

تَاخِيصُ كِتَابِ

# أَحْكَامُ الْأَضْحِيَّةِ وَالذَّكَاةِ

مُحَمَّدُ بْنُ صَالِحِ الْعُثَيْمِيْنَ

THE RULES OF

## *Sacrificial Offerings & Slaughtering*

- A B R I D G E D -

Imaam Muhammad bin Saalih Al-'Uthaimeen

[D. 1421H]



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### *Publisher's Foreword*

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All praise if for Allaah and may His peace and praises be on His Prophet, Muhammad, as well as his family and Companions. To proceed:

Before you is a translation of a small booklet entitled "*Talkhees Ahkaam-ul-Udhiyah wadh-Dhakaat*" [**The Rules of Sacrificial Offerings and Slaughtering – Abridged**] which is a condensed version of a larger book written by the great scholar of this century, Imaam Muhammad bin Saalih Al-'Uthaimeen [D. 1421H], may Allaah have mercy on him.

The source used for this translation was the Dar-ul-Minhaaj edition published in 2003. Reference was also made to the "source" treatise, or the unabridged version, found on the Imaam's website ([www.ibnothaimeen.com](http://www.ibnothaimeen.com)) for further clarification and referencing of narrations.

In this booklet, the author divides his discussion into ten solid and informative chapters in which he covers the various rules and regulations of sacrificial offerings. So this treatise serves as a manual and guide for those intending to perform the sacrifice on the day of 'Eid, which is one of the well-known rites of Islaam.

So its presentation in the English language is of the utmost importance as there is a strong need for the Muslims in the west to learn the manners and etiquettes of sacrificing since that is a topic that arises every year during the time of 'Eid-ul-Adhaa.

We ask Allaah to grant benefit through this publication and to make it a source of guidance for English-speaking Muslims throughout the world.

**Al-Ibaanah Book Publishing**





## *Introduction to the Abridgement of the Book*

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Verily, all praise is for Allaah. We praise Him, we seek His assistance, we ask for His forgiveness and we turn to Him in repentance. And we seek refuge in Allaah from the evils of our selves and the evils of our actions. Whoever Allaah guides, no one can lead him astray, and whoever is led astray, no one can guide him.

I bear witness that there is no deity that has the right to be worshipped in truth except Allaah – alone and with no partner. And I bear witness that Muhammad is His slave and messenger, may the peace and praises of Allaah be on him, his family, his Companions and whoever follows them in goodness.

To proceed:

I had previously written a rather lengthy book on the rules of sacrificial offerings and slaughtering, which was published in 93 pages and contained discussions on some issues of difference of opinion. However, foreseeing that the book might be too long for the average reader, I felt that I should abridge that book and leave out unnecessary discussions while adding to it what needed to be added.

I ask Allaah to make our efforts in this regard purely for His sake and to make the book a source of clarification for His Religion as well as a benefit for us and the Muslims. Verily, He is Most Generous, Most Kind.

This abridged version consists of the following chapters:

Chapter One: The Definition and Ruling of a Sacrificial Offering

Chapter Two: The Conditions of a Sacrificial Offering



## The Rules of Sacrificial Offerings and Slaughtering

Chapter Three: The Preferable and Detestable Types of Sacrificial Offerings

Chapter Four: Who does the Sacrificial Offering Cover?

Chapter Five: Designating a Sacrificial Offering and Its Regulations

Chapter Six: What should be Eaten and Distributed from the Sacrificial Offering?

Chapter Seven: Things a Person who Intends to Sacrifice should Avoid

Chapter Eight: The Conditions of Slaughtering

Chapter Nine: The Etiquettes of Slaughtering

Chapter Ten: Detestable Acts when Slaughtering



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## *The Definition and Ruling of a Sacrificial Offering*

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The term *udhiyah* (sacrificial offering) refers to an animal among livestock that is slaughtered on the day of 'Eid-ul-Adhaa'<sup>1</sup> due to 'Eid as an act of worship by which one intends to draw closer to Allaah. It is one of the rituals of Islaam that has been legislated in the Book of Allaah, the Sunnah of His Messenger ﷺ and the unanimous agreement of the Muslims.

Allaah says:

فَصَلِّ لِرَبِّكَ وَأَنْحَرْ

**“So turn to your Lord in prayer and perform the sacrificial offering.”** [Surah Al-Kawthar: 2]

And He says:

قُلْ إِنَّ صَلَاتِي وَنُسُكِي وَمَحْيَايَ وَمَمَاتِي لِلَّهِ رَبِّ  
الْعَالَمِينَ. لَا شَرِيكَ لَهُ وَبِذَلِكَ أُمِرْتُ وَأَنَا أَوَّلُ الْمُسْلِمِينَ

**“Say: ‘Verily, my prayer, my sacrificial offering (*nusuk*), my living and my dying are for Allaah, Lord of the worlds. He has no partner. And of this I have been commanded, and I am the first of the Muslims.’”** [Surah Al-An'aam: 162-163]

The word *nusuk* (mentioned in the *ayah*) refers to a sacrificial offering. This is what Sa'eed bin Jubair رضي الله عنه said. It is also held that it refers to all acts of worship including the sacrifice, and this is a more comprehensive definition. Allaah says:

وَلِكُلِّ أُمَّةٍ جَعَلْنَا مَنْسَكًا لِيَذْكُرُوا اسْمَ اللَّهِ عَلَى مَا

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<sup>1</sup> **Translator's Note:** 'Eid-ul-Adhaa is celebrated on the tenth day of Dhul-Hijjah.

