

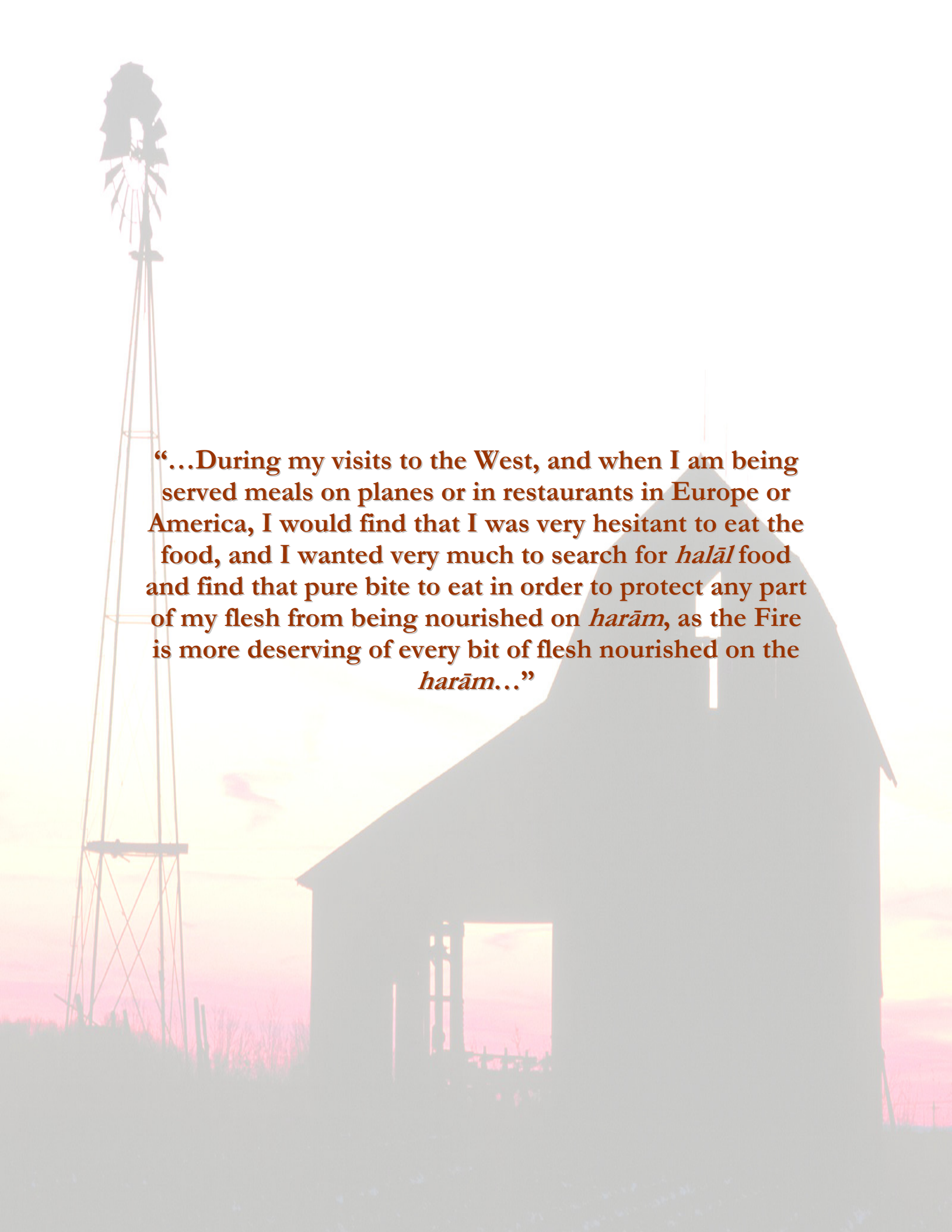
The background of the cover features a sunset sky with warm orange and red tones. On the left, there is a tall, slender metal water tower with a windmill-like top. On the right, there is a dark silhouette of a barn with a gabled roof and a small window. The text is overlaid on this background.

الذبائح و اللحوم المستوردة

The Ruling on
Meat Slaughtered
In the West

By the martyred *Imām*
‘Abdullāh ‘Azzām

(may Allāh have Mercy on him)

A silhouette of a water tower and a barn against a sunset sky. The water tower is on the left, and the barn is on the right. The sky is a mix of orange, yellow, and pink. The text is centered in the middle of the image.

“...During my visits to the West, and when I am being served meals on planes or in restaurants in Europe or America, I would find that I was very hesitant to eat the food, and I wanted very much to search for *halāl* food and find that pure bite to eat in order to protect any part of my flesh from being nourished on *harām*, as the Fire is more deserving of every bit of flesh nourished on the *harām*...”



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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Introduction to the 2nd Edition

Indeed, praise is due to Allāh. We praise Him, seek His assistance and Forgiveness, and we seek refuge with Allāh from the evil within ourselves and the mistakes in our actions. Whoever is guided by Allāh cannot be misguided by anyone, and whoever is misguided by Allāh cannot be guided by anyone, and I testify that there is none worthy of worship except Allāh alone, and I testify that Muhammad is His worshipper and Messenger.

As for what follows:

This is a treatise that I had written a few years ago¹ at the start of my frequent visits to the West – especially America – to attend student conferences organized by the Muslim Arab Youth Association (MAYA) that have been held until this year,² and it is an annual conference that takes place during Christmas, which falls at the end of each Gregorian year. MAYA was the precursor to many Islāmic organizations, and the Muslim Youth Association in America was formed from the Muslim Student Association (MSA), which initially was composed of just thirteen students in Chicago.

And this issue has concerned me on my travels, and I exhausted myself in investigating it. If there is anything I could forget, I could never forget my visit to Spain as I was making my way around Grenada and Cordova, as the Islāmic awakening there had not yet led to any viable communities forming that could operate their own markets and shops, especially those for *halāl* foods and meats. So, I would spend most of my trip eating roasted pistachios.

I dug deeply into this issue - and it deserves to be dug into deeply – as the West has its own system of life. Carcasses and pork are not considered prohibitions in their daily life. In fact, pork and lard are ingredients in many products and desserts, and the life of the Muslim in the West has become unbearable considering the temptations that surround him and the prohibited ingredients that are found in most foods - in many places, you will find that even bread is made with lard!

The problem also has spread to most of the Muslim lands, with the Muslim populations and nations importing meat from Communist and Western nations without giving any consideration as to the status of the permissibility of such meat. When concerns are raised here and there from those who are hesitant to eat imported meat, a simple seal is placed on the meat that says ‘Slaughtered Islāmically.’ So, if a country does respond to some concerns, it sends an envoy from the Department of Commerce to the slaughterhouse to task the embassy in the country from which the meat is coming to supervise the process of

¹ This introduction was written by ‘Abdullāh ‘Azzām only a few months before he was killed.

² MAYA became inactive as of early 2004

slaughtering. The problem is that the issue usually means nothing to the diplomats who work in these embassies of the Muslim countries in the Western or Eastern world. They usually pay no attention to it, let alone spend all of their time in slaughterhouses making sure Allāh is mentioned at the time of slaughtering, mentioning and exalting Him whenever another animal is slaughtered. To make matters worse, commerce officials in the Islāmic world don't care much for this issue as they consider it a manifestation of backwardness, closed-mindedness, and strictness on the part of religious people due to their so-called extremism.

Also, what would you say if you knew that many commerce officials in some Muslim countries – those who are responsible for declaring what foods are religiously permissible or prohibited – are Christians who refuse to import products from the Muslim nation of Turkey, and accept only to import meat from the Eastern nations like Bulgaria? This is despite the fact that Turkish meat is generally cleaner and cheaper.

The Fatāwā:

Some of the noble scholars in the Islāmic lands who are prone to issuing *fatāwā* ruled that imported meats are permissible based on the principle which states "The default ruling on matters is their permissibility so long as there is no proof of prohibition." However, these noble scholars overlooked the exception to this rule: "The default ruling on matters is their permissibility *except for meats and sexual relations.*" And this principle has been endorsed by the scholars of the four schools of *Fiqh* and the majority of scholars of *Hadith*, and it is summarized in the statement of an-Nawawī: "The default ruling regarding animals is their prohibition until it is established that they have been slaughtered correctly."

Fiqh For the Generation of the Awakening:

When we discuss such issues of *Fiqh*, we are addressing the youth of the Islāmic awakening who have held firmly to Islām as a belief, source of law, and system of life, and took it upon themselves to apply the concepts of *halāl* and *haram* in their lives in every issue, no matter how small or large. So, everything we write in the area of *Fiqh* is directed towards this young group of believers that has decided to traverse the path to Allāh. So, it is therefore necessary for them to solve the problems that they will encounter on this path in light of the Qur'ān and *Sunnah*. This is real, active *Fiqh*, not theoretical solutions to imaginary problems that exist only in our thoughts and imagination.

As for the theoretical *Fiqh* which has no connection to reality, the *Salaf* would hate to ask about things that had not happened, the foremost of them being 'Umar, his son, and Mu'ādh (may Allāh be Pleased with them). If they were asked about something, they would inquire: "Did it occur?" If it was said that it hadn't occurred, they would say "We are busy enough with what has already occurred," meaning do not ask about things that haven't happened. Falling under this is to study *Fiqh* that has no society to be applied in and to be referred to by.

We have to study *Fiqh* and its principles in order to provide solutions to the problems of the Muslim youth who suffer from them. So, this *Fiqh* is a necessity for the generation that is

going towards Allāh: the *Fiqh* of action and movement, not the *Fiqh* of imagination and theory. To provide solutions to the problems of the Muslim youth is a priority for them - how they can face the problems of usury and interest and solve them, and feel at peace in their positions of employment when they feel hesitant about some aspect of their jobs, and they fear that some sin will fall on them because of it. It is a must for the Muslim youth to carry out his job without feeling any sort of unease in his heart due to an aspect of his work.

With all of this, we should keep a major reality in mind, and this is that there is no way for this generation to completely rid itself of this unease or to experience the taste of relaxation, tranquility, and security outside of the shade of the Muslim society, with the banner of Islām flying over his head and the *Shari'ah* flourishing and pushing it forth...

My Travels:

The issue of the foods I could eat were, and still remain, a problem that I face during my lengthy travels, as I still bring my own homemade *halāl* food for the long trips to my destinations, and I would request the brother I'd be staying with in America to prepare some food for my return home. I am extremely hesitant to eat the food provided by any airline company – whether it be an Arab, Islāmic, or Western company – except the Pakistani one. This is because I know that Pakistan does not import meat, and I therefore eat on Pakistani International Airlines (PIA) from the time the plane departs Pakistan until it lands at the destination airport. Sometimes, I request seafood or Jewish kosher meals – O Allāh, relieve us of the people of *shirk* and deviance – because I know that the Jews do not eat carcasses or pork, and the rabbi himself goes to supervise the slaughtering procedures in the slaughterhouses, and their slaughtering method is exactly like the Islāmic one. I am sometimes able to request an Islāmic meal, and this is because the MSA in America requested some of the airline companies to provide such meals on flights.

The point I want to make is that we should be certain that the Muslim generation must have an Islāmic banner and Islāmic society in order for the children of this generation to truly be happy, at peace, and relaxed in all aspects. We must truly work to establish such a society no matter what sacrifices must be made and no matter what cost we have to pay, as the one who wants to marry a beautiful woman doesn't care how much her dowry is. Everything in this world is insignificant to be presented as a price to establish the Muslim society because a single second of the Pleasure of Allāh and the implemenation of His *Shari'ah* – if only for a few days – are better than the world and what is in it.

قُلْ مَتَاعُ الدُّنْيَا قَلِيلٌ وَالْآخِرَةُ خَيْرٌ لِّمَنِ اتَّقَىٰ وَلَا تُظْلَمُونَ فَتِيلًا

{ "...Say: "The enjoyment of this world is short. The Hereafter is better for he who fears Allāh, and you shall not be dealt with injustice even as small as the skin of a date seed." }³

³ *an-Nisā'*; 77

These were just a few words that I wanted to say before this humble research, which I ask that Allāh brings about benefit by and to make its reward in my scales on the Day of Resurrection.

The Great Principle:

I focused greatly on a certain fundamental principle, as this research essentially revolves around it, and it is the principle summarized in the statement of an-Nawawī: “The default ruling regarding animals is their prohibition until it is established that they have been slaughtered correctly,” or, as al-Khattābī put it: “The default ruling regarding the animal is that it is prohibited until it is verified with certainty that it was slaughtered properly, as it is not made permissible based on uncertainty.” And this is the position of the majority of the scholars of *Fiqh* and *Hadīth*.

And I found that all of the scholars of *Fiqh* and *Hadīth* alluded to this principle either directly or indirectly, and I will explain this and present the texts that I found written in the major books of *Fiqh*, and will include their page numbers and references, if Allāh Wills.

And I will briefly cover some of the issues that relate to slaughtering, such as mentioning Allāh’s Name, the instruments used to slaughter, the condition of the slaughterer, and the method of slaughtering.

I hope from Allāh that He makes sincerity and truth our goal and desire, and to grant us correctness and sincerity, as Allāh does not accept any deed except if it is sincere and correct: sincere of any showing off and *shirk*, and correct in that it is in accordance to the Qur’ān and *Sunnah*. What I ask for are these two essential pillars in every action – sincerity and correctness – along with my hope from Allāh that He show us the truth as truth and grant us adherence to it, and that He show us falsehood as falsehood and grant us avoidance of it, and to open up for us what those with knowledge have been given, and to teach us what will benefit us and benefit us with what He has taught us, as He is the Hearer and Answerer.

O Allāh, do not cause our hearts to deviate after You have Guided us, and grant us Mercy from You, as You are the Bestower.

O Lord, grant us Mercy from You and make our affairs rightly guided.

The slave in need of his Lord,

‘Abdullāh ‘Azzām

Introduction to the 1st Edition

Indeed, praise is due to Allāh. We praise Him, seek His assistance and Forgiveness, and we seek refuge with Allāh from the evil within ourselves and the mistakes in our actions. Whoever is guided by Allāh cannot be misguided by anyone, and whoever is misguided by Allāh cannot be guided by anyone, and I testify that there is none worthy of worship except Allāh alone, and I testify that Muhammad is His worshipper and Messenger.

O Allāh, there is nothing easy except what You make easy. You even make sadness easy, if You Will.

As for what follows:

This issue has long been something that preoccupied me, and I dedicated a lot of thought to it because I face it as an unavoidable part of life during my travels. During my visits to the West, and when I am being served meals on planes or in restaurants in Europe or America, I would find that I was very hesitant to eat the food, and I wanted very much to search for *halāl* food and find that pure bite to eat in order to protect any part of my flesh from being nourished on *harām*, as the Fire is more deserving of every bit of flesh nourished on the *harām*.⁴ Likewise, this problem is faced by every Muslim in the marketplace, as the birds that are cooked in front of his eyes and sold in restaurants and shops are imported from the West.

I went back to the texts of the Qur’ān, *Sunnah*, explanations of the books of the *Sunnah*, and the books of *Fiqh* in order to settle on a conclusion regarding this issue. Here, I present my effort. If it is incorrect, it is from me and Satan. If it is correct, it is from Allāh, and I hope from Allāh that He rewards me for what I wrote and Forgives me my mistakes if I was mistaken or ignorant in something.

