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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

الحمد لله حمد الشاكرين ، والصلاة والسلام على المبعوث رحمة للعالمين، وهدايا للناس أجمعين.
صلاةً وسلاماً دانمين إلى يوم الدين، وآله وصحبه ومن تبعهم بإحسان، وسلم تسليماً كثيراً، أما بعد:.

The Islamic Conditions of Zabihah (slaughter) pertaining to Halal and Haram

﴿كتاب الذبائح: إسلامي ذبيحه﴾

Allah ﷻ has stated in the Holy Qur'an: 'Forbidden to you (for food) are: *Al-Maitah* (carrion the flesh of dead animals – the animal that has not been slaughtered), blood, the flesh of swine, and that on which Allah's Name has not been mentioned when slaughtering, (that which has been slaughtered as a sacrifice to other than Allah, or that which has been slaughtered to idols) and that which has been killed by strangling, or by a violent blow, or by a headlong fall, or by the goring of horns and that which has been (partly) eaten by a wild animal, unless you are able to slaughter it (before its death), and that which has been sacrificed on *An-Nusub* (stone-altars); (Forbidden) also is to use arrows seeking luck or decision; (all) that is *Fisqun* (disobedience of Allah and sin).' (s5, v3)

From the beginning of time, it was the nature of Man that meat formed part of the diet. Prior to the advent of Islam, there were many strange manners of consuming meat. Meat was consumed without care for cleanliness or hygiene. The meat of carrion and portions of meat from live animals was consumed. There was no thought or principle in the killing of animals for consumption, animals were hunted and killed by groups armed with spears and clubs.

The law of Islam ordained that the consumption of carrion was prohibited. It has become a well known fact now that the meat of dead animals is detrimental to the physical and spiritual well being of a person. Islam also prohibited the consumption of those animals which adversely affect the characteristics of a person; for example: pigs, dogs, cats and predatory carnivores.

At the same time, Islam permitted the consumption of certain animals with conditions stipulated at the time of slaughter. These conditions were revealed to ensure the cleanliness of meat for consumption; for example: the blood of the animal should be drained out as much as possible at the time of slaughter, the minimal amount of distress should be felt by the animal etc. The conditions and advices of the Islamic principles of slaughter are beneficial for both the animals and also the consumers. These benefits have been well documented in scientific research papers in recent times.

Islam has not granted Mankind complete freedom in the consumption of meat, in the manner that fruits can be cut and eaten from a tree in any way, the same cannot be said for meat.

The Importance of Halal Food (أكل الحلال):

Allah ﷻ says in Holy Qur'an: "O you who believe! Eat of the lawful things that we have provided you with, and be grateful to Allah ﷻ, if it is He whom you worship" (S2, v172)

In the ayat Allah ﷻ orders the Muslims to abstain from eating Haram food, in the same way Halal food and pure things are emphasised for consumption whilst showing thanks (Shukr) for this blessing. By eating Haram food bad characteristics are borne in an individual, the desire to perform good deeds disappears and Du'as are not accepted. By eating Halal food, Nur (spiritual light) is created. This results in good characteristics and an attraction to do good deeds, and hatred to do evil deeds, and Du'as are accepted, InshaAllah.

Abu Hurairah ؓ states: 'For one of you to fill his mouth with the dirt of the earth is better for you, than to put a morsel of Haram food in your mouth.' (Al Kabair, Masnad Ahmed)

Ibn Ka'b bin Ujra ؓ states that Rasulullah ﷺ said: 'That part of the body will not enter Jannah which was nurtured by Haram substances.' (Sunan Tirmidhi)

Ibn Umar ؓ states that Rasulullah ﷺ said : 'Four characteristics are such that, if they are within a person, they are enough for him, (1) the care of a trust in your possession, (2) to speak the truth, (3) good characteristics, (4) to care for Halal and Haram in eating and drinking.' (Al Targib wal Tarhib)

The Prophet ﷺ has encouraged the Muslims to earn a Halal livelihood and utilise this wealth to feed ourselves and others with Halal food. Certain individuals, due to insufficient understanding, strive to earn lawful wealth but at the same time are not cautious as to the permissibility of what they consume from this hard earned wealth.

