI-Klifi. Ibn Hibban has considered him to be an authentic narrator, while Ad-Dhahabi has said that he is unknown. (Tahdhib At-Tahdhib, vol. 1, pg. 99)

¹⁶ Imam Malik has narrated this hadith in his Muatta without a chain of narrators (vol. 2, pg. 489)

¹⁷ Technically, an animal does not have two jugular veins, but it has two major blood vessels. One of them is the jugular vein and the other is the carotid artery. However, keeping in mind the original Arabic word which was used, we will simply refer to these two as the 'two jugular veins.'

¹⁸ Lisanul A'rab (vol. 2, pg. 387)

¹⁹ The Arabic word, Awddj, can be translated both as veins and vessels. Therefore, when the general meaning is implied encompassing all four (the two jugular veins, esophagus, and windpipe), then we will use the term 'vessels.'

²⁰ Badai' As-Sanai'(vol. 5, pg. 41)

²¹ Al-Mughni (vol. 11, pg. 45)

²² Fathul Bari (vol. 9, pg. 641) and AI-Umm(vol. 2, pg 259)

²³ Adh-Dhakhirah (vol. 4, pg. 133)

²⁴ Al-Mughni (vol. 11, pg. 44-45)

²⁵ Badai' As-Sanai (vol. 5, pg. 42)

Although the scholars of Fiqh have differed with regards to the technicalities of slaughter, they all agree that the place of slaughter during normal circumstances [excluding hunting] is the upper part of the chest and throat. They are also unanimous on the fact that at least two of the four must be cut in order for the animal to become lawful to consume. It is also clear that the view of those scholars who require that at least one of the two jugular veins between the esophagus and the windpipe be cut is more preferred because the blood will only completely be drained when one of these two jugular veins is cut.

Qarafiyy says, "This view (that it is necessary to cut one of two jugular veins) is supported by the Hadith of *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)*. 'Eat from the meat of those animals whose blood was drained and upon whom the name of Allah was recited' because the blood will only flow completely from these jugular veins'²⁶.

The word used in this Hadith to signify 'flowing' in its origin refers to vastness and expansiveness. It is for this reason that the Arabic term for 'river' is also derived from this word because of its vastness, and similarly the term for 'day' is also derived from it because of the vastness of light found in it.

The logic behind Imam Abu Hanifah (RA)'s view is that cutting three is equivalent to cutting all four because the majority suffices for the whole in those matters of Islamic law which are based on the principle of leniency. The slaughter of animals is based on leniency because the scholars have unanimously agreed that all four do not have to be cut. They have only differed with regards to the particular combination of the four (as stated above). Thus, cutting the majority will be equivalent to cutting them all²⁷.

²⁶ Adh-Dhakhirah (vol. 4, pg. 133)

²⁷ Badai' As- Sanai' (vol. 5, pg. 41)

Chapter 3: The Instrument Used To Slaughter

The scholars are unanimous that the instrument used to slaughter must be sharp and able to cut with its sharpness rather than its weight in order for the slaughter to be correct. It is therefore not necessary that the instrument be a knife; the slaughter will be valid using any sharp instrument, irrespective of whether it is made from iron, rock, or wood. The proof for this is the following Hadith of Sahih Bukhari and Muslim:

1. Translation: *Sayyidina Rafi' Ibn Khadij (RA)* narrates in a long hadith that his grandfather asked *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)*,²⁸ "Can we slaughter using a bamboo?" *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* replied, "Eat from those animals whose blood was drained and upon whom the name of Allah was recited [on the condition that the instrument used] is not a tooth or claw."²⁹

Similarly, we have already mentioned the Hadith of *Sayyidina A'diy Ibn Hatim (RA)* wherein he asked *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* regarding (the validity of) slaughtering using a flint and a piece of rod. *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* answered, "Make the blood flow with the instrument of your choice." However, the scholars are unanimous that an instrument which cuts and tears must be used for the slaughter and this instrument must be sharp.

There is a difference of opinion regarding the usage of teeth and claws to slaughter. The scholars of the Arabian Peninsula have regarded such a slaughter to be invalid, irrespective of whether the tooth or claw is attached to the body or not. Their view is based on the general nature of the Hadith mentioned above in which *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* excluded teeth and claws. *Abul Hanifa* has interpreted this prohibition as referring to that tooth and claw which is attached to the body because the animal in this case will be killed by strangling. Therefore, *Abu Hanifa's* view is that the slaughter will be valid if the tooth and claw is detached from the animal, but such a practice, although permissible, will be *makruh* (disliked).

²⁸ Sahih Bukhari (5497)

²⁹ Jamiu'l Usul (vol. 4, pg. 489)

Chapter 4: Slaughtering an Animal without Cutting the Vessels

The scholars are unanimous on the fact that the meat of an animal which can be subdued is unlawful to consume if it is killed without cutting the vessels. Allah (SWT) says in this regard:

Translation: "*Prohibited for you are dead animals (animals which died without being slaughtered), blood, the flesh of pigs, and that which has been dedicated to others than Allah, and [those animals] killed by strangling, or by a violent blow, or by a headlong fall, or by the piercing of a horn, or those from which a wild animal has eaten, except what you [are able] to slaughter [before its death].*"³⁰

Ibn Kathir (RA) writes in the commentary of this verse that 'animals killed by strangling' includes those animals which are strangled to death intentionally and accidentally. An animal can accidentally strangle itself to death by moving around in the chains in which it is bound, thereby choking itself. The meat of such an animal is unlawful to consume.

An animal 'killed by a violent blow' is an animal which has been hit with a heavy, blunt object until it dies. According to *Sayyidina* Ibn Abbas (RA), this refers to an animal that is beaten with a wooden stick until one of the blows becomes fatal and it dies. Qatadah says that people used to hit animals with sticks during the days of ignorance (before Islam) and they would eat them after they died.

It is narrated that A'diy Ibn Hatim (RA) said, "*O Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam), I hunt animals using a mi'radh³¹ and I shoot the animals with it.*" *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* answered, "*If the mi'radh which you shoot pierces and tears the flesh of the animal, then you can eat from it. However, if the thick middle part of the arrow strikes the animal, then this will be an animal killed by a violent blow and you should not eat from this animal*"³². *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* has differentiated between the those animals which are hit by the sharp edge of an arrow or javelin and those animals which are hit by the broad-side of an arrow; he has declared the first category to be lawful and has declared the second as being an animal which was 'killed by a violent blow,' making it unlawful. All the scholars of Fiqh have agreed on this point.

The animal which dies due to 'a headlong fall' is an animal which falls from a high mountain or from another high place and dies as a result of this fall. *Sayyidina* Ali Ibn Abi Talha (RA) narrates on the authority of *Sayyidina* Ibn Abbas (RA) that the animal which dies due to 'a headlong fall' is an animal which falls from a mountain. Qatadah holds the view that it is an animal which falls in a well. As-Suddy holds the view that this includes both the animal which falls from a mountain and the animal which falls in a well.

The 'animal killed by the piercing of a horn' refers to when an animal dies from a blow caused by the horn of another animal. The meat of this animal is unlawful to consume even if the horn of the other animal pierces it and causes blood to flow, and even if this wound is on the throat.

³⁰ Quran (5:3)

³¹ A mi'radh is an arrow which does not have a blade or feather. Such an arrow strikes the animal with its thick middle part and not with its straight, sharp edge. The edges of this arrow are thin and the center is thick, similar to those sticks which are used to grind cotton. When a person shoots this arrow, it goes straight and strikes the animal with its thick middle part and not with its edge. If it is shot from a close distance, it will hit the animal with its edge and wound it.

³² This hadith is narrated in the Sahih Sittah (6 authentic books of ahadith) by various Sahaba and with various chains of narrators.

'Those from which a wild animal has eaten' refers to an animal which was attacked by a lion, cheetah, wolf, or dog. Thereafter, this predator ate part of the animal and it died as a result of this wound. The scholars are unanimous on the fact that this animal is unlawful to consume even if blood flowed out from the animal, and even if this blood flowed from the throat. During the days of ignorance (before Islam), people used to eat from goats, camels, cows, and other animals which had been partly eaten by wild animals. As a result of this, Allah made this animal unlawful for the believers to consume.

The last part of the verse 'except what you [are able] to slaughter [before its death]' refers to the situation when an animal has been dealt a fatal blow and is on the brink of death, but there is still enduring life left in which it can be slaughtered according to Islamic law. From all the animals mentioned above which are on the verge of death, this last part of the verse will only apply to animals which are 'killed by strangling, or by a violent blow, or by a headlong fall, or by the piercing of a horn, or those from which a wild animal has eaten. *Sayyidina* A'li Ibn Abi Talha narrates on the authority of *Sayyidina* Ibn Abbas (RA) that the meaning of the verse, 'except what you [are able] to slaughter [before its death]' is that it is lawful to eat from the animals mentioned in this verse if you are able to slaughter them according to Islamic law while there is still life left in them. This view is also narrated from *Sayyidina* Sai'd Ibn Jubayr (RA), Al-Hasan Al Basry (RA), and As-Suddy.

This verse of the Quran clearly shows that an animal will only become lawful to consume when it is slaughtered according to Islamic law, and an animal will be unlawful to consume if it is strangled or dealt a violent blow. An animal will not become lawful simply by its blood flowing out of the body because an animal which is hit by the horns of another animal will also sometimes bleed from its throat, and similarly, an animal which is partially eaten by a wild animal will also sometimes bleed from its throat. However, Allah has clearly stated that both these animals are unlawful, meaning that it is not enough simply for blood to flow out of the animal in order for the slaughter to be valid. Rather it is necessary that the blood flow out according to that method of slaughter which Allah has prescribed.

Chapter 5: Reciting the Name Of Allah At The Time Of Slaughter

The majority of the scholars of Fiqh hold the view that the slaughterer must recite the name of Allah at the time of slaughter. According to Imam Abu Hanifa, Imam Ahmad, Imam Malik, and the majority of the scholars of Fiqh, an animal is unlawful to consume if the slaughterer intentionally does not recite the name of Allah. However, the animal will be lawful to consume if he forgets to recite the name of Allah according to the followers of Imam Abu Hanifa and Imam Malik. They apply this same ruling for both, namely animals slaughtered under normal circumstances and hunted animals, and they do not differentiate between the two. The followers of Imam Ahmad also consider the meat of an animal upon which the name of Allah was not recited out of forgetfulness as being lawful under normal circumstances. However, they hold the view that a hunted animal will be unlawful to consume if the slaughterer does not recite the name of Allah when he shoots the arrow or releases the hunting-dog, irrespective of whether he does this intentionally or forgetfully³³.

The famous view of Imam Shafi'i is that it is not obligatory to recite the name of Allah at the time of slaughter, but it is Sunnah (something practiced upon by *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)*)³⁴. Therefore, an animal is lawful to consume if the slaughterer intentionally omits the name of Allah. However, it becomes clear after referring to Imam Shafi'i's book, *Al-Umm*, that he has not explicitly stated that it is lawful to consume an animal upon which the name of Allah was intentionally not recited. He has only said that an animal is lawful to consume if the slaughterer does not recite the name of Allah forgetfully. His words are:

"I would like that a Muslim recite the name of Allah when he sends his trained bird or dog (to hunt). If he forgets to recite the name of Allah and the bird or dog kills an animal, then it will be lawful to consume. This is because the slaughter which takes place using a trained dog or bird is just like a normal slaughter. In a normal slaughter, an animal is lawful to consume when the slaughterer forgetfully leaves out the name of Allah. The reason for this is that a Muslim slaughters on the name of Allah, i.e. in his heart, even if he forgets."³⁵

Thereafter, Imam Shafi'i has stated that it is not permissible to eat the meat of an animal upon which the slaughterer did not recite the name of Allah because he did not consider it to be important. His accepted view on this is as follows:

"An animal is lawful if a Muslim forgets to recite the name of Allah at the time of slaughter. The animal is unlawful if he does not recite the name of Allah because he does not consider it to be important."³⁶

Some scholars have said that there is a consensus of the scholars of Fiqh on this issue. The author of *Tafsir Mazhari* has quoted the following passage from *Sharh Al-Muqaddamah Al-Malikiyah*:

"All the aforementioned relates to a Muslim who does not omit the name of Allah because of his considering it to be unimportant. As for omitting the name of Allah because of his considering it to be unimportant, there is no difference of opinion on such an animal being unlawful. This is the view of Ibn

³³ For the Hanafi view, see *Badai' As-Sanai'* (vol. 5, pg. 46). For the Maliki view, refer to *Ad-Dhakhirah* (vol. 4, pg. 134) and *As-Sawi alii Ad-Dardir*. For the Hanbali view, see *Al-Mugni* (vol. 11, pg. 4)

³⁴ *Quh. Ibi wa U'mayrah* (vol. 4, pg. 245)

³⁵ *Al-Umm* (vol. 2, pg. 227)

³⁶ *Al-Umm* (vol. 2, pg. 131)

Al-Harith and Al-Bashir. The meaning of 'not considering it to be important' is that the Muslim slaughterer has repeatedly left out the name of Allah. Allah knows best."³⁷

These passages show that Imam Shafi'i does not hold the view that every animal upon which the name of Allah was intentionally left out is generally lawful to consume. His view is that an animal will only be forbidden to consume if the slaughterer leaves out the name of Allah because he does not consider it to be important and he had made this his habit. This means that according to him, it is only permissible for the slaughterer to leave out the name of Allah intentionally when he does so by chance coincidentally (on one or two occasions) and not because of him considering it to be unimportant. Even in this situation, this will be makruh (disliked) according to Imam Shafi'i because he has said, "I would like that he recite the name of Allah." The scholars of Shafi'i Fiqh have clearly said that it is makruh (disliked) to intentionally leave out the name of Allah at the time of slaughter and that the slaughterer will be sinful for doing so.³⁸

It becomes clear from this that an animal upon whom the name of Allah was intentionally left out is unlawful to consume according to the followers of Imam Abu Hanifa, Imam Malik, and Imam Ahmad. Such an animal is also unlawful according to Imam Shafi'i when the slaughterer leaves out the name of Allah because he does not consider it to be important and he has made this his habit. If a person intentionally leaves out the name of Allah coincidentally, then this animal will still be lawful according to Imam Shafi'i, but it will be makruh (disliked). Then too, Imam Shafi'i's view is not strongly supported by the verses of the Quran and the Ahadith because they clearly establish that reciting the name of Allah is an essential condition for the validity of the slaughter. Allah says,

"Do not eat of that upon which the name of Allah has not been mentioned, for indeed, it is grave disobedience. .,"³⁹

Can there be any other text which is clearer than this verse of the Quran in unambiguously declaring an animal upon which the name of Allah has been left out as being unlawful? There is a clear prohibition in this verse to abstain from such meat, and a prohibition [in Islamic law] demands that the prohibited act be unlawful. Allah did not suffice by just using a prohibition, but He has further stated that eating from this meat "is a grave disobedience." This removes all doubts which a person may have in this regard. This is not the only verse in the Quran which proves that it is necessary to recite of the name of Allah in order for the slaughter to be valid. There are many others. Some of these verses are mentioned below:

1. "They ask you [O Muhammad (*Sallallahu 'alayhi wa sallam*)] what has been made lawful for them. Say, 'Lawful for you are [all] good foods and [game caught by] what you have trained of hunting animals which you train as Allah has taught you. So eat of what they catch for you, and mention the name of Allah upon it, and fear Allah."⁴⁰
2. "For every nation We have appointed a rite [of sacrifice] that they may mention the name of Allah over the beast of cattle that He has given them for food. .,"⁴¹
3. "So mention the name of Allah upon them when lined up [for sacrifice]. .,"⁴²

³⁷ Tafsir Mazhari (vol. 3, pg. 318)

³⁸ See Rawdhatu At-Tlibim (vol. 3, pg. 205) and Rahmatu Al-Urnah (pg. :118)

³⁹ (6:121)

⁴⁰ (5:4)

⁴¹ (22:34)

4. "And cattle on which the name of Allah is not mentioned [at the time of slaughter] - [all of this is] an invention of untruth about Him. ,,⁴³

5. "And why should you not eat of that upon which the name of Allah has been mentioned [at the time of slaughtering] ... ?,,⁴⁴

These verses use different modes of expression and style to establish that reciting the name of Allah at the time of slaughter is one of the most important requirements for the validity of the slaughter. Allah did not suffice by just mentioning this essential requirement in one or two verses, but He has cited it repeatedly while discussing the slaughtering, hunting, and sacrificing of animals. He has very severely rebuked those people who do not recite the name of Allah while slaughtering and has called it ' an invention of untruth about Him.' He has also reprimanded those people who do not consider the animals upon which the name of Allah has been recited at the time of slaughter as being lawful. All this proves that reciting the name of Allah is one of the most important conditions for the validity of the slaughter in Islamic law. In the same way, there are many Ahadith in which *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* has made the recitation of the name of Allah an essential condition for the validity of the slaughter under normal circumstances and for hunting. Some of these Ahadith are mentioned below:

1. *Sayyidina Raft' Ibn Khadij (RA)*, narrates that *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* said, "Eat from those animals whose blood was made to flow and upon whom the name of Allah was recited. ,,⁴⁵

2. *Sayyidina Abdullah ibn U'mar (RA)* narrates that *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* met *Sayyidina Zayd Ibn A'mr Ibn Nufayl (RA)* in the lower part of Baldah (a place near Tani'm outside of Makkah) and this was before *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* had received revelation. A tablecloth (containing some food) was presented to *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* and he refused to eat from it. Thereafter, *Sayyidina Zayd (RA)* said, "I will not eat the meat of those animals which you have slaughtered on the name of your idols. I will only eat the meat of those animals upon which the name of Allah has been mentioned."⁴⁶

This Hadith shows that it was also unlawful to consume an animal upon which the name of Allah was not recited in the religious law of Ibrahim (i.e. the Arabs were still practicing on some of the aspects of the religion of Ibrahim and Zayd refused to eat from this meat because it was unlawful according to the religious law of Ibrahim)

3. *Sayyidina Jundub Ibn Sufyan Al-Bajaliyy (RA)* narrates that we sacrificed some animals one day (for Eid Al-Adha.) with *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)*. Unexpectedly, some people had slaughtered their animals before the Eid Saldh. When *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* turned around, he noticed that they had slaughtered their animals before the Saldh. He said to them, "Whoever slaughtered before Saldh. should sacrifice another animal in the place of the first one. Whoever has not sacrificed their animal until now should slaughter their animal on the name of Allah."⁴⁷

⁴² (22:36)

⁴³ (6:138)

⁴⁴ (6:119)

⁴⁵ Sahih Bukhari (5498)

⁴⁶ Sahih Bukhari (382, 5499)

⁴⁷ Sahih Bukhari (5500)

4. *Sayyidina* A 'bayah Ibn Rifa'h (RA) narrates from his grandfather. that *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* said, "Eat from that animal whose blood has been made to flow and upon which the name of Allah was mentioned. ,,⁴⁸

5. *Sayyidina* Abu Tha'labah Al-Khushaniyy (RA) narrates that he asked *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* some questions. *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* said in reply to his question regarding hunted animals, "Recite the name of Allah on the animal which you have hunted with your bow and eat from it. Recite the name of Allah on that animal which you hunted using your trained dog and eat from it. ,,⁴⁹

6. *Sayyidina* A'diy Ibn Hatim (RA) narrates that *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* said, "When you send your trained dog and recite the name of Allah, then eat from that which it catches for you and does not itself consume. ,,⁵⁰

7. *Sayyidina* A'diy Ibn Hatim (RA) , narrates that he said, "O *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)*, I send my dog and I find another dog with him. I do not know which of the two dogs caught the animal." *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* said him, "Don't eat from this animal because you recited the name of Allah on your animal and you did not recite the name of Allah on-the other animal." ⁵¹

8. *Sayyidina* A'diy Ibn Hatim (RA) narrates that *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* said, "When there are some (hunting) dogs on which the name of Allah was pronounced (while sending them) and they join with some other dogs to kill an animal without themselves eating from it, then do not eat from this flesh. ,,⁵²

9. *Sayyidina* A'diy Ibn Hatim (RA) narrates that he said, "O *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)*, one of us shoots an animal [while hunting] and he does not have a knife with him. Should he slaughter the animal with a flint or a piece of a stick?" *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* answered, "Make the blood flow with whatever (sharp) instrument you desire and recite the name of Allah. "⁵³

These texts of the Quran and ahadith emphasize the importance of reciting the name of Allah at the time of slaughter. Just one of these texts would have been sufficient to prove that reciting the name of Allah is a condition for the validity of the slaughter. However, Allah and *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* did not explain this law only once. Instead, they repeatedly mentioned it on different occasions using different modes of expression in order to emphasize the utmost importance of reciting the name of Allah and to establish that it is an absolutely essential condition for the validity of a slaughter in Islamic law.

The only situation in which a person is exempted from the requirement of reciting the name of Allah is during the state of forgetfulness. Jassas says, "The verse, 'And do not eat from that upon which the name

⁴⁸ Sahih Bukhari (5503)

⁴⁹ Sah'ih Bukhari (5496)

⁵⁰ Sah'ih Bukhari (5487)

⁵¹ Sahih Bukhari (5486)

⁵² Sahih Bukhari (5484)

⁵³ Abu Dawud (2824), Nasa'i (4401)

of Allah has not been mentioned' proves that leaving out the name of Allah forgetfully does not affect the validity of the slaughter. The command in this verse applies to a person who intentionally leaves out the name of Allah and does not apply to a person who forgetfully leaves it out. The logic behind this is that Allah has described leaving out the name of Allah intentionally in this verse as 'grave disobedience,' and this cannot apply to a person who leaves out the name of Allah forgetfully because he will not be obligated to recite the name of Allah in his state of forgetfulness.

Al-Awzai'y narrates from *Sayyidina Ata' Ibn Abi Rabah* (RA) who narrates from *Sayyidina Abdullah Ibn Abbas* (RA), who narrates that *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* said, "Allah (SWT) has overlooked the mistakes and forgetfulness of my Ummah (nation), and he has overlooked those actions which they did under duress. „⁵⁴ Such a person will have carried out the slaughter as he was commanded to do because a person who forgets is not obligated to recite the name of Allah.

Thus, the validity of the slaughter in this case will not be affected by leaving out the name of Allah, and it is not permissible to make him slaughter another animal in its place. This is not the same as leaving out the takbir (saying Allahu Akbar to enter into or forgetting to make Wudhu (ablution, i.e. the external purification which is required for Sallih) because in this case it is possible to make him perform another Sallih in its place after he remembers. However, it is not possible to make him slaughter another animal if he leaves out the name of Allah forgetfully because the legal character of the act has already passed."⁵⁵

This point is also supported by a Hadith of Ad-Darequtni and Al-Bayhaqi:

Sayyidina Ibn Abbas (RA) narrates that *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* said, "A person's being Muslim will suffice him (from reciting the name of Allah). If he forgets to recite the name of Allah when he slaughters, he should recite the name of Allah and eat [the animal]."⁵⁶

A 'bd Ibn Humayd has quoted a narration in his book on the authority of Rashid Ibn Sa'd⁵⁷ that *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* said, "The animal which a Muslim slaughters will become lawful irrespective whether he recites the name of Allah or not, as long as he does not intentionally leave it out. This same law also applies to hunted animals."⁵⁸ These narrations of *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* are also supported by a narration of Ibn Abbas which Imam Bukhari has mentioned.