The reason behind this treatise being written was an article written by the noble scholar ‘Abdullāh bin Zayd bin Mahmūd – the head of the *Shari’ah* Courts in Qatar. I had previously come across his book *Fasl al-Khitāb fī Hall Dhabā’ih Abl al-Kitāb* (The Decisive Word Regarding the Permissibility of the Slaughtered Meat of the People of the Book), and I then came across the response to it written by the noble scholar ‘Abdullāh bin Humayd – may Allāh reward him – and he is the head of the Council of Judges in the Higher Court of Saudi Arabia. He put great effort into this book, and if we were to go through all of the details of this issue with its proofs and supporting statements of the scholars, we would take up much time.

Therefore, I will try my best to sufficiently summarize all of this and clarify the *Shar’i* ruling, and to not provide except the authentic *ahādīth*, as well as supporting narrations that might be below the level of *sahīh* or *hasan* in status. We must also use the sayings of the scholars of

⁴ As in the *hadīth* reported by at-Tabarānī in ‘*al-Mu’jam al-Kabīr*’ (19/136), and al-Albānī declared it authentic in ‘*Sahīh al-Jāmi*’ (4495)

Hadīth, *Tafsīr*, and *Fiqh* in order to explain the meaning of the *Shar'ī* texts and to derive the ruling that they settled on regarding the issue.

And I will be going over the following topics under this subject, if Allāh Wills:

- The Islāmic method of slaughtering (*adh-dhakāh*)
- Asking when in doubt of the status of the meat
- The default ruling in situations of doubt
- Slaughtering next to a recording of Allāh's Name
- Slaughtering from the back of the neck
- The certificates provided with imported meats
- The reality of Western slaughterhouses

‘Abdullāh ‘Azzām

Definition of *Dhakā'*

Lexical Definition of *Dhakā'* (ذكاء)

It means the completeness and perfection of something, such as wisdom and understanding:

- A man who is *dhakī* (ذكي) is a man who is sharp and intelligent;
- A fire that is *dhakīyyah* (ذكية) is one that burns strongly, and the Sun is referred to as *dhakā'* (ذكاء);
- To perform *dhakāb* (ذكاة) of something is to complete it;
- It is said that a horse is *mudhakk* (مذك) when it is developed at the fifth year following its permanent teeth having fully grown, and this is when it is strongest;
- *Tadhkiyah* (تذكية) is to slaughter, and *dhakī* (ذكي) is smooth (i.e. a smooth cut);
- The verse *إِلَّا مَا ذَكَّيْتُمْ*⁵ refers to what you slaughter perfectly and completely;
- *Dhakāb* (ذكاة) in animals means their purity and cleanliness, as *dhakāb* (slaughter) of animals purifies the meat and food since it separates it from the impure blood that has been spilt;
- It is said that musk is *dhakī* (ذكي), meaning that its sweet scent is strong;
- It is said that a scent is *dhakīyyah* (ذكية), meaning that it is sweet and permeating.

Qays bin al-Hatīm said:

*As if roses and ginger * And the strongest (dhākī - ذاكي) scents are on her garments...*

And in the statement of Muhammad bin 'Alī: “The drying up of the ground is its *dhakāb* (purification).”⁶ He is referring here to purifying it of filth, and he made its purification by way of dryness similar to the slaughtering of sheep, in that the slaughtering of the sheep purifies its meat and makes it permissible to eat.⁷

al-Māwardī said: “*Dhakā'* linguistically is to purify, as they would refer to a smell as being *dhakīyyah*, i.e. that it was a clean smell. So, slaughtering was referred to as *dhakā'* since it purifies the animal and makes it allowed for us to eat it.”⁸

⁵ *al-Mā'idah*; 3

⁶ In *Talkhīs al-Habīr* (1/54), Ibn Hajar said: “It has no basis of being attributed to the Prophet (peace be upon him).”

⁷ *Lisān al-'Arab* (18/313), *al-Qāmūs al-Mubīn* (4/330), *an-Nihāyah fī Gharīb al-Hadīth* by Ibn al-Athīr (2/164), *az-Zābir fī Gharīb Alfādh ash-Shafī'i* (p. 400), and *Tafsīr al-Qurtubī* (6/53)

⁸ *an-Nihāyah fī Gharīb al-Hadīth* (2/164), *Tuhfat al-Fuqāhā* by as-Samarqandī (3/92), and *Hāshiyat ash-Shamablālī* (2/334)

Shar'ī Definition of Dhakāb:

It is in reference to all types of slaughtering and sacrifice,⁹ and it is to cut the jugular vein, which is between the throat and the gap between the base of the neck and chest.

The term *nabr* (نحر) is used when referring to the slaughtering of camels, and *dhabb* (ذبح) is used in reference to slaughtering cows and sheep.

So, *dhakā'* in the *Sharī'ah* is to slaughter an animal in a specific manner, and it is of two types:

- Animals that we have captured or own, slaughtering them through the jugular vein
- Animals that we have not yet captured, and they are:
 - Hunted game
 - Escaped animals, such as those stuck in a well, which can be slaughtered once they are captured

And the complete method of slaughter consists of cutting four things: the throat, the esophagus, and the two jugular veins. There is a difference of opinion regarding how many steps are necessary. Some said they are three, such as the Hanafīs, and some said that they are two— the esophagus and the pharynx – such as the Shāfi'īs.¹⁰

The Necessary Element of Dhakāb:

The necessary element of *dhakāb* is that it be for an animal whose meat is edible. So, it must be an edible animal that has been allowed by Allāh, as proper slaughtering cannot occur to an animal whose meat is not edible. In the two '*Sabīh*'s, the Prophet (peace be upon him) said regarding the flesh of donkeys: **“Stop eating it, as it is impure.”**¹¹ And in the two '*Sabīh*'s, Salamah bin al-Akwa' narrated that the he (peace be upon him) said to his Companions on the day of Khaybar: **“What are these fires for?”** They said: “To cook donkey meat.” The Messenger (peace be upon him) said: **“Discard the contents of these pots and break them.”** So, one of them got up and said: “Should we discard the contents and wash the pots instead?” The Messenger (peace be upon him) replied: **“You can do that, too.”**¹² Commenting on this, Ibn al-Qayyim said: “And this is clear in that its meat is not to

⁹ See '*Kifāyat al-Akhyār*' (2/432)

¹⁰ See '*ad-Durar Sharh al-Ghurar*' (1/345) and '*Kifāyat al-Akhyār*' (2/423)

¹¹ Reported in different wording by al-Bukhārī (4198 & 5528) and Muslim (1940), and see al-Albānī's '*Sabīh an-Nasā'ī*' (69 & 4351), '*Sabīh Ibn Mājah*' (2606), and '*Irwā' al-Ghālīl*' (8/137)

¹² al-Bukhārī (2477) and see '*Sabīh Ibn Mājah*' (2588), and Ibn al-Qayyim's '*Tabdhīb Mukhtasar Sunan Abi Dāwūd*' (5/321)

be eaten and it cannot be purified by proper slaughtering. Rather, nothing is to be done with it.”¹³

The author of ‘*ad-Durar*’¹⁴ said: “Proper slaughter purifies and permits us to eat anything that is not itself impure, as what is impure, such as dogs, cannot ever become pure.” And the default rule regarding animals as a whole is that they are permissible so long as there is no evidence to the contrary. As for land animals, they are prohibited to eat until they are slaughtered correctly, due to the verses:

هُوَ الَّذِي خَلَقَ لَكُمْ مَّا فِي الْأَرْضِ جَمِيعًا

{ “He is the One Who Created for you everything that is on Earth...” }¹⁵

يَسْأَلُونَكَ مَاذَا أَحَلَّ لَهُمْ قُلْ أُحِلَّ لَكُمْ الطَّيِّبَاتُ

{ “They ask you what has been made lawful for them. Say: “All of the good things have been made lawful for you...” }¹⁶

أُحِلَّتْ لَكُمْ بَهِيمَةُ الْأَنْعَامِ إِلَّا مَا يُتْلَى عَلَيْكُمْ

{ “...All the beasts of cattle have been made lawful for you except what will be announced to you...” }¹⁷

قُلْ لَا أَجِدُ فِي مَا أُوحِيَ إِلَيَّ مُحَرَّمًا عَلَى طَاعِمٍ يَطْعَمُهُ إِلَّا أَنْ يَكُونَ مَيْتَةً أَوْ دَمًا مَسْفُوحًا أَوْ لَحْمَ

خَتِيرٍ فَإِنَّهُ رِجْسٌ أَوْ فِسْقًا أُهْلٍ لغيرِ اللَّهِ

{ “Say: “I do not find in what has been inspired to me anything forbidden to be eaten by one who wishes to eat it except it be a carcass, blood poured forth, or the flesh of swine, as that surely is impure, or unlawful meat which is slaughtered as a sacrifice for others than Allāh...” }¹⁸

وَقَدْ فَصَّلَ لَكُمْ مَّا حَرَّمَ عَلَيْكُمْ إِلَّا مَا اضْطُرِرْتُمْ إِلَيْهِ

{ “...while He has explained to you in detail what is forbidden to you, except under compulsion of necessity...” }¹⁹

¹³ Ibn al-Qayyim’s ‘*Tabdhīb Mukhtasar Sunan Abi Dawūd*’ (5/321) and Ibn Daqīq al-‘Id’s ‘*Thkām al-Abkām Sharh Umdat al-Abkām*’ (2/304)

¹⁴ ‘*Durar al-Hukkām Sharh Ghurar al-Abkām*’ (2/344)

¹⁵ *al-Baqarah*; 29

¹⁶ *al-Mā’idah*; 4

¹⁷ *al-Mā’idah*; 1

¹⁸ *al-An’am*; 145

¹⁹ *al-An’am*; 119

So, the forbidden things are only those things that are indicated and explained. As for the permissible things, they are many such that they cannot be counted. And the default rule is that every good thing is allowed and every bad thing is prohibited:

الَّذِينَ يَتَّبِعُونَ الرَّسُولَ النَّبِيَّ الْأُمِّيَّ الَّذِي يَجِدُونَهُ مَكْتُوبًا عِنْدَهُمْ فِي التَّوْرَةِ وَالْإِنْجِيلِ يَأْمُرُهُمْ
بِالْمَعْرُوفِ وَيَنْهَاهُمْ عَنِ الْمُنْكَرِ وَيُحِلُّ لَهُمُ الطَّيِّبَاتِ وَيُحَرِّمُ عَلَيْهِمُ الْخَبَائِثَ

{ *“Those who follow the Messenger, the Prophet who can neither read nor write, whom they find written with them in Torah and Gospel - he commands them to do good and forbids them from what is bad, and he allows them all good and pure, and prohibits them from what is bad and impure...”*²⁰ }

The scale of knowing what is pure and what is impure is the taste of the Arabs at the time the Qur’ān was being descended. So, every animal that the Arabs liked is permissible except what is expressly prohibited in the *Shari’ah*.²¹ And consideration is given to the taste of the people of Hijāz especially, and whatever is found in the Muslim lands that was unknown to the people of Hijāz is compared to the closest thing they had in Hijāz. If there is nothing to compare it with, it is considered permissible.

²⁰ *al-A’raf*; 157

²¹ *Kifāyat al-Akhyār* (2/436), *Mu’jam al-Fiqh al-Hambali* (2/654), Ibn Qudāmah’s *‘al-Mughnī ma’ ash-Sharh al-Kabīr* (11/65), *‘al-Mughnī* (8/585), and *Hāshiyat Ibn ‘Abidin* (6/305)

The Categories of Animals

Know that animals are of two categories:

- The first are **water creatures**, and they can be divided into two types
 - Fish-like creatures that do not live outside water
 - Creatures that do not resemble fish

Fish-like creatures are *halāl* by consensus of the scholars of *Fiqh*, except that the Hanafīs differed from this when it came to floating fish, which they consider *makrūb*.²²

As for non-fish-like creatures, the opinion of the Shāfi'īs²³ is that every dead water creature is *halāl* except the frog, regardless of how it died. This also is the opinion of Mālik and Ahmad.²⁴ However, Mālik considered the dolphin *makrūb*.²⁵ As for ash-Shāfi'ī, he said: “It is allowed to eat the dolphin and the beaver,” and an-Nawawī said: “What is correct is that the ruling of fish applies to all of these, and it is not necessary to perform any slaughtering procedures on them.”²⁶

Their proof for all of this is the verse:

أَحْلَلْ لَكُمْ صَيْدَ الْبَحْرِ وَطَعَامَهُ مَتَاعًا لَكُمْ وَلِلسَّيَّارَةِ

{ “Lawful for you is the game of the sea and its use for food for the benefit of yourselves and those who travel...” }²⁷

Ibn ‘Abbās and others said: “The game of the sea is whatever you catch in it, and its food is whatever it brings forth for you.” And in the authentic *hadīth* about the sea: “**Its water and dead creatures are pure.**”²⁸ And the *hadīth* was declared authentic by Ibn Khuzaymah, Ibn

²² ‘*Tuhfat al-Fuqahā*’ (3/88) and ‘*Badā’i’ as-Sanā’i*’ (6/475)

²³ ‘*al-Majmū*’ (9/27) and ‘*Kifāyat al-Akhyār*’ (2/445)

²⁴ ‘*Manār as-Sabīl*’ (2/415)

²⁵ ‘*Bidāyat al-Mujtahid*’ (1/456)

²⁶ ‘*Kifāyat al-Akhyār*’ (2/445)

²⁷ *al-Mā’idab*; 96

²⁸ Abū Dāwūd (83), at-Tirmidhī (69), and it was declared authentic by Ahmad Shākir in ‘*Umdat at-Tafsīr*’ (1/624) and his checking of Ahmad’s ‘*Musnad*’ (16/300), and al-Albānī in ‘*Irwā’ al-Ghālīl*’ (1/42 and 9/149) and ‘*as-Silsilah as-Sahībah*’ (480)

Hibbān,²⁹ at-Tirmidhī, and al-Bukhārī, and it is in the two *‘Sabīb’*s.³⁰ And when telling the story of the expedition of al-Khabat, Jābir said: “...And an animal emerged from the sea known as the *‘ambar* (sperm whale). So, we ate from it for half a month until we became healthy again.” And in an authentic addition to this story reported by al-Bayhaqī, the Prophet (peace be upon him) said to them: **“Do you have any of it left over?”**³¹

And from the water creatures, frogs are prohibited by agreement of the Shāfi’īs and Hambalīs. As for the Hanafīs, they forbid everything in the sea besides fish.

