

THE HARAAM BROILER-CHICKEN INDUSTRY



OUR RESPONSE TO THE BAATIL FATWA



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INTRODUCTION

The haraam broiler, carrion-chicken saga, as the Muslim community is aware, has been raging for more than six months. Insha'Allah, it shall continue if not resolved in accordance with the Shariah. It is merely our duty to deliver the clear Message of the Haqq, hence as long as the rot endures our proclamation of the Haqq will remain alive, Insha'Allah.

The revelation and exposure of the haraam and horror on which the broiler chicken industry is based, have struck a responsive chord in the minds and hearts of concerned Muslims. SANHA (the so-called South African Halaal Authority) which certifies the carrion chickens as 'halaal', has left no stone unturned in its frantic bid to sustain its credulity and its halaal certification trade which nets millions of rands annually in the form of haraam riba royalty fees and haraam 'halaal' certificate fees.

Since SANHA is bereft in entirety of any facts and proofs of the Shariah to bolster its haraam trade and certification, it resorted to a rancorous exercise of deflection from the facts in its abortive bid to divert the minds of people from the reality of the horror and haraam, and from the rational and Shar'i facts on which we have structured our proclamation of HARAAM – that all chickens killed in all commercial plants by the haraam kuffaar slaughtering system are HARAAM.

To date, SANHA has not responded rationally nor with Islamic facts to even a single one of the numerous grounds of *Hurmat* which we have repeatedly emphasised. Finding no joy and success in its exercise of deflection and diversion, and observing the incremental Muslim concern and opposition, SANHA plotted a farcical inspection of the Rainbow Chicken plant in Hammersdale. A group of 14 Molvis, mostly juniors, was handpicked by SANHA for the pre-arranged 'inspection'. All sensible persons had understood that the purpose of such a silly pantomime inspection was only to rubber stamp SANHA'S 'halaal' certification trade and to endorse the fraudulent halaalization of the *Maitah* produced by Rainbow and the other commercial broiler-chicken plants.

The result of the sham inspection by the 14 Molvis could not extricate SANHA from the morass of mountains of rotten, diseased carrion chickens. At least one of SANHA'S selected inspectors, Mufti Afzal Husain Elias, in defiance of SANHA'S pressure and threats damned the whole slaughtering process and the carrion chickens. One other inspector unequivocally stated in a letter that the process (the stunning, etc.) is haraam. One of these selected members, also a 'mufti', announced that the system is not permissible and advocated abstention. Some others of the 14 member group quietly advised abstention. The balance chose silence and concealment of the Haqq thereby coming within the purview of Rasulullah's castigation: "*He who is silent about the Haqq (when it is being throttled and trampled) is a dumb shaitaan.*" While still at the plant, the majority of the group, if not all, agreed that the whole system is Makrooh. And the meaning of Makrooh in the Shariah is *haraam*.

Most significant was that SANHA was unable to extract blanket endorsement for its haraam industry from the group of handpicked 14 molvis. Thus, the controversy continued unabated. In another desperate attempt to stem the tide of opposition which threatens the pockets and coffers of SANHA, another pantomime inspection was plotted. Mufti Radhaul Haq conned and convinced by SANHA agreed to participate. After the inspection, Mufti Radhaul Haq blundered and committed a great disservice to the Ummah and Islam. Instead of defending the institutions of the Shariah and being concerned with the physical, moral and spiritual welfare of the community, he endorsed the entire haraam brutal slaughtering system he observed at Rainbow.

For his endorsement, Mufti Radhaul Haq has miserably failed to provide any Shar'i basis. His vindication of SANHA is based purely on personal opinion which the Shariah reprobates.

The Mufti presented his endorsement of the haraam system and his vindication of SANHA in the form of two separate fatwas. In the one fatwa, which we discuss in Part One of this book, Mufti Radhaul Haq endeavoured to minimize and scuttle the importance, significance and incumbency of facing the Qiblah by both the slaughterer and the slaughtered (the chickens). Instead of defending this Shar'i, Sunnatul

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Muakkadah *hukm*, he laboriously tried to derogate its importance. But, he has miserably failed as our response will confirm.

In the second fatwa, the Mufti deals with all the other haraam aspects and malpractices associated with the kuffaar killing system. Despite all steps in the killing system prevalent at Rainbow Chickens being glaringly in conflict with the Shariah, Mufti Radhaul Haq found it appropriate to endorse the whole miserable, brutal haraam system for which the Shariah's opprobrium is emphatically stated in numerous Ahaadith of Rasulullah (sallallahu alayhi wasallam).

In both fatwas the Mufti extravagated from rectitude in his failed extravasation of *dalaa-il* from texts cited out of context and misinterpreted texts from the books of Fiqh to vindicate Sanha.

Alhamdulillah, we have by Allah's *fadhl* discussed and exposed the grave injustice which the Mufti has committed in the attempt to protect Sanha.

Mujlisul Ulama of S.A.

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PART ONE

OUR RESPONSE TO THE FIRST PART OF THE BAATIL FATWA

Istiqbaal-e-Qiblah

Question: When slaughtering an animal, is it Sunnatul Muakkadah or Mustahab for the slaughterer and the animal to be facing the Qiblah – the direction of the Ka’bah?

Mufti Radhaul Haq of Madrasah Zakariyya, in his attempt to vindicate SANHA’s halaalization of the kufr system of slaughtering prevailing at Rainbow Chicken plant, has issued a fatwa in which he minimizes the significance of the Shariah’s command of *Istiqbaal-e-Qiblah* during *Thabah* (slaughtering). His two-page fatwa on the *mas’alah* of *Istiqbaal-e-Qiblah* is a lamentable and a despicable endeavour to abrogate a Ruling of the Shariah on which there is consensus of the Four Math-habs. He has attempted to derogate the incumbency of facing the Qiblah. He has transgressed the limits of the Shariah in his attempt to diminish the importance of the Qiblah requisite as it applies to *Thabah*.

His motive for presenting his personal opinion and unsound ‘logical’ reasoning for denigrating this Sunnatul Muakkadah command of the Shariah is quite obvious. The agenda is to vindicate the SANHA Shaitaan and to condone the kufr system of slaughter of Rainbow Chickens. He has absolutely no other reason for his lamentable exercise and corrupting of the Shariah’s rule. Allaamah Sha’raani (rahmatullah alayh) writes in his kitaab *Tambeehul Mughtarreen* that it comes in the Hadith that in *Aakhiruz Zamaan* (in times in close proximity to *Qiyaamah*) there will be ‘strategists’ who will use the Deen to gain the dunya. Numerous Ulama in this age come fully within the scope of this Hadith.

The *ahkaam* of the Shariah are submitted to personal opinion in the light of nafsani motives, then misinterpreted, distorted and mutilated to produce a concoction which is presented as a Shar'i product. We see this in the dealings of the so-called 'Islamic' Riba banks and in the halaalization of carrion meat industry such as SANHA is operating. Ulama that come out in support of those who halaalize riba and carrion are the worst culprits who cause severe damage to the Imaan and Akhlaaq of the Ummah.

Despite the conspicuous clarity of the *mas'alah* of *Istiqbaal-e-Qiblah*, Mufti Radhaul Haq has created a haze of deception with his personal opinion which is bereft of Shar'i *dalaa-il*. He has within audacity asserted that according to the Maaliki, Shaafi' and Hambali Math-habs, *Istiqbaal-e-Qiblah* is 'mustahab', that is, mustahab in the technical meaning of the Hanafi Math-hab. In other words, omission is perfectly permissible. No sin is incurred even if wanton abandonment of *Istiqbaal-e-Qiblah* is perpetrated during the slaughtering process since in his corrupt opinion, facing the Qiblah is *mustahab*, hence for discarding it there is no reproach. He makes this astounding and baseless claim despite the existence of copious reproach in all Math-habs for omission of the Qiblah requisite, the observance of which is incumbent – Sunnatul Muakkadah – in all Math-habs.

After mis-reading and misinterpreting the *ibaaraat* (texts) of the kutub of the three Math-habs he claims that according to all three Math-habs *Istiqbaal-e-Qiblah* is mustahab. Then, in order to forge an abortive consensus, he baselessly avers that in the Hanafi Math-hab there are two views on this issue – Sunnat or Sunnatul Muakkadah and Mustahab. Although he postulates *two* views, he enumerates three, viz., Sunnat, Sunnatul Muakkadah and Mustahab. His conception of Sunnat and Sunnatul Muakkadah was not explained in his fatwa.

In the Hanafi *kutub* the term Sunnat in the context of *Istiqbaal-e-Qiblah* as a requisite for *Thabah* means Sunnatul Muakkadah, not Sunnatul Ghair Muakkadah nor mustahab, hence its abandonment or neglect is classified as Makrooh Tahrimi or haraam which is sinful. Our discussion will conspicuously and emphatically confirm this fact.

There are no two views in the Hanafi Math-hab on this issue. The view is only Sunnatul Muakkadah which is stated with clarity in the kutub of our Math-hab. The kutub of the other Math-habs display

greater abhorrence for abandonment of the Qiblah requisite. Thus we find some of the Fuqaha of the other Math-habs exhorting abstention from consuming the meat. They base their fatwa on the practice of Hadhrat Ibn Umar (radhiyallahu anhu) who detested the meat of an animal which was slaughtered while it was not facing the Qiblah. Although the meat has not been proclaimed haraam, all Math-habs are unanimous in branding abstention from the Qiblah rule to be Makrooh Tahrimi.

It should be borne in mind that we had at no stage made the claim that Rainbow and other commercially killed carrion chickens are haraam on the basis of the abandonment of the Qiblah requisite. This omission was emphasised as one of the factors of the kufr system of killing animals. The entire system of slaughter is haraam and akin to kufr, and total kufr if it is preferred over and above the Divine system presented to the Ummah by Rasulullah (sallallahu alayhi wasallam).

Since the Qiblah issue presented a formidable barrier for the vindication of the Sanha Shaitaan, Mufti Radhaul Haq issued a two-page separate fatwa to diminish the significance and incumbency of the *Istiqbaal-e-Qiblah* command of the Shariah. The other haraam malpractices associated with the haraam slaughtering system are based on principles of the Shariah – the Qur’aan and Sunnah while there exists copious *Nusoos* and clarity on the *Istiqbaal-e-Qiblah* mas’alah. Mufti Radhaul Haq was therefore constrained to prepare a separate fatwa to dismiss the importance and significance of the *Istiqbaal-e-Qiblah* issue.

As for the other haraam and cruel practices encumbering the haraam slaughtering system such as the upside down shackling, submerging the heads of the chickens in electrified water, electrically shocking the birds, slaughtering them in swift motion, etc. there being no explicit *Nusoos* on their prohibition, the Mufti dealt and legalized all of these haraam acts in a 5 page baatil fatwa. Again his argument is devoid of Shar’i substance. His dubious motive is transformed in his fatwa as a product of the Shariah. But every person of even little intelligence will understand that the exercise of his baatil fatwa is nothing other than to vindicate the Sanha Shaitaan who has corrupted countless thousands of Muslims with the haraam and diseased carrion fed to them under the

auspices of haraam ‘halaal’ certificates which Mufti Radhaul Haq and others are endorsing. There remains no fear in the hearts for accountability in the Divine Court and of the impending Maut which stalks us every minute of our lives.

We urge the Mufti to do some soul-searching and to endeavour to fathom his heart and nafs to understand if he has rendered Islam and the Ummah any service by endorsing a haraam killing system which produces haraam, rotten, diseased carrion chickens. We are certain that if he looks into his heart with spiritual eyes of *ikhlaas*, divesting himself of all worldly and nafsaa'i motives and moral bile and bias, he will not fail to discern the hidden thief lurking in some recess of the heart. A Mufti who understands that his obligation on earth is to guard the Shariah of Allah Ta'ala cannot stoop to the level to which Mufti Radhaul Haq has fallen. May Allah Ta'ala save us from the evil within ourselves. Imaan is suspended between fear and hope, said Rasulullah (sallallahu alayhi wasallam). Let us now proceed with the work of unravelling the corruption in the Mufti's fatwa.

MAALIKI MATH-HAB

Mufti Radhaul Haq states in his fatwa: "*The Maalikiyyah, Shawaa'fi' and the Hanaabilah are all of the istihbaab view(i.e.(facing the animal towards the Qiblah is Mustahab).*" Mufti Radhaul Haq uses the word, mustahab, in the technical meaning of the Hanafi Math-hab. That is, doing a Mustahab act is rewardable, but omission of it is not evil, bad or a punishable offence. The Mufti cites the following statements from Maaliki kutub:

(a) "Facing the Qiblah in udhiyyah and in other (acts of slaughtering) at the time of *thabah* is unanimously desirable (the word '*istihbaab*' is used in the text), on the basis of what Ibnul Munthir has narrated." (*Haasiyatul Adwi*)

(b) "Facing the animal towards the Qiblah in udhiyyah and other acts of slaughtering at the time of *thabah* is desirable (*istihbaab*)." (*Ad-Daani*)

The Mufti has conveniently omitted that it also appears in *Haashiyatul Adwi*: "Ibnul Mawaaz said: I do not prefer eating (the meat of an animal) because of the abandonment of the Sunnah (i.e. the Sunnat of facing the animal towards the Qiblah)."

The Mufti has committed two gross errors:

- (i) He has misunderstood and misinterpreted the term *istihbaab* which is used in the literal sense by the Maaliki Fuqaha.
- (ii) He has not cited the views of Imaam Maalik (rahmatullah alayh) and of the Maaliki Fuqaha in general regarding abandonment of the Qiblah requisite. He is ominously silent regarding the ruling of the Maalikiyyah on the act of omission, i.e. not facing the Qiblah. Numerous Maaliki kitaabs are available for easy reference. The Mufti cannot plead ignorance of the Maaliki ruling on the act of omission.

The Mufti's total silence on the ruling of the Maalikiyyah regarding omission of the Qiblah requisite is palpably an attempt to cover-up and conceal the Haqq. While he has abortively laboured to diminish the significance of the Qiblah requirement according to the Four Math-habs, he has weirdly steered away from the Maaliki condemnation of the act of abandoning the Qiblah requisite. The motive underlying this concealment of the Haqq is conspicuous. It is nothing other than to vindicate the haraam halaalization of Rainbow Chickens by the Sanha Shaitaan.

Rebuttal of Mufti Radhaul Haq's opinion by the Maaliki Math-hab

(1) "It is in the Kitaab of Muhammad: It is Sunnat to take hold of the goat tenderly and to lay it down on its left side facing the Qiblah..... He (the slaughterer) should not place his leg on its neck nor drag it by its leg. Rabeeah has said that it is Makrooh to slaughter it while another goat sees it. Ibnul Qaasim said that facing the animal towards the Qiblah is among the Sunnah. If this is not done, the animal shall still be eaten although what he has done is evil.....Imaam Maalik ordered the slaughterers to face the animals towards the Qiblah. Muhammad said: Omission of facing the animal towards the Qiblah by mistake is overlooked. And, if it is done intentionally then I do not like eating it. However, Ibn Habeed said: If the omission is intentionally, not out of ignorance, the meat shall not be eaten."

(*Mawaahibul Khaleel – Li Sharhi Mukhtasar Khaleel*),
Page 330, Vol.4)

(2) “The animal at the time of slaughter shall be turned towards the preferred direction, towards the Qiblah..... (After describing the *Sunnat method of Thabah*, the author states): “If the slaughterer violates this desirable (Mustahab) method, he has done evil (however) it (the meat) shall be eaten.”

(*Al-Fawaakud Dawaani, Vol.1, page 382*)

(3) “Imaam Maalik (rahmatullah alayh) would instruct that the animal be turned in the direction of the Qiblah. Imaam Maalik said: ‘It reached me that slaughterers would gather around a pit and slaughter the sheep around it. I then sent someone to forbid them from this act, and that he commands them to turn the animals towards the Qiblah.’”

(*Al-Mudawwanatul Kubra, Vol.3, Page 66*)

(4) Al-Khummi said that it is Makrooh to slaughter (while the animal) is not facing the Qiblah.....Muhammad said that the animal shall be eaten except if he has done (this act) intentionally, for then (eating it) will be Makrooh. Ibn Habeed said: ‘Verily, intentional (omission of this act) is haraam. Imaam Maalik said similarly on the basis of Tasmiyah, (i.e. omission of the Qiblah is haraam).’ (However), the difference of the Math-hab (in omission of Tasmiyah and the Qiblah) is that facing the Qiblah is of a lesser category than the Tasmiyah.....Verily, for the animal (to be slaughtered), a direction (to face it) is essential, hence the best of directions has been selected, and that is the direction of the Ka’bah.”

(*Ath-Thakeerah, Vol.4, Page 135*)

The significance of the Qiblah act is emphasised in the Maaliki Math-hab by the fact that Imaam Maalik (rahmatullah alayh) has based its importance on the Tasmiyah. Omission of Tasmiyah according to the Maaliki Math-hab renders the animal haraam. Just as it is haraam to omit Tasmiyah, similarly is it haraam, i.e. Makrooh Tahreemi, to neglect or omit the Qiblah requisite according to the Maaliki Math-hab. *Makrooh* in this context is akin to haraam.

The idea of the Hanafi technical meaning of Mustahab is furthest from the meaning of ‘Makrooh’ as applied by the Maalikiyyah on the issue of abandonment of the Qiblah requisite. However, despite the imperative nature of the Qiblah requirement, there is a distinction between the two omissions in terms of the Maaliki Math-hab in the same way as there is a distinction in the Hanafi and Hambali Math-

habs. Omission of Tasmiyah renders the meat haraam, while omission of the Qiblah requisite despite being haraam and sinful renders the meat Makrooh for consumption. This is indeed a far cry from Mufti Radhaul Haq's understanding and interpretation of '*Istihbaab*'.

(5) "Verily, facing the Qiblah in every state is desirable in every act with which (the Pleasure of) Allah is intended in order to gain barkat thereby and to follow the Sunnah. Rasulullah (sallallahu alayhi wasallam) said: "*Whoever performs our Salaat , faces our Qiblah and eats our slaughtered meat, verily, he is a Muslim.*" (Bukhaari) While this (emphasis and rule) pertains to Salaat, it includes *thabeegah* (slaughtered animal) in its (emphasis as one of the *Sha-aair* if Islam). Rasulullah (sallallahu alayhi wasallam) would face the Qiblah with his animal (to be slaughtered). Ibn Umar and Ibn Seereen detested eating from the meat of a person who did not face his slaughtered animal towards the Qiblah." (*Al-Istizkaar, Vol.4, Page 246*)

Despite the permissibility to consume the meat, violation of the Qiblah requisite is abhorrent having been branded Makrooh and Haraam by the Maaliki Fuqaha, and consuming the meat Makrooh.

(6) "It is *Mandoob* for the slaughterer that he faces with his animal towards the Qiblah. Adding to the *Mandoobaat*, Khaleel said: 'The animal shall be laid on its left side and it shall be faced towards the Qiblah.' Ibnul Qaasim states in Al-Mudawwanah: 'From among the Sunnah is to face the animal towards the Qiblah. If it is not done, it (the meat) will be eaten, and evil is it that he (the slaughterer) has done (i.e. omitting the Qiblah act). Imaam Maalik (rahmatullah alayh) prohibited the slaughterers from slaughtering animals in a circle around a pit. He commanded them to face the animals in the direction of the Qiblah. Muhammad, i.e. Ibnul Mawaaz, said: Forgetfully omitting to face the animal to the Qiblah is overlooked. But if it is done intentionally then I do not like eating of it.' Ibn Habeeb said: "If it (omission of the Qiblah) is done intentionally, not out of ignorance, it shall not be eaten."

(*Ashalul Madaarik – Sharh Irshaadus Saalik, Vol.2, Page 56*)

(7) “It is *Mandoob* to face the animal (to be slaughtered) towards the Qiblah. (*Jawaahirul Akleel*, Vol. 1, Page 299)

(8) “The *Sunnan* and the *Mandoobaat* (of Thabah) are four: Sharpening the knife, Tasmiyah, facing the Qiblah and to wait until the animal is cold (before skinning). If these acts, all of them or some, are omitted forgetfully or intentionally, then it is *Makrooh*, and the slaughtered animal will not be haraam except in the case of omission of Tasmiyah.”
(*At-Talqeen*, Vol.1, Page 268)

Even Tasmiyah and the other compulsory acts, viz. sharpening the knife and not skinning the animal as long as there is still life in it, are enumerated among the ‘Sunan and Mandoobaat’, yet these acts are compulsory. It is thus clear that the term, *Mandoobaat* here is used in a literal sense, and does not denote the Hanafi technical meaning of *Mustahab*.

(9) “Among the acts which are desirable is facing the animal towards the Qiblah on its left side otherwise he (the slaughterer) has done evil (i.e. if he did not face the animal towards the Qiblah). The obvious meaning of the author’s statement is that the entire animal should face the Qiblah, not only the place of slaughter (i.e. the neck). From the facing of the animal (to the Qiblah) is understood the facing of the slaughterer as well. As they (the Fuqaha) have mentioned. The statement, ‘He has done evil.’, means that he has perpetrated a Makrooh act. This is quite obvious from the meaning of the word “*done evil*’.”

(*Hashiyatul Khurashi*, Vol. 3, Page 347)

Omission of a technically Mustahab act is not ‘evil’. The description of the omission as being ‘evil’ confirms that omission of the Qiblah requisite is Makrooh Tahreemi (haraam) according to the Maalikiyyah.

(10) Stating the unanimous view of the Four Math-hab, *Kitaabul Fiq alal Mathaabil Ar’ba-ah* states: “Omission of the act of facing (the animal) towards the Qiblah is Makrooh, and every act of unnecessary

ta'theeb (pain, torture, etc.) on the animal is Makrooh.” (Vol.1, Page 731)

Abandoning the Qiblah and torturing the animal are assigned the same Makrooh classification. Torturing the animal is most certainly not permissible while abstention from a technically Mustahab act is permissible. Observance of such a Mustahab act is not Waajib, but abstention from torture is Waajib. Both the crimes here are described ‘Makrooh’ by all Four Math-habs.

(11) Al-Fiqhul Islaamiyyah Wa Adillatuhu, stating the unanimous view of the Four Math-habs, says: “Desirable in slaughtering are the following acts which are the Sunan of Thabah:.....Facing the animal towards the Qiblah, for verily, the Qiblah is the sacred direction, and slaughtering is ibaadat. The Sahaabah would face the Qiblah when they would slaughter, and verily, Nabi (sallallahu alayhi wasallam) would turn his *udhiyyah* towards the Qiblah. It is Makrooh to omit the aforementioned acts of Sunnat. (Among the Makrooh acts) is to face the animal in a direction other than the Qiblah for this is in conflict with the Sunnah.”

(Vol.3, Pages 661 and 663)

The aforementioned Maaliki references make it abundantly clear that the act of turning the animal towards the Qiblah, as well as the act of the slaughterer facing the Qiblah, according to the Maaliki Math-hab vacillate between *Mandoob* and *Sunnat*. The technical meaning of Sunnat in the Maaliki Math-hab is akin to *Waajib* in the Hanafi Math-hab. Thus, while the Maaliki Math-hab classifies Tasmiyah as Sunnat, it pronounces the meat *haraam* and unfit for consumption if Tasmiyah is intentionally discarded.

The technical meaning of *Mandoob* in the Maaliki Math-hab is also a Sunnat act. However, it is of a lesser category than an act which is technically classified as Sunnat. While omission of technical Sunnat renders the meat *haraam*. Omission of *Mandoob* although evil and sinful does not render the meat *haraam*. However, according to some Maaliki Fuqaha, the meat should not be eaten if the animal was

intentionally not faced towards the Qiblah. See No. 6 above. The views of the Maaliki Fuqaha regarding the meat differ. It varies from permissibility to haraam.

In the Maaliki Math-hab there is consensus that omission of the Qiblah requisite is *Makrooh Tahrimi*. It is an evil and a sinful act. It is not permissible to discard this essential Sunnat requirement necessary for Shar'i Thabah.

Mufti Radhaul Haq has committed a serious error by classifying the Maaliki *Mandoob* act in the Hanafi category of *Istihbaab* (being *Mustahab* in the technical sense). In the Hanafi Math-hab the consequence of *Mustahab* is *thawaab* (reward) if the act is rendered, and no punishment/sin if not rendered. On the other hand, according to the Maaliki Math-hab, if a *Mandoob* act is omitted, it is evil and sinful, while some of their Fuqaha are of the view that the meat should not be eaten or may not be eaten since it is undesirable or *Makrooh* or *Haraam*.

The utilization of the terms *isaa'* (evil, bad), *mukhaalifatus sunnah* (in violation of the Sunnah), etc., Imaam Maalik despatching a messenger to specifically command the slaughterers to desist from their practice of not facing the Qiblah, Maaliki Fuqaha ruling abstention from the meat and branding the violation as even 'haraam', all testify that in terms of the Maaliki Math-hab the Qiblah requisite is never in the Hanafi meaning of *Mustahab*.

The term *mustahab* in the Maaliki kutub used in the context of the Qiblah requirement is of literal import. It is not used in a technical meaning, hence the Author of *At-Talqeen* explaining the word *mustahab*, says: "*It is mustahab (i.e. desirable) to face the animal..... Its meaning is that it is Mandoob for the slaughterer to face the Qiblah with his animal....., and Ibnul Qaasim says in Al-Mudawwanah that facing (the animal) towards the Qiblah is among the Sunnan. Hence, if he does not do it, (then although) the meat will be eaten, he has done evil.....Muhammad Ibnul Mawaaz said I do not like to eat it. Ibn Habeeb (explicitly) said that if the omission (of the Qiblah requisite) is done intentionally the meat shall not be eaten.*"

It should now be clear that although the majority Maaliki view is that the meat may be eaten, there is consensus of the Maaliki Fuqaha on the

prohibition of discarding the Qiblah requisite. To the Maalikis, the Qiblah factor is like an act which is Waajib for Hanafis. Mufti Radhaul Haq, not having grasped or understood the meaning of these terms according to Maaliki Fiqh, descended into confusion. He created the incongruity of applying a Hanafi technical meaning to a term which the Maaliki Fuqaha use in the literal sense. The effect of this incongruity is a concoction, namely, the Maaliki *Mandoob* is in the same category as the Hanafi *Mustahab*. But this conclusion is palpably baseless. The summary of the foregoing discussion is:

According to the Maaliki Math-hab, facing the animal towards the Qiblah is incumbent or compulsory. It is not permissible to discard this act. Intentional omission is evil and sinful. The popular Maaliki view is that despite the omission, the meat may be consumed. The other Maaliki view is that the meat should not be eaten. The act of violating the Qiblah rule is unanimously prohibited in the Maaliki Math-hab, and as shall be shown later, Insha'Allah, it is prohibited in all Math-habs.

THE HAMBALI MATH-HAB

In his abortive attempt to scuttle the Shar'i significance and incumbency of the Qiblah requisite, Mufti Radhaul Haq presents the Hambali Math-hab as follows:

- ? "It is said in *Al-Iqnaa'* (Al-Mustahabbaat).....The third is facing the Qiblah with the animal only with its place of slaughter (i.e. its neck) according to the most correct view, not with its face. *Al-Iqna, Baabul Mustahabbaat, Vol.2, page 243*)"
- ? "In *Al-Mughni* (it appears): It is mustahab to face the animal.....If he suffices with the Tasmiyah and faces the animal away from the Qiblah, he has abandoned what is *afdhal* (the best, preferred method), and it suffices for him. *Al-Mughni, Vol.3, Page 462*)"

Having contented himself with this selective citation, Mufti Radhaul Haq mistakenly believes that he has honestly presented the Hambali Math-hab's viewpoint on the issue of abandoning the Qiblah requisite. While he cites the aforementioned statement from *Al-Mughni* which is

a Hambali kitaab, he presents it out of its context. It is difficult to believe that a Mufti who has taught Hadith for more than a decade did not understand what he was perpetrating when he presented this piece-meal citation, and then proceed to brazenly state that this is the Hambali view. Let us cite the full *ibaaarat* (text) from *Al-Mughni*:

“It is desirable (yustahabbo) to face the animal towards the Qiblah.....And, if he recites only the Tasmiyah and turns the animal away from the Qiblah, he has abandoned the afdhal method, and it suffices for him. This is the statement of Qaasim Bin Muhammad, Nakh’i, Thauri, Shaafi’ and Ibn Munthir. Ibn Umar and Ibn Seereen detested eating from (the meat) of the animal which was faced away from the Qiblah. The correct view is that it (facing towards the Qiblah) is not Waajib.”

The following facts emerge from the full statement of *Al-Mughni*:

(a) The view cited by Mufti Radhaul Haq is NOT the view of the Hambali Math-hab. Hence his attribution of it to the Hanaabilah is baseless, deceptive and false.

(b) The view that an ‘*afdhal*’ act is abandoned is the view of some Fuqaha who were Aimmah-e-Mujtahideen, and whose names are mentioned in *Al-Mughni*. But the Mufti deemed it appropriate to abstain from mentioning their names to convey the impression that the ‘*afdhal*’ view is the official stance of the Hanaabilah.