"There is no harm in forgetfully leaving out the name of Allah."⁵⁹

The proofs that the followers of Imfun Shafi'i use to establish that it is not necessary to recite the name of Allah at the time of slaughter are not as strong as the proofs which establish that it is necessary. For

⁵⁴ Translator's note: Ibn Majah has narrated this hadith with the same words (2043), and An-Nawawi has declared this hadith to be hasan in his collection of forty hadith (#39).

⁵⁵ Ahkam Al-Quran by Jassas (3: 7, 8)

⁵⁶ 6Nasb Ar-RLyah (vol. 2, pg. 26) / Hlfiz ibn Hajar has quoted this hadith in his book, At-Talkhis, and thereafter said, "Ibn As-Sakn has declared this hadith to be s a r i (authentic). Some scholars of hadith have found weakness in this hadith because of Ma'qal ibn Abdullah and Muhammad ibn Yazid ibn Sinan. However, I d m Muslim has included the narrations of Ma'qal ibn Abdullah in Sahih Muslim. Muhammad ibn Yazid ibn Sinln has been declared to be reliable by Ibn Hibbln, An-Nufayli, and Maslamah. (See I'll As-Sunan, vol. 17, pg. 68 for more details regarding the chain of narrators)

⁵⁷ This is a mursal hadith which means that the final narrator of the hadith has been omitted.

⁵⁸ Durr Al-Manthiir (vol. 3, pg. 42)

⁵⁹ Imam Bukhari has mentioned this narration while omitting the chain of narrators. Ad-Dkequtni, Sai'd ibn Mansiir, and others have mentioned a complete chain of narrators for this hadith up to *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)*. Thereafter, Hafiz ibn Hajar has said that the chain of narrators are sahih. (authentic). (Fathul Bari - vol. 9, pg. 624)

example, some of followers of Imam Shafi'i say that Allah (SWT) did not attach the condition of reciting the name of Allah to the verse, 'except that which you slaughtered,' so there is no need to do so.

The answer to this is clear; the word 'slaughter' has a specific meaning in Islamic law and the proofs which we gave above show that the slaughter will not be valid unless the name of Allah is recited. Therefore, the recitation of the name of Allah is implied in the meaning of 'slaughter,' and so is the cutting of the vessels. Allah (SWT) has described 'slaughter' as a general concept which includes all the requirements of slaughter which are established by other verses of the Quran and ahadith. Therefore, the requirement of reciting the name of Allah falls within the ambit of the verse.: "except that which you slaughtered. "

In the same way, the followers of Imam Shafi'i also try to prove their view using the Hadith of A'isha.

Sayyidituna Aishah (RA) narrates that a group of people said to *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)*, "Some people bring us meat and we do not know if they recite the name of Allah upon it (during the slaughter)." *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* answered, "You should recite the name of Allah upon the meat and eat from it." *Sayyidituna Aishah (RA)* thereafter comments that these people (who had brought the meat) had recently accepted Islam.⁶⁰

However, this Hadith does not prove that it is permissible to consume an animal on which we know with certainty that the slaughterer did not recite the name of Allah. This Hadith only proves that we will assume that the actions of a Muslim are correct. This means that if a Muslim presents some meat or food to us, we will assume that this meat was slaughtered according to Islamic law. Because of the fact that we are commanded to think good of every Muslim, it is not necessary for us to investigate how the animal was slaughtered unless it becomes clear to us that this animal was not slaughtered according to Islamic law.

We can also deduce from this Hadith that the people regarding whom this question was asked were in fact Muslims, even though they had just recently accepted Islam as A'isha, had mentioned. *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* commanded us to pass judgment on the actions of these people based on their outward condition, i.e. to assume that they did recite the name of Allah while slaughtering this meat. This Hadith does not mean that it is permissible to consume the meat of an animal when we know with certainty that the slaughterer intentionally did not recite the name of Allah.

This Hadith also clearly shows that this question was only regarding that situation when it is not known with certainty whether the Muslim slaughterer recited the name of Allah or not. This is the same situation facing many Muslims who buy meat from Muslim stores because we were not physically present to see whether the slaughterers recited the name of Allah or not. This Hadith has given us the ruling for such a situation. How can this situation be compared to that where the slaughterer intentionally leaves out the name of Allah?

Some followers of Imam Shafi'i quote a Hadith narrated by As Salt As-Sadusi to support their view.

Translation: *Sayyidina Salt As-Sadusi (RA)* narrates that *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* said, "The animal slaughtered by a Muslim is lawful irrespective of whether he takes the name of Allah or not because if he does recite something, he will only recite the name of Allah."⁶¹ If it were to be

⁶⁰ Sahih Bukhari (5507)

⁶¹ Mads11 Abi Diwiid (pg. 4 1)

established that this Hadith is authentic⁶² then it would be possible for us to apply this Hadith to the situation where a person forgets to recite the name of Allah during slaughter. This interpretation keeps the Hadith in conformity with all the verses of the Quran and the ahadith which prove that reciting the name of Allah is necessary and that intentionally leaving out the name of Allah makes an animal unlawful.

Because of these strong proofs, some scholars who follow Imam Shafi'i have given preference to the view of the majority that leaving out the name of Allah intentionally makes the animal unlawful. Hafiz Ibn Hajar says, "Imam Ghazali has considered this view to be strong because of the numerous verses of the Quran and the Ahadith that require that the name of Allah be recited under all circumstances. Those ahadith which imply a concession may be interpreted generally, or in a limited sense as applying only to a person who forgets. Therefore, it is better to interpret such .ahadith as applying to that person who forgets so that all the proofs are in conformity with their clear meanings; the person who forgets to recite the name of Allah will be excused from doing so, while the person who intentionally leaves out the name of Allah will not be excused."⁶³

After mentioning this view, Hafiz Ibn Hajar has not said anything contrary to it. He has mentioned the passage of Imam . Ghazali in the chapter of the animals slaughtered by the Bedouin villagers. There is an indication that he is also leaning towards the view of the majority on this issue because of the fact that he has quoted this statement of Imam Ghazali at the end of this discussion and since he has declared all the Ahadith which are used to establish that it is permissible to intentionally omit the name of Allah as being weak.⁶⁴

⁶² The narrator of this hadith, As-Salt As-Sadfisi is a majhiil (unknown) narrator according to Ibn Hazm and Ibn Al-Qattan, This narrator is not known for any other hadith besides this hadith and only Thawr ibn Yazid has narrated from him. (Nasb Ar-Rayah) Therefore, there is some weakness in this chain of narrators. Translator's note: This text has been taken out from the original book and placed in the footnotes because of its technical nature.

⁶³ Fath Al-BBri (vol. 9, pg. 624)

⁶⁴ Fath Al-Biri (vol. 9, pg. 634)

Chapter 6: The Qualifications Of the Slaughterer

One of the most important conditions for the validity of the slaughter is that the slaughterer must either be a Muslim or a person from the people of the book (Jews and Christians) who is also sane and old enough to differentiate between right and wrong. Therefore, it is not lawful to consume the meat of animals which are slaughtered by disbelievers and pagans who are not from the people of the book. The scholars are unanimous on this condition, and we do not know of anyone who has gone against it. In fact, some scholars have recorded a consensus of opinion on this matter.⁶⁵ This means that the meat of animals slaughtered by disbelievers who are not of the people of the book is unlawful to consume even if they slaughter according to Islamic law. Al-Jassas says, "We know that the meat of the animals slaughtered by the pagans will not be lawful even if they recite the name of Allah."⁶⁶

Some contemporary scholars have deviated in asserting that only the meat which is slaughtered by Arab idol-worshippers is unlawful. Therefore, according to them, the meat slaughtered by all other disbelievers is lawful, irrespective of whether they are idol-worshippers, atheists, apostates, or fire-worshippers. This is an incorrect view which does not have any basis in the Quran, ahadith, or from the views of the pious predecessors. They confusingly assert that there is no clear proof in the Quran and ahadith which establishes that an animal slaughtered by disbelievers other than the people of the book is unlawful. They assert that that the original state of all things is permissibility. Something cannot become unlawful without a clear text.⁶⁷

The reality is that the original position of animals is that their consumption is unlawful and that they will only become lawful as prescribed by Islamic law. The proof for this is the Hadith of A'diy Ibn Hatim which was mentioned above. He said, "O *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)*, I send my hunting dog and I find another dog with it. I do not know which dog killed the animal." Thereafter, *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* told him, "Do not eat from the animal because you only recited the name of Allah upon your own dog and you did not recite it upon the other dog."⁶⁸ This Hadith shows that an animal will become unlawful when there is doubt as to whether or not the slaughter took place according to Islamic law and we cannot give preference to one possibility over the other [where both possibilities are equal]. We also learn from this Hadith that the original position of an animal is that its consumption is unlawful because if the original position was that the consumption of an animal was lawful, then this animal (referred to in the above-mentioned Hadith) would not have been unlawful in the case of doubt.

Thereafter, Allah has excluded the food of the people of the book from this original state of unlawfulness in the verse:

Translation: "And the food of those who were given the Scripture is lawful for you"⁶⁹ If the food of all disbelievers had been lawful, then there would have been no need to separately mention the ruling of the people of the book. The fact that the disbelievers [other than the people of the book] were not mentioned in the verse means that the original prohibition in the case of animals applies.

⁶⁵ MawsGlt Al-Ijda' (vol. 2, pg. 912,948)

⁶⁶ Ahklm Al-Qurln (vol. 3, pg. 6)

⁶⁷ Fasl Al-Khitlb fi Ibihati Dhablihi Ahli Al-Kitlb (pg. 19-22) written by Abdullah ibn Zayd Alu Muhammad

⁶⁸ Sahib Bukhari(5486)

⁶⁹ (5: 5)

The correct view on which Muslims have unanimously agreed upon over the centuries is that an animal will only become lawful to consume if the slaughterer is a Muslim or from the people of the book. The people of the book are the Jews and the Christians. There are some digressed views that the Magians (fire-worshippers) are also people of the book based on the Hadith of *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* "Deal with them (Magians) as you deal with the people of the book."⁷⁰ However, the correct view is that this Hadith only refers to accepting Jizyah⁷¹ from them because it is in this context that this Hadith must be interpreted.

Sayyidina U'mar Ibn Al-Khattab (RA) had been uncertain of taking Jizyah from the Magians until *Sayyidina A 'bdur-Rahman Ibn A'wf (RA)* informed him of this Hadith, Thereafter, he started collecting Jizyah from the Magians.

Irbam Malik has narrated in his book, *Al-Muatta* on the authority of Muhammad Ibn A'li that U'mar (RA). mentioned the Magians and said, "What should I do regarding them?" *Sayyidina AbdurRahman Ibn A'wf (RA)* said to him, "I bear witness that I heard *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* saying, 'Deal with them as you deal with the people of the book.'⁷²

The majority of scholars hold the view that only Jews and Christians constitute the people of the book based on the following verse of the Quran:

Translation: "(We revealed it) lest you say, 'The scripture was only sent down to two groups (Jews and Christians) before us.'⁷³ They also base their view on the fact that Rasnlullah • did not consider the Magians to be people of the book and he only made his statement, "Deal with them as you deal with the people of the book" with regards to taking Jizyah from them. Therefore, it is clear that the Magians are not from the people of the book and they will only be dealt with as the people of the book in the matter of Jizyah.

⁷⁰ Al-Muhalil (vol. 7, pg. 456)

⁷¹ *Jizyah* a tax which people of the book and those disbelievers who are treated as people of the book pay in order to stay in a Muslim country.

⁷² Muall Al-Imim Millik (Chapter of ZaMt - Jizyah of the people of the book)

⁷³ (6:156)

Chapter 7: The Ruling Of Meat Slaughtered By The People Of The Book

The entire Muslim nation is unanimous on the fact that the meat slaughtered by the people of the book is lawful and that they are qualified to slaughter animals in the Islamic way. The proof for this is the verse:

Translation: "And the food of those who were given the Scripture is lawful for you."⁷⁴ The scholars are also agreed on the fact that the word 'food' in this verse refers to slaughtered animals. In the commentary of the verse, "And the food of those who were given the Scripture is lawful for you," Ibn Kathir says,

"Ibn Abbas, Abft Umamah, Mujahid, Said Ibn Jubayr, I'krimah, A'ta, AI-Hasan, Makhul, Ibrahim An-Nakhai', AsSuddy, and Muqatil Ibn Hayyan all say that this verse refers to slaughtered animals. There is a consensus of opinion amongst scholars that the animals slaughtered by the people of the book are lawful for the Muslims because they also believe that the animals which are slaughtered for false gods other than Allah are unlawful and they only recite the name of Allah on the animals which they slaughter despite the fact that they hold incorrect beliefs regarding Allah."⁷⁵

Are the same conditions which need to be fulfilled for the slaughter of Muslims to be valid - such as cutting the vessels, using a sharp instrument, and reciting the name of Allah - also applicable to the slaughter of the people of the book? In order to answer this question, we will have to analyze the claims of some contemporary scholars who have said that the meat slaughtered by the people of the book is lawful without discussing the reasoning behind their view. We will discuss this question in two parts. The first part is whether it is necessary that the people of the book slaughter the animal according to the method shown by Islamic law, which includes cutting the vessels and using a sharp instrument. The second part is whether it is necessary for the people of the book to recite the name of Allah at the time of slaughter.

With regards to the first part of this question, the majority of the scholars of Fiqh hold the view that an animal slaughtered by the people of the book will only become lawful if they cut the required number of vessels using a sharp object. This is the correct view which is supported by many proofs which we will soon mention. However, some contemporary scholars hold the view that every animal slaughtered by the people of the book is lawful irrespective of how they slaughter because the verse, "And the food of those who were given the Scripture is lawful for you" has a general connotation. They also use following quote of Qadhi Ibn Al-A'raby to support their view:

"I was asked regarding a Christian who twists the neck of a chicken and cooks it; is it lawful to eat this meat with him or take some of this food? This was the 8th question. I answered, "This chicken is lawful to consume because it is the food of a Christian, the food of his bishop, and the food of his monks, even if the slaughter is not valid according to us. Allah has made their food lawful for us without any restriction. Those matters which they consider to be lawful in their religion will also be lawful for us in our religion unless if it is something which Allah has declared to be incorrect."⁷⁶

However, it is unusual for Ibn Al-A'raby to make such a statement because it contradicts a principle which he himself mentioned in the same book half a page before. This principle is as follows: "The ruling regarding those animals which the people of the book consume and are not slaughtered according to Islamic law - for example, if the animal is strangled or if its head is broken off - is that we will consider them to have died without being slaughtered. Allah has declared such an animal to be unlawful in the

⁷⁴ (5:5)

⁷⁵ Tafsir Ibn Kathir (vol. 2, pg 19)

⁷⁶ Ahkam Al-Quran (vol. 2,pg 556)

Quran, and we will not eat from it even if the people of the book do eat from it. This is similar to pork, which is lawful for them and regarded as their 'food', but is unlawful for us. Allah knows best."⁷⁷

There is a clear contradiction between these two statements of fun Al-A'raby, 'When such a contradiction occurs, we will accept that view which conforms to the verses of Quran and the Ahadith, and which has been supported by the practice of Muslims throughout the ages. We will not accept a digressed view which goes against strong and established proofs, namely:

1. Allah says,

Translation: "Prohibited to you are dead animals (animals which died without being slaughtered), blood, the flesh of pigs, and that which has been dedicated to others besides Allah, and [those animals] killed by strangling, or by a violent blow, or by a headlong fall, or by the piercing of a horn, or those from which a wild animal has eaten, except what you [are able] to slaughter [before its death]."⁷⁸

Allah has declared in this verse that all animals which are killed by strangling or by a violent blow are unlawful without any exception. Therefore, whoever tries to prove that an animal which has been strangled to death or killed by a violent blow by a person from the people of the book is lawful for Muslims to consume based on the verse, "And the food of those who were given the Scripture is lawful for you" will also have to assert that a pig slaughtered by a person from the people of the book is lawful because a pig is also the food of the people of the book.

The same verse which these people use to prove that the meat of a pig is unlawful also proves that an animal which is strangled to death or killed by a violent blow is unlawful, and there is no basis for differentiating between the two. If the meat of a pig has to be excluded from the 'food of those who were given the Scripture,' then an animal killed by strangling or by a violent blow has to be excluded for all the more reason. This is because pork is lawful in their religion, whereas an animal killed by strangling or by a violent blow is unlawful in the original version of their religion, as will be discussed shortly. Therefore, if a food which is lawful in their religion (pork) is excluded from the food of the people of the book which was made lawful for Muslims, then that food which was unlawful in the original version of their religion (the meat of an animal which is strangled or killed by a violent blow) should be all the more rightfully excluded.

2. There is an established principle of Fiqh and the Arabic language that when there is a ruling based on a derived word, then the root word will be the cause for establishing that ruling. For example, when we command someone to 'respect the people of knowledge,' then 'knowledge' will be the cause for the ruling of 'respect.' (When knowledge is found, then the command for respect will be applicable) This is because 'knowledge' is the root word of the derived word 'the people of knowledge.' This is an accepted principle. Applying this same principle to this verse of Surah Maidah, we can say that the cause for the animal which is 'killed by strangling or by a violent blow' being unlawful is the act of strangling and dealing a violent blow. Thus, an animal will become unlawful whenever the act of strangling or killing by a violent blow is found, irrespective of whether the slaughterer is a Muslim or from the people of the book.

3. The most that can be established by the verse, "And the food of those who were given the Scripture is lawful for you" is that the people of the book are treated on the same level as Muslims in the ruling relating to the slaughtering of animals. They have not been given preference over the Muslims so that

⁷⁷ Ahkam Al-Quran (vol. 2, pg. 552)

⁷⁸ (5:3)

whatever is deemed unlawful for the Muslims is lawful for them. It follows from Ibn Al-A'raby's view that the disbelievers from the people of the book would have preference over the Muslims, i.e. the animals they slaughter would always be lawful regardless of how they slaughter, and these animals would be unlawful if a Muslim were to slaughter using this same method. This is obviously wrong.

4. It is an accepted fact in Islam that all the disbelievers in fact constitute one community. This principle demands that the people of the book be treated in the same category as the other disbelievers in their slaughtered animals being unlawful. However, Allah has given the people of the book preference over the other disbelievers in the matter of slaughter and marriage because their laws regarding slaughter and marriage were similar to that of the Muslims. They used to observe the same conditions in their slaughter which the Muslims used to observe as ordained by Islam. These laws are found in their Holy books till today, despite the many interpolations. We will now present some passages from their Holy books.

There is a passage in Leviticus of the Old Testament which says, " And the fat of the beast that dieth of itself, and the fat of that which is torn with beasts, may be used in any other use: but ye shall in no wise eat of it."⁷⁹

It is also mentioned in Deuteronomy, "And thou shalt offer thy burnt offerings, the flesh and the blood, upon the altar of the Lord thy God: and the blood of thy sacrifices shall be poured out upon the altar of the Lord thy God, and thou shalt eat the flesh. Observe and hear all these words which I command thee, that it may go well with thee, and with thy children after thee for ever, when thou doest that which is good and right in the sight of the Lord thy God."⁸⁰ These two books from the Old Testament are accepted both by the Jews and Christians.

It is also mentioned in Acts of the New Testament which is only accepted by the Christians, "For it seemed good to the Holy Ghost, and to us, to lay upon you no greater burden than these necessary things; That ye abstain from meats offered to idols, and from blood, and from things strangled, and from fornication: from which if ye keep yourselves, ye shall do well. Fare ye well."⁸¹

It is written in another place in the same book, "As touching the Gentiles which believe, we have written and concluded that they observe no such thing, save only that they keep themselves from things offered to idols, and from blood, and from strangled, and from fornication."⁸²

St. Paul - who the Christians believe to be a Prophet - says in his first letter to the Corinthian people, "But I say, that the things which the Gentiles sacrifice, they sacrifice to devils, and not to God: and I would not that ye should have fellowship with devils. Ye cannot drink the cup of the Lord, and the cup of devils: ye cannot be partakers of the Lord's table, and of the table of devils."⁸³

It is worth mentioning that St. Paul is the one who declared all of the laws of the Torah to be abrogated for the Christians despite the texts of Isa (Jesus) (which state that the Torah must also be followed). However, he retained the laws related to slaughter and did not abrogate them. Therefore, he declared strangled animals to be unlawful and he made it a condition that the slaughter be for Allah. From this, it is clear that the laws regarding slaughter in the original version of Christianity were similar to that of the Jews.

⁷⁹ (7:24) Translator's note: All Bible passages are taken from the King James Standard Version

⁸⁰ (12:27)

⁸¹ (15:28-29)

⁸² (21:25)

⁸³ (10:20)

The Holy books of the Jews contain many detailed laws regarding slaughter. It is stated in the Mishnah which is the primary source of Jewish Law, "If he slaughtered with a handsickle or with a flint or with a reed, what he slaughters is valid. All may slaughter and at any time and with any implement excepting a reaping sickle or with a saw or teeth or the fingernails, since these choke."⁸⁴ Doctor Herbert Dinby writes under this passage of the Mishnah that the laws of slaughtering which the Jews consider to be a part of the religion which was given to Musa (Moses) on the mountain can be summarized in five points:

- (a) there must be no delay, but the knife must be kept continually moving backwards and forwards;
- (b) no pressure may be exerted;
- (c) there may be no thrusting or digging in of the knife under the skin or between the gullet and windpipe;
- (d) the knife may not be allowed to slip beyond a certain area of the throat - from the large ring of the windpipe to the upper lobe of the inflated lungs; and
- (e) the gullet or windpipe must not be torn out of position in the course of slaughtering.⁸⁵

These passages are taken from those Holy books which the Jews and Christians consider to be primary sources of their religions, and they prove the following:

1. An animal which is strangled to death and an animal which is killed by a violent blow is unlawful in their religion just as it is unlawful in our religion.
2. It is apparent that they also require that the slaughter be for Allah. In other words, the name of Allah must also be recited according to them, as is clear from St. Paul's letter to the Corinthian people mentioned above.
3. Ibn Al-A'raby gave the ruling in his book that it is lawful to consume a chicken whose neck was twisted by a Christian based on the assumption that Christians consider a strangled animal to be lawful. (This is assuming that this view can be reliably attributed to him because this view contradicts another passage of the same book). This is explained by the fact that he has justified this verdict by saying, "Everything which the Christians consider to be lawful in their religion is also lawful for us in our religion." However, he is mistaken in this view because the passages of the Holy books of the Christians clearly state that a strangled animal is unlawful (See the passages mentioned above which were taken from Acts of the 'New Testament in [15: 28-29] and [21:25]). If Ibn Al-A'raby had known that a strangled animal is unlawful in their religion, he would not have passed such a ruling.
4. These passages prove that Ibn Kathir (RA) is correct in saying that all scholars are unanimous that the animals slaughtered by the people of the book are lawful for Muslims because the people of the book consider animals slaughtered for gods other than Allah to be unlawful and they only mention the name of Allah at the time of slaughter despite the fact that they hold incorrect beliefs regarding Allah."⁸⁶
5. In light of the texts of the Holy books of the Christians which we presented, an animal which has been strangled to death or dealt a violent blow is clearly unlawful for them to consume. It does not make sense for a person to say that an animal which is unlawful for a Christian to consume is lawful for us, whereas the action of strangling or dealing a violent blow also makes an animal unlawful for a Muslim. In other

⁸⁴ The Mishnah, Hullin 1, pg.513, Oxford 1987

⁸⁵ Ibid, pg. 513

⁸⁶ Tafsir Ibn Kathir (vol. 2, pg.19)

words, this person is saying that an animal which is strangled or dealt a violent blow by a Muslim is unlawful. On the other hand, he is saying that if the very same unlawful action is carried out by a Christian, the animal is lawful for a Muslim to consume, despite the fact that it is unlawful even for the Christian.