رَزَقَهُمْ مِّنْ بَهِيمَةِ الْأَنْعَامِ فَإِلَهُكُمْ إِلَهٌ وَاحِدٌ فَلَهُ أَسْلِمُوا

**“And for every nation We have appointed sacrificial rites that they may mention the Name of Allaah over the beasts of cattle that He has given them for food. And your God is one God, so you must submit to Him alone.”** [Surah Al-Hajj: 34]

It is reported in the *Saheeh* Collections of Al-Bukhaaree and Muslim from Anas bin Maalik رضي الله عنه that: “The Prophet ﷺ sacrificed two horned black-on-white rams, slaughtering them with his hand whilst mentioning Allaah's Name, making *takbeer* (saying *Allaahu Akbar*), and placing his foot on their sides.” <sup>2</sup>

And he ﷺ said: “The Prophet ﷺ resided ten years in Madeenah offering the sacrifice.” [Reported by Ahmad and At-Tirmidhee who said it was a *hasan* hadeeth] <sup>3</sup>

‘Uqbah bin ‘Aamir رضي الله عنه reported that the Prophet ﷺ once distributed animals to sacrifice amongst his Companions but when it came to ‘Uqbah’s turn, he received a six-month old goat. So he said: “O Messenger of Allaah ﷺ, I have gotten a six-month old goat.” He ﷺ replied: **“Sacrifice it.”** [Reported by Al-Bukhaaree and Muslim] <sup>4</sup>

This shows that the Messenger of Allaah ﷺ slaughtered sacrificial offerings and so did his Companions. And he ﷺ informed us that offering sacrifices was the Sunnah, or way, of the Muslims. This is why the Muslims have unanimously agreed on its prescription in the Religion as relayed by several scholars. However, they have differed on whether it is a strongly-stressed Sunnah (i.e. voluntary act) or an obligation that one is not permitted to leave off.

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<sup>2</sup> *Saheeh al-Bukhaaree*: Book of Sacrificial Offerings (5565) and *Saheeh Muslim*: Book of Sacrificial Offerings (1966)

<sup>3</sup> *Musnad Ahmad* (2/28) and *Sunan at-Tirmidhee*: Book of Sacrificial Offerings (1507)

<sup>4</sup> *Saheeh al-Bukhaaree*: Book of Sacrificial Offerings (5547) and *Saheeh Muslim*: Book of Sacrificial Offerings (1965)



The majority of the scholars have taken the view that it is a strongly-stressed voluntary act (*sunnah mu'akkadah*). This is the *madh-hab* (view) of Imaam Ash-Shaafi'ee and that of Maalik and Ahmad in what is commonly ascribed to them.

However, other scholars have taken the view that it is obligatory. This is the view of Abu Haneefah and one of the views that Imaam Ahmad was reported to have held. Shaikh-ul-Islaam Ibn Taimiyyah also favored this view, saying: "It is one of the two views found in the *madh-hab* of Maalik or what is evident from his *madh-hab*."

Physically sacrificing an animal is better than giving away its monetary value in charity since it is something that the Prophet ﷺ and his Companions used to do. Furthermore, slaughtering is one of the rites of Islaam, so if people were to replace that by giving its value in charity instead, this religious ritual would be abolished. Also, if giving away the sacrifice's value in charity were better than physically slaughtering an animal, the Prophet ﷺ would have clarified this to his ummah through words and actions since it was not his ﷺ nature to leave something that was good for his ummah unclarified.

In fact, if giving away the sacrifice's value in charity were equal to physically slaughtering an animal, the Prophet ﷺ would definitely have clarified it to us since that is easier than going through the trouble of slaughtering. And the Prophet ﷺ would not leave off clarifying the easier option to his ummah especially if it were equal to the harder option.

At one point in the Prophet's ﷺ lifetime, the people were suffering from a famine, so the Prophet ﷺ said: **"If any of you slaughters an animal, he should not let three days pass with any of it remaining in his home."** Then when the following year came, the people asked: "O Messenger of Allaah ﷺ, should we do as we did the previous year?" The Prophet ﷺ said: **"Eat from it, feed (others) from it, and store it, for indeed the people were facing**



**hardship that year and I wanted you to help (them) with it.”**  
[Agreed Upon] <sup>5</sup>

Ibn Al-Qayyim, may Allaah have mercy on him, said: “Performing the sacrifice in its proper place is better than giving away its like value in charity. So based on this, if someone were to give away in charity several times the worth of an animal instead of the (actual) sacrificial offering for Hajj (i.e. the *hady*), it would not take its place. This is the same case with the *udhiyah* (sacrificial offering).”

### **Section:**

The foundation with regard to the sacrificial offering is that it is something prescribed in the Religion for those who are alive as Allaah's Messenger ﷺ and his Companions would perform the sacrifice on behalf of themselves and their families. As for what some of the common people believe – that the sacrificial offering can be done specifically for the deceased – then this has no basis.

Sacrificing animals on behalf of those who have passed away can be divided into three categories:

**First:** That one slaughters an animal on their behalf as part of slaughtering on behalf of those living, such as when a man sacrifices an animal on his behalf and on behalf of his family members intending by it those relatives who are alive and those who are deceased. The basis for this is that the Prophet ﷺ would slaughter sacrificial offerings on his behalf and on behalf of his family members, which included those who died in the past.

**Second:** That one slaughters on behalf of the deceased in accordance with their requesting that in their last will and testament. The basis for this is found in Allaah's statement:

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<sup>5</sup> *Saheeh al-Bukhaaree*: Book of Sacrificial Offerings (5569) and *Saheeh Muslim*: Book of Sacrificial Offerings (1974)



فَمَنْ بَدَّلَهُ بَعْدَمَا سَمِعَهُ فَإِنَّمَا إِثْمُهُ عَلَى الَّذِينَ يُبَدِّلُونَهُ إِنَّ اللَّهَ سَمِيعٌ عَلِيمٌ

**“Then whoever changes the bequest after hearing it, the sin shall be on those who make the change. Truly Allaah is All-Hearer, All-Knower.”** [Surah Al-Baqarah: 181]

**Third:** That one voluntarily slaughters solely on behalf of the deceased without linking that to slaughtering on behalf of those who are alive. This is permissible. The scholars of the Hanbalee *madh-hab* believe that the reward of such a sacrifice will reach the deceased and benefit him (in the grave) based on the analogy of equating it to (continuous) charity. However, we don't agree that specifically sacrificing an animal on behalf of a deceased person is from the Sunnah. This is because the Prophet ﷺ did not slaughter on behalf of any of his deceased relatives in particular.

