

Just say Bismillah & Eat it



By
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In the Name of Allah, Most Gracious, Most Merciful

The Importance of Eating Permissible and Wholesome Foods

“Just Say ‘Bismillah’ and Eat it”

Part Four

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In the Name of Allah, Most Gracious, Most Merciful. May Allah bless our master (sayyidina) Muhammad, his family and companions and give them peace. All Praises are due to Allah, He is sufficient (for us). Peace be upon His slaves, who He has chosen. As to what follows:

The above-mentioned statement, along with its application, is one that has been misunderstood for a very long time. This misunderstanding has increased – in the opinion of this writer – over time, with the help of legal rulings issued outside of their proper context. In the last section (part 3), we clarified the reality of those types of rulings (fataawa) and the irresponsibility of those who continue to issue them. In these fataawa, we find that the verses of the Qur’an and the statements of the Prophet, may Allah bless him and grant him peace, are true and correct; however the context and application are far off of the mark. Once a group of the Khawaarij was with Ali ibn Abi Taalib, may Allah be pleased with him, and began to quote or paraphrase the Qur’anic concept:

Which means “There is no judgment or legislation (hukm) except for Allah.” When Ali heard them say this he said :

“A truthful statement, but falsehood is intended by it.”

In the previously-mentioned fatwa, the shaykh is attempting to put forward the argument that we should not inquire about the method of slaughter. “As far as the methodology of the slaughtering, we do not inquire about the method because if an action has occurred ‘min ahlihi’ [at the hands of those suited to perform such an act] the conditions surrounding that act are not asked about. We find in saheehul-bukhaaree: “It is related by A’ishah (radiyallaahu ‘anhu) that a group of people said to the Prophet (sallallaahu ‘alayhi wa sallam) ‘Some people came to us with some meat about which we didn’t know whether the name of Allah was mentioned over or not’ and he replied ‘sammoo’ [Say the name of Allaah] over it yourselves and then eat. She [A’ishah] said that these people had just recently been from the kuffaar [i.e. just became Muslim and the question was not asked as to the method of slaughter]. This rule therefore applies to the Jews and the Christians about whom we don’t know whether or not they have mentioned Allaah’s name or not because their slaughtered meat is halaal [permissible] to us.”

Before putting this fatwa into its proper context, let us go back to the hadith itself.

On the authority of Aa'ishah, may Allah be pleased with her, Some people said to the Prophet, may Allah bless him and grant him peace, "Some people bring us meat (al-lahm) and we do not know if they have mentioned the name of Allah on slaughtering the animal or not." He said, "You yourselves mention the name of Allah on it and eat it." She (Aa'ishah) said, Those people had recently embraced Islam.

This narration can be found in Imam al-Bukhari's Saheeh, in the "Book of the slaughtered meats of the Bedouin Arabs and their sacrifices." Many Muslims quote this narration, leaving out Aa'ishah's last statement, which gives the false impression that the mentioning of Allah's name at the time of eating substitutes for the mentioning which is supposed to take place at the time of slaughter. Sometimes the narration found in Imam Malik's Muwatta is quoted:

Yahya narrated from Malik, on the authority of Hisham ibn 'Urwah, from his father, may Allah be pleased with him, that he said: The Messenger of Allah, may Allah bless him and grant him peace, was asked. It was said to him, "O Messenger of Allah, Verily some people from the desert (ahl al-baadiyah) bring us meat. And we do not know whether they mentioned the name of Allah over it (sammu Allaha 'alayha) or not. The Messenger of Allah, may Allah bless him and grant him peace said, "Mention the name of Allah over it and then eat it."

And then there is the other narration, which can also be found in al-Bukhari,

Aa'ishah reported: They enquired: O Messenger of Allah, there are people here whose conversion from polytheism is recent. They come to us with meat but we don't know whether they recite the name of Allah over it or not. He said: "Mention the name of Allah and eat."

All of these narrations make it clear that the meat was being slaughter by new Muslims and it was not clear whether they knew how to slaughter properly or not. These ahadith merely indicate to us that we need to have a good opinion of our fellow Muslims if they are the ones doing the slaughtering. Haafiz Ibn Hajar al-'Asqalaani writes in his explanation of this hadith:

Ibn at-Teen states: "There is no legal burden [upon Muslims] to verify whether Allah's name has been mentioned if a slaughtering is done by someone other than them and they are ignorant of whether Allah's name was mentioned or not. The slaughtering is judged unacceptable only if it surfaces with certainty that the slaughterer did not mention Allah's name. It is also possible that this hadith means that if the meat comes from someone whose slaughtered animal becomes lawful if he does in fact mention the name of Allah, then mentioning His name before eating makes the meat lawful if you do not know whether His name was mentioned at the time of slaughtering. We can gather from this understanding that all meat found in the Muslim markets is judged to be lawful, as is meat slaughtered by Muslim Bedouin Arabs, because for the most part, they know about the requirement of mentioning Allah's name. Ibn 'Abd al-Barr has firmly settled on this conclusion."

"...When the People of the Book make up the majority of a country's populace, the ruling is like the one for Muslim countries. However, if it is known with certainty, or it is the dominant belief of the People of the Book in a given country generally do not slaughter animals according to the prescribed method, then eating any given meat is not lawful until one determines that it has been slaughtered properly. And this is the case with most western countries today..."

After a careful examination of all of the above narrations of the hadith in which the Messenger of Allah, may Allah bless him and grant him peace, tells us to mention the name of Allah over the meat and eat it, along with its commentary, it becomes abundantly clear that this hadith is not a license to eat any meat one wishes. The context and application of this hadith clearly establishes [1] that the slaughters were Muslim, and [2] there was doubt about Allah's name being mentioned at the time of slaughter. It is certain, without a shadow of a doubt, that the meat found in American markets and restaurants is not slaughtered according the Islamic method nor is it slaughtered according to the injunctions set forth in the scriptures of the Jews (unless it is Kosher) and the Christians. And they certainly do not mention the name of Allah over the animals at the slaughter houses. Therefore these Prophetic narrations cannot be invoked because there is no doubt regarding the unlawful method of slaughter used in this and other non-Muslim countries. This also – once again – shows how fatwas are being used to circumvent what Allah and His Messenger have enjoined upon us. Again, the fatwa (or at least that portion of it) is correct but it is not applicable here. That is why fatwas about American realities must come from American scholars. And Allah knows best!

Success is with Allah

O Allah! Show us the truth as true and make us follow it. Show us falsehood as false and make us avoid it.