It is as if a person who holds such a view is giving the disbelievers a special preference which makes their actions valid for us in our religion even though these actions are unlawful both in their religion and in our religion. It is obviously impossible for this to happen, and this is the necessary outcome of saying that an animal which the people of the book slaughter in a manner contrary to Islamic law is still lawful for us. A ruling whose necessary outcome is incorrect will also itself be incorrect.

6. The Jews and Christians have been given virtue over the rest of the disbelievers in two matters. One is that the animals they slaughter are lawful for us. The second is that it is permissible to marry their women. It is an accepted fact that it will only be lawful to marry their women when all the requirements of marriage in Islamic law are fulfilled.

There is no scholar who says that it is permissible for a Muslim to marry a woman from the people of the book in a manner contrary to Islamic law, for example by marrying a woman from the people of the book who is categorized as being from the prohibited degrees of relationship mentioned in the Quran and Ahadith, or marrying without any witnesses, or if the marriage takes place without offer and acceptance from both parties. It is clear from this that marriage with the people of the book will only be valid if it takes place in a manner which is recognized by Islamic law.

It is incorrect to say that a marriage with takes place with the people of the book in a manner which is contrary to Islamic law is valid because of the verse, "And [lawful in marriage] are chaste women from amongst those who were given the Scripture before you."⁸⁷ If this is the case with marriage with the people of the book, then why should it also not be necessary that the slaughter of the people of the book be in accordance to Islamic law? How can anyone use the verse, "And the food of those who were given the Scripture is lawful for you" to prove that an animal which is killed in a manner contrary to Islamic law (by choking or strangling) is lawful to consume when both the ruling for marriage with the women of the people of the book and the ruling for meat slaughtered by the people of the book is mentioned together in one verse?

7. The scholars unanimously agree that an animal which is strangled, killed by a violent blow, and killed without being slaughtered is unlawful to consume without any exception because of absolute proofs. This will apply even if the strangler or the person who is giving the violent blow is from the people of the book. We do not know of anyone who has said that an animal which has been strangled or killed by a violent blow by a person from the people of the book is lawful besides Ibn AIA'raby, whose statement was mentioned above. As you have already seen, this contradicts another statement of his which he made in the same book only half a page before. Can a person go against the verses of the Quran, the Ahadith, and the other strong proofs solely based on this digressed view of Ibn AIA'raby which itself is contradictory and is based on the assumption that an animal strangled to death is lawful for the Christians. The passages of their Holy books clearly show that he is mistaken in making this assumption.

Even if we assume for a moment that there is no contradiction in Ibn Al-A'raby's book and this is his accepted view, we still will not accept a digressed view which is contrary to the Quran, Ahadith, and other strong proofs followed by the majority of the scholars. It is not appropriate to hold on to Ibn Al-

⁸⁷ (5:5)

A'raby's view in such a serious matter where in case of doubt, the ruling of prohibition must be given preference. All the more, there can be no doubt, as in this case, where the ruling of prohibition is established by absolute proofs and the consensus of scholars.

The correct view is that the animals slaughtered by the people of the book will only become lawful for us when they are slaughtered according to the Islamic way by cutting the vessels and draining out the blood. The animal will be unlawful if it is strangled, killed by a violent blow or slaughtered in any other manner which is contrary to Islamic law.

Chapter 8: Do The People Of The Book Have To Recite The Name Of Allah?

The second part of this question is whether it is a condition for the people of the book to recite the name of Allah in order for the animal to become lawful. The scholars have held different views in this regard.

1. The first view is that it is necessary for the people of the book to recite the name of Allah just as it is necessary for Muslims. This is the view of the followers of Imam Abu Hanifah and Ahmad Ibn Hanbal. Ibn Qudamah says, "It is a condition for every slaughterer to recite the name of Allah with intent, irrespective whether he is a Muslim or from the people of the book. Therefore, the animal will be unlawful if a person from the people of the book intentionally leaves out the name of Allah or recites the name of gods other than Allah. This view is narrated from A'li, Ibrahim An-Nakhai'y, Shafi'i⁸⁸, Hamrnad, Ishaq, and the followers of Imam Abu Hanifa (RA)."⁸⁹

Kasfmi says, "The animal slaughtered by the people of the book will only become lawful if we do not personally witness the slaughter and do not hear the slaughterer recite anything, or if we are physically present at the time of slaughter and we hear him reciting only the name of Allah. This is because we will assume that he only recited the name of Allah and did not recite anything else in the situation where we did not hear him recite anything, thinking good of him, as is the case with a Muslim."⁹⁰

Some scholars hold the view that an animal is lawful if we hear him recite the name of Allah, but [we know that] he is referring to Isa (Jesus) because he has outwardly recited the name of Allah just as the Muslims do, unless if he specifically recites the name of Allah while saying that He is part of the trinity. It is narrated that A'li, was asked regarding animals which are slaughtered by the people of the book who recite the name of gods other than Allah at the time of slaughter. He answered, 'Allah has made the animals slaughtered by them lawful while having full knowledge of what they say.' The animal will be unlawful if someone hears a slaughterer from the people of the book reciting the name of Isa (Jesus) ~ upon the animal or reciting the name of Isa (Jesus) along with Allah. This view has been narrated from A'li and no contrary view has been narrated from him."⁹¹

2. The second view is that it is not necessary for a person from the people of the book to recite the name of Allah at the time of slaughter in order for the animal to become lawful and the animal will still be lawful if the follower of the book does not recite the name of Allah during the slaughter. However, the animal will become unlawful if he mentions the name of a god other than Allah, such as Isa (Jesus) ~. This is the view of the followers of Imam Malik. Dardir has said,

"It is a condition that a Muslim recite the name of Allah, irrespective of which words he uses to do so. For example, he can say La ilaha illallah (There is no god but Allah), Allahu Akbar (Allah is the greatest), Subhiin Allah (Allah is pure from all defects), or Bismillah (In the name of Allah). It is not necessary for

⁸⁸ Ibn Qudamah has mentioned this as being the view of Imam Shafi'i, whereas his famous view is that it is not necessary for a Muslim to recite the name of Allah, let alone the people of the book. We can make these two different views of Imam Shafi'i conform by saying that Imam Shafi'i's view is that the animal becomes unlawful if the name of Allah is left out because of not attaching importance to it, and the outward condition of a disbeliever is that he will leave out the name of Allah due to his not attaching importance to it. So, in this way, we can also say that an animal is unlawful according to Imam Shafi'i if a person from the people of the book does not recite the name of Allah. Allah knows best.

⁸⁹ Al-Mughni (vol. 11,pg.56)

⁹⁰ This will be the case when the people of the book normally recite the name of Allah at the time of slaughter. However, we will consider the meat to be unlawful when they do not normally recite the name of Allah.

⁹¹ Badai' As-Sanai (vol. 5, pg. 46)

a person from the people of the book to recite the name of Allah at the time of slaughter, rather it is a condition that he does not recite the name of gods other than Allah which he believes in.”⁹²

3. The last view is that it is not necessary for a person from the people of the book to recite the name of Allah and the animal will become lawful even if he recites the name of a god other than Allah. Ibn Qudamah says that this view is narrated from saidina A'ta, Mujahid, and Makhul (RA).⁹³

After analyzing the proofs behind each view, we come to the conclusion that the first view is the strongest because Allah says in the Quran, "And do not eat of that upon which the name of Allah has not been mentioned." The passive tense used in "not been mentioned" clearly shows that leaving out the name of Allah makes an animal unlawful, irrespective of whether the slaughterer is a Muslim or from the people of the book. In the same way, Allah has mentioned 'the animal upon which the name of gods other than Allah is recited'⁹⁴ while discussing those animals which are unlawful to consume. The verb which is used in this verse is also in the passive tense, so this verse will apply to when the slaughterer is Muslim and when he is from the people of the book. The same principle will apply to the verse, "And those which are sacrificed on stone altars.”⁹⁵

We have mentioned above that both the Jews and Christians had been slaughtering animals on the name of Allah, and St. Paul had made the animals slaughtered by other nations unlawful for the Christians because they were slaughtered for Satan and not Allah, as was mentioned above in his letter to the Corinthian people. It for this reason that the animals slaughtered by the people of the book were made lawful for the Muslims, as was mentioned above in the statement of Ibn Kathir. Therefore, when the people of the book leave out the name of Allah or recite the name of a god other than Allah during the slaughter, the factor behind their slaughtered animals becoming lawful is no longer found and they will remain on their original state of unlawfulness.

Most of the proofs mentioned above which establish that an animal strangled or killed by a violent blow by the people of the book is unlawful will also apply to reciting the name of Allah at the time of slaughter. There is a slight difference between the two, and it is that leaving out the name of Allah is not as serious as strangling an animal or killing it by a violent blow. The reason for this is that there is a difference of opinion amongst the scholars on whether an animal upon which a person from the people of the book did not recite the name of Allah is unlawful, as we have already mentioned. However, there is no difference of opinion amongst the reputable scholars that an animal killed by strangling or by a violent blow is unlawful. Ibn Al-A'raby's contradictory view is not strong enough for us to consider it to be a valid difference of opinion and to affect the consensus.

The strong view which is supported by clear proofs is that the animals slaughtered by the people of the book will only become lawful if they observe all the conditions for slaughter which are mentioned in the Quran and the Ahadith, This was the method of slaughter which was prevalent amongst them at the time when Allah revealed the verse which made it lawful to eat the animals which they slaughter. Allah knows best.

⁹² As-Sharh As-Saghir (vol.2, pg. 170-1)

⁹³ Al-Mughni (vol.11, pg 56)

⁹⁴ (5:3)

⁹⁵ (5:3)

Chapter 9: Animals Slaughtered By Materialists And Atheists Who Are Christian By Name

In order for the animals slaughtered by the people of the book to become lawful, it is necessary that the slaughterer be a follower of either the Christian or Jewish religion and that he believe in the fundamental teachings of that religion, even if these teachings are contrary to the teachings of Islam, e.g. their belief in trinity, atonement, and the distorted versions of the Gospel and Torah. Allah has called them 'people of the book' despite the fact that they used to have these false beliefs at the time the Quran was revealed. Allah has clearly said in the Quran,

Translation: "The Christians say 'The Messiah is the son of Allah.'"⁹⁶ In another verse, He says,

"They have certainly disbelieved who say, "Allah is the third of three (in a trinity)."⁹⁷ Allah also says,

"And the Jews say, 'Uzair (Ezra) is the son of Allah.'"⁹⁸ He states in another place that 'they distort words from their [proper] places (i.e. usages).'⁹⁹

Jassas writes in his book that Ubadat Ibn Nusayy narrates from Gadhayf Ibn Al-Harith that a governor of U'rnar Ibn AIKhattab ~ wrote to him, "There are people from As-Samirah who read the Torah and observe the Sabbath, but they do not believe in the resurrection. What should we do?" U'rnar ~ wrote to him saying, "Indeed, they are a group of the people of the book."¹⁰⁰

This incident proves that it is not necessary for a person to believe in a pure monotheism similar to that of Islam in order for us to consider him to be from the people of the book. It is also not necessary that he believe that the Gospel and Torah are distorted and that the religion of Musa (Moses) ~ and Isa (Jesus) ~ has been abrogated. Rather, it is sufficient that he believes in those fundamental teachings of Jews and Christians which distinguish them from other religions.

However, it is not sufficient for a person to have a Christian name or for him to be counted as a Christian in the official census in order to establish that he is from the people of the book. Instead, his beliefs must be similar to their beliefs. There are many people today - especially in western countries - who have Christian names and are sometimes recorded in the census as being Christians, but in reality they are materialists or atheists who do not even believe that there is a Creator of this universe, let alone having faith in the other Christian beliefs. In reality, these people mock at all religions. They are not Christians and it is not permissible to consider them to be people of the book. This means that the animals slaughtered by them will be unlawful.

The proof for this is clear; the people of the book were given preference over the other disbelievers only because of their belief in the existence of Allah, the Prophets, and the Heavenly books. It is impossible to consider a person who does not believe in a supreme being, a Prophet, and a Holy Book to be a Jew or Christian. A similar ruling is narrated from saidina Ali (RA) regarding the Christians of Banfl Taghlib.

Jassas says in his book, "Muhammad Ibn Sirin narrates from Ubaydah that he asked saidina Ali (RA) regarding the animals slaughtered by the Christian Arabs. Saidina A'li (RA) answered, 'The animals slaughtered by them are unlawful because the only aspect of their religion which they practice upon is

⁹⁶ (9:30)

⁹⁷ (5:73)

⁹⁸ (9:3)

⁹⁹ (5:13)

¹⁰⁰ Ahkam Al-Quran (vol.2, pg 323)

that they drink alcohol."¹⁰¹ The meaning of this is that they did not believe in the Gospel or Torah and the elementary teachings of the Christians or Jews. Therefore, it is not possible to consider them to be people of the book just based on the fact that they call themselves Christians.

However, this ruling only applies to the situation when we know with certainty that a person does not believe in a supreme being, the Prophets, or the Holy Books. It is permissible for us to consider a person to be from the people of the book if his name and outer condition indicate that he is Christian unless if we come to know that his beliefs are similar to those of the materialists.

¹⁰¹ Ahkam Al-Quran (vol.2, pg.323)

Chapter 10: The Ruling Of Meat Whose Slaughterer's Identity Is Unknown

There are four possible situations for when the identity of the slaughterer and the method of slaughter is unknown:

1. It is lawful to consume the meat sold in stores when the majority of the residents of the country are Muslims, even if we personally do not know who slaughtered the animal and whether he recited the name of Allah or not. This is because we will assume that the meat which is found in Muslim Countries has been slaughtered. according to Islamic law .and because we are commanded to think good of other Muslims. The basis for this is the Hadith of saidatuna A'isha (RA) wherein some people asked *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)*, "Some people bring meat to us and we do not know if the name of Allah was recited upon it or not?" He answered, "You should recite the name of Allah upon it and eat." Saidatuna A'isha (RA) adds that the people regarding whom this question was asked were new Muslims.¹⁰²

Hafiz Ibn Hajarb (RA) says in the commentary of this Hadith, "Ibn AtTin says that a Muslim is not legally responsible for someone else, without his knowledge, reciting the name of Allah at the time of slaughter. The slaughter will only be considered unlawful if it is known with certainty that the name of Allah was not recited. There is a possibility that this Hadith means that reciting the name of Allah before eating makes it lawful for us to consume an animal upon which we do not know if the name of Allah was recited. This would only apply when the slaughterer is such a person whose slaughter would be valid if he were to recite the name of Allah. Another point which we learn from this Hadith is that we will assume that all the meat found in Muslim markets was slaughtered correctly, and we will also assume the meat slaughtered by Muslim Bedouin Arabs is lawful because it is most likely that they are aware of the need to recite the name of Allah at the time of slaughter. Ibn Abdul-Barr has strongly supported this second view." ¹⁰³

Sayyidituna Aishah (RA) statement that "they were new Muslims" shows that there was fear that these people might not have been aware of the need to recite the name of Allah at the time of slaughter. Despite this possibility, *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* made it lawful to consume the animals which they slaughter because the action of a Muslim will be assumed to be correct even if he is unaware of the correct way to carry out the action, unless it is known with certainty that he did do it incorrectly. Bukhari has hinted towards this fact by titling the chapter under which this Hadith is mentioned as 'the chapter of animals slaughtered by Bedouins and similar people.' Hafiz Ibn Hajar says that it is clearly mentioned in the version of this Hadith which is in Sunan An-Nasa'i that these people were Bedouins, and generally Bedouins tend to be lacking in knowledge.

2. It is unlawful for Muslims to consume meat which is sold in the stores of countries in which the majority of the people are disbelievers who are not people of the book, It will only become lawful to consume this meat when we know with certainty or with probability that this specific meat [in front of us] was slaughtered either by a Muslim or a person from the people of the book in accordance with Islamic law. This point is very clear.

3. The same ruling will apply when there are many different religious groups in a country, such as Muslims, fireworshippers, and idol-worshippers. This is because of the fact that when doubt exists, we will consider the animal to be unlawful unless we know with certainty that the animal is in fact lawful.

¹⁰² Sahih Bukhari (5507)

¹⁰³ Fath Al-Bari (vol. 9, pg. 635-6)

The proof for this is the Hadith of *Sayyidina A'diy Ibn Hatim (RA)*. which was mentioned above wherein *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* declared a hunted-animal to be unlawful when another hunting-dog had participated in the kill.

4. It is lawful to consume the meat found in the stores of a country where the majority of the inhabitants are people of the book, as is the case when the majority of the people of a country are Muslims because the same laws which apply to the meat slaughtered by Muslims also apply to the meat slaughtered by the people of the book. However, the meat will not be lawful to consume when we know with certainty or with probability that the people of the book in that country do not slaughter the animal according to Islamic law, unless we know that this specific meat [in front of us] was slaughtered in Islamic way. This is the situation which is prevalent in the majority of western countries today, as we will soon discuss.

Chapter 11: The Modern Automated Method Of Slaughter

The ever-increasing population and their great food requirements have made it necessary to use automated systems for slaughtering animals. Huge butcheries and slaughterhouses have been established where thousands of animals are slaughtered daily. Therefore, it is necessary to know the Islamic ruling regarding these institutions. The automated method of slaughter varies according to the type of animal; for example, the method used to slaughter chickens is different from the method used to slaughter cattle and goats.

The Slaughter Of Chickens

I have personally witnessed the method used to slaughter chickens in Canada, South Africa, and Reunion. There is one huge automated system which undertakes all the phases of the slaughter and production. The chicken is put in one side of the machine and its meat comes out on the other side, cleaned and packed. The electric machine handles all processes related to the slaughter, including plucking its feathers, removing its intestines, cleaning the meat, cutting it into pieces, and finally packing it. There is a long iron rail in this machine which is raised in the middle of a long room between two walls. There are many hooks on the bottom part of this rail whose links are facing the ground.

Hundreds of chickens are brought from large trucks and each chicken is hung by its legs so that the two legs hang from the chain of the hook. The body of the chicken is upside-down, meaning that its throat and beak are facing the ground. These hooks take the hanging chicken to an area where cold water is released from above in the form of small sprays. The chicken is passed through this cold water in order to clean it from dirt and filth. In some cases, this water contains an electric current which stuns the chicken. Then, these hooks come to an area where a rotating blade has been placed at the bottom which cuts with great speed. This knife is placed where the necks of the chickens pass while they are hanging upside-down. This rotating blade is shaped like a crescent moon. Many necks of chickens are brought to the side where the rotating blade is situated, and the knife automatically cuts the throat of each the chicken.

The chicken continues to go forward after its neck is cut, and after a short while, it is taken to another area where water is released from above. However, [the difference is that this time] the water is hot, and the purpose of passing the chickens through this water is to remove their feathers. Then, the same machine carries out the remaining processes, which include removing the intestines, cleaning, and cutting the chicken. We will not discuss these final processes because they are not relevant to the topic of this book. It is worth mentioning that this electric machine runs continuously throughout the day and sometimes for 24 hours, stopping only for certain intervals in between.

There are four points which need to be discussed regarding this method of slaughter from an Islamic point of view.

1. Placing the chicken in water containing an electric current
2. Cutting the neck using a rotating blade
3. Placing it in hot water
4. How is the requirement of reciting the name of Allah fulfilled in this automated method?

Not all slaughterhouses place the chicken in cold water before cutting its throat and many do not do so. If the water does not have an electric current, then this water has no effect on the validity of the slaughter. Also, the animal does not normally die because of the electric current in the water. The electric current

only sedates the brain of the animal. This creates convulsions in its heart, making less blood flow out of the animal than normal. However, this is not enough to make the animal unlawful. The animal will be unlawful to consume when it is established with certainty that the current caused its death, even if the throat is cut afterwards in accordance to Islamic law. Therefore, it is necessary to verify that the temperature of the water or intensity of the electric current is not high enough to kill the animal. A close watch must also be kept in order to ensure that the chickens do not die during this stage of slaughter. In spite of such monitoring, it is best not to use this electric current in order to remove all doubt regarding the lawfulness of this animal.

The rotating blade is similar to a grindstone whose edges are sharp. This grindstone continuously rotates with speed. The throats of the chickens pass over the edges of the grindstone and are automatically cut. On the outward, the knife cuts the vessels of the chicken. However, sometimes due to a particular reason, the chicken moves a little from its place on the hook, causing the neck not to line up perfectly with the knife. Because of this, the neck is either not cut at all or it is only partially cut. This casts a doubt on whether the vessels were cut or not. In both cases, the slaughter will not be valid.

There are many complications with regards to reciting the name of Allah while using the automated method. The first complication is in specifying who is the slaughterer because only the slaughterer is responsible for reciting the name of Allah. It is not valid for one person to slaughter and for another to recite the name of Allah for him. Therefore, the question to ask is that who is the slaughterer in this automated method? We could say that the slaughterer is the person who started the machine because he controls the movement of the machine. The machine itself does not have the level of intelligence which would allow us to attribute the act of slaughtering to it.

We could attribute the slaughter to the person running the machine and consider him to be the slaughterer whilst using the machine as a tool. However, the problem with this is that the person who starts the machine only starts it once, for example in the morning. Thereafter, the machine runs continuously during the work day and sometimes for 24 hours, cutting the necks of thousands of chickens. If the person who starts the machine recites the name of Allah once in the beginning of the day, will this one recitation suffice for the thousands of chickens slaughtered by this machine during the day? The outward meaning of the verse of the Quran, "And do not eat of that upon which the name of Allah has not been mentioned" proves that the name of Allah must be recited separately for each animal and that it should be slaughtered immediately thereafter. Based on this principle, the scholars of Fiqh have derived the following laws:

"One of the conditions for the slaughter under normal circumstances is that one must specify the animal for which he is reciting the name of Allah. From this principle, we can derive the ruling for when a person slaughters one animal whilst reciting the name of Allah and then slaughters another animal while assuming that the first recitation of the name of Allah will suffice for both animals. This second animal will be unlawful in this case, Therefore, it is necessary that the name of Allah be recited separately for each animal."¹⁰⁴

"If a person places a sheep on the ground to slaughter it, takes a knife, recites the name of Allah, leaves this sheep, and slaughters another sheep in its place while intentionally leaving out the name of Allah, then this animal will be unlawful to consume. This is mentioned in *Khulasatul Fatawa* (written by Tahir Bukhari) ...

¹⁰⁴ Al-Fatawa Al-Hindiyah (vol. 5, pg. 286)

If a person lays a sheep on the ground for slaughter, recites the name of Allah upon it, then speaks to a person, drinks water, or sharpens his knife, or eats a morsel of food, (or does another similar action which is not considered to be an extended action, then this recitation of the name of Allah will suffice for that animal. However, it will be Makruh. (disliked) to consume that animal if he talks for a long time and the action becomes extended. No exact time has been stipulated for an action to be considered extended, rather we will look at the normal trend. An action will be considered to be extended if people normally consider it to be extended. Similarly, the time period of an action will be considered to be short if people consider it so."¹⁰⁵

Ibn Qudamah says, "The recitation of the name of Allah is valid [if recited] at the time of slaughter or close to it, as is the case in Wudhu (ablution for prayer). It is not permissible to recite the name of Allah on one sheep, take another sheep, and slaughter it while relying on the first recitation of the name of Allah. This ruling will apply, irrespective of whether the slaughterer releases the first sheep or slaughters it because he did not make the intention of slaughtering the second sheep when he recited the name of Allah the first time.

