

Q: 29 – Title: Your fatwa is self-contradictory. In the same fatwa you said that stunning is 'cruelty' then in almost the same breath you offer advise on how to manipulate the stunner. I think that neither your student nor you had applied your minds to the reality of the cruel slaughtering system in the broiler-chickens plants.

Question

ASSALAAMUALAIKUM

Mufti Ebrahim Desai

Darul Ifta Madrasah In'aamiyah Camperdown

Dear Mufti Saab,

I read a fatwa on stunning issued by one of your students Ml.Ehzaz Ajmeri, and endorsed by you. In the fatwa it is mentioned : *"special care should be taken that the voltage of the stunner is not set too high as this leads to the death of the animal before slaughtering it. Also , the people inspecting the animals should be trained to identify a dead animal from the line so it may be removed from being slaughtered."*

I am surprised and shocked by this statement. You have in fact approved the cruel act of stunning the animal before slaughtering although inflicting any injury before slaughtering is not permissible. Hazrat Umar had whipped a man whi was only sharpening his knife in front of a goat, but you approve of stunning , hence you speak of setting the voltage. You furthermore advise training courses for men to become experts at identifying dead chickens on the conveyor line. Injuring an animal before slaughtering it is a rare exception such as sa bull gone mad or wild and running away. But your advice implies acceptance of a cruel system which islam does not allow. Why should men be trained to identify 'dead' animals when there can be no dead animals in an islamic slaughter system . You are a mufti who is supposed to uphold the shariat, not condone the cruel barbaric ways of the kuffaar.

Your fatwa is self-contradictory. In the same fatwa you said that stunning is 'cruelty' then in almost the same breath you offer advise on how to manipulate the stunner. I think that neither your student nor you had applied your minds to the reality of the cruel slaughtering system in the broiler-chickens plants. You had answered the question without taking to account the backdrop of the cruelty taking place in the chicken plants where tens of millions of defenceless birds are horrifically put to death. I think a mufti should be far sighted and not blurt out anything nor speak with a forked tongue nor sit on the fence. To me it appears your fatwa is meant to woo both camps--those who condone and those who are opposed to it.

The question of the animals, viz. the 'poor' chickens, being 'wild' and 'difficult to slaughter'

simply does apply in our context. The question was not asked in relation to perhaps a bull gone mad or a bull running wild in the camperdown madrassah. Another fact which you have overlooked is that if a bull goes mad and bolts, there is no question of getting the stunner to him and coolly shocking him. The electrical stunner is used on chickens and animals that are ALL under control -- shackeled , tied and encased as bulls are in a metal box, then dropped over. I don't understand how You imagined stunning a wild uncontrollable animal. Such an animal will have to be shot, tranquillized, etc., but definately cannot be held by its horns and brought to the stunner.

I hope that mufti saab will reconsider the fatwa and not feel small if you have to revoke it. In my opinion you should have simply said that stunning is haraam.

Was-salaam

Answer

Disclaimer:

This answer is in general context and not specific to any processing plant.

In the name of Allah, Most Gracious, Most Merciful

Assalaamu `alaykum waRahmatullahi Wabarakatoh

Jazakallah for your email.

At the outset, we wish to point out that there is no need for us to woo anyone in issuing a fatwa. We are driven by our consciousness in Allah and *Shari'a*. To woo anyone while issuing a fatwa

is using the
which is
and not permissible. All?h protect us from using His
Shari'a
to suit our
nafs
and desires. All?h knows the condition of the hearts. We make
du'a
that Allah grant us
Ikhlās
to present
Dīn
with sincerity and honesty,
Amin
.

Shari'a for self respect
khiyanat

Hereunder is our considered opinion regarding of chickens only.

Stunning is indeed cruelty to animals and hence not permissible. It inflicts pain to the chickens. Dr. Schalz and Dr. Hazim of the Veterinary School in Hannover, Germany conducted a comparative study between traditional slaughter and conventional slaughter and recorded the EEG (electro encephalograph) and ECG (electro cardiograph) of both methods of slaughter and concluded that in the conventional method the EEG and ECG recorded immense pain in the brain of the animal. In stark contrast to the conventional method, the EEG and ECG of the traditional method recorded no pain upon incision. Thereafter upon 3 seconds of the incision, the EEG and ECG recorded the animal to be in deep sleep and unconscious with no record of pain in the brain. Upon 6 seconds of the incision, the EEG and ECG recorded zero.

In the view of the above, it becomes more clear that stunning is a cruelty to chickens. Nobody can deny that. We should endeavor to change the system. The stunned chickens are the creation of All?h and deserve our kindness in dealing with them. We will be held accountable in the court of Allah for oppressing these poor chickens. Supporting an oppressive system is party to the oppression. Alhamdulillah in UK, stunned-free slaughtered chickens are available. We too should make an effort to produce such a system.

The other issue is the *Shari'a* position of the slaughtered chickens through the stunning procedure. If the chicken is alive after being stunned and slaughtered, one cannot regard the slaughtered animal to be *har?m*, in spite of the impermissible

practice of stunning.

While we do condemn the practice of stunning, from a practical point of view, we are aware that many Muslims do consume such chickens. We should discourage people from supporting the oppressive system and also do whatever is possible within our means to save those that incorrectly support the system from eating *haram*. It is in that regard, we advised that the voltage of the stunner should be controlled. This should not be interpreted as our approval of the oppressive system. It is mere damage control method from consuming *haram*.

Merely condemning a procedure is not sufficient; we should exert our energies in creating a practical stunning-free alternative facility for the Muslim public. We live in a society where people expect the '*Ulama* to do everything; declare something *halal* and *haram* and also create the alternative.

It is sincere people like you who could now use your energies to create the alternative. Then there would be no need for the public to enquire about the stunning system.

And Allah Ta'ala Knows Best

Wassalamu Alaykum

Mufti Ebrahim Desai
Darul Iftaa, Madrassah In'aamiyyah