He ﷺ did not perform the sacrifice on behalf of his (paternal) uncle, Hamzah, who was one of his dearest relatives, nor did he perform the sacrifice on behalf of his children who died during his lifetime, which included three married daughters and three infant sons. He did not even perform the sacrifice on behalf of his deceased wife, Khadeejah, who was the most beloved of his wives. Furthermore, it has not been reported that any of his Companions performed the sacrifice on behalf of one of their deceased relatives during the Prophet's ﷺ lifetime.

We also hold to be an error what some people do, which is performing the sacrifice on behalf of a deceased person during the first year of his death, calling it the “Sacrifice of the Burial Ground.” And they believe that it is not permissible for anyone to share in receiving the reward for this sacrifice other than the deceased.

Some of them even perform the sacrifice on behalf of their deceased relatives whether voluntarily or carrying out their wills but do not perform the sacrifice on behalf of themselves or their families! If they only knew that when a man slaughters an animal

## The Rules of Sacrificial Offerings and Slaughtering

with his own money on behalf of himself and his family, it includes all of his family members regardless of whether they are alive or dead, they would not abandon that in exchange for what they do.



## ..2..

### *The Conditions of a Sacrificial Offering*

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There are six conditions that a sacrificial offering (*udhiyah*) must meet:

**The First Condition:** The sacrificial offering must be an animal from among cattle, which include camels and cows, or smaller livestock such as sheep and goats. This is based on Allaah's statement:

وَلِكُلِّ أُمَّةٍ جَعَلْنَا مَنْسَكًا لِيَذْكُرُوا اسْمَ  
اللَّهِ عَلَىٰ مَا رَزَقَهُم مِّن بَهِيمَةِ الْأَنْعَامِ

**“And for every nation We have appointed religious ceremonies that they may mention the Name of Allaah over the beasts of cattle that He has given them for food.”** [Surah Al-Hajj: 34]

The term **“beasts of cattle”** refers to camels, cows, sheep and goats. This definition is well known amongst the Arabs as stated by Al-Hasan, Qataadah, and others.

**The Second Condition:** It must have reached the required age that is in accordance with the religious standards such as six-months for sheep and one-year and up for everything else. The Prophet ﷺ said: **“Do not slaughter any animal except for one that is mature in age unless that is difficult for you, in which case you may slaughter a premature one from among sheep.”** [Reported by Muslim] <sup>6</sup>

**“Mature in age”** is the age at which an animal is considered fully developed as well as any age beyond that, while **“premature”** is the age before that. With respect to a camel, a mature-aged one is one that has completed five years. With respect to a cow,

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<sup>6</sup> *Saheeh Muslim: Book of Sacrificial Offerings* (1963)

a mature-aged one is one that has completed two years. A mature-aged sheep is that which is one-year old while a premature sheep is one that has completed half a year (up to one year).

So based on this, it is invalid to slaughter a camel, cow, and goat if it is under its respective **“mature”** age as well as a sheep if it is under six months of age.

**The Third Condition:** The animal must be free of any defect that would prevent its slaughter from being valid and acceptable. These defects are of four types:

1. Clear defectiveness of the eye: This is when the animal's eye becomes sunken or it sticks out to the point that it looks like a knob or it becomes a pale white indicating clearly that it is one-eyed.

2. Clear illness: This is when the animal exhibits signs of sickness, such as a fever that keeps it from grazing and causes a loss of appetite, or an obvious scabies infection that will spoil its meat and harm a person's health (if he eats it), or a deep wound that threatens to affect its health and so on.

3. Clear limping: This is when the animal is unable to step safely (without hurting itself) when walking.

4. Emaciation that causes brain loss: This is based on what the Prophet ﷺ said when he was asked about what types of animals one should avoid when sacrificing. He ﷺ gestured with his hand and said: **“They are four: The lame animal that clearly walks crookedly; the one-eyed animal that clearly has a defect in the eye; the sick animal that clearly has signs of illness; and the emaciated animal that is (usually) not picked.”**<sup>7</sup>

This hadeeth was reported by Maalik in *al-Muwatta* from Al-Baraa' bin 'Aazib رضي الله عنه. In another version of this report narrated by

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<sup>7</sup> *Al-Muwatta*: Book of Sacrificial Offerings (1)



Al-Baraa' رضي الله عنه found in the *Sunan* collections, he رضي الله عنه said: "The Messenger of Allaah صلى الله عليه وسلم stood up amongst us and said: '**Four types (of animals) are not permissible to use as sacrificial offerings...**' and he went on to mention them." <sup>8</sup>

So therefore if these four defects are found in an animal, they prevent its slaughter and sacrifice from being valid. This goes as well for any other defect that is similar to or worse than these, which means that it is also not valid to sacrifice the following types of animals:

1. A blind animal that cannot see with both eyes.
2. An animal suffering from nausea until it releases its load and its harm is removed.
3. An animal that has been assisted in giving birth if natural delivery is difficult until the threat of danger is removed.
4. An animal afflicted by something fatal such as choking, falling from a high place, and so on until the threat of danger is removed.
5. A crippled animal, which is an animal that cannot walk due to a physical disability.
6. An animal with one of its front legs or back legs broken.

So if these last defects are added to the four mentioned in the narrations, the types of animals that cannot be slaughtered become ten in total. There are these six types plus the animals that suffer from the four previously mentioned defects.

