

ADVICE FROM THE SCHOLARS

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(Rahima-hu-Ilaah: Allah's Mercy Be Upon him)

The Legal Ruling Concerning Animals Which Have Been *Slaughtered* By Christians & Jews

Question:

One day I invited my companions and co-workers to have lunch (at my house). When they arrived and I served the meal, among the foods (being served) was charcoal grilled chicken that we prepare at home. One of (the guests) – who is known for his uprightness and religious adherence – asked about the chicken – is it home grown (i.e. from our country) or imported! So, I mentioned to him that it was imported and that I think it is from France. He refrained from eating any of the chicken, so I asked why? He answered me by saying that it was *Muharram* (forbidden to eat). I said to him: Where did you get that from? He responded to me, saying: I heard some of the religious learned people saying this... So, I hope that you, O Noble Shaykh will clarify for us the correct Islamic Legal ruling (concerning this matter). May Allah Protect and Preserve you!

Answer:

That which has come from the foreign nations, i.e. non-Islamic nations, if those who are doing the actual **slaughtering** are from **Ahlul-Kitaab**, meaning the Jews and Christians, then eating it is permissible, and it is not necessary to ask about the manner of its **slaughtering**, or if they mentioned the name of Allah over it or not? This is because the Prophet (Sallallaahu Alaihi wa Sallam) ate from the sheep which was given to him as a gift by the Jewish lady in *Khaibar*. [al-Bukhaaree, no. 2617; Muslim, no. 2190]

He (Sallallaahu Alaihi wa Sallam) also ate from the food which a Jew invited him to, which had in it *Ihaal* which is a piece of fat which has undergone some change (due to it being rotten). [al-Bukhaaree, no. 2069, 2508. See: Fath 5/167] He (Sallallaahu Alaihi wa Sallam) did not ask about how it was **slaughtered** or if they mentioned the name of Allah over it or not (at the time when they *slaughtered* it).

Also, in Saheeh al-Bukhaaree [is the narration]: “Some people said: O Messenger of Allah (Sallallaahu Alaihi wa Sallam), verily, some people come to us with meat, and *we do not know if they mentioned the name of Allah over it or not?* He (Sallallaahu Alaihi wa Sallam) said: ‘Mention the name of Allah and eat’.” Aa’isha (Radiya-Ilaahu an-haa), the narrator of the Hadeeth, said: They (i.e. the ones who *slaughtered* the meat) had recently left disbelief (i.e. they were new Muslims). [al-Bukhaaree, no. 2057, 5507, 7398]

So, in these *Ahaadeeth* is a proof that it is not necessary to ask about how something occurred – **as long as the one who is actually doing the action is *Mu'-tabar at-Tasarruf*** (one who is acknowledged as having good discretion in his disposal of affairs). This is from the wisdom of the Legislator (Allah, the Most High) and His Facility/Ease; since, if He had required the people to thoroughly investigate all of the pre-requisites (*Shuroot*) of whatever they receive from someone who is ***Saheeh at-Tasarruf*** (one who is known to conduct his affairs in a correct manner), this would entail a degree of difficulty and mental stress which would make the Divine Law (of Allah) a law of hardship and difficulty.

In the case when the ***Madh-booh*** (*slaughtered* animal) has come from a foreign nation, and those who are actually doing the **slaughter** are a people whose ***slaughtered animals*** are not lawful, such as the ***Majoos*** (Magian, fire-worshippers), ***pagan idolaters***, and ***those who have no religion*** – then, ***it is not lawful to eat it***, since Allah, the Most High, has not made lawful the food of non-Muslims except the food of those who have been given the ‘Book’, and they are the *Jews* and *Christians*. But, if we have **doubt** concerning whether the one who actually does the **slaughtering** is

from a people whose *slaughtered* animals are lawful or from those whose *slaughtered* animals are not lawful – then, there is no harm in this.