The Guidance in obtaining verified Halal meat (لحم الحلال):

Allah ﷻ has stated in the Holy Qur'an: 'And remind, for verily, the reminding profits the believers'. (S51, v55)

The majority of the time, people will place their trust upon the fact that an individual who owns a meat shop is a Muslim and somewhat practising to ascertain the permissibility of the meat they are buying. This is not enough to ensure the meat being sold is truly Halal. The reality is that research has to be made as to the source of the meat (the abbatior). If the meat is purchased without the relevant question being asked as to its permissibility, then the seller and purchaser will both be guilty of sinning.

If there is verified proof that a certain shop does not sell Halal meat according to the Islamic principles or they allow the mixing of Halal and non-Halal meat, such information should be divulged to ones family and associates to protect them from the evil of Haram. There are numerous verses of the Holy Qur'an which encourage us to propagate the good and prevent others from evil, which support such an action.

In the World of business today, the use of the word 'Halal' has become a trend. To the extent, in stores where 90% of Haram items are sold, you will find a Halal sign on the window. The word Halal is even used on packaging of items which are not governed by the laws of Halal & Haram; i.e vegetables, fish etc.

Alhamdulillah, in the Muslim and non-Muslim world there are many high standing legal professionals. These individuals who are acquainted with the legal technicalities of their respective nations (lawyers and barristers), should start a movement to safeguard the use of the word Halal specially for truly Halal meat only.

The compulsory conditions of Zabihah (شرائط الذبح):

1. The one who performs the slaughter must be sane (he cannot be a child or lame person who does not understand the Shar'i Zabihah). (Mukhtasarul Tahawi p300)
2. The one who performs the slaughter must be a Muslim or be a true follower of 'the People of the Book'. The slaughter by a polytheist, apostate (Zindeeq, Murtad, Qadiani, etc) or disbeliever is not permitted. (Radul Mukhtar, vol 9, p 432)
3. At the time of slaughter only the name of Allah ﷻ must be pronounced. If the name of any Prophet or Awliya is taken at the time of slaughter, the meat is not permissible. (Badai'ul Sana'i, vol 4, p 170)
4. At the time of slaughter it is necessary that the animal being slaughtered is alive. (Hindiya, vol 5, p286)
5. The airway, veins and arteries in the throat should be cut, without severing the head completely. (Sahih Bukhari, p 228/ Fatawa Hindiya, vol 5, p288)

If any of the above mentioned conditions are omitted, the slaughter will not be considered Halal.

The Commandments for Zabihah for the People of the Book (ذبائح اهل الكتاب):

Allah ﷻ has stated in the Holy Qur'an: 'The food of the People of the Book is made lawful for you and your food is lawful for them. (s5, v5)

From the conditions of Zabihah an important condition is the religion and belief of the one carrying out the slaughter, whether they are Muslim or a True follower of the Scriptures. Just as the above verse of the Qur'an has made it clear the Islamic standpoint with respect to the 'food' of the People of the Book اهل الكتاب. Abdullah ibn Abbas ؓ would state that the mention of 'طَعَامُ Ta'aam'- Food in the above mentioned verse relates to the slaughter by the People of the Book. Abdullah ibn Abbas ؓ related: 'The slaughter of the People of the Book was made lawful for us.' (Sahih Bukhari, p 828/ Baihaqi, vol 9, p 474)

There is unanimous unity of the scholars upon the matter of the lawfulness of the slaughter by true followers of the scriptures, the People of the Book. (Akhamul Qur'an, vol 3, p220)

At the time of the revelation of the Qur'an, the beliefs and books of the People of the Book had been distorted from the original revelations. Yet, the Qur'an still made the way of slaughter from the belief and their books permissible. The purpose of this was that certain beliefs of the People of the Book are very similar to the beliefs of Islam and opposing the beliefs of the idolators and atheists. The conditions of permissible animals and conditions of slaughter are similar for the Islamic faith and the People of the Book.

Nowadays the true followers of the People of the Book (as were present in the time of Islam being revealed) are not found in the World. Many people are only Christian or Jewish by name and are not true followers of their respective faiths in terms of action and belief. At times, fundamental knowledge and beliefs of the

followers of the People of the Book are not known to those who claim to be from amongst that denomination. Others, disregard the existence of God altogether.