(c) *Al-Mughni*’s presentation of Hadhrat Ibn Umar’s and Ibn Seereen’s view immediately on the heels of mentioning the *afdhalliyyat* contention is an implied negation of this view. This too was deemed appropriate for concealment by the Mufti.

(d) Mufti Radhaul Haq committed an act of chicanery by conveniently ignoring the remaining portion of the text thereby creating the erroneous impression that the *afdhaliyyat* view is the official view of the Hambali Math-hab.

(e) The meaning of the statement, ‘*It suffices for him*’, in this context means that the sacrifice of the animal remains valid. Violation of the

Qiblah rule does not negate the validity of the sacrifice. It is not a licence for committing violation of the Masnoon method of facing the animal towards the Qiblah.

(f) The topic of discussion is *Thabah* of animals. For the Shariah's rules pertaining to slaughtering (*thabah*), the first place to search is in *Kitaabuth-Thabaaiah* or the book/chapter dealing with slaughtering of animals. The first option is not to resort to *Kitaabul Hajj*. Although it is accepted that *masaa-il* in the Kutub of the Shariah are scattered and could be found in different chapters under different headings, there is a codified system. Thus, if one wishes to know of the rules of Salaat, one will not search in *Kitaabul Zakaat*. The logical act is to refer to *Kitaabus Salaat*. However, Mufti Radhau Haqq, ignoring the chapter of slaughtering of animals, goes to *Kitaabul Hajj* from where he extracted the statement, debauching it out of its context, as explained above.

The Mufti's bypassing *Kitaabus Sayd Wa-Thabaaiah* in *Al-Mughni*, and instead extracting a statement partially from *Kitaabul Hajj* to vindicate Sanha is despicable. *Al-Mughni*, Vol.11, in *Kitaabus Sayd Wa-Thabaaiah*, states: "It is Makrooh to face the animal away from the Qiblah. The summary of this (discussion) is that it is desirable to face the Qiblah with the animal. This has been narrated from Ibn Umar, Ibn Seereen, Ataa', Thauri, Shaafi' and the Ashaabur Raai'. Ibn Umar and Ibn Seereen detested eating from an animal which was slaughtered while it was turned away from the Qiblah. The majority is of the view that it is not Makrooh."

The Meaning of Makrooh in the Hambali Math-hab

While the meat according to the majority is not Makrooh, the act of omitting the Qiblah requisite is Makrooh. Makrooh in this context is akin to forbidden, i.e. Makrooh Tahreemi. The Hambali Fuqaha generally use Makrooh in the meaning of prohibited and so do the Hanafi Fuqaha. Thus, the term *yustahabbo* (it is desirable/preferable) used by the Hanaabilah is not in the technical meaning given to the term by the Ahnaaf. It is used in the literal sense, hence they rule that

omission of the Qiblah requisite is Makrooh. The meat not being Makrooh is a *mas'alah* apart from the omission of the Qiblah factor which is Makrooh.

The following explanation appears in the Hambali kitaab, *Al-Ansaaf* of Imaam Mardaawi Saeedi: “*It is mentioned in Ar-Riaayah: If he (Imaam Ahmad Bin Hambal) says: ‘This is haraam’, and after it he says: ‘I detest it (regard it Makrooh), or ‘I do not approve of it’, then he means that it is haraam. It has also been said that it means Makrooh (Tahrimi).*

Regarding the statement: ‘I detest it’ or ‘It does not approve to me’, or ‘I do not like it’, or ‘I do not regard it good’.....there are two views. One view is Tanzeeh.....The second view is that all of these (statements) are for Tahreem. Khilaal, his Companions and Ibn Haamid have adopted this (view of Tahreem).”

The terms ‘Makrooh’ is generally used by the Hambali Fuqaha as well as by the Fuqaha of the other Math-habs in the meaning of Tahreem (prohibited and sinful). Innumerable examples could be cited from the Hambali kutub to substantiate that the term *Makruh* is not used in general to connote *Tanzeeh*.

Why Kitaabul Hajj and not Kitaabus Sayd Wath-Thabaaiah?

The question which needs to be answered is: Why did Mufti Radhaul Haq extract the *mas'alah* from Kitaabul Hajj and not from *Kitaabuth Thabaaiah* (*The Book of Slaughter*) which appears in great detail in *Al-Mughni*? There are two possibilities here. Either the Mufti was unaware of the existence of *Kitaabuth Thabaaiah* in *Al-Mughni* or he was aware. Obviously the first possibility is discounted because a Mufti who has been lauded by the Sanha Shaitaan with the accolades of “Ameer of the Board of Muftis of South Africa, Chief Mufti of the NNB Jamiat, Sheikhul Hadith and Head Mufti”, is expected to know what a first year student knows. Thus, the second possibility is confirmed.

Now why would the Mufti not first refer to the Book of Slaughter to search for the *mas'alah* which directly concerns slaughtering of animals? Why did he refer to Kitaabul Hajj, and why does he present half of the relevant text from Kitaabul Hajj – that half which he

mistakenly believes supports Sanha's case? It is not difficult to fathom the little mystery. There are two reasons for the Mufti's selection:

- ? In Kitaabul Hajj, the desirability (*Istihbaab in the literal meaning*) of facing the animal towards the Qiblah is mentioned.
- ? The Hambali Ruling on the act of abandoning the Qiblah factor is not mentioned in Kitaabul Hajj.
- ? A minority view of non-Hambali Fuqaha is mentioned. According to this minority view which is not the Hambali view, abandonment of the Qiblah is described as '*abandonment of afdhal*'. In this regard, the Mufti committed dishonesty by presenting this to be the official Hambali standpoint whereas it is not so. He sought to achieve this aim by withholding the full statement which explicitly mentions the Fuqaha by name whose view this happens to be.

He resolved to cast a blind eye on this *mas'alah* which appears in the Book of Slaughter because there its states with clarity: "*It is Makrooh to face the animal away from the Qiblah.*" Since this ruling does not assist Sanha's cause and carrion industry, the Mufti despicably attempts to mislead the Muslim community with his production of an incongruous fatwa based on half a truth, misinterpretation and personal opinion unsubstantiated by *dalaa-il* of the Shariah.

Rebuttal of Mufti Radhaul Haq by the Hambali Math-hab

(1) Declaring the Hambali Math-hab's fatwa on this *mas'alah*, Imaam Alaauddeen Al-Mardaawi Sa'di, states in his *Al-Asnaaf*:

"It is Sunnat to face the animal towards the Qiblah. This is (the Ruling of) the (Hambali) Math-hab, and this is the view of the Ashaab (i.e. the Hambali Fuqaha). Muhammad Al-Kuhaal has narrated that when it is not done intentionally, the direction other than the Qiblah will be permissible." (*Al-Asnaaf, Vol.10, Page 349*)

The Hambali Ruling is stated with clarity. Facing the Qiblah is Sunnat. The phraseology of Muhammad Ibn Kuhaal in this regard is significant. He states that if the animal is faced away from the Qiblah unintentionally ("*When the slaughterer does not do so intentionally*"),

the effect is ‘*Ya jooz*’ (‘It is permissible’). Thus, if the violation is committed intentionally, “It will not be permissible” (*La yajooz*).

This explicit Fatwa of the Hambali Math-hab further rebuts Mufti Radhaul Haq’s claim of ‘*istihbaab*’ in the technical meaning of the Hanafi Math-hab. It eliminates the haze and clarifies that the term ‘*yustahabbo*’ (‘*It is desirable*’) has been used in this context literally. The Mufti has displayed intellectual immaturity by confusing this literal term used by the Hambali Fuqaha with a technical concept of the Hanafi Math-hab.

(2) The Hambali Faqeeh, Imaam Muwaffiquddeen Ibn Qudaamah, states in his *Al-Mughni*: “It is Makrooh to face the animal in a direction other than the Qiblah.” (*Al-Muqni*, Page 311)

(3) “It is Makrooh to face the animal away from the Qiblah. Ibn Umar and Ibn Seereen said so because it has been narrated that when Nabi (sallallahu alayhi wasallam) slaughtered his sacrificial animal, he turned it towards the Qiblah, and because it is an act of worship. Therefore it is Makrooh to face it away from the Qiblah just like Athaan, hence facing the animal towards the Qiblah on its left side is Sunnat.”

(*Al-Mubdi*, Vol.9, Page 226)

The comparison with Athaan is most significant. Just as it is incumbent to face the Qiblah when reciting the Athaan, so too is it incumbent to face the animal towards the Qiblah notwithstanding the validity of the Athaan even if the Qiblah requisite is not observed. But no Mufti whose brains operate within the parameters of the Shariah and who understands the imperative importance of Masnoon acts be it of the Mustahab category, will ever present argument and concocted ‘evidence’ to minimize and diminish the importance of facing the Qiblah during the process of the Athaan.

(4) “It is Makrooh to face the animal away from the Qiblah just like the Athaan because it is an act of worship.” (*Kash-shaaful Qinaa*, Vol.6, Page 210)

Violating the Qiblah requisite when slaughtering the animal is in the same category as violation of the Qiblah while reciting the Athaan. The following appears regarding the Athaan in the Hambali kitaab, *Al-Mughni*: “The Muath-thin shall give the Athaan facing the Qiblah. We do not know of any difference of opinion in its *istihbaab* (desirability). Ibnul Munthir said: “There is consensus of the Ulama that facing the Qiblah during Athaan is of the Sunnah. That is because the Muath-thins of Nabi (sallallahu alayhi wasallam) would recite the Athaan facing the Qiblah. Thus, if violation of facing the Qiblah is committed, it is *Makrooh* although it (the Athaan) is valid.”

“(Al-Mughni, *Sunanul Athaan*, Vol. 1, Page 432)

Although *Istiqaal-e-Qiblah* is described with the term *istihbaab*, it is among the Sunnat factors of Athaan. There is no difference of opinion among the Math-habs on this issue. It was the permanent practice during the time of Rasulullah (sallallahu alayhi wasallam), the time of the Sahaabah and throughout all ages of Islam to this day. The term ‘*istihbaab*’ does not diminish the incumbency of facing the Qiblah during Athaan, hence its omission is said to be *Makrooh* which is akin to *haraam*. In the Maaliki and Hambali *kutub*, in the context of slaughtering animals, the term *istihbaab* is used in the same sense that it is used to describe facing the Qiblah during Athaan. The validity of Athaan and of the act of Thabah despite omission of the Sunnat is valid. But this validity is not a licence for wholesale and permanent abandonment of this very important Masnoon requisite which is practically *Waajib*.

Validity of an act from which the Masnoon factors are excised does not minimize the importance of these acts of imperative importance which are described as the *Sunan*. Omission is *Makrooh Tahrimi* and sinful.

(5) “It is *Makrooh* to face the animal away from the Qiblah.”

(*Zaadul Mustaqni*’, Vol.1. Page 239)

(6) “It is also Makrooh to face the animal away from the Qiblah because, verily, the Sunnah is to face it towards the Qiblah on its left side and to be tender with it.”

(*Ar-Raudhur Murrabba'*, Vol.3, Page 351)

The aforementioned references and discussion confirm the incumbency of *Istiqaal-e-Qiblah* according to the Hanaabilah, and that this rule is not a *Mustahab* in the technical sense of the term ascribed to it by the Hanafi Math-hab.

THE SHAAFI' MATH-HAB

Even in the Shaafi' Math-hab, the term '*istihbaab*' is used in a literal sense and in no way whatsoever diminishes the importance and necessity of the Qiblah direction. The term is not used to signify insignificance. *Istiqaal-e-Qiblah* is enumerated among the *Sunan* of Thabah in the same way as the Shaafi' Math-hab describes the Tasmiahy.

Rebuttal of Mufti Radhaul Haq by the Shaafi' Math-hab

(1) “The third Sunnat is *Istiqaal-e-Qiblah* for the slaughterer and the animal to be slaughtered. And the desirability (of this Sunnat requisite) has greater emphasis in *Hadi* (*Hajj animals*) and *Udhiyyah* (*Qur'baani animals*) because *Istiqaal-e-Qiblah* is desirable (*Mustahab*) in acts of worship.”

(*Raudhatut Taalibeen*, Vol.3, Page 204)

Facing the Qiblah in acts of worship: The Qiblah is a requirement for the Ibaadat of Salaat in which *Istiqaal-e-Qiblah* is a condition for the validity of the Salaat. Facing the Qiblah in Salaat is compulsory (Waajib/Fardh). Facing the Qiblah while reciting the Athaan is Sunnat. Facing the Qiblah in every act of ibaadat, e.g. Tilaawat of the Qur'aan, Thikr, etc. is Sunnat. However, all these Sunnat acts are differently classified in Fiqah. Despite the variation in the classification, *Istiqaal-e-Qiblah* is generally described by the Shaafi' Fuqaha with the word '*mustahab*' which is used in the literal sense, that is, 'it is desirable', hence in the aforementioned citation it is said: “.....because *Istiqaal-e-*

Qiblah is mustahab in acts of worship.” Now Salaat is the greatest and most important act of worship in which *Istiqbaal-e-Qiblah* is *fardh*. Notwithstanding this technical classification, the word ‘*mustahab*’ has been used by the Shaafi’ Fuqaha to bring even the *Istiqbaal-e-Qiblah* of Salaat within its scope.

The act of reciting Tasmiyah when slaughtering an animal is enumerated by the Shaafis among the *Sunan*. In the list of the *Sunan of Thabah*, the Shaafi’ kitaab, *Raudhatut Taalibeen* enumerates the Tasmiyah as the fourth Sunnat. In this regard it states: “*The Fourth: Tasmiyah is Mustahab at the time of thabah.....But its omission intentionally is Makrooh according to the Saheeh version. In the annotation of Shaikh Abu Haamid it appears: ‘Verily, he has sinned.’*”(Vol. 3, Page 205).

According to some Fuqaha of the Shaafi Math-hab, omission of Tasmiyah renders the meat haraam. Despite the gravity of Tasmiyah omission and its enumeration among the *Sunan* by the Shaafi Fuqaha, it (the Tasmiyah) is also described with the word ‘*Mustahab*’. Regarding *Istiqbaal-e-Qiblah*, the following is mentioned in *Raudhatut Taalibeen*: “It is appropriate for the Muath-thin to give the Athaan and the Iqaamah standing and facing the Qiblah. If he omits standing and facing the Qiblah despite having the ability, the Athaan and Iqaamah are valid according to the most correct version, but it is Makrooh.”

Such an important requirement of *Istiqbaal-e-Qiblah* for the Athaan and the Iqaamah is described as ‘appropriate’, and elsewhere as ‘*mustahab*’. It is clear that the literal meaning of the words are used, and that these terms do not represent the technical classification of these acts.

(2) “The daleel (proof) for facing (the animal) towards the Qiblah is the command in the Ahaadith.”

(*Haashiyatain, Vol.4, Page 243*)

The Mufti has erred grievously in diminishing the importance of the Qiblah requirement and implying its insignificance on the basis of his understanding of the Shawaafi’s use of the term ‘*mustahab*’.

‘*Mustahab*’ never means insignificant nor unimportant in any Math-hab whether the term is understood literally or technically.

THE HANAFI MATH-HAB

Rebuttal of Mufti Radhaul Haq by the Hanafi Math-hab

(1) “When the animal is slaughtered facing it away from the Qiblah, it (i.e. its meat) will be halaal, but it (facing away from the Qiblah) is Makrooh. So is it in Jawaahirul Akhlaati.”

(*Fataawa Hindiyyah, Vol.5, Page 288*)

(2) “Similarly, it (the meat) is halaal, and to slaughter the animal facing away from the Qiblah is Makrooh., for verily, the Sunnah in Thabah is *Istiqbaal-e-Qiblah*. So has Ibn Umar (radhiyallahu anhu) narrated: ‘Verily Nabi (sallallahu alayhi wasallam) faced the Qiblah with his *udhiyyah* when he intended slaughtering it. And, similarly has it been narrated from Ali (radhiyallahu anhu). And, this (command to face the Qiblah) is because the people of Jaahiliyyah frequently faced their animals (to be slaughtered) towards the idols. Therefore we have been commanded to face the Qiblah to honour the Qiblah direction.....Omission of the Qiblah while it does not corrupt the animal (i.e. does not render it haraam), causes Karaahat (Makrooh).” (*Al-Mabsoot lis Sarakhsi, Vol.12, Page3*)

(3) “It is Makrooh to slaughter an animal facing away from the Qiblah because it is in conflict with the Sunnah to turn (the animal) away from the Qiblah, and the meat shall be eaten (i.e. it is halaal).” (*Al-Bahrur Raaiq, Vol.7, Page 170*)

(4) “It is Makrooh to abandon facing the Qiblah (i.e. the animal and the slaughterer) because it is in conflict with the Sunnatul Muakkadah.” (*Raddul Muhtaar, Vol.5, Page 177*)

(5) “Facing (the animal) towards the Qiblah is Sunnatul Muakkadah.....” (*Al-Binaayah, Vol. 10, Page 679*)

(6) It is Sunnatul Muakkadah for the animal to be laid facing the Qiblah as well as for the slaughterer to face the Qiblah. Allaamah Al-Haskafi (rahmatullah alayh) said: ‘Abstaining from facing the Qiblah is Makrooh because it is in violation of the Sunnah.’ Allaamah Ibn Aabideen (rahmatullah alayh) said: ‘It is in violation of the Sunnatul Muakkadah, hence it is Makrooh to abandon it (facing the Qiblah) without valid reason.’ (Raddul Muhtar). Allaamah At-Toori (rahmatullah alayh) said: ‘It is Makrooh to slaughter an animal which is turned away from the Qiblah because this is in violation of the Sunnah, and it shall be eaten.’ It is said in Al-Hindiyyah: ‘The Sunnah regarding goats and cattle when slaughtering them, is that they should be laid down and face the Qiblah....(Al-Jauharatun Niyarah)

(Ahsanul Fataawa, Vol.7, Page 406)

(7) “At the time of *thabah* it is Sunnat to face the animal towards the Qiblah. To turn the animal away from the Qiblah without valid reason is Makrooh since it is in violation of the Sunnah.” (Fataawah Rahimiyyah, Vol.2, Page 95)

MUFTI RADHAUL HAQ’S BASELESS CLAIM

Making a baseless claim, Mufti Radhaul Haq says in his Sanha fatwa: “*The Ahnaaf (Hanafis) take to two views: (1) Masnoon or Sunnat Muakkadah (2) Mustahab.*”

Since the very motive of his fatwa is vindication of Sanha’s haraam halaalization of the haraam kuffaar system of killing chickens, Mufti Radhaul Haq felt constrained to fabricate the ‘mustahab’ view which he falsely attributes to the Ahnaaf. Failing to totally dislodge the Qiblah requisite, he bent over so much that he almost touched the heels of his feet with the back of his palms in his desperate endeavour to water down and diminish the significance of this *very* important requisite which Allah Ta’ala commanded be observed when slaughtering a species of his creation akin to *Insaan* (the Human Being) by virtue of the commonality of *Rooh* (Soul) as well as physiological anatomy. The following extracts from *Jawaahirul Fiqh* of Hadhrat Mufti Muhammad

Shafi (rahmatullah alayh) should prove salubrious and soul-awakening for Mufti Radhaul Haq. If it does strike a responsive chord in his heart to induce in him a realization of the damage he has caused to Islam with his corrupt fatwa designed to vindicate the Sanha Shaitaan, then perchance his conscience will compel him to repent and retract the cruel mockery which he has presented in the form of a 'fatwa' with the implication of abrogation of a fourteen century *Muttafaqah* (Unanimous) Shar'i Ruling, namely, **“Facing the Qiblah by both the Thaabit and the Thabeethah is Sunnatul Muakkadah.”**

REPRODUCE EXTRACT FROM MAJLIS VOL. 18 NO 9, PAGE 8

For his untenable *mustahab* contention, Mufti Radhaul Haq proffers the following *ibaarat* (text) of the Hanafi kitaab, *Badaaius Sanaa'*:

(a) *“That which is desirable (yustahabbo) of slaughtering and that which is undesirable (yukraho): Of it is that the slaughterer should face the Qiblah and the animal (too) should be turned towards the Qiblah because of what we have narrated, and because it has been narrated that, verily, the Sahaabah – radhiyallahu anhum – would face the Qiblah when they slaughtered. Verily, it has been narrated from Sha'bi that he said: ‘They would love to face the Qiblah with the animal (when slaughtering it)’*,

This statement of *Badaaius Sanaa'* may not be interpreted to mean that facing the Qiblah is *Mustahab* in the technical meaning the Hanafi Math-hab assigns to the term. There are a number of reasons which debunk Mufti Radhaul Haq's contention of *istihbaab*:

(i) The full text of the aforementioned extract from *Badaaius Sanaa'* is as follows:

(Continuing from where the Mufti left off) “His (Sha'bi's) statement, ‘they would’, refers to the Sahaabah – radhiyallahu anhum. The likes of him (Sha'bi) does not lie. And because, verily the mushrikeen would face with their animals of slaughter towards the idols. Hence, it is desirable (yustahabbo) to oppose them in this by facing the Qiblah which is the direction of love for the obedience of Allah Azza Shanuhu.”

From this text as well as from all versions of Hadith and Fiqah texts we understand that facing the Qiblah at the time of slaughter with the animal was the permanent practice of Rasulullah (sallallahu alayhi wasallam), of the Sahaabah, the Taabieen, Tab-e-Taabieen and of the entire Ummah since the very inception of Islam.

Furthermore, adding to the significance of this practice was the need to oppose the custom of the mushrikeen who would face their idols when slaughtering.

(ii) The practice of facing the Qiblah with the animal is the *Tawaaruth* of the Ummah. In other words, it is a sacred legacy which the Ummah has inherited from Rasulullah (sallallahu alayhi wasallam) and which Muslims have practically adopted and observed from the time of the Sahaabah to this day. *Al-Binaayah – Sharh of Al-Hidaayah* as well as many other *Kutub* of the Shariah state in this regard: “Facing the Qiblah is **Sunnatul Muakkadah** for verily, it is the *Tawaaruth* of the People (i.e. of the Ummah)...and abandoning it without valid reason is Makrooh.” (Vol. 10, Page 679)

This is the *Tawaaruth* of the Ummah (i.e. it is the Legacy inherited from Rasulullah – sallallahu alayhi wasallam – which has been practically observed from generation to generation from the earliest epoch of Islam to this day. Unfortunately, the likes of the Sanha Shaitaan has in this age abrogated this Sacred Legacy and Mufti Radhaul Haq has come out in open support of Sanha’s kufr.

(iii) The permanent practice of Rasulullah (sallallahu alayhi wasallam) and of the Sahaabah cannot be relegated to a non-issue – that is, total abandonment is perfectly permissible as is being advocated and promoted by Mufti Radhaul Haqq in support of Sanha.

(iv) The term ‘*mustahab*’ mentioned in *Badaaius Sanaa’* in the context of the exposition has a literal meaning, not the Hanafi technical meaning. Thus, acts which are clearly in the Sunnatul Muakkadah class are also described with the term ‘*yustahabbo*’ (*It is desirable*). For example, in the same section of *Badaaius Sanaai*, it appears: “Verily,

it is *mustahab* during slaughtering in the state of *Ikhtiyaar* (i.e. when one has the ability to slaughter normally) that the metal instrument, e.g. knife and sword, be sharp. It is *Makrooh* to slaughter with an instrument not made of steel and with a blunt steel instrument, because verily, the *Sunnah* in *thabab* of the animal is the method which is the easiest on it and closest to its comfort (i.e. as humane as possible). The basis for this is what we have narrated from Rasulullah (sallallahu alayhi wasallam) that he said: ‘Verily, Allah Azza Shaanuhu has ordained kindness on everything. Therefore when you kill, then do the killing with kindness and when you slaughter, then slaughter the animal with kindness, and sharpen the knife and give comfort to the slaughtered animal.’ In some narrations it is mentioned: ‘The legs (i.e. three legs) should be tied and the animal laid on its left side. Face it towards the Qiblah and recite the Name of Allah Ta’ala.’ Thus, *Thabab* as we have described it is the easiest and most humane for the animal.”

Slaughtering with a very sharp knife although described with the term ‘*mustahab*’, is not technically *Mustahab*. The term has been used literally, ‘it is desirable, it is best, it is exhorted, etc.’ It does not diminish from the incumbency of using a very sharp knife, hence a blunt knife and an instrument not made of steel are described in this text as being *Makrooh*, i.e. *Makrooh Tahreemi* – *haraam*. Although using a very sharp knife is *Sunnatul Muakkadah*, in fact *Waajib*, it is literally described ‘desirable’ or ‘the best’. It is absurd to apply the Hanafi technical meaning of *Mustahab* to the literal term, and seek to apply the technical effect of the term to an act regarded abominable and not permissible in the *Shariah*. Thus, torturing to death an animal with a blunt instrument and intentionally not facing it towards the Qiblah are *Makrooh Tahrimi* acts which are sinful.

Omission of a technical *Mustahab* is neither sinful nor described as *Makrooh Tahreemi*. The term ‘*Makrooh*’ used without any qualification by the Hanafi *Fuqaha* means *Makrooh Tahreemi*. Our *kutub* are replete with such usage. Shaami, Vol.5, Page 214 states: “Every *Makrooh*, i.e. *Karaahat Tahreem* is *haraam*, i.e. akin to *haraam* in relation to punishment with the Fire (of *Jahannum*) according to *Imaam Muhammad* (rahmatullah alayh).”

On page 191, Vol.6, Shaami states: “*Imaam Muhammad has explicitly stated that every Makrooh is Haraam.*” This is a well-known principle in Hanafi Fiqah and requires no further dilation. Thus despite describing the use of a sharp steel knife as ‘*mustahab*’, abstention from it is Makrooh Tahrimi. *Badaaius Sanaai* states with clarity that using a blunt knife is Makrooh (*yukrahu*). When Makrooh is meant *tanzeehi*, *Badaaius Sanaai* qualifies it with the term ‘*tanzeeh*’. In the same section and on the very same page from which Mufti Radhau Haq made his extraction, *Badaaius Sanaa* states: “It is mustahab that the slaughtering be during the day, and it is Makrooh at night.....And, this is *Makrooh Tanzeehi*.”

Elsewhere where the term *Makrooh* is used, it refers to *Tahreem*. Slaughtering from the back of the neck, killing cattle by means of *Nahr*, and camels by means of *Thabah*, cutting the carotid arteries partially, cutting until the spinal cord, cutting off the entire head, dragging the animal, sharpening the knife in front of the animal, slaughtering an animal in front of another animal, etc. are all said to be Makrooh, i.e. Makrooh Tahreemi. None of these acts are of the *Makrooh Tanzeeh* category. From innumerable examples and explicit statements of the Fuqaha it is confirmed that when the word *yukrahu* (*It is Makrooh*) is used by the Hanafi Fuqaha it means *Tahreem* (prohibited and sinful). Similarly, abandonment of the Qiblah is Makrooh Tahreemi. It is preposterous to claim that the Qiblah factor is *Mustahab* in the technical meaning of the Hanafi Math-hab. This opinion is a pure fabrication of Mufti Radhau Haq which he has concocted to vindicate the Sanha Shaitaan.

(iv) All the Hanafi Fuqaha unanimously say that facing the Qiblah is Sunnatul Muakkadah. Nowhere has the technical meaning of *Mustahab* been ascribed for this Sunnat practice. If there is any isolated opinion, it cannot be presented to negate the Ruling of the Jamhoor Fuqaha of all Math-habs. In fact, Mufti Radhau Haq has not produced even an isolated or a minority view. He has arbitrarily and baselessly fabricated the mustahab view which he ascribes to the Hanafi Math-hab. He is therefore constrained to say: “In my opinion the istihbaab view is better.” Yes, the ‘istihbaab’ view which is his own personal opinion

undoubtedly is better for Sanha. But this view is devoid of Shar'i substance.

(v) In almost every Hanafi Fiqah kitaab it is mentioned that abstention from the Qiblah direction is Makrooh, i.e. Makrooh Tahreemi.

(b) The second text which Mufti Radhaul Haq presents for his '*istihbaab*' view, is:

“And in *Al-Mabsoot* it is said: Similarly if he slaughters it turned away from the Qiblah. The animal is halaal, but this act is Makrooh because, verily, the Sunnah in *Thabah* is *Istiqaal-e-Qiblah*. So has Ibn Umar (radhiyallahu anhu) narrated. He said that Nabi (sallallahu alayhi wasallam) faced the Qiblah with his Udhhiyyah when he intended to slaughter it. Similarly has it been narrated from Ali (radhiyallahu anhu). And, this is so because the people of Jaahiliyyah (the pagan Arabs) frequently faced the idols with their animals of slaughter. Thus we have been commanded to face the Qiblah to honour the direction of the Qiblah. But its omission does not corrupt (i.e. render haraam) the slaughtered animal whereas omission of Tasmiyah (does render the animal haraam) because in the Tasmiyah is the honouring of Allah Ta'ala, and that is Fardh whereas facing the Qiblah is to honour the direction (of the Ka'bah). And that is preferable in acts other than Salaat. Hence, the consequence of its omission is *Karaahat*, not corruption of the slaughtered animal.”