**The Fourth Condition:** The sacrificial offering must be owned by the one slaughtering it or if not, he must have the right to

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<sup>8</sup> *Sunan Abee Dawood*: Book of Sacrificial Offerings (2802); *Sunan at-Tirmidhee*: Book of Sacrificial Offerings (1497); *Sunan an-Nasaa'ee*: Book of Sacrificial Offerings (4369); *Sunan Ibn Maajah*: Book of Sacrificial Offerings (3144); and *Musnad Ahmad* (4/300)

## The Rules of Sacrificial Offerings and Slaughtering

slaughter it based on religious grounds or based on the approval of the animal's owner. So if someone sacrifices an animal that does not belong to him, such as one that has been confiscated, stolen, or taken under false pretenses, such a sacrifice is not valid. This is since it is not permissible to draw near to Allaah by way of disobeying Him.

It is also valid if an orphan's guardian sacrifices an animal for him using his (i.e. the orphan's) money if this is what the orphan is accustomed to and if his heart will become broken if one is not sacrificed.<sup>9</sup> It is also permissible for a representative to perform the sacrifice using the funds of the person commissioning him with his permission.

**The Fifth Condition:** No other person's right should be associated to the animal being slaughtered. So for example, it is not valid to sacrifice an animal that is being held as mortgage on a loan.

**The Sixth Condition:** The animal should be slaughtered in the specific time-frame legislated in the Religion, which is from the time after the 'Eid Prayer on the Day of Sacrifice<sup>10</sup> until the sun sets on the last of the days of Tashreeq, which is the thirteenth day of Dhul-Hijjah. So therefore, the days in which the sacrifice is permitted are four: the day of 'Eid, after prayer, and the three days after that (i.e. the days of Tashreeq).

So whoever performs the sacrifice before the end of the 'Eid Prayer or after the sun sets on the thirteenth day (of Dhul-Hijjah), his sacrificial offering is not valid. This is based on what Imaam Al-Bukhaaree reported from Al-Baraa' bin 'Aazib رضي الله عنه who narrated that the Prophet ﷺ said: **"Whoever sacrifice an animal before the**

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<sup>9</sup> **Translator's Note:** Perhaps the orphan is accustomed to the sacrifice because this was his experience with his parents before he lost them. So if this tradition that he used to partake in with his family is not kept, it will cause his heart to be broken, and Allaah knows best.

<sup>10</sup> **Translator's Note:** The Day of Sacrifice, i.e. Yawm-un-Nahr, is the day of 'Eid, while the days of Tashreeq are the three days that follow it.



**('Eid) Prayer), it is just meat that he presents to his family and not a sacrificial offering at all."** <sup>11</sup>

Al-Bukhaaree also reported that Jundub bin Sufyaan Al-Bajlee رضي الله عنه said: "I witnessed the Prophet صلى الله عليه وسلم say: **'Whoever slaughters an animal before praying (the 'Eid Prayer) should slaughter another one (as sacrifice) in its place.'**" <sup>12</sup>

Nubaishah Al-Hadhlee رضي الله عنه narrated that Allaah's Messenger صلى الله عليه وسلم said: **"The days of Tashreeq are days of eating, drinking and remembrance of Allaah."** [Reported by Muslim] <sup>13</sup>

However, if one has a valid excuse for delaying the slaughter past the days of Tashreeq, such as if the animal runs away from him, due to negligence on his part, and he only finds it after the time-frame for slaughtering has passed. Another example is if a person entrusts someone to slaughter the animal for him but that person forgets to do it until the time has passed. In situations such as these, there is no sin in slaughtering after the prescribed time-frame since there is a valid reason for the delay.

This is also based on the analogy of it being similar to a person who sleeps past the time of prayer or forgets to do it until its time passes, for he may pray it either when he wakes up or when he remembers.

It is allowed to perform the sacrifice any time during the days of Tashreeq, whether day or night. However, slaughtering during the daytime is better, and doing it on the day of 'Eid after the two khutbahs is better than that. Each day is better than the day that comes after it, in terms of performing the sacrifice, since that reflects one's quickness and eagerness to carry out good deeds.

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<sup>11</sup> *Saheeh al-Bukhaaree*: Book of Sacrificial Offerings (5545) and *Saheeh Muslim*: Book of Sacrificial Offerings (1961)

<sup>12</sup> *Saheeh al-Bukhaaree*: Book of Sacrificial Offerings (5562) and *Saheeh Muslim*: Book of Sacrificial Offerings (1960)

<sup>13</sup> *Saheeh Muslim*: Book of Fasting (1141)

..3..

*The Preferable and Detestable  
Types of Sacrificial Offerings*

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The best types of animals for slaughtering are: camels, then cows – if complete one are slaughtered on behalf of one person – then sheep, then goats, then camels if slaughtered on behalf of seven people, then cows if slaughtered on behalf of seven people.

In terms of appearance and qualities, the best animals for slaughtering are the ones with the most fat, the most meat, the most wholesome attributes and the best appearance. It is related in *Saheeh al-Bukhaaree* from Anas bin Maalik رضي الله عنه that the Prophet ﷺ would slaughter two horned black-on-white rams.

A “kabsh” (ram) is a powerful male amongst sheep while the meaning of “amlah” is that which has white fur on top of black fur. So it is predominantly white but with patches of black. Abu Sa’eed Al-Khudree رضي الله عنه reported that **“The Prophet ﷺ once slaughtered a choice horned ram that would eat in black, see in black, and walk in black.”** [Reported by the Four, and At-Tirmidhee said that it was *hasan saheeh*] <sup>14</sup>

What is meant by “faheel” (choice) is a strong (non-castrated) male. And what is meant by “...eat in black, see in black, and walk in black...” and so on is that it has black hair on its mouth, eyes and feet.