It is also unlawful for a person to recite the name of Allah upon seeing a herd of sheep, then take a sheep, and slaughter it without repeating the name of Allah. A person who is unaware of the need to repeat the name of Allah will not be in the same ruling as a person who forgets to recite the name of Allah because a person who forgets is not held accountable for reciting, the name of Allah while a person who is unaware of the need to recite the name of Allah is held accountable. This same principle applies to fasting; the fast of a person who eats forgetfully does not break, while the fast of a person who is unaware that his fast will break by eating does break.

If a person lays down a sheep for slaughter, recites the name of Allah, puts his knife down and takes another one, or returns the Salam (greeting of a Muslim), or speaks to a person, or asks for water, or does something similar, then the slaughter will be valid because he had recited the name of Allah on a specific sheep and there was only a short interval between the recitation of the name of Allah and the slaughter. Thus, we will consider this interval as if it did not take place."¹⁰⁶

Al-Mawwaq Al-Maliki says, "Imam Malik holds the view that it is necessary for a person to recite the name of Allah while shooting his weapon, releasing his hunting-animal, and slaughtering because of the verse, "And mention the name of Allah upon it."¹⁰⁷

These passages from the books of Fiqh clearly show that the majority of scholars who require that the name of Allah be recited at the time of slaughter also require that the name of Allah must be recited on a specific animal and at the time of slaughter. They also make it a condition that a significant interval of time not pass between the recitation of the name of Allah and the slaughter.

These conditions are not found in the automated process mentioned above. If the person who starts the machine recites the name of Allah, then he is not reciting the name of Allah on a specific animal, and a significant period of time will elapse between his recitation of the name of Allah and the slaughtering of thousands of chickens throughout the work day, 24 hours, or longer. Apparently, this recitation of the name of Allah will not suffice for the slaughter of all these chickens. This is similar to the situation mentioned by Ibn Qudamah above in which he says that it is unlawful for a person to recite the name of

¹⁰⁵ Al-Fatawa Al-Hindiyah (vol. 5, pg. 288)

¹⁰⁶ Al-Mughni (vol. 11, pg.33)

¹⁰⁷ At-Taj Walklil bi Hamish Mawahib Al-Jalil (vol. 3, pg. 219)

Allah upon seeing a herd of sheep, then take a sheep, and slaughter it without repeating the name of Allah.¹⁰⁸

It is possible for someone to raise an objection to this view based on the following statement, "It will be sufficient to recite the name of Allah only once when a person lays down two sheep, one on top of the other and slaughters both in one motion. However, if he places two sparrows in his hand, recites the name of Allah, and slaughters them in succession, then the second sparrow will be unlawful to consume. Reciting the name of Allah once will suffice if he slaughters both in one stroke."¹⁰⁹

There is a possibility that someone might say that the ruling for reciting the name of Allah using an automated machine is similar to the above-mentioned ruling where a person lays down two sheep together or gathers two sparrows in his hand in that reciting the name of Allah once will suffice. However, in reality, the two situations mentioned above cannot be applied to the automated slaughter because the two sheep and two sparrows mentioned above are slaughtered simultaneously without a significant interval of time elapsing between the slaughter and recitation of the name of Allah. For this reason, the author of this passage clearly states in this ruling that the second sparrow will be unlawful to consume if a person takes two sparrows in his hand, recites the name of Allah, slaughters the first, and thereafter slaughters the second one. This is because of the fact that the second sparrow was not slaughtered simultaneously with the first. We cannot say that all the chickens slaughtered by automated machine in the period of one or two days are slaughtered at once because they are in reality slaughtered separately, one after the other. Thus, there is a clear difference between the two situations.

This proves that it is not sufficient for the person starting the machine to recite the name of Allah once for all the animals slaughtered by the machine. If a person is stationed by the rotating blade to recite the name of Allah every time the throat of a chicken is cut (I witnessed this in a slaughterhouse in Canada), then there are the following difficulties in considering the recitation of the name of Allah to be valid in Islamic law:

1. The name of Allah should be recited by the slaughterer himself, whereas the person standing by the machine does not participate in the slaughter in any way; he has neither started the machine, moved the rotating blade, or placed the chicken in front of the rotating blade. He is completely detached from the slaughter. Therefore, his recitation of the name of Allah cannot be considered as being the recitation of the slaughterer.
2. Many chickens pass through the rotating blade in the span of a few seconds. Therefore, it is not possible for the person standing to recite the name of Allah separately for each one.
3. The person standing is a human being and not an automatic machine, meaning that it is not possible for him to continuously recite the name of Allah without doing anything else. He will sometimes have to attend to his needs and thus will be distracted from reciting the name of Allah. In this period of time, many chickens will pass through the rotating blade and be slaughtered without having the name of Allah recited upon them. I personally saw in the slaughterhouse in Canada that this person would be away from his place near the machine for intervals which would sometimes extend for half an hour or more.

¹⁰⁸ This same ruling is also mentioned in Al-Fatawa Al-Hindiyah (vol. 5, pg. 289)

¹⁰⁹ Al-Fatawa Al-Hindiyah (vol. 5, pg. 289)

The rotating blade should be removed and replaced with four Muslims who take turns in cutting the throats of the chicken while reciting the name of Allah as the chickens are brought by the hooks.”¹¹⁰ I proposed this idea to a large slaughterhouse in Reunion and they implemented my proposal. Experience has shown that implementing this method does not affect the number of chickens slaughtered in the least bit because the four slaughterers take the same amount of time to cut the necks of the chicken as the rotating blade.

Also, this machine is not entirely independent of human labor. We have seen that the managers of slaughterhouses are often forced to appoint workers to stand in sections of the machine where the hooks pass through and remove the intestines from the stomachs of the chickens either by hand or by using tools. I do not know of any slaughterhouse which is completely independent of such human labor. If they can appoint people for this type of work, then they can definitely appoint four people to slaughter. By doing so, the slaughter can take place according to Islamic law at the hands of Muslim slaughterers who recite the name of Allah while slaughtering, and the remaining processes can be done automatically by the machine. Besides Reunion, I also saw the same method being implemented in a much larger slaughterhouse in Durban, South Africa. Thousands of chickens are slaughtered there daily. They accepted this request from the Muslims and are implementing it without any difficulty.

In the same way, I also spoke to the owners of a slaughterhouse which I visited in Canada and I requested them to do the same (to modify their method of slaughter). They expressed their willingness to implement this method if the Muslims requested it. However, it is a great disappointment that the Muslim group which sanctions their chickens as being lawful did not accept this proposal.

As long as this replacement is practical to implement, there is no pressing need to use the rotating blade. Allah knows best.

Passing The Chickens Though Hot Water

The last issue related to the automated process is that after passing through the rotating blade, the chickens are brought to a zone where hot water is released from above in order to remove their feathers. There are two possible issues of contention related to this hot water:

1. When the throat of a chicken is not cut by the rotating blade in a manner which is acceptable in Islamic law, then it will still have some life left in it when it is brought to the area where it will be immersed in hot water. Thus, it is not far-fetched for such a chicken to die because of the heat of the water, making it unlawful to consume.
2. Some people object to this method of slaughter because the animal is submersed in the hot water before all the impurities and filth are removed from the stomach of the chicken. Therefore, there is a possibility that these impurities and filth will sometimes seep through and penetrate the meat of the animal because of the boiling temperature of the water. The scholars of Fiqh have said that such a chicken is definitely unlawful to consume. It is mentioned in Ad-Durr Al-Mukhtar, "The same law will apply to a chicken which is placed in water in order to remove its feathers before it is cleaned." Ibn Abidin says in the footnote, "Ibn Al-Humam says in Al-Fath that this animal can never become lawful, but there is a

¹¹⁰ Author's Note: The original book has made some points for consideration of the scholars. Because these points are not in the form of a final ruling, they are not meant for the common readers. Thus, they are not included in the translation. The scholars may refer to them in the original Arabic book.

narration from Abu Yusuf saying that it is lawful. The cause for this animal becoming unlawful -Allah knows best - is the impurities being absorbed by the meat due to the boiling temperature of the water.¹¹¹

However, this last objection does not apply in our case because the temperature of this water does not reach boiling point and is far below 100 degrees Celsius. Furthermore, the chicken only remains in this hot water for a few minutes, and this is not long enough for the meat to absorb the impurities. The scholars of Fiqh who hold the view that the chicken becomes unlawful have based their ruling on the fact that the temperature of the water reaches boiling point and the chicken stays in the water long enough for the meat to absorb the impurities. Ibn .Abidin says after mentioning this ruling,

"Based on this principle, it has become famous that the Samit meat of Egypt is unlawful. However, this will only be the case if the meat is kept in the boiling water for such a period of time in which the impurities normally seep through and penetrate to the inside of the meat. This does not occur in the Samit meat because the water which is used to cook this meat does not reach boiling point and the animal is only kept in the water long enough for the heat to reach the outer skin in order to dilate the pores of the wool. If the animal is left in the water longer, it would become difficult to remove the hair."¹¹²

The ruling mentioned in this passage completely applies to the hot water used in the automated method of slaughter. I put my hand in this water and it was not hot enough to bum, let alone reaching boiling point.

A Summary Of The Discussion On The Automated Method For Slaughtering Chickens

The automated method for slaughtering chickens has the following shortcomings from an Islamic point of view:

1. In some slaughterhouses, the chicken is immersed in cold water containing an electric current before its slaughter. There is a chance that this could cause the animal to die before it is slaughtered because some specialists hold the view that the current causes the heart of the chicken to stop 90 % of the time.
2. Despite the fact that the rotating blade does cut the required vessels most of the time, in some instances the neck of the chicken does not completely reach the side of the knife. The throat is either left uncut or only a small portion is cut, leaving the vessels uncut.
3. It is not possible for the name of Allah to be recited on every chicken when using the rotating blade. Reciting the name of Allah while starting the machine or while standing by the knife does not fulfill the requirements of Islamic law.
4. There is a possibility that the hot water in which the chicken is immersed could cause its death when the rotating blade does not cut the neck or cuts it only partially.

After analyzing these four shortcomings, we can see that it is not very difficult for us to address them. It is still possible to use the automated method for slaughter after implementing the following changes:

1. The electric current should either be completely removed or adjusted in such a way that we know with certainty that it does not cause the heart of the chicken to stop.
2. The rotating blade should not be used and instead some Muslims or people of the book should be assigned to take turns slaughtering the chickens using their hands while reciting the name of Allah on every chicken. I have already mentioned the details of this method above. Many large slaughterhouses

¹¹¹ Radd Al-Muhtar (vol. 1, pg.334)

¹¹² Radd Al-Muhtar (vol. 1, pg.334)

have implemented this method after the Muslims requested them to do so, and this did not reduce the number of chickens produced.

3. We should ensure that the temperature of the hot water in which the slaughtered chicken is placed does not reach boiling point. If these three modifications are implemented, the chickens slaughtered by this machine will be lawful to consume.

The Automated Method Of Slaughtering Cattle

The method for slaughtering large animals such as cattle and goats differs from the method of slaughtering chickens. It is not possible to use a automatic knife because many aspects of the slaughter can only be carried out by humans. The way of slaughter according to the 'English method' is to strangle the animal by ripping open the portion of the chest between the two ribs and to pump in air until the lungs collapse. The animal chokes to death and no blood flows out of the animal in the process. It is obvious that this is an animal which has been killed by strangling and therefore is unlawful to consume, as mentioned in the Quran, We have already proven that strangling makes an animal unlawful to consume, irrespective of whether the person who strangles is a Muslim or from the people of the book. Such an animal will never be lawful under any circumstance.

However, most of the modern-day slaughterhouses slaughter the animal by cutting the side of the neck and letting the blood flow, or by cutting the back of the nape. Because of the fact that there are many different methods used to wound the animal, we cannot say with certainty that vessels of the animal are cut, and an animal is unlawful to consume until it is established that those vessels of the throat are cut which are required to be cut in Islamic law. If the slaughterer is Muslim, then he can slaughter the animal according to the Islamic method by cutting the vessels. However, the issue of contention is that people in charge of the slaughterhouses insist that the animal be stunned before a person begins the slaughter and they believe that it is necessary to stun the animal in order to give it relief during the slaughter and to lessen its pain. They use many different devices to subdue the animal so that it cannot run away and can be slaughtered with ease.

There are many different methods used to stun the animal. The most common method is to use a captive bolt pistol which is different from a normal gun that shoots bullets. When the captive bolt pistol is fired, a needle or metallic rod comes out. The slaughterer places this captive bolt pistol in the middle of the forehead of the animal and then fires it. The needle or metallic rod then pierces the brain of the animal, causing it to immediately lose consciousness. After this, the animal is slaughtered.

The second method is to use a large hammer to hit the animal on the head. This causes pain to the animal, and therefore it is not used in most slaughterhouses. They prefer to use the captive bolt pistol in its place.

The third method is to use gas. The animal is detained in an area where a special formula of carbon dioxide gas is released which affects its brain and causes it to lose its senses. Thereafter, the animal is slaughtered by hand.

The fourth method is to use an electric shock. A instrument which resembles pliers is placed on the temple of the animal. Then, an electric current is released which goes through to the brain of the animal and causes it to lose its senses.

There are two issues which need to be discussed with regards to the legal ruling of stunning. The first issue is whether it is permissible to use this method in Islamic law. The second issue is whether the meat

of an animal which is stunned and slaughtered according to the Islamic way by a Muslim or a person from the people of the book is lawful.

The ruling for stunning an animal is based on whether or not this method lessens the pain of the animal. In a famous Hadith, *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* commanded us to slaughter an animal with perfection and gentleness;

"When you kill, then kill with perfection. When you slaughter (an animal), then slaughter it with perfection. You should sharpen your knife and you should give relief to the animal." ¹¹³

It is an accepted fact that the method of slaughter in Islam, i.e. to cut the vessels, is the best way to kill an animal and the most humane. In certain circumstances, stunning causes more pain to the animal than the slaughter itself, as is the case when the animal is struck with a hammer in order to stun it. Undoubtedly, this type of stunning is not permissible in Islam. We cannot say with certainty that the other methods of stunning cause less or more pain to the animal because applying the captive bolt pistol to the forehead deals a violent blow to the animal, the electric shock also causes some pain, and the gas makes it difficult for the animal to breathe. However, veterinary experts claim that these methods of stunning lessen the pain of the animal. If it can be established with certainty that these methods do in fact lessen the pain of the animal and do not cause its death, then it will be permissible to use them. Otherwise, it will be impermissible.¹¹⁴

The ruling for the meat of an animal which was stunned before being slaughtered is based on whether the stunning causes the death of the animal. The experts in the field in today's times claim that stunning does not cause the death of the animal. Instead, it causes the animal lose consciousness and makes it lose its sense of pain. However, this claim is worthy of consideration. The captive bolt pistol deals a violent blow to the forehead of the animal and to its brain. Therefore, it is not far-fetched for the animal to die as a result of this blow, making it an animal that 'died as a result of a violent blow.'

I personally witnessed this method of stunning in the city of Detroit in the United States. I saw that approximately a finger's length of the rod of the captive bolt pistol penetrated the brain of the cow and blood came out of its brain. The animal immediately fell to the ground and its limbs completely stopped moving, as if it was dead. However, the manager of this American slaughterhouse said that the animal remains alive only for a few minutes after being hit by the captive bolt pistol and that it dies if it is not slaughtered within 12 minutes. I was unable to confirm 'to what extent what he said was true. However, I began to doubt the claim that stunning does not cause the death of the animal because of what I saw, and there is a possibility that at least a few animals do die as a result of this severe blow. Some experts admit that the electric shock causes the heart to stop in certain circumstances. Similarly, the gas can also cause the animal to die if its intensity is very high.

This subject requires an in-depth study by the Muslim specialists in this field who hold their religion in high esteem. It is not possible for me to pass a ruling on this issue because it is beyond my field of expertise. There is no doubt that it will be unlawful to use stunning if it causes the death of the animal or if there is a fear that it will cause the death of the animal, and such an animal will also be considered unlawful to consume once it is stunned. As long as there remains doubt in this method, the safest thing to do is to avoid using it. It is a well known fact that the Jews do not allow any type of stunning, and Muslims are more rightful than them in avoiding doubtful matters. Allah knows best.

¹¹³ Sahih Muslim (5055)

¹¹⁴ Translator's note: Please refer to appendix # 1 for additional scientific research regarding the use of stunning.

Chapter 12 : The Ruling Of Imported Meat

The stores in today's times are filled with meat imported from foreign countries such as England, the United States, Holland, Australia, and Brazil. It has already been established from the proofs mentioned above that the meat slaughtered by the people of the book will only become lawful to consume when they observe all the requirements of an Islamic slaughter, and this was the method of slaughter which was prevalent amongst them at the time the verse which made the meat slaughtered by them lawful was revealed. It is a well-known fact that till today the Jews strictly follow the laws of their religion in slaughtering animals. They have been able to arrange special slaughterhouses for themselves under the supervision of their scholars and Rabbis. Their meat is known as 'Kosher' and is found wherever Jews are found.¹¹⁵

The Christians have completely freed themselves from being bound to any religious laws for slaughtering animals, and in today's times, they do not follow the laws which are clearly mentioned in their Holy Books even up till now. We have already quoted some of these texts above. Therefore, the animals slaughtered by them are unlawful to consume unless it is established that all the requirements of Islamic law have been met. There are many factors which make it unlawful to consume the meat which is sold in the stores of western countries and imported by Muslim countries:

1. There is no way to know the religion of the slaughterer because idol worshippers, Magians (fire worshippers), atheists,
2. Even if it can be known with certainty or by looking at the religion of the majority of the people of a country that the slaughterer is Christian, we still do not know if he is a real Christian or if he holds the beliefs of a materialist. We have already mentioned above that many Christians do not believe in the existence of a supreme being, meaning that they are not Christians in reality.
3. Even if it can be established with certainty or by looking at the outward condition of the slaughterer that he is a Christian, it is a common fact that Christians do not follow any religious laws in slaughtering animals. Rather, some of them strangle the animals to death, some of them slaughter without cutting the vessels, and some of them slaughter using the doubtful method of stunning which we described in detail above.
4. We know for a fact that Christians do not recite the name of Allah during the slaughter, whereas the accepted view of the majority of the scholars is that reciting the name of Allah is a condition for the meat slaughtered by the people of the book to become lawful.

When such strong factors establishing unlawfulness are present, it will not be permissible for a Muslim to eat the meat sold in the stores of Western Countries unless it is known with certainty that a specific animal was slaughtered according to Islamic law. We have already established from the Hadith of A'diy

Sayyidina Ibn Hatim (RA), that the original state of the meat of an animal is that its consumption is unlawful until we establish otherwise. Because of this, *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* made it unlawful to consume an animal if the hunter's dog and another dog both participated in the kill.

¹¹⁵ Translator's note: Please refer to appendix # 2 for more information regarding the permissibility of consuming kosher meat.

In the same way, *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* is reported to have said regarding a hunted animal,

Translation: "If you find that it has drowned in water, then do not eat from it because you do not know whether it died because of the water or because of your arrow."¹¹⁶

This proves that when factors which make an animal lawful and factors which make an animal unlawful are found together, preference will be given to the factors which make the animal unlawful. This Hadith also shows that the original state of the meat of an animal is that its consumption is unlawful until it can be established with certainty that it is lawful. Many scholars of Fiqh have mentioned this principle.

The same principle will apply to imported meat because of the four factors mentioned above. There is sufficient evidence to prove that we cannot rely on the certification which is written on the cans or cartons stating that this animal was slaughtered according to Islamic law. The Committee of the senior scholars of Saudi Arabia took on the responsibility of sending delegates to the slaughterhouses of foreign countries which export meat to Muslim countries. Thereafter, those delegates sent letters describing what they observed in those slaughterhouses. We will suffice by quoting these letters and the comments of this Committee regarding these letters because this is enough to prove that what we have said is true.

A Letter From Brazil

1. This is a letter from Ahmad Ibn Salih Mahayiri describing the method of slaughtering the birds and cattle which are imported to Saudi Arabia from Brazil.

All praise is for Allah, and mercy and peace be upon the Messenger of Allah, Muhammad ~, and upon all his companions.

To the respected scholar, Abdul Aziz Ibn Baz;

Peace be upon you and the blessings and mercy of Allah,

In response to your letter numbered 4/ 3443 dated Jumadut-Thani 21, 1398 A.H. regarding an investigation as to how the chickens and cattle which are imported into Saudi Arabia are slaughtered, it honors me to bring to your attention the following points:

Between the 14th of Rajab 1398 A.H. and the 30th of Rajab of the same year, I traveled by land to visit seven Brazilian Cities which export meat and chickens.

1. Curitiba which is 450 Kilometers away from the city of Londrina.
2. Ponta Cruza which is 210 Kilometers away
3. Campo Grande which is 75 Kilometers away
4. Guiaba which is 125 Kilometers away
5. Goiania which is 110 Kilometers away
6. Providente which is 25 Kilometers away
7. San Joseph which is 375 Kilometers away

¹¹⁶ Sahih Muslim (943), Takmilah Fath Al-Muslim (v. 3, pg. 494)

Although I went to every company in these cities which exports meat and came to know of their method of slaughter, I will only discuss in this letter -If Allah wills- those companies which export to Saudi Arabia. I will also give my observations and suggestions in light of what I learned during my journey.

The Princisa Company Which Specializes In Chickens

This company is located in the city of Ponta Cruza in the state of Parana in Brazil. It raises chickens in a special farm and slaughters more than 150 tons of chickens in one month. The company packs the meat and exports it to many Arab Countries, such as Mascat, Amman, Kuwait, and Saudi Arabia. This company exports through the Patropraz company of Brazil. The meat is packed in nylon cases and cartons on which it is written in Arabic, "Slaughtered according to Islamic law." (I have enclosed a sample for you to examine).

When the Ministry of Commerce from one of the Islamic countries requested the importers to provide proof that this exported meat was slaughtered according to Islamic law along with the imported papers, this company went to the president of the Islamic organization in nearby Curitiba. They spoke to Husayn Al-U'mayri and made an agreement with him that his organization will certify that each container of chickens was slaughtered according to Islamic law.. In exchange for this certification, the company would give his organization approximately 10% of the value of the chickens. (You will find enclosed a label of certification from this Islamic organization both in Arabic and Portuguese). .

On the 14th of Rajab 1398 A.H., I left Londrina and headed towards this company, passing by the city of Curitiba in order to pick up Husayn Al-U'mayri, the president of the Islamic Organization. I went with him to the company's headquarters in the city of Ponta Cruza. After being welcomed by the supervisors, I requested that they allow me to witness their method of slaughter. I personally observed the following points:

(In this company), the chickens are hung by their legs upsidewhile they are still alive. A machine takes them to a place where a man is standing with a knife. He cuts the jugular vein of every chicken which comes to him, and he tries to take the least amount of time possible so that he can cut the jugular vein of the next chicken. After the chicken is slaughtered, the same machine takes the hanging chickens to an area where there is hot water. The chickens are immersed in this water in order to pluck the feathers, clean the insides, and package the meat into the nylon bags described above.

The issue of contention in this method of slaughter is that most of the time the two jugular veins are not cut because of the speed in which the slaughterer is required to do his job. Similarly, the chickens are also placed in boiling water within a short period of time after the slaughter, and there is a possibility that they might not have died as of yet, causing them to choke to death. In the same way, it is also necessary to verify whether the slaughterer is from the people of the book or a pagan.