Far from proclaiming *Istiqaal-e-Qiblah* to be technically *Mustahab*. This text of *Al-Mabsoot* explicitly states the *Karaahat* of its omission. The *ibaaarat* clearly states that the omission of the Qiblah requirement is Makrooh (*Yukrahu*—i.e. *It is Makrooh*), and as already explained it means Makrooh Tahreemi which is akin to haraam. On the page from which the aforementioned *ibaaarat* has been extracted, several Makrooh Tahrimi acts are enumerated. Among the *Makrooh* – prohibited acts mentioned here are slaughtering from the rear of the neck, cutting off the whole head, abstention from the Qiblah, effecting *Nahr* to cattle and *Thabah* to camels, cutting until the spinal cord, dragging the animal to the place of slaughter, sharpening the knife after laying the animal down, etc. All these forbidden acts are described with the word '*yukrahu*' ('It is Makrooh'), i.e. Makrooh Tahreemi. Every act

is commanded by the Sunnah and is in the category of Sunnatul Muakkadah or Waajib, not technical *Mustahab*. One who omits a technical *Mustahab* act may not be rebuked or punished. But Hadhrat Umar (radhiyallahu anhu) whipped a man who was sharpening his knife in front of the animal he was about to slaughter. Rasulullah (sallallahu alayhi wasallam) forbade such cruelty. It is therefore ludicrous to claim that these acts are in the *Istihbaab* category in its technical meaning according to the Hanafi Math-hab.

Mufti Radhau Haq, extracted the above text from *Al-Mabsoot* in defence of the SANHA Shaitaan when his eyes fell on the word ‘*Mandoob*’. Although the author of *Al-Mabsoot*, Imaam Sarakhsi (rahmatullah alayh), uses the term in its literal sense, the Mufti, in view of his agenda, rushed to classify this term as *Mustahab* in the technical sense. Literally the word means ‘recommended’, desirable’.

In the context of the discussion in *Al-Mabsoot*, the word, *mandoob* brings within its scope all good deeds. In the quoted text it says: “*That (i.e. Istiqbaal-e-Qiblah) is mandoob in acts other than Salaat.*” The author uses the word as opposed to *Fardh*. Facing the Qiblah is *fardh* in Salaat, but *Mandoob* in other acts. But *mandoob* will be differently classified for different acts. When making tilaawat of the Qur’aan Majeed, it is *mandoob* to face the Qiblah. *Istiqbaal-e-Qiblah* is *mandoob* when having a haircut. It is also *mandoob* when listening to a bayaan. *Istiqbaal-e-Qiblah* is likewise *mandoob* when the Athaan and Iqaamah are recited.

It is quite obvious that *mandoob* when cutting the hair and *mandoob* for Athaan and Iqaamah will have different effects. Facing the Qiblah while having a hair cut will not have the same importance and significance of *Istiqbaal-e-Qiblah* while reciting the Iqaamah. Facing the Qiblah when making tilaawat of the Qur’aan will not have the same emphasis as *Istiqbaal-e-Qiblah* during Athaan and Iqaamah. For the latter two acts of ibaadat it will be Sunnatul Muakkadah, omission of which is not permissible, while for tilaawat of the Qur’aan it will be the technical meaning of *Mustahab*. Hence if while reciting the Qur’aan Shareef one does not face the Qiblah, it is not sinful. But if the Muaththin recites the Iqaamah with his back towards the Qiblah, and faces the

Qiblah only after the Iqaamah, then everyone can issue a fatwa on this evil deed of reciting the Iqaamah in this manner.

Which category of *Mandoob* applies to *Istiqaal-e-Qiblah* when making *Thabah*? The answer does not lie in personal interpretation of the word *istihbaab* or *mandoob* used in the literal sense. All the other relevant *dalaa-il* have to be examined to understand the proper classification and category to which this issue have to be assigned. An abundance of *dalaa-il* already discussed, confirms that *Istiqaal-e-Qiblah* when effecting *Thabah* is Sunnatul Muakkadah, and there is no difference of opinion on this *mas'alah*.

(c) Mufti Radhau Haq's third 'proof' for his baseless '*istihbaab*' view is the following statement from Fataawa Hindiyyah: "*And the Jamhoor has preferred (istahabba) Istiqaal-e-Qiblah.*" Again we reiterate that the word '*istihbaab*' here is used in the literal sense, not in its technical meaning. The proof for this is the text which Mufti Radhau Haq has conveniently overlooked or perhaps he is entirely unaware thereof. In the very same Kitaab, *Fataawa Hindiyyah*, it is mentioned: "*When the animal is slaughtered in a direction other than the Qiblah, it will be halaal but it (omission of the Qiblah) is Makrooh.*" The classification of Makrooh for omission of the Qiblah requisite negates the '*istihbaab*' view fabricated by Mufti Radhau Haq.

The foregoing discussion conclusively establishes that facing the animal towards the Qiblah when slaughtering it, as well as the slaughterer facing the Qiblah are Sunnatul Muakkadah. There is no second view. The '*mustahab*' view is Mufti Radhau Haq's personal concoction, hence he says: "In my opinion the *istihbaab* view is better." Well, no one besides the Sanha Shaitaan is interested in Mufti Radhau Haq's unsubstantiated and baseless view which is devoid of Shar'i *daleel*.

In the conclusion of his fatwa, the Mufti says: "In my opinion the *istihbaab* view is better. Firstly because it is easy. Secondly, it conforms with the view of the other Math-habs. Thirdly, it is learnt from Kitaabul Janaa-iz that at the time of death it is not Sunnatul Muakkadah to face the Muslim mayyit towards the Qiblah because abstention from the Qiblah has been said to be permissible, not

Makrooh Tahrimi. Thus, when Istiqbaal-e-Qiblah is Mustahab for Ashraful Makhluqaat (The noblest of creation), then it is difficult for it to be Sunnatul Muakkadah for animals.”

Subhanallah! It is incredible that someone billed as “Ameer of a Board of Muftis of South Africa,” as the “Chief Mufti of the NNB Jamiat (No Name Brand Jamiat),” and as a “Shaikhul Hadith”, could manage such a drivel assessment -- such a legless argument which flies in the face of the established fourteen century unanimous law of the Shariah. Let us examine this drivel and baseless three dimensional view of the ‘chief mufti’.

(1) **The Istihbaab view is easy**

What precisely does he mean by ‘easy’? In which way is abandonment of a Shar’i requisite easy for this Ummah? The Mufti should have spoken with greater clarity. In fact he should have said that the fabricated *istihbaab* view is easy because:

- (a) It is easy for abandonment. Neglect of a technical Mustahab is not sinful.
- (b) It is easy for Sanha who is subservient to Rainbow’s dictates and demands.
- (c) It is easier for accommodating the kufr killing system of Rainbow Chickens.

Should we momentarily concede that the above factors do render a ‘mustahab’ fatwa easy, the fundamental objection is that the Mufti is not *Shaari*’ (Rasulullah – sallallahu alayhi wasallam). He has no right to fabricate a view, then attribute it to the Shariah or pass it off by deception as a product of the Shariah. Regardless of how ‘easy’ a ‘mustahab’ view may appear to the Mufti, interpolation into the Deen of a baseless opinion is kufr.

Besides this, there is in fact no ‘ease’ for the Ummah in a ‘mustahab’ view for the simple reason that the Shariah has not classified *Istiqbaal-e-Qiblah* mustahab for the occasion of *Thabah*. When Muslims slaughter their own animals, be it for Qur’baani or for any other occasion, there is no difficulty in *Istiqbaal-e-Qiblah*. The ‘ease’ is a fabrication to sustain the kuffaar killing system in the commercial plants, and to vindicate the Sanha Shaitaan.

(2) The Istihbaab view conforms with the other Math-habs.

It has already been shown that according to all Math-habs, *Istiqbaal-e-Qiblah* during *Thabah* is Sunnatul Muakkadah, and abstention from it is Makrooh Tahrimi/Haraam according to all Math-habs. The claim of conforming with the other Math-habs is therefore a figment of the Mufti's baseless imagination.

(3) The analogy with a Muslim mayyit

The Mufti avers that since it is not Sunnatul Muakkadah to face the Muslim mayyit in the direction of the Qiblah, to a greater degree will it not be Sunnatul Muakkadah to face the animal towards the Qiblah when slaughtering it. By this averment the Mufti has advertised the shallowness of his intellectual perception and the hollowness of his knowledge of the Deen.

Mansoos Alayh ahkaam are the products of *Wahi*. No one besides Rasulullah (sallallahu alayhi wasallam) has the right to formulate new rules on the basis of opinion and present it as a product of the Shariah. Logic has no share in the formulation of the *ahkaam* of the Shariah. When the Shariah has issued its ruling or stated a *mas'alah*, it will then be haraam to utilize logic to interpolate or to change rules. Since *Istiqbaal-e-Qiblah* at the time of *Thabah* is unanimously confirmed as a Sunnatul Muakkadah *hukm*, and its abandonment *Makrooh Tahreemi*, there is no scope for the operation of personal logic and figments of the imagination. According to the Shariah *Istiqbaal-e-Qiblah* regarding the mayyit is *Mustahab* while *Istiqbaal-e-Qiblah* for *Thabah* is *Sunnatul Muakkadah* as we have already proven in this discussion. It is therefore absurd and utterly baseless to present the analogy with the mayyit.

The Mufti has no licence to question the authority of the Shariah. When the Shariah says that one act is *Mustahab* and another act is *Sunnatul Muakkadah*, what right does this Mufti have to argue that the Sunnatul Muakkadah classification which the Shariah has given to *Istiqbaal-e-Qiblah* for *Thabah* is incorrect and that it ought to be 'mustahab'?

No authority of the Shariah has proffered the view of Sunnatul Muakkadah of *Istiqbaal-e-Qiblah* with regard to the mayyit. On the

contrary, all authorities of the Shariah of all Four Math-habs conform Sunnatul Muakkadah of *Istiqbaal-e-Qiblah* when slaughtering. The ‘*ashraful makhluqaat*’ argument is therefore untenable and utterly baseless.

All three arguments ventured by the Mufti for his personal preference and fabrication of the ‘mustahab’ view are baseless and haraam since the logical effect will be the abrogation of an established Shar’i *hukm*.

ISTIQBAAL-E-QIBLAH DURING THABAH

What the Authorities of the Shariah say

* Hadhrat Sha’bi (rahmatullah alayh) narrated: “When the Sahaabah would slaughter animals, they would face the Qiblah”. The mushrikeen would face (their idols) when they slaughtered animals, hence it is desirable to oppose them by facing the Qiblah.” (Al-Badaaius Sanaa’)

* Hadhrat Aishah (radhiyallahu anha) narrated that Nabi (sallallahu alayhi wasallam) said: “Sacrifice (animals) wholeheartedly, for verily, when a Muslim faces the Qiblah with his animal, the animal’s blood, horns and wool will be virtuous deeds in the Mizaan (Scale of Justice) on the Day of Qiyaamah.”

(Kitaabul -Majmoo’)

* “Ibn Umar (radhiyallahu anhu) and Ibn Seereen (rahmatullah alayh) detested eating (the meat) of an animal which was slaughtered while it was not facing the Qiblah.” (Al-Mughni)

* “Ibn Umar (radhiyallahu anhu) narrated that Nabi (sallallahu alayhi wasallam) would face the Qiblah with his udhiyyah (Qur’baani animal) when he intended to slaughter it.”

(Al-Mabsoot)

* “If he (the slaughterer) violates these desirable (Mustahab) acts, he does evil.” (Al-Fawaakiud Dawaani)

* When Imaam Maalik (rahmatullah alayh) learnt that the slaughterers were slaughtering sheep in a circle around a pit, he said: “Then I sent someone to prohibit them from this method, and I instructed them to face the animals towards the Qiblah.”

(Al-Mudawwanatul Kubra)

* “If he slaughters away from the Qiblah, he has committed evil.....According to Imaam Muhammad, if he intentionally omits the Qiblah, the meat will be Makrooh. Ibn Habeeb said that if he intentionally omits the Qiblah, it will be haraam. Imaam Maalik has said similarly.” (Ath-Thakeerah)

The Damage and Disservice of Mufti Radhaul Haq

Mufti Radhaul Haq has rendered Islam and the Ummah a great disservice with his endeavour to diminish the significance, incumbency and importance of *Istiqbaal-e-Qiblah* when slaughtering animals. And for what has he dropped to this despicable level? Only to vindicate the haraam kufr slaughtering system of Rainbow Chickens which the Sanha Shaitaan has halaalized. There is no other motive for the Mufti’s contemptible exercise other than the promotion of Rainbow Chickens via the agency of the Sanha Shaitaan. This is not supposed to be a Mufti’s function.

A Mufti – an Aalim of the Deen – is supposed to be Rasulullah’s (sallallahu alayhi wasallam) representative. He has to be the Guardian of the Shariah. He has to stand in defence of Islam and safeguard the *Ahkaam*. It is not his function to fabricate fatwas to vindicate shayaateen such as Sanha and to promote the business ventures of the kuffaar.

A Mufti has to diligently maintain the purity of the Deen and not tamper with the *Ahkaam* to minimize their significance and importance as Mufti Radhaul Haq is guilty of. Instead of safe-guarding the Shariah and resurrecting dead and trampled on *Ahkaam*, he issues forth into the arena in support of baatil. Instead of upholding the Shariah’s *Istiqbaal-e-Qiblah* law which has a long time ago been eliminated and replaced with the kufr system with the active connivance and blessings of ulama-e-soo’ for the sake of monetary gain, the Mufti strengthens the hand of the Sanha Shaitaan by endorsing the displacement and

elimination of a *mas'alah* which has been murdered by Sanha and its likes in the same way as they are torturing and murdering billions of chickens, and marketing the diseased carrion as 'halaal'. Mufti Radhaul Haq should reflect and understand exactly the damage he has caused to the Shariah and to Muslims by endorsing Sanha's shaitaaniiyat with his baatil fatwa.

For a moment let us accept that *Istiqbaal-e-Qiblah* is only Mustahab. Does Mustahab mean insignificance and worthy of displacement and elimination? Does Mustahab provide a licence for its replacement with a kuffaar system? Is it not the duty of the Mufti to guard with diligence even the Mustahabbaat of the Shariah? Instead of doing what his sacred Office demands of him, he denigrates the *Hukm* from its Sunnatul Muakkadah status, then fabricates for it 'istihbaab', and that too not for practical observance, but solely to vindicate Sanha's approval of the kufr killing system and its halaalization of rotten, diseased carrion chickens torturously killed without the invocation of the Tasmiyah.

Mufti Radhaul Haq has prepared his fatwa not in defence of the Shariah nor to aid the Haqq, but to vindicate the corruption of the Sanha Shaitaan – such corruption which is clearer than daylight. The evidence to nail and throttle this Shaitaan is steadily piling up. The evidence for Sanha's halaalization of haraam carrion is formidable. While Sanha may have easily duped the simple Mufti and sucked from him the corrupt, baatil fatwa, the evil molvis of this satanic organization are fully aware of their own haraam corruption. They are 100% aware of the complaints which their own inspectors have made over the years. It is not a case of Sanha being in the dark regarding the carrion which is being produced and fed to Muslim under auspices of the certificates which are in reality one way tickets to Jahannum.

Mufti Radhaul Haq, in addition to damaging the Deen with his baatil fatwa, has rendered his own soul a great injustice by falling into the rotten, stinking, diseased, haraam carrion mess of the Sanha Shaitaan.

THE KILLING SYSTEM WHICH IS 'AKIN TO KUFR'

The issue of concern is not a matter of a casual or forgetful omission of *Istiqbaal-e-Qiblah* by a Muslim who has slaughtered an animal for his

home consumption. We are looking at a satanic and a horrendous kuffaar system of torturing and murdering billions of Allah’s defenceless *makhlooq* to produce halaalized haraam carrion. We are looking at the complete displacement of the Islamic system of Thabah. While Rainbow Chickens is not expected to introduce the Islamic system of Thabah, it is not expected of Muslims in general, and of Muftis in particular, to endorse and halaalize a kuffaar system of savagery which is the current system of slaughter at Rainbow and at all commercial plants – the system which Hadhrat Maulana Ashraf Ali Thaansi (rahmatullah alayh) and other Akaabir Ulama have labelled, *akin to kufr*’.

The total abandonment of the *Istiqbaal-e-Qiblah* requisite should not be viewed in isolation of the system. The Shariah is targeting the whole rotten brutal system which produces *maitah* for human consumption. Every step in the actual killing system, as well as every step in the pre-killing breeding system is brutal and haraam. A Mufti has to look intelligently at the entire system about which the *mas’alah* has been posed. If a solitary Muslim out of ignorance slaughters his chickens in his backyard while facing them away from the Qiblah, he too will be lightly rebuked for his negligence which causes omission of *Istiqbaal-e-Qiblah*. If such a person seeks a fatwa regarding his omission, the Mufti will inform him correctly and offer *naseehat* to induce practical adoption of the Islamic system even if he believes that *Istiqbaal-e-Qiblah* is *Mustahab*. No Mufti who has some fear and who is diligent in cultivating taqwa will encourage the Muslim to entrench and perpetuate his omission of Mustahabbaat.

However, regarding the issue at hand pertaining to the killing system which the Sanha Shaitaan has approved wholeheartedly and which the Mufti has endorsed with his baatil fatwa, the matter is of utmost gravity. It has been confirmed beyond doubt that carrion is marketed as ‘halaal’. Muslims are consuming diseased carrion. In this there is no longer any doubt regardless of the Shaitaan’s tantrums and the co-operation of the ulama-e-soo’ in this nefarious vile shaitaani broiler chicken industry, the end result of which is nothing but *MAITAH*.

The whole system, every step of it, is haraam. Even if we have to assume that the ‘end product’ is halaal, this hallucinated ‘hillat’ does not render halaal the whole brutal haraam system of torturing chickens

to death, and breeding chickens in horrendous and cruel conditions which necessitates crushing to death hundreds of thousands of day-old live male chicks and feeding this rotten carrion to the same broiler chickens which Sanha markets as 'halaal'. Muslims, as the Mufti mentioned in his abortive, baatil fatwa are *Ashraful Makhluqaat* (*The Noblest of Allah's creation*). We are not dogs and savages who should consume carrion and accept torture and brutality as lawful norms for putting to death the creatures of Allah Ta'ala.

If prior to committing zina with a prostitute who is paid for her immoral services, a contract is made stipulating that at the end of the zina process, the *zaani* (fornicator) has to marry the prostitute, then the 'end product', namely, Nikah which is halaal, cannot be cited in justification of the entire system or process of prostitution. This is what in effect the Sanha Shaitaan and the Mufti are doing. They claim that because the 'end product'- the slaughtered chickens – are halaal, therefore the whole haraam savage system of killing the chickens is acceptable and halaal. Every intelligent Muslim can easily understand the corrupt brains which halaalize a haraam system on the basis of a halaal 'end product'. The matter is aggravated by the fact that the 'end product' is not halaal. It is haraam, rotten, diseased carrion.

It is our dua that Allah Ta'ala opens up the blinded eyes and the fossilized hearts of those who have sold their souls for the haraam riba money which they acquire from the haraam carrion industry.

A Broken Chicken Foot to Break Your Heart...



PART TWO

OUR RESPONSE TO THE SECOND PART OF THE FATWA

THE HARAAM KILLING SYSTEM OF RAINBOW CHICKENS

On the 5 December 2008, Mufti Radhaul Haq and some of his colleagues went on a SANHA pre-arranged ‘inspection’ of the Rainbow Chicken plant in Hammarsdale, Natal. Mufti Radhaul Haq mentioning the purpose of the ‘inspection’ says in his fatwa: *“The purpose was to see if its (Rainbow’s) system was in accordance with the Shariah or not.”*

Our Comments

Firstly, Mufti Radhaul Haq was not qualified to have undertaken the ‘inspection’ because:

* He lacks knowledge of the whole broiler-chicken industry from inception to termination – from the day the chickens are hatched to the day they are brutally killed. He has absolutely no knowledge and no understanding of the horrors and haraam malpractices which are integral to the broiler-chicken industry.

* He is simple and gullible, and too naïve for the cunning and insidious snares of a person like Sanha’s Molvi Noulakhi who is an expert in the utilization of bombastic four-letter expletives. Whoever is interested or curious regarding this expertise of this man, may contact Mufti Afzal Hoosain Elias who has been the victim of Noulakhi’s vulgarity. This will, Insha’Allah, form a separate subject of discussion in another forum.

* Mufti Radhaul Haq, the NNB Jamiat and Sanha are all birds of the feather. They belong to the same organization. He is obviously biased

in favour of Sanha. He lacks the capability of independence and impartiality.

* Mufti Radhaul Haq is extremely short-sighted lacking in intellectual vision, hence he quickly fell into Sanha's trap by agreeing to participate in the pre-arranged so-called 'inspection' which in reality was a farce, a sham and a deceptive exercise to pull wool over the eyes of the Muslim community.

* He is shockingly unaware of the slaughtering system. He has done no homework on the issue hence his 'inspection' excluded the technical and practical issues such as voltage, amperage, temperature of the water, line speed, number of chickens each slaughterer has to kill in a shift, chickens entering the scalding alive, supervision of all the post-slaughter processes, conditions of employment of the slaughterers pertaining to Salaat, etc. All of these factors have a direct bearing on the status of the end product.

The issue is not restricted to neck-slitting for *hillat* and for consumption by the Ummah. In addition to the principle of *Hurmat li Ainihi* the principle of *Hurmat li Ghairihi* is of imperative importance in the determination of the status of the end product, i.e. the killed-chickens.

* Accenting to a pre-arranged Sanha inspection is a fundamental disqualification. Lowering the voltage, lowering the water temperature in the scalding, drastically reducing the line speed, alerting the slaughterers with the instruction, "Move your lips" for the consumption of the gullible 'inspectors' are all obvious ingredients of a pre-arranged 'inspection.' But, the Mufti lacked this understanding and quickly allowed himself to be ensnared into Sanha's trap.

* Mufti Radhaul Haq was Sanha-appointed. Sanha is in the dock indicted of a haraam holocaust on the human and animal *Makhlooq* of Allah Ta'ala. Sanha has been accused of feeding the Ummah chicken carrion on a mass scale, of licensing a horrendous, brutal and haraam killing system and of paving the path of Jahannum of all the

slaughterers by assenting to a haraam kuffaar killing system which requires wholesale abandonment of Salaat on a permanent basis. Thus slaughterers are unable to attend Jumuah and Eid Salaat. While Rainbow closes operation for Christmas Day, Boxing Day, Easter Monday and Good Friday, the slaughterers are not allowed more than five minutes break for a quick 'iftaar' during Ramadhaan. They are 'banned' from performing Maghrib Salaat even in Ramadhaan. Mufti Radhaul Haq is shockingly ignorant of this evil or has intentionally turned a blind eye to this and the other concomitant evils to vindicate Sanha and to save its carrion skin.

* An inspection arranged by Sanha is a mockery and an insult to intelligence. Thus Mufti Radhaul Haq made a mockery of himself with his participation in the mock 'inspection'. His own statements in his fatwa confirm this mockery.

On the basis of the foregoing facts, there is really no need to proceed further with the demolition of the drivel findings of the Mufti. He was disqualified from the very inception, hence his findings have no credibility. Nevertheless, for the sake of greater clarification we deem it necessary to expose the sham and the farce of the so-called 'inspection' on which the Mufti bases his findings.

Even Sanha understands the worthlessness of its pre-arranged inspections, hence it conspired the 'inspection' which was headed by Mufti Radhaul Haq. It will be recalled that during October 2008 as a direct consequence of the uproar and exposure of the haraam rot of Sanha's carrion industry, Sanha solicited the aid of a group of molvis to extricate it from the haraam morass of carrion chickens in which it was and still is sinking. Despite its pre-arranged 'inspection' by 14 of his hand-picked molvis, Sanha has gained no satisfaction. Sanha had achieved no mileage from its selected 14-member molvi team who went on the Rainbow excursion. The stunt back-fired. One inspector rejected the slaughtering system in entirety, branding it horrific, cruel, horrendous, disgusting, etc. Another one issued a blanket statement saying that the whole system 'is not permissible'. Yet another one of Sanha's team conceded that the stunning system is 'haraam'. The

consequence of Sanha's 14 member team ranged from Makrooh to Haraam. Most of the 14 members opted for silence.

Sanha's desperate second stunt-inspection headed by Mufti Radhaul Haq is a loud acknowledgement by Sanha that its 14 member team inspection was a flop, a failure and that no intelligent unbiased Muslim attaches any credence to the farcical excursion which was pre-planned by Sanha. Since the 14 member team failed to bail Sanha out from its mess, it organized the 'inspection' with Mufti Radhaul Haq. But this 'inspection' too is a flop and does not assist in resurrecting the credibility of Sanha or of enhancing the status of the carrion chickens according to the Shariah and in the eyes of the Muslim community.

Impromptu and sudden unannounced inspections are not allowed by Rainbow or any other chicken-killing plant. In a sudden unannounced inspection even the likes of Sanha's 13 handpicked molvi 'inspectors' will be stunned and jolted into reality. The starkness of the malpractices will compel even Sanha-supporting molvis to concede that the chickens killed are carrion and haraam.

Recently even Animal Welfare inspectors were refused admission to a poultry plant in Cape Town. The plant had much to hide, hence the unannounced inspection would have produced incriminating evidence. Explaining the attempted inspection, the organization, *Compassion in World Farming*, states in a pamphlet:

"On Tuesday, 11th November 2008, a 3-man team from Animal Welfare visited the Tydstroom processing plant in Durbanville, Cape Town Their subsequent report stated that on arrival at the Tydstroom processing plant, inspector Hewitt-Coleman announced that they were responding to a complaint..... A young woman, the quality control officer at the plant, said that the manager was not available..... She said there was nothing to see as the slaughter had been over for hours. We sensed a strong resistance to our presence even though we were entitled to be there and entitled to inspect the premises.

Ms Arends (*the quality control officer, after having lied – The Majlis*) then agreed that slaughtering was currently in progress..... but refused us entry. She said we could stand outside the entrance and look through the doorway from a distance..... Although Ms Arends had refused to give the go-ahead to take photographs, inspector Hewitt-Coleman did in fact take a photograph of the chickens in the crates.

From where we stood we could see into the section of the slaughterhouse where the birds were being hung up on shackles. Seven men were shackling them at tremendous speed. Some chickens were hooked up onto the same shackle, others dangled by only one leg and we saw a chicken with a leg so swollen that the leg wouldn't slip into the shackle. It got jammed on the top. The birds flap frantically during this process.

Because we were denied entrance into the slaughterhouse – despite our legal right to enter – we decided to leave and come back with a court order. We were very disturbed by what we saw.

However, as we drove to the exit, the plant manager who had been 'unavailable' during our visit, was waiting for us and refused to lift the boom until we agreed to delete the photograph we had taken. Ms Arends must have radio-called him to warn him that we had the photograph. Ms. Arends who was standing close by, then deleted the photograph and inspector Hewitt-Coleman pointed out that this could be constituted as tampering with evidence."

The resistance to an unannounced inspection could be understood from the attitude of Tydstroom's management. The fact that the plant manager acted unlawfully by preventing the inspectors from leaving, and by forcefully deleting the incriminating photograph, confirm that the inspections undertaken by Sanha's 14 molvi team and by Mufti Radhaul Haq were farcical and a mockery of the intelligence of the participants who were made fools by Sanha. Later the manager of Tydstroom invited the inspectors for a pre-arranged inspection. He commented: "It is not possible for me to comment on any of the allegations made by the inspectors. I would like to invite them to make an *appointment* with me and I will gladly show them the process."

The molvis have allowed themselves into a pantomime 'inspection'. They should not expect intelligent Muslims to accept their fatwas endorsing the haraam corruption of Sanha.

THE SHACKLING PROCESS

Regarding the shackling process, Mufti Radhaul Haq says in his fatwa: *"It was shown to us and we also observed it that until the end, care was taken that prior to slaughtering there should be no dead fowl. First of all the one who shackles the fowl ensures that the fowl is alive. Then at the time of the slaughter, the slaughterer checks the fowl. Then after the slaughtering, someone standing or sitting at a distance checks. If the*

colour of the fowl has changed, he separates it even though the blood had flowed."

The gullibility of Mufti Radhaul Haq is laughable. He has no understanding of the stunt and trick Sanha has played on him. He is too naïve to understand that he was conned by the pantomime show which he beheld. The abovementioned account of the shackling given by the Animal Welfare inspector, as well as by the slaughterers themselves, as well as by expert non-Muslims who inspected chicken plants, and who wrote books on the slaughtering system prevailing at the killing-houses debunk the drivel that Mufti Radhaul Haq has written in his fatwa.

The birds are shackled at 'tremendous speed' and man-handled violently. During the process even their brittle bones break. Did the Mufti not see the chickens flapping their wings frantically? Did he not hear them scream out of fear? Surely he was not so blind nor so deaf that his observation missed these cruel scenes. But the screams and frantic flapping of the chickens are meaningless to a mufti who believes that shackling the chickens upside down is perfectly permissible, humane and necessary.