In this day and age especially in the West, the People of the Book are not known to habitually slaughter in the name of Allah (God). Therefore, this slaughter cannot be permissible (Halal) in any manner and their slaughter should be avoided.

Imam Jasaas رحمه الله writes: Imam Abu Hanifa, Imam Abu Yusuf, Imam Zafar رحمه الله etc state that the way of slaughter of the People of the Book is only permissible when at the time of slaughter the name of 'Allah' is pronounced. If the name of Jesus the Messiah ﷺ or Uzair ﷺ is taken, then that slaughter will not be considered permissible. (Ahkamul Qur'an, vol 2, p322)

قال زهرى وإن سمعه لغير الله فلا تأكل (صحيح البخارى #5508)

This is the most authentic and trustworthy statement in this respect. When the way of slaughter by a Muslim is not considered permissible without the name of Allah being mentioned, how can the way slaughter of the non-Muslims be considered permissible without the mentioning of the name of Allah at the time of slaughter?

The Sahabah's ﷺ in unacceptance of all Groups of Jews يهود & Christians نصارى being referred to as اهل الكتاب People of the Book:

Allah ﷻ says in Holy Qur'an: 'So eat of that (meat) on which Allah's Name has been pronounced (while slaughtering the animal), if you are believers in His Ayat (proofs, evidences, verses, revelations, ect).' (s6, v118)

It is the recorded opinion and statement of the Majority of the Companions of the Prophet ﷺ, including Abu Darda, Ubadah bin Samit ﷺ upon which the Scholars of Tafseer of Qur'an (Mufasireen), the likes of Ibn Jareer, Abu Hayan, Ibn Kathir رحمه الله etc are agreed. If the People of the Book do not pronounce the name of Allah at the time of slaughter or they slaughter in the name of other than God – the consumption of that meat is prohibited. (Bahri Muheet, vol 4, p431 /Al Mughni, vol 9, p311)

In the preceding generations, the Companions of the Prophet ﷺ did not regard the way of animal slaughter of those that were not considered true followers of the People of the Book as permissible.

أن عمر بن الخطاب ﷺ قال ما نصارى العرب بأهل الكتاب وما تحل لنا ذبائحهم... (سنن للبيهقى #19169)

Sayyidina Umar Farooq ﷺ stated: '(نصارى عرب) The Arab Christians are not People of the Book, their way of slaughter is not permissible for us.' (Sunan Baihaqi, vol 9, p478)

When the Arab Christians in the time of the Companions of the Prophet ﷺ were not considered 'People of the Book', how can the Christians in this day and age be regarded as People of the Book?

Ibn Jawzi رحمه الله has narrated the statement of Sayyidina Ali ﷺ with the chain of transmission: 'The Christians from بنى تغلب Bani Taghalub have not taken anything from Christianity aside from drinking wine, therefore the animal slaughtered by their way should not be consumed.' Imam Shaf'i has also narrated this statement with an authentic chain of transmission. (Tafsir Mazhari, vol 3, p 34/ Tafsir Qurtubi, vol 2, p26)

Sayyidina Ali ﷺ was aware that بنى تغلب the Bani Taghalub were Christians only by name and not strict adherents to their faith. For this reason he advised the Muslims against consuming the animals slaughtered by them as they are not considered permissible.

In conclusion, it should be understood that if it is known that any from the People of the Book do not believe in God, or that Isa ﷺ, Musa ﷺ or Uzair ﷺ are the Prophets and Messengers of Allah ﷻ, they cannot be considered to be the 'People of the Book' as mentioned in Holy Qur'an and their slaughter is not permissible. (Jawahirul Fiqh, vol 2, p 395)

The Order of reciting Tasmiyyah بِسْمِ اللَّهِ الْكَبِيرِ at the time of Slaughter:

Allah ﷻ has stated in the Holy Qur'an: 'And why should you not eat of that (meat) on which Allah's name has been mentioned at the time of slaughter, while He has explained to you in detail what is forbidden to you, except under compulsion of necessity? And surely many do lead Mankind astray by their own desires through lack of knowledge. Certainly, your Lord knows best the transgressors.' (s6, v119)

Prior to the revelation of the Holy Qur'an, the idolators and disbelievers would sacrifice in the name of their idols according to their beliefs. Islam refined the manner of slaughter by teaching the correct method of slaughter and that sacrifice is for Allah alone, forbidding all other methods and rituals.