After leaving the slaughterhouse, I held a meeting with the president and the members of this company, and I explained to them which aspects of their method of slaughter were in conflict with Islamic law. I described the method of slaughter in Islam to them and I made a special request to them to adopt this method because of the great number of chickens which they export to Muslim countries.

Thereafter, the president of the company said to me, "Our company is completely prepared to adjust our method of slaughter so that it can be in accordance to Islamic law. We can change the instruments used to slaughter and hire a Muslim to carry out the slaughter. However, we will only do this when we are given an advance order for the number of chickens which need to be exported. In light of this, we will be able to adjust the slaughter so that it can be in accordance to Islamic law."

After we left the office of the company, I explained to the president of the Muslim Organization with wisdom and clarity that he was making a mistake by certifying that the meat was slaughtered in accordance to Islamic law. I appealed to him to stop doing this and to personally supervise the slaughter or appoint someone to supervise it so that the slaughter could take place according to Islamic law. He promised me that he would do so. Allah knows best.

The Sadia Awiysata Company And Chickens

This is one of the largest companies in the world for cow and chicken meat. It has more than 20 branches in the Brazilian States, and it exports to Saudi Arabia and the Gulf States. It has new slaughterhouses in Sao Paulo, Guiaba, Porto Alegre, Campo Grande, and Rio de Janeiro. It exports almost 300 tons of chicken in one month alone. Sadia receives a certification that the meat was slaughtered according to Islamic law from some Islamic organizations in Sao Paulo. The most famous of these organizations is the Santo Maro Islamic Organization and the Al-Jamiyat Al-Khayriyyah Al-Islamiyah. The company gives them a fee in exchange for their certification.

The method of slaughtering animals in this company is different from the method used by the Princisa Company mentioned above. Firstly I the chickens which are hanging from their legs on the moving machine are slaughtered with less haste, ensuring that the two jugular veins are cut most of the time. However, the unlawful factor still remains, i.e. the slaughtered chicken is placed in boiling water before it dies. Similarly, there is no guarantee that the slaughterer of this company is a person from the people of the book. All this was regarding the chickens slaughtered by this company. I would like to draw your attention to the following observations regarding the cows slaughtered by this company (Sadia) and their export to Saudi Arabia:

On Sunday the 20th of Rajab (June 25) 1398 A.H., I went to the city of Guiaba, passing by the cities of Presidente and Campo Grande. On Thursday the 29th of Rajab 1398 A.H., I went to visit this company with the president of the Muslim organization in the city of Guiaba, Khalid Al-Qara'vi and the secretary, Faysal Faris, We held a meeting with the president of the company, Adison Jawaw Franseycon and a group of supervisors. I explained to the audience the benefits of slaughtering animals according to the Islamic method.

The president of the company told me that they used to stun the animals using an electric shock and they would remove their skins without draining the blood. They discovered that the meat slaughtered in this way spoils very quickly, even if it is kept in refrigerators. The color also quickly changes to a dark ash-gray. The veterinary doctors of the company advised them to slaughter the animal in such a way that all the blood is drained out. I interrupted him by saying, "The blood will only completely flow out by cutting the two jugular veins and the blood will not completely flow out from anywhere else." The head of the company said, "We now use this very method for the 1500 cows which we slaughter every day for export."

I requested him to show me their method of slaughter. They made us wear special suits and took us into the slaughterhouse .

The slaughterhouse was extremely large and had many separate sections. At the entrance, the bulls are driven to a narrow place which is sealed off so that that they cannot escape. A person stands with a hammer in his hand and he hits the bull on the head without killing it. This is done so that the bull loses consciousness and can be slaughtered with ease. It falls to the ground and within a few seconds, an automatic hook raises it up with its head upside-down. Thereafter, a person comes with a knife and he

cuts the skin of the neck in order to reach the jugular vein. Then, he uses a larger knife to cut the jugular vein. After this, the blood starts flowing out abundantly until the animal dies, as if it is pouring from a faucet.

The main issue which needs to be discussed in this method of slaughter is the non-fatal blow given to the animal before the slaughter; can we use analogical reasoning (Qiyas) to apply the permissibility of hitting an animal which runs away and cannot be subdued to this blow given to the animal in slaughterhouses? Also, is it permissible to tear the skin of the neck before cutting the two jugular veins, and is the slaughterer from the people of the book or a pagan?

When I asked the president of the company as to how they receive the written certification that the slaughter took place according to Islamic law, he said that this is done by an Islamic Organization in Sao Paulo. Thereafter, I asked him that how is this possible when there is a distance of 1800 Kilometers between you and them?

The Argentinean Company For Exporting Sheep

I stayed in Buenos Aires, the capital of Argentina, with Shaikh Salih Al-Mazru' and Doctor Ahmad. This was one of the most important parts of our journey through the Latin American countries. We visited the Argentinean Sheep Company which exports sheep meat to Saudi Arabia after canning it, pounding it, and cutting it.

In the morning of Thursday 10 Dhul-Hijjah 1398 A.H., we went to the company's headquarters with a delegation from the Islamic Center of Argentina and we observed their method of slaughtering sheep. We saw that a machine raises the sheep up and there is a person standing with a sharp knife to slaughter the animal completely in accordance to Islamic law because he cuts the two jugular veins and the esophagus together. However, the validity of this slaughter in Islamic law is based on whether or not the slaughterer is a person from the people of the book. The Islamic Center of Argentina gives a written certification on every carton of sheep that it was slaughtered according to Islamic law. (You will find enclosed a sample of a certification made by this Islamic Center).

The Denmark Meat Company

This company is in Denmark and not in Brazil. However, for benefit's sake, I have included an article from the magazine, Al-Watan Al-Araby, which is printed in the Arabic language in the heavily Arab-populated city of Paris, France. This article has been written by an Arab who is working in Denmark and whose name is Muhammad Al-Abyadh Al-Maghriby, He works in a factory which cans meat, and he says that they write on all the meat and chickens exported to Arab countries that it was slaughtered according to Islamic law. However, he says that this is incorrect because the animals are killed by an electric current under all circumstances.

To the attention of the head of the Committee

After giving a description of the method of slaughter in Brazil, I am pleased to tell you about the Islamic Center of Brazil which was established through the sacrifices of the Arab Embassies and the Muslims. Up until now, it does not have a strong influence and a permanent leader. This center built an Islamic school for the Muslims in Brazil, and within a short period of time they closed it down and handed it over to some Brazilians to start a Brazilian School - yes, a school which would be Brazilian in methodology and administration without imposing any restrictions or conditions on them. The organization did this because of their fear of establishing any sort of presence in those matters which affect Muslims in the area. This is the same organization which has resolved to personally supervise the method of slaughter. It will be great

if this truly does happen, but how is it possible for them to take the responsibility of supervising when there is a distance of hundreds of miles between it and the slaughterhouses, and when it has no employees or workers there to appoint for this purpose?

Because of this, I suggest that you obtain the names of the exporting meat companies, their addresses, and the names of the importers through the Saudi Ministry of Commerce. This will allow you to appoint some of the delegates which are sent from Saudi Arabia to Brazil for the purpose of spreading Islam to visit these exporting companies. Thereafter, they can study the feasibility of appointing a Muslim living in these cities to personally slaughter the animals or to supervise the slaughter in exchange for a wage which will suffice for his needs and allow him to free himself for this task. The company or the importer will be responsible for paying this wage. In this situation, your delegate will be able testify that the slaughter took place under his responsibility and with his knowledge, under the supervision of so-and-so whom he relied on to free himself for this task and to live near the slaughterhouse. In this way, all the efforts will be united and we will have - if Allah wills - a leadership which can be trusted upon to supervise all aspects of the slaughter.

Even our Israeli enemies send special Jewish envoys to countries from which they import meat to carry out the slaughter themselves and to settle down permanently near the slaughterhouses in exchange for a wage from the importing companies. A group of them have already come to Sao Paulo, Rio de Janeiro, Curitiba, and other Brazilian cities for this very purpose. Similarly, there are people of Jewish origin living in Argentina for this objective, and they receive their wages from the importing companies. Allah knows best. May Allah send his special mercy upon Muhammad, his family, and all his companions.

Your student,

Ahmad Salih Mahayiri

A Summary Of The Above-Mentioned Letter

A. The Method Of Slaughtering Chickens In The Princisa Company

1. The chicken is hung by its legs and an automatic machine takes it to a person with a knife. This person cuts the neck with extreme quickness. Thereafter, the machine brings it to hot water and the chicken is immersed in this water in order to remove its feathers and to clean it. Lastly, the chicken is prepared for export.

2. Sometimes only one of the two jugular veins is cut, and sometimes the animal is immersed in the hot water before it dies because of the speed of the slaughterer and the machine.

3. I have doubt whether the slaughterer is a Muslim, a person from the people of the book, pagan, or a heretic.

4. It is written on the package that the chicken was slaughtered according to Islamic law, and this certification is given by someone who neither personally witnessed the slaughter and nor did they appoint someone to witness it. The certifying organization receives a wage in exchange for this certification. This is done because of the fact that the Ministry of Commerce requested the importers to have something written on the package which establishes that the animal was slaughtered according to Islamic law.

5. I asked the head of the company to modify the method of slaughter so that it can be according to Islamic law. He agreed on condition that we first inform him of the quantity of chickens which we require.

B. The Method Of Slaughter In The Sadia Awiyisa Company

1. The method of slaughter in this company is similar to that of the previous company. The chicken is hung by its legs and immersed quickly in hot boiling water before it dies. Similarly, it is written on the meat cartons that this was slaughtered according to Islamic law, and two Islamic Organizations give this certification in exchange for fees. The skin of the neck is slowly cut, and thereafter, the two jugular veins are cut in most cases. Another issue is whether the slaughterer is a person from the people of the book or a pagan.

2. The cows first used to be stunned with an electric shock and thereafter, they would be skinned without any blood being drained from the body. When the doctors of the company began telling them about the harms of the blood remaining in the animal's body, they started hitting the animal in the head using a hammer without killing it. When it would fall, a machine would raise it up in the air. Thereafter, the skin of the neck would be cut with one knife and a different knife would be used to cut the jugular vein. The blood would flow abundantly from the animal until it would die. The issue of the slaughterer and the certification is the same as that of chickens (mentioned in #1 above).

C. The Method Used By The Argentinean Company To Slaughter Sheep

1. A machine raises the sheep up and a person cuts the two jugular veins and the esophagus using a knife according to Islamic law.

2. The Islamic Center of Argentina certifies the slaughter. 3. The condition of the slaughterer is unknown.

D. The Method Of Slaughter In Denmark

Muhammad Al-Abyadh lives in Denmark and he works in a factory which cans meat. He says that they kill sheep using electricity under all circumstances. They write on the cartons that this was slaughtered according to Islamic law.

I suggest that a person should be sent to these places to personally slaughter the animal according to Islamic law or to supervise the slaughter. The Jews do this to ensure that the slaughter takes place according to Jewish law, We are more rightful in doing this than them.

Meat imported from London and France

A letter from Sheikh Abdullah Ibn A'li Al-Ghaddiyah of AIQasim (Saudi Arabia) regarding the meat imported from London and France

I have tried to get more information regarding how the chickens which are exported from London are slaughtered. I contacted the head of a company which makes automated machines for slaughtering with the pretext that I wanted to establish a slaughterhouse in Saudi Arabia. He gave me an illustrated catalogue of the slaughterhouse which is run by his company.

When he began to explain their method of slaughter to me, I said to him that the chickens are packaged without having their heads cut off. Thereupon, he asked me, "Why would you cut off its head?" I replied that in the Middle East we do not eat the heads of birds.

I wish to present to you a photograph of the slaughterhouse. The first step of the process is that the vehicle stops near the entrance of the slaughterhouse, as you can see in the translated photograph. Then, the chickens are unloaded and hung by their legs. They pass through a rotating machine which opens up from the middle and the heads of the chickens are taken through this machine. It is written on this catalogue that the chickens are slaughtered using the stunning method in which a strong burst of air hits

the head of the chicken, causing it to lose its hearing and sight. After being hit by this air, the chicken is on the verge of death.

It is then taken to another machine where blood and other liquids are left to flow of the animal if they have come out. Thereafter, the chicken passes through a machine which runs on steam vapor or extremely hot water, and it . dies in this machine if there is still any life left. It is taken out from this machine and taken to another machine which plucks its feathers and cleans it. Lastly, it is packed in nylon bags and placed in cartons, upon which it is written in Arabic, 'slaughtered according. to Islamic law.'

This is a small slaughterhouse which slaughters 2,000 chickens per hour. The person who I spoke to told me that they use the same method in France, except that there they place the chickens in large freezers when they reach an age in which they can be slaughtered and they take them out from the freezers according to demand. Obviously, the chicken is already dead when it is taken out for use. Thereafter, the chicken is placed in a pond filled with hot water in order to remove the feathers and get it ready for export. I did not personally witness this, but some people who traveled to France and America have related this to me.

I hope that you will be able to confirm what I have said once someone takes on the responsibility of investigating their method of slaughter, finding out the truth, and giving you a description of their slaughterhouses. I ask Allah that He suffice us with that which He has made lawful from that which He has made unlawful, and that He improves the situation of the Muslims. I also ask Allah that He rectify the situation of the Muslims both as rulers and subjects. May Allah protect you and send His blessing on his Prophet, Muhammad.

Imported Chickens

The magazine, Ad-Da'wat As-Sau'diyat published an article in its 676th issue on the 21st of Dhul-Hijjah 1398 A.H. under the heading, "News regarding imported chickens."

Whoever goes to our markets and grocery stores will definitely find a great number of imported chickens which have been slaughtered outside of our country and have only reached us long after being slaughtered. It is written on the container that the chickens have been slaughtered according to Islamic law. Can you say that this meat is lawful merely based on this certification without any inquiry or investigation? Is a Muslim not ordered to stay away from all doubtful things because of the Hadith of *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* which tell us to "leave that which puts you in doubt for that which does not put you in doubt,"¹¹⁷ and the Hadith which says, "The lawful things are clear and the unlawful things are clear. Between these two lie the doubtful things, and whoever stays away from them has exercised caution for his own religiousness."¹¹⁸

While writing this letter, I came to know of an article published in the magazine, Al-Mujtami' issue number 414 on the first of Dhul-Qa'da, 1398 A.B., on page 20 under the title, "The slaughter of chickens in Denmark." This article was written by the Organization of Muslim Youth. The summary of this article is that chickens of Denmark are not slaughtered according to Islamic law and are unlawful for a Muslim to consume even if it is written on the carton that these chickens have been slaughtered according to Islamic law. It is a well-known fact that thousands of chickens are slaughtered there. I wish to present a description of a slaughterhouse which slaughters chickens. This is one of the smallest slaughterhouses in Europe and it produces two thousand chickens per hour.

¹¹⁷ Translator's note: Imam Tirmidhi has said this is a hasan sahih hadith (2518)

¹¹⁸ Translator's note: This hadith is narrated in Sahih Bukhari (52) and Sahih Muslim (4094)

An Account Of How I Obtained A Diagram Of This Slaughterhouse

I was in London in the beginning of this year and I had a desire to visit a slaughterhouse which specializes in chickens. Therefore, I made an agreement with an English company to

take me to visit a slaughterhouse in exchange for an admission fee of 150 pounds. I took along a translator and we went to a suburb of London. Although it was some distance from the city, we were able to reach there quickly by car. When we got there, I realized that I had been tricked because this was not what I wanted to see. I had made this request to them on the pretext that I was a Saudi Businessman for an organization in Saudi Arabia and I wanted to set up a factory where chickens are slaughtered and canned automatically in accordance with Islamic law. It was clear by their actions that they did not want anyone to come to know about their method of slaughter. This is the same thing which happened to the Muslim Youth in Denmark; they tried on numerous occasions to find out how the animals are slaughtered, but were not allowed to do so. If the method of slaughter really is in accordance with Islamic law as they say, they would have readily disclosed this information.

Coming back to our topic at hand, we entered a small area in which 10 Pakistani Muslims were slaughtering chickens using their hands, a method which is common to us here in Saudi Arabia. They place the chickens in hot water and then pluck their feathers according to the normal method which entails using a drum which runs on electricity and has soft rubber grips to strike the chicken with force in order to remove its feathers. This machine is common and we also use it in Saudi Arabia. After seeing this, I realized that these people were working for a Pakistani businessman who is an active Muslim. I had met him before in his neighborhood and at the Islamic Center of London. He slaughters chickens and sheep for the Muslims of London and sells it to them. We also used to buy meat from him.

I said to the translator, "We also use this method of slaughter in Saudi Arabia, i.e. the animals are slaughtered by hand and their feathers are plucked by a machine." The evil Englishman said, "I know that he is a Muslim from Saudi Arabia and that it is not possible for him to establish a slaughterhouse for chickens in Saudi Arabia which is similar to ours in Europe because the laws of his country would not allow him to do this ... "

I said to him, "My desire is to see an automatic slaughterhouse and this is not connected in any way to what I plan to do in Saudi Arabia." He said, "Good, a second trip can be scheduled for him to an automatic slaughterhouse for chickens." This was two days before my return trip to Saudi Arabia, so I said to him, "I am going to travel soon and my time is almost up since a month has already passed. I would like to have a catalogue of the automatic slaughterhouse which I can study." He gave me a catalogue from a bag which was with him. He said, "This is a small slaughterhouse which requires only this much electricity, this much land, and so many workers and water. It slaughters and packages 2,000 chickens per hour." I took the catalogue. (I have enclosed a copy of it for examination and I have made 15,000 photocopies of it)

Some Points Regarding The Slaughterhouse

1. A vehicle brings the chickens from their coops, and often, some chickens die in their coops before they can be taken out either due to the cold or other factors. Some also die during the loading or during the offloading. It is a common fact that chickens die very easily.
2. As it is clear from the diagram, the chickens are hung from their legs and their heads are attached to a conveyor belt. Then, they are mechanically taken to a machine on the bottom of which it is written, 'through the process of stunning.'

3. There is a pond near this machine which gathers any liquids which come out of the body.

4. The main issue of contention is the large plunge bath on the side of which it is written, 'a machine which can severely burn.' This machine either runs on steam or hot water, and the poor chicken is plunged into this machine in order to finish off the last remnants of life. The chicken comes out as a motionless corpse after being choked, dealt a violent blow, and falling from a high place, whereas Allah says, "Prohibited for you are dead animals (animals which died without being slaughtered), blood, the flesh of pigs, and that which has been dedicated to others than Allah, and [those animals] killed by strangling, or by a violent blow, or by a headlong fall, or by the piercing of a horn, or those .from which a wild animal has eaten, except what you [are able] to slaughter [before its death]."¹¹⁹ Many parts of this verse apply to this chicken.

Next, the feathers of the chicken are plucked and the insides are cleaned. After this, the chicken is wrapped in a carton on which it is written, 'slaughtered according to Islamic law.' The respected reader should note that the chicken entered the slaughterhouse and came out dead with its feathers plucked, insides cleaned, and feet cut off. However, the head of the chicken which has remained with it from the time Allah created it is not cut during the slaughter and is only cut before being exported to the Middle East. I told the Englishman as I was coming out of the slaughterhouse that the head of the chicken is still intact. He said to me, "Haven't you seen that we leave the heads of animals and birds and we do not cut them?" I later saw myself that the heads of the slaughtered animals and birds were still attached to them as they were being displayed for sale.

Anyone who visits England or any other European country can verify this fact. They slaughter in this manner because they consider the Islamic way of slaughter to be uncivilized, illogical, and contrary to established thought. Similarly, they do not allow the blood of the animal to flow because they claim that this will decrease the weight of the animal. You will notice that the chickens which are imported seem to be blown up, whereas the chickens which you personally slaughter weigh less. They choose not to drain out the blood because they want to get maximum weight out of their chickens, which will in turn yield maximum profit.

What do our honorable scholars have to say regarding this? I have written a detailed description of what I witnessed in England for those who are concerned amongst you, and the most important issue is the chickens. It is not appropriate for a scholar to remain silent on such a critical issue such as the food and drink which is mostly imported from the countries of disbelievers. I requested that some people should be appointed to find out the truth behind this matter and not just suffice on the claims of the businessmen and importing companies that this meat was slaughtered according to Islamic law. After such an investigation, people will know whether to eat this food or not.

It is not correct to solely base one's view on the verse, "And the food of those who were given the Scripture is lawful for you" because Islamic law has explained the correct interpretation of this verse. An animal which has died without being slaughtered, an animal's blood, an animal which was strangled to death, an animal which died as a result of a headlong fall, and an animal which was killed by the piercing of a horn is unlawful if it is not slaughtered according to the Islamic law along with the recitation of the name of Allah before it dies. If [these animals are unlawful] even if they are in the possession of a Muslim and in a Muslim country, then what will be the case of animals and chickens which have been killed in one or more of the ways mentioned above in non-Muslim countries and in the possession of

¹¹⁹ (5:3)

people who have completely left their religion? Some of them are atheists and others are laymen. Most of their youth have become Communists. Along with all this, they do not even slaughter according to Islamic law and do not recite the name of Allah.

It is an accepted fact that an the animal becomes unlawful to consume when a Muslim slaughters it in a manner contrary to Islamic law - for example, by strangling the animal or killing it with a violent blow - even if he recites the name of Allah. Reciting the name of Allah is a condition for the slaughter to be valid in Islamic law. The magazine, Al-Mujtami' published many articles in this regard. The last such article was the 414th issue dated Dhul-Qa'dah 1398 A.H written by the Voice of the Organization of Muslim Youth in Denmark. The summary of this article is that the chickens slaughtered in Denmark are not slaughtered according to Islamic law and are unlawful to consume.

A Letter from Greece

A letter from the delegate of the Center of Da'wah (Islamic Propagation) in Greece, Jamal Ibn Hafiz Idris Al-Yunani

In the name of Allah, Most Gracious, Most Merciful

From: Jamal Ibn Hafiz Idris, delegate to Greece

To: The Honorable Sheikh, Abdul Aziz Ibn Abdullah Ibn Baz Peace be upon you and the mercy of Allah and His blessings

I received your respected letter in which. you requested a description of the method of slaughter. I visited some famous places in Greece and the following is an account of what I saw:

1. There are some places where they slaughter the animals in the same way which we slaughter, i.e. the animals are slaughtered and after the blood flows out, they are skinned and cut.
2. Large animals are hit on the head with an instrument similar to a pistol, causing them to fall to the ground. They are then slaughtered before they die. In this method, there is a doubt as to whether the animal died before its blood flowed (during the slaughter) or after. The .method used to slaughter chickens is that the feathers are first plucked and thereafter, they are slaughtered by automatic machines.

I was informed by a doctor that it is possible to know whether or not an animal was slaughtered according to Islamic law by looking at the bones of the animal at the time of eating. If the color of the bones is white, then this is a strong indication that the blood of this animal was completely drained and that it was slaughtered according to Islamic law. However, if the color of the bones is black, then this is an indication that the animal was not slaughtered according to Islamic law.

I only visited places in Greece because of the ambiguity in your respected letter with regards to places outside Greece. I could not figure out if you wanted me to only visit places in Greece or if you wanted me to visit places outside Greece as well. I hope that you can clarify this matter for me. I am ready to visit many other places if you so desire. May Allah grant you longevity in your life and inspire you to do that which is best for Islam and Muslims. May peace be upon you and the mercy of Allah and his blessings.