The Mufti's version conveys the silly idea that the shackling labourers are compassionate and concerned men having altruistic motives compelling them to carefully examine each bird, gingerly handle them and affectionately shackle them for the kill. Far from this deceitful and false picture which Mufti Radhaul Haq endeavours to portray with his biased report, the labourers are crude persons who shackle the birds at 'tremendous speed', jamming the legs and swollen legs, breaking legs and bones. Semi-dead chickens and even dead chickens are shackled. At the tremendous speed at which the conveyor belt moves, there is no time for the tender handling and careful scrutiny of the birds to ascertain whether they are dead or alive or in the dying process. The labourers violently pull out the birds by their brittle legs and violently shackle them upside down.

For deceiving Mufti Radhaul Haq, the line speed was drastically reduced and the pantomime show was enacted. Since Mufti Radhaul Haq lacks experience and information in this sphere, he swallowed everything he saw hook, line and sinker. He had failed to even understand the deception of the 'inspection'. A head mufti or a chief

mufti should possess sufficient authority to dictate the terms. It was his duty to have insisted for an unannounced inspection. Sanha's claims of 'impromptu' inspections are lies – blatant lies. Impromptu inspections will confirm the full horror of the murderous kuffaar system of killing chickens.

According to Mufti Radhaul Haq the chickens are carefully, gingerly and thoroughly examined to ascertain that they are alive. If this is so, why do some birds turn pink after slaughter? Mufti Radhaul Haq avers that some birds turn pink despite the blood having flowed after being slaughtered. Now why do the chickens turn pink despite the blood having drained? Mufti Radhaul Haq is unaware although Sanha is aware. The slaughterers have testified that due to the haphazard slaughtering which leaves neck vessels intact or slightly cut, the blood does not fully drain, hence the chickens become pink.

However, chickens which have just died during the shocking process, if they are slaughtered, they do not become pink because the blood does drain from such birds. So while improperly cut birds turn pink, dead birds properly cut do not turn pink.

Mufti Radhaul Haq conveniently adopted silence regarding the identity of the person "who stands or sits at a distance", and whose function it is to remove dead birds after the slaughtering process.

Mufti Radhaul Haq is blissfully ignorant of the pain and trauma these unfortunate birds suffer during transport and shackling. He has been thoroughly duped by the doctored presentation of the foul kufr system, hence in his naivety he believes that the birds are 'gingerly' handled and tickled with love and affection whilst they are hung upside down to proceed on the journey to the killing chamber. A non-Muslim expert in these matters writes:

"At the slaughterhouse, birds may wait in the trucks anywhere from one to nine hours depending on killing and processing speed. It is a throat-cutting moment to look at a truck stacked with orange plastic crates that seem empty and all of a sudden see movement, or an eye in there, and know that experiences are taking place inside. Standing next to a truckload of chickens at a Tyson plant in Richmond, Virginia, I saw how agitated the birds became as they watched their companions being yanked by the legs and shackled by their ankles upside down on

the moving conveyer belt.” (Poultry Growers News – Prisoned Chickens, Poisoned Eggs)

In all his years of teaching Hadith, did Mufti Radhau Haq not perhaps come across the Hadith in which Rasulullah (sallallahu alayhi wasallam) commanded that the knife be concealed from the animal? And did he not perchance see somewhere in the kutub that Hadhrat Umar (radhiyallahu anhu) had whipped a man who sharpened the knife in the presence of the animal? Does the Mufti not then understand from such Ahaadith that animals are sentient and are able to sense and perceive impending disasters? Does Mufti Radhau Haq not understand that the chickens become shocked with fright even before becoming shocked with electricity when they see their compatriots being violently ripped out of the overcrowded crates and are cruelly shackled upside down? Does he see mercy and *insaaniyat* in such cruel treatment?

Let him understand that the impervious and callous labourers who are devoid of even a vestige of *rahm* have a job to execute. The line is moving at speeds of up to 180 birds per minute. They have to keep the line supplied. It is merely their job to yank and shackle regardless of the bones and legs of chickens breaking in the process, regardless of semi-dead and dead birds which all get yanked and shackled. Their job is only to yank and shackle. But this was concealed from the Mufti who has rendered Islam and the Ummah a great disservice by gracing the stupid, sham pantomime ‘inspection’ with his presence, and then committing the capital crime of endorsing the brutality which he had witnessed. Then to further compound this ugliness and abomination, he laboured arduously to fabricate Shar’i arguments to bolster the indefensible, and to find divine justification for a kuffaar system of torture and killing branded by Hakimul Ummat Hadhrat Maulana Ashraf Ali Thaanvi (rahmatullah alayh) as ‘akin to kufr’. Yes, every Mu’min who has no despicable agenda understands why adoption of this brutal kuffaar system of killing chickens is ‘akin to kufr’.

The slaughters have an entirely different story to tell regarding the yanking and shackling process. Along the way to the killing chamber, many chickens suffer broken wings and torn skin as they bang against the metal contraption at certain points in the journey to death. But, of course, the Mufti did not see this, for it was arranged that he should not

see such ugly things, and in fact, even if he had seen it, he would have dexterously dug out some Shar'i justification for the brutality.

DEAD CHICKENS

The chap – and sometimes it is a girl – who ‘stands’ or sits – and for most of the time he/she sits and snores away fully bored – who is supposed to check for ‘pink’ (un-slaughtered) birds who were tortured to death either by the *shareetatush shaitaan* method of killing or by having been scalded to death after they slipped pass the slaughterers with their necks intact, is a perfect specimen of a drone. While he/she symbolically removes a couple of ‘pink’ birds, numerous similar birds pass on and are cut up and packed to be sold as ‘halaal’ under the auspices of Sanha’s certification.

Furthermore, numerous birds who had just perished with the brutal electric shocking are slaughtered while they are dead – dead as stones. The blood is drained from such birds. They do not become pink. They are cut up and packed to be sold as ‘halaal’ by virtue of the haraam certificate of Sanha. Authorities in this field claim that up to 35% of the chickens die as a result of the electrical shocks. These dead birds are slaughtered, and they do not become ‘pink’, hence are undetectable. But Mufti Radhaul Haq is ignorant of all such vile malpractices.

TASMIYAH

The Mufti comments: *“There are four slaughterers, and every slaughterer slaughters the fourth fowl, hence Bismillaah can be recited with ease. Along with the slaughterer, we too recited Bismillaah, and we could recite it with comfort. However, due to the racket of the machines, the Bismillaah (being recited) could not be heard. But the slaughterers are Muslims. The demand of husn-e-zan (holding a good opinion) is that to accept they must be reciting.”*

Again, the Mufti makes a mockery of his own intelligence. How many hours did the Mufti stand with the slaughterers reciting Bismillaah in unison with them? Or how many minutes or how many seconds? And, did the Mufti strip and get into the slaughterers gear with a mask

covering his face, slaughtering away at chickens in motion moving swiftly at speeds of up to 180 per minute for an eight-hour marathon stretch? Obviously for the consumption of the gullible participants of the sham, pantomime ‘inspection’, the line speed was drastically and fraudulently reduced, and the order was out: “Move your lips!”

Did the Mufti stand for eight hours and recite 19,000 times *Bismillaahi Allaahu Akbar* while simultaneously killing chickens frantically as the slaughterers do? The Mufti should not labour under the notion that his drivel about him being able to recite the Tasmiyah while the slaughterer was cutting on a doctored line convinces people of intelligence. His ability to recite the Tasmiyah is not proof for the claim that the slaughterers recite Tasmiyah on every bird. His comment about *Husn-e-Zan* is dismissed. It is baseless in view of the fact that the slaughterers themselves have testified that they DO NOT recite Tasmiyah. Even without the statements of the slaughterers, there is *Ghaalib Thann* that Tasmiyah is not being recited on the overwhelming majority of chickens.

Secondly, it is quite evident that it is not possible for slaughterers who do not even perform Salaat, not even Jumuah and Eid, to recite 19,000 times Tasmiyah in an 8 hour shift on a daily basis in the rotten conditions in which they are slaving at the killing plant. The claim by Sanha, endorsed by the Mufti, that Tasmiyah is recited on every bird is a massive satanic LIE – a blatant lie – a lie of which Sanha is fully aware – a lie which many slaughterers have debunked in signed affidavits. It is a LIE which the Mufti has swallowed hook, line and sinker.

Then the Mufti attempts to bolster his *husn-e-zan* argument with the following Hadith:

“Hadhrat Aishah (radhiyallahu anha) narrated that some people said: ‘O Rasulullah! A community (who were new Muslims) bring to us meat. We do not know if they had recited Bismillaah or not. Rasulullah (sallallahu alayhi wasallam) said: ‘Recite Bismillaah and eat it.’ From this Hadith it becomes known that if the slaughterers are Muslims who aver that they do recite Bismillaah, then their slaughtered meat should be eaten. They should not be suspected of not having recited Bismillaah.”

The issue is not as simple as all that as the Mufti wishes us to swallow and believe. It is not a question of suspecting the slaughterers of not reciting Tasmiyah. In this rotten carrion saga halaalized by Sanha, the slaughterers themselves admit that they do not and they are unable to recite Tasmiyah on every bird they kill. A simple scrutiny of the conditions under which the killing is executed confirms the impossibility of each faasiq slaughterer reciting 19,000 times Tasmiyah in an 8 hour shift. Sanha has swept under the mountain of carrion chickens the fact of slaughterers being on drugs, and it is known in at least one case, that Sanha's plant inspector had to remove from the slaughtering a slaughterer who was drunk – under the influence of liquor – while cutting the chickens. After two hours of cutting, he was taken off the line. But all his killed birds went for 'halaal'.

Sanha knows that slaughterers on drugs were sent for rehabilitation. The stench of the malpractices is too over-powering, and cannot be concealed. What is rotten will stink, and it is this stink which has overwhelmed the olfaction of Muslims, and exposed the corruption in the carrion industry. The situation at Rainbow, Early Bird and other commercial killing facilities cannot be compared with the episode mentioned in the above Hadith. There was no reason to doubt because the people were Muslims who had no monetary agenda such as Sanha has. They were not slaughtering to promote the business empires of the Yahood and Nasaara. There was no reason to doubt them. But, in the case of Rainbow's slaughterers it is not a question of doubt. It is a fact – confirmed and as clear as daylight that they do not recite Tasmiyah. If the Mufti has fallen into Sanha's trap and if he has allowed himself to be hoodwinked and befuddled by his own naivety and gullibility, others are not so dumb and dense in the brains to swallow the drivel which the Mufti is trading in defence of Sanha.

The Mufti is also unaware that the four slaughterers whom he had seen do not remain on the line for the entire duration of the killing. The slaughterers have explained that for the greater part of the cutting time, there are three slaughterers, not four. After the first 20 minutes, a routine is initiated. A slaughterer falls out of the line to wash the blood from his mask or to sharpen his knife or just to take a few minutes unofficial break. He remains off the line for 10 minutes. When he resumes his position, another slaughterer falls out and takes a break of

10 minutes. When he returns, another one falls out, and so the process continues with three slaughterers for the greater part of the cutting time.

A slaughterer having to slaughter every fourth chickens makes no difference to the time available for slaughtering a chicken. The fact remains that the line speed is between 160 and 180 birds per minute. This is the norm which was doctored for the Mufti's consumption and to befool those who participated in the sham 'inspection'. In effect a slaughterer has to kill between 45 – 60 birds a minute. This causes much corruption. The slaughterer just cannot manage this number per minute, hence many birds are partly slaughtered with just a nip made in the neck (*shareetatush shaitaan*), and many birds simply slip pass the cutter and go alive into the scalding water to be scalded to death. Commenting on such scalding to death, a non-Muslim animal rights activist says:

"The chickens hang there and look at you while they are bleeding. They try to hide their head (they are still alive –Majlis) from you by sticking it under the wing of the chicken next to them on the slaughter line. In the scalding, "the chickens scream, kick and their eyeballs pop out of their heads", said Virgil Butler. The industry calls these birds "redskins" ('pink birds' in South Africa) – birds who were scalded while they were still alive."

"Millions of birds are alive, conscious and breathing not only as their throats are cut but afterwards, when their bodies are plunged into scalding water to remove their feathers." (United Poultry Concerns)

The Mufti's observation is rejected with contempt. There are clear (*sareeh*) indications as well as other indications (*qaraa-in*) from which to draw the valid inference that *husn-e-zan* cannot be adopted in the matter of Rainbow Chickens, its slaughterers and the carrion produced and marketed 'halaal' by Sanha.

Mufti Radhau Haq says: *"This too became known that every slaughterer is given a rest of 20 minutes after 40 minutes or half an hour after an hour."*

This rest period does not mitigate the corruption prevalent at Rainbow Chickens. It in no way makes the chickens halaal. The foregoing malpractices are perpetrated despite these rest intervals.

THE INSPECTORS

The Mufti also adds: *“Further, there is also a Muslim inspector appointed by the company and a second inspector appointed by SANHA. They do the inspections of the slaughtered chickens. Therefore, in our opinion the slaughtered chickens are halaal. Muslims can eat them.”*

Yes, the Mufti and his cronies may eat and enjoy the rotten diseased carrion. If this Mufti had knowledge of the entire broiler chicken industry, he would not have issued such un-Islamic advice. He would not have exhorted Muslims to consume the diseased chickens even if the slaughtering was correct. The cruelty and the diseases of these chickens are confirmed. There is no shadow of doubt in this. Ingesting these chickens causes a variety of cancer diseases as well as other sicknesses. With so much disease, brutality and doubts associated with the broiler-chicken industry, the Mufti should shame himself for advising Muslims to consume such rot. On account of all the harmful factors, an intelligent Mufti will conclude that at the best the chickens are *mushtabah* (doubtful). That is, if the Mufti is ignorant of the reality and the gross malpractices underlying this vile industry, then too he would advise Muslims to abstain. Is the Mufti then not aware of the many Ahaadith which command abstention from *mushtabah*?

With the intense controversy raging on this issue and with so much already known of the background of the broiler-chicken industry, it baffles the mind to comprehend a head mufti who is a shaikhul hadith exhorting Muslims to consume chickens produced by a kuffaar killing facility when the emphasis of the Shariah is on abstention from *mushtabah*.

The company’s inspector is the company’s paid employee. His first priority is to safeguard his job. He is not a man of Taqwa on whom the sacred Trust of guarding Halaal production could be reposed. Sanha’s inspector is worse than the company’s inspector. It is this inspector who instructs the slaughterers ‘move your lips’ when visitors appear at a pre-arranged, fraudulently plotted farcical ‘inspection’. What trust could be reposed on Sanha’s inspector when trust has completely eroded in Sanha itself – in the molvis of Sanha and even in the molvis whom Sanha manages to rope in for the pantomime ‘inspections’?

When Sanha itself is in the dock indicted of the capital crime of feeding the Ummah carrion, the same goes for Sanha's inspector.

The company's inspector is naturally under pressure to submit obsequiously to his employers. Similarly, the other inspector will naturally be in cahoots with SANHA. The notion that these inspectors issue reports based on the fear for Allah Ta'ala is a canard which SANHA utilizes to induce Muslims into devouring the haraam carrion chickens. The conduct of both SANHA and the inspectors is flagitious and venal. Sordid money motives have constrained this miserable entity to betray the Ummah with the haraam carrion. Both inspectors are *persona non grata* in terms of the Shariah. The idea that the chickens could be halaal on the basis of the word of these fellows is preposterous.

SHACKLING UPSIDE DOWN

In his feeble and abortive attempt to dismiss the objections which are made against the haraam slaughtering system of Rainbow Chickens, Mufti Radhau Haq says:

“Objection against upside down shackling: In my opinion, for the feet of birds to be in the air and their heads downwards is not a medium of torture (or punishment, persecution, etc.). We observe birds and fowls climbing on walls and roofs. In so doing their heads are downwards and their feet upwards. This is observed night and day in villages. It is thus apparent that in this matter fowls are not like human beings. The head of a human being downwards and legs upward will be a cause of persecution and hardship for a human being. Further, it has been observed in rural areas that when village folk buy fowls in the marketplace, they hold the fowls by the legs upside down. The fowls do not experience any real hardship because they do not flutter (or flap their wings). Furthermore, in slaughterhouses the reason for hanging them upside down is for enabling the beak to dip in water so that the fowls become unconscious and senseless or partial unconsciousness settles over them. In short, shackling in this way is for a reason.”

Every intelligent person will be flabbergasted by the stupidity of this entire absurd argument. Besides this argument being devoid of Shar'i substance, it is downright silly. The Mufti really does not know what he is saying here. He has degenerated into a ridiculous rut with this laughable argument. The assertion that birds and fowls descend from walls and roofs in an upside down position in the manner in which they are shackled vertically with their heads perpendicular to the ground and their feet likewise to the ceiling, is an absurd lie. Did anyone ever see anywhere a fowl alighting from a wall or roof in the state in which it is shackled cruelly on metal shackles? The fowls fly down with their wings outspread to balance them, their feet tucked under them and their heads slightly bent, but largely parallel to the ground. In this way they make a smooth landing. They don't descend with their feet in the air and their head pointing directly to the ground and when they are just about to land they make a somersault to land on their feet.

The Mufti has spoken utter nonsense which he expects intelligent people to swallow. No one is so stupid as to believe the laughable drivel which the Mufti has presented in defence of the Sanha Shaitaan.

We have already described the pain, fear and trauma the chickens suffer in the shackling process. It is a brutal process in which bones and legs even break and wings are torn in the swift transport towards the killing chamber. This ludicrous contention displays some form of senility. The mufti's opinion is downright silly. The birds undergo tremendous stress and pain while they are shackled upside down. Why would a fowl not be under persecution and fear when it is violently captured and shackled in an unnatural position? Fowls do not perch at night in an upside down position. They do not descend from a height with their heads pointing to the ground, then make a sudden somersault a second or two before striking ground.

Even non-Muslims who are concerned with the welfare of the chickens condemn this cruelty on the chickens. Describing this cruel process, the United Poultry Concerns of U.S.A. states: "At the slaughterhouse, the birds sit in the trucks without food or water for 1 to 9 hours or more waiting to be killed. Inside the plant, in the "live-hang" area, they are violently jammed into a movable metal rack that clamps them upside down by their feet. Suspending these heavy birds, most of whom are already crippled, upside down by their feet, puts a painful

strain on their legs and hips. Worse, meat industry specialist, Dr. Temple Grandin reports “seeing a lot of one-legged shackling” of birds.”

How ridiculous for the Mufti to so nonchalantly aver that shackling the birds upside down in metal clamps does not pose a hardship for the chickens? The Mufti has degenerated to an extremely low ebb of callousness in his abortive bid to pass off this cruel upside down shackling process as permissible and necessary according to the Shariah when in actual fact the Shariah prohibits every type of pre-slaughter injury, hurt and persecution to the animal, both physical and mental, hence even displaying the knife to the animal is haraam (Makrooh Tahrimi).

The ‘*daleel*’ of the stupid village folk carrying the chickens upside down to and from the marketplace does not really demand a dignified rebuttal. It will suffice to say that it is totally unexpected of a chief mufti who happens to be a shaikhul hadith to seek to abrogate Rasulullah’s commands and the Shariah’s masaa-il with the actions of ignorant village folk, many of whom are unable to recite even the Kalimah.

The Mufti had either conveniently not seen or was oblivious of the blood trickling from the orifices of the chickens which the *jaahil* village folk and taxi-scooters transport upside down for long distances. Cruel scenes in this regard are observed in Pakistan and Bangladesh. Chickens are tied upside down in *bunches* and tied to scooter sides or carried in the intense heat. Even blood begins to trickle from their orifices. Such cruel maltreatment of the chickens by absolutely *jaahil* and heartless rustics is not a *daleel* for justifying the horrific upside down system of Rainbow Chickens. Cruel practices and maltreatment of animals are norms in these Eastern countries. They have lost their Deen and their culture. If the heart of the Mufti was not moved by the cruelty which he witnessed at Rainbow Chickens, what should we expect from the ignorant village folk who are totally ignorant of the Deen?

The persecution inflicted on the fowls by the village folk does not justify the cruelty of Rainbow’s upside down shackling. The Mufti

should proffer *daleel* of the Shariah to support his contentions, not the haraam practices of ignorant village folk.

The Mufti mentions that the fowls which are carried upside down in the villages do not flutter. Did he not see the chickens at Rainbow flapping their wings and screaming desperately during the shackling process? It is difficult to accept that he did not witness the birds flapping their wings initially when they are caught and violently shackled. After they have been shackled into the cruel position, their strength is drained. Hanging with shock upside down without further movement is a deceptive ‘calm’ which should not be misconstrued to be a state of serenity and tranquillity. Even in the villages, when the fowls are initially caught and handled roughly, they resist, scream and flap their wings in the attempt to break loose and flee. But after a while their energy dissipates and they hang cruelly without flapping their wings. This argument is absolutely ludicrous and does not befit a man of knowledge.

That the cruel shackling is done for a reason is accepted. But that reason does not justify the cruelty. According to the Mufti, the purpose of the upside down shackling is to enable the bird’s beak to dip into the water.

Immediately prior to the shackling is the transport of the chickens to the killing plant. In Britain every year almost 2 million broiler chickens perish horribly during the catching and transport process. We do not have the figures for South Africa. Why do the chickens die? *“Gregory and Austin examined the reasons for birds being “dead on arrival” in a paper published in The Veterinary Record Death. The researchers concluded over half the birds died from heart failure and say, “Presumably the physiological responses associated with the stress of catching, loading and transporting the birds had been too much for the cardiovascular system to cope with.”*

The second most common cause of mortality was found to be dislocation of the femur (thigh bone) at the hip joint. This was associated with profuse haemorrhage....It is thought that catching and carrying large birds by one leg is conducive to dislocation of the hip, and that catching by two legs would help reduce this problem. However, they point out that catching by two legs would slow down the

catching rate, meaning that more staff and therefore more money for wages would be needed.

They (the researchers) cautioned that the survey will not have revealed the full extent of birds arriving with dislocations because they only counted birds who actually died. Any who survived would have, “entered the processing plant in the normal way”.

Other birds died from crushed skull, a cause of death which occurred most frequently in transporters which used plastic drawers.

So before birds even arrive at the slaughter plant, they will have to endure the stress of catching, transportation and loading – procedures so stressful that they can cause birds to have heart attacks. Careless handling means that birds’ heads can be crushed and that dislocated hips are commonplace.

*The process of **hanging birds upside down** prior to slaughter causes extreme stress. Chickens kept on modern factory farms have been bred to grow far faster than they would naturally and this places a huge strain on their undeveloped limbs, causing painful crippling. Broiler chickens’ bones are unable to form properly and what should be hard, calcified bone is frequently nothing more than soft cartilage. As a consequence their skeletons fail to grow properly and their legs bend under their rapidly ballooning weight. The Agriculture and Food Research Council have stated that up to four fifths (80%) of broiler chickens have broken bones and deformed feet and legs or other bone deformities.*

***Shackling is incredibly painful for turkeys.....**Professor John Webster says that “certain welfare abuses are intrinsic to the slaughter system. Suspending birds upside down on shackles must induce some degree of fear. More seriously, the procedure must seriously exacerbate the intensity of pain in chickens.....Finally, the whole stressful procedure takes time.....The whole procedure clearly causes pain and suffering.*

Any slaughter system which depends on poultry being shackled intrinsically causes suffering. Vival is appalled that the vast majority of UK poultry continue to depend on this outdated, cruel system.”
South Africa is no different.

Broken bones, crippled chickens and dislocated hip bones – 80% of all broiler chickens suffer from such injuries even before being violently shackled upside down to exacerbate their injuries. Non-Muslim expert researchers and authorities in this sphere confirm the horror the chickens are subjected to during the transport and shackling procedures, yet the Mufti is unable to comprehend obvious realities, and believes that the chickens are ‘delighted’ when shackled in this haraam and cruel manner. We trust that the Mufti will apply his mind and his conscience after perusal of the abovementioned horrible portrayal of the plight of the chickens.

ELECTROCUTING

He conveniently omits mentioning that it is electrified water which shocks the daylight out the chicken and which horrifically pains them, shocking them into immobilization while their senses remain intact.

If the Mufti is reporting honestly that he saw only the beaks of the chickens dipping in the water, then this is further confirmation for the fraud that has been committed. It is a palpable untruth that only the beak dips into the water. The chickens are waterboarded in the same way as abducted and rendered detainees are waterboarded during the torture process at Guantanamo Bay and other U.S.A. black torture centres. The entire heads of the chickens are submerged in the electrified water to ensure that the current horribly shocks (not stuns) the chickens into immobilization, not unconsciousness. That the Mufti was satisfied with the beaks dipping into the water of cruelty testifies for his ignorance of the system and his ready submission to the fast stunt SANHA pulled over him. The beak-dipping was specially demonstrated for his consumption.

The Mufti alleges in his ‘fatwa’ that only the chicken’s beak dips into the electrified water. Either the Mufti is reporting incorrectly or the shocking procedure was adjusted for his gullible consumption. Even some Molvis who were part of the 14 member inspection team appointed by Sanha say that the heads of the chickens are fully immersed in the electrified water. One of the 14 Molvi inspection team personally informed us that he had seen the heads of the chickens fully immersed.

The experts and the experienced, who have a thorough knowledge of this brutal haraam process proffer the following description of the electrical shocking method:

“There are three main methods for immobilizing birds to prepare them for slaughter..... (3) Electrical, in which a live current is shot through the bird by means of an electric knife, plate or electrified water to which sodium chloride (salt) has been added to improve the conductivity of the charge.

*The electrified brine-water bath is the method that is used in the large commercial slaughter plants. After the birds have been manually jammed into a movable metal rack that clamps them upside down by their feet, known as “live hang”, about thirty seconds later their **heads and necks are dragged through a 12-foot** brine-bath trough called a stun cabinet for approximately seven seconds. Between 20 and 24 birds occupy this cabinet at a time. **180 birds pass through the trough every minute.***

*The purpose of this method of stunning broiler chickens is to relax neck muscles and contract wing muscles for proper positioning of the head for the automatic killers (or for the human killers), prevent excessive struggling of the birds as the blood drains from their necks, promote rapid bleeding (under 90 seconds), and loosen feathers. During electrical water-bath stunning, currents shoot through the birds’ skin, skeletal breast muscle, cardiac muscle, and leg muscles causing spasms and tremors, reducing heartbeat and breathing, and increasing the blood pressure. The birds exit the stunner with **arched necks, open, fixed eyes, tucked wings, extended rigid legs, shuddering, turned up tail feathers, and varying amounts of defecation.***

Problems identified with this method include birds missing the stun bath by raising their heads to avoid it, and shocking of birds splashed by water overflowing at the entrance end of the stun cabinet. Electrical resistance of the circuits can vary between and within a single slaughter plant reflecting differences in stunners and circuits, and a wide range of other variables including the birds’ own bodies, like the amount of fat and skull density.....This means that they are

being painfully shocked and paralyzed, the opposite of being rendered insensible to pain and suffering.

According to researchers, a major problem with electrical stunning, even under “ideal” conditions, is that birds who are stunned (rendered unconscious) and birds who are merely paralyzed look the same. ***A bird or a mammal may be unable to move, struggle, or cry out, while experiencing intense pain and other forms of suffering including the inability to express outwardly a response to pain perception.*** (At this juncture it will be salubrious to remind Mufti Radhauḥ Ḥaq and others of like-thinking that about 75 years ago, long before the researchers and experts had published their findings, Hakimul Ummat Hadhrat Maulana Ashraf Ali Thaanvi – rahmatullah alayh – expressed the very same concept which is presented in the highlighted words above. The Mufti should refer to *Imdaadul Fataawa*.)

“No one really knows the kind of pain and overall suffering involved. Various indicators have their proponents: visual, auditory, evoked versus spontaneous somatosensory, physical activity, brain waves, breathing, etc.....One slaughter operator notes: “It is possible that the electric shock, even as it renders the bird unconscious, is an intensely painful experience.”

(Prisoned Chickens, Poisoned Eggs by Karen Davis PhD)

A slaughterer who was employed by Rainbow Chickens of Hammarsdale in a sworn and signed affidavit states:

“The chickens are shackled by the feet and hung upside down in a conveyor line. In this position the chickens become excited and fearful. They wildly flap their wings. As a result of this agitation some chickens are caught on the conveyor contraption, and this causes their wings to break and skin to tear. This mutilation happens prior to the birds being electrically stunned.”

“When chickens arrive at the stunner there are already 37 to 40 chickens whose heads are fully immersed in the electrified water which results in some chickens dying in the shocking process. When these electrically stunned chickens reach the slaughterman, he is not always able to detect whether the birds on the line are dead or alive. The mask which fully covers his face and eyes blurs his vision. The dead bird is slaughtered and continues on the line.”

“In a situation whereby there is a power failure or a stoppage due to mechanical failure, etc., the line comes to a standstill. This results in the drowning of the chickens whose heads are submerged in the electrified water in the stunner.”