Likewise, alligators are prohibited for food, as they are considered water beasts whose power lies in their fangs, and in the authentic *hadīth*: **“Any fanged creature is forbidden.”**³² And this is the strongest opinion with the Shāfi’īs and Hambalīs.³³

And none of the creatures of the sea need to be slaughtered in any way according to the correct opinion, as Abū Bakr *as-Siddīq* (may Allāh be Pleased with him) said: “Every creature that dies in the sea has been slaughtered by Allāh for you.”³⁴ And *al-Imām* Ahmad reported with his chain from Shurayh, a man who saw the Prophet (peace be upon him), that he said: **“Everything in the sea is considered slaughtered.”**³⁵ This is also supported by the authentic *hadīth*: **“Its water and dead creatures are pure.”**³⁶

- The second category is that of **land creatures**, and they are also of two types:
 - Those without flowing blood
 - Those with flowing blood

As for those without flowing blood, they are all *harām* except for the locust. So, flies, ants, bees, beetles, wasps, and pests such as scorpions are all forbidden to be eaten because they are all foul, unclean creatures, and Allāh Said:

²⁹ See *‘al-Ijābah al-Fādilah li al-As’ilah al-‘Ashrah al-Kāmilah’* (p. 229)

³⁰ *‘al-Majmū’* (9/27)

³¹ al-Albānī declared it authentic in *‘Sabīb an-Nasā’i’* (4365)

³² al-Bukhārī (5530 & 5780) Muslim (1932, 1933, & 1934), Abū Dāwūd (3802, 3803, 3805, & 4604), at-Tirmidhī (1479 & 1795), and see *‘Irwa’ al-Ghalīl’* (8/139)

³³ See *‘al-Majmū’* (9/27), Ibn Qudāmah’s *‘al-Mughni’* (8/607), and *‘Kifāyat al-Akhyār’* (2/445)

³⁴ See *‘al-Mughni’* (8/606) and *‘Kifāyat al-Akhyār’* (2/445), and Ibn Hajar said in *‘Talkhīs al-Habīr’* (4/160) that it was reported by al-Bayhaqī

³⁵ Ahmad, Abū Dāwūd, Ibn Mājah, and Ibn Hibbān, and its chain is authentic according to the conditions of al-Bukhārī and Muslim, and it is in *‘Fath al-Bārī’* (9/531), and see *‘Irwa’ al-Ghalīl’* (8/142)

³⁶ *‘Irwa’ al-Ghalīl’* (1/42 and 9/149)

وَيُحَرِّمُ عَلَيْهِمُ الْخَبَائِثَ

{ "...and prohibits them from what is bad and impure..." }³⁷

This also includes ticks, lice, and worms.

And in an authentic *hadīth*, the Messenger of Allāh (peace be upon him) prohibited the killing of four creatures: the ant, the bee, the hoopoe, and the shrike.³⁸

As for the tiny worms that are found inside fruits such as figs, dates, and apricots, as well as certain cheeses, these are not forbidden to eat, and the decision to eat them goes back to one's natural inclination.

As for the locust being permissible, this is in an authentic *hadīth* narrated by Ibn 'Umar: **"Two dead creatures have been made permissible for us, and two types of blood have been made permissible for us. As for the two dead creatures, they are the whale and the locust. As for the two types of blood, they are the liver and the spleen."**³⁹

As for the second type - creatures with flowing blood - they are also of two types:

- Domestic animals
- Wild animals

As for domestic animals, it is allowed to eat cattle:

أُحِلَّتْ لَكُمْ بِهِمَةِ الْأَنْعَامِ

{ "...the beasts of cattle have been made lawful for you..." }⁴⁰

And is allowed to eat the meat of horses due to the *hadīth* of Jābir that the Prophet (peace be upon him) prohibited the meat of domestic donkeys on the day of Khaybar and allowed eating the meat of horses.⁴¹ And this is the position of the majority of scholars, except that

³⁷ *al-A'raf*, 157

³⁸ *'Sabīh al-Jāmi'* (879 & 6968) and *'Irwā' al-Ghalīl'* (2490)

³⁹ *'al-Jāmi' as-Sagħūr'* (1/13), and it was reported Ibn Mājah (2695 in al-Albānī's checking), al-Hākim, and al-Bayhaqī, and as-Suyūtī indicated that it is authentic, and it was declared authentic al-Albānī in *'Sabīh al-Jāmi'* (210) and *'Irwā' al-Ghalīl'* (2526), and Ahmad Shākir in his checking of Ahmad's *'Musnad'* (8/80) and *'Umdat at-Tafsīr'* (1/624 & 739)

⁴⁰ *al-Mā'idah*; 1

⁴¹ Reported by al-Bukhārī (4199, 4215, 4217, 4218, 5115, 5521, 5522, & 5527) and Muslim (561, 1936, & 1938) and see al-Albānī's *'Irwā' al-Ghalīl'* (8/137) and *'Kifāyat al-Akhyār'* (2/437)

Abū Hanīfah differed and prohibited the meat of horses. However, his companions Abū Yūsuf and Muhammad allowed it.⁴²

As for domestic birds, they are permissible by consensus of the *Ummah*, as Abī Mūsā narrated in the two '*Sahīh*'s:⁴³ "I saw the Prophet (peace be upon him) eating chicken." And all other domestic birds are allowed so long as there is no evidence to prohibit them.

As for domestic animals that eat filth and malnourished chickens that eat impurities, it is *makrūh* to eat such animals if the taste of their meat would change, and it is not forbidden to consume their meat, milk, or eggs. This was the position of al-Hasan al-Basrī, Mālik, Dāwūd, and the Hanafīs. Likewise, it is not forbidden to eat fruits and vegetables that were watered with impure water.⁴⁴ However, these scholars preferred that such chickens be isolated for a few days before slaughtering them in order to purify their meat.

The Hambalīs⁴⁵ say that regarding the animal whose food is mixed with impurities, if the impurity is of an insignificant amount, it can be overlooked. If the impurity is noticeable, it is *makrūh* to eat its meat. If most of its food consists of impurities, it becomes *harām* to eat its meat or drink its milk, and there are two opinions reported from them regarding consuming its eggs. Their proof for this is the *hadīth* of Ibn 'Umar: "The Prophet (peace be upon him) forbade us from eating the meat of animals that consume filth, and from drinking their milk."⁴⁶

The strongest opinion in this issue is that of the majority – that if the meat is clearly spoiled due to the filth eaten by the animal, it is discouraged to eat it. Otherwise, there is nothing wrong with it, and this ruling includes chickens and cows whose feed might have some blood or impurities in it.

As for domestic donkeys, they are forbidden due to the many *abādīth* in the two '*Sahīh*'s, including that of Ibn 'Umar: "The Prophet (peace be upon him) prohibited the meat of domestic donkeys." And Muslim's version includes the addition: "...on the day of Khaybar."⁴⁷

⁴² as-Samarqandī's '*Tuhfat al-Fuqahā*' (3/90)

⁴³ al-Bukhārī (5198), and see '*Manār as-Sabīl*' (2/415) and '*Irwā' al-Ghālīl*' (8/148)

⁴⁴ an-Nawawī's '*al-Majmū*' (9/74) and '*Tuhfat al-Fuqahā*' (3/1)

⁴⁵ '*al-Mughbmī*' (8/594)

⁴⁶ Abū Dāwūd (2577, 2558, 3785, 3786, & 3787), at-Tirmidhī (1824 & 1825), Ibn Mājah (2599 with al-Albānī's checking), and al-Bayhaqī (9/333), and al-Albānī declared it authentic due to supporting narrations and chains in '*Irwā' al-Ghālīl*' (8/149), and Ibn Hajar said in '*at-Talkhīs*' (4/156): "Its chain is strong after considering all of its different paths," and it is authentic.

⁴⁷ See footnotes 11 & 12, and '*al-Abkām*' (2/304)

As for the mule, it is *harām* because it is a cross between a permissible animal (the horse) and a forbidden one (the donkey), and if there is a mix of *halāl* and *harām*, the *harām* overrides the *halāl*.

As for wild animals, every beast with fangs is forbidden, as is every bird with claws. In the ‘*Sabīh*’ on the authority of Ibn ‘Abbās: ⁴⁸ “The Messenger of Allāh (peace be upon him) prohibited the eating of every fanged beast and every clawed bird.”

And it is forbidden to eat eagles, hawks, and falcons, just as it is forbidden to eat dogs and cats. It is reported in ‘*Sabīh Muslim*’: **“If a dog licks a cup or plate of yours, empty it and then wash it seven times.”**⁴⁹ As for the cat, it is an inedible animal. In ‘*Sabīh Muslim*’ on the authority of Abī az-Zubayr: “I asked Jābir about accepting the price of a dog and vulture, and he said: “The Prophet (peace be upon him) prohibited this.”⁵⁰ And in the two ‘*Sabīh*’s: **“There are five harmful things which can be killed even if one is in a state of *Ihrām*: the snake, the rat, the crow, the dog, and the vulture.”**⁵¹ So, all of these animals are forbidden to eat.

As for rabbits, they are *halāl*, as it is reported in the two ‘*Sabīh*’s that Abū Talhah slaughtered a rabbit and sent a piece of its thigh to the Prophet (peace be upon him), and he accepted it.⁵²

As for hyenas and foxes, they were permitted by the Shāfi’īs based on the *hadīth* of Jābir in which he asked about the hyena: “Is it considered lawfully hunted game?” He was told: “Yes.” He asked: “Can it be eaten?” He was told: “Yes.” He then asked: “Did you hear this from the Messenger of Allāh (peace be upon him)?” He was told: “Yes.”⁵³ And the hyena was considered forbidden by the Hanafīs and the Hambalīs.⁵⁴

And it is forbidden to eat the meat of bears, mongooses, jackals, and monkeys. Also, it is *harām* to eat whatever consumes carcasses, such as the eagle, the stork, the crow, and beetles.

It is *harām* to eat snakes, as they possess fangs.

⁴⁸ al-Bukhārī (240), Muslim (1934), Abū Dāwūd (3803, 3805, & 3806), Ahmad (5/12, 30, & 182, and 4/263 in Ahmad Shākir’s checking of the ‘*Musnad*’), and al-Bayhaqī, and see ‘*Irwā’ al-Ghālīl*’ (8/141)

⁴⁹ Muslim (280) and Abū Dāwūd (73 & 74), and see ‘*Talkhīs al-Habīr*’ (1/39)

⁵⁰ al-Bukhārī (2086, 2337, 2282, 5346, & 5347) Muslim (1567, 1568, & 1569), Abū Dāwūd (3428, 3479, 3481, 3482, 3483, & 3484), and at-Tirmidhī (1279 & 1281)

⁵¹ al-Bukhārī (1828, 1829, & 3315) and Muslim (257, 1198, 1199, & 1200), and see ‘*Talkhīs al-Habīr*’ (4/153)

⁵² al-Bukhārī (2572, 5489, & 5535), Muslim (1953), at-Tirmidhī (1472), Abū Dāwūd (3791), and see ‘*Irwā’ al-Ghālīl*’ (8/146) and ‘*Talkhīs al-Habīr*’ (4/152)

⁵³ ‘*Talkhīs al-Habīr*’ (4/152), and it was reported by ash-Shāfi’ī, at-Tirmidhī (851 & 1791), and al-Bayhaqī, and it was authenticated by al-Bukhārī, Ibn Hibbān, and al-Albānī in his checking of ‘*Mishkāt al-Masābīh*’ (2635)

⁵⁴ See ‘*Tuhfat al-Fuqahā*’ by as-Samarqandī (3/90), ‘*Hāshiyat Ibn ‘Abidīn*’ (6/304), and ‘*Manār as-Sabīl*’ (2/411)

As for the lizard, it is allowed to eat them because Khālīd bin al-Walīd (may Allāh be Pleased with him) ate one in the presence of the Messenger of Allāh (peace be upon him).⁵⁵

I took a long time with this issue due to the importance of knowing what is *harām* and *halāl* of animals, and the overall conclusions regarding this subject are:

1. Sea creatures are all *halāl* and do not need to undergo any slaughtering procedure.
2. Land animals that are *harām* are not to be slaughtered, and their meat and skin cannot be purified by slaughtering.
3. Captured animals must be slaughtered with a cut to the throat.
4. Permissible land animals and domestic animals and stray animals must be hit with either an arrow or a bullet, such that its blood flows from any part of its body, and this is because it is reported in the two *'Sahīb's* from 'Adiyy bin Hātim that the Messenger of Allāh (peace be upon him) said: **“Whatever is hit with the sharp edge of the hunting instrument can be eaten, and whatever is hit by its broad side is considered beaten to death.”**⁵⁶ And in a narration from 'Adiyy in the two *'Sahīb's*: **“If you shoot with the *mi'rād* and it strikes the animal, eat it. If the animal is hit with the broad side of it, do not eat it,”**⁵⁷ and the *mi'rād* is a sharp piece of wood tipped with iron. If the animal is hit with its edge, it can be eaten, as this is like an arrow. If it is hit with the broad side of it, it cannot be eaten, as this is like a rock.

And I started with this introduction because of its necessity before going into explaining the method of slaughter and its pillars.

⁵⁵ al-Bukhārī (2575, 5391, 5402, & 5536), Muslim (1943, 1946, & 1947), Abū Dāwūd (3796), and at-Tirmidhī (1790), and see *'Irwa' al-Ghālil'* (8/147)

⁵⁶ ash-Shinqīṭī's *'Zad al-Muslim fī mā Ittafaq 'alayh al-Bukhārī wa Muslim'* (2/207), and *'Talkhīs al-Habir'* (2/135)

⁵⁷ al-Bukhārī (7397), Muslim (1929), and Abū Dāwūd (287), and see *'Ihkām al-Abkām Sharh 'Umdat al-Abkām'* (2/309)

The Conditions of Slaughtering

As stated before, *dhakāh* linguistically is to complete or perfect something, and this is included in the meaning of the verse:

إِلَّا مَا ذَكَّيْتُمْ
{ "...except what you slaughter..." }⁵⁸

In other words, except what you slaughter properly and completely.

As for the definition of purification and cleanliness in *dhakāh*, this is included in the meaning of the statement of Muhammad bin al-Hanafīyah: "The drying up of the ground is its *dhakāh* (purification)," meaning that it purifies it, because *dhakāh* of the slaughtered animal makes it pure and clean.⁵⁹

In the context of the *Shari'ah*, *dhakāh* is to perform the method of slaughter with its proper conditions, and this requires five things:⁶⁰

1. The slaughterer, and two conditions must apply to him
 - a. His religion; he must be a Muslim or from the People of the Book
 - b. His mindset; it is not allowed to eat something slaughtered by one who is insane, drunk, or prepubescent who cannot tell right from wrong
2. The instrument being used to slaughter with, and two conditions apply to it
 - a. It must be sharp
 - b. It cannot be a tooth or claw
3. Where the cut is made, and it must be at the throat (specifically, the gap between the base of the neck and the chest)
4. What to say at the time of slaughtering, and this is the *Tasmīyah* - 'In the Name of Allāh' (بِسْمِ اللَّهِ) - and 'Allāh is the Greatest' (اللَّهُ أَكْبَرُ)

⁵⁸ *al-Mā'idah*; 3

⁵⁹ See *Lisān al-'Arab* (18/314), az-Zamakhsharī's *Asās al-Balāghah* (1/206), and az-Zubaydī's *Tāj al-'Arūs* (10/137)

⁶⁰ *al-Mughni'* (11/42) and *Mu'jam al-Fiqh al-Hambalī* (1/355)

5. What to cut, and this includes most or all of:
 - a. The throat
 - b. The esophagus
 - c. The two jugular veins at either sides of the neck

And the most important aspects that concern us in the issue of Western meat are the one performing the slaughtering and where the cut is made. The issue of *Tasmiyah* is not a problem here, because when it comes to meat slaughtered by a Muslim, we are not to inquire if he mentioned Allāh, and if the meat is slaughtered by one from the People of the Book, we eat it even if he doesn't mention Allāh.

al-Imām an-Nawawī said:⁶¹ “The slaughtered meats of the People of the Book are *halāl* whether or not they mention Allāh when slaughtering due to the apparent meaning of the verses in the Mighty Qur’ān, and this is our *madhhab* and that of the majority.”

And *az-Zuhrī* said: “There is no problem eating the slaughtered meat of the Arab Christians, and do not eat it if you hear them mentioning the name of other than Allāh upon it. If you do not hear this, it is permissible despite their *kufī*,” and something similar was narrated from ‘Alī.