For this reason the scholars of Fiqh, such as Imam Abu Yusuf رحمه الله and others state: 'that animal which is slaughtered, where pronouncing the name of Allah is intentionally omitted, ijihad cannot be made in this respect. That animal is considered carrion and Haram.' (Rasa'il ibn Nujaim, p211)

Allah ﷻ has stated in the Holy Qur'an: 'Eat not (O believers) of that (meat) on which Allah's name has not been mentioned (at the time of slaughter); Verily, it is a sin and disobedience towards Allah ﷻ.' (s6,v121)

If a Muslim forgets to recite the Tasmiyyah بِسْمِ اللّٰهِ اَكْبَر (Bismillahi Allah hu Akbar) at the time of slaughter, the animal that has been slaughtered will be considered Halal (permissible).

Sayyidina Ibn Abbas رضي الله عنه narrates that the Prophet ﷺ said: 'For a Muslim the name of Allah is enough. Therefore, if one was to forget reciting the name of Allah at the time of slaughter, it is permissible to recite it at the time of eating.' (Darul Qutani, vol 4, p198)

This very same hadith has been narrated in Sahih Bukhari from Ibn Abbas who states: 'If at the time of slaughter the name of Allah is not pronounced by a believer, there is no harm in it (consumption of such meat).' (Sahih Bukhari, p826)

Aisha رضي الله عنها questioned the Prophet ﷺ: 'O Prophet of Allah certain people (Muslims) brought meat to my house but I am not sure whether they recited Tasmiyyah upon it (at the time of slaughter). The Prophet ﷺ said: 'You should recite بِسْمِ اللّٰهِ Tasmiyyah and eat it.' (Sahih Bukhari, p828)

From the narrations above it can be understood that, in such instances where a Muslim forgets to recite Tasmiyyah at the time of slaughter, it is still permissible to consume such meat.

Ibn Qadama رحمه الله writes: 'If a sheep is slaughtered with the name of Allah and another sheep is slaughtered after this omitting Tasmiyyah, if the intention for slaughtering both was not made with the Tasmiyyah of the first sheep, the second animal will be regarded as Haram.' (Al Mughni vol9, p310)

Alamah Kasani رحمه الله writes: 'It is necessary when slaughtering animals (aside from hunting) that the one slaughtering is aware which animal he is slaughtering and to which the recitation of Tasmiyyah relates.' (Badai'ul Sana'i, vol 4, p 171)

A person who assists in carrying out the slaughter should also recite the Tasmiyyah. Alamah Abidin Shami رحمه الله writes: 'if one is to sacrifice an animal and is assisted in doing so, it is Wajib upon the one assisting (for example: with his hand on top of the others) to recite بِسْمِ اللّٰهِ اَكْبَر Tasmiyyah. If any from those two people do not recite Tasmiyyah intentionally or hold the incorrect understanding that the recitation of one person is enough. That sacrificial animal will be considered Haram.' (Radul Mukhtar, vol 9, p482)

It is not Wajib for those who assist in restraining the animal to recite Tasmiyyah. This is only a condition upon the ones who carry out the act of slaughtering.

The Method of Slaughter (الأمر بإحسان الذبح):

The purpose of carrying out the slaughter correctly is to ensure that all blood leaves the body of the animal. The vessels which are cut at the time of slaughter are of 4 types. Imam Abu Hanifa رحمه الله stated: 'If 3 out of the 4 vessels are severed, the animal will be regarded as Halal. The 4 vessels are (حلقوم) the food passage, (باب الذبائح ' قدوري Mukhtasar Quduri) the air passage, (ودجان) the 2 blood vessels (artery and vein).' (Mukhtasar Quduri

Ata ibn Abi Riba رحمه الله said: 'Slaughter is performed by severing the vessels.' (Sahih Bukhari, p 228/ Sunan Baihaqi, vol 9, p472)

The Prophet ﷺ stated: 'Use everything to slaughter which allows blood to flow, with the exception of teeth and nails all else is permissible.' (Sahih Bukhari, p 827 / Sunan Abu Dawood, p33)

It is understood from this hadith that all items which allow blood to flow easily can be used at the time of slaughter. Meat slaughtered in such a manner is considered permissible.