We quote verbatim from a written statement of another Rainbow ex-slaughterer:

“In Rainbow Chickens, the bird is being tortured before getting to the slaughterer. Being hung on shackles upside down, blood rushing to its head instantly, swinging along the line at ridiculous speed causing the skin to tear, going into the stunner which is a container with filthy water, built to electrocute the chicken. After between 26 to 38 seconds in the electrical water container, the chickens come to the slaughterers. They slaughter the chickens irrespective of the condition, even if dead.....If dead, it makes no difference. Even if it was dead before being slaughtered. It goes all the way into the blood tunnel filled with blood that is washed away after every 2 to 3 hours.

It takes the bird two minutes to enter the scalding tank which is filled with boiling water, filthy, dirty and smelling..... Chickens have also fallen from the shackles into the scalding tank. Some are thrown in by workers on duty. These chickens cook in that tank.....

There are bins that are for dead birds. Birds that are thrown into these bins take a few hours to start rotting – worms even coming out. The chickens start turning green.Because these birds are injected, some of them come with extra legs. Instead of two, three or four. Some come with broken or stiff necks, the neck being stuck on one side... The same applies in Rustenburg. I’ve been there as well. These are some of the reasons why I lost my job – asking too many questions.”

“Nice” information for Mufti Radhaul Haq. This horrid state of affairs makes a mockery of the silly claims made by the Mufti who clearly has been hoodwinked by SANHA to participate in the haraam sham which they dub ‘impromptu inspection’. The malpractices are absolutely horrendous and bizarre.

Another serious problem is that while the chickens’ heads are submerged in the filthy electrical water, they inhale the filth. In this

regard, the researchers, Gregory & Whittington said: “(After conducting an experiment they concluded): ‘Chickens can and do inhale water during the electrical stunning in a waterbath. The scientists explain that, “some birds defecate during stunning and hence foul the water of waterbath stunners”. So, at stunning, the birds inhale faeces when they are dipped into the electric waterbath. This is perceived as a particular problem from the meat hygiene perspective because fluids can leak out of the lungs and cause contamination.”

As far as non-Muslims are concerned, electrical stunning should kill the chickens by cardiac arrest so that they are dead by the time they reach the slaughterer. However, although this ‘ideal’ has not been achieved, innumerable birds die as a consequence of the electrical shocking. They continue on the line to be slaughtered.

“The aim of modern waterbath systems is supposedly to induce a cardiac arrest in birds so that they die and have no chance of regaining consciousness. However, not all birds have a cardiac arrest and the RSPCA say that: “Many birds are improperly stunned and recover consciousness before slaughter.” Thus, innumerable chickens die in consequence of the shocking, and are slaughtered.

Despite these revelations of slaughterers and the elaboration of non-Muslim researchers and experts, Mufti Radhaul Haq cracks the following cruel joke:

“After the electrified water touches the beak of the fowl when it is observed that the fowl is alive, and even after the slaughterer examines it and blood flows, certitude of the fowl being alive is confirmed. Therefore to say that it is mushtabah is unacceptable. If after the water touches, sleep overcomes the fowl, then there would be a doubt of death. But even sleep does not overtake the fowl. In fact, its feathers and wings flutter nicely.”

This Mufti degenerates from one level of absurdity to the other. Degenerating into one such cruel stupidity, he says:

“In every age the instruments of administering comfort change. For example, in the present age if someone has to be operated, he is given an injection of intoxication as a result of which desensitization, senselessness or unconsciousness settle on the patient. Effecting the operation on him then becomes easy. If someone’s tooth is extracted, he

will suffer much if the tooth is extracted without an operation. In fact, the doctor will not be able to operate. The patient will remain suffering. However, because of the injection his jaw becomes numb and the operation is effected easily, and this for the patient is not less than a great bounty. Similarly for the fowls this (i.e. the electrical shocking) is like the act of an injection which cause a degree of desensitization, senselessness or unconsciousness to settle on the fowls. This makes the act of slaughtering easy. The inconvenience of the electrified water is similar (i.e. it is like an injection).....There is no fundamental corruption in this method (of electric shocking)."

Truly, the Mufti has made a laughing stock of himself with his nonsensical summing up. Electrically shocking injured and half-dead chickens hanging upside down is a 'great bounty' for the birds according to the Mufti. Every person with a little intelligence will be aghast with his comparison – comparing Mr. Bush's waterboarding and electrical shocking with anaesthetizing a patient. Every medical practioner, we are sure, will laugh and scoff at the Mufti's silly and ridiculous contention that the electrical shocks produce in the chickens the gradual drift into oblivion. The patient being anaesthetized do not suffer the horrific effects of electrical shocks explained in detail above. The anaesthetized patient drifts off into a peaceful sleep and is relegated to the realm of oblivion. There is no comparison whatsoever with waterboarding/electrical shocking and anaesthetizing.

If the Mufti perchance meets some brothers who were waterboarded and electrically shocked in Guantanamo Bay or at one of Mr. Bush's other black torture centres, he should ask them for their commentary on the 'anaesthetising' effects of waterboarding and electric shocking administered to them for extracting information. The Mufti should seek their opinion of the effects of tranquillity' and 'serenity' which he believes are produced by the administration of electrical shocks which he compares with anaesthetics. May Allah Ta'ala save us from the ludicrous and cruel inferences which the Mufti has made.

Violent electric shocks bore through the face, eyes, eardrums, feathers and internal organs of the chickens. While the chicken is immobilized by the brutal electric shocking, it remains conscious.

Those who have been electrically shocked, especially by Mr. Bush's torturers understand the pain and suffering of such shocks which the Mufti says produces 'tranquillity' and 'calm' such as the effect of anaesthetics. The Mufti needs to gain knowledge on these issues from patients who have been anesthetized and from detainees who had been electrically shocked or could have himself made a subject of electrical experimentation to ascertain the 'tranquillity' and 'calm' and the 'great bounty' which he believes are the effects of electrical shocks.

HADHRAT MAULANA ASHRAF ALI THAANVI

The Mufti, taking a swipe at Hakimul Ummat Hadhrat Maulana Ashraf Ali Thaanvi (rahmatullah) who branded the kuffaar shocking process 'akin to kufr', shamelessly says: *"It is not known what was the method of this (electrical) method of effecting unconsciousness during the time of those seniors who have written against it. The age of some seniors was the initial period of scientific progress. It is furthermore not known if they (the Akaabir) had seen this method (in operation) or not. If those seniors had observed the (present) advanced method (of administering electrical shocks) they would in all probability have supported it."*

Displaying his profound ignorance, the Mufti has gorged out plain drivel against Hadhrat Maulana Ashraf Ali Thaanvi (rahmatullah alayh) who had roundly condemned this haraam and cruel method. Every injury or painful method/device prior to slaughter is haraam according to the unanimous Ruling of all Math-habs. This Consensus cannot be rent asunder with the *faasid* rational argument of the Mufti. The Mufti pretends that he is well versed in the present methods of science and technology, yet he has displayed stark ignorance in this regard. He makes a mockery of himself by comparing electrical shocks with anaesthetics, believing the effects of both to be the same. His inference is stupid and laughable. Whereas the effect of anaesthetics is a gentle drift into a deep sleep in which all consciousness is lost, electrical shocks are violent internal blows which produce horrific pain, internal injury without confirming unconsciousness. The immobilization which electrical shocking causes by arresting the muscles is not unconsciousness as experts of today confirm what Hakimul Ummat concluded about 75 years ago.

The Mufti should seek the opinion of detainees who were tortured in Bush's secret detention centres to give him a better idea of the effects of electrical shocking. It is absolutely ludicrous to say that electrical shocks deliver the chickens into a 'calm sleep of tranquillity'. This conclusion shocks the intellect in a similar way that the electricity shocks the chickens into immobilization.

Ahmed Ghaneem, the Egyptian slaughter who recently (a few days ago) exposed the haraam malpractices in the 'halaal'; certified meat industry of New Zealand explained that many sheep after having been shocked, reached him on the slaughter chain while they were dead, smelling of burnt wool and blood dripping from their nostrils and ears. These are the effects of electrical 'stunning'. It is imperative for the Mufti to upgrade his research on these issues to enable him to structure his fatwa on a solid Shar'i base.

There was no need for Hadhrat Maulana Thaanvi (rahmatullah alayh) to journey to England to observe the electrical shocking apparatus in progress. It is irrelevant whether he saw the system in operation or not. The explanation was adequate. His fatwa holds good for today and for all time until the Day of Qiyaamah since it is based on sound Shar'i principles, not on conjecture. The one who posed the question had provided an adequate explanation. Furthermore, basically it is the very same method today which had existed during Hadhrat Thaanvi's time. The electrical shocking then and today is the same. Researchers and experts of the current age have confirmed Hadhrat Thaanvi's observations. In his fatwa in condemnation of the kuffaar system of slaughter in which the animal is supposedly rendered 'unconscious', Hadhrat Thaanvi said: *"This method is impermissible for two reasons: First: Prior to rendering the animal 'unconscious' its senses were intact. After stunning, there is no certitude regarding the desensitization of the animal (i.e. its senses cease to function). It is quite possible that this (shocking) device immobilizes (arrests movement) while the animal's senses remain intact. Immobility does not necessitate elimination of the senses. It is quite possible that the effect of this (electrical) device is merely the immobilization of the limbs. It could be like tightly gripping the hands and feet of a person and throttling him. While he will become immobile his senses are*

intact. Thus, first (i.e. prior to stunning) there is certitude regarding the functioning of the senses. After stunning, there is doubt (no certitude) regarding elimination of the senses. A rational and Shar'i principle is: 'Certitude is not eliminated with doubt.' Thus, in case of the senses remaining intact (after the stunning) this device is the cause for increasing the pain of the animal, hence it is not permissible. The animal itself cannot speak to explain its state (after the stunning).

The second reason for the impermissibility of this method is that the one who adopts this method will most certainly regard it to be superior to the Shariah's method in which unconsciousness is not caused. Believing this method to be better than the Shariah's method, he will regard the latter to be defective and overshadowed. Giving preference to the fabricated method over the Mansoos (the Shariah's method) is akin to kufr.

For these two reasons this method is an evil bid'ah and an interpolation in the Deen, hence it is in conflict with the Deen."

(Imdaadul Fataawa, page 604, Vol.3)

The Mufti's contention that the time when Hadhrat Maulana Ashraf Ali Thaavi (rahmatullah alayh) issued his 'akin to kufr' fatwa, was the initial period of scientific progress is laughable. What exactly he means by this statement remains a conundrum which he needs to unravel. Today, i.e. this year 2009, may also be interpreted as the 'initial period of scientific progress' if it is related to the year 2050. 'Initial period of progress' is a relative issue. Besides this, it has no effect on the Fatwa of Hadhrat Thaavi (rahmatullah alayh).

It devolves on Mufti Radhau Haq to point out what exactly he disagrees with in the Fatwa of Hakimul Ummat. The Fatwa of Hakimul Ummat cannot be dismissed with drivel rationalization as the Mufti has done. The Fatwa of Hakimul Ummat is comprehensive and embraces all 'stunning' methods which had existed, which do exist and which may yet be invented.

The Mufti's feeling that if Hadhrat Thaavi (rahmatullah alayh) had observed the brutal electrical shocking system of Rainbow Chickens, he would have approved and supported it, is baseless and ridiculous. Hakimul Ummat has unequivocally clarified that a new system which displaces the Masnoon or Shar'i system is 'akin to kufr'. His fatwa thus

debunks the drivel claim which Mufti Radhau Haq has proffered with regard to his imagined approval by Hadhrat Thaanvi if he had observed the current cruelty of electrical shocking.

The Mufti avers: “*Apparently there is no fundamental corruption in this act (i.e. in electrical shocking).*” He is in grievous error. The fundamental corruption of electrical shocking as a measure to aid the killing process of the chickens is multi-faceted:

- ? It is a cruel method causing immense pain as expert researchers contend. Even commonsense is sufficient to convince one of the cruelty. Anyone who has any doubts regarding the effects of electrical shocking may volunteer for experimentation
- ? It is the infliction of pre-slaughter injury which Islam prohibits. There is consensus on this prohibition.
- ? It displaces the Shariah’s fourteen century system of *Thabah*.
- ? Approval of this system implies the belief that the Shar’i system is inferior, hence the fatwa of ‘*akin to kufr*’.

SHOCKING AND DEAD CHICKENS

The Mufti, defending Rainbow’s killing system, denies that any chickens die as a result of the electrical shocking. We have already answered above, this baseless claim of the Mufti. Here we have to add that the following facts further refute the Mufti’s contention.

(1) Many slaughterers vouch that numerous birds are dead by the time they reach the slaughtering point. They die as a result of the electrical shocking.

(2) When an inspection is arranged and is by appointment, the following malpractices are perpetrated:

- * The line speed is drastically reduced
- * The voltage of the stunner is reduced to ensure death does not occur
- * The temperature of the water in the scalding tank is reduced to enable the visitors to insert their hands in the filthy faeces and blood contaminated hot water.

Thus, the Mufti's inability to have understood this reality deceived him into believing that birds do not die in consequence of the electrical shocking. Numerous do die.

(3) Just recently, one of SANHA's counterpart 'halaal' certification 'authorities' had made an unannounced inspection at the Anka chicken plant in Stutterheim which is certified by SANHA. They had removed stunned birds from the line on two occasions during their inspection, and found a number of the birds were dead. They drew SANHA's attention to this grave irregularity. There was considerable shenanigans behind the scene and the evil was swept under the carrion. Many Ulama are aware of this fact. They were shown the letter in this regard.

(4) In 2007 two Molvis visited the same plant mentioned above, and also found that of the 8 birds they removed from the line, four were stone dead. This is 50% of the chickens.

(5) Researchers have proven that numerous birds are killed by the stunning.

In view of this evidence, the claim of Mufti Radhaul Haq is baseless. He had participated in a pantomime 'inspection', and he lacks knowledge, information and experience of the horrid broiler-chicken industry, hence his view is rejected.

(6) The Mufti was conned with the manner of immersion of the chickens in the electrified water. Whereas the entire head of the chicken is immersed in the electrified water and dragged through the trough, the Mufti was again tricked and shown only the beaks dipping. If he had first made a thorough study of this haraam industry, he would not have acquitted himself so gullibly.

THE WATER IN THE SCALDER

Mufti Radhaul Haq defending the haraam killing process, asserts that if the water is not boiling or if it is boiling, but the immersion is only momentary, not for any length of time, the chickens will not be rendered haraam. This is correct. The Mufti has presented the relevant

texts (*ibaaraat*) from the kutub and correctly stated this ruling of the Shariah. He further adds the following ruling which is also correct: “Yes, after immersing the fowls in this water, they have to be washed three times.

Although the Mufti stated that the chickens have to be washed three times after having been immersed in the hot water, he conveniently does not inform if the chickens are indeed washed thrice at Rainbow after the immersion process in the scalding. There will undoubtedly be consensus that no such washing process takes place after the chickens have emerged from the scalding.

At this stage we do not have precise information regarding the temperature of the water nor of the time the chickens remain in the scalding. The word of those who participate in pre-planned, farcical inspections carry no weight. Some slaughterers have said that the water is boiling. Expert researchers say that innumerable chickens which enter the scalding ‘alive’ are scalded to death. At this stage we shall refrain from making a categorical ruling on this particular issue. However, the three-times washing most certainly does not take place, and the word and view of the slaughterers and researchers on this issue have greater credibility.

Further, the *hurmat* of the chickens certainly is not pivoted on this one issue. The mass abandonment of Tasmiyah, *shareetatush shaitaan* type of slaughtering, and the slaughtering of even dead chickens are the factors *per se* (*Li-aynihi*) which render the chickens haraam carrion, and the many other haraam malpractices associated with the broiler industry as well as all the haraam steps in the slaughtering system, render the chickens haraam *Li-ghayrihi*, i.e. extraneous haraam acts which render even the end products haraam even if they are *per se* halaal, but which they are not in reality.

PLUNGING THE CHICKENS INTO HOT WATER WHILST STILL ALIVE

Mufti Radhaul Haq says: “Another objection which has been heard is that these fowls are plunged into hot water for defeathering while they are still fluttering and before having become cold. With regard to this

objection, some Fuqaha have written that it is Makrooh to remove the feathers and wings before the fowl has become cold and the soul has completely departed. Muhammad Bin Abdul Latif Bin Abdul Azeez Bin Malik has written in Sharh Tuhfatul Mulook: 'Every unnecessary extra (act) in slaughter is Makrooh, e.g. dragging the animal by its leg to the place of slaughter and to skin it before it has fully died. Similarly, if it dies and all motion has not ceased then it is also Makrooh to skin it according to some because in it (skinning in this state) is an increase in the infliction of pain.' From this text it is learnt that skinning prior to cessation of movement is Makrooh according to some Ulama."

The Mufti presented the above text in an abortive and despicable attempt to condone the entry of the chickens into the scalding water while there is still life in them. This is such an evil and horrendous process prevailing at Rainbow and all commercial chicken plants that Mufti Afzal Hoosain Elias (SANHA's selected inspector), after first hand observation of the system in operation was horrified. He described the plunging of the still living chickens into the scalding water as 'horrific, disgusting, cruel', etc. But Mufti Radhaul Haq's heart remained so unmoved and inured with this brutality which he saw with his own eyes, that he deemed it humane, Islamic and in conformity with Rasulullah's command of mercy to animals to go fishing in remote waters to dig out from obscurity a peculiar view which he perceived was adequate to exonerate Sanha and sufficient for promoting the business ventures of the Yahood and Nasara.

He presents argument to vindicate Sanha and to promote Rainbow Chickens at the enormous cost of legalizing the horrendous haraam act of skinning animals whilst there is still life in them. He presented the aforementioned text to defend the immersion of the still living chickens into the scalding waters to commence the defeathering process.

With regard to this text, the following facts are noteworthy:

- ? The Mufti has bypassed every popular authoritative work of Fiqh which all Muftis incumbently refer to, and which constitute the basis and the structure of the Hanafi Math-hab. He has not cited a single one of the formidable array of the kutub of the Ahnaaf such as Shaami, Badaaius Sanaa', Bahrul

- Muheet, Al-Mabsoot of Imaam Sarakhsi, Fathul Qadeer, Alamghiri, Qaadhi Khan, Taatarkhaaniyyah, etc., etc., etc.
- ? He dug out the kitaab *Sharh Tuhfatul Mulook* (A Commentary on ‘A Gift for the Kings’) from some recess of obscurity. This is a little known kitaab which is not on the pedestal of the kutub mentioned above.
 - ? From the obscure kitaab he cites an ambiguous statement, namely, “According to some Fuqaha skinning alive is Makrooh.” The logical implication is that according to the *Jamhoor* (majority) Fuqaha skinning the *slaughtered* animal while there is still life in it is permissible.

Now, if this implication is correct, we ask the Mufti to present the Jamhoor Fuqaha’s Rulings on this issue. He presented a text from an obscure kitaab, which merely states that ‘According to some Fuqaha, skinning alive is Makrooh.’ If this is true, then there should be no difficulty for the Mufti to directly cite the views and rulings of the *Jamhoor* on this issue. What is the need to meander via a labyrinth when a straight path is accessible? If indeed skinning an animal alive is Makrooh only according to a tiny minority as the Mufti painfully attempts to convey, then what prevents him from directly stating the view of the *Jamhoor*?

The Mufti is required to draw from the popular kutub of the Ahnaaf to substantiate his view of permissibility of the horrendous and haraam act of skinning an animal prior to its complete death. The fact that he has not even attempted to cite Shaami, Badaaius Sanaai, Al-Mabsoot, etc. is adequate testimony for the contention that the Mufti has perpetrated chicanery by attempting to conceal the Haqq mentioned in all our *kutub*, hence he conveniently bypassed all the *kutub* which normally all Muftis refer to.

Let us now examine the actual *ibaaarat* (Arabic text) which Mufti Radhaul Haqq has unearthed from obscurity. Two *kitaabs* are involved. One is *Tuhfatul Mulook*, the author of which is Muhammad Bin Abi Bakr Bin Abdul Qaadir Ar-Raazi. The second one is a *Sharah* or a commentary of this kitaab. The *Sharah* from which the Mufti quotes is by Muhammad Bin Abdul Latif Bin Abdul Azeez Bin Malik. In both

these *kitaabs* is mentioned: “It is *Makrooh* (i.e. *Makrooh Tahrimi* which in practical effect means ‘haram’) to sharpen the knife after laying (the animal) down. It is *Makrooh* to cut until the spinal cord or to sever the head although (the meat) is *halaal*. And, *Makrooh* is every extra infliction of pain for which there is no need such as dragging the animal by the leg to the place of slaughter and to skin it prior to completion of (the event of) death.”

The authors of both *kitaabs* state exactly the same position, namely, every extra pain inflicted on the animal which is being slaughtered is *haram* (*Makrooh Tahrimi*), and both authors specifically include *skinning while there is still life* in the slaughtered animal. In so far as this *mas’alah* is concerned none of the two authors stated what Mufti Radhaul Haq has ascribed to them in his *baatil* fatwa fabricated to vindicate Sanha and promote the business empire of the Yahood. Neither in *Tuhfatul Mulook* nor in its *Sharah* appears Mufti Radhaul Haq’s baseless attribution, namely:

“Some *Fuqaha-e-Kiraam* have written that it is *Makrooh* to remove the feathers and wings of the fowl before it becomes cold and before the total emergence of the *Rooh*.”

He cites the Arabic text, but brazenly mistranslated either unknowingly or intentionally. The translation which we have presented above is the precise version of what is stated in *Tuhfatul Mulook* and in its *Sharah* – nothing more, nothing less.

Regarding the issue under discussion, i.e. skinning the *Mathbooh* (the slaughtered animal) alive, there is no mention whatsoever. Hence, we have no option other than to say one of two things: Either Mufti Radhaul Haq did not understand the Arabic *ibaaarat* or despite understanding it, he intentionally employed chicanery to vindicate Sanha and to promote the carrion wares of Rainbow Chickens. Of the two probabilities, the latter appears to be more in proximity with reality. Since the first probability of him not having understood the Arabic *ibaaarat* is incredulous, we are forced to adopt the second conclusion.

On the basis of the second probability, the chicanery dimension enters the argument by virtue of the Mufti connecting another *mas’alah*

with the *mas'alah* with which we are concerned. The *mas'alah* which the Mufti introduced to befuddle the issue is the following text from the *Sharah* which he cites, without translating:

“And similarly according to some, it is also (Makrooh to skin the animal) if it dies (i.e. does a natural death) and has not (as yet) become cold.”

This is the *mas'alah* stated in *Tuhfatul Mulook*. In its *Sharah*, the author states exactly the same. However, he annotates the statement, ‘has not become cold’ with his comment, “i.e. it has not become motionless. Its skinning is also Makrooh.” While the author of the *Sharah* comments on the statement, ‘has not yet become cold’, he makes no mention of the ‘feathers and wings of a slaughtered fowl’.

The following facts regarding the incongruity created by the Mufti’s misrepresentation are noteworthy:

- ? There is no mention of slaughtered fowls or any type of *Mathbooh* (slaughtered) animal in the *ibaaarat* of both kitaabs, viz., *Tuhfatul Mulook and its Sharah*.
- ? The Mufti has confused two separate issues: (a) skinning of a *Mathbooh* (Islamically slaughtered animal), and (b) skinning of an animal which has died naturally.
- ? The texts of both kitaabs confirm that it is haraam (Makrooh Tahrimi) to skin the *Mathbooh* prior to settlement of complete death, i.e. prior to all movement having ceased and the animal having become cold. There exists consensus of all the Fuqaha and Mathaa-ib, and of all the Sahaabah on the *hurmat* of skinning or committing any painful act to the *Mathbooh* prior to the total cessation of all signs of life. The animal must be cold and absolutely motionless before skinning or mutilation may be initiated.
- ? As far as an animal which died a natural death is concerned, the authors of both kitaabs (*Tuhfatul Mulook and its Sharah*) say that it is likewise Makrooh according to some, to skin it prior to it becoming *cold and motionless*.

The statement, ‘according to some’ implies that according to other Fuqaha it is permissible to begin skinning even before the animal has

become cold. Firstly, this difference – if indeed the author has correctly reported – pertains to an animal which has died naturally. It does not refer to the *Mathbooh* (the slaughtered animal). There is no ambiguity in this regard, neither in *Tuhfatul Mulook* nor in any of the other kutub of the Ahnaaf.

The Mufti has contented himself with the ambiguous claim made by the Annotator of *Tuhfatul Mulook*. He has not presented a single authority's ruling to substantiate his implied claim that it is permissible to skin an animal which has died naturally prior to it having become cold. The onus devolves on him to present proof from the numerous kutub of the Ahnaaf to bolster the view stated in *Tuhfatul Mulook* in relation to skinning an animal which has died naturally. Should he succeed in producing proof for the claim that according to the *Jamhoor Fuqaha of the Ahnaaf*, it is permissible to begin skinning an animal which died naturally, before it has become cold, then the maximum leverage for the Mufti will be restriction of the ruling of the *Jamhoor* to an animal which dies naturally. It may not be extended to the *Mathbooh*. Extension of the ruling to the *Mathbooh* will be in violation of Rasulullah's command of *Ihsaan* to the animal, in violation of the *amal* of the Sahaabah, in violation of the unanimous *Nusoos* of all Math-habs, and in violation of the *Tawaaruth* of the Ummah – a fourteen century *Tawaaruth*.

Furthermore, there is no Shar'i incumbency to accept the annotation of the commentator of *Tuhfatul Mulook* which simply stated '*prior to becoming cold*'. The comment, '*prior to becoming motionless*' does not exist in the original kitaab, namely, *Tuhfatul Mulook*. An animal may be motionless with all signs of life having terminated while it is still slightly warm. In view of the severity of the prohibition to skin or mutilate the animal while there is still life in it, the most logical and Islamic interpretation would be the permissibility of skinning when all motion has ceased although the animal which had died naturally may still be warm.

For the sake of reconciling the view mentioned in *Tuhfatul Mulook*, the annotator's comment, '*prior to it becoming motionless*' should be set aside. It is his personal view in which he had erred. It is repugnant in Islam and in total conflict with Rasulullah's prohibition and the

unanimous position of all Four Math-habs, to begin skinning and mutilating the animal while there is still motion in it. It is savage and in negation of *insaaniyat* (humanity). Merely on the basis of this solitary interpretation dug out from obscurity, the Code of the Shariah and the demands of Imaan and Islamic Akhlaaq cannot be set aside.

The only distinction which appears between the *Mathbooh* and the animal which died naturally, is that in the former, skinning, etc. may not commence if the animal is still warm regardless of all motion having ceased whereas in the latter, skinning may be initiated after cessation of all movement although the animal still be a bit warm. Even with regard to the animal which dies naturally, the Mufti has not adduced any evidence for the claim that skinning could commence prior to coldness. The inference has not been substantiated with textual proof.

There is no support whatsoever in *Sharh Tuhfatul Mulook* for the horrific act of plunging the slaughtered chickens into scalding water while there is still clear and visible signs of life in the birds. Perhaps the following description will jar the Mufti's Imaani conscience: ".....in U. S. Facilities, over 3 million birds were plunged into the scald tanks alive. According to a former slaughterhouse worker, when chickens are scalded alive, they flop, scream, kick, and their eyeballs pop out of their heads. They often come out of the other end with broken bones and disfigured and missing body parts because they've struggled so much in the tank."

The Mufti should shed some tears, not plunge headlong into Sanha's trap regardless of the brutality he is endorsing.

All our Fuqaha unequivocally state the impermissibility of commencing the skinning before the animal has become cold.

(1) "It is Makrooh to break the neck of the goat before it has become cold." (Al-Binaayah, Vol.10, Page 679)

(2) "It is Makrooh after thabah and before (the animal) becomes cold to break its neck and to skin it before it becomes cold."

(Fataawa Hindiyyah, Vol.5, Page 287)

(3) “Every unnecessary infliction of pain (on the animal) is Makrooh, e.g. cutting off the head and skinning before it has become cold.” (Ad-Durrul Mukhtaar, Vol.6, Page 296)

(4) “It is Makrooh to break its neck and to skin it after thabah and before it has become cold.”

(Badaaius Sanaai’, Vol.5, Page 60)

(5) “It is Makrooh to cut off the head and to skin it before it becomes cold.” (Majmaul Anhur, Vol.4, Page 159)

(6) “Similarly, breaking its neck after thabah, cutting off the head and skinning prior to it becoming cold are Makrooh.”

(Multaqil Abhaar, Vol. 1, Page 159)

(7) “It is Makrooh to skin it before it has become cold.”

(Al-Bahrur Raa-iq, Vol.8, Page 194)

These are just a few references from the many kutub of the Ahnaaf. There is no difference of opinion of the Four Math-habs on the evil act of skinning the *Mathbooh* (slaughtered animal) while there are signs of life it. Unanimously all the Fuqaha state that it is not permissible to skin before the animal has become cold. For the sake of brevity, we have not cited the kutub of the other Math-habs. The Mufti may satisfy himself by referring to such kutub.

SUMMARY

Mufti Radhaul Haqq in vindication of Rainbow’s cruel practice of plunging the chickens into the scalding water whilst they are still alive, fluttering and kicking, implied in his fatwa that according to the majority of the Fuqaha it is permissible to immerse the still alive chickens into the scalding water for initiating the defeathering process.