Abu Raafi’, the freed slave of the Prophet ﷺ, narrated that **“When the Prophet ﷺ slaughtered a sacrificial offering he would**

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<sup>14</sup> *Sunan Abee Dawood*: Book of Sacrificial Offerings (2796); *Sunan at-Tirmidhee*: Book of Sacrificial Offerings (1496); *Sunan an-Nasaa’ee*: Book of Sacrificial Offerings (4390); *Sunan Ibn Maajah*: Book of Sacrificial Offerings (3128)



**buy two plump rams.**" And in one wording of the narration, it states: "...**two castrated rams.**" [Reported by Ahmad] <sup>15</sup>

The meaning of "**plump**" (*sameen*) is that it has a lot of fat and meat. As for "**castrated**" (*mawjoo'*), it refers to an animal that has had its testicles removed. This type of animal is superior in most cases to the non-castrated (*faheel*) one in terms of the quality of meat. However, the non-castrated (*faheel*) one is superior in terms of physique and limbs.

This is the best type of animal to sacrifice from the aspect of its type and description.

As for the types of animals that are detestable for sacrificing, then they are as follows:

1. The *'adbaa*, which is an animal that has half or more of its ear or horn cut off.
2. The *muqaabalah*, which is an animal that has a horizontal slice (i.e. cut) on the front of its ear.
3. The *mudaabarah*, which is an animal that has a horizontal slice (i.e. cut) on the back of its ear.
4. The *sharqaa*, which is an animal that has a vertical slice (i.e. cut) on its ear.
5. The *kharqaa*, which is an animal whose ear has been punctured.
6. The *musfarah*, which is an animal whose ear has been completely severed to the point that its ear canal is now visible. It is also held that this refers to an emaciated animal that has not yet reached the point where it has lost its senses.

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<sup>15</sup> *Musnad Ahmad* (22/06) and *Sunan Ibn Maajah: Book of Sacrificial Offerings* (3122)

7. The *musta'salah*, which is an animal whose horn (or horns) has completely been removed.

8. The *bakhqaa*, which is an animal that has lost vision in one eye even though the eye continues to appear normal.

9. The *mushayya'ah*, which is an animal that does not follow the flock of sheep due to its frailty unless someone follows it and directs it to keep up with the flock. It is also possible to call it *mushayyi'ah*, which is an animal that trails behind the flock of sheep due to its frailty, so it appears as if it is following them (as opposed to walking amongst them).

These are the type of animals mentioned in the *ahaadeeth*, which we have been prohibited from using as sacrificial offerings or warned to avoid due to their defects. These reports can be understood to mean that these types of animals are detestable for sacrificing based on a combined understanding of those narrations along with the report of Al-Baraa bin 'Aazib رضي الله عنه mentioned previously under the third condition of sacrificial offerings.

If you add to these detestable types of animals any animal with similar characteristics, this would mean that the following animals are also disliked for sacrificing:

1. The *batraa*, which is a camel, cow or goat with half or more of its tail cut off.

2. A sheep with less than half of its tail-fat cut off. In the case where half or more than half of its tail-fat is cut off, a majority of the scholars say that sacrificing it is not valid. But in the case where its tail-fat is missing due to natural reasons, there is no problem with it.

3. An animal with its penis cut off. <sup>16</sup>

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<sup>16</sup> **Translator's Note:** This is not to be confused with a castrated animal for that is one with its testicles cut off, not its penis.



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4. An animal that has had some of its teeth come out whether the two front teeth or the four side teeth. But if they are missing because that's how it was born, it is not disliked to sacrifice it.

5. An animal that has part of the nipples of its teats cut off. But if that is missing because it was born that way, it is not detestable to sacrifice it. And if it stops producing milk but the teats are healthy and undamaged, there is also no harm in sacrificing it.

So if you add these five detestable types of animals to the first ones, the number of detestable types of animals becomes fourteen altogether.

..4..

*Who does the Sacrificial Offering Cover?*

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A sacrificial offering of one animal, be it a sheep or a goat, covers one man, his family, and whoever he wishes from the Muslims. This is based on the hadeeth of 'Aa'ishah, may Allaah be pleased with her, who reported that the Prophet ﷺ called for a white horned ram with black wool on its feet, knees and eyes, and so one like that was brought to him for slaughtering. Then he ﷺ said to her: **"O 'Aa'ishah, bring me the butcher's knife."** So she did it and he ﷺ took hold of it and grasped the ram, made it lie on its side, and sacrificed it (i.e. he ﷺ prepared to sacrifice it). Then he said: **"In the Name of Allaah. O Allaah, accept (this) from Muhammad, the family of Muhammad, and the ummah of Muhammad."** Then he slaughtered it. [Reported by Muslim] <sup>17</sup>

What appears in parenthesis above is an additional explanation and not found in the original hadeeth.

Abu Raafi' reported that: "The Prophet ﷺ would slaughter two rams. The first was on behalf of himself and his family while the other was on behalf of his entire ummah." [Reported by Ahmad] <sup>18</sup>

Abu Ayoob Al-Ansaaree رضى الله عنه reported that: "During the lifetime of the Prophet ﷺ, a man would slaughter one sheep on behalf of himself and the members of his household. And they would eat from it and give it out to others." [Reported by Ibn Maajah and At-Tirmidhee who authenticated it]

So if a man slaughters a goat or a sheep on behalf of himself and his family, it suffices for every one of his family members that he intends, whether alive or dead. But if he doesn't intend anyone, whether generally or specifically, the sacrificial offering

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<sup>17</sup> *Saheeh Muslim: Book of Sacrificial Offerings (1967)*

<sup>18</sup> *Musnad Ahmad (8/6)*



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covers all the family members that traditionally or linguistically fall under the concept of family in that area. According to tradition and custom, a family consists of one's wives, children and (blood) relatives, while linguistically a family consists of everyone of his relatives whether from his progeny or the progeny of his father, grandfather and great-grandfather.