The shariah of Islam has ordained that at the time of slaughter, minimal distress is inflicted on the animal and the slaughter is carried out swiftly. For this reason the Prophet ﷺ stated: 'At the time of slaughter use force and perform it swiftly.' (Sunan Nasai, p611)

Shadad bin Aws رضي الله عنه narrated that the Prophet ﷺ said: 'When you slaughter an animal, do so properly and ensure your knife is sharp. After the slaughter, allow the animal to cool down.' (Sahih Muslim, p152)

Ibn Umar رضي الله عنه narrated, the Prophet ﷺ ordered us: 'At the time of slaughter, the cutting edge of the knife should be sharpened well. The cutting implement should be hidden from the view of the animal and the slaughter should be carried out properly (so that the animal is killed properly and does not struggle as a result).' (Jama'ul Fawa'id, vol 1, p206)

The preferred method of slaughter as mentioned above is to sever the airway and blood vessels in the throat of the animal. It is disliked and unfavourable for a person to have the intention of severing the head of the animal at the time of slaughter. However, such a slaughter will be considered Halal (where all other conditions are satisfied). (Fatawa Hindiyah, vol 5, p288)

There are numerous other narrations in which the Prophet ﷺ orders that care is taken to limit distress to animals being slaughtered.

Mechanical Slaughter Techniques:

In this day and age, there are some abbatiors were slaughter is carried out utilising machinery and mechanical procedures. This is not correct, as has been mentioned above, it is compulsory that the one performing the slaughter to recite Tasmiyyah. It is not permissible for a recording to be played or a person recites Tasmiyyah whilst the machine slaughters.

The Scholars of Fiqh (Jurists of Islam) have stated: 'It is from the conditions of Slaughter, that the Tasmiyyah is recited when carrying it out. It is compulsaory upon the one who performs the slaughter to recite the Tasmiyyah. If another person recites the Tasmiyyah, and the one carrying out the slaughter stays quiet (even though he has not forgotten unintentionally) then that slaughter will not be regarded as Halal.' (Fatawa Hindiyyah, vol 5, p286) Alamah Abidin Shami رحمه الله has stated the same in his work Radul Mukhtar, vol 9, p483.

If meat is not regarded as Halal when the recitation of Tasmiyyah is not performed by the one slaughtering but another Muslim bystander, then how can it be possible to regard machine slaughter as Halal even if Tasmiyyah is recited by a Muslim bystander?

It is also a debatable fact whether there is life in the animal at the time of machine slaughter, slaughter of a dead animal is not permissible and carrion is not considered Halal in Shari'ah. Even if there is certainty that the animal was alive at the time of machine slaughter and Tasmiyyah was recited by the machine or a Muslim bystander, the meat will still not be considered Halal as explained above.

If a person has been given the responsibility to hold an animal at the time of machine slaughter, then it is necessary for them to either be a Muslim or of the People of the Book (in the true sense) and for them to also recite Tasmiyyah at the time of slaughter. This is due to the fact that this person is assisting in the act of slaughter.

Machinery can also be utilised in the process after slaughter, where the act of slaughter is carried out by hand and then skinning, cleaning etc is carried out by machines. This preparation of meat after slaughter through machinery is permissible. However, it is necessary to understand that there are 5 body parts which are not permissible to consume, care should be taken to ensure they are separated from other meat.

The Use of Stunning Prior to Slaughter:

The use of stunning prior to slaughter is susceptible to a number of objections; it is possible that the animal can die, that the blood can become infected, the animal can suffer from a cardiac arrest. The possibility of each animal being affected to a different degree by electric shock treatment does not leave this form of slaughter without doubt. It is therefore considered to be an unfavourable pretext to slaughter.