To bolster this corrupt view, he confused two entirely different *mas’alahs*: (a) the *Mathbooh* (slaughtered animal), and (b) an animal which dies a natural death.

He presented a text from the kitaab, *Sharh Tuhfatul Mulook*, which he interpreted to mean that according to the majority of Fuqaha it is

permissible to skin an animal before it has become cold, i.e. even while there are signs of life in it. Then he transferred this corrupt opinion to the chickens which enter the scalding while they are alive – kicking, fluttering and struggling. But he grievously erred by confusing two different issues and structuring his interpretation on the basis of this confusion.

As far as the *Mathbooh* is concerned, there is complete and perfect unanimity of all Four Math-habs that it is not permissible to begin skinning or any act of mutilation before the animal has become cold. In other words, there should be no sign of life. The term, ‘*before becoming cold*’ is specifically stated since it was used by Rasulullah (sallallahu alayhi wasallam).

The *mas’alah* which he extracted from the *Sharah* and on which he capitalized, pertains to an animal which dies a natural death. With regard to such an animal, the author of the *Sharah* (Commentary) states that “*according to some Fuqaha it is also Makrooh to begin skinning before this animal has become cold.*” Firstly this applies to an animal which has died naturally, not to the *Mathbooh*. Secondly, the author quotes the view of prohibition even in regard to this animal. He does not say that according to some Fuqaha it is permissible to skin the animal before it becomes cold. He clearly emphasised the prohibition.

The author’s use of the term ‘some’ is not a basis for categorically claiming that according to the *Jamhoor Fuqaha* it is permissible to skin an animal which has died naturally even before it has become cold. To substantiate an atrocity, it is imperative to cite explicit evidence. A prohibited atrocity cannot be classified permissible on the basis of an inference which is rationally and Islamically corrupt. Should we momentarily assume that according to the *Jamhoor Fuqaha* skinning such an animal before it becomes cold is permissible, then too, it will not be a basis for plunging the *Mathbooh* chickens into boiling water while there are clear signs of life in them.

Since almost all the Kutub are silent on the issue of an animal which dies naturally, the author of the *Sharah* was not in position to unequivocally state that according to the *Jamhoor* the act is Makrooh. He therefore used the word, ‘some’. However, in view of the silence of the *Jamhoor* regarding an animal which has died naturally, the original

ruling of prohibition of atrocities and infliction of pain will apply also to such an animal. Anyone who attempts to refute this contention should furnish his Shar'i proof.

Thus Consensus is established on the prohibition of plunging the *Mathbooh* chickens into the boiling water while they display clear signs of life. But at Rainbow, a few seconds after being killed, the chickens swiftly enter the scalding water to die horribly. It is most despicable for the Mufti to legitimize this atrocity and torture.

MAKROOH

Many molvis create confusion regarding the term '*Makrooh*' which the Fuqaha use unrestrictively to describe prohibited acts. In *Tuhfatul Mulook*, the same kitaab from which the Mufti extracted the mas'alah pertaining to 'skinning', it appears as follows:

"Every *Makrooh* appearing in *Kitaabul Karaahah* means *Haraam* according to Imaam Muhammad. According to Imaam Abu Hanifah and Imaam Abu Yusuf, it is closest to *Haraam*. It is for this very reason that we describe the majority of the *Makrooha*at (Makrooh things) as *Haraam*. (Vol.1. Page 223)

"Imaam Abu Yusuf said: 'I said to Imaam Abu Hanifah: When you say about something: 'It is Makrooh to me', then what do you mean thereby?' He (Imaam Abu Hanifah) said: "Tahreem" (i.e. It is haraam). – *Shaami, Vol.1, Page 225*

"Every Makrooh: i.e. Makrooh Tahrimi. Haraam: i.e. just like Haraam with regard to punishment with the Fire (of Jahannum), according to Imaam Muhammad." (*Shaami, Vol.5, Page 214*)

"Imaam Muhammad has explicitly stated: 'Verily, every Makrooh is Haraam.' (*Shaami, Vol.6, Page 197*)

When the term *Makrooh* is used without qualification, it refers to *Haraam*, not to *Makrooh Tanzihi*. Commission of a Makrooh Tahrimi act is a major sin and the consequence is punishment in Jahannum. The gravity of halaalizing a kuffaar system in which every single step from beginning to end is haraam, may now be better understood. Even if it be assumed that the end product is 'halaal', the 100% haraam system which produces the 'end halaal product' may not be legitimized with 'halaal' certificates.

Furthermore, *Makrooh Tanzihi* to may not be trifled with. To commit it with the idea that it is insignificant, is a grave sin. Constancy in the commission of *Makrooh Tanzihi* transforms the act into *Makrooh Tahrimi*. This type of act is also reprehensible and it is necessary to abstain.

DISPLACEMENT OF THE SHARIAH'S SYSTEM OF THABAH

Denying the existence of a Shar'i or a Masnoon system of *Thabah*, Mufti Radhau Haq says: *"Some Ulama have raised the objection that slaughtering the chickens according to the aforementioned method (i.e. Rainbow's method) has not been narrated from the Salf-e-Saaliheen. The answer for this is that at the time of slaughtering by the Salf-e-Saaliheen that method which the masses have adopted has also not passed by our attention. What, is it narrated in any Hadith that at the time of slaughtering a fowl one foot should be placed on its wings and on its feet the other foot, then holding the head slaughter it? Yes, since this method was easy for the masses, it was adopted. The objective is to slaughter the animal according to the Shar'i method. Its ways (or methodology) change in every age. In every place the easiest method is adopted."*

Then in an abortive endeavour to bolster the corrupt view stated above, the Mufti mumbles analogies with camels and modern modes of transport, changing syllabi in the Madaaris, different forms of athkaar of the Sufi Order, changing forms of writing – the pen and the computer, changing forms in the lighting system – candles, lamps and modern electrical bulbs. On this basis of this nonsense, he asks: *"Now instead of ten persons dropping a cow, how can the modern method of rendering it unconscious be bid'ah and in violation of the Shariah? And, instead of placing the legs on the wings and feet of the fowl, how could the modern method of controlling and slaughtering it be bid'ah and in conflict with the Shariah?"*

With this nonsense and *faasid qiyaas* (corrupt analogies) the Mufti rounds off his utterly baseless and despicable fatwa which he had designed for the sole purpose of vindicating the Sanha Shaitaan and

promoting the business ventures of the Yahood and Nasara. Let us now scrutinize all of this drivel which the Mufti blurted out without applying his mind to his garbled talk.

(a) The Mufti has in fact implied the non-existence of a Masnoon method of *Thabah*, hence he justifies Rainbows cruel method on the basis of the cruel method which he had seen in rural villages. His argument is that despite placing of legs on the fowl's feet and wings not being part of the way of the Saaliheen, nevertheless it is accepted. So what prevents us from accepting the system adopted today in commercial killing of chickens?

We have observed in the Mufti a highly inappropriate self-fabricated 'principle' in his fatwa methodology. He has a penchant of justifying practices on the basis of rustic custom. He justifies Islamically unacceptable and untenable acts with the customs of rural dwellers in the villages of India, Pakistan and Afghanistan. In his fatwa in which he had legalized haraam *riba-qimaar* insurance, he presented among his arguments a customary practices of the barbers in Afghanistan. In justification of the cruel practice of shackling chickens upside down as they do in commercial chicken-killing, he produced the basis of stupid village folk of India/Pakistan who hold chickens upside down after purchasing them in their marketplace. Numerous of these rustics are unable to recite even the *Kalimah*. Among his grounds for his fatwa of permissibility fabricated for Rainbow's killing system, the Mufti proffers the cruel practice of ignorant village-dwellers who mercilessly tramp on the wings and feet of the fowls when slaughtering them.

This penchant is extremely upsetting to say the least. The evil, erroneous and cruel customary practices of ignorant rural dwellers or even of city-dwellers are not *dalaa-il* of the Shariah which could be cited as a basis for permissibility. Thus comparing inhumane, cruel, modern systems with cruel practices of rustics, then issuing a fatwa of permissibility for the barbaric modern system by *faasid* interpretation which concludes that the haraam, brutal system of the kuffaar of this age is less cruel or more humane than the village system is downright stupid and most unbefitting of a Mufti who understands the meaning and purpose of the Divine *Ahkaam*.

His question: “*Does it appear in any Hadith that the feet be placed on the wings and feet of the fowl....*” is absurd and uncalled for. Who in the first place had legitimised the cruel practice of placing feet on the wings and feet of the fowl when slaughtering it? If the Mufti believes that this cruel practice of the rural people in Pakistan is valid and permissible, then he should direct the absurd question to himself and do some honest soul-searching to determine whether the Shariah condones this cruel practice of the village folk of Pakistan.

He justifies this practice because according to him it is easy for the villagers. Regardless of the ease, it remains Makrooh Tahrimi. It is not permissible to slaughter fowls in such a cruel way by brutally tramping on their wings with one paw and with the other paw on the feet of the fowls. We have never seen decent people slaughtering fowls in this barbaric manner. Whether the cruelty is perpetrated by Rainbow Chickens and halaalized by the Sanha Devil, or whether it is committed by the ignorant dwellers of rural villages, it remains prohibited. The one cruel practice cannot be cited to justify the other cruel practice on the basis of ‘ease’ for the slaughterers.

(b) The Mufti has also contradicted himself by saying: “*The objective is to slaughter the animal according to the Shar’i method?*” Earlier in his fatwa, in fact his entire fatwa, is a dastardly attempt to justify and legitimize every cruel step in the kuffaar slaughtering system. Now he speaks of the ‘objective of the Shar’i system’. What then is the Mufti’s conception of the ‘Shar’i system’? What are the fundamental constituents of the Shar’i system of *Thabah*? From the wholesale legitimization of every haraam practice of the kuffaar killing system, it is clear that according to the Mufti, the only requisites of the Shar’i system is that the slaughterer should be a Muslim/Kitaabi, the severance of the necessary neck vessels and the pronouncement of Tasmiya. Besides these three fundamentals there is no fourth ingredient in the Mufti’s conception of the Shariah’s system of *Thabah*. His approval of every horrific act of cruelty introduced by the kuffaar for economic gain negates every aspect of the Shariah’s system of *Thabah* ordered by Rasulullah (sallallahu alyhi wasallam) on the command of Allah Azza Wa Jal.

The Shar'i system is not confined to neck-slitting. The Shariah's system repels every act of savagery and inhumanity which are acceptable in the Mufti's concept of 'shar'i thabah'. It will add to the Mufti's knowledge and perhaps open up his spiritual vision if he studies the Islamic *Thabah* system elaborated by Hadhrat Mufti Muhammad Shafi (rahmatullah alayh) in his *Jawaahirul Fiqh*, by Shah Waliyullah Muhaddith Dehlwi in his *Hujjatullaahil Baalighah*, and by Hadhrat Maulana Qasim Nanotwi (rahmatullah alayhim) on his *Hujjatul Islam*.

The Fuqaha and Akaabir Ulama have described the Islamic system of *Thabah* to be among the *Sha-air* (outstanding and salient features) of Islam, the perpetuation of which is Waajib. But the attitude which Mufti Radhaul Haq has adopted and by his approval of the absolutely horrendous killing system prevalent at Rainbow Chickens, he conveys the idea that *Thabah* is confined to slitting the neck of the animal. Muslims are not supposed to acquit themselves as savages or barbarians or animals whose prime concern is to only eat regardless of the ways and means for acquisition of what is consumed. We are a people who prostrate to Allah Azza Wa Jal and who have to follow a divine code of life adorned with lofty precepts of morality and spirituality.

We advise the Mufti to look at slaughtering in the light of Rasulullah's moral advices, and commands, and from the pedestal of *Insaaniyat*. A senior Mufti is supposed to be a guide of the community, a lantern in the darkness, and beacon to assist the community in dangerous waters. His job is not merely to pronounce fatwas of '*hillat*' irrespective of the savage methodology and brutal system adopted to attain the '*hillat*'. Such 'end product hillat' will necessarily be *haraam li ghairihi*. Furthermore, the *li ghairihi* dimension in Rainbow's context is simple an aggravating factor to compound and emphasise the *hurmat*. The reality is that Rainbow's chickens are *haraam maitah*. The *hurmat is li ainihi*. The Mufti Sahib should view the entire system, not the 'end product' in isolation of the whole confounded, shaitaani, barbaric killing system which horrendously tortures the chickens to yield the so-called 'halaal end products'.

(c) The Shar'i system of *Thabah* is a confirmed well-known humane system of slaughtering, hence Hakimul Ummat Maulana Ashraf Ali Thaarvi (rahmatullah alayh) branded the stunning system of the kuffaar to be '*akin to kufr*'. It is abundantly clear from Hadhrat Thaarvi's fatwa as well as from the Shar'i system explained by all the Fuqaha that approval of a kaafir system necessitates displacement of the Shar'i system, as well as believing in the superiority of the kaafir system, hence the decree of '*akin to kufr*'. The Mufti professes ignorance regarding the existence of a specific Islamic system of *Thabah*, hence he believes that the system changes with the times. On the basis of such *faasid* thinking he approves of every cruel aspect of the kuffaar system thereby advocating the displacement of the Shar'i system and denuding it in entirety of its Masnoon character barring the reciting of Tasmiyah.

Commenting on this issue, Hadhrat Maulana Ashraf Ali (rahmatullah alayh) states in his Fatwa on animal-stunning:

“Even if the senses of the animal are rendered ineffective by some permissible method, then too, this method (of stunning) is not permissible for two reasons:

(i) Prior to (stunning the animal) into immobility, its senses were intact. After unconsciousness, there is no certitude for the elimination of its senses. (In fact, non-Muslim experts have confirmed that the senses of the animal after stunning are operative, as the observations of Mr. Virgil Butler and of others confirm.) It is quite possible that by means of this instrument (of stunning) the animal is rendered immobile while its senses of perception are intact. Immobility does not necessitate elimination of sensual perception. It is quite probable that the effect of this instrument (of stunning) is only the immobility of the physical organs/limbs while the sense of perception remains. Thus, this instrument (of stunning) is the cause for added torture, hence it is not permissible. The animal itself is unable to speak to explain its (heart-rending) condition.

(ii) The second reason for the impermissibility of this method (i.e. stunning) is that the votary of this process will most certainly regard this method as *mustahsan* (good and beneficial), hence he will consider the *Mashroo'* (i.e. the Masnoon Islamic) system of *Thabah* to be

deficient and *marjooh* (i.e. the kuffaar method has preference over the Islamic method). Giving preference to *mukhtara’* (*man made invention/introduction*) over *Mansoos* (*Revealed by Allah Ta’ala*) is akin to *kufr*. On the basis of these two grounds, this method (of stunning) is itself *Bid’ah Sayyiah* (Evil Innovation) and *Tahreef Fid Deen* (Interpolation in and distortion of the Deen). Thus, it is in conflict with the Shariah.”

The salient aspects in Hakimul Ummat’s exposition are:

- ? The infliction of stunning is torture prior to slaughtering which is haraam
- ? The animal suffers pain despite its immobility caused by the stunning
- ? The stunning method is blatantly in conflict with the Sunnah and Shariah
- ? Adoption of this method is akin to Kufr.

(*Imdaadul Fataawa, Vol.3*)

(d) ‘Ease’ for the slaughterer and for facilitating the commercial-killing system of the kuffaar broiler-carrion industry is unacceptable and not permissible when the methods of ‘ease’ are in conflict with the Islamic system or displace the Masnoon method. Thus, while cruelly shackling and brutally shocking the birds, and killing them in motion at swift speed facilitate the commercial-slaughtering process, and while the absolutely horrific smashing of the cow’s brain by shooting a metal bolt into its head makes slaughtering easy for the slaughterer, these barbaric methods which violently conflict with the Shariah’s system of *Thabah* are haraam and unequivocally rejected.

There is just no scope in the Sunnah and in the Math-habs for any of these cruel methods which are diametrically in violation of the system of *Thabah* which the Hadith teaches.

CAPTIVE BOLT ‘STUNNING’

The Mufti stuns us with the following observation: “*I have seen in abattoirs cattle being shot in the forehead with a ‘bullet of unconsciousness’. After this (i.e. after the bullet is shot into the*

animal's forehead), it is slaughtered with great ease." He leaves us aghast. It is clear that the Mufti is totally unaware of the brutality which is perpetrated on the cattle by this horrendous method of stunning. While it is conceded that the slitting of the animal's neck after its collapse is effected with 'great ease', it is shocking to accept that a Mufti can approve of such a horrendous method of fatally maiming an animal, and further, believing it to be superior to the Masnoon method of slaughtering.

Cattle are stunned by the captive bolt system. A long metal bolt is shot into the cow's forehead. It penetrates and smashes the animal's brain. While in the opinion of Mufti Radhaul Haq this brutal pre-slaughter infliction of injury and pain on the animal is acceptable and humane, Professor Schultz and Dr. Hazim of the Hanover University, Germany, proved through an experiment using an Electro Encephalographic (BEG) and Electro Cardiogram (BCG) that the western method of captive bolt stunning causes severe pain to the animal. The EEG showed severe pain immediately after stunning.

Furthermore, the hearts of stunned animals ceased beating earlier than those animals which were Islamically slaughtered. This resulted in more blood being retained by the meat.

Professor Sayyid Q.M.M. Kamoopuri states with regards to stunning:

"In modern methods, mechanical or electrical techniques are used to produce a stunning effect in order to make the animal paralyzed. They argue that these new techniques are less painful and fearsome comparing to the Islamic slaughtering. But this is not true. The paralyzed animal feels terrible pain and experiences fear but cannot express it because it is motionless. This creates a wrong impression that the animal is not suffering when as matter of fact it is."

Dr. A. Majid Katme who is an expert in this field, says:

"There are today many non-Muslim scientists who oppose stunning for humane and welfare reasons, like Van der wal, Wernberg, McLaughlin, Pollard, Winstanley, Marple, etc.....Risk of Mad Cow Disease (BSE) occurring in some stunning, as in the Captive Bolt pistol used on the cows. The brain is damaged and there is risk of contamination with

BSE, and the consumer could develop a similar disease which could cause death. The European Union has decided recently to ban stunning by the Captive Bolt pistol because of this serious health hazard."

While the westerners who invented this brutal method of smashing the brain of the animal concede the terrible pain and the health hazard which their 'scientific' method causes, the Mufti avers that horrendously smashing the animal's brain produces a soothing effect on the animal. The absurdity of the Mufti's claim is self-evident. When the Shariah prohibits pre-slaughter injury, by what stretch of reasoning and on the basis of which Shar'i *daleel* does the Mufti approve of such a horrific method of maiming the animal such as the captive bolt way?

The ease with which the slaughterer can slaughter the immobilized animal does not justify the introduction of a haraam method. It is not grounds for approval of cruelty nor is it permissible to abrogate the Shariah's prohibition of inflicting pre-slaughter injury.

The Mufti claims: "*With this bullet (i.e. the captive bolt shot) the animal is only rendered unconscious.*" What is the Mufti's evidence for claiming 'only unconsciousness'? What is his evidence for his belief that the animal does not suffer terrible pain when its brain is so brutally smashed? The research of experts and even commonsense confirm terrible pain. The fact that the Shariah prohibits any type of injury before slaughter should be sufficient to convince us of the fear and pain which pre-slaughter injury causes. But, the Mufti has no evidence whatsoever for his personal view. His view is unsubstantiated personal opinion which has no Shar'i weight. Unsubstantiated personal opinion is devoid of Shar'i substance.

Hundreds of thousands of cattle each year are incorrectly shot, necessitating a second and a third shot. The animal has to endure terrible pain in this excessively brutal process which the Mufti believes produces 'calm and serenity' to the animal. His opinion is absolutely ridiculous and devoid of the slightest shred of evidence. Dr. A. Majid Katme writes: "*Stunning is **PAINFUL** and **CRUEL** to the animal according to many medical studies done with the recording of the EEG (electric recording of the brain). Islam **FORBIDS** us to inflict any type of pain or cruelty on any type of animal. Similarly, EEG medical*

*studies have shown that the direct method of slaughter (Dhabh) is **PAINLESS** to the animal.*

Stunning affects the quality of the meat by disturbing and disrupting the natural healthy chemicals/formula of the meat, making the meat unhealthy or harmful to the health (not Tayyib).

*Handling the animal for stunning, causes a lot of **STRESS** to the animal, which affects the hormones in the body of the animal and causes medical harms and other undesirable effects. This is cruel to the animal*

*Failure of stunning leads to repetition of stunning which is more **CRUEL** and **PAINFUL**. Also some animals become paralysed and awake after stunning, some develop broken bones, some get bruises and lacerations...This is **CRUEL** and **PAINFUL**. Islam opposes all types of **TORTURE** to the animals”.*

The Mufti displays total insensitive and ignorance by posing the question: “*Instead of ten persons collectively dropping a cow, how can the modern method of rendering it unconscious be bid’ah, and instead of tramping on the wings and feet of the fowls, how could the modern method of holding the chickens and slaughtering them be bid’ah and in conflict with the Shariah?*”

The Fatwa of Hadhrat Maulana Ashraf Ali Thaanvi (rahmatullah alayh) clearly explains why introduction of these modern methods are *bid’ah sayyiah* (evil innovation) and in conflict with the Shariah. But the Mufti has intentionally adopted intellectual and spiritual blindness, hence he fails to discern the horror of these haraam methods which even ordinary Muslims can readily understand.

In order to befuddle the issue, he speaks of ten persons dropping a cow. He mentions ‘ten persons’ to convey the idea of a chaotic process. We do not know if the Mufti is cracking a joke by mentioning ‘ten people’ grappling with a cow to drop her in preparation for slaughter or if he genuinely believes that ten persons are required to chaotically subdue a cow. Perhaps he has seen madrasah students and stupid people on the Day of Eidul Adha slaughtering bulls chaotically for cruel ‘fun’ in a display of erumpent sadism. These inexperienced and stupid people having some haraam ‘fun’ revel in chasing the cow until

it is tired and cornered. Then all of them pounce on the animal to subdue it. This too is haraam. It is not permissible for such inexperienced persons to slaughter bulls on Eidul Adha. If they are unable to acquire the services of experienced men, they should restrict themselves to sheep and goats.

Here in Port Elizabeth, a Muslim operating a small abattoir, slaughters bulls in Islamic style every week. Two and three persons are sufficient. The bull is subdued expertly and slaughtered Islamically. That is, facing the Qiblah without any pre-slaughter injury such as stunning; without hoisting the still living carcass on a hook and without skinning it whilst there still remains motion in the animal.

Marhoom Maulana Abdul Haq Omarjee (rahmatullah alayh), explained to us that during his student days in Deoband, two persons would expertly drop a bull and keep it subdued. Perhaps the Mufti saw some stupid village folk who lack experience mustering a force of 10 and even 20 men to drop a cow.

Furthermore, the Shariah prohibits pre-slaughter infliction of injury on the animal. The Shariah does not prohibit any better method of subduing and holding the bull. The method which the Mufti lamentably approves of is the captive bolt torture. We do not know if he had observed this barbarity in operation. Perhaps if he witnesses it, he may change his mind and retract his fatwa. On the other hand, it is quite possible that even if he sees the horrendous torture perpetrated on the cattle he will remain unmoved and impervious as he was when he observed the chickens being tortured at Rainbow.

Special mention needs to be made regarding the captive bolt pistol method which Mufti Radhau Haq has unthinkingly legitimized. He obviously sees nothing amiss with this most horrific and savage method of maiming the animal by smashing its brain. We are sure if beef-consumers personally witness the pre-slaughter brutality to which the cattle are subjected to, they will not have the heart to eat beef, in fact even mutton because sheep too are not excluded from the brutality of modern kuffaar methods of torture which the Mufti espouses.

A metal bolt is shot into the head of the cow. It penetrates and smashes the brain of the animal which can never recover from this cruel injury. Simultaneous with the smashing of its brain, the animal drops and is then hoisted on its one leg on a metal chain-line. Whilst dangling

upside down like the chickens, the cow, dead or alive, is slaughtered, and the skinning commences whilst the animal shows visible signs of life.

The cattle are lined up in single file in a contraption which entraps them. They are sentient and become extremely fearful and agitated as they are fully cognizant of what is happening to their brother/sister just in front of them. The loud bang of the pistol which shoots the metal bolt into the cow's head sends the cattle lined up directly behind the one which was just now dropped, into a state of frenzy and panic. They bellow in fear and struggle to jump and get away, but, alas! All their struggling is in vain. There is no escape. One by one the cattle enter the execution cage, gets its brain smashed, and each time the pistol is fired, a frenzy erupts in the rank of the cattle trapped in single file behind their brutally murdered brother/sister. This is the horrendous and brutal system which Mufti Radhau Haq finds acceptable. This is the savage and haraam system which he approves of. He must shame himself!

Rasulullah (sallallahu alayhi wasallam) had prohibited a man from sharpening his knife in front of the animal. Nabi-e-Kareem (sallallahu alayhi wasallam), *Rahmatul lil Aalameen (The Mercy unto the worlds)*, ordered that the knife be concealed from the animal, Hadhrat Umar (radhiyallahu anhu) whipped a man who was sharpening his knife in front of the animal which he was about to slaughter. The degree of the sentence of these animals can be understood from Rasulullah's command to "*hide the knife*" from the animal. The panic and frenzy which the cattle demonstrate when their brother/sister in front of the queue gets its brain smashed by Mufti Radhau Haq's captive bolt pistol, confirm the state of their perception of fear and pain of which Nabi-e-Kareem (sallallahu alayhi wasallam) informed us. How can a senior Mufti who has for more than a decade taught all the Ahaadith of our Beloved Nabi-e-Kareem (sallallahu alayhi wasallam) pertaining to affection and mercy for animals ever condone smashing the brains of cattle with metal bolts prior to *Thabah!!!*

Perhaps the Mufti is unaware that these animals are *Zee-Rooh* (Beings with Souls), hence just as sentient as human beings. Perhaps he holds a contrary view on the issue of animals being sentient beings with *Rooh*. If perchance it is so, he should then upgrade his research on this

subject. The Mufti's fatwa conveys the notion that these *makhlooq* of Allah Ta'ala are inanimate objects like stones and plants, hence could be subjected to just any kind of suffering – skinning alive, scalded in boiling water, cruel handling, electrical shocking, smashing their brains, etc., etc. Our sincere advice to the Mufti is that he should not rush into the field of fatwa without adequate knowledge of the subject matter.

His fatwa on the subject of slaughtering, in addition to confirming his gross unawareness and total imperviousness, is clearly designed for the vindication of Sanha and to promote the business empires of the Yahood and Nasaara.

Commenting on the sentence of animals, Allaamah Aini (rahmatullah) alayh writes in *Al-Binaayah-Sharh Hidaayah*, Vol.10, page 676:

“Rasulullah (sallallahu alayhi wasallam) said: “Verily, Allah has ordained ihsaan (kindness, mercy, humanity) on everything. Therefore, when you kill, kill mercifully, and when you slaughter, slaughter the animal mercifully. Whoever slaughters, should sharpen his knife and deal mercifully with his zabeedah (the animal to be slaughtered).”

*It is Makrooh (prohibited) to lay down the animal, then sharpen the knife. Al-Karhi said in his Mukhtasar: When a man intends to slaughter an animal, it is Makrooh that he drags it by the leg to the place of slaughter and that he sharpens his knife after laying down the animal because it has been narrated that when Rasulullah (sallallahu alayhi wasallam) saw a man who had laid down a goat sharpening his knife, he said: ‘Verily, you have intended to inflict on the animal several deaths, Why did you not sharpen the knife before laying down the animal?’.....Ibn Umar (radhiyallahu anhu) narrated that Rasulullah (sallallahu alayhi wasallam) ordered that the knife be sharpened and that it be concealed from the animal.In Muatta of Imaam Maalik it is narrated that a man took a knife and grabbed a goat to slaughter it. Umar Bin Khattaab (radhiyallahu anhu) hit him with the whip, and said: ‘You are cruel to the **soul**. Why did you not do this before grabbing it?’*

If you (O reader!) say: ‘How can that be so when the animal does not know about (its impending) slaughter because it has no intelligence?’ I say: ‘This question is baseless. In it is evil

manners....(Rasulullah's statements and Hadhrat Umar's reaction confirm the intelligence and sentience of animals). Al-Mabsoot answering this question says: 'The animal knows what is intended with it. This is mentioned in the Hadith.... Thus when the animal is aware and the person sharpens the knife by it is an increase in pain which is unnecessary. For this reason it is said: It is Makrooh to slaughter an animal while another animal is looking on.'

We advise that someone well versed in English should obtain literature on the captive bolt and other stunning systems, and explain to Mufti Radhaul Haq what exactly this brutal, satanic torture system is all about. It is palpably clear that the Mufti is totally ignorant of the consequences of smashing the brains of cattle by shooting metal bolts into their skulls. Even the kuffaar authorities in Europe and U.S.A. are concerned with the health risks since animals murdered with the captive bolt become contaminated with Mad Cow Diseases (BSE) which is transmitted to consumers of the contaminated meat.

Numerous research studies have been instituted to study in detail every aspect of this brutal process. But according to the Mufti, smashing the brains of cattle produces a 'soothing' effect and brings to the tortured animals 'tranquillity', 'serenity' and 'paradise'.