Let us now go back and look at the two essential conditions in the issue of slaughtered meats: the slaughterer and where the cut is made.

⁶¹ ‘*al-Majmū*’ (9/78)

The Slaughterer

As for the slaughterer, he must be a sane Muslim or from the People of the Book. The condition of sanity (*‘aql*) is meant to ensure that the person intended to slaughter, as slaughtering is an act of worship, and it therefore requires an intention. This is the position of the majority of Hanafī, Mālikī, and Hambalī scholars.⁶² So, it is not allowed to eat the meat slaughtered by one who is drunk, a young child, or insane.

Based on this, it is not allowed to eat meat slaughtered by the polytheist, the disbeliever not from the People of the Book, the apostate, the idol worshipper, the Communist, the Druze, the Nusayrī, the Qādiyānī, the Bahā’ī, the Magian, the Hindu, or the Buddhist. The proof for the condition that the person be a Muslim, Jew, or Christian is the verse:

الْيَوْمَ أُحِلَّ لَكُمْ الطَّيِّبَاتُ وَطَعَامُ الَّذِينَ أُوتُوا الْكِتَابَ حَلَلٌ لَكُمْ وَطَعَامُكُمْ حَلَلٌ لَهُمْ

{ “*Today, the pure foods and the food of the People of the Book is lawful for you, and your food is lawful for them...*” }⁶³

What is meant by the food of the People of the Book is their slaughtered meat, as stated by Ibn ‘Abbās, Abū Umāmah, Mujāhid, Sa’īd bin Jubayr, ‘Atā’, al-Hasan, Makhūl, an-Nakha’ī, as-Suddī, and Muqātil,⁶⁴ and this is an issue that the scholars are agreed on.

As for the slaughtered meat of those who are not Muslims or People of the Book, it is *harām* due to the opposite implication of the verse. In other words, the fact that the Qur’ān was silent about the meat of other than the Muslims and People of the Book and mentioned only these two groups here shows that everything else is *harām*, and silence about something is enough of a clarification. And if the slaughtered meats of other than these two groups were *halāl*, there would have been no point in mentioning the food of the People of the Book, and the Qur’ān contains nothing that is haphazard.

And it was related from Sa’īd bin Mansūr with a good chain from Ibn Mas’ūd (may Allāh be Pleased with him) that he said: “Do not eat slaughtered meat except from the Muslims and the People of the Book.”⁶⁵

And al-Hākim reported in his *Mustadrak*⁶⁶ from ‘Ikrimah from Ibn ‘Abbās (may Allāh be Pleased with him) that he said regarding a (Muslim) man who slaughtered and forgot to

⁶² Dr. Abū Fāris’s *‘Hukm al-Lubūm al-Mustawradab’* (p. 33)

⁶³ *al-Mā’idah*; 5

⁶⁴ Reported by al-Bukhārī in the form of *ta’liq* in an affirmative manner, and see *Fath al-Bārī*’ (9/636)

⁶⁵ *Tafsīr Ibn Kathīr*’ (2/19)

mention Allāh: “Eat the meat.” As for the Magian who slaughtered and did mention Allāh, he said: “Do not eat the meat.”

And ‘Abd ar-Razzāq reported in his *Musannaf*⁶⁷ that Jābir (may Allāh be Pleased with him) said: “Do not eat something that was hunted by the dog of a Magian or was hit by his arrow.” And Mujāhid said something similar, and ad-Dāraqutnī reported the same from Jābir (may Allāh be Pleased with him),⁶⁸ and ‘Abd ar-Razzāq reported in his *Musannaf*⁶⁹ from Qays bin as-Sakan that Ibn Mas’ūd said: “You have descended upon a land in which the Muslims do not hunt, and only has Nabateans and Persians. So, if you buy any meat, ask them about it. If it was slaughtered by a Jew or Christian, eat it, as their food is permissible for you.”

And this issue here of the prohibition of the meat of the Magian and whatever he hunts is agreed upon between the Companions (may Allāh be Pleased with them all), and there is no doubt that this prohibition of the Magians’ slaughtered meat is widespread between the Companions, and we do not know of a single one of them who opposed this.

Ibn Taymiyyah said in *‘al-Fatāwā’*:⁷⁰ “The slaughtered meat of the Magians is *harām* according to the majority of the early and later Muslims, and it has been said that this is a point of consensus with the Companions.”

And in the *‘Sunan’* of al-Bayhaqī:⁷¹ “The Messenger of Allāh (peace be upon him) wrote to the Magians of Hajr calling them to Islām, saying: **“Whoever accepts Islām, it will be accepted of him. Whoever rejects it cannot have any of their slaughtered meat eaten or have any of their women married to the Muslims,”**” and al-Bayhaqī said: “This is *mursal*,⁷² and is a point of consensus due to the high number of Muslims who confirm it.”⁷³

Ibn Taymiyyah said: “It has been related in the *hadīth* of al-Hasan bin Muhammad bin al-Hanafīyyah and others from the *Ṭābi’īn* that the Prophet (peace be upon him) said: **“Treat them like the People of the Book except in regards to marrying their women and**

⁶⁶ See *‘Kishaf al-Qina’* (6/203), and al-Hākim said: “It is authentic according to the conditions of al-Bukhārī and Muslim, and they did not report it,” and adh-Dhahabī agreed with him

⁶⁷ 4/469

⁶⁸ *‘Sunan ad-Dāraqutnī’* (4/294)

⁶⁹ 4/487, and the narrators in its chain are those of the two *‘Ṣaḥīḥ’*s except Qays bin as-Sakan, as he is only up to the conditions of Muslim, and Ibn Hajar said in *‘Taqrīb at-Ṭaḥḥīb’* (2/129): “He is trustworthy.”

⁷⁰ *‘Majmū’ al-Fatāwā’* (21/103)

⁷¹ 9/192 & 285

⁷² A narration is *mursal* when its chain is missing the name of the Companion between the Prophet and the *Ṭābi’ī* it was related it to.

⁷³ See p. 67 of Ibn Humayd’s treatise regarding imported meats

eating their slaughtered meat.”⁷⁴ And this is *mursal*, and the statements of five of the Companions confirm it, and I know of no difference of opinion in this, and the *mursal* narration is a proof with the Hanafīs, Mālik, and Ahmad in one of the two opinions related from him. According to ash-Shāfi‘ī, it is a proof if it is supported by the majority of scholars, the apparent meaning of the Qur’ān, and if it is *mursal* from other sources. So, this *mursal* is a proof by agreement of the scholars, and this *mursal* is a text regarding this specific issue.”⁷⁵

Based on this, the prohibition of the Magians’ slaughtered meat is established through both the authentic texts and the fact the Magian is a *kaḥfīr* who is not from the People of the Book, as Ahmad, at-Tirmidhī, and the books of *Tafsīr* and *Hadīth* mention the well-known *hadīth* that when Persia and Rome fought and Rome lost to Persia, these polytheists were happy as they are from them, and do not follow a divine book.

So, the slaughtered meat of every *kaḥfīr* is forbidden to eat. The Communist, the Buddhist, the idol worshipper, the Hindu, the Sikh, the Bahā‘ī, the Qādiyānī, the Ba’tihī, the Nusayrī, the Yazīdī, the Druze, the Free Mason, the Existentialist, the secularist – all of their slaughtered meats are *harām*. Ibn Qudāmah said: “The scholars are agreed that the meat hunted and slaughtered by the Magian is forbidden.”⁷⁶ And Abū Thawr is the only reported dissenter from this opinion. Ibrāhīm an-Nakha‘ī said: “Abū Thawr punctured this consensus.”

Therefore, the prohibition of the slaughtered meat of the Magian has textual evidence to support it from the Companions, and it is not as the noble scholar Ibn Mahmūd – the head of the *Shari’ah* Courts of Qatar – said, that there is no text regarding it. The Magian is a *kaḥfīr*, and the slaughtered meats of the *kaḥfīr* are prohibited,⁷⁷ and the slaughtered meat of the Magians is therefore also prohibited, and Ibn Taymiyyah spent a long time proving that the Magians are not People of the Book.⁷⁸

As for one from the People of the Book whose slaughtered meat is permissible, he is one who believes in the Christian or Jewish religion regardless of whether this is before or after these religions were distorted. It is reported in *‘Majma’ az-Zawā‘id*⁷⁹ that Ibn ‘Abbās said: “The slaughtered meats of the Jews and Christians are allowed because they believe in the Torah and the Gospel.”

As for the Christian who, if asked about his religion says: ‘My father was a Catholic,’ or: ‘I have no religion,’ ‘I don’t really care about religion,’ – such a person’s slaughtered meats are

⁷⁴ See *Fath al-Bārī* (6/302), and al-Albānī declared it weak in *Irwa’ al-Ghalīl* (1248)

⁷⁵ *‘Majmū’ al-Fatāwā’* (32/187)

⁷⁶ *‘al-Mughbī’* (11/38)

⁷⁷ I.e. those who are not Jews or Christians

⁷⁸ See *‘Majmū’ al-Fatāwā’* (32/190)

⁷⁹ 4/36, and al-Haythamī said: “This was reported in *‘al-Kabīr’* by at-Tabarānī, and its chain contains Ismā‘īl bin ‘Umar al-Bajlī, who was considered trustworthy by Ibn Hibbān and others, and considered weak by ad-Dāraquṭnī.” Also see p. 20 of Ibn Humayd’s *‘Huḳm al-Lubūm al-Mustawradah.’*

not allowed and his daughter cannot be married to you. So, if the Christian is a Communist, Existentialist, or secularist – a person with no religion – or a Mason, he is not from the People of the Book and his slaughtered meat isn't to be eaten.

Based on the aforementioned texts, we can reply to the noble scholar Faysal Mawlawī, who said: “The prohibition of the slaughtered meat has nothing to do with the person carrying out the slaughtering, and whether he is a Muslim, from the People of the Book, or is a polytheist. Rather, it is tied to the goal of the slaughtering if it is intended to be dedicated to the idols. So, if the reason for the prohibition is the fact that the slaughterer is a *kaāfir*, why is this limited to his slaughtered meat? Why is does the bread that he bakes and the fruit that he picks not fall under the same ruling?”⁸⁰

As for the reason of the prohibition being limited to the slaughtered meats, this is because of the texts related from the Companions explaining the verse:

وَطَعَامُ الَّذِينَ أُوتُوا الْكِتَابَ حَلٌّ لَكُمْ
{ “...and the food of the People of the Book is lawful for you...” }⁸¹

Ibn ‘Abbās (may Allāh be Pleased with him) said: “Their food is their slaughtered meat,” and Ibn Kathīr said: “And this is an issue that the scholars are agreed upon.”⁸²

And we’ve already gone over the authentic texts from the Companions that forbid the slaughtered meat of the Magians. However, the Companions did not forbid the fish caught by the Magians, and this is because the fish is considered a type of dead meat that is *halāl* despite it being dead. al-Bukhārī reported that Ibn ‘Abbās said: “Eat what is caught from the sea by a Christian, Jew, or Magian.”⁸³

And we confirm that the religion of the slaughterer of the animal is what determines its permissibility or lack thereof. So, it is not allowed to eat except the slaughtered meat of the Muslim or one from the People of the Book who believes in his religion with the condition that you do not hear him slaughtering in the name of ‘Īsā or Maryam (peace be upon them). If you don’t hear them, you can eat it without asking about what was said upon slaughtering, as az-Zuhrī said: “There is no problem in eating the slaughtered meat of the Arab Christians, and do not eat it if you hear them mentioning the name of other than Allāh upon it. If you do not hear them, Allāh has made it permissible and Knows their *kufr*,”⁸⁴ and the same is related from ‘Alī.

⁸⁰ See p. 28 of Muhammad Abū Fāris’s ‘*al-Lubūm al-Mustawradah*’

⁸¹ *al-Mā’idah*; 5

⁸² ‘*Tafsīr Ibn Kathīr*’ (2/19)

⁸³ ‘*Fath al-Bārī*’ (9/614)

⁸⁴ ‘*Fath al-Bārī*’ (9/636)

Where the Cut Is to Be Made

We mentioned in the previous chapter that the slaughterer must be either a Muslim or from the People of the Book, and in this chapter, we will discuss - if Allāh Wills - the place where the cut must be made in the process of slaughtering. The condition here is that it has to be at the throat and base of the neck. This is a condition determined through the authentic narrations from the Prophet (peace be upon him) and the Companions, and it is not as *Shaykh* Ibn Mahmūd said, that “there is no proof that limits proper slaughtering to cutting the throat and esophagus as the scholars have said. This is simply a tradition in Islām and the times of *jāhiliyyah*, and because it is the method that best protects the skin.”

I say that there are many authentic texts that specify the location of the cut, and that the meat is considered a carcass if the cut takes place anywhere else. From these texts is what was related from Abī Umāmah: **“Eat whatever has been cut at the jugular veins so long as the cut was not made with a tooth or nail.”** This is an authentic *hadīth* related by at-Tabarānī and al-Bayhaqī.⁸⁵

From this, we can see that the Messenger of Allāh (peace be upon him) specified the location of the cut, and this *hadīth* has support from the narration of ad-Dāraqutnī and others from Abū Hurayrah (may Allāh be Pleased with him) that he said: “The Messenger of Allāh (peace be upon him) sent Badīl bin Warqā’ al-Khuzā’ī to carry a message to those in the Valley of Minā that slaughtering should take place between the throat and the base of the neck.”⁸⁶

And al-Bukhārī reported with his chain from Anas: “The Prophet (peace be upon him) forbade tying animals up so that they could be shot at and killed.”⁸⁷

And the Companions understood this ruling from the Messenger of Allāh (peace be upon him), and the Muslims inherited this understanding after them from the authentic narrations of the Companions:

al-Bayhaqī related with an authentic chain from Sa’īd bin Jubayr from ‘Abdullāh bin ‘Abbās (may Allāh be Pleased with him) that he said: “Slaughtering is to take place between the throat and the base of the neck.”⁸⁸ This is why al-Bayhaqī titled the chapter under which this

⁸⁵ *‘Sahīb al-Jāmi’* (4496) and *‘as-Silsilah as-Sahībah’* (2029)

⁸⁶ al-Albānī declared it weak in *‘Irwa’ al-Ghālil’* (2541). But, it has supporting narrations, and see Ibn Humayd’s *‘Hukm al-Lubūm al-Mustawradah’* (p. 9)

⁸⁷ al-Bukhārī (5513), Muslim (1956), and Abū Dāwūd (2816)

⁸⁸ *‘as-Sunan al-Kubrā’* (9/278), *‘Fath al-Bārī’* (9/640), ‘Abd ar-Razzāq’s *‘Musannaf’* (4/495), and Ibn Hajar said: “This is an authentic chain, and al-Bukhārī reported it in *mu’allaq* form with the indication of confirming its authenticity from Ibn ‘Abbās, and it was reported by ‘Abd ar-Razzāq.”

hadīth is listed ‘Slaughtering the Captured Animal between the Base of the Neck and Throat,’ because animals are of two types:

- Captured animals; these are the domestic animals injured hunted game that the hunter catches while it is still alive; these must be slaughtered between the throat and base of the neck, and this is called elective slaughter (*adb-dhakāh al-ikhtiṣyāyah*)
- Animals not captured; these are wild animals, domestic animals that have run away and become wild, and those animals hidden in a well or secluded space; these can be eaten no matter where the arrow or projectile strikes it, and this is called constrained slaughter (*adb-dhakāh al-idtirāyiyah*)

It is narrated in ‘*Sabīh al-Bukhārī*’ from Rāfi’ bin Khadīj: “...One of the camels fled, and the people had only a few horses. So, they got worried. The camel was chased, and a man stopped the camel by shooting an arrow at it. Allāh's Messenger (peace be upon him) said: **“Some of these animals are untamed like wild animals. So, if any of them go out of your control, you should treat them as you have done now.”**”⁸⁹ And al-Bukhārī titled the chapter under which this *hadīth* is listed ‘*Whatever Animals Escape from You Are to Be Treated Like Wild Animals*,’ and Ibn Mas’ūd permitted this as well, and Ibn ‘Abbās said: “Whatever escapes you of your animals become like the hunted game in front of you, and if it escapes into a well, you can slaughter it when you come upon it.” This was also the view of ‘Alī, Ibn ‘Umar, and ‘Ā’ishah.

