



IQRA ISLAMIC TRUST

◇ Muslim Aid Fiji ◇ Dawah Works Media ◇ Halal Watch

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10TH July 2006,

To: All the Respected Ulema of Darul Uloom
Karachi,
Pakistan.

Reference:

Your Fatwa dated 29/02/1426, as issued by Mufti Mohammed Usman, and endorsed by Mufti Mahmood Ashraf Usmani, Mufti Muhammad Abdul Mannan and then approved by Mufti Muhammad Taqi Usmani, all of Darul Uloom Karachi Pakistan

Notes:

The Fatwa and its entire contents are of full understanding to the members of our Islamic trust and is used as a reference point, together with other reference materials as outlined in the fatwa to advise Muslims of Fiji to avoid the consumption of all meat products that are stunned by various means prior to Slaughter in Fiji Islands as discussed in the fatwa. While our efforts to do this at individual level is highly successful, the Ulema of Fiji Islands, and in particular, the two Ulema of the Fiji Muslim League, namely a one **Mufti Shaizad Ali** and **Mufti Zain Ul Abideen**, both of whom have graduated from Jamia Farooqia Karachi have totally rejected the fatwa of your Institute on the basis that it has various flaws. Despite our sincere efforts to explain to them that this fatwa is flawless, there is great dispute within our society in relation to this issue.

We shall now present to you, the objections that are held by **them** about this fatwa and the questions that arise because of this. We feel that full explanations about these are important to solve this issue in our society.

1. In the answer of the question #1, the reader has the impression that the learned Muftis of Darul Uloom Karachi are of the view that any halal animal that has been rendered unconscious before slaughtering by any way, example the captive bolt stunning or the water bath stunning has a perfect certainty of going through any one of the 3 situations, meaning that any halal animal would fall into anyone of the 3 situations:

The Ulema of Darul Uloom Karachi expresses objection to all the 3 situations from the Shariah point of view. However, the question that arises is that does the Shariah rely on the view of a Muslim who has just observed the process with his eyes but has no knowledge or medical knowledge and says that the animal is perfectly normal after stunning and does not fall in any of the three situations as in (a) (b) and (c) or would the Shariah rely on any reliable medical or scientific report which has facts and data to establish that the animals really does fall into one of the 3 situations as so perfectly explained in the original fatwa, even if the report is presented by a non muslim scientist or a medical doctor. Will a scientific report or a mere physical observation be used to establish the outcome of such facilities from the shariah point of view, in light of various scientific reports that confirms the outcomes as outlined by you in (a) (b) and (c)?

2. The learned Ulemas have expressed the views of Hakimul Ummat, Maulana Ashraf Ali Thanvi about this type of slaughtering using words such as evil innovation(bidah) and corruption of faith to describe is method. The 2 Ulemas of Fiji are of the view that this is not the view of Mufti Taqi Usmani himself. Please confirm for their benefit that Mufti Taqi sahib also shares this view.
3. In Fiji, the Fiji Muslim League checks such stunning facilities only periodically. For example, when they check the chicken facility, they check only about 700 chickens and assume the rest is also okay. Does your answer #5 apply for this situation also? If so, then does this mean that they need to employ a full time agent to oversee the daily slaughtering at such facilities and present daily reports?
4. In answer #13, the fatwa says that Muslims should avoid such meats as far as possible without genuine need but can rely on reliable Muslims or certifiers who confirm that the animal was slaughtered properly. Will the Muslim consumer be obliged to believe such certifiers even if the above irregularities are so obvious and the "responsible certifier" refuses to accept their flaws?
5. What does the Ulema of Darul Uloom Karachi think about any halal certifying body which endorses stunning as unobjectible method of slaughtering and confirm public ally that stunning has no objections?
6. How can the word "genuine need" as explained in your fatwa be explained? Does it mean in a situation of a catastrophic disaster only or desires as held by a wealthy society solely because of the convenience of buying such frozen meat products from the supermarkets?
7. Some Ulemas of Fiji are saying that Mufti Taqi Usmani has issued two opposites fatwa, one as we are discussing here and the other in Australia recently where he has allowed Mechanical Slaughter using press of the button blades as okay to cut the throat. Our organization does not think that Mufti Sahib has issued any such fatwa in Australia. Can you please advise them if you have issued any such fatwa?
8. If your answers to the above still fails to convince them, Is Mufti Taqi Usmani available to a fully paid tour to Fiji in a near future, subject to his available schedules which can be discussed later?

Please respond to the above so that a timely message can be relayed to them to clear their doubts about this important issue.

Wa salaam



Mohammed Khalid
Secretary
Iqra Islamic Trust

Answers.

1. It appears that our earlier Fatwa may have been incorrectly understood. It states clearly that, where it is reliably proved beyond reasonable doubt that the animal was alive at the time of slaughter, and that the slaughter was carried out in the correct Islamic way, the meat of such an animal would be considered Halaal. This would be so even if the animal was stunned before slaughtering, which in itself would still be *Makrooh* (disapproved) because of the various risks mentioned in our fatwa, and the introduction of an element of doubt regarding whether the animal was alive at the time of slaughter. However, provided the animal was alive, its meat would be considered Halaal.

As for your question regarding whether the physical observation of a Muslim would be needed to establish the absence of such doubts and ascertain the fact that the animal was alive at the time of slaughter, or whether this could be established through a scientific or medical report, which could be by a non-Muslim, what needs to be kept in mind is that Shari'ah requires it to be established beyond reasonable doubt. The testimony of a reliable Muslim (provided it is reliable and is not countered by conflicting evidence) or a report by a Muslim doctor or scientist would be considered sufficient in Shari'ah for this. If a Muslim is not available, a medical examination or scientific report by a dependable and expert non-Muslim that is reliable (beyond reasonable doubt) can also be accepted.

2. The words of Hakimul-Ummat (RA) reported in our Fatwa relate to a situation where the person believes such a method (of stunning) to be superior to the Shar'i method.
3. Regarding the checking and certification of slaughtered animals, as stated in our earlier Fatwa, it is not correct to check some animals, even if a majority is checked, and assume the rest to be correct. Certification and approval can only be given to those animals known to have been alive at the time of slaughter, and observed to have been correctly slaughtered. If this means that a full-time person (a reliable Muslim) needs to be employed to carry out this task, then this will be necessary.
4. The word of a Muslim, who says a particular animal has been correctly slaughtered, is acceptable and sufficient in Shari'ah for the meat of that animal to be considered Halaal, unless and until proven otherwise beyond reasonable doubt. Therefore, if the certifiers mentioned in your question insist on wrongly certifying animals in a situation where irregularities exist, of a kind that would render the animal Haraam, and these irregularities are proven beyond reasonable doubt, then such certification would not be acceptable in Shari'ah.
5. It is incorrect to state that stunning is unobjectionable from a Shari'ah point of view. The details of this have been discussed in full in our earlier fatwa.
6. The answer given in our earlier Fatwa states that it is advisable for Muslims to avoid such meat (of stunned animals) as far as possible. This would be in situations where alternative correctly slaughtered meat is available. Where such meat is not available, the meat of animals stunned before slaughter can be used, provided the animal was known to be alive at the time of slaughter and was slaughtered according to the Shar'i method.

7. There has been no such Fatwa issued according to our knowledge. If you have a copy of the relevant Fatwa, or a reference no., please forward to us. We shall then be able to comment further, InshaAllah Ta'ala.

And Allah knows best.

Muhammad Usman,
Darul-Ifta,
Jamia Darul Uloom Karachi 14,
12/07/1427 AH

Answer is correct
Muhammad Jabir