The *Fuqahaa'* (Scholars of Jurisprudence) - may Allah have mercy upon them – said: “If you find a ***Dha-bee-hah*** (slaughtered animal) discarded in a place where the slaughtered animals of most of its people are lawful – then it is *Halaal* (Lawful), except that, in this situation, it is ***more fitting to avoid it and (instead) take that which is not doubtful.***

An example of this is if meat came to you from someone whose people's ***Dha-bee-hah*** (slaughtered animals) are lawful. Some of them ***slaughter*** (their animals) according to the ***Sharee'ah*** method (i.e. prescribed by Islamic Law), by causing the ***blood to gush forth with a sharp edged blade*** – not with a *tooth* or a *claw* (of an animal)[al-Bukhaaree, no. 2488]-, while others of them ***slaughter*** in a manner that is not according to the ***Sharee'ah*** (Islamic Law). However, **most of them do it according to the first way, legally prescribed in the *Sharee'ah*** (Islamic Law). Then, there is no harm in eating what comes from such a person – based upon [the principal of] '***al-Ak-thar***' (i.e. the ruling concerning a people is based upon what **most** of them do). However, it is ***more fitting to stay far-removed from it Tawarru'an*** (out of cautiousness, carefulness, and fear of doing something displeasing to Allah).

[*Fataawaa 'Ulamaa al-Balad al-Haraam*, pages 881 – 883. Translation: Abu Muhammad A.R. Shakir. 15th Rabe'e' al-Aakhir 1434 AH/25th February 2013CE]

Translator's Note:

The Shaykh (Rahima-hullaah) has noted four (4) important *stipulations* and a valuable *advice* concerning eating the meat from *Kuffaar* (non-Muslims):

1. It must be from the ***Ahlu-l-Kitaab***, i.e. Jews or Christians.
It must **not** be from the other disbelievers such as ***Majoos*** (Magian, fire-worshippers), '***Abadatu-l-Awthaan*** (pagan idolaters), and ***those who have no religion.***
2. The animal must be '***slaughtered***' with a ***sharp edged blade***, causing the ***blood to gush forth***, [i.e. not electrocuted, strangled, beat over the head, etc.].
3. It is not necessary to ask about the *manner* in which the animal was *slaughtered* as long as the one doing the slaughtering is known to be ***Mu'tabar at-Tasarruf*** (one who is acknowledged as having good discretion in his disposal of affairs) or one who is ***Saheeh at-Tasarruf*** (one who is known to conduct his affairs in a correct manner) – i.e. *trustworthy*.
4. The principal of '***al-Akthar***', - i.e. the ruling concerning a people is based upon what **most** of them do - would only be applied in America if **most** of its people "***slaughter*** (their animals) according to the ***Sharee'ah method*** (i.e. prescribed by Islamic Law), by causing the ***blood to gush forth with a sharp edged blade***".

The Shaykh's Closing Advice:

If one has *doubt* about an offered dish – “it is ***more fitting to avoid it*** and (instead) take that which is *not doubtful*”; or as the Shaykh (Rahima-hullaah) said in his closing: “it is ***more fitting to stay far-removed from it Tawarru'an*** (i.e. out of cautiousness, carefulness, and fear of doing something displeasing to Allah)”.

The Messenger of Allah (Sallallaahu Alaihi wa Sallam) said:

“Leave that which makes you doubt for that which does not make you doubt.” [Reported by at-Tirmidhee, no. 2518 and an-Nasaa'ee, no. 5711. Al-Albaanee declared it to be authentic in Saheeh al-Jaami', no. 3377, and Irwaa' al-Ghaleel, no. 2074]

And he (Sallallaahu Alaihi wa Sallam) also said:

“That which is ***Halal*** (lawful) is clear and that which is ***Haraam*** (unlawful) is clear; and between these two are certain ***doubtful matters*** which many people do not have knowledge of. So, whoever ***avoids*** the ***doubtful matters*** has protected his ***honor*** and his ***Deen*** (religion), and ***whoever falls into the doubtful matters, falls into that which is Haraam (unlawful)....***” [Saheeh Muslim, no. 1599; also al-Bukhaaree]