One-seventh of a camel or cow serves the same validity as one sheep or goat. So if a man slaughters one-seventh of a camel or a cow (i.e. he slaughters one along with six other people) on behalf of himself and his family, it is valid. This is since the Prophet ﷺ stated that one-seventh of a camel or a cow takes the place of one sheep or goat when performing the sacrifice (*hady*) for Hajj. So this also applies to the sacrificial offerings done for 'Eid due to their being no difference between them in this regard.

Sacrificing one sheep or goat does not suffice for two or more people even if they buy it together and slaughter it together, since this is not mentioned at all in the Qur'aan or Sunnah. Likewise, it is not valid if eight or more people share in slaughtering one camel or cow. This is since acts of worship are restricted to what is stated in the revelation and thus it is not permissible to transgress beyond their prescribed limits in terms of their amount and description. This does not apply however to sharing in the reward since sharing in that without any limit has been mentioned in the texts as stated previously.

So based on this, if there exists several wills for a group of people with each of them instructing an animal to be slaughtered from the proceeds of an endowment, for example, but the proceeds that come from each will for said animal is not enough, it is not permissible to combine all these bequests into one sacrificial offering since it is known that one sheep or goat does not suffice for two or more people, unless it is with respect to reward.

What should be done is the proceeds (from one will) should be collected (every year) until they reach the amount to cover one sacrificial offering. However, if the proceeds are meager to the point that the correct amount cannot be collected until many



years have passed, the money should instead be given out (in charity) on the tenth day of Dhul-Hijjah.

In the case where the testator of the will is one person who has instructed an executor (of his will) to slaughter a number of sacrificial offerings but the proceeds of the bequest is not enough for all of them, then if the executor wishes, he may combine all of the sacrifices in one sacrificial offering since the testator is just one person. Or if he wishes, he may slaughter one sacrificial offering one year and another in some other year. However, the one done in the first year takes more precedence.

### **Important Note:**

Some testators estimate the value of a sacrificial offering from the proceeds of their estate according to the most exaggerated scenario hoping that the animal will never reach the amount estimated. So for example, he says (in his will): "I request that an animal be slaughtered on my behalf even if the price for it reaches x amount of riyaaals." This is since during his lifetime, the sacrificial offering was much cheaper.

However, some executors who don't fear Allaah use this to nullify the sacrificial offering based on the pretext that the testator has estimated the price of the offering to be x amount of riyaaals but yet no such animal could be found for that amount, even though the funds from the proceeds of the estimate is a lot.

This is forbidden for him and he is sinning by doing this. Rather, he is required to slaughter an animal even if the sacrificial offering reaches a thousand riyaaals so long as the proceeds of the estate can sufficiently cover the cost. The testator's only objective behind declaring the cost of the sacrificial offering was to overestimate the value of the animal and not to confine it to a fixed price.



..5..

*Designating a Sacrificial Offering and its Regulations*

A sacrificial offering is designated through one of two ways:

**First:** Wording: This is such as when one says: "This is a sacrificial offering (*udhiyah*)" intending by it to specifically designate an animal for slaughter. But in the case where someone just intends to inform what he will do in the future, the animal does not become specifically designated this way, since his intention is only to inform what he will do with the animal in the future and not to specifically designate it for slaughter.

**Second:** Action: This is of two types:

1. When one slaughters an animal with the intention of it being a sacrificial offering (*udhiyah*). If one slaughters it with this intention, it becomes confirmed that it is a sacrificial offering.

2. When one buys an animal with the intention of slaughtering it as a sacrificial offering if it is to replace a formerly designated one. This is such as when one designates an animal for sacrificing but it becomes damaged and ineligible for sacrifice due to negligence on his part, so he purchases another one with the intention of having it replace the original one that had gotten damaged.

In this case, this animal becomes a sacrificial offering due to the mere fact that it was purchased with this intention, since it is replacing a designated one, and the substitute assumes the same status as the substituted.

However, in the case where an animal is purchased but not in order to replace one that was previously designated, it does not become specifically designated just based on buying it with the intention of sacrificing it. This is similar to when someone buys a slave intending to free him, for a slave does not become free



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based merely on the fact that he was purchased. Furthermore, if a person buys something in order to give it out as charity, it does not become charity just based on the fact that he bought it. So similarly, if someone buys an animal with the intention of sacrificing it, it does not become a sacrificial offering just because of that.

When an animal becomes specifically designated for sacrificing, the following rules apply to it:

**First:** It is not permissible to do something with it that will prevent it from being a legitimate sacrifice such as selling it, giving it away as a gift, mortgaging it (i.e. using it as credit) or otherwise, unless one intends to replace it with one better than it for the interest of the sacrificial offering and not for a specific personal objective. So if someone designates a sheep for sacrificing but then becomes dependent upon that animal to fulfill one of his personal goals or objectives, then he regrets that and replaces it with one better than it to preserve its original status (as a sacrificial offering), this is not valid. This is since it is like taking back what he has put forth for the sake of Allaah to fulfill a personal goal and not to improve the sacrificial offering.

**Second:** If a person dies after having designated an animal for sacrifice, the heirs to his will must complete the sacrifice. However, if he dies before having designated one, the animal becomes their property and they may do with it as they wish.

**Third:** One must not profit from any of the animal's benefits. So he may not use it for plowing or riding unless he has a need for it and it will not cause harm to the animal. He must also not extract from its milk that which will detract from the animal or which is needed by its offspring who has been designated along with it.

It is also not permissible to clip off any of its wool unless that is advantageous to the animal, in which case one may do so and then give the wool away in charity or as a gift or use it for himself. However, he may not sell it.