Every animal that is slaughtered is not of the same temperament, some are weak whereas other are healthy. Some are young whereas others are old etc. In this condition the use of electric shock (stunning) will affect every animal in a different manner. As explained above the Holy Qur'an has made it clear that consumption of carrion is not permissible. Where the animal is verified to be alive but rendered unconscious and is slaughtered, it will be considered Halal. (Radul Mukhtar, vol 9, p426/ Badai'ul Sana'i, vol 4, p173)

The Use of Boiling Water after Slaughter:

There is a known practise of placing chickens in boiling water for a while after they have been slaughtered. This allows the cleaning and plucking process to be carried out with less difficulty. If the internal organs are removed prior to placing the chickens into boiling water, there will be no doubt as to the purity of this meat. However, if the internal organs are not removed and the chickens are placed in boiling water, there is a danger that this meat will be made impure due to the impurities from the internal organs being absorbed into the meat. The manner in which this meat can then be purified is complex. (Fatawa Mahmudia, vol 5, p159/ Shami Radul Mukhtar vol 1, p221)

The Jurists of Islam have deduced 2 ways in which the impure meat can be purified (تطهير):

1. إزالة Izalah (to remove the impurity from an item) – this is the manner in which impurity is removed from an item, either by separating the impurity entirely in practical terms or by cleansing an item of purity (through washing) etc.
2. إستحاله Istihalah (to change the original state of an item) – this is the manner in which an item's original state is altered i.e. wine is made into vinegar etc.

Those items which can be wrung are purified by washing and wringing them in water 3 times: Those items which cannot be wrung (meat, lentils, wheat, seeds etc), Imam Muhammad Shaybani رحمه الله state: 'They can never be purified, as without wringing an item the impurity cannot be removed'. Imam Abu Yusuf رحمه الله state: 'The act of drying is tantamount to wringing. There is no other means besides this.' (Binaya Sharah Hidayah, vol 1, p463)

Therefore, treading the line of caution and staying within the principles of Islamic jurisprudence and statements of the Jurists, we must assess the present situation. The meat that has been boiled in water after slaughter is prevalent in society today and moreso in large cities.

Alamah Kasani رحمه الله writes in respect of the 2 conflicting opinions of Imam Shaybani and Imam Yusuf رحمه الله: 'In this matter, the analogy and logic of Imam Muhammad Shaybani رحمه الله is correct. There is ease and comfort for the Ummah in the statement of Imam Abu Yusuf رحمه الله.' (Badai'ul Sana'i, vol 1, p 51)

Alamah Ibn Hamam رحمه الله writes: 'Imam Abu Hanifa رحمه الله is with Imam Abu Yusuf رحمه الله in this respect. If impurity is absorbed into an item which cannot be wrung, it should be washed and dried 3 times for it to be considered pure. (Fatahul Qadir, vol 1, p185)

Further Alamah Ibn Hamam رحمه الله writes: 'The presence of odour or stain after purifying by wringing is not a problem. However, it is better to consider the item that cannot be wrung as impure until the presence of odour is removed.' (Fatahul Qadir, vol 1, p158)

It is written in Fatawa Alamgir, if lentils fall into alcohol and do not absorb the alcohol, if they are removed and washed 3 times, the lentils will be considered halal. However, if the alcohol is absorbed, the lentils should be soaked in water and dried 3 times, it is not sufficient to rinse them on the surface alone. (Fatawa Hindiya, vol 1, p42)

In conclusion, it is advisable that those who are in the profession of buying and selling meat are made to understand the importance of following the Islamic principles of Zabihah. The meat they purchase/ produce should not be soaked in boiling water prior to removing the internal organs after slaughter. The community should endeavour to purchase meat from such shops where there is the minimal amount of doubt as to the meats permissibility.

If there is difficulty in locating a verified meat shop/supplier, a few hours before cooking the meat, it should be properly cleaned 3 times, if there is an odour in the meat it should be continually washed until the odour is removed prior to cooking. The meat should be left to dry completely, to the point where water does not drip anymore. This is the only way in which achieving purity is possible, this is the opinion of Maraqiyul Falah. (Tahtawi, p86)

It should be remembered that consuming Haram food will cause immodesty, shamelessness and disregard for the laws of Allah ﷻ. If children are nurtured with Haram food, they will be rebellious and have the worst of characteristics. It is plainly evident that from purity comes good and impurity develops evil. After striving to earn a Halal livelihood let us ensure that we eat only truly Halal food.

May Allah ﷻ grant us the means to live according to His orders and attain His pleasure in everything that we do. آمين Aameen!

﴿والله وحده هو المسؤول والمستعان وهو الهادي إلى سبيل الخير والسلام﴾
مفتى محمد يوسف دُنْكَا (عفا الله عنه)

Mufti Muhammad Yusuf Danka

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