Your chosen student,

Jamal fun Idris Al-Yunani

A Summary of this Letter

There are two methods of slaughter

1. One method of slaughter is carried out in accordance to Islamic law.
2. The other method of slaughter is that large animals are hit in the head with a captive bolt pistol, causing them to fall. After this, they are slaughtered. There is an element of doubt in this method of slaughter as to whether the animal was alive at the time of slaughter or not.

A Letter From London

A letter from Suhayb Hasan Abdul Ghaffar, delegate to London In the name of Allah, Most Gracious, Most Merciful.

I would like to request the members of the respected Fatwa committee which is responsible for scholarly discussion and da'wah to pass a fatwa regarding the meat imported from foreign countries. I am making this request after having personally witnessed the method of slaughter in foreign slaughterhouses, after having read a beneficial letter published by the AI-Mujtami' magazine of Kuwait, vol. 414 in the first of Dhul-Qa'dah, 1398 A.H, and after coming to know of the harmful effects of this method of slaughter according to the research of some Muslim doctors in England.

The Method Of Slaughter In British Slaughterhouses

1. Sheep and cattle

Sheep and cattle are taken to a special place where there is a person assigned to give the animal an electric shock using a special instrument similar to a pair of scissors. This instrument is placed on the forehead of the animal and causes it to lose its senses and fall to the ground. There is also another method which many slaughterhouses regularly use, and it is to hit the animal on the head with a metal hammer, causing it to fall to the ground unconscious. Then, the animal is hung upside-down using a hoist and taken to the slaughterer.

Certain slaughterhouses hire Muslims to slaughter a fixed number of animals only for the local Muslim consumption, and when the slaughterer is Muslim, he slaughters the hanging animal using a sharp knife in the same way which is common amongst Muslims. The blood is drained from the animal and it is taken to the next phase of the slaughtering process in which it is skinned and cut. When the slaughterer is a non-Muslim, he thrusts the knife in the side of the neck and he pushes it out towards the front with force.

2. Chickens

The chickens are also stunned using an electric shock, but the method of delivering this shock is slightly different, i.e. they are placed in water containing an electric current. The neck of the chicken is then pierced with a sharp automatic knife in order to make the blood flow. This continues until the remaining phases of slaughter are complete, including the plucking of the feathers and the cleaning of the insides. Finally, the chicken is ready for export.

3. The Outcome Of Implementing This Method

Foreign slaughterhouses have implemented the method of slaughter described above to display their compassion for animals in accordance to the demands of animal rights groups. However, it is obvious that the real motive of these westerners is to produce more meat in a shorter period of time. In other words, they want to gain huge profits. A group of Muslim doctors have undertaken a comprehensive study

regarding this meat, as can be seen in the book written by Doctor Ghulam Mustafa Khan, the head of the Organization of Muslim Doctors in Britain, and in the article written by Doctor Muhammad Nasim, the head of the Masjid Committee of Birmingham. The following are some of the observations which they have made:

1. Stunning the animal before slaughter causes slackness in the animal and contractions in its heart, causing the amount of blood which comes out of the animal to be less than normal. It is an experienced fact that the taste of the meat of an animal whose blood was completely drained out is different from the taste of the meat of an animal which still had some blood remaining in its body. A supervisor of a large Islamic slaughterhouse in Birmingham informed me that some Englishmen prefer to eat the meat of animals slaughtered in the Islamic way because of its distinguished taste in comparison to other meat.

2. The electric shock does not fulfill its purpose in all cases. For example, if the intensity of the shock is too low for the large size of the animal, then the animal is left semi-paralyzed without losing its senses. It then experiences two pains; one from the electric shock or the captive bolt pistol, and the other from the slaughter. On the other hand, when the electric shock is too strong for the animal, the heart of the animal stops and it dies. Such an animal will be considered to be slaughtered in an un-Islamic manner and will be unlawful to consume under all circumstances.

3. The method of slaughter used by Muslims is far more humane and merciful to the animals because a sharp knife is used and the slaughter takes place very quickly. It is an established fact that an animal feels pain through the nerve veins beneath its skin, and it experiences less pain in the Islamic method. It is also a well-known fact that the heart of an animal which does not lose its senses during the slaughter plays a greater role in pumping the blood out of the body, as has already been mentioned.

Summary

1. Cows are stunned either by using an electric shock or by hitting them on the head with a hammer.
2. Muslims are hired to slaughter a specific amount of animals for the local Muslim consumption.
3. The non-Muslim slaughterers thrust the edge of the knife in the throat in order to cut the vessels and thereby cause the blood to flow.
4. Chickens are stunned using an electric current, and their necks are then pierced using a sharp automatic knife in order to remove the blood.

The Harmful Effects Of This Method Of Slaughter

1. Stunning the animal before the slaughter creates weakness and contraction in its heart. This causes less blood to come out from the animal, which in turn leads to less food value from its meat and less enjoyment from its taste.
2. When the intensity of the electric shock is low, the animal feels the pain of both the shock and the slaughter. If the intensity is high, then the animal can die before the slaughter because of heart failure.
3. The claim that stunning the animal is more humane is incorrect. The real objective is to slaughter more animals in less time in order to maximize profit.

A Letter From Shaikh Abdul Qadir Al-Arnaut, Delegate To Yugoslavia For Da'wah

In the name of Allah, Most Gracious, Most Merciful From: Abdul Qadir Al-Amaut

To: The respected Abdul Aziz Ibn Abdullah Ibn Baz, may Allah protect him from all evil, save him from all undesirable things, and guide him to the goodness of this world and the hereafter.

Peace be upon you, Allah's mercy, and His blessings; a salutation from Allah which is blessed and pure.

I hope from Allah that you are well and in security. I am sending you this letter from Yugoslavia in answer to the letter which you sent to me on 21 Jamad Ath-Thani, 1398 A.H. I have studied the issue of meat in Yugoslavia and I will write a summary of my findings for you.

Both the Muslims and non-Muslims slaughter sheep, cows, and goats with their own hands in accordance to Islamic law in the villages and in specific areas. The Muslims also slaughter animals in Sarajevo, the capital of Bosnia Herzegovina - which they also call the Islamic Republic - but they use a more modern method. They hit the cow lightly between the eyes using a captive bolt pistol, causing it to drop to the ground. Then, they take the animal while it is still alive and place it in under a sharp instrument known as the guillotine. They cut the head off and place the animal in a machine which processes the meat until it finally comes out packed in tins. There is nothing doubtful about this method either. It is written on the cans, 'processed in Sarajevo.'

In cities other than Sarajevo, the slaughterer is sometimes a non-Muslim, either a person from the people of the book or a Communist. My observation is that most of the people who claim to be Communists are only Communist by name and they do this out of material gain. The Communists do not carry out the slaughter themselves. It is as if they also agree that meat spoils quickly and causes harm to a person who eats from it if the blood of the animal remains in the body and does not flow. This is the case when the animal is hit on the head and killed without cutting its throat. However, they sometimes use one set of tools to slaughter pigs, and then they use the same set of tools to slaughter cows and other animals. This is the one unlawful aspect of their method of slaughter, and I was unable to verify whether it is true. One person told me that they slaughter pigs in special areas and that they slaughter cows in other areas. If this is the case, then this unlawful factor will no longer remain.

In conclusion, it is best to eat the meat tins from the Muslim city of Sarajevo. The animals which are sent to outside cities such as cattle and sheep - are also slaughtered according to Islamic law just as in the villages. Similarly, Muslims also slaughter in accordance to Islamic law in the Muslim city of Sarajevo. In other cities, the slaughter is carried out by Muslims and a very small number of Communists who are Christian Catholics and whose main objective is material gain. Their communism is not a religion, but a job and a means of personal benefit. As I mentioned before, the factional materially-oriented heretic communists generally do not concern themselves with such tasks which they consider to be menial (such as slaughtering animals).

The animals are slaughtered, their heads are cut, the impure blood is made to flow, and they are exported to Arab Countries. The Bosnians pay particular attention to the slaughter when they know that the animal will be exported to other countries.

I hope you remember us in your pious duas and I ask Allah that He make both you and I His special friends. I also ask Him to strengthen the people of truth and help us to carry out our responsibilities in the best manner. Definitely, He is allpowerful to do as He wishes and is ever-ready to accept duas (invocations).

Your brother,

Abdul Qadir Al-Arnaut, Yugoslavia

A Summary

1. The people of the villages slaughter sheep according to Islamic law using their hands in certain areas of the country and the slaughterer is a Muslim.
2. In Sarajevo, the capital of Bosnia-Herzegovina, Muslims also slaughter animals according to Islamic law. The only difference is that they give the animal a light electric shock with a captive bolt pistol in order to make it fall to the ground. Thereafter, they take the animal while it is still alive and put it under a guillotine. They cut off its head, causing its blood to flow. Then, the meat is canned and it is written on the carton that this meat is from Sarajevo.
3. In other cities, the slaughterer is sometimes a non-Muslim, either a person from the people of the book or a Communist. These people are not Communists in reality, but are Communists only by name because of their jobs or out of personal benefit.
4. The animals sent to outside countries are also slaughtered according to the Islamic way at the hands of Muslims as in the villages.
5. The animals are sometimes slaughtered using the same tools which are used to slaughter pigs.
6. To sum it up briefly, one is advised to purchase the meat tins which were slaughtered in Sarajevo because of the reasons that were mentioned above.

An Article on Unlawful Food

The magazine, Ad-Da'wat, of Riyadh published an article written by Doctor Mahmud At- Taba' of Abha in issue number 673, dated 21 Dhul-Qa'dah 1398 A.H. under the title of ' So that we don't eat unlawful food.'

Peace be upon you, the mercy of Allah, and His blessings.

I read an article in the magazine, Ad-Da'wah, volume number 667, dated 9 Shawwal 1398 A.H. that was written by AbdurRahman Al-Ismai'l - May Allah reward him - under the title, "So that we don't eat unlawful food."

I wish to relate to you the following. My name is Doctor Mahmud At-Tabs'. I am a veterinarian who studied in West Germany. During the beginning of my studies, my Muslim friends and I were faced with the issue of slaughtered meat; is it lawful to consume it or not? I went with a group of friends to observe the method of slaughter in a slaughterhouse in the city of Hanover. We saw the slaughterers come to a herd of cows and shoot them on the head with a special type of gun. After all the animals fell to the ground motionless, the workers wasted almost 40 minutes taking a break.

Then, they went and hung the hind legs of the animals onto moving cranes. They cut the heads of the animals and removed the skin. Next, they cut the cows into two pieces and washed them with water after removing the limbs and intestines. The color of the water was red due to the blood. We verified that all the cows were dead before the workers finished their break and began to cut their heads, making them unlawful in our religion. We informed the other Muslim students about this and we described what we saw to them. However, it is very unfortunate that most of them were still eating pork, let alone unlawful meat.

Doctor Mahmud At-Taba'

Abha, The general administration for city and rural matters in the South

Summary

He saw that the slaughterers in West Germany shoot the cows on the head, then take a break, and cut the heads of the animals after they had stopped moving. The doctor verified that the animals were slaughtered after they had already died.

Chickens Slaughtered In Denmark

The magazine. 'AI-Mujtami' from Kuwait published an article in vol. 414 written by the Organization of Muslim Youth in Denmark. This article is dated 1. Dhul-Qa'dah, 1398 A.H. and is titled. 'The status of chickens slaughtered in Denmark in Islamic law.'

In response to the numerous requests which we have received from the Muslims of Arab Countries asking us to verify the method of slaughter for chickens and other animals which are exported from Denmark. we obtained the following findings after studying and researching this issue within Denmark.

An official source has told us that the Qadiyani¹²⁰ group has been trying to represent Muslims and Islam in this country since the inception of this group in 1967. They have been certifying the meat and chickens exported to Muslim Countries and have been collecting fees from the exporting companies in exchange for this certification. We have also found that the Islamic Embassies in Denmark and in the rest of the world are doing nothing to represent the Muslims. Instead. they represent the rulers who come to power and are removed from power. On top of that. these Embassies are only worried about following the etiquettes of diplomacy in their meetings. In order to avoid generalization. we will say that there are a small number of workers from these embassies whom Allah has guided to hold fast to the teachings of Islam and not be affected by outside influences.

We have also come to know in the past few years that some companies have been using means of deception to sell the chickens of Denmark to Muslim Countries. One such ploy is to install tape recorders containing cassettes of the recital of the Quran inside the slaughterhouses, assuming that doing so will make it lawful for us to consume this meat. Similarly, some of them try to pull the wool over our eyes by appointing 'one or more Muslim workers in the slaughterhouses to carry out basic menial tasks which are not connected in any way to the slaughter. Even if a Muslim were to be assigned to slaughter, it would not be possible for him to slaughter the thousands of chickens produced every day and every hour. Libya was one of the first countries which came to know of this deception inside Denmark and outside of Denmark, and they completely stopped importing meat and chickens from Europe. Allah knows best if this ban is still in effect.

During the last ten years, the majority of Muslims have not been concerned about the issue of the chickens which are imported from Europe because of its insignificance in comparison to the difficulties afflicting the Muslims and the plots which were planned in the past and continue to be planned against Islam. However, there have been some Muslims who have tried to promote this meat based on the fact that this is food from the people of the book. We do not accept this view because we can see around us

¹²⁰ Author's Note: The original book has made some points for consideration of the scholars. Because these points are not in the form of a final ruling, they are not meant for the common readers. Thus, they are not included in the translation. The scholars may refer to them in the original Arabic book.

that adultery, nudity, alcohol, gambling, homosexuality, breaking of family ties, disobedience of parents, interest, and other evils and major sins are all permitted by the local man-made laws. Therefore, there is no way to consider these people to be people of the book. In reality, these people are closer to being communists and pagans than they are to being Christians.

As a result of the great confusion regarding this issue and the need to fully investigate this matter, our organization sent a letter to each slaughterhouse in Denmark which exports chickens to other countries. This includes 35 slaughterhouses for chickens and birds.

The following is a translation of this letter:

"Since we are an Islamic Educational Organization in Denmark, we have received a number of inquiries in the last few months from Muslims both in Denmark and outside of Denmark regarding the method which is used to slaughter chickens and birds which are exported to Arab Countries. It is very important for us to get a satisfactory answer to these queries because Muslims require that the method of slaughter be in accordance with the laws revealed in the Holy Quran, Because of this, we hope that you can allow 3-4 members of our organization to visit your slaughterhouse in order to observe your method of slaughter.

In the same way, we would like to publish the results of our findings in the future in our famous magazine, As-Sirat, so that Muslims can come to know of this information. This will be done without mentioning anything negative about your company. We hope that you can send us a reply as soon as possible."

Upon receiving the replies, we found out that some of these slaughterhouses do not export to Muslim Countries at all and these slaughterhouses did not prevent us from visiting their premises. However, the companies which export to Muslim Countries did not cooperate with us in the least bit in allowing us to visit their premises. Some of them told us flatly that we were not welcome there. Others tried to refer us committee for exporting chickens and birds in order to discuss the matter with the rationalization that this committee is the authority which represents them and is responsible for dealing with all issues relating to slaughter.

After contacting this committee and pleading with them for a long period of time, we were not able to get any help from them. They claimed that our organization does not represent the interests of Islam and the Muslims in Denmark, and that they work with another Islamic agency in Denmark which, according to them, represents Islam because of its ties with the embassies of Arab Countries. This agency certifies that the chickens which are to be exported are slaughtered according to Islamic law, knowing full well that the only difference between these exported chickens and the others is the label on the cover which states that this animal was slaughtered according to Islamic law.

Upon further investigation, we found that this Islamic agency was not run by the Qadiyani group as had been the case for the last ten years. In fact, this agency had won the important function of certifying the exported chickens and wrestled it away from the Qadiyanis. They were also responsible for other tasks such as looking after the interests of the chicken companies, the interests of the Arab importers; and the interests of the embassies of Arab Countries who stand behind these companies.

After having a phone conversation with the head of the Committee for Export in Denmark mentioned above, we came to know of the following:

1. The slaughterhouses in Denmark are not concerned in the least bit about meeting the requirements of slaughter in Islamic law, and the only information available to them regarding the Islamic method of slaughter is what they obtained through spontaneous conversations with Muslim youth. Some of this information was contradictory, making them incorrectly assume that Muslims do not have established laws for slaughter in their religion.
2. The Arab importers are the ones who demand that it must be written on the label, 'slaughtered according to the Islamic law' and they are the ones who prepare this label. The exporters of Denmark are willing to go along with this as long they are getting more business. The Islamic Agency certifies this exported meat.
3. The normal method of slaughter is to stun the animal, as required by veterinary law, and then to cut off its head. Special permission is required for the animal to be slaughtered in any other way.
4. The most pressing issue for the companies of Denmark at the present time is the position of the embassies which represent the importing countries because they are the ones who are responsible for appointing an Islamic agency to certify the slaughter. According to them, as long as this agency is certifying the slaughter, there is no benefit in having anyone else interfering in the matter. We asked the head of the committee to respond to the points which we had outlined in our letter. He promised to do so, then delayed doing so for a long time. In the end, we received a diplomatic response from him which did not at all address the issues which we had discussed over the phone.

It is clear from what we have mentioned above that the people responsible for this deception are not the exporting companies from Denmark, but the Arab importers and embassies who allow this evil to take place.

Based on this, we, the Organization of Muslim Youth in Denmark, wish to announce to all the Muslims in the world that the animals which are exported to them from Denmark are not slaughtered in any special way and they are slaughtered in the same way in which the animals sent to other countries are slaughtered (i.e. they are not slaughtered in accordance to Islamic law). The method of slaughter is to first stun the animal and then cut off its head. The only difference between the meat exported to Muslim countries and the other meat is the Arabic which is written on the cover in order to deceive Muslims.

The solution

The main objective of this investigation was not to provide an Islamic solution for the issue of imported meat, but to find out which method of slaughter is used in these slaughterhouses and to inform the Muslims so that they themselves can work towards a good Islamic solution for the issue. We would like to mention a few points which should prove to be beneficial if they are kept in mind while searching for a solution:

During some of the discussions which we have been having with a slaughterhouse in Denmark for many years, some Muslims came to an agreement with them to have animals specially slaughtered for export to Islamic countries. The company agreed to this request on the condition that the Muslims themselves provide them with Muslim workers and guarantee that they would remain working there. While searching for Muslim workers, we discovered that this slaughterhouse is located in a small town far away from the large city, and this would discourage anyone from accepting this job because most foreign workers prefer

to live in the capital or in a large city at the very least because of social factors. They are eager to be a part of a society because this allows them to easily understand others, share news, and pay social visits, whereas all of this is not found in remote towns. Therefore, sincerity and extreme sacrifice is required on the part of a few Muslims in order to fulfill this responsibility effectively .

Similarly, there is a need to send a delegation of Muslims who have insight regarding the method of slaughter in Islam and possess special skills which will allow them to set up an Islamic slaughterhouse for exporting to Muslim countries. Such a slaughterhouse should meet all the requirements of Islamic law and modern technology at the same time. From our side, the Organization of Muslim Youth is ready to help begin preliminary talks with companies which produce tools for slaughtering and to make a deal with a consulting company and a planning committee to conduct a detailed study on the costs and requirements of such a project.

One last issue remains which is not related to the chicken itself, but to the Muslims who consume these chickens. It is a common fact that there are only a few people who try to consume only lawful food and the vast majority are not worried about what they eat. Rather, they sometimes even consider finding lawful food to be difficult. Unfortunately, this is the condition of the era in which we are living in; people first worry about fulfilling their desires and then they incorrectly quote the verse, "Allah is all-forgiving and extremely merciful."

Similarly, most of us would like to enter Jannah (paradise) and meet Allah without gaining any knowledge, doing any good deeds, or undergoing the least amount of sacrifice. Many Muslims are ready to travel great distances in order to buy a special type of commodity or a food which has special characteristics, whereas the difficulty which they undertake for this purpose is not to please Allah and his Messenger ~ but just to fulfill their desires. When they face the same difficulty in practicing upon an aspect of religion, these people make excuses and do their best to avoid it based on the fact that 'Islam is easy,' without saying once that 'verily with difficulty there is ease.'

It is not possible to enter Jannah without undergoing hardships. I would like to give an example of this, and it is the strict vegetarians who refrain from eating meat and anything derived from it. They are well-known all over the world for exercising extreme caution in what they eat. Their level of precaution has reached such bounds that some of them don't even eat the cakes and preserved fruit which are found in stores out of fear that it may contain animal oil. They inquire about the ingredients of a food before they buy anything, and there are stores all over the world which cater especially for them.

These people have made their own dietary laws and they follow them without considering investigation and precaution to be a type of fanaticism or a waste of time and effort. So why is it that the Muslims - who have been given a book from Allah and Sunnah of his Prophet ~ - are not concerned about eating lawful food and do not try to find lawful food? May Allah benefit us from what we have said, free us from our responsibility on the Day of Judgment, and make our actions sincerely for him.

The Organization of Muslim Youth in Denmark

A Summary

1. The Qadiyanis were the group which certified that the meat and chickens exported to Muslim countries were slaughtered according to Islamic law, and they were receiving a fee in exchange for this certification. Then, another Islamic Agency wrestled the right to certify from the Qadiyanis and also took on other responsibilities such as looking after the interests of the chicken companies, the Arab Importers, and the Arab Embassies which stand behind these companies.

2. The majority of the people working for the Islamic Embassies do not represent Islam and they are only worried about following the etiquettes of diplomacy.
3. The Christians of Denmark and other people who are considered to be Christians have left the basic teachings of the people of the book and it is not possible to consider them to be people of the book. In fact, they are closer to being communists and pagans than they are to being Christians.
4. The supervisors of the slaughterhouses in Denmark who export meat and chickens to Muslim Countries have not allowed the Organization of Muslim Youth in Denmark to observe their method of slaughter, claiming that this organization does not represent Muslims and only the Islamic Embassies which certify the meat before export represent Muslims. The companies which do not export meat to Muslim Countries allowed this organization to come to their premises in order to observe their method of slaughter.
5. The slaughterhouses in Denmark do not have access to accurate information regarding the Islamic method of slaughter which is obtained through authentic Islamic sources. The only information which they have regarding the Islamic requirements for slaughter is what they obtained through hearsay. They are not concerned about slaughtering according to Islamic law because they have incorrectly assumed that Muslims do not have established laws for slaughter in their religion.
6. The Arab importers require a label to be placed on the carton which says that this animal was slaughtered according to Islamic law and they are the ones who prepare this label. The exporting companies of Denmark are willing to go along as long as they are benefiting.
7. The method of slaughter is that the animals are first stunned and their heads are cut. This very same method is used for the animals which are exported to Muslim countries and for the other animals; the only difference is that a label is placed on the package of meat which is sent to Muslim Countries.
8. The companies in Denmark which export to Muslim countries are only concerned about pleasing the embassies of the importing Muslim countries and receiving their approval.
9. The solution is to establish Islamic slaughterhouses for exporting meat to Muslim countries and to support them with one's knowledge, physical capability, and wealth.

Abdullah Ali Husayn Writes In His Book, Meat Various Discussions Regarding Slaughtered Animals, Hunted Animals, And Preserved Meat:

Meat preserved in cans such as Poly Beef and meat preserved in tins is imported to Egypt from Europe, Australia, and America. Definitely, this meat and all food which contains this meat is unlawful to consume because this is the meat of an animal which was dealt a violent blow and beaten until it died. The method of slaughter in almost every country is the same, and it is to strike the animal on its brain. The animal falls to the ground motionless as a result of this blow to the brain, and thereafter, it is skinned and cut into pieces. This animal is used to make all types of preserved meat and other meat products .