**Fourth:** If the animal becomes damaged with some defect that prevents it from becoming a valid sacrificial offering, such as when someone buys a sheep, then after designating it, one of its eyes becomes damaged to the point that it is clearly blind in one eye, there are two scenarios for this:

1. It occurred due to his actions or due to negligence on his part. In this case, he is obligated to replace it with another animal similar to or better than it with respect to its characteristics. This is because the animal was damaged due to his fault, so he is required to insure it by replacing it with a similar one that he can slaughter instead of it. And as for the damaged one, then that remains his property, according to the correct opinion, and he may do with it as he pleases whether that includes selling it or otherwise.

2. It did not occur as a result of his actions or due to negligence on his part. In this case, he may slaughter it and it will be considered a valid sacrificial offering since this is a binding trust upon him, but the animal was damaged not due to his fault or negligence, so there is no sin on him nor is he required to insure it.

This is unless the animal is a requisite for an oath he made prior to designating it for sacrificing, for in that case (i.e. if it is damaged), he must replace it with a healthy one that will serve as a valid offering to fulfill his debt.

An example of this is when someone says: "I have made an oath to Allaah that I will sacrifice an animal for His sake this year." So he acquires an animal and designates it to fulfill this oath. However, afterward the animal becomes stricken with a defect that prevents it from being a valid offering.

In this case, he is required to replace it with an undamaged one that will serve as a valid sacrificial offering and the damaged one will continue to remain his property. However if the first animal costs more than its replacement, he is required to give away its compensation in charity, and that is the difference in price between the cost of the two animals.



**Fifth:** If the animal becomes lost or stolen, then there are two scenarios for this as well:

1. It occurred due to negligence on his part such as if he left it in an unprotected area and as a result the animal ran away or it got stolen. In this case, one must replace it with another animal similar to or better than it, in terms of its characteristics, and he must slaughter that one instead. As for the animal that was lost or stolen, it continues to remain his property and he may do with it – if he should recover it – what he wishes whether that is selling it or otherwise.

2. It did not occur due to negligence on his part, in which case he is not required to replace it since that was a trust on him and he is not required to insure it if he was not negligent. This is unless the animal is a requisite for an oath he made before the animal was designated.

If he should recover the animal, he must slaughter it even if the time-frame for slaughtering has passed. Furthermore, if a thief pays back the price of what he stole to the owner, he must use that money to buy a similar animal that has no defects and slaughter it.

However, if the animal is a requisite for an oath he made before he designated it, he must sacrifice a replacement animal that will relieve him of his oath. Then if he should recuperate the animal later on, it becomes his and he may do with it as he wishes, whether that is selling or otherwise. But if the replacement animal that he slaughters is less than the original one, he must give away in charity the difference in price between the two animals.

**Sixth:** If the animal is damaged, there are three scenarios for it:

1. The animal is harmed by something that a human plays no part in such as an illness, an act of God or an action it does that results in its death. In this case, one is not required to insure, i.e. replace, it since that was a trust on him and the animal got



harmful due to a cause it is not possible to insure against, so there is no insurance required for it.

This is unless it is a requisite for an oath he made prior to designating it for in that case he must sacrifice a replacement animal that will relieve him of his oath.

2. The animal is harmed due to the actions of its owner. In this case, one is required to sacrifice another similar or superior animal in its place, due to the fact that it has now become obligatory to insure it.

3. The animal is harmed due to the actions of a human other than its owner. If the animal cannot be insured, such as in the case of a highway robbery for example, it takes on the same ruling as an animal that is harmed by something that a human plays no part in. This was mentioned previously under the first scenario.

But if it is possible to insure it such as in the case where a particular individual slaughtered it and ate it or killed it and so on, that person must insure it with a similar animal and give it back to its owner so that he can sacrifice it unless the owner pardons him and takes responsibility for insuring it himself.

**Seventh:** If the animal is slaughtered before the time of sacrifice even if one has the intention of making it a sacrificial offering, it takes on the same ruling as an animal that has been damaged, which was discussed previously. But if it is slaughtered at the proper time of sacrificing by its owner or the owner's delegate, then it has been done at its proper time and place. However, if the one who slaughters the animal is neither its owner nor his delegate, there are three scenarios for this:

1. Such a person intends to slaughter the animal on behalf of its owner. If the owner is pleased with this, the sacrifice is valid, but if he is not, then according to the most correct opinion, it is not valid, and the one who has slaughtered it (without the owner's approval) must replace it with a similar one and give it to its



owner so that he may slaughter it. This is unless the owner pardons him for that and takes responsibility for insuring it himself.

Some scholars are of the opinion that such a sacrifice is valid even if the owner is not pleased with it. This is the most popular view amongst the opinions of Imaam Ahmad, Ash-Shaafi'ee and Abu Haneefah, may Allaah have mercy on all of them.

2. The person intends to slaughter it on behalf of himself and not its owner. If he knows that the animal belongs to someone else, his slaughtering it is not valid whether on behalf of himself or someone else. And apart from that, he must insure it by giving an animal similar to it to its owner to sacrifice. This is unless its owner pardons him for that and assumes responsibility for insuring it himself.

Some scholars hold the opinion that such a sacrifice is valid on behalf of the owner but regardless the person who slaughtered it must insure, i.e. replace, the meat that he distributed.

In the case where the one slaughtering the animal doesn't know that it belongs to someone else, such a sacrifice is valid on behalf of its owner. And if the one who slaughtered the animal has already distributed its meat, he must insure it by providing its owner with a similar animal unless the owner is pleased with how he distributed it.

3. The person doesn't intend to slaughter it on behalf of anyone, in which case it would not be valid for any of them due to the lack of the intention.

Some scholars hold the opinion that such a sacrifice is valid on behalf of the owner.

If the sacrifice is considered valid on behalf of the owner in any of the last three scenarios, and there is meat left over, the owner should take the leftover meat and distribute it according to how the sacrificial offering should be distributed. But if the one who slaughtered the animal has already distributed the meat



properly and the owner agrees with it, there is no insurance required on the one who performed the sacrifice. And if the owner does not agree with it, he must guarantee a replacement to its owner so that he may distribute it properly.