And in the authentic narration related by al-Bukhārī,⁹⁰ al-Farāfīṣah⁹¹ said to ‘Umar (may Allāh be Pleased with him): “You eat foods that we do not eat.” So, ‘Umar asked: “How so, Abā Hassān?” He said: “You rush to have the animal’s soul taken.” So, ‘Umar (may Allāh be Pleased with him) had someone announce that slaughtering should take place at the throat and base of the neck for those who are able, and there should be no rush to end the animal’s life. an-Nawawī said:⁹² “As for the *athar* from ‘Umar, it is authentic and was declared as such by Ibn al-Mundhir, and al-Bukhārī mentioned it in his ‘*Sabīh*’ from Ibn ‘Umar.”

Sa’īd bin Mansūr mentioned in his ‘*Sunan*’ with a good chain - as did Mālik in his ‘*Muwatta*’⁹³ – that Ibn ‘Abbās said: “If the jugular veins are cut and blood flows, you can eat the meat.”

And ‘Attā’ said: “No proper slaughter takes place except at the neck.”⁹⁴

⁸⁹ *Fath al-Bārī*’ (9/623 and 640)

⁹⁰ *Fath al-Bārī*’ (9/640)

⁹¹ al-Farāfīṣah was a Christian whose daughter, Nā’ilah, was married to ‘Uthmān bin ‘Affān.

⁹² *al-Majmū*” (9/740)

⁹³ *al-Muwatta*” (1411)

⁹⁴ *Fath al-Bārī*’ (9/640)

And the Messenger of Allāh (peace be upon him) referred to the slaughtered animal that does not have its jugular veins cut as having been slaughtered by Satan, as Abū Dāwūd and al-Bayhaqī report that Ibn ‘Abbās and Abū Hurayrah said:⁹⁵ **“Do not eat the animal whose jugular veins have not been cut, as this has been slaughtered by Satan.”**

And the entire *Ummah* is agreed that the place where the cut is to take place is the throat and base of the neck. Ibn Qudāmah said:⁹⁶ “As for the location of the slaughter, it is the throat and base of the neck, and it is not allowed to cut except there by consensus.”

As for what has to be cut, they are the throat, the esophagus, and the two jugular veins, and this is the most complete way to do it. However, the scholars of *Fiqh* differed over which of these components serve as conditions:⁹⁷

al-Layth and Dāwūd said that all of these are conditions, and this was the chosen position of Ibn al-Mundhir.

Abū Hanīfah said:⁹⁸ “The meat is permissible if three of the four are cut.”

Mālik said: “The throat and jugular veins must be cut, and the esophagus does not have to be cut.”

ash-Shāfi‘ī would say: “The throat and esophagus must be cut, and it is preferred to also cut the jugular veins.”

With the Hambalīs, they consider cutting the throat and the esophagus to be a condition, and that cutting the jugular veins is simply preferred. Another narrated opinion from Ahmad is that cutting all four is a condition.

The wisdom in putting this location as a condition is that this is where all the veins intersect. Therefore, they are all ruptured during the process of slaughtering, and the blood of the animal flows quicker and more freely, causing the animal to die faster. This makes the meat purer and makes the process easier on the animal.⁹⁹

⁹⁵ al-Bayhaqī’s *‘as-Sunan al-Kubrā’* (9/278), and its chain has ‘Amr bin ‘Abdullāh, and he is trustworthy with slight weakness. See *‘Taqrīb at-Tabdhīb’* (p.260), and Ahmad Shākir declared it *sahih* in his checking of Ahmad’s *‘Musnad’* (4/215)

⁹⁶ *‘al-Mughni’* (11/44)

⁹⁷ See *‘al-Mughni’* (11/44), *‘al-Majmū’* (9/80), *‘Fath al-Bārī’* (9/641), and al-Jassās’s *‘Abkam al-Qur’ān’* (3/300)

⁹⁸ In *‘al-Mughni’* (13/62), it is related that Abū Hanīfah said: “It is enough to cut the throat, esophagus, and one of the jugular veins, and there is no dispute that the best thing would be to cut all four. The throat is the passageway of the soul, and the esophagus is the passageway of food and drink, and the jugular veins are the veins that surround the throat as this is faster for the soul of the animal to exit.”

⁹⁹ *‘al-Mughni’* (11/44)

So, cutting at the neck has been specified by the texts related from the Messenger (peace be upon him) and the Companions. Whoever slaughters a domestic animal at any other point in the body, his meat is considered a carcass and is *harām* to eat regardless of whether he is a Muslim or from the People of the Book. So, whatever animal is killed by way of electrocution, stunning,¹⁰⁰ drowning, or clubbing on the head is considered a carcass and is impermissible to eat.¹⁰¹

Here, we see the strangeness of what was related from Ibn al-‘Arabī:¹⁰² “I was asked about a Christian who strangled a chicken and then cooked it: would it be allowed to eat it with him? I replied that it would be, as it is the food of their priests. Even if this is not the proper method of slaughtering with us, Allāh has permitted their food for us unrestrictedly, and not everything that is *harām* in our method of slaughter is *harām* for us to eat if they are the ones slaughtering it.”

This is rejected for two reasons:

First of all, it contradicts what Ibn al-‘Arabī himself has said elsewhere, as it is related from him that he said:¹⁰³ “If it is said that they eat it after using methods other than the proper slaughtering, such as choking and crushing the skull, the answer is that this is considered a carcass and is *harām* according to the texts. So, if they eat it, we do not eat it as in the case with pork. It is *halāl* in their eyes, and there are foods of theirs that are forbidden for us.”

Secondly, this statement of his contradicts the texts of the Qur’ān, *Sunnah*, and agreement of the majority of scholars. As for the Qur’ān, this verse:

حُرِّمَتْ عَلَيْكُمْ الْمَيْتَةُ وَالْدَّمُ وَلَحْمُ الْخِنْزِيرِ وَمَا أَهَلَ لِغَيْرِ اللَّهِ بِهِ وَالْمُنْخَنِقَةُ وَالْمَوْقُوذَةُ وَالْمُتَرَدِّيَةُ
وَالنَّطِيحَةُ

{ “Forbidden to you are carcasses, blood, pork, and the meat that has been slaughtered as a sacrifice for others than Allāh or for idols, or on which Allāh’s Name has not been mentioned while slaughtering, and that which has been killed by strangling, a violent blow, a headlong fall, or by the goring of horns...” }¹⁰⁴

...has laid down restrictions to the general terms in this verse:

¹⁰⁰ From the USDA’s 2007 ‘Humane Slaughter of Livestock Regulations’: “The electric current shall be administered so as to produce, at a minimum, surgical anesthesia, i.e., a state where the animal feels no painful sensation. The animals shall be either stunned or killed before they are shackled, hoisted, thrown, cast, or cut.” <http://www.animallaw.info/administrative/adus9cfr313.htm>

¹⁰¹ In America in particular, the stated goal of shooting or stunning is not to kill the animal. Rather, it is to incapacitate it to facilitate killing it. However, what actually takes place is quite different. See footnote # 188.

¹⁰² See p. 9 of Ibn Mahmūd’s *Fasl al-Khitāb fī Iḥābat Dhābā’ih Abl al-Kitāb*

¹⁰³ See p. 73 of Ibn Humayd’s *Hukm al-Luhūm al-Mustawradah*

¹⁰⁴ *al-Mā’idab*; 3

وَطَعَامُ الَّذِينَ أُوتُوا الْكِتَابَ حَلٌّ لَكُمْ

{ “... and the food of the People of the Book is lawful for you ...” }¹⁰⁵

The scholar Muhammad al-Khidr Husayn said: “The first verse restricts the second, and we know of no verse that restricts the first. The general verse that is not restricted is stronger as a proof than the verse that is restricted by other verses.”¹⁰⁶

As for *abādīth*, I have already provided some of them with the statements of the *Salaf* that specify the location and method of slaughtering.

As for the *fatwā* of Muhammad Rashīd Ridā and his mentor Muhammad ‘Abduh that says: “I believe that if the Prophet (peace be upon him) had known of a method of killing the animal that was easier on the animal and required no effort, such as electrocution, he would have chosen it over the method of slaughter,” this *fatwā* never ceases to amaze me, as it speaks about the Messenger of Allāh (peace be upon him) and simultaneously contains the words ‘I believe.’ If he had said ‘I think,’ it wouldn’t have been as bad, even though it is a major blunder either way as he has put forth himself over Allāh and His Messenger:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَقْدِمُوا بَيْنَ يَدَيْ اللَّهِ وَرَسُولِهِ

{ “O you who believe! Do not put yourselves forward before Allāh and His Messenger...” }¹⁰⁷

And electrocution does not cause the impure blood to flow, and whatever animal whose blood is permissible to spill must be slaughtered in the *Shar’i* manner. There are many texts in the two ‘*Sabīh*’s that lay down flowing blood as a condition for proper slaughter. He (peace be upon him) said in ‘*Sabīh al-Bukhārī*’:¹⁰⁸ **“Whatever has had its blood flow and Allāh mentioned upon it can be eaten so long as it wasn’t slaughtered with a tooth or nail.”**

So, killing an animal by electrocuting it makes it a carcass, just like the case with a bullet – if this is how the animal is killed, it is considered a carcass that cannot be eaten.

In light of what has preceded, we see the weakness in *Shaykh* Ibn Mahmūd’s use of the verse:

¹⁰⁵ *al-Mā’idab*; 5

¹⁰⁶ From the Muharram 1401 (December 1980) issue of ‘*Majallat al-I’tisam*’

¹⁰⁷ *al-Hujurāt*; 1

¹⁰⁸ ‘*Fath al-Bārī*’ (9/631)

إِلَّا مَا ذَكَّيْتُمْ

{ "...except what you slaughter..." }¹⁰⁹

...as proof of the permissibility of slaughtering the animal in any manner in which one pleases. He says in both *Majallat al-Ummah*' and his book *Fasl al-Khitāb*' that this verse: "...addresses all people in accordance with their customs in slaughtering their animals. Therefore, there is no proof for us to restrict the method of slaughter to the throat and esophagus."¹¹⁰

In reality, the verse is addressing the believers, as it is the third verse in '*al-Mā'idab*,' and the first and second verses both begin with { "**O you who believe...**" } So, if any person in the world enters this religion, he must follow the Messenger (peace be upon him) in his manner of praying, fasting, and giving charity. Based on this, any meat that was not slaughtered according to the method laid out in the *Shari'ah* – at the throat and base of the neck, such that the blood flows freely – I say that such meat is considered a carcass and cannot be eaten.

So, whatever is shocked to death by electricity is a carcass.

Whatever is beaten to death is a carcass.

Whatever is shot to death is a carcass.

Whatever is stunned or drowned in boiling water is a carcass.

Whatever bird is strangled is a carcass.

Whatever animal or bird has had its spinal cord severed with a steel baton: a carcass.

And it is known that all of these methods are utilized all over Europe, South America, and the Communist countries. This is because Catholics allow the consumption of a carcass killed in such fashions, and some countries consider the Islāmic method of slaughter to be a form of torture for the animal. This is why they oppose the *Shar'i* method of slaughter, especially the animal rights groups in some European countries.

What about slaughtering cattle from the back of the neck as opposed to the front part of the throat?

There are some slaughterhouses in Muslim countries that bring the blade down on the neck of the animal from behind, and this is allowed according to the majority of the scholars. This was stated by Ibn al-Mundhir, ash-Sha'bī, at-Thawrī, ash-Shāfi'ī, Abī Hanīfah, Ishāq, Abī

¹⁰⁹ *al-Mā'idab*; 3

¹¹⁰ From the Rajab 1401 (May 1981) issue of '*Majallat al-Ummah*'

Thawr, and Muhammad.¹¹¹ This is because the knife still cuts the throat, the esophagus, and the jugular veins before the animal dies. However, the Mālikīs opposed this,¹¹² and forbade that an animal be slaughtered from the back of the neck. And al-Bukhārī reported that Ibn ‘Umar, Ibn ‘Abbās, and Anas said:¹¹³ “If the head is cut, there is no problem,” and they did not specify from which direction it should be cut.

¹¹¹ See *‘al-Majmū’* (9/91)

¹¹² ad-Dardīr’s *‘ash-Sharh as-Sagbīr’* (2/154)

¹¹³ *Fath al-Bārī’* (9/640)

Can We Ask When We Are Uncertain?

We mentioned in the first parts of this book that it is not allowed to eat the slaughtered meat of anyone who is not a Muslim or from the People of the Book who believes in his divine book. Now, we face the issue of asking about the status of the meat when in doubt. Some contemporary scholars – including Ibn Mahmūd – say that it is not necessary to ask about the meat or its origin, and their reasoning for this is based on the *hadīth* of ‘Ā’ishah (may Allāh be Pleased with her) that was reported by al-Bukhārī with his chain in which some people said to the Prophet (peace be upon him): “A group of people brought us some meat, and we don’t know if Allāh’s Name was mentioned on it or not.” So, he (peace be upon him) said: **“You mention Allāh’s Name upon it and eat it,”** and ‘Ā’ishah said: “And these people had just recently entered Islām.”¹¹⁴

However, this *hadīth* is being applied out of context of the dispute being addressed, as it is in reference to meat slaughtered by Muslims, and the slaughtered meat of the Muslim is *halāl*, and it is not upon us to ask if Allāh’s Name was mentioned on it. This is why al-Bayhaqī¹¹⁵ titled the chapter under which he placed this *hadīth* ‘*Whoever Doesn’t Mention Allāh’s Name and Whose Slaughtered Meat is Permissible.*’

And Ibn ‘Abd al-Barr said in ‘*at-Tamhīd*’¹¹⁶: “Indeed, if the Muslim slaughters some meat and it is not known if he mentioned Allāh’s Name upon it, there is no problem in eating it, and it is to be assumed that he did so. One should assume nothing but the best about the believer, and his slaughtered meat and hunted game is to be assumed safe to eat.”

So, this *hadīth* of ‘Ā’ishah (may Allāh be Pleased with her) is referring to a group of Muslim bedouins who had just accepted Islām. In fact, as stated by al-Baghawī in ‘*Sharh as-Sunnab*,’¹¹⁷ ash-Shāfi’ī derived from this that the *Tasmīyah* is not a condition for the permissibility of the meat.¹¹⁸

The dispute we are addressing here is in regards to the slaughtered meats that are made available to the Muslims, and we do not know if they were slaughtered by a Communist, a Buddhist, a Hindu, or an atheist, and we do not know how they were slaughtered. Should we eat such meat while relying on the *hadīth* of ‘Ā’ishah regarding the Muslim bedouins who were living in the outskirts of Madīnah, or should we ask about the meat before we eat it?