Some statements of research scientists

* "In accordance with controls instituted to protect the consumer from meat potentially infected with bovine spongiform encephalopathy (BSE) – Mad Cow Disease – brain tissue emboli caused by the use of captive bolt gun (CBG) stunning has been identified as a potential public health risk that requires further investigation.The frequency of brain tissue embolism associated with the use of CBG stunning may represent a significant source of carcass contamination with brain tissue."

(Dr. M. H. Anil, C. R. Helps, S. Love, and R. R. Coore – University of Bristol, U.K. and Institute of Clinical Neuroscience, Frenchay Hospital, U.K.)

* “There has been renewed interest in the use of non-penetrating captive bolt due to concerns about BSE (Bovine spongiform encephalopathy).” – *Temple Grandin*

* “Heavy mature bulls are more difficult to stun with captive bolt compared to cows or fed beef..... Stunning mature bulls correctly has been a continuous problem that has repeatedly shown up in restaurant audits. ...For large bulls and other heavy livestock such as bison, some plants routinely shoot them twice with a captive bolt.The issue of stunner problems with brain tissue contamination must be kept in perspective.” – *Temple Grandin*

* “Recent studies have shown that brain damage (contusion, laceration, haemorrhage, bone fragment intrusion) caused by both penetrating and non-penetrating captive bolt stunning in cattle as well as that caused by penetrating captive bolt stunning in sheep, can result in occurrence of Central Nervous System (CNS) tissue emboli in venous blood draining the head. Therefore the non-penetrating method currently used cannot be considered as an alternative method to the penetrating method. Following penetrating captive bolt stunning, the likelihood of CNS tissue embolism is higher in sheep than in cattle.Experimental studies have indicated that widespread distribution of CNS emboli via systematic arterial circulation may occur.New data based on the results of CNS material detection methods currently available, confirm the occurrence of CNS embolism following penetrating or non-penetrating stunning methods.”

(*The Scientific Panel on Biological Hazards – The EFSA Journal*)
(*Embolism: Obstruction of arteries, etc. by blood clots which cause, especially paralysis*)

“The Scientific Panel on Biological Hazards recommends:

- ? Further validation studies on the occurrence of stunning-associated Central Nervous System (CNS) embolism conducted under commercial conditions are required.
- ? Modifications of the current captive bolt stunning methods so as to prevent CNS embolism is required. Alternatively, the replacement of these methods should be investigated.”

* “There is concern that the current stunning and slaughter methods used in ruminants could, if applied to an animal with bovine spongiform encephalopathy (BSE), contaminate the edible parts of the carcass with brain tissues that contained transmissibility. There are two ways in which potential contamination could occur. 1) Dissemination of brain tissue during the stunning procedure, 2) Dispersal of spinal cord material during splitting the beef carcasses.

Garland found brain tissue in the lungs of slaughtered cattle and this led to concern that these fragments could result in haematogenous dissemination of transmissible material from the brain, with the risk of variant Creutzfeldt-Jakob disease to those consuming edible parts of the carcass.”

When penetrating captive bolt stunning is used, the bolt trajectory causes considerable damage. We have, in a preliminary investigation, examined brains of several cattle stunned with penetrating captive bolt....

As with the USA, pneumatically operated guns for stunning cattle are likely to be banned in the EU. In addition, penetrating CBGs in sheep and, depending on the results of current research, these guns may also be prohibited in cattle.” – (*Enfer*)

There is copious evidence to substantiate the brutality of the captive bolt stunning; to prove that the animal suffer horrific pain when their brains are smashed, and to prove that this haraam barbaric method causes grave diseases to consumers. So while the inventors of this evil method are banning it on the basis of their research, the Mufti advocates it and believes that smashing the brains of animals by shooting metal bolts into their skulls produces tranquil unconsciousness. Everyone should by this time understand the ridiculous level of incongruity and absurdity to which the Mufti has descended in his endeavour to vindicate Sanha.

THE ISLAMIC SYSTEM OF THABAH

Mufti Radhaul Haq has attempted to create the notion that there is no Shar'i –Masnoon system of *Thabah*. Barring the essentials of Tasmiyah and slitting of the neck, the system changes with the times. Whatever methods appear to create ease are acceptable in his philosophy. But he is in grievous error with his view. All the Fuqaha of all Four Math-habs describe the Shar'i system which has been structured on numerous directives of Rasulullah (sallallahu alayhi wasallam). The divine system revealed by Allah Ta'ala for this Ummah, and which system has to endure until the Last Day, has the following integral constituents which may not be tampered, dislodged or displaced with any other system or practice:

- (1) The *Thaabih* (slaughterer) must be a Muslim or a Kitaabi
- (2) The Tasmiyah must be recited
- (3) The *Thaabih* must face the Qiblah
- (4) The animal must face the Qiblah
- (5) The knife must be exceptionally sharp
- (6) The animal must be laid down, not hung up.
- (7) There must be no pre-slaughter injury inflicted on the animal.
- (8) The knife must be concealed from the animal
- (9) The knife must never be sharpened in the presence of the animal
- (10) The animal must be laid down only at the precise time of *thabah*.
- (11) Skinning and mutilation must not begin while there are signs of life in the animal.
- (12) The whole head must not be severed
- (13) The cutting must not reach the spinal cord
- (14) Excessive force and needless pain must not be used and inflicted for subduing the animal, e.g. tramping on the wings of a chicken

Every single one of the abovementioned constituents of the Islamic system of *Thabah* is sacrosanct and non-negotiable. Not a single one of these essentials may be abandoned without valid reason. While the *fiqhi* classification for different aspects vary, all of these acts constitute the character of the Masnoon system of slaughter. We are not speaking of only *hillat*. We are concerned with the whole system which Rasulullah (sallallahu alayhi wasallam) imparted to the Ummah to uphold. It is

haraam and most despicable therefore for the Mufti to issue a fatwa endorsing the displacement of the Shar'i system, the approval of a kufr system and the legitimizing of horrendous brutality to countless creatures of Allah Ta'ala.

Rasulullah (sallallahu alayhi wasallam) did not impart the lesson of only *hillat* and *hurmat*. All concomitant factors surrounding these categories were dealt with and the Ummah has been instructed to act accordingly. Thus, the *hurmat* of zina renders haraam all stepping stones which *per se* may be halaal. When the factor of *shubah* (doubt) enters into *hillat*, Rasulullah (sallallahu alayhi wasallam) commanded abstention. Despite the *hillat* of the animal which would have been slaughtered, Hadhrat Umar (radhiyallahu anhu) whipped the man for sharpening his knife in front of the goat. Regardless of the *hillat* of the end product, it remains haraam to treat the animal with cruelty. Despite the discharge of the obligation of Fardh Hajj performed with haraam money, this Haaji is in line for entry into Hell. He cannot argue that the end result, viz., the discharge and validity of his Hajj are halaal, hence the intervening haraam steps are also halaal.

Islam is a perfect and an all-embracing, comprehensive code of life. An institution has to be viewed in its entirety. Single aspects may not be isolated. For example, it is sinful to argue that since the male's *satr* for Salaat is to cover-up from between the navel until the knees, he may proceed to the Musjid in this manner or even in privacy perform Salaat with his entire body barring the *satr* area exposed. While his Salaat will be valid, the end product of validity does not exonerate him of the sin of performing Salaat in a manner most unbefitting one who stands in the Divine Presence. It is imperative to adopt every Masnoon act in every institution of the Shariah. That was the way in which Rasulullah (sallallahu alayhi wasallam) taught the Sahaabah, and that was the manner in which they gave practical expression to Islam.

The *hillat* at the end of the line does not justify the haraam acts in the entire process. The equation: *haraam+haraam+haraam+haraam+haraam* never equals *halaal*. Thus, in the carrion chicken industry, all steps in the process from day one when the chick is hatched are *haraam*. The cruel system of transport in which birds suffer hunger, thirst, broken bones, suffocation, broken legs, etc., many

perishing due to the congestion, is *haraam*. The violent yanking from the overcrowded cages is *haraam*. The cruel upside down shackling on a swift moving conveyor belt moving at 180 birds per minute, including the majority with dislocated hips, is *haraam*. The submergence of the heads of the birds in electrified water is *haraam*. The cruel shocking by means of which electric currents are driven through the body and the brain of the bird is *haraam*. Many birds die in consequence of the electric shocking. This is *haraam*. Numerous dead chickens are slaughtered in the process. This is *haraam*. Numerous chickens are slaughtered improperly due to the swift moving line, the cruel position of the chickens, the slaughtering in motion, etc. Only a nip in the neck is made in many chickens. They die a cruel and torturous death. This is *haraam*. While there is considerable life in the chickens they are plunged into scalding water to initiate the defeathering process. This is *haraam*. They go into the scalding water with their intestines and internal impurities still enclosed within their carcasses. This is *haraam*. 100% of the killed birds after the slaughtering goes into non-Muslim control and supervision. There is totally no Muslim supervision from the time the chickens leaves the slaughterers to the time the meat is delivered to consumers. The chain consists of only non-Muslims. This is *haraam*. All these multiple facets of *haraam* do not produce *halaal* as the end product.

While many Muftis will fail to understand this equation, we are sure that unbiased laymen in search of the truth will readily understand why the conglomeration of *haraam* factors does not produce *halaal*, for Rasulullah (sallallahu alayhi wasallam) has commanded all Muslims: “*Seek a fatwa from your heart.*” Allah Ta’ala has endowed every Muslim with two inbuilt capacities by means of which he is able to understand truths and remain steadfast on Siraatul Mustaqeem. These treasures are his Aql (intelligence) and Imaani conscience.

Simple, straightforward, daylight issues are not in need of intricate fatwas. A fatwa of misguidance will immediately agitate the Muslim’s conscience if he utilizes his Aql. Fatwas cannot legitimize cruelty and what the Shariah has proclaimed *haraam*. Everyone can understand the cruelty of hanging chickens upside down, driving electric currents through their bodies and brains, submerging their heads in electrified water, improper slaughtering causing the chickens to die a slow

torturous death, plunging the still living chickens in scalding water, skinning an animal while there is still life in it, and other crystal clear evil practices.

Muslims are not expected to submit to ‘fatwas’ legitimizing such atrocities perpetrated on the defenceless creatures of Allah Ta’ala. These creatures are sentient and have souls just as human beings have souls. When an intelligent Muslim accepts a ‘fatwa’ which is palpably erroneous, repugnant and misleading, he comes within the purview of the Qur’aanic castigation: *“They take their ulama and their mashaaiikh as gods besides Allah.”*

In this aayat Allah Ta’ala criticizes the laymen – the masses of Bani Israeel who would for the sake of nafsani gratification, accept all the baatil fatwas of their priests and scholars. This type of blind and haraam submission to fatwas of desire and worldly motives, evoked Allah’s criticism stated in the abovementioned aayat.

THE MUFTI’S OBLIGATION

The Ulama are supposed to be the Defenders of the Shariah and the Guides of the Ummah. They are supposed to be lanterns in the dark to guide Muslims to Siraatul Mustaqeem. It is not their function to dig out technicalities to promote mercenary organizations and the commercial wares of non-Muslim business empires. The fatwa should be a decree calculated to induce obedience to Allah Ta’ala and to steer the Mu’min towards Divine Proximity, not to weaken his spirituality by opening an avenue of haraam and mushtabah.

When Imaam Maalik (rahmatullah alayh) was informed that the slaughterers were not facing their animals towards the Qiblah nor were they facing the Qiblah when slaughtering, he did not ignore the malpractice by pronouncing on the *hillat* of the meat. He immediately despatched a messenger to admonish them and to compel them to rectify the aberration. He did not brush aside the malpractice on the basis of the *hillat* of the end product. The duty of the Mufti is to teach and reform the wrongs of Muslims, not perpetuate them, and not displace the institutions of the Shariah to satisfy the slaves of money.

After having inspected Rainbow Chickens, Mufti Radhau Haq was required by the Shariah to have admonished SANHA and to state with clarity that all steps in the system are haraam. The preponderance of haraam overshadows the miniscule of halaal produced at the end of the horrendous Rainbow system. While legend tells us that at the end of the rainbow there is a pot of gold, we see at the end of this Rainbow nothing but brutality and haraam.

HOW WOULD RASULULLAH (sallallahu alayhi wasallam) AND THE SAHAABAH HAVE REACTED?

When Rasulullah (sallallahu alayhi wasallam) observed a man sharpening his knife in front of the animal he was about to slaughter, he sharply reprimanded the man and equated his act of sharpening the knife to ‘several deaths’ being inflicted on the animal. When Hadhrat Umar (radhiyallahu anhu) observed a similar incident, he whipped the man without prior admonition. After beating him with his whip, he admonished him.

Rasulullah (sallallahu alayhi wasallam) prohibited all pre-slaughter infliction of injury on the animal, and he likewise forbade all post-slaughter infliction of pain while the animal displays signs of life. Nabi-e-Kareem (sallallahu alayhi wasallam) said that Allah Ta’ala will show mercy on the Day of Qiyaamah to a person who slaughtered even a sparrow mercifully. Slaughtering ‘mercifully and humanely’ in terms of the Shariah is possible only if all the constituents of the Masnoon Thabah system, mentioned above, are implemented and upheld.

Now what does intelligence say would be Rasulullah’s and Hadhrat Umar’s attitude if they had to see the brutalities of the current commercial killing systems of waterboarding, electric shocking, smashing the brains of animals with lead bolts, defeathering and skinning alive, abandoning of the Qiblah, shackling animals (chickens, goats and even cattle) upside down, plunging the chickens into scalding water while they are still alive, etc. ? What would be their fatwa if they are told that in this broiler industry which produces ‘hillat’ at the end of the line, millions of living day old male chicks are crushed and ground up. Mixed with other rotting dead animals and chemicals to produce feed for the broiler chickens which human beings are supposed to eat?

What would be the fatwa of our Nabi (sallallahu alayhi wasallam) and of the Sahaabah if they are told that consumption of these genetically developed broiler chickens causes to your Ummah cancer of the skin, lungs and liver, heart disease and many other diseases?

What would be Rasulullah's and Hadhrat Umar's fatwa if they are informed that all this horror and haraam are committed and licensed by a Muslim entity called SANHA and endorsed by a senior Mufti to promote the business empires of multi-billion dollar Yahoo and Nasara firms, and to fill the pockets of the mercenary Muslim organization?

We are certain that the conscience and hearts of all thinking Muslims will register *Ijma'* (*Consensus*) on Rasulullah's decree of *Hurmat*. Muslims may not be exhorted, as the Mufti has done, to consume the diseased carrion chickens which had to endure horrific torture and misery from the first day they were hatched until the moment they plunged into the faeces and blood filled scalding waters of the commercial plants which SANHA certifies and the Mufti justifies.

CONDONATION AND ENDORSEMENT FOR WHAT?

The ostensible and apparent reason for all the openness underlying the desperate and frantic endeavours of SANHA to eke out decrees of *hillat* and endorsement for its 'halaal' certification trade is to provide 'affordable chicken meat for the Muslim masses'. Products are certified 'halaal' for Muslim consumption, not for non-Muslim consumption. But this claim is a canard and is unacceptable.

In the year 2007 South Africa slaughtered 600 million broiler chickens for home consumption. South Africa has a tiny Muslim population of about a quarter million families. Numerous families do not eat broiler and commercial chickens. Nevertheless, assuming that each family consumes two diseased broiler carrion chickens per week, the total will be 24 million broilers devoured in a year by the entire Muslim population of the country. This leaves us with a balance of 576 million chickens. Who devoured this massive amount in 2007?

It should now be easily understood that for the sake of gratifying Sanha's monetary lust which is reliant on the haraam 'halaal' certificate trade, Sanha halaalizes a massive horrendous killing institution. But of 600 million birds tortured to death and halaalized by SANHA, only 24 million are devoured by the Muslim community. The certification is thus not for catering for the needs of Muslims. It is primarily to line the pockets and fill the coffers of SANHA and its officials with the millions of rands of riba earned from the haraam royalty which the chicken plants pay, and from the sale of the haraam 'halaal' certificates.

The question may be asked: If the Muslim community consumes only 24 million broiler chickens, why does Rainbow Chickens and the other commercial plants require 'halaal' certificates? There is a simple answer for this riddle. Perhaps the greater portion of the 600 million chickens is sold to the non-Muslim masses by Muslim traders. The Muslim traders know that just as they are unable to sell pork, so too is it haraam to sell haraam chickens. But the carrion trade is lucrative and brings in a lot of haraam money. SANHA and the other certifying bodies exploit this potential.

Muslim traders, like the people of Bani Israeel, required the carrion to be certified 'halaal' to enable them to sell it to non-Muslims. Like the 'gods' of Bani Israeel – their corrupt ulama and sheikhs – Muslim traders found similar 'gods' in the SANHA outfit. For the sake of money, they are prepared to halaalize even carrion. This is the secret underlying the halaal certification of the carrion chicken industry. The link between the commercial chicken plants and the non-Muslim consumers is largely Muslim traders, hence Rainbow and the others require 'halaal' certificates to enable Muslim shops and the large cash and carry vendors to stock and sell the diseased carrion which Mufti Radhaul Haq has baselessly proclaimed 'halaal'.

It is nothing but Sanha's monetary esurience that spawned the splenetic attitude which Sanha displays in this carrion saga. It is this foul attitude which has eroded in entirety Sanha's Imaani conscience, hence feeding Muslims carrion chickens does not jar the conscience of its molvis who con unsuspecting Muftis and Molvis into endorsing its haraam 'halaal' certification.

Mufti Radhaul Haq's fatwa is baseless. He has merely offered his personal opinion unsubstantiated by Shar'i facts. He has misinterpreted

and misrepresented texts from the *kutub* of the Shariah. The motive for the fatwa is obviously the vindication of Sanha's haraam carrion trade. The *faasid* fatwa of the Mufti is therefore dismissed.

RAINBOW CHICKENS ARE HARAAM! EARLY BIRD CHICKENS ARE HARAAM! ALL COMMERCIALY KILLED CHICKENS ARE HARAAM!

“O People! Eat from the earth Halaal and Tayyib, and do not follow in the footsteps of shaitaan (by consuming haraam), for verily, he is your open enemy. Verily, he commands you with only evil and immorality and that you fabricate (in the Name of) Allah that of which you are not aware.”
(Qur'aan)

**PUS OF
DISEASE**

**The feet that speak
a thousand words**

**CRIES
OF PAIN**

Some 14.6 million broiler (meat) chickens are slaughtered each week in South Africa. Often scorched black by ammonia burns from standing on filthy, faeces-saturated litter, the chickens' feet are sold to the poor at 50 cents a foot. Many of the burns are infected and cause pain. This is known as 'burnt feet'.



CANCER! CANCER! CANCER!

Arsenic (roxasone) is fed to farmed animals. More than 2 million pounds of arsenic are fed to 70 percent or more of the 9 billion chickens raised annually in the U.S. for human consumption. Arsenic causes **bladder cancer, respiratory cancer, and skin cancer, and is linked to heart disease, diabetes and declines in brain function in people.** (Hopey)

(United Poultry Concerns – USA)

SALAAT

JUST ONE FUNDAMENTAL FACTOR TO DAMN THE ENTIRE ACCURSED BROILER-CARRION-CHICKEN INDUSTRY

Allah Ta'ala states in the Qur'aan Majeed:

“I did not create Jinn and Ins (Man) except that they worship ME.”

Rasulullah (sallallahu alayhi wasallam) said:

“Whoever abandons Salaat intentionally, verily, he has committed kufr.”

The mission of Rasulullah (sallallahu alayhi wasallam) on earth was to extricate mankind from the morass of *kufr*, *shirk*, *fisq* and *fujoor* – infidelity, polytheism, transgression and immorality. Savagery, brutality, bestiality and devouring just any filth with an esurience equivalent to the gluttony of canines are decried with vehement abhorrence by the Office of Nubuwwat. The Ulama who are supposed to be the personnel of this sacred Office of Nubuwwat entrusted to them by Rasulullah (sallallahu alayhi wasallam) are never expected to descend to the degenerate ebb that transforms *Insaan* (the Human Being) into *haiwaan* (lowly beasts) whose primary occupation in life is the voracious devouring of food regardless of the ways and means of acquisition.

In this diseased, carrion broiler-chicken, haraam food quagmire in which the Ummah has become entrapped, Muslims who devour this physical and spiritual poison have reached a sub-animal level. Even the beasts of the jungle display greater honour in selecting their food than those human beings who gluttonously devour the diseased carrion and whose greed for money constrains them to trade in this *maitah* which destroys the moral, spiritual and physical health and well-being of the Ummah.

In the jungles, among the creatures of Allah Azza Wa Jal, there is a little beast called *the koala*. The Koala is remarkable in its selection of

food. Leave alone *haraam*, it will not venture near to even substances which are *Mushtabah* (doubtful) in the natural ‘Deen’ Allah Ta’ala has created for it. The Koala is the ‘fussiest’ eater in the world – both animal world and human world. Its ‘fussiness’ in Islamic terminology may be described as *Taqwa* and *Wara’*, the latter being a higher stage of *Taqwa*. The Koala feeds entirely and exclusively on a food which by all definitions is *Halaal* and *Tayyib*. Its nourishment consists exclusively of the leaves of the *Eucalyptus* tree.

There are approximately 500 known species of *Eucalyptus* trees. From this great variety of, the Koala selects only *six* varieties for its food. The balance of 496 varieties are *Mashkook/Mushtabah* for this pious little animal, hence it abstains from its consumption. The Koala goes to great lengths and arduously labours in the pursuit of its *Halaal Tayyib* food. In view of scarcity of its diet, the Koala daily sifts through 9 kilograms of leaves to find its half a kilogram for its daily meal. Calling our attention, the Qur’aan says: “*And none but those of intelligence take lesson.*”

There is no comparison between today’s ‘*Ashraful Makhluqaat*’ (the Noblest of Creation), i.e. *Insaan*, and the pious Koala who is infinitely superior to us in the consumption of *Halaal and Tayyib* food. While man has degenerated to a ridiculous level of bestiality in the matter of food, the Koala has attained lofty heights of sublimity in this regard.

We trust that the Koala-Naseehat is salubrious and beneficial for the Muftis, Molvis, Shaikhul Hadiths, Shaikhs, Carrion-Certifiers, Head Muftis, and those who relish the diseased *haraam* carrion they devour like dogs.

Let us now focus on the caption of this Naseehat, viz. *SALAAT – Just One Fundamental Factor to Damn the Entire Accursed Broiler-Carrion-Chicken Industry.*

After *Imaan*, the most important requisite of Islam is the Pillar of Salaat. The importance, significance and virtues of Salaat can never be adequately described. Islam imposes the death penalty on a man who deliberately and adamantly abstains from Salaat. Abandonment of Salaat reduces the Muslim to the level of kufr. The Muslim who abstains from Salaat is expelled from the special Protection and Mercy of Allah Ta’ala. His bond with Allah Ta’ala is severely ruptured.

An implied condition of employment at Rainbow for Sanha's slaughterers is *intentional abstention from Salaat*. The slaughterers at Rainbow are not allowed to perform Jumuah and Eid Salaat. Only when off-duty on a Friday is a slaughterer able to perform Jumuah Salaat. Slaughterers who are employed for years at Rainbow do not perform Jumuah or Eid Salaat unless they happen to be off-duty. Even during the month of Ramadhaan, the slaughterers are not allowed to perform Maghrib Salaat. During Ramadhaan, the horrible conveyor line on which the helpless chickens are shackled upside down, stops for five minutes only to allow the slaughterers to quickly make *Iftaar*. Time is not allowed for Salaat. Immediately on expiry of the five minutes, the horrible line resumes.

On this last Eidul Fitr (1429), one slaughterer was promptly dismissed because he took off for Eid Salaat. The slaughterers lament that on Christmas Day, Boxing Day, Good Friday and Easter Monday, the plant closes. All workers are off on these Christian holy days. But, the Muslim slaughterers are not allowed off for even Eid Salaat and Jumuah.

Sanha's carrion industry is in entirely reliant on these slaughterers. They are the pivot on which swivels Sanha's haraam 'halaal' certificate trade which brings in the riba millions. Yet, Sanha actively condones Rainbow's anti-Islamic stance of denying the slaughterers time off for Jumuah and Eid Salaat. Even the daily Salaat is taboo. Only if a slaughterer happens to be off, is he able to perform Salaat. But the line will not stop to allow the slaughterers to perform Salaat on time with Jamaa't.

What says your conscience, O Chief Mufti! Would Rasulullah (sallallahu alayhi wasallam) and the Sahaabah have ever accepted and tolerated this horrendous kuffaar killing system which in addition to its savagery and brutality requires the two dozen Muslim slaughterers to abandon Salaat on a permanent basis? Would Nabi-e-Kareem and the Sahaabah have legitimized and halaalized the system with all its concomitant haraam malpractices and denial of Salaat, on the basis of the end product –the diseased chickens – being 'halaal'? Would Rasulullah (sallallahu alayhi wasallam) and the Sahaabah have allowed the slaughterers to work in their horrid capacities at the cost of wallowing in the kufr of Salaat abandonment? Just as the slaughterers

practise whole abandonment of Tasmiyah, so too do they perpetrate wholesale neglect of Salaat.

Just this one evil factor of *Tarkus Salaat* (*Abandonment of Salaat*) – the *Maqsad* for which Rasulullah (sallallahu alayhi wasallam) was despatched to earth by Allah Ta’ala – is adequate to damn the whole system and to declare all the brutally killed chickens HARAAM MAITAH. We are looking at a whole horrendous haraam system. We are not looking at an isolated Muslim who slaughtered his fowl not facing the Qiblah. We are concerned with a brutal system which is Haraam from initiation to termination – from A to Z. Allah’s *hidaayat* is for those who desire the *hidaayat*.

THE DISEASES OF ROTTEN HARAAM CARRION CHICKENS

This is what the UNITED POULTRY CONCERNS OF THE U.S.A. reports regarding the carrion chicken industry:

“Animals raised for food are treated horribly and they are very unhealthy. Chickens are crammed in filthy, dark buildings loaded with bacteria, bird flu viruses, toxic funguses, and poisonous gases that burn their eyes, their skin and their lungs. With no fresh air, sunshine, or normal activities, these birds develop painful skeletal deformities, soft watery muscles, stress hormones and heart disease.

Chickens go to slaughter with rotting livers (necrotic enteritis), wing rot, pus-filled lungs (airsacculitis), and ammonia-burned skin. Rotting intestines and ulcerated flesh are removed at the slaughterhouse, and corpses are drenched in chlorinated water to conceal the sickness and injuries being sold to consumers.

“Poultry is the most common cause of food poisoning in the home”, says Dr. Michael Greger (*Bird Flu: A Virus of Our Own Hatching*)

According to the U.S. Department of Agriculture food borne bacteria such as *E.coli*, *Salmonella*, *Campylobacter*, *Shigella*, *Yersinia*, and *Listeria* in poultry, eggs and other animal products can migrate from people’s intestines to other body parts far removed from the site of infection – blood, bones, nerves, organs, and joints – to cause chronic illnesses in later life, such as arthritis.

Antibiotics are fed to chickens in massive amounts. As a result bacterial resistance to antibiotic treatment of humans has jumped dramatically since the 1970s. Many people become violently ill with anti-biotic resistant diseases, like *Camphylobacteriosis* and *Salmonellosis*, and *Staphylococcus aureus* infections from handling and ingesting poultry, eggs, and other contaminated animal products. (Filipic)

Arsenic (roxasone) is fed to farmed animals. More than 2 million pounds of arsenic are fed to 70 percent or more of the 9 billion chickens raised annually in the U.S. for human consumption. Arsenic causes **bladder cancer, respiratory cancer, and skin cancer, and is linked to heart disease, diabetes and declines in brain function in people. (Hopey)**

“The antibiotic arsenic compound roxasone, which promotes the growth of blood vessels in chickens to produce pinker meat, does the same in human cell lines – **a critical first step in many human diseases, including cancers.**” – Duquesne University’s Department of Chemistry and Biochemistry.

“In addition to sickening the birds, these bacteria remain in the cooked flesh, a common cause of food poisoning.”

“Battery hens suffer from the horrible diseases of female birds denied exercise, including an ugly new disease called **Farry Liver Hermorrhagic Syndrome** characterized by an enlarged, fat, friable liver covered with blood clots, In recent decades hens’ oviducts have become infested with salmonellae that enter the forming egg causing food poisoning in many consumers of eggs.”

“Eighty-four federal poultry inspectors interviewed reported that “Every week throughout the South, millions of chickens leaking yellow pus, stained by green faeces, contaminated by harmful bacteria, or marred by lung and heart infections, cancerous tumors or skin conditions are shipped for sale to consumers, instead of being condemned and destroyed.”

“Poultry feed containing animal by-products – bone, feathers, blood, offal, manure, condemned body parts of chickens and other sick animal parts – has long been identified as a primary source of salmonella contamination.”

THE AFFIDAVITS

We reproduce hereunder an Affidavit deposed to by a slaughterer who was employed by Rainbow Chickens. A number of ex-and current slaughterers have signed confirmatory Affidavits to confirm the correctness of the claims made in this Affidavit.