I wanted to find out about the method of slaughter used in western countries through official sources so that there remains no doubt or possibility for dispute in applying Islamic law. Therefore, I wrote a standard letter to the Consul of the following countries: England, France, Spain, Holland, Italy, Turkey, South Africa, the United States, Brazil, Australia, Russia, Denmark, Switzerland, and Romania. This letter contained three questions:

1. What is the method of slaughter in your country, or in other words, how do you kill the animals which you intend to consume?

2. In your country, what is the first part of the animal's body which you strike in order to kill it ?

3. What are the various types of preserved meat which are produced and exported from your country?

The author then mentioned that Turkey, Greece, Holland, Spain, and Denmark were the only countries that answered this questionnaire. The responses of Holland and Denmark were the most glaring examples of being in contradiction with the Islamic method of slaughter. Because of this, we will mention their response below:

Response

1. The method of slaughter in Holland

The animals are killed as quickly as possible after being stunned, and the blood is then drained out. The animals are stunned using a machine which makes them lose consciousness. (They are not allowed to cut the head or the neck, and civil regulations do not allow the use of a knife for slaughter). Therefore, the animals are killed using a helmet which contains a bolt filled with gunpowder which ignites and drives the hollow drill into the brain of the animal. This hollow drill returns back to its place before the head of the animal falls to the ground.

2. The method of slaughter in Denmark

Horses, oxen, and large calves are slaughtered through stunning. A piston made specially for stunning is used to shoot lead into the brain, and sometimes another type of pistol is used which releases a penetrating nail. Small calf and sheep are also slaughtered through stunning; either lead is used or the animal is struck with force on the front part of the forehead using a hammer. Regulations require that the chickens be slaughtered either by delivering a quick blow to the head with a hammer or by quickly separating the head from the body. When horses, oxen, and large calves are slaughtered according to the method described above, the blood is removed by placing a normal knife at the bottom of the neck where there is a large artery connecting to the chest. The blood of small calves and sheep is made to drain out by making an incision in the bottom part of the neck which contains the large artery located near the top part of the chest.

The author further mentions, "All of this is solid official proof substantiating our claim that the animals slaughtered in these countries are killed by a violent blow and are impure corpses which are unlawful for a Muslim to consume, give to someone else, carry, or sell. I was already convinced of this fact because of what I had come to know about their method of slaughter during the five years which I was studying in Europe. I had discovered that they slaughter animals by hitting them once on the front of the head near the brain between the two temples using a tool made specially for this purpose. This blow makes the animal to fall to the ground unconscious. Out of fear of making a claim without proper knowledge, I have obtained written proof from the countries themselves. I am publishing this now so that people can come to know."

He also says, "I sent a letter to Doctor Abdul Hamid Mustafa Fargaly, who specializes in animal physiology at John Hopkins University in Baltimore, USA, asking him about the method of slaughtering animals for consumption in America. I received a response from him on July 15, 1947 in which he said, "You asked me about the method of slaughter. The animal is struck with a pointed hammer in the head, causing it to die. Thereafter, the neck is cut. However, they do not slaughter according to the religious law of Muslims or the Jews, and they use this same method for all animals."

Chapter 13: A Judgment Passed By The Committee Of Senior Scholafs Regarding Imported Meat

Fourthly, we will apply Islamic law to the issue of imported meat in light of the information obtained through personal observation and other means.

There is no benefit for the people who try to consume only lawful food and stay away from that which Allah has made unlawful in just describing the method of slaughter in Islamic law without applying it to the meat imported to the Kingdom of Saudi Arabia from Europe, America, and other countries. Such people cannot know the ruling of this imported meat unless they first come to know of the method of slaughter and the condition of the slaughterers in these western countries and other countries which export meat to the Kingdom, and how is this possible? It is difficult to travel to these countries because of the distance and the hardships involved, so only a few people are able to do so.

The majority of the people who travel to these countries do so either for medical treatment, other necessities, satisfying a wish, or for sight-seeing. Such people will not be interested to investigate this matter and will not go through the trouble to get to the bottom of things. Because of this, the head of the administration of scholarly studies, fatawa, da'wah, and irshdd (spiritual guidance) sent letters to the people in charge of importing meat and other food products. In these letter, this group requested those in charge to inform them of the current situation and advised them to take extra precaution to import only lawful goods in order to protect the religion of the people, save them from eating that which is unlawful, and provide the basic necessities of Muslims through lawful means.

The people in charge of the importing companies sent an ambiguous reply which was not enough to remove doubt and satisfy the conscience. Therefore, the public ministry wrote to the people responsible for propagating Islam in Europe and America asking them to investigate the method of slaughter and the religious status of the slaughterers in their respective countries. A group of these delegates did write back, but there was still ambiguity in some of their replies .

A group of people who held their religion in high esteem wrote articles in magazines describing the method of slaughter and the status of the slaughterers - may Allah reward them all. However, this information did not shed any light on the condition of the companies which export to Saudi Arabia and there still remained some ambiguity. In spite of this, the Committee will now present a summary of its findings from the letters it received, from the magazine articles it came across which discuss the Islamic method of slaughter and from all the general fatawa (religious rulings) that were passed regarding this topic. Based on this information, the following rulings can be given:

1. Based on the letter from the secretary general of the Ribdt AlAlam Al-Islami (Muslim World League) to the head of our committee, it is unlawful to consume the meat of the animals slaughtered in Australia. This is because this organization received a letter stating that some of the Australian Companies which export meat to Muslim countries - especially the company, AI-HaJal As-Sadiq which is run by Qadiyanis - do not slaughter cows, sheep, and birds according to Islamic law. It is very important to study the contents of this letter and the advice given by this organization therein.

2. Based on the letter from Ahmad fun Salih Mahabri regarding the method of slaughter in the Princisa Company, it is unlawful to consume their meat. This is because it is not known whether the slaughterer is a Muslim, a person from the people of the book, pagan, or an apostate. There is doubt whether the two jugular veins are cut or if only one is cut. Furthermore, this meat is certified by an organization which

does not personally witness the slaughter and nor do they appoint someone to witness it. Also, this organization has no knowledge regarding the status of the slaughterer. The argument for their method of slaughter being un-Islamic is further supported by the fact that the head of this company was ready to modify the method of slaughter so that it could be in accordance with Islamic law on the condition that the Muslims first specify the amount of meat which they will import.

3. Also based on the letter of Ahmad, it is unlawful to eat the meat of the Sadia Awiyisita. This is because there exists a doubt as to whether the people who slaughter chickens and cattle in this company are from the people of the book or pagans. Also, the cows are stunned using an electric shock and are raised up by a machine once they fall. Thereafter, the skin of the neck is slit using one knife and the jugular vein is cut using another knife, causing the blood to flow in abundance.

4. Based on the letter of Shaikh Abdullah Al-Ghadhiyah, the animals slaughtered in London are unlawful to consume. This is because the people who carry out the slaughter are pagans or atheists. The chickens come out of the machine dead with their feathers plucked, but the head remains attached to the body without any sign of slaughter apparent on its neck, and the Englishmen themselves admit to this fact. The manager of the slaughterhouse tried to deceive the Muslim who wanted to know how the animals were slaughtered in an automatic slaughterhouse which exports to other countries, and the manager instead took the Muslim to a slaughterhouse where a small number of Muslims were slaughtering for local consumption. This creates a doubt in their method of slaughter and the religious status of the slaughterer.

5. Based on the letter of Hafiz which discusses the method of slaughter in some famous places in Greece, it is unlawful to consume the meat. This is because their method of slaughter is to first strike large animals on the head with a pistol and slaughter them after they fall to the ground. This creates a doubt as to whether the animal was slaughtered after it had already died from the blow of the pistol. They also have another method of slaughter which the author says is in accordance to Islamic law. He did not further elaborate on this method of slaughter and on the religious status of the slaughterer. Similarly, he did not provide further description of the slaughter in different places or the meat companies in Greece.

6. Based on the letter of Shaikh Abdul Qadir Al-Arnafit describing the method of slaughter in Yugoslavia, the animals slaughtered in the villages and in Sarajevo are lawful to consume because the slaughter takes place according to Islamic law and the slaughterer is a Muslim. The animals slaughtered in the other cities of Yugoslavia are sometime slaughtered by a non-Muslim who is either from the people of the book or a person who is outwardly a communist. Therefore, the animals slaughtered in these cities are unlawful because there exists a doubt as to whether the slaughterer has the necessary qualifications for his slaughter to be recognized in Islamic law.

7. Based on the letter of Doctor At- Tiba' regarding the method of slaughter in West Germany, the animals slaughtered there are unlawful to consume because the cows are first hit on the head using a captive bolt pistol and are only slaughtered after they have already died.

8. Based on the article published by the Al-Mujtami' magazine, vol. 414 regarding the method of slaughter in Denmark, the animals slaughtered in that country are unlawful to consume. This is because the slaughterers are closer to being communists and pagans than they are to being Christians. The companies of Denmark do not have access to information which would make it possible for them to slaughter according to Islamic law and to write on the package that this animal was slaughtered as such. [The only information which they have at their disposal] is what they obtained through hearsay. The importing agency has this meat certified in order to convince anyone who has a doubt regarding this meat

that it is lawful. This agency does not allow anyone to find out how these exporting companies slaughter animals.

The letter of Ahmad Salih Mahayiri also proves that the meat slaughtered in Denmark is unlawful. He wrote in his letter that Muhammad Al-Abyadh Al-Magribi, a worker in a canning factory in Denmark, informed him that they write on the cans that this meat was slaughtered according to Islamic law. This is incorrect because the animals are killed by an electric shock under all circumstances.

9. Ibn Al-A'raby's view is that cattle, birds, and other animals slaughtered by the people of the book are lawful under all circumstances, even if the Islamic requirements of slaughter are not fulfilled. He' also says that whatever they consider to be lawful in their religion will also be lawful for us unless if it is something which Allah has declared to be incorrect. This view is incorrect based on what we have mentioned above in the discussion of the method of slaughter and in the faHiwa.

10. Based on what we have already mentioned regarding the method of slaughter and the religious status of the slaughterer, it is clear that the letters sent by the Ministry of Commerce and Occupation to this Committee are not enough to satisfy one's conscience with regards to the lawfulness of this imported meat. At the very least, there still remains some doubt in convincing oneself that this meat was slaughtered according to Islamic law, and the origin of animals is that their consumption is unlawful. Therefore, it is necessary to look for a solution to this matter.

Solutions For The Issue Of Imported Meat

This can be summarized in the following points:

1. To breed more animals and work to promote it. To import live animals to Saudi Arabia according to need and to make various types of fodder readily available for them. To set up facilities in Saudi Arabia which are appropriate for breeding animals and slaughtering them. To give financial support to local companies and individuals who raise animals in order to encourage others to do the same and to implement an effective method for distributing this money to deserving people in Saudi Arabia. The same should be done for establishing cheese factories, canned meat factories, clarified butter factories, and factories for all types of oils.
2. To establish special slaughterhouses which are run by Muslims in those countries which normally export meat to Muslim Countries and Saudi Arabia. These Muslims should ensure that the slaughter takes place according to Islamic law.
3. Appointing trustworthy Muslim workers who are acquainted with the method of slaughter in Islamic law to slaughter animals according to the need of Saudi Arabia in accordance to Islamic law.
4. Appointing a sufficient number of trustworthy Muslims who are acquainted with the Islamic method of slaughter and with various foods to supervise the slaughtering of animals, the management of cheese factories, canned meat factories, and other companies which export to Saudi Arabia.

The Jews have established special slaughterhouses for themselves and have appointed people to slaughter animals according to how they want because of their concern that the slaughter should be in accordance with the beliefs and the laws of their religion. The Muslims are more rightful in doing this than the Jews and there is a greater chance of success if implemented by the Muslims because of the great amount of meat and other products which they consume from western factories and because of the great need of these western factories to sell their meat and other products.

The Committee for Scholarly Discussions and Fatawa

Members-Abdullah Ibn Qafi'd, Abdullah Ibn Ghadyan

Deputy Head -Abdur-Razzaq A'fify

Head - Abdul Aziz Ibn Abdullah Ibn Baz

The letters which we have quoted above from the representatives of da'wah to the Committee of Senior Scholars and the proposals of the Committee for scholarly discussions and fatwa are sufficient to prove that the majority of the certifications which are written on the imported meat saying that this meat was slaughtered according to Islamic law cannot be trusted at all. Based on this, it is unlawful to consume this meat until it can be established through a reliable source that this meat was in fact slaughtered according to Islamic law.¹²¹

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1. ¹²¹ The translator wrote a letter to the Hayatu Kibarul Ulama (the group which wrote the original fatwa included in this book) asking them whether this fatwa under discussion is still relevant in today's Limes. No written reply was given even after three months of sending the letter. However, Shaikh Abdullah Mahmood did give a verbal reply to the translator on the phone that this fatwa still applies today. Allah knows best.

Chapter 14 : A Summary Of This Treatise

1. The issue of slaughter is not an ordinary affair like the method of cooking which not governed by any laws. Instead, it is a matter related to worship which is subject to the laws mentioned in the Quran and Sunnah. The Islamic method of slaughter is one of the unique features of Islam which distinguishes a Muslim from a non-Muslim. *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* said in this regard, "He who performs our Saldh, faces our qiblah (direction of worship), and eats our slaughtered animals is a Muslim who is deserving of the protection of Allah and his Messenger."

2. The meat of an animal will only become lawful if it slaughtered according to Islamic law, even if it is the meat of an animal which can normally be eaten. For the slaughter to be valid, the following conditions must be met:

- a. Animals which can be subdued must be killed by cutting the vessels of the throat. There is a difference of opinion regarding the minimum number of vessels which need to be cut
- b. The slaughterer must be either a Muslim, Christian, or Jew. He must also be sane and old enough to know the difference between right and wrong.
- c. The slaughterer must recite the name of Allah at the time of slaughter. If the name of Allah is left out intentionally during the slaughter, then such an animal is in the ruling of those animals that were killed without being slaughtered according to the majority of scholars of Fiqh. This view is supported by many strong and explicit proofs. If a person leaves out the name of Allah forgetfully, he will not be held accountable for omitting the recitation of the name of Allah and the animal will be lawful to consume. There is no clear narration from Imam Shafi'i in which he has stated that it is permissible to intentionally leave out the name of Allah. Instead, a passage which he has written in *Al-Umm* indicates that he only considers it permissible to leave out the name of Allah in the state of forgetfulness, and he has clearly stated that an animal is unlawful to consume if the slaughterer leaves out the name of Allah because of him not considering it to be important.

3. The animals slaughtered by the people of the book were only made lawful because they used to follow the regulations of their Holy Law while slaughtering. They used to consider animals which were not slaughtered according to their Holy Law, animals which were strangled to death, animals which were killed by a violent blow, and animals which were killed by other animals to be unlawful to consume. We have already mentioned the texts from their Holy books which prove this. They used to only recite the name of Allah during the slaughter and would not recite anything else. It was because of this that the animals slaughtered by them were considered to be on the same footing as animals slaughtered by Muslims and were made lawful for Muslims.

4. In the same way, the women from people of the book were made lawful for Muslims to marry because of the fact that they used to abide by laws regarding marriage which were similar that of Islam. For this reason, marriage with the people of the book will only be valid if it takes place according to Islamic law. Just as the verse, "And [lawful in marriage are] chaste women from among those who were given the Scripture before you" unanimously applies only to a marriage which takes place according to Islamic law, similarly the verse, 'And the food of those who were given the Scripture is lawful for you ' also applies only to animals that were slaughtered according to the Islamic law because both rulings are mentioned together in one context.

5. Ibn Al-A'raby's view that it is permissible to consume the meat of an animal strangled to death by a person from the people of the book contradicts his own view that the meat slaughtered by the people of the book only becomes lawful when they adhere to Islamic law. Out of these two contradictory views, we will accept that view which is in conformity with clear proofs and the consensus of the scholars. He has based his view on this meat being lawful on the assumption that an animal strangled to death is lawful for the Christians to consume in their religion, whereas the reality is that their Holy Books clearly state that such an animal is unlawful. Therefore, we will not consider this digressed view.

6. The correct view is that the people of the book must recite the name of Allah in order for the animals slaughtered by them to become lawful, just as is the case with Muslims. This is because the verse, "And do not eat from that upon which the name of Allah has not been mentioned" covers both Muslims and people of the book, especially since the passive tense is used in this verse.

7. The term 'people of the book' refers to Jews and Christians who hold faith in the fundamental beliefs of their religion, even if they believe in false concepts such as the trinity and atonement. A person who doesn't believe in a supreme being, prophethood, and the heavenly scriptures is an atheist who cannot be considered to be from the people of the book, even if he is formally regarded as being a Jew or Christian.

8. The meat found in a Muslim Country whose slaughterer is unknown is considered to be slaughtered according to Islamic law and lawful unless it is clearly established otherwise. The proof for this is the Hadith of A'isha • which mentions the ruling of the animals slaughtered by Bedouins.

9. The meat sold in the countries of the people of the book will be in the ruling of meat slaughtered by the people of the book unless it is established that the slaughterer was not from them. 10. The contemporary Christians have freed themselves from following any laws for slaughtering animals and they have abandoned the laws of their religion. As a result of this, they do not consider it necessary to slaughter according to those methods of slaughter which are acceptable in Islamic law. Therefore, the animals slaughtered by them are unlawful to consume unless it is established that a specific meat was slaughtered by a Christian in accordance with Islamic law. This means that the meat which is sold in their stores and whose slaughterer is unknown is unlawful.

11. The automated method of slaughtering chickens has the following shortcomings from an Islamic standpoint:

- a. Immersing the chicken in cold water containing an electric current before the slaughter. This is because there is a possibility that the electricity will cause the death of the animal.
- b. The difficulty in reciting the name of Allah upon the animals slaughtered by the rotating blade.
- c. The doubt which arises from the fact that some of the vessels are not cut in certain circumstances.

12. It is still possible to use this automated method for slaughtering according to Islamic law by implementing the following changes:

- a. The electric shock which is used to stun the animal should either be discarded completely, or it should first be verified that the voltage is so low in intensity that it doesn't cause the animal to die before the slaughter.
- b. The rotating blade should be replaced by humans who slaughter while reciting the name of Allah.
- c. The water in which the chicken is immersed after the slaughter should not reach boiling point.

13. There are two issues of contention in the automated method for slaughtering cows and sheep. The first is that when the animal is sedated either by using a captive bolt pistol, carbon dioxide gas, or an electric shock, then there is no assurance that the animal does not die before being slaughtered. Therefore, it is necessary to modify this method in such a way that we know for a fact that it does not cause any pain to the animal and that it does not cause the death of the animal before it is slaughtered. The second issue is that sometimes the animals are slaughtered without their vessels being cut. Therefore, it will only be permissible to use this automated method of slaughter when we know with certainty that both these possibilities do not exist.

14. It is not permissible to consume the meat of animals imported from non-Muslim countries, even if it is written on the package that this meat was slaughtered according to Islamic law. This is because it has already been established that these certifications cannot be relied on, and the original state of animals is that their consumption is unlawful.

Recommendations

1. Muslim countries should increase their animal stock so that they don't have to import meat from non-Muslim countries.
2. If a country needs to import meat, then it should try to import only from Muslim Countries.
3. Until Muslim countries are able to increase their animal stock to meet their meat requirements, they should require the importing companies to send delegations of scholars and people who have knowledge of Islamic law to the exporting companies. These delegations should request the exporting companies to adjust their method of slaughter so that it can be in accordance with Islamic law.

Furthermore, they should appoint some Muslims in that country who hold their religion in high esteem to regularly supervise the method of slaughter in a reliable manner. These Muslims should only certify that the slaughter took place according to Islamic law when they are completely certain of it. They should also not just give a short-form certification that this meat is lawful or that it was slaughtered according to Islamic law. Rather, their certification should clearly specify that all the conditions for slaughtering an animal according to Islamic law were fulfilled, i.e. the animal was slaughtered by a Muslim or by a person from the people of the book, the slaughterer recited the name of Allah at the time of slaughter, and he cut the required vessels.

4. Muslim Countries should not allow companies to import meat from non-Muslim countries and should prevent them from using short-form in certifying the meat to be lawful unless they fulfill the requirements of slaughtering which were mentioned in the paragraph above.
5. The Islamic Fiqh Academy of Jeddah should form a council and invite as many supervisors and representatives as possible from the Muslim companies which import meat in order to explain to them the importance of this issue and describe to them the correct way of doing business dealings in Islam.

Appendix 1 (Translator) - Data On Stunning

The following is a collection of articles written on stunning¹²²

Article 1: Only Halal (lawful) is humane

What we always knew about Halal is borne out by the results of a recent study undertaken by Professor Wilhelm and Dr Hazim at the School of Veterinary Medicine, Hanover University, Germany. The professor and his colleague have found that the 'Direct Method' of slaughtering an animal, which is more the Islamic method of Dhabh, is more merciful as compared to the conventional method in the West, whereby the animal is stunned with a 'captive bolt pistol' before being slaughtered.

Research into the pain and the consciousness of an animal slaughtered in the halal/ dhabh way, as was practiced by the Prophet Muhammad ~, and enjoined upon Muslims to follow, discovered that:

- The first three seconds [after the fatal incision is made across the throat, as is done in the dhabh method] as recorded on the EEG (Electroencephalogram) - electric recording of the brain did not show any change, that is, as compared to before the incision, thus indicating that the animal did not feel any pain during or immediately after the incision
- In the following three seconds, the EEG recorded a condition of deep sleep-unconsciousness caused by the large quantity of blood gushing out of the body;
- After the lapse of these six seconds, the electric recording of , the brain (EEG) registered zero level, showing no feeling of pain by the animal at all.

However, in contrast to this Islamic halal or dhabh method, the western Direct Method with a captive bolt pistol showed:

The animal was apparently unconscious soon after stunning; EEG indicated severe pain being experienced by the animal, immediately after stunning; and the heart of the stunned animal stopped beating earlier than the animal that is slaughtered according to the Islamic method of dhabh, resulting in retention of more blood in the carcass. Meat thus produced for consumption is unhygienic (and can cause poisoning and disease to the consumer).

Stunning an animal before killing has been found to spread the mad cow disease in recent research carried out at Texas University and by Canada's food Inspection Agency as it scatters brain tissue throughout the animal. The brain tissue is the most infectious part of the animal.

Therefore, the proper Halal or Dhabh/ Direct Method is not only the humane method - a mercy to the animals - of slaughtering animals but also the safest for consumption of meat - for it rids the meat of blood.

This is also the only method that drains the blood completely from the carcass (blood is unhygienic and harmful) and without any danger to health from the brain and spinal cord.

Truly Prophet Muhammad ti came as a mercy to all (al'Alameen); saved animals from suffering, and showed the way to healthy and safe way of consuming meat ... !

Unfortunately, many Muslims in Britain do not follow the Prophet's way (without stunning) even though the law allows us to do dhabh as prescribed by our beloved Prophet.

¹²² The majority of these articles were taken from www.unstunnedhalal.com

Dr A Majid Katme

Spokesman on Halal Meat and Food

(Islamic Medical Association)

London, England

Article 2: WHY STUNNING THE ANIMAL BEFORE (DHABH) SLAYING CAN NOT BE ACCEPTED BY THE MUSLIMS?

by Dr A Majid Katme

...There are many types of stunning techniques today:

the captive bolt pistol (used for cows/cattle).

electric stunning (used for sheep).

electrified water bath (used for poultry).

carbon dioxide (co2) gas (used for pigs).