¹¹⁴ al-Bukhārī (5507), and see ‘*Fath al-Bārī*’ (12/54) and al-‘Aynī’s ‘*Umdat al-Qārī*’ (21/118)

¹¹⁵ See Ibn at-Turkmānī’s ‘*al-Jawhar an-Naqīyy ‘alā as-Sunan al-Kubrā*’ (9/239)

¹¹⁶ 22/299, and the same was concluded by Ibn Qudāmah in ‘*al-Mughnī*’ (13/77)

¹¹⁷ 11/194

¹¹⁸ The position of Ahmad, Abū Thawr, Dāwūd, Muhammad bin Sirīn, ash-Sha’bī, and Ibn Taymiyyah is that the *Tasmīyah* is a condition for the permissibility of the meat.

So, the topic at hand here is asking about the meat slaughtered by non-Muslims while we don't know who slaughtered it or how it was slaughtered.

Here are some relevant texts:

al-Haythamī said in *'Majma' az-Zawā'id'*¹¹⁹ that Abī Sa'īd al-Khudrī said: “Some bedouins would come to us with meat, and we were a bit hesitant to eat it. So, we mentioned this to the Messenger of Allāh (peace be upon him), and he said: **“Make them swear that they slaughtered it, and then mention Allāh's Name and eat it.”**” This was reported by at-Tabarānī in *'al-Ansat,*' and its men are trustworthy.

And 'Abd ar-Razzāq reported in his *'Musannaf'*¹²⁰ from Qays bin as-Sakan that Ibn Mas'ūd said: “You have descended upon a land in which the Muslims do not hunt, and only has Nabateans and Persians. So, if you buy any meat, ask them about it. If it was slaughtered by a Jew or Christian, eat it, as their food is permissible for you.”

And the Companions would ask about the cheese they would find in the marketplaces out of fear that it would be made with enzymes from the slaughtered meat of a Magian – despite the difference of opinion between them of the purity of the enzymes of a carcass – even though these enzymes constituted only 1/10,000 of the product.¹²¹

al-Bayhaqī said: “Some of the scholars would not ask about the cheese they saw, assuming that it was pure. We narrated this from Ibn 'Abbās, Ibn 'Umar, and others.¹²² And some of them used to ask about it out of caution, and we mentioned from Abī Mas'ūd al-Ansārī that he said: “I would rather fall from the roof of this palace than to eat cheese without asking about it,” and al-Hasan al-Basrī said: “The Companions of the Messenger of Allāh (peace be upon him) would ask about cheese and would not ask about butter.””¹²³

So, it is obligatory to ask about the meat when you don't know or are uncertain, especially in the times we are in when people purchase meat slaughtered by non-Muslims without any hesitation, and there is no might nor power except with Allāh. In such a case, you should ask

¹¹⁹ 4/36, and Ibn Rajab said in *'Jāmi' al-Ulūm wal-Hikam'* (2/240) that it contains Abū Hārūn, and he is very weak.

¹²⁰ 4/487, and the narrators in its chain are those of the two *'Sahib'*s except Qays bin as-Sakan, as he is only up to the conditions of Muslim, and Ibn Hajar said in *'Taqrīb at-Tabdhīb'* (2/129): “He is trustworthy.”

¹²¹ See an-Nawawī's *'al-Majmū'* (9/59)

¹²² Ibn Rajab reported in *'Jāmi' al-Ulūm wal-Hikam'* (1/269) that Ibn 'Umar was asked about a type of cheese that was produced by the Magians, and he said: “Whatever I find in the marketplace of the Muslims, I buy and do not ask about.”

¹²³ *'as-Sunan al-Kubrā'* (10/7)

people if you are invited to their dinner tables if they bought imported meat¹²⁴ or meat slaughtered in the lands of the Muslims.¹²⁵

The Muslim should ask the meat shops about the kind of meat they are purchasing so that he can protect his religion and honor, and so that he would know if what he is putting in his mouth is *halāl* or *harām*. After asking, if the uncertainty is removed and it is confirmed that the meat he is buying is *halāl*, he can purchase it and eat.

However, if uncertainty still remains, what is he to do? In such a case, he must not buy the meat, as meat is not permissible when there its status is uncertain. From here, we can respond to the noble scholar Ibn Mahmūd who sees that one should not ask about the meat he is eating, and he bases this on:

- The default ruling regarding anything is that it is permissible
- The aforementioned *hadīth* of ‘Ā’ishah
- A *hadīth* reported by ad-Dāraqutnī: **“Indeed, Allāh obligated the obligations, so, do not lose them. And He forbade certain things, so, do not violate them. And He was silent about certain things out of Mercy to you and not out of forgetfulness, so, do ask and dig into them.”**¹²⁶

As for the first principle mentioned - that the default ruling is that things are permissible - this is a principle confirmed by the scholars. However, it has two exceptions with the scholars, which are meat and sexual relations. So, the default ruling in things is their permissibility except for meat and sexual relations, as the default in regards to these two is prohibition. Meat is not permissible to eat unless it has been properly slaughtered, and sexual relations are not permissible except with the proper contract (i.e. marriage). And with the Will of Allāh, I will explain this principle that we can say is a point of consensus between the scholars.

As for the *hadīth*, it is an explanation of the verse:

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَسْأَلُوا عَنَ أَشْيَاءٍ إِن تَبَدَّ لَكُمْ تَسْؤُكُمْ

{ **“O you who believe! Do not ask about things which, if made plain to you, may cause you trouble...”** }¹²⁷

This *hadīth* is clarified through another *hadīth* related to this verse: **“The worst of the Muslims in crime is he who asks about something that wasn’t *harām*, and it is then**

¹²⁴ Or, for those living in the West, meat slaughtered by non-Muslims

¹²⁵ Or, for those living in the West, meat slaughtered by Muslims

¹²⁶ Declared weak by al-Albānī in ‘*Ghayat al-Marām*’ (4) and ‘*Da’if al-Jami*’ (1597)

¹²⁷ *al-Mā’idab*; 101

made *harām* because of his asking about it.”¹²⁸ So, this is during the revelation to the Prophet (peace be upon him). As for now, when the Religion is complete and the Revelation has ceased, there is no choice but to ask:

فَاسْأَلُوا أَهْلَ الذِّكْرِ إِنْ كُنْتُمْ لَا تَعْلَمُونَ
{“...So, ask those with knowledge if you do not know.”}¹²⁹

So, the default ruling to refer to in times of uncertainty is whatever is most certain. Therefore, if there is any doubt as to the meat being in the default state of prohibition, this doubt is not to be considered, and this is due to the following principles:

1. Certainty is not removed by doubt
2. The default in an unexpected matter is to avoid it

¹²⁸ Reported by al-Bukhārī (7289)

¹²⁹ *an-Nabī*, 43

The Default Ruling for Meat in General

So, what is the default when it comes to the meat of animals before they are slaughtered? The default regarding animals as a whole is that they are *halāl* unless there is a text forbidding them. However, the default specifically regarding eating the meat of these animals is that it is *harām* until we are sure that they have been slaughtered properly. So, if doubt is introduced, we go back to the default ruling. This is a very important principle that many who write about the issue of slaughtered meats are heedless of, as they throw out the phrase ‘the default in things is their permissibility’ and ‘certainty is not removed by doubt,’ and they conclude that the default in these doubtful meats is therefore that they are *halāl*.

This principle that all of the scholars of *Fiqh* have confirmed – either implicitly or explicitly – is that the default ruling of animals is that they are *harām* until it is confirmed that they have been slaughtered properly. And an-Nawawī said: ¹³⁰ “This principle is a point of consensus between the scholars, and there is no dispute regarding it,” and he commented on the aforementioned *hadīth* of ‘Adiyy bin Hātīm that will be mentioned (if Allāh Wills) by saying: “It shows an important principle, and this is that if there is any doubt regarding the method of slaughter of an animal, it is not allowed to eat it due to the fact that the default ruling is that it is forbidden, and there is no dispute on this.”¹³¹

And I followed this principle and found that it is a point of consensus between the scholars of *Fiqh*, *Tafsīr*, and *Hadīth*. I then said there is no need for a text to support it since it is a self-evident truth, as it is not permissible to eat the meat of an animal before you properly slaughter it, such that even if the rump is cut off of a sheep while it is still alive, this is considered a carcass. However, this principle is supported by proofs from the Noble Qur’ān, the *Sunnah*, the Arabic language, and the position of the majority of the earlier and later Muslim scholars.

As for the proof from the Noble Qur’ān:

حُرِّمَتْ عَلَيْكُمُ الْمَيْتَةُ وَالْدَّمُ وَلَحْمُ الْخَنزِيرِ وَمَا أُهْلَ لِغَيْرِ اللَّهِ بِهِ وَالْمُنْخَنِقَةُ وَالْمَوْقُوذَةُ وَالْمُتَرَدِّيَةُ
والتَّطْيِحَةُ وَمَا أَكَلَ السَّبْعُ إِلَّا مَا ذَكَّيْتُمْ

{ “Forbidden to you are carcasses, blood, pork, meat that has been slaughtered as a sacrifice for others than Allāh or for idols, or on which Allāh’s Name has not been mentioned while slaughtering, and that which has been killed by strangling, a violent blow, a headlong fall, or by the goring of horns, and what has been consumed by beasts, except what you slaughter...” }¹³²

¹³⁰ See ‘*al-Majmū*’ (9/65)

¹³¹ ‘*Sharh Sahih Muslim*’ (13/78), and see ‘*Bulugh al-Amānī min al-Fath ar-Rabbānī*’ (17/144)

¹³² *al-Mā’idah*; 3

This serves as a proof whether the exception {“...*except what you slaughter...*”} mentioned is connected to the rest of the forbidden items mentioned in the verse - such that the meaning is that everything listed from the animals killed by strangling to those killed by the goading of horns are all forbidden for you unless you find that they are still alive and you slaughter them, and this is the opinion of Ibn ‘Abbās (may Allāh be Pleased with him) – or if the exception is separated in the verse from these forbidden items, such that the meaning is that everything listed from the carcasses onwards is forbidden, and that what is *halāl* are the permissible animals that you properly slaughter. This second opinion was taken by Mālik and a group from the people of Madīnah, and it was also taken by al-Jibā’ī.¹³³

In either case, the verse supports the default prohibition of eating meat before it is properly slaughtered in the *Shar’i* manner. al-Kāsānī said: “Allāh made an exception from the prohibited meats for the meat that is properly slaughtered, and the exception from the forbidden means that it is allowed, as prohibition of an animal is not removed except by slaughtering it correctly.”¹³⁴

As for the proof from the *Sunnah*:

al-Hākim reported in his *Mustadrak*¹³⁵ with an authentic chain from Abī Sa’īd al-Khudrī (may Allāh be Pleased with him) that he asked the Messenger of Allāh (peace be upon him) about the humps of camels and limbs of sheep, and he said: **“Whatever is cut from a live animal is considered a carcass.”**

And al-Bayhaqī reported in his *Sunan*’ from Abī Wāqīd al-Laythī: “When the Messenger of Allāh (peace be upon him) approached Madīnah and the people would cut off the humps of camels and the rumps of sheep, the Prophet (peace be upon him) said: **“Whatever is cut off of an animal while it is alive is considered a carcass,”** and this is an authentic *hadīth* reported by Ahmad, Abū Dāwūd, and at-Tirmidhī.¹³⁶

This is from the clearest of texts that prove without a doubt that the meat of an animal is considered impure and a carcass before it is slaughtered properly, and it is not allowed to eat meat except if it is slaughtered properly. So, the default regarding animal meat is that it is *harām*.

¹³³ See *Tafsīr al-Abī*’ (6/57) and *Tafsīr al-Manār*’ (6/116)

¹³⁴ *‘Badā’i’ as-Sanā’i’* (6/276)

¹³⁵ 4/239, and al-Hākim said: “It is authentic according to the conditions of al-Bukhārī and Muslim, and they did not report it,” and adh-Dhahabī agreed with him. Ibn Hajar said in *Talkhīs al-Habīr*’ (1/39) that it is *mursal*.

¹³⁶ Abū Dāwūd (2858), at-Tirmidhī (1480), al-Hākim, Ibn Mājah (2624 with al-Albānī’s checking), al-Bayhaqī in *‘as-Sunan al-Kubrā*’ (9/245), al-Haythamī in *‘Majma’ aḥ-Zawā’id*’ (4/32), ad-Dārimī in his *‘Sunan*’ (2/20), ‘Abd ar-Razzāq’s *‘Musannaḥ*’ (4/474), and *‘Bulugh al-Amānī bi Sharḥ al-Fath ar-Rabbānī*’ (17/155), and it was declared authentic by al-Albānī in *‘Ṣaḥīḥ al-Jāmi*’ (5/150) and *‘Ṣaḥīḥ at-Tirmidhī*’ (1480), and he said in *‘at-Ta’liqāt ar-Radiyyah*’ (3/63): “Its chain is *hasan* and *sahīḥ* according to the conditions of al-Bukhārī.”

As for the *hadīth* of ‘Adiyy bin Hātim (may Allāh be Pleased with him), it is an authentic *hadīth* reported by al-Bukhārī,¹³⁷ where the Prophet (peace be upon him) said: **“When you set off your dog, mention Allāh, and if it catches game for you and you find it alive, slaughter it and it eat. If you find it killed and that your dog has eaten nothing of it, you may eat it. However, if you find along with your dog another dog and the hunted animal dead, don't eat, for you do not know which of the two dogs has killed it. And if you shoot your arrow, mention Allāh. But, if the game goes out of your sight for a day and you only find the mark of your arrow on it, eat it. But, if you find it drowned in water, don't eat it.”** And in the version reported by Muslim: **“...as you don't know if it was killed by the water or by your arrow.”**¹³⁸

So, in this *hadīth*, the Messenger (peace be upon him) showed that when there is some confusion as to the state of the meat, one should refer to the default ruling, which is prohibition. If we are confused as to who killed the animal - whether it was the dog that was set off in the Name of Allāh that killed it or the other - we refer to the position of prohibition, and the hunted game is thus *harām*. And if we are confused as to whether it was the arrow that killed the animal or its drowning in the water, we take the position of prohibition. an-Nawawī said:¹³⁹ “If you find the hunted animal having drowned, there is consensus that such an animal is forbidden to eat.”

And al-Bayhaqī reported with an authentic chain¹⁴⁰ from Masrūq that he reported that ‘Abdullāh bin Mas’ūd (may Allāh be Pleased with him) said: “If you shoot something that you are hunting and it falls off of a mountain and dies, do not eat it, as I fear that the fall had killed it. And if it falls into some water and dies, do not eat it, as I fear that the water is what killed it.”