The purpose for having obtained these Affidavits is to serve as evidence in court should this matter proceed to court. SANHA's lawyers have already sent five letters. Since the prime purpose of the Affidavits is to serve as items of evidence in court, we refrain from revealing the identity of the slaughterers who have proffered these statements.

It is just logical that SANHA will victimize the slaughterers and cook up some other carrion plot if it is made aware of the identities of the slaughterers. SANHA has 'cogent' reasons to formulate such a plot. After all, it has to save its 'carrionated' skin. Hook and crook are therefore justifiable in this rotten carrion mess and quagmire in which SANHA is floundering and sinking.

AFFIDAVIT

I, the undersigned ***** hereby declare under oath as follows:

1. I reside at *****.
2. I am an adult male who was employed at the RAINBOW CHICKEN slaughtering plant in Hammarsdale, Kwazulu-Natal from August 2006 to January 2008, and then again from 25 June 2008 to 2 September 2008.
3. I am dutibound to follow the teachings of the Qur'aan and the Sunnah on which the Shariah of Islam is based.
4. The entire system of slaughtering at the Rainbow Chicken slaughtering plant in Hammarsdale is in total conflict with the Shariah of Islam. The reasons for this are as follows:
 - (a) The chickens are shackled by the feet and hung upside down on a conveyor line. In this position the chickens become excited and fearful. They wildly flap their wings. As a result of this agitation

some chickens are caught on the conveyor contraption, and this causes their wings to break and the skin to become torn. This mutilation happens prior to the birds being electrically stunned.

- (b) When the chickens arrive at the stunner, there are already 37 to 40 chickens whose heads are fully immersed in electrified water which results in some chickens dying in the shocking process. When these electrically stunned chickens reach the slaughterman, he is not always able to detect whether the birds on the line are dead or alive. The mask which fully covers his face and eyes blurs his vision. The dead bird is slaughtered and continues on the line.
- (c) In a situation whereby there is a power failure or a stoppage due to mechanical failure, etc., the line comes to a standstill. This results in the drowning of the chickens whose heads are submerged in the electrified water in the stunner.
- (d) The slaughterman has to wear a face mask which covers the whole face. After a period of time the mask due to collection of dust and blood blurs the vision of the slaughterman who frequently fails to detect dead birds on the line.
- (e) The line speed is moving at a maximum speed of 155-160 chickens per minute, and according to some slaughtermen, at times the speed is 180 chickens per minute. Each slaughterman is under pressure to slaughter approximately 40 birds per minute, that is, a bird every one and half second. Although there are four slaughtermen on a line, after the first 30 minutes, there are only three because a slaughterman from the group of four has to step out for 10 minutes to wash the excessive blood from his slaughtering garb. After 10 minutes when he falls into position, the next slaughterman steps out for the cleansing process, and so it continues for the duration of the hour-long slaughtering exercise. After the hour there is a 30 minute break. The line continues with another set of four slaughtermen.
- (f) While according to the Shariah it is compulsory to recite Tasmiah (*Bismillaahi Allaahu Akbar*) on every bird at the time of slaughtering it, slaughtermen generally recite Tasmiah for a maximum time of five minutes per hour. For the remaining 55 minutes, all the birds are slaughtered without the Tasmiah.

It is humanly impossible to recite Tasmiah on every bird. In this connection, the following facts are of vital importance:

- (i) The high speed of the line 155 – 160 chickens per minute.
 - (ii) The hour long slaughtering session
 - (iii) Slaughtering eight hours daily
 - (iv) Lack of concentration
 - (v) Fatigue
 - (vi) Disorientation due to the continuous spilling of blood for hours and being a participant in a cruel process in conflict of our religious requirements.
 - (vii) General lack of religious consciousness of the slaughtermen.
 - (viii) In this hectic state, the slaughterman is supposed to be alert watching for dead birds
 - (ix) Due to the speed of the line, many birds slip by a slaughterman without having been cut. When this occurs, the slaughterman is required to shout ‘double’. This is to alert his companion that a bird has slipped by. Now the next slaughterman is required to slaughter an additional bird in the same time in which he is supposed to slaughter one bird. Uncut birds become the focus of attention and annoyance. Some slaughtermen dislike this ‘imposition’, and simply leave the uncut bird to continue on the line into the scalding where it is scalded alive.
- (g) The daily production is 300,000 birds which are slaughtered in two eight-hour shifts. In each shift, eight slaughtermen execute the extremely difficult task of slaughtering 150,000. Although there are 12 slaughtermen, only eight slaughter at any given time. This is roughly 20,000 birds per slaughterman. It should be remembered that after the first 30 minutes of the hour cutting stint, only three men cut as explained above. It is impossible for a slaughterman to daily, for months and years to recite Tasmiah 20,000 in eight hours, especially with the aggravating factors explained above.
- (h) Of much importance is the fact that slaughtermen generally are not conscientious of the tenets of Islam. They are not men of piety. They do not perform regular prayers (Salaat) as is required by the Shariah. Slaughtering is not regarded as an Amaanat (sacred trust).

It is simply a low paid job. The earning is a meagre R2,400 monthly.

Annexes A and B which are pay slips reflect the low salary for this extremely important job in which the slaughterman has to slaughter 20,000 chickens in an eight-hour shift on a daily basis.

- (i) Slaughtermen are not permitted time for performing the daily Salaat. They are not allowed off for Jumuah (Friday) Salaat. The slaughtering continues on Fridays during Jumuah time. Only those slaughterers who are not on the morning shift are able to perform Jumuah. The same applies to Eid Salaat. Slaughtermen are not allowed off on Eid Days. Consequently they do not perform even Eid Salaat. Those who do perform Jumuah Salaat and Eid Salaat do so on days and times when they are not working. Thus, for years this state of total neglect of the daily Salaat, Jumuah and Eid Salaat is a norm at Rainbow Chickens. Men who have practically abandoned the very first fundamental Pillar of Islam cannot be expected to recite Tasmiah 20,000 times in eight hours, i.e. a Tasmiah on every bird which they have to slaughter while under emotional and psychological stress.
- (j) SANHA was supposed to have explained to the management the vital importance of the daily, Salaat, Jumuah and Eid Salaat, and that all slaughtermen should be allowed to be off for these fundamental tenets of Islam. SANHA was supposed to have insisted that work should stop on Fridays for the duration of the Jumuah Salaat. But SANHA has displayed a total lack of concern in this sphere. Slaughtermen who ask questions on these issues are perceived as a threat to the system. He is issued with a warning and on the third occasion is dismissed. However, every year, while slaughtermen miss Eidul Fitr and Eidul Adha, the plant closes on Good Friday, Easter Monday, Christmas Day and Boxing Day. The entire Rainbow plant has holidays on these days while the Muslim slaughtermen who are the fundamental pivot on which SANHA's entire halaal certification is based are denied the very basic and fundamental right to perform Jumuah and Eid Salaat. Even during Ramadhaan, we are not allowed to perform Maghrib Salaat. The line stops for only five minutes to allow for Iftaar. Thereafter, immediately the line resumes. Iftaar is without Maghrib Salaat. But

SANHA's conscience is not stirred by this gross and total abandonment of the most important ritual obligations which Islam imposes on Muslims.

5. The canteen on the premises serves totally haraam foods. Pork is also served. Some slaughtermen consume the meals which are prepared in the canteen. The moral state of the slaughtermen could also be understood from this.

6. During the peak season in November and December, the production is boosted to 165,000 to 170,000 birds per shift. This added strain on the slaughtermen aggravates the already deplorable situation from the Islamic and humane points of view.

7. There was an incident concerning a slaughterman who was found to be under the influence of liquor. While in this state he had slaughtered for two hours. The slaughterman was tested at the clinic and found to be over the maximum alcohol-limit.

8. In a drug test two slaughtermen were suspended from work on having been found to be positive. They were asked to seek assistance (rehabilitation), and they resumed work a week later.

9. The Moulana from SANHA will come to the plant when the month-end falls on a Friday for a formal inspection to see if there are four slaughterers on the line and also to check if their lips are moving while slaughtering. He spends about 8 or 10 minutes.

If the month end is not on a Friday, the Moulana will not be seen. In such cases, his visits will be rare.

10. I as well as some other slaughtermen, despite slaughtering, do not eat the Rainbow chickens which we slaughter. We do not believe the chickens which we slaughter to be halaal for all the reasons explained in this Affidavit.

11. I am convinced that SANHA has totally failed in the sacred obligation of ensuring that the chickens which are slaughtered at Rainbow are halaal. The entire system is in total conflict with the Shariah.

12. I testify in the Name of Allah Subhanahu Wa Ta'ala that this my Declaration is nothing but the Truth. In making this statement I am discharging an obligation which I believe I owe to the Muslim Ummah. At the same time I am discharging a heavy weight which has been weighing heavily on my conscience. I hope and pray that Allah Subhaanahu Wa Ta'ala forgives me for my acts of omission and commission. I call Allah Subhaanahu Wa Ta'ala to be my Witness to the Truth of my Declaration regarding the totally unacceptable system of slaughter at Rainbow Chickens.

DEPONENT

THUS DONE AND SWORN TO BEFORE ME ON THIS DAY OF
***** 2008, THE DEPONENT HAVING
ACKNOWLEDGED THAT HE KNOWS AND UNDERSTANDS
THE CONTENTS OF THIS AFFIDAVIT, THAT THE OATH
WHICH DEPONENT HAS TAKEN IN RESPECT THEREOF IS
BINDING ON HIS CONSCIENCE, AND THAT THE CONTENTS
OF THIS AFFIDAVIT ARE BOTH TRUE AND CORRECT.

COMMISSIONER OF OATHS

14 SOLID SHAR'I GROUNDS WHY COMMERCIALY KILLED CHICKENS ARE HARAAM

- (1) Chickens are alive, in their full senses, when they are cruelly shackled upside down. 80% of the chickens suffer dislocated hips even before the shackling begins.
- (2) Hanging in this cruel upside down position, the chickens are moved swiftly on a conveyor belt at speeds of up to 180 per minute and cruelly subjected to electric shocks. Their heads, fully immersed in the electrified water, the chickens are dragged through the torture-trough. They are not tickled. They are shocked brutally. About a third of the electrically tortured chickens die of cardiac arrest (heart failure), and reach the slaughterers dead.

(3) The limp, electrocuted chickens, some already dead, are moved swiftly on conveyor belts and killed while they are hanging upside down in motion. The speed of the line on which these defenceless creatures of Allah Ta'ala, with broken bones and legs, are moved reaches 180 per minute. For deceiving the 'inspectors' of pre-planned 'inspections', the speed is reduced to 120 per minute. Even this deception does not facilitate the halaalizing process.

(4) The chickens pass by the slaughterers at great speed – up to 60 chickens per minute per slaughterer. Slaughterers, wearing blood-splattered face masks are required to distinguish between living and dead chickens at this speed which allows one or one and half second for slaughtering a chicken in swift motion. The impossibility of the killer's task is self-evident.

(5) The slaughterer is supposed to take hold of the chicken's head, recite the full Tasmiah and slaughter all four neck vessels (the gullet, windpipe and the two jugular veins) ALL IN ONE SECOND or one and half second FLAT when the line operates at top speed.

(6) Omission of Tasmiyah varies between wholesale neglect and total abandonment. Slaughterers say that it is impossible to recite Tasmiyah on all the birds. Each slaughter has to kill up to 19,000 chickens in an 8 hour shift.

(7) Many chickens travelling on the conveyor belt slip pass the grasp of the slaughterers due to the speed at which they arrive. These chickens enter the scalding tank alive and are scalded to death. For pre-planned 'inspections', the temperature of the water is lowered.

(8) Numerous chickens are not slaughtered. Due to the speed, an incision is made in the neck and some of the neck vessels remain intact. This act has been termed *Shareetatus Shaitaan* by Rasulullah (sallallahu alayhi wasallam). The chickens thus die a horrible death and are scalded to perish in the hot water.

(9) About one third dead chickens are slaughtered. It is impossible under the appalling conditions for the slaughterers to accurately determine which chickens are alive and which are dead. The electrocuted chickens and the dead chickens cannot always be distinguished in the miserable conditions in which the slaughterers work.

(10) Supervision is a vile myth. There is no such degree of supervision which could be acceptable to the Shariah. The entire killing operation is treated as a 'military' secret. Its revelation petrifies SANHA, hence only pre-planned 'inspections' and that too by Sanha's molvi supporters who advocate Sanha's cause not Rasulullah's Cause.

(11) Slaughterers who had complained of these haraam irregularities were dismissed.

(12) Slaughterers, from time to time, voice and report their grievances which are swept under the tons of diseased chicken carrion which SANHA halaalizes and which the Muslim community eats with relish.

(13) SANHA'S two ex-Early Bird 'supervisors' resigned on account of malpractices which prevent production of halaal chickens. The one 'supervisor' now desperately struggles to save Sanha's carrion skin while the other 'supervisor' has completely disappeared from the radar screen.

(14) *THE ENTIRE SYSTEM OF KILLING THE CHICKENS FROM BEGINNING TO END IS HARAAM. THIS HARAAM SYSTEM OF KILLING IS NOT THE SHARIAH'S SYSTEM OF THABAH. THIS SYSTEM HAS BEEN BRANDED KUFR BY HADHRAT MAULANA ASHRAF ALI THAANVI AND OTHER SENIOR MUFTIS. A HARAAM SYSTEM DOES NOT PRODUCE HALAAL TAYYIB MEAT FOR MUSLIM CONSUMPTION NOR FOR NON-MUSLIM CONSUMPTION NOR DOES IT PRODUCE MEAT FIT FOR THE CONSUMPTION OF EVEN DOGS ACCORDING TO THE SHARIAH. APPROVAL OF THIS HARAAM SYSTEM IS KUFR WHICH ELIMINATES THE APPROVER'S IMAAN AND NEGATES HIS NIKAH. ACCEPTANCE OF THIS BRUTAL HARAAM KUFR SYSTEM OF KILLING IS TANTAMOUNT TO PASSING A VOTE OF NO-CONFIDENCE IN THE SYSTEM WHICH ALLAH AZZA WA JAL HAS REVEALED FOR THE UMMAH.*

Besides these Primary Reasons for the carrion chickens being haraam, there are numerous ancillary factors – horrible and brutal practices associated with the broiler industry from the day the chickens are hatched. From the day the chicks are born, the system kicks off by

grinding alive all male chicks and converting them into feed for the broiler chickens.

ARE THOSE WHO HAD PARTICIPATED IN THE FARCICAL ‘INSPECTION’ OF RAINBOW CHICKENS PREPARED TO PUBLICLY DECLARE THESE MALPRACTICES OR SOME OF THEM WHICH THEY HAD OBSERVED?

RASULULLAH (SALLALLAHU ALAYHI WASALLAM) SAID:

“ON THE DAY OF QIYAAMAH, ALLAH WILL BE MERCIFUL

TO HIM WHO HAD MERCIFULLY SLAUGHTERED A SPARROW.”

Once when Hadhrat Umar (radhiyallahu anhu) saw a Yahudi harshly dragging a goat to the place of slaughter, he said: “Lead it to its death beautifully (*Sookan jameelan*).” Can any Muslim accept a system which brutally drags and shocks into paralysis, not unconsciousness, and even into death chickens with their heads submerged in electrified faecal water? Before consuming the HARAAM CARRION which SANHA has halaalized, consult your Imaan and reflect on the pronouncements of Rasulullah (sallallahu alayhi wasallam).

CONCLUSION

“O People of Imaan! Enter into Islam completely

And do not follow in the footsteps of shaitaan.

Verily, he is for you an open enemy.”

(Baqarah, aayat 208)

Allah Ta’ala commands acceptance of Islam in totality. There has to be complete entry into Islam. Partial entry or acceptance of part of the laws and rejection of part are acts of kufr.

“What! Do you believe in a portion of the Kitaab

and reject a portion? The punishment of anyone among

you who does so is disgrace in this worldly life, and on the Day of

Qiyaamah, they will be referred to the severest punishment.

And Allah is not oblivious of what you are doing.”

(Baqarah, Aayat 85)

Islam has divinely revealed rules and regulations for all its Institutions, be they mundane or spiritual. According to the Qur’aan wholehearted

and complete acceptance of the whole and full system of any Islamic institution is incumbent. Partial acceptance of the full complement of rules pertaining to an institution and rejection of a part are kufr according to the Qur'aan. It is not permissible to excise from any institution of the Shariah any rule which governs and regulates the institution.

Salaat for example, with all its *ahkaam* even of the Mustahab class, forms a perfect institution which has to be compulsorily accepted fully. Although there are different consequences regarding neglect and omission of the different categories of *ahkaam*, rejection and denial of even the *Mustahabbaat* are haraam and kufr. Hence the Fuqaha have ruled: "*Miswaak is Sunnat, but its rejection (or denial) is kufr.*"

Similarly, like all Islamic institutions, *Thabah* (Slaughtering animals) is a complete system with divinely ordained *ahkaam*. Denial of any single rule pertaining to the Institution of *Thabah* comes within the scope of the aforementioned Qur'aanic aayat. It is kufr to deny, excise, displace or substitute any of the acts associated with the Shariah's system of *Thabah*. If a healthy person for no valid reason sits on a chair to perform Salaat believing that this style is superior to the revealed method, then everyone can understand that he has made his exit from Islam. The same logic and ruling apply to *Thabah* and to every other revealed Institution of Islam.

The Fuqaha state that *Thabah* is among the *Sha-aair* (Outstanding, Salient Features of Islam). This institution is not restricted to neck-slitting in just any haphazard manner which suits the times and the commercial interests of the kuffaar entrepreneurs. Mere slitting of the throat is not the sole requirement of the Shariah's Institution of *Thabah*. This sacred Institution is an elaborate system of rules and regulations in which the attributes of *Insaaniyat* (Humanity) are manifested. The integral constituents of this system have already been presented and explained in this treatise.

The issue which is the subject of this Refutation is not an isolated act of commission or omission by a Muslim who has slaughtered a fowl in conflict with the Shar'i system, but at the same time having observed the fundamental constituents. For example, he did not face the fowl towards the Qiblah and he had sharpened the knife in front of the chicken. But he did recite Tasmiyah and he had correctly severed the

four neck vessels. A friend drew his attention to his sinful acts. The man, ignorant of the *masaa-il*, seeks a fatwa from the Mufti: Is the chicken halaal or haraam?

The Mufti, if he is a true Mufti acting as the Representative of Rasulullah (sallallahu alayhi wasallam), along with informing him of the *hillat* (permissibility) of the chicken will reprimand and explain to him the method of *Thabah*. In the kutub of the Shariah, wherever the ruling is permissibility to consume the meat, the reference is to individual instances of wrongful omission and commission of the Sunnatul Muakkadah requisites of *Thabah*. When the Fuqaha state: “*Eating is permissible*”, the ruling applies to the meat which some ignorant Muslim or neglectful Muslim had slaughtered without proper observance of the Sunnatul Muakkadah – Waajib factors. Along with the ruling of permissibility to eat, they state unequivocally that the acts of omission and commission are *haraam* (*Makrooh Tahrimi*), perpetration of which renders one a *faasiq* and legitimizes the punishment of the Fire of Jahannum. This is stated explicitly by the Fuqaha. It is not our deduction.

The *hillat* of the meat does not legitimize and make halaal the horrendous haraam killing system invented by the kuffaar and approved by misguided Muslims. The savage system remains haraam. Since the Islamic system has been extinguished and a conglomeration of haraam malpractices precedes the slaughter, the ‘end product’ will also be *haraam lighayrihi* even if we assume that Tasmiyah is recited, the requisite neck vessels are properly severed and dead chickens are not slaughtered. However, this assumption is incorrect. The actual and factual position is that the end product is *Haraam Li Ainihi* as we have explained in this treatise.

We are not viewing the scenario enacted by the stray individual. We are looking in this treatise at a complete horrendous system of cruelty and savagery which has been permanently introduced – which has been assigned preference over and above the Divine System of *Thabah* – which has been approved by men who are known as Ulama. We are looking at a brutal kuffaar system which has in entirety displaced the Islamic system, and which evil system Muslims have endorsed wholeheartedly for the sake of promoting the business empires of the Yahood and Nasaara. Sight should not be lost of the fact that of the

more than 600 million chickens processed annually in South Africa, only approximately 30 million are consumed by the tiny Muslim minority population. Thus, the entire exercise of displacing the Divine system of *Thabab* and the adoption of the savage kuffaar system is primarily for promoting the monetary ventures of the kuffaar and for lining the pockets of unscrupulous men who operate haraam ‘halaal’ facilities whereby they feed the Ummah rotten, diseased carrion.

We are looking at a system – at a veritable holocaust – in which billions of chickens are annually horribly reared and put to death. From the day they are hatched, millions of male chicks are ground up alive and converted into feed for the broiler chickens which are halaalized for Muslim consumption. The process for the chickens from the day they are born until the moment they enter the scalding water is absolutely horrendous and haraam. Under no circumstances does the Shariah condone such a brutal procedure of rearing and killing chickens.

We have to view the broiler chicken industry from day one when the chickens are hatched until the day they are cut up into pieces and packed into ‘halaal’ stamped packets without any semblance of Muslim supervision. And do you, O Reader! Know what happens to Allah’s tiny male chicks the day the egg shells crack and the tiny bodies emerge into this cruel world? If only you knew; if only you saw with your own eyes, then never will the horror of that scenario allow you to devour broiler chickens even if the entire slaughtering system had to be 100% in conformity with the Shariah. The United Poultry Concerns of the U.S.A., an animal rights organization having experts and professionals as members who have made exhaustive research and written numerous books on the savage broiler chicken industry, states:

*“Along with defective and slow-hatching female chicks, the U.S. egg industry trashes 250 million male chicks as soon as they hatch because roosters don’t lay eggs. Instead of being sheltered by a mother hen’s wings, the newborns are **ground up alive or thrown into trashcans where they slowly suffocate on top of one another, peeping pitifully as a human foot stomps them down to make room for more chicks.**”*

South Africa is no better.

Only men whose minds are afflicted with a stercoraceous disease will have the heart to condone, approve and halaalize such a horrific

industry. In addition to the brutality and haraam compounded with haraam, a particular reason for the stercoraceous affliction corrupting their brains is the immersion of still alive chickens in scalding water vilely contaminated with chicken faeces and blood. The effects of this horrid potion of scalding faecal-blood water are absorbed by the flesh of the chickens. These haraam effects of physical and spiritual disease are transmitted to humans of this age who devour this type of diseased carrion with a voracity which puts the lowly canines to shame.

In the Name of Islam, the Mufti has rendered one of the greatest disservices to Islam by sacralising a veritable holocaust in which billions of Allah's *Maqhlugaat* are horrifically maltreated, tortured and executed from day one to their day of doom. So, what we are concerned with is NOT the ignorant or careless individual who out of ignorance or because of obliviousness violated some of the Sunnatul Muakkadah-Waajib acts of the sacred *Thabah* Institution. Our concern is the holocaust, the wanton displacement of the Revealed Institution, the approval of the kufr system, the elevation of the kufr savage system over the Divine System and the mass production of 'halaalized' diseased, rotten carrion fed to the Ummah in the Name of Allah Azza Wa Jal.

This is our concern. This is the concern of the Ummah. This comes within the purview of *Amr Bil Ma'roof Nahy Anil Munkar*. The Mufti and others of similar thinking should not attempt to deflect Muslims from this primary concern with the technicalities of the Tasmiyah Qiblah, etc. which he has misinterpreted and misrepresented to produce the figment of *hillat* calculated to divert the attention of the ignorant and unwary from the mass of horrid haraam malpractices on which his imagined *hillat* is structured. If unbiased, independent laymen who have no association and allegiance with any of the parties involved in this rotten-carrion chicken imbroglio are allowed an impromptu, unannounced inspection of the chicken-killing facilities, then what their eyes will behold will truly be an epiphany. It will be like a sudden supernatural revelation. The unacquainted are in total darkness of the history and the philosophy of the rotten, diseased, haraam carrion they so much relish.

A Mufti, especially a senior Mufti, is required to issue a Fatwa on the whole system. He should not extravagate the single factor, namely,

the 'end product', from the whole horrid haraam system, then proceed to mangle and mutilate the *ahkaam* to produce *hillat* by hook or by crook to vindicate the horrid Sanha entity and thereby actively promoting the monetary goals of the Yahood capitalists. Furthermore, we must remind the Mufti that it is haraam for him to issue fatwa on a subject which he has not thoroughly researched. It is clear from his fatwa that he is lamentably unaware and totally in the dark of the broiler-chicken industry. His fatwa of *hillat* is tantamount to a fatwa of *hillat* for a brothel where the Nikah is stipulated as the 'end product'. Regardless of the fornicators complying with the condition and getting married at the end of their immoral encounter, the brothel remains haraam and cannot be justified or halaalized on the basis of a 'halaal end product'.

Similarly, a commercial chicken-killing facility is like the halaalized brothel, and the assumed 'halaal' end product (the slaughtered chicken) is like the brothel's halaal end product (the Nikah).

We trust that the Mufti and other Ulama will view the broiler-chicken industry in its proper perspective without isolating any specific act. Anyhow, in reality, nothing can be isolated. At least the stipulated end product in the brothel hypothesis is truly halaal because it is a valid Nikah. On the contrary, even the end product of Rainbow Chickens, Early Bird Chickens and chickens of all commercial killing facilities are NOT halaal. There is absolutely no doubt in the *Hurmat* of the chickens. All such chickens are HARAAM CARRION. And, Allah knows best.

"UPON US IS ONLY TO DELIVER THE CLEAR MESSAGE"
(Qur'aan)

HARAAM FOOD IS SHAITAAN'S NOURISHMENT

On his way out from Heaven on the occasion of his ignominious expulsion from the angelic realms, Iblees supplicated to Allah Ta'ala to grant him several favours. One dua of Iblees on this occasion was food on earth to nourish him. Allah Ta'ala, granting his dua, said: *"Your food will be that (food) on which the Name of Allah is not recited."*

While food on which Allah's Name is not recited becoming Shaitaan's nourishment, is not restricted to meat, nevertheless, haraam meat is Shaitaan's special delicacy. Hence the Qur'aan mentions it together with Shaitaani activity. The Qur'aan Majeed states:

"And, do not eat from that (meat) on which the Name of Allah was not recited. Verily, it is fisq (filth, haraam, carrion). And, verily the shayateen whisper to their friends so that they dispute with you. If you (O Mu'mineen) obey them, then you too will be mushrikoon."

(Al-An'aam, Aayat 121)

"O People! Eat from the earth that which is halaal and tayyib, and do not follow in the footsteps of shaitaan. Verily, he commands you with evil and immorality, and that you speak (such lies) about Allah of which you have no knowledge."

(Baqarah, Aayat 169)

In both these Qur'aanic ayats, the relationship between haraam food and Shaitaan is emphasised. Those who halaalize haraam carrion are described in this verse as the '*auliya of the shayaateen*'. Haraam food is a fatal spiritual poison. It utterly destroys the spiritual fibre of a Mu'min. It ruins the beneficial physical and spiritual effects of ibaadat (worship), and the *nafs* increases in rebellion. Duas of those who consume haraam are not accepted.

Shaitaan extravasates maximum capital from those who certify as 'halaal' the meat products of non-Muslims. Through the agency of the 'halaal authorities', Shaitaan overpowers the weak resistance which Muslims offer against evil. The satanic addiction to haraam meat and diseased carrion chickens has totally effaced the resistance of Muslims to evil. In consequence there is the phenomenal rise in immodesty and immorality among Muslims.

Commenting on the extreme caution which the Salf-e-Saaliheen exercised in the matter of *akl-e-halaal* (consumption of halaal), Hadhrat Abdul Wahhaab Sha'raani (rahmatullah alayh) said: "One of the noble attributes of the Salf-e-Saaliheen was total abstention from wealth in which there was even a doubt. Even if the one who invited them was a wealthy person or the ruler, whether he was a qaadhi or a sufi, whether he was the Shaikh of Arabia or the Shaikh of the City, regardless who he might be, the Salf-e-Saaliheen would not accept his invitation. In

fact they would generally abstain from even the halaal wealth of the masses.

There is no need for any Mufti's fatwa to understand that the diseased chickens killed in the commercial plants can never be halaal. Certain issues are as clear as daylight for every Muslim. His intelligence is adequate to understand what is haraam and what is halaal. Hence, Rasulullah (sallallahu alayhi wasllam), instructed every Muslim: "*Seek a fatwa from your heart.*" The Muslim who desires the truth, will obtain the direction from his heart. On the other hand, those who present the corrupt fatwas of muftis to screen their own nafsani plots and to justify indulgence in haraam, they are warned by the Qur'aan Majeed: "*They take as gods besides Allah their priest and their monks....*"

It does not behove Muslims to make a shield of corrupt fatwas to justify their consumption of haraam carrion chickens. 'Fatwas' cannot abrogate any teaching of the Shariah. The trash-cans have a prior and greater *haqq* (right) for such 'fatwas' of ignominy which deflect the Ummah from the glittering Path of *Halaal-Tayyib*.