Medical research, scientific and medical evidence has, shown that stunning causes

Some animals to die as in the electrified water- bath for poultry or chicken: government figures about 1/3 of chickens die before doing the cut. This is mitah (dead) and is prohibited to eat in Islam. The problem today: there is no body or doctor checking each animal after death (sheep, chicken ...) if it died from stunning or from the cut? At least many are shubuha (doubtful) and a Muslim should avoid it.

The verse was clear before: it is prohibited to eat any dead animal before the cut.

Less bleeding out, more blood in the meat;

stunning causes "salt and pepper hemorrhage" inside the meat and blood can not be taken out, also by causing some animals to die when the heart stops, this will causes less bleeding out and more blood inside. It has been proved that the direct method. of slaying the animal without stunning as in dhabh causes more bleeding out.

Blood is harmful to health as it is full of bacteria, infective agents and waste and harmful substances. Chemical changes in the meat. .. Making the meat less healthy and less nutritious. Cruelty and suffering to the animal that can not complain or speak up

More stress to the animal which causes more discomfort and some harms to our health by consuming the meat of the "stressed animal". Failure on proper effective stunning, half stunning, paralysis and re-stunning; surely this is cruel.

Not only that but today there are many non-Muslim scientists who oppose stunning, in the west for humane and health reasons like: Van der wal, Wenberg, Mcloughlin, Pollard, Winstanley, Marple etc and it is legal.. .the law of the land: Muslims and Jews to do dhabh /slaying without stunning. (Religious slaughter) ...

Lastly: new scientific medical researches done by doctor's, vets, pharmacists, pathologists and members of parliament in Syria have showed clearly the therapeutic effect of saying: Bismillah Allah Akbar (in the name of Allah, Allah is the greatest) on the animals:

If the animal hears that, it gives him/her the tranquillity and it takes away any germ or infection to give you pure healthy meat, the animal has to be fully conscious and alive before the cut/dhabh ... and not unconscious or dead as it happens with some animals when stunning was used.

There are also two well known Islamic rulings:

- The first, any step or action leading to Haram is not allowed to do. We know well today that some animals die before we do any cut and a dead animal is forbidden to consume if it dies before slaying/dhabh. Also scientists have proved that stunning causes blood hemorrhage and blood inside the meat. Consuming blood is forbidden in Islam.
- The second ruling; a golden rule in Islam. If anything is doubtful (shubaha), the Muslim has to avoid it and we know today about the doubt in the stunned animals (death and blood).

This was done and repeated in many double blind "studies. Video, slides and the book is available, even the Syrian doctors and scientists are willing to come to Britain to explain it all. Lately also, Britain and Europe has prohibited one type of stunning (pithing) because of the risk of BSE. One could see clearly that many hararn/prohibited things can occur as a result of stunning like: eating dead animal/mitah (not from the cut), consuming blood, which is forbidden too, meat not tay'yib/wholesome/natural/pure due to some chemical changes in the meat. Besides it is cruel to the animals ...

Dr. A. MAJID KA TME

The Muslim Campaigner for Halal Meat and Food

Article 3

In an address to approximately 300 to 400 specialists at the UFAW (Universities Federation Animal Welfare) given by Dr Abdul Majid Katme of the Muslim Doctors' Association. Re states:

(4) **Electrified Water Bath for Poultry Stunning** 'The birds are suspended on a shackle (upside down) then the head is intended to corny into contact with the water and the passage of an electric shock through the brain'. (FA WC 1982)

Problems and harm with this method:

A very cruel way to give the electric shock, especially in this uncomfortable position; Drowning and suffocation resulting in death. It was well-documented that some birds were taken, still alive to the scalding tank (to remove the skin and feathers) (Health et al 1983). 'One-third of the birds are killed in the stunner and one-third are not stunned'. (FA WC 1982). Death from the\stunner.¹²³ 'A substantial number were killed as a result of the shock from the stunner.' (FA WC 1982). In this report, they emphasised,

¹²³ "A substantial number were killed as a result of the shock from the stunner". (24% dead in UK, MAFF 1999, 17 to 37% in USA) Taken from the 'Assessment of the Muslim method of slaughter', presented by Dr. Abdul Majid Katme, (Chairman of the Islamic Medical Association in the UK) at the UF A w* Symposium on Humane Slaughter and Euthanasia, held at the Zoological Society of London, Regent's Park, on the 18th and 19th September, 1986.

clearly, eight reasons why stunning may not be satisfactory (please see the report for details). Paralysis by failure of stunning.

With regard to pain, apart from the above suffering, the FA WC we reported' a substantial number may still be sensitive to pain'. I would like to conclude this aspect of pain by quoting from the same poultry report of the FA WC. 'The physiology aspects of the stunning of poultry are not well understood and criteria for establishing insensitivity to pain, suitable for use in working conditions, may well be unreliable.'

It cannot be guaranteed that the chicken will remain alive after stunning. The variations in sizes of the chickens and their individual resistance capacities mean that a blanket magnitude of current cannot be set. The health of each individual chicken will also influence its endurance capacity. Legislation does not specify any specific magnitude of current. However, if electric current is used it must be sufficient to induce immediate unconsciousness for all chickens and last until they die.

In the correspondence from the MAFF dated 5th October 1999, it is stated:

When birds or animals are stunned, induction of unconsciousness must be immediate and must last until the bird or animal is dead. The legislation does not specify maximum or minimum currents to be used during electrical stunning.

This department has commissioned research on electrical stunning; this has confirmed that there is variation in the current received by each bird in constant voltage waterbath stunners. Because the non-statutory recommended currents for each species are intended to stun all birds, they are set at levels, which at 50 Hz (mains frequency), will result in some birds receiving current which is sufficient to cause death by cardiac arrest.

This may be addressed in various ways. Depending on the line speed, it may be possible to identify birds which have been killed in standard 50Hz waterbath stunners as when they leave the stunner they will be limp, whereas stunned birds will be rigid. It may also be possible to identify these birds during postmortem examination. Either way, this could allow these carcasses to be identified and removed from the line.

Application of current at higher frequencies is not associated with cardiac arrest and many poultry slaughterhouses now use high frequency stunning equipment. Alternatively, constant current stunning equipment may be used to ensure that each bird receives a predetermined current sufficient to stun but not to kill."

"It can be seen that constant voltage waterbath stunners are totally unreliable. The MAFF also do not contend categorical identification of birds that have been killed as a result of stunning. Instead, they have used the words: 'it may be possible'. Similarly, they have not asserted that stunning current at higher frequencies will not kill the animal. "Instead, they have used the words 'is not associated with cardiac arrest'. Finally, the assertion that 'constant current stunning equipment may be used to ensure that each bird receives a predetermined current sufficient to stun but not to kill is very questionable. The individual endurance capacities and state of health of the various sizes of chickens renders it impossible to set a minimum rate, as the minimum magnitude of current required to only stun the healthier and more enduring birds may be enough to kill the less healthier and less enduring chickens. Furthermore, all this is in addition to the fact that stunning is not permissible within the Islamic parameters due to the unnecessary pain it inflicts upon the animal.

1. The Captive Bolt Pistol

Used commonly for cattle, calves and goats. It is the shooting, by a gun or pistol in the forehead (mechanical method) by a blank cartridge or compressed air. It could be penetrating or non-penetrating (percussion stunning). It breaks the skull, shatters and destroys the brain. A rod of steel is introduced in the skull hole to smash, cut and destroy the brain [pithing:now to be prohibited in UK and Europe by January 2001]. All this occurs before the real slaughtering cut is made. Recently, a new method by which a steel needle to penetrate the skull and brain and in which air is injected to cause intracranial pressure has been developed.

Problems, harm and results of this method have been reported in different scientific and Government reports, as follows:

- Improper stunning (failure of stunning leading to re~ stunning and double shots (FA WC 1982 and 1984);
- Paralysis of the animal while still conscious (FA WC 1982 and 1984);
- 'Depressed skull fracture' and considerable damage to the brain (FA WC 1984);
- Brain contamination (Blackmore 1979);
- Blood splash (extravasation of blood from vessels Into muscle and meat with some clotting of the blood) (Blackmore 1979);
- Brain hemorrhage (Blackmore 1979);
- Bruising and injuries from the heavy fall of the animal after the shot;
- Death reported by Lawton (1971); Temple Grandin (1980) stated that tests on sheep and calves indicated that penetrating captive bolt stunning actually kills the animal;
- Damage or harm to the meat. Marple (1977) stated 'Captive bolts should be discontinued in view of their detrimental effect on meat quality. (Quoted by Biala 1983)

Appendix 2 (Translator) - Kosher Meat

Kosher meat has become a controversial issue in recent times and many Muslims are under the impression that the Jews fulfill all the conditions of slaughter stipulated by Islamic law, thereby making their slaughtered animals lawful for Muslims to consume. However, it has been difficult to issue a decisive ruling in this regard because of the lack of reliable information regarding the Jewish method of slaughter. For this reason, when many of the great scholars of today's time were asked regarding the ruling of Kosher meat, they simply mentioned the Islamic requirements of slaughter and said that this meat would be lawful if these requirements were met. In order to shed further light on this issue, we have attempted to obtain accurate information regarding the Jewish method of slaughter through eyewitness testimonies, articles written by Muslims, and questionnaires sent to the Jewish Rabbis themselves. Through this, we hope that we can pass a decisive ruling on this matter.

Firstly, it is of vital importance that we establish that the same requirements that a Muslim needs to fulfill in order for his slaughter to be valid in Islamic law also have to be fulfilled by the people of the book. The scholars of Fiqh have laid down three basic conditions for the slaughter to be valid in Islamic law. Firstly, under normal circumstances, it is necessary to make the blood flow by cutting the vessels. The second is that the name of Allah be recited, and the third is that the proper qualifications be found in the slaughterer, i.e. that he either be a Muslim or from the people of the book in the true sense of the term. There is some difference of opinion regarding whether the people of the book have to recite the name of Allah or not. Mufti Taqi Usmani has discussed this question in detail and has established that it is necessary for them also to recite the name of Allah. Please refer to page 40-52.

There is an important principle regarding animals which Mufti Taqi has discussed. When there is doubt on whether the meat of an animal is lawful or unlawful, then we will consider it to be unlawful unless we come to know with certainty that the animal is in fact lawful. The proof for this is the Hadith of A'diy Ibn Hatim " which wherein *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* declared a hunted animal to be unlawful when another hunting-dog had participated in the kill because it was unclear as to which animal had made the kill. In the same way, *Sayyidina Rasul-ullah (Sallallahu 'alayhi wa sallam)* is reported to have said regarding a hunted animal, "If you find that it has drowned in water, then do not eat from it because you do not know whether it died because of the water or because of your arrow."¹²⁴ Mufti Taqi has applied this same principle to the meat slaughtered in western countries where the majority of the inhabitants are people of the book and we know with certainty or with probability that the people of the book in that country do not slaughter according to Islamic law. He has stated that the meat slaughtered in such a country will be unlawful unless we come to know that a specific meat was slaughtered in the Islamic way.

In order to pass a ruling on Kosher meat sold in western countries, we will first have to ascertain whether the Jews fulfill the requirements of Islamic law in their slaughter. It is a well-known that Jews are very particular about their slaughter and they take extra pains to ensure that their meat is slaughtered according to Kosher law. On the outward, most of the conditions of slaughter in Islamic law are met. However, the issue of contention regarding the Jewish slaughter is the recitation of the name of Allah. The testimonies of Muslims, articles, and replies of Rabbis quoted below prove without a shadow of a doubt that the name of Allah definitely is not recited on every animal. In light of above-mentioned principle, this doubt alone is enough to render Kosher meat unlawful until it can be established otherwise. Furthermore, if we know with certainty that the name of Allah is without a doubt not recited, then the factor for rendering this meat

¹²⁴ Sahih Muslim (943)

unlawful will be even more stronger. The burden of proof is on anyone who claims that Kosher meat is lawful to establish that the name of Allah was recited on a specific meat. Until then, we can say with certainty that Kosher meat is unlawful for a Muslim to consume. And Allah knows best.

Muhtaram, Assalamu 'alaykum w.w.

I was supervising Halal ritual slaughter at the Johannesburg Municipal Abattoir at City Deep for almost 27 years. The Jews carried out the Kosher Ritual Slaughter almost every week and I can confirm that they did not pray on the slaughter of each animal.

At the beginning of the day, the Shochet (Qualified Jewish Slaughterer) would say a prayer in Hebrew. No prayer was read at the time of slaughter.

Was-salam,

Hajee Mahmood Mahomed

Presently Chief Inspector - South African National Halal Authority

Tel: +27 (11) 870 8000 Fax: +27 (11) 870 8020

20 Zul Hijjah 1425

January 31 2004

To Whom It May Concern

Report by Ahmed Kathrada

ASSALAAMU ALAYKUM WARAHMATULLAH

The Cato Ridge Abattoir situated halfway between Durban and Pietermaritzburg was at one time under the supervisor (as halaal) of the Jamiatul Ulama (K.ZN). A permanent halaal supervisor was employed by the Jamia to oversee the halaal slaughter of cattle and sheep.

The Abattoir had a special arrangement with the Jewish community to slaughter every fortnight. A Rabbi was flown in from Gauteng to perform the slaughter.

On that particular morning the abattoir informs its staff including the Muslim slaughterers of the special arrangements, inter alia. time of slaughter. etc.

Normally at 9 am the slaughter would begin. In other words the halaal slaughter would come to an immediate halt for that period as well as the line cleared for the Kosher kill.

It was my curiosity that once I asked the Rabbi about their slaughter procedures. Some interesting points I had noted is that according to the preferred view of the Jewish faith - stunning of the animal is disliked. In addition, the animal must be slaughtered with one strike; and most interestingly, only once the name of God is taken at the slaughter of the first animal. For example, if ten cattle are slaughtered then only once the name of God is taken before the slaughter of the first animal.

THE FOOD (MEAT) OF AHLUL KITAB

By Dr. Jaafar Al-Quaderi

. . . As for the Jews, we personally attended a slaughter facility where there were three Rabbis. They all met before starting the slaughter and recited something. Then they separated and each went to a different area to perform their duties. The first was the slaughterman and he performed the slaughter. The second examined the organs of the carcasses to check for any indications of disease. If he detected any, he discarded the organ. If not, he passed the organ on to the third rabbi. The third rabbi stamped the organs and wrote something in Hebrew on them.

During the slaughter operation, the first rabbi, the slaughterman, conversed with us and answered our questions as he was slaughtering. On this day, they were to slaughter approximately 450 cows. After a time, they announced they were near the end of the day's slaughter. The three rabbis met again and recited something in Hebrew and then dispersed again to slaughter the last animal for the day.

During this visit we observed that Jews recite something at the beginning and at the end of the slaughter and they do not recite anything on the animals during the slaughter. On this day, 450 animals were slaughtered and the only recitation performed was prior to the start and prior to slaughtering the last animal. In spite of this, all 450 head slaughtered were labeled as Kosher. Do we consider this to be the meat of Ahlul Kitab?¹²⁵

Articles #1 Is Kosher Meat Halal? Not Really

By Syed Rasheeduddin Ahmed

POSTED: 24 RAB1-UL-A WWAL 1424,26 MAY 2003

There are several issues with Kosher:

1. In Judaism, the rules and methods of slaughtering are not open and published. Unlike in Islam, where any adult sane Muslim can slaughter an animal by following the rules prescribed by Shariah (Islamic Law), in Judaism only one kind of Rabbi, known as the Sacht, may slaughter Kosher animals. The Sacht is specially trained for this purpose and no other Jew can slaughter an animal.

Although Jews say that they slaughter in the name of God, we do not know what else they say in Hebrew while slaughtering. Their prayers and methods of slaughtering are in the hands of a few people and are not generally known.

2. The Sacht does not say prayers on all animals he slaughters at a time. Instead, he only says prayers on the first and last animals he slaughters. For example, if a Sacht has, to slaughter ten cows, he will only say the prayer on the first and th cow while slaughtering, saying nothing on the cows in between.

This method of slaughtering is not similar to the method prescribed by Shariah for Hanafi sect, nor is it similar to the practice of Ahle-kitab (people of the book) at the time of our beloved Prophet Muhammad. Meat slaughtered by Ahlekitab was considered haldl because of similarity in the slaughtering method and in the Niyah (Intention) at that time.

These are the reasons why most Ulama (scholars) do not consider Kosher meat halal.

¹²⁵ Halal Digest, September 2000

If a Muslim is not in danger of death, he must avoid eating haram food at any cost. If halal meat is not available, one can eat fish or vegetables or can even go to the slaughter house to slaughter an animal himself. There are many halal food stores online who can ship frozen Dhabaha meat or Dhabaha meat food products overnight. There is no excuse to eat non-Dhabaha meat or Kosher meat in USA.

Dhabaha products can easily be found in a big city like New York City. In addition, there are many Muslim-owned restaurants that serve Dhabaha meat and there is no excuse to eat Kosher.

Articles #2 Health in Islam

Is Kosher Halal?

Islamic Dietary Concepts And Practices

by M.M. Hussaini

Salient differences between Kosher and halal are:

... Jews do not pronounce the name of God on each animal while slaughtering. They feel that uttering the name of God, out of context, is wasteful. Muslims on the other hand pronounce the name of Allah on all animals while slaughtering.

The salient differences between Kosher and halal have been illustrated so that Muslim consumers can distinguish halal from Kosher.

Questionnaire to Rabbis

This is the standard question sent to various Rabbis.

Hello,

I would like to ask a question regarding the Kosher laws of slaughtering. Is it necessary to take the name of god separately before slaughtering each individual animal, or will it suffice to say the name of God once for many animals?

Thank you,

Abdullah

abdullahasia@yahoo.com

Reply # 1

Hi! The Jewish practice with respect to slaughter prayers are to say a prayer before beginning a slaughter session, i.e., most Jewish slaughtermen do 1 hr or so shifts at any one time and they say one prayer before starting. So for a Muslim, this does not cover the takbir for every animal. However, the slaughter is very similar to that for the Muslim and many Muslims will accept Kosher meat when halal meat is not available. Some will then say the takbir at the time of eating.

Hope that helps.

Cheers.

Joe M. Regenstein, Professor of Food Science

Comell Kosher Food Initiative, Department of Food Science 112 Rice Hall, Comell University

Ithaca, NY 14853-5601

607-255-2109; FAX: 607-257-2871 email:jmr9@comell.edu)

Reply # 2

From: "DovidZak, Chabad.org" <dzak@chabad.org>

To: "abdullahasia@yahoo.com"

Subject: Chabad.org: Ask the Rabbi { Incident No. 148185 }

Date: Thu, 06 Jan 2005 10:02:47 -0500

There is a blessing said before and it is enough to say it once for many.

Have a good day, DovidZak chabad.org

Reply # 3

From: "Rabbi Eidlitz" <eeidlitz@Kosherquest.org>

To: "Abdullah Nana" <abdullahasia@yahoo.com>

Subject: Re: Kosher method of slaughter

Date: Sat, 8 Jan 2005 21:26:41 -0800

once in the beginning is all that is done. Kol Tuv

Reply # 4

"Rabbi A. Scheinerman" <rabbi@scheinerman.net> wrote:

Dear Abdullah,

Your question has been forwarded to me. I want say, at the outset, that I am not an expert in shechitah (Kosher slaughter of animals). In fact, I am a vegetarian. The laws of shechitah (Kosher slaughter) are complex, and extensive training is required to become a Kosher slaughterer. I do not know all the details, but this might help you:

Before slaughtering the animal, the slaughterer recites a blessing whose translation is: Blessed are You, Lord our God, Ruler of the universe, who sanctifies us with commandments and commanded us concerning [the proper way to perform] slaughter. It is my understanding that this blessing is recited for each and every animal.

Many Muslims consider Kosher meat to fulfill the requirements of al-dhabh and hence be halal. I know an imam in Washington, DC who buys his family's meat from a Kosher butcher. He told me that this is because of the blessing invoking God's name that the shochet (slaughterer) recites before performing the slaughter.

If you have further questions, you're welcome to contact me directly.

All the best,

Rabbi Amy Scheinerman

Rabbi Amy R. Scheinerman

Beth Shalom Congregation

Taylorville, Maryland rabbi@scheinerman.net <http://scheinerman.net/judaism> <http://www.bethshalomcarrollcounty.org>

Follow-up

On Jan 6, 2005, at 3:15 PM, Abdullah Nana wrote:

Hello,

Thank you for taking the time to answer my previous question. I just needed some further clarification on this matter. After consulting with some Jews, I had the impression that it is enough to recite this special prayer - which you took the trouble to translate for me - once before commencing the slaughter session and it does not have to be recited separately for each animal. Can you just confirm this for me? Maybe I misunderstood.

Abdullah Nana

From: "Rabbi A. Scheinerman" <rabbi@scheinerman.net>

Subject: Re: Question about Kosher slaughter laws

Date: Thu, 6 Jan 2005 16:29:58 -0500

To: "Abdullah Nana" <abdullahasia@yahoo.com>

I consulted a colleague concerning this matter, and it appears that the opinion you heard is accurate: The blessing covers all those animals being slaughtered in one session if the slaughterer keeps it in mind. The blessing is for the act of slaughtering in the ritual manner, not for each individual animal. I hope this helps.

Reply # 5

Subject: RE: Kosher

Date: Mon, 17 Jan 2005 14:18:19 -0500

From: "Webbe Rebbe" <Kosher@ou.org>

To: abdullahasia@yahoo.com

2 Shevat, 5765

Wednesday, January 12, 2005

Send comments/questions to: Kosherg@ou.org

JS-929 - Slaughtering an Animal Dear 'AbduIIah':

Thank you for checking with the OD on your Kashruth question.

As with most positive commandments, a blessing with God's name is pronounced before the performance of the mitzvah. One blessing prior to the first slaughtering will suffice for as many animals as will be slaughtered.

Please don't hesitate to contact us again should you have any further questions.

With our sincerest wishes for a warm, healthy, and cozy winter season, we remain,

Sincerely,

The Web (be) Rebbe Team

For more information about Kosher, please go to <<http://ouKosher.org>>

Reply # 6

To: abdullahasia@yahoo.com

Subject: Kosher (JewishAnswers.org)

From: "Torah.org Ask the Rabbi"

<answ16722@jewishanswers.org>

Date: Mon, 3 Jan 2005 19:51:17 -0500 (EST)

--- JewishAnswers.org ---

Rabbi E.L. has answered the question you submitted to "Ask the Rabbi" on Friday, December 31 st. Below is his response.

Subject: Kosher

Rabbi's answer:

Shalom Abdullah,

Specific prayer by the shochet (slaughterer) is required if the meat is to be Kosher. That is one of MANY requirements, a list as long as your arm. It requires many years of education for a Jew to be qualified.

Regards, Eliahu Levenson

Note: A follow-up question was sent requesting further clarification. To date, no reply has been given.

Reply # 7

Subject: Ask the Rabbi answer

Date: Tue, 25 Jan 2005 10:38:15 -0500

From: "Destiny Zeiders" <zeidersd@empireKosher.com>

To: abdullahasia@yahoo.com

Thank you for your question regarding Kosher laws for slaughtering. The Rabbi answers:

It is necessary to say the name before slaughter. We are blessing the name of G-d before slaughter and this suffices for many birds.