And this statement attributed to Ibn Mas’ūd resembles the *hadīth* of ‘Adiyy bin Hātim attributed to the Prophet (peace be upon him), and the scholars derived three important principles from these two narrations that are all similar in meaning:

1. The default in animal meat is that it is *harām* until it is certain that it has been slaughtered properly.¹⁴¹ So, it is not allowed to eat something whose status is in doubt, and one cannot simply assume the best in such a case.
2. The default in animal meat is that it is *harām*. So, if there is doubt that it has died according to the *Shar’i* method, we return to the default.¹⁴²

¹³⁷ al-Bukhārī (2054, 5475, 5476, 5477, 5483, 5484, 5486, 5487, & 7397) and Abū Dāwūd (2847 & 2849), and see *Fath al-Bārī* (9/610) and *Sabīh al-Jamī* (313 & 316)

¹³⁸ Muslim (1929)

¹³⁹ *Sharh Sahih Muslim* (13/79) and *Fath al-Bārī* (9/611)

¹⁴⁰ *as-Sunan al-Kubrā* (9/248), and see *Abkām al-Qur’an* by al-Jassās (3/298)

¹⁴¹ al-Khattābī’s *Ma’ālim as-Sunan* (4/122)

¹⁴² *Fath al-Bārī* (9/519 & 12/20), Ibn Daqīq al-‘Īd’s *Ihkām al-Abkām* (2/308), and ash-Shawkānī’s *Nayl al-Antār* (8/149)

3. If there are elements that make the meat *halāl* and elements that make it *harām*, the ruling is to be made for the side of caution.¹⁴³

As here are some statements of the *Salaf* showing that a limb being cut off of a hunted animal is considered a carcass, which supports the greater principle that meats are by default forbidden until it is certain that they have been slaughtered properly.

Qatādah said: “If you hit the hunted animal and one of its limbs falls off, do not eat what has fallen off, and instead eat the rest of it.”¹⁴⁴

‘Attā’ said: “If you shoot a bird with a stone and a part of it falls off and you find it still alive, the part that fell off is considered a carcass,” and this is what the majority of scholars have agreed on.¹⁴⁵

al-Bukhārī reported that al-Hasan bin Ibrāhīm said: “If a hunted animal is hit and one of its legs or hands falls off, do not eat what fell, and eat from the rest of it.”¹⁴⁶

al-Bukhārī also reported that al-A’mash narrated from Zayd that a man from the family of ‘Abdullāh had a disobedient donkey. So, he asked the people to beat it until it became more obedient, and he said: “Leave what has fallen from it and eat from the rest of it,”¹⁴⁷ and this is what the majority of scholars have ruled, such as Ibn ‘Ābidīn,¹⁴⁸ Qādinjān,¹⁴⁹ and Ibn Juzay’.¹⁵⁰

As for the Arabic language, the linguistic meaning of *dhakāb* shows that the default regarding slaughtered meats is that they are *harām* and impure. From the meanings of *dhakāb* is to purify and clean, such as in the aforementioned narration of Muhammad bin ‘Alī bin al-Hanafīyah that the *dhakāb* of the ground – i.e. to purify it – is to dry it.¹⁵¹ Also, it is said that musk is *dhakā*, i.e. it has a sweet, pure smell. And Qays bin al-Hatīm said:

*As if roses and ginger * And the strongest (dhākā - ذاكى) scents are on her garments...*

¹⁴³ ‘*Abkām al-Qur’an*’ by al-Jassās (3/298) and ‘*Badhl al-Majhūd fī Hall Sunan Abi Dawūd*’ (13/68)

¹⁴⁴ ‘Abd ar-Razzāq’s *Musannaf*’ (4/463)

¹⁴⁵ ‘Abd ar-Razzāq’s *Musannaf*’ (4/463)

¹⁴⁶ ‘*Fath al-Bārī*’ (12/23)

¹⁴⁷ ‘*Fath al-Bārī*’ (12/23)

¹⁴⁸ ‘*Hāshiyat Ibn ‘Ābidīn*’ (6/473)

¹⁴⁹ ‘*Fatāwā Qādinjān*’ (3/361)

¹⁵⁰ ‘*Qawānīn Ibn Juzay’*’ (p. 119)

¹⁵¹ See ‘*Lisān al-‘Arab*’ (18/314), az-Zamakhsharī’s ‘*Asās al-Balāghab*’ (1/206), ‘*an-Nihāyah fī Gharīb al-Hadīth*’ by Ibn al-Athīr (2/44), and az-Zubaydī’s ‘*Tāj al-‘Arūs*’ (10/137)

And ash-Sharnablālī said: “*Dhakāb* is to remove filth, as it was made a condition for purifying meat, as it is the most appropriate way to distinguish between what is pure and impure.”¹⁵²

And the Messenger of Allāh (peace be upon him) specified that the meaning of *dhakāb* is purification, as in a number of narrations it is said “**Tanning leather is its purification** (ذكاته),” and “**Tanning it is its purification** (طهورها).” These were reported by Ahmad, Abū Dāwūd, an-Nasā’ī, al-Bayhaqī, and Ibn Hibbān.¹⁵³ Therefore, the meaning of *dhakāb* is purification, as stated in the noble words of the Prophet (peace be upon him).¹⁵⁴

As for the position of the scholars:

Indeed, the overwhelming texts of the scholars of *Tafsīr*, *Hadīth*, the four schools of *Fiqh* and the Zaydīs, and others confirm this principle: “The default in the meat of animals is that they are *harām* until it is confirmed that they were slaughtered by the *Shar’i* method.’ I have tens of texts from each of the four schools of *Fiqh*, even though it would suffice to provide one text from each one:

- The Hanafīs:

In ‘*ad-Durar Sharb al-Ghurar*’:¹⁵⁵ “*Dhakāb* makes meat permissible to eat and purifies what is not in and of itself impure.”

In ‘*Badā’i’ as-Sanā’i*’:¹⁵⁶ “Animal meat being forbidden is linked to where the blood gushes from, and this prohibition does not go away until the animal is slaughtered correctly.”

In ‘*al-Hidāyah*’: “Proper slaughtering is a condition for making the animal permissible to eat.”

Ibn al-Hammām said:¹⁵⁷ “Fulfilling the purity (i.e. proper slaughter) of the animal establishes its permissibility.”

¹⁵² *Hashīyat ash-Sharnablālī* (2/164)

¹⁵³ Ahmad (4/180 & 184 with the checking of Ahmad Shākir), Abū Dāwūd (4125), an-Nasā’ī (4255 with the checking of al-Albānī), Ibn Hibbān, ad-Dāraqtūnī (1/118), al-Bayhaqī’s ‘*as-Sunan al-Kubrā*’ (1/17), and al-Albānī declared it *sahīh* in ‘*Ghāyat al-Marām*’ (26), and Ibn Hazm said in ‘*al-Muhallā*’ (1/122): “Its chain is as authentic as could be.”

¹⁵⁴ For more on this, see ‘*Talkhīs al-Habīr*’ (1/49)

¹⁵⁵ 2/344

¹⁵⁶ 6/276

¹⁵⁷ *Fath al-Qadīr* (8/406)

And in *Ḥāshiyat Ibn ‘Ābidīn*:¹⁵⁸ “And the slaughtered animal is considered forbidden so long as it is not slaughtered properly.”

And look at the similar statements of Ibn at-Turkmānī,¹⁵⁹ an-Nafūrī,¹⁶⁰ and al-Jassās.¹⁶¹

- The Mālikīs:

Ibn al-‘Arabī said:¹⁶² “Our scholars said that the default regarding animals is that they are *ḥarām*, and they are not permissible to eat except if they are properly slaughtered or hunted. So, if there is any doubt as to the hunter or slaughterer, the meat remains in its default state of being forbidden.”

Also see the statements of ad-Dardīr,¹⁶³ Ibn Rushd,¹⁶⁴ and al-Qurtubī¹⁶⁵ in confirming this principle.

- The Shāfi‘īs:

an-Nawawī said: “The default in animals is that they are forbidden to eat unless it is proven that they were slaughtered properly.”¹⁶⁶

Also see the similar statements of al-Khattābī,¹⁶⁷ Ibn Hajar al-‘Asqalānī,¹⁶⁸ as-Suyūṭī,¹⁶⁹ and al-Khatīb ash-Shirbīnī.

- The Hambalīs:

¹⁵⁸ 6/294

¹⁵⁹ *‘al-Jawhar an-Naqīyy’* (9/240)

¹⁶⁰ *‘Badhl al-Majhūd fī Hall Abi Dawūd’* (12/68)

¹⁶¹ al-Jassās’s *‘Abkām al-Qur’ān’* (3/298)

¹⁶² Ibn al-‘Arabī’s *‘Abkām al-Qur’ān’* (2/546)

¹⁶³ *Ḥāshiyat al-Dasiqī’* (2/108)

¹⁶⁴ *‘Bidāyat al-Mujtabid’* (1/426)

¹⁶⁵ *‘Tafsīr al-Qurtubī’* (6/70)

¹⁶⁶ *‘al-Majmū’* (9/65)

¹⁶⁷ *‘Ma’ālim as-Sunan’* (4/122)

¹⁶⁸ *‘Fath al-Bārī’* (9/519)

¹⁶⁹ *‘al-Asbāb wan-Nadhā’ir’* (p. 73)

Ibn Rajab said:¹⁷⁰ “As for what is by default forbidden, such as sexual relations and the meat of animals, these are not permissible unless it is certain that the proper contract and proper slaughter has been performed, respectively.”

Ibn Qudāmah said:¹⁷¹ “The default is to avoid them, and their permissibility is tied to a condition, which is that they be slaughtered properly by those who are qualified to do so.”

And this is what Ibn Taymiyyah said in many places in his *Fatāwā*:¹⁷² “Sexual relations and slaughtered meat are not allowed when there is doubt as to their status.”

And this is what Ibn Muflih¹⁷³ and Mansūr al-Bahūtī¹⁷⁴ said, and Ibn Humayd relates that Ibn al-Qayyim said the same.¹⁷⁵

- The Zaydīs:

Ahmad al-Murtadī said in *‘al-Bahr aṣ-Ṣaḥīḥ*:¹⁷⁶ “If two dogs - one belonging to a Muslim and the other to a *kaḥfīr* - were to take hold of it, it would be forbidden out of caution. This is the default ruling with animals, and this status does not change due to an uncertainty.”

After these quotations from the major schools of *Fiqh*, it is absolutely and certainly clear to us that the principle stating that the default with animals is that they are *harām* until it is certain that they were slaughtered properly is a principle that is a point of consensus between the scholars, and the scholars of *Fiqh* in particular have applied it to many issues, the most important of which is that if there is a mix of slaughtered meats together – both *halāl* and *harām* – the entire mixture is considered *harām*. This is based on the texts and the aforementioned principle agreed upon by the scholars, as the scholars have stated that slaughtered meats that are mixed up in such a manner are not to be eaten.

al-Khatīb ash-Shirbīnī said:¹⁷⁷ “If there are Magians and Muslims in the same land, and it is not known if the slaughterer was a Muslim or Magian, it is not allowed to eat such meat due

¹⁷⁰ *Jāmi’ al-‘Ulūm wal-Hikam* (1/189)

¹⁷¹ *‘al-Mughni* (8/571)

¹⁷² *Majmū’ al-Fatāwā* (21/89, 21/100, & 32/190)

¹⁷³ *‘al-Furū’* (2/656)

¹⁷⁴ *‘Kishāf al-Qinā’* (6/201 & 6/215), and see *‘al-‘Uddah Sharḥ al-‘Umdah* (1/461)

¹⁷⁵ See p. 51 of his treatise

¹⁷⁶ 5/296

¹⁷⁷ See *‘Fiqh as-Sunnah* (3/290)

to the doubt in its permissibility, and the default is to not eat it. Yes, it is the case that the Muslims are the overwhelming majority in the lands of Islām, and their meat must be permissible. However, the slaughtered meat of the Magians is not allowed to be eaten.”

And an-Nawawī said:¹⁷⁸ “If we find a sheep that is slaughtered without knowing who the slaughterer was, if it was in a land containing those whose meats we cannot eat, such as the Magians, it is not allowed to eat the meat whether they seclude themselves or mix with the Muslims. This is because of the doubt as to whether the meat was slaughtered properly, and the default is that it is *harām*. However, it is permissible if the land is free of such people.”

And in *‘Hāshiyat Ibn ‘Ābidīn*:¹⁷⁹ “If one finds a slaughtered sheep in his garden, can he eat it? ash-Sharnablālī said that it is not allowed to eat it due to the doubt as to whether the slaughterer of this meat is someone whose meats we are allowed to eat. (Ibn ‘Ābidīn said) What would’ve been more appropriate to say is that if the location was one in which a Magian lived, it should not be eaten. Otherwise, it can be eaten.”

¹⁷⁸ *‘al-Majmū’* (9/79)

¹⁷⁹ 6/476

The Ruling on Meat Slaughtered in the West

If we have any doubt in the slaughterer or the method used to slaughter the meat, it is considered *harām*. This is the case with the Western countries, Communist and Christian.

So, it is *harām* to eat the slaughtered meats of the Communist countries for a number of reasons:

1. They have a considerable number of atheists due to the Communist belief, and these are mixed in with the general population who are Christian in origin. So, we don't know who slaughters, and even the non-Communist generally believes in no religion.
2. There are methods of slaughter used that oppose the Islāmic method, such as strangulation or drowning of birds, and such methods are mixed in with methods that are in accordance with the *Shar'i* one.
3. They openly declare war on religion as a whole, and some countries – such as Bulgaria – forbid that the Muslims name their children with Muslim names, and they do not allow them to attend school unless they adopt the names of the disbelievers.¹⁸⁰ In fact, they do not even provide them with birth certificates if they have Muslim names. So, it would be even more expected that they would not allow the Muslims to slaughter by the Islāmic method.

So, there is uncertainty regarding their meats, whether that is of the method of slaughter or the slaughterer himself, and this makes these slaughtered meats forbidden.

As for the Western Christian countries, the slaughtered meats in them are *harām* for a number of reasons:

1. There is a significant presence (not less than a third) of people who do not believe in religion at all. Such people's slaughtered meats are not allowed, and they are mixed in with the rest of the population. So, the Existentialist, the Communist, the atheist – even if they are descended from Christians – are disbelievers who are not from the category of the People of the Book, as Ibn 'Abbās said:¹⁸¹ “The slaughtered meats of the Jews and Christians are allowed because they believe in the Torah and the Gospel.” And the percentage of atheists reaches half in some of these countries, and

¹⁸⁰ This was during the assimilation campaign initiated in 1984 by Communist leader Todor Zhikov that forced all Turks and other Muslims in Bulgaria to adopt Bulgarian names and renounce all Muslim customs. This lasted until 1991.

¹⁸¹ *Majma' az-Zawā'id* (4/36), and al-Haythamī said: “This was reported in *'al-Kabir*' by at-Tabarānī, and its chain contains Ismā'īl bin 'Umar al-Bajlī, who was considered trustworthy by Ibn Hibbān and others, and considered weak by ad-Dāraqtūnī.” Also see p. 20 of Ibn Humayd's *Hukm al-Lubūm al-Mustawradah*.'

even if only a fourth of the population¹⁸² was atheist and their slaughtered meats were mixed with those of others, this would be enough to make all of these meats forbidden.

2. There is a use of non-*Shari'ah* methods of slaughtering, especially with birds. It is established that a significant portion of slaughterhouses strangle them, stun them by electric shock, and then drown them in scalding water to kill them. I personally saw dead birds being sold in Europe with their heads and necks untouched. Some brothers and I inspected them and looked at their heads and necks, and found no sign of any cut having been made.

There is also the method of severing its spinal column. As for sheep, they use a steel bolt to cut its spinal cord, and this causes it to die. They also use bullets to kill bulls by firing them into their heads, and they slaughter them immediately afterwards, as the bull usually doesn't die from the bullet, as its main purpose is to stun the bull and prevent it from resisting during slaughter. However, if they delay slaughtering it, it dies from the bullet.

There is also the method of striking it on the forehead with a hammer to kill it.

In any case, even if 90% of the methods used were in accordance with the *Shari'ah* and only 10% of them conflicted with it, 100% of the meats would be forbidden due to the mixing of these meats with that.¹⁸³

3. The Catholic Church permits the consumption of the meat of animals killed by strangulation or violent blows.

Sālih 'Alī al-Ūd, who lives in France, said:¹⁸⁴ "I asked Father Hubuz about the methods utilized in the slaughterhouses of Paris and Europe to kill animals, and he replied: "You know that these slaughterhouses are run by the government, and they do not abide by divine law." I then asked him about the texts that forbid carcasses and blood, and he said: "They are in the Old and New Testaments. However, the Church has ruled against abiding by them.""¹⁸⁵

¹⁸² The quantity of a fourth was chosen because this is what the scholars of *Fiqh* considered to be the legal limit between a large and small amount.

¹⁸³ In other words, so long as even a bit of uncertainty remains as to whether the animal was slaughtered correctly, this is enough to prevent us from eating it in light of the principle of the default ruling, and this is in the case of what is slaughtered by non-Muslims. When the meat has been slaughtered by Muslims, we assume the best of them and eat it.

¹⁸⁴ See the Muharram 1401 (December 1980) issue of *Majallat al-I'tisām*'

¹⁸⁵ From the Ecumenical Council of Florence, Session 11, February 4th, 1442: "[The Roman Church] firmly believes, professes and teaches that every creature of God is good and nothing is to be rejected if it is received with thanksgiving, because according to the word of the Lord not what goes into the mouth defiles a person, and because the difference in the Mosaic law between clean and unclean foods belongs to ceremonial practices, which have passed away and lost their efficacy with the coming of the gospel... It also declares that the apostolic prohibition, to abstain from what has been sacrificed to idols and from blood

4. It is not allowed to eat the meat slaughtered by one who is drunk, and a good portion of them drink alcohol.
5. Based on the principle that what can be assumed from the current reality takes precedence over what would be assumed from the original reality,¹⁸⁶ the original reality is that they were People of the Book, and the current reality contradicts this. When Islām allowed for us to eat the meats of the Christians, this was because they slaughtered like the Muslims did, and they believed in ‘Īsā and their religion, and the condition was placed that it not be heard that they slaughter for anyone other than Allāh. Today, this is no longer the case.¹⁸⁷ Their method of slaughtering sometimes goes against that of the Islāmic one, and a significant portion of them do not even believe in their religion. In Chicago, there were two magazines that spent six months debating as to whether ‘Īsā actually existed or was an imaginary personality!

As for the Jews – may Allāh’s curse be upon them – they still slaughter according to their traditions and religion, and the rabbi goes to the slaughterhouse and slaughters a large number of animals in a single day. When the meat is ready to be packaged, they write ‘Kosher (K)’ on the outside. If they fly on an airplane, they ask the airline to provide them with food that is prepared in accordance with the Jewish method of slaughter and is free of pork, and the airline writes ‘K. Meal’ on the side of the package. If only the Muslims had zeal for their religion and purchased Islāmic meals! In any case, the slaughtered meats of the Jews are allowed in the Islāmic *Shari’ah* until today.

and from what is strangled, was suited to that time when a single church was rising from Jews and gentiles, who previously lived with different ceremonies and customs. This was so that the gentiles should have some observances in common with Jews, and occasion would be offered of coming together in one worship and faith of God and a cause of dissension might be removed, since by ancient custom blood and strangled things seemed abominable to Jews, and gentiles could be thought to be returning to idolatry if they ate sacrificial food. In places, however, where the Christian religion has been promulgated to such an extent that no Jew is to be met with and all have joined the church, uniformly practicing the same rites and ceremonies of the gospel and believing that to the clean all things are clean, since the cause of that apostolic prohibition has ceased, so its effect has ceased...It condemns, then, no kind of food that human society accepts and nobody at all neither man nor woman, should make a distinction between animals, no matter how they died; although for the health of the body, for the practice of virtue or for the sake of regular and ecclesiastical discipline many things that are not proscribed can and should be omitted, as the apostle says all things are lawful, but not all are helpful.”

¹⁸⁶ *Fath al-Bārī* (13/24)

¹⁸⁷ Regarding those who are Jews and Christians in name only, and have abandoned even the distorted teachings of their religion, Ahmad Shākir said in *‘Umdat at-Tafsīr* (1/56): “As for those who today ascribe themselves to Christianity or Judaism in Europe, America, etc., we say for sure that these are not People of the Book, as they have disbelieved in their religions even if some of them display only their outer manifestations. Most of them are atheists who don’t believe in Allāh or the Prophets, and their books and stories are still with us today. They have left the fold of every religion, and have adopted permissiveness and liberalism in their manners and character. So, it is not allowed to marry their women due to their lacking the description of truly being from the People of the Book, and it is likewise not allowed to eat the meat they slaughter because it is confirmed that they do not slaughter properly in their countries at all. Rather, they see the *Shar’i* method of slaughter that we know of to be a form of torture for the animal – may Allāh ruin them – and they kill the animal in various ways, claiming that this is more merciful for the animal. So, all of their meats are considered carcasses that the Muslim cannot eat.”

The Reality of Slaughterhouses in the West:

These slaughterhouses vary in the methods they use in slaughtering. Some of them comply with the conditions of the *Shari'ah*, while some of them contradict them. From these methods:

1. An inch-long steel bolt is shot by gun into the forehead of the animal,¹⁸⁸ and it dies and is skinned without being cut with a knife or slaughtered in any way, as was personally witnessed by brother Sālih 'Ud, a Tunisian brother, in two slaughterhouses in the outskirts of Paris.
2. Sālih said: "As for the chickens, they hit it with an electric current at the tip of its tongue, and this kills it. It is then dragged on the conveyor belt to have its feathers plucked."
3. The magazine '*al-Mujtama'*'¹⁸⁹ published a great study conducted by 'Abdullāh bin 'Alī al-Ghasīnī in al-Qasīm, Buraydah, accompanied by pictures of chicken processing plants that slaughter and process their meat, and he concluded:
 - a. A truck transports the chickens from the farm, and some of them die on the way there.
 - b. The chicken is hung from the ceiling by its legs, and it is then hooked to a conveyor belt, and is then moved and slaughtered by a machine upon which is inscribed 'Slaughtered by Stunning.' It is then moved onto a large vat upon which is written 'Very Hot,' and this is filled with water and steam, and the poor chicken is then dunked into this vat to breathe its last, and all of this is written in the catalog of the processing plant.
4. The magazine '*al-Mujtama'*'¹⁹⁰ published an appeal from the Muslim Youth Association in Denmark in which they said that many of the slaughtering methods used are not in accordance with the *Shari'ah*.
5. The International High Assembly for Mosques issued an advice¹⁹¹ during its fourth seminar in Makkah to prevent the import of meat slaughtered outside the Kingdom.

¹⁸⁸ Temple Grandin (<http://www.grandin.com>), who audits slaughter for McDonald's and is a professor of Animal Science at Colorado State University in America, said: "The stunner has a pneumatic-powered 'gun' that fires a steel bolt about seven inches long and the diameter of a fat pencil. He leans over and puts it smack in the middle of the forehead. When it's done correctly it will kill the animal on the first shot."

She also said: "There have been some questions about whether or not a captive bolt actually kills an animal. Practical experience in slaughter plants indicates that cattle shot correctly with a penetrating captive bolt have irreversible damage to their brain and they will not revive."

¹⁸⁹ The Dhu al-Hijjah 1398 (November 1978) issue

¹⁹⁰ The Dhu al-Qi'dah 1398 (October 1978) issue

6. The scholar ‘Abd al-‘Azīz al-Binānī, sent by the Muslim World League to Brazil, found that the animals there were killed by violent blows, specifically using an iron hammer to the forehead.¹⁹²
7. Dr. Mahmūd at-‘Tabbā’ visited Hanover, Germany with some Muslim brothers, and they saw that the cattle there were killed by being shot in the head.
8. The noble scholar ‘Umar al-Ashqar told me: “I saw with my own eyes birds prepared to be eaten, and I saw that their heads and necks had no signs of cutting or slaughter.”

And he said: “A carton of chicken was sent to Kuwait that had ‘Slaughtered Islāmically’ written on it. I opened it to find that their heads and necks were left untouched.”

He also said: “We spoke about this issue a lot in the *‘Mujtama’* magazine, and the Kuwaiti government formed a council to tour Western slaughterhouses. So, this group went, and said upon its return: “After our tour of many slaughterhouses in the West, we saw that the number of them that slaughter in accordance with the Islāmic method is not more than 30%.” In other words, less than a third are in accordance with the *‘Shari’ah*, and the Kuwaiti press reported this.

And after this, can it be said that it is permissible to eat the meat of animals and birds slaughtered in the West?!

Certificates Claiming the Islāmic Method of Slaughter:

The packages of meat are generally accompanied by certificates issued by an Islāmic center in the country from which the meat is being shipped, and these certificates are usually unreliable, as they are sometimes simply purchased before the meat is even slaughtered. At other times, they are issued by Qādiyānī centers in the name of Islām, such as the Halāl Sādiq company that is owned by a Qādiyānī named Halāl Sādiq in Australia, and it is then exported to Islāmic countries.

Also, I was told by a veterinarian named Muhammad Khālid – and he is a trustworthy, truthful person as I assume him to be, and I don’t sanctify anyone above Allāh – that he was a supervisor in a slaughterhouse in Tripoli, Libya, and they sent someone to supervise the slaughtering process in Romania. So, this man went and returned after a long time, and the meat was still being imported for a long time with his signature on each certificate stating that the meat was slaughtered Islāmically. So, Muhammad Khālid asked him about this, and he said: “I signed a pile of these papers before coming back, as this process of supervising is

¹⁹¹ The Muharram 1401 (December 1980) issue of *‘Majallat al-‘Iṣām,’* the 621st issue of *‘Akhbār al-‘Ālam al-Islāmi,’* and the 676th issue of *‘Majallat ad-Da’wah as-Sa’udīyyah’*

¹⁹² The Muharram 1401 (December 1980) issue of *‘Majallat al-‘Iṣām,’* quoted from the 117th issue of *‘Majallat an-Nabdab al-Islāmiyyah’*

quite tiring. On the first day, I supervised the slaughter of many animals, and I saw that there were around a hundred animals whose slaughter I had not yet supervised. So, I left the slaughterhouse and just signed on a bunch of these certificates.”

As for the certificates that accompany meats that are signed with a seal by the *muftī* of the country from which the meat is coming, these usually cannot be relied on, and this is because what motivates them is money. Money is the god of the Western and Communist countries, as the *muftī* cannot oppose the government. Rather, you find that most of them are allied with the Communist Party, and have become tools for the secretary of the Party and its central committee. And if these certificates were to have come from some of the Islāmic countries, people would not place much reliance in them. So, how would it be with the *muftī* of a Communist country that fights Islām with steel and fire? Some of the Muslim youth relate to us that some of these *muftīs* are themselves members of the Communist Party and its radical organizations!

And in order to have a better idea of the types of *fatāwā* these people give, they gave a *fatwā* in the Soviet Union that it is fine to simply fast three days in Ramadān because the good deed is multiplied by ten, and this would equal a total of thirty days. Also, a delegation of scholars from a Communist country that exports meat to the Muslim world visited Jordan. Before arriving at their hotel, they requested the hotel to provide them with eighty *dīnārs* worth of alcohol. So, the department that was hosting them was forced to pay this under the guise of ‘services and relations,’ and this *muftī* who spent eighty *dīnārs* on alcohol is the same one who signs on these certificates!

Also, labels are placed on the packages themselves that say ‘Slaughtered Islāmically.’ These labels are printed by the exporting companies that ship meat to the Muslim countries, and are sent to the slaughterhouses or processing plants. In fact, sometimes even packages of fish have these labels attached to them! A few years ago in ‘Ammān, it was found that a printing company had piles of stickers that read ‘Slaughtered Islāmically’ that would later be stuck onto boxes of meat as soon as they arrived in the country. And a box arrived at the Department of Endowments in Jordan while I was part of it that said ‘Slaughtered Islāmically, 100% Pure Beef.’ Right opposite these words, it was written in German that this box contained some percentage of lard!

Based on all of this, the meats that are slaughtered in the West – both the Communist and Capitalist countries – are *harām*, and this is the default ruling, and Allāh Knows best. So, the Muslims should be aware of what their religion states about this, and they should ask themselves what they are eating. In the authentic *hadīth*, the Prophet (peace be upon him) said: “Whoever guarantees for me the protection of what is between his cheeks (what he speaks from his tongue and what he eats with his mouth) and what is between his legs (from illegal sex), I will guarantee Paradise for him.”¹⁹³

¹⁹³ al-Bukhārī (6474 & 6807) and at-Tirmidhī (2408 & 2409)

The Solution

1. For the Muslims who live in the Muslim lands:

These countries must buy meat from slaughterhouses in Europe that employ Muslims who are aware and concerned with this issue. There are large Pakistani and Yemeni Muslim communities in Britain for example, and there are Tunisian, Algerian, and Moroccan communities in France.

They could also import live animals and slaughter them in their own lands, which would be quite expensive.

Another option is to import from other Muslim countries such as Turkey and Sudan, and they should provide them with funds to build meat plants with modern technology with which they can effectively slaughter their animals Islāmically.

2. For the Muslims living in the West:

They must either slaughter their own animals or make sure that what they are eating was slaughtered Islāmically. This can occur either by working together communally to slaughter their own animals and store a large amount of the meat, or by purchasing *halāl* meat slaughtered by Muslims there, such as the Pakistanis, even if it is the most expensive meat around. As for birds, buying them and slaughtering them should be easier, and Allāh Knows best.

As for the issue of using a tape recorder that repeats Allāh's Name while the animal is being slaughtered, this is not allowed, as this is like praying behind a radio. Slaughtering is an act of worship, and it must be carried out by one who is sane and of sound intellect.

This is what I was able to present. If it was correct, I ask Allāh to benefit me and the Muslims with it, to grant us the ability to act upon it, and to make us love obeying and worshipping Him. If it was incorrect, I ask Allāh to overlook my mistakes, and it is sufficient that I truthfully exerted my efforts and wanted nothing but for Allāh to benefit the Muslims through this. If these words were incorrect, I ask Allāh to turn people's hearts away from them, to make them love what is correct and true, to grant them guidance and success, and may Allāh have Mercy on a man who pointed out my mistakes to me and clarified the truth to the Muslims.

O Lord, do not take us to account for what we may have forgotten or mistakenly done.

O Lord, to not put a burden on us as You did for those before us.

O Lord, and do not burden us with what we cannot bear. Relieve us, Forgive us, and have Mercy on us. You are our Guardian. Therefore, give us victory over the disbelieving people.

Glory be to You, O Allāh, and we praise you. I bear witness that there is none worthy of worship except You. I seek Your Forgiveness and I repent to You. Glory be to our Lord, the Lord of Honor, from what they ascribe to Him, and peace be upon the Messengers, and praise be to Allāh, the Lord of the worlds.

Written by the one in need of Him,

‘Abdullāh ‘Azzām, Makkah

The 29th of Ramadān 1410 (July 30th 1981)