**Two Points of Benefit:**

1. If the sacrificial offering is damaged after slaughtering it or it is stolen or someone whom you cannot appeal against takes it, and there was no negligence on the part of the owner, there is no insurance required from the owner. However, if it was due to negligence on his part, he must insure it with charity that is owed for it and give that out.

2. If the sacrificial offering (i.e. animal) gives birth to a baby after it has been designated (for slaughtering), the newborn baby assumes the same rulings as its mother and everything mentioned previously applies to it. But if it delivers a baby before being designated for slaughter, the baby is independent and bears its own rulings. So it does not take after its mother in becoming a sacrificial offering since the mother was only designated to be a sacrificial offering after its baby separated from it.

..6..

*What should be Eaten and Distributed from the Sacrificial Offering?*

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It is prescribed in the Religion for the one who performs the sacrifice to use the meat of his slaughter for eating, gift-giving and charity. This is based on Allaah's statement:

فَكُلُوا مِنْهَا وَأَطْعِمُوا الْبَائِسَ الْفَقِيرَ

**“Then eat from it and feed therewith the poor going through hard times.”** [Surah Al-Hajj: 28]

And His statement:

فَإِذَا وَجَبَتْ جُنُوبُهَا فَكُلُوا مِنْهَا وَأَطْعِمُوا الْقَانِعَ وَالْمُعْتَرَّ

**“Then, when they are down on their sides (after slaughter), eat thereof and feed the poor person who does not ask as well as the beggar who asks.”** [Surah Al-Hajj: 36]

What is meant by the word “qaani” in this verse is a humbled beggar whereas a “mu'attar” is someone who is prone to receiving charity without asking for it.

Salamah bin Al-Akwa' رضي الله عنه reported that the Prophet ﷺ said: **“Eat (from the slaughter), feed (it to others), and store (it).”** [Reported by Al-Bukhaaree] <sup>19</sup>

Feeding the meat from one's sacrificial offering (to others) entails giving it away as a gift to those with money as well as giving it in charity to the poor.

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<sup>19</sup> Saheeh al-Bukhaaree: Book of Sacrificial Offerings (5569)



'Aa'ishah, may Allaah be pleased with her, reported that the Prophet ﷺ said: **"Eat (from the slaughter), store (it) and give it in charity."** [Reported by Muslim] <sup>20</sup>

The scholars, may Allaah have mercy on them, have differed on the exact amount that should be eaten, presented as a gift and given in charity. There is much flexibility in this matter. However, the preferred view is that one should eat a third of his offering, present a third of it as a gift (i.e. to family and friends) and give a third of it away in charity.

The portion of the offering that one is permitted to eat is also permitted for him to store. This is even if it remains in storage for a long time such that it reaches the point where it would become harmful to eat it. However, this does not apply to a year in which there is a famine. In such a situation, it is not permissible to store it for more than three days.

The proof for this is the report of Salamah bin Al-Akwa' ؓ who narrated that Allaah's Messenger ﷺ said: **"If any of you slaughters an animal, he should not let three days pass with any of it remaining in his home."** Then when the following year came, the people asked: "O Messenger of Allaah ﷺ, should we do as we did the previous year?" The Prophet ﷺ said: **"Eat from it, feed (others) from it, and store it, for indeed the people were facing hardship that year and I wanted you to help (them) with it."** [Agreed Upon] <sup>21</sup>

With regard to the permissibility of eating and giving away parts of the sacrificial offering, it does not matter if the sacrifice that was done was voluntary or obligatory. Nor does it make a difference if the sacrifice was done on behalf of a living person or a deceased person or in execution of a last will and testament. This is since the executor of a will takes the place of the testator, and the testator eats from the slaughter, gives gifts

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<sup>20</sup> *Saheeh Muslim: Book of Sacrificial Offerings* (1971)

<sup>21</sup> *Saheeh al-Bukhaaree: Book of Sacrificial Offerings* (5569) and *Saheeh Muslim: Book of Sacrificial Offerings* (1974)

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from it and gives from it in charity. It is also because this is the predominant custom amongst people.

As for the one who is commissioned to perform a sacrifice, if the person who commissions him grants him permission to eat, present gifts, and give charity from the meat of the sacrifice or that is implied in their arrangement or customs, then he may do so. But if this is not the case, he should give it back to the one who commissioned him and let him handle its distribution.

It is forbidden to sell any part of the sacrificial offering, whether it is the meat or anything else, even the skin (i.e. for leather/wool/suede). Also, nothing from it should be given to the butcher as compensation for all or some of his services since this is the same thing as selling it.

As for a person who receives part of the sacrificial offering as a gift or charity, he can do with it as he wishes, whether that is selling it or otherwise. However, he cannot sell it back to the one who gave it to him as a gift or charity.



..7..

*Things a Person who Intends to Sacrifice should Avoid*

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If a person intends to perform the sacrifice and it has been determined that the month of Dhul-Hijjah has started – either by the sighting of its crescent or the completion of thirty days of Dhul-Qi'dah – he is prohibited from removing any of his hair, nails or skin until the time when he slaughters his sacrificial offering.

This is based on the hadeeth of Umm Salamah, may Allaah be pleased with her, who reported that the Prophet ﷺ said: **“When you sight the crescent of Dhul-Hijjah...”** and in another narration: **“When the ten days (of Dhul-Hijjah) begin, and one of you intends to perform the sacrifice, he should not remove any of his hair or nails.”** [Reported by Ahmad and Muslim] <sup>22</sup>

According to another version of this report, the Prophet ﷺ said: **“...he should not remove any part of his hair or nails until he performs the sacrifice.”** <sup>23</sup>

In another version of this report the Prophet ﷺ said: **“...then he should not remove any of his hair or skin.”** <sup>24</sup>

So therefore, during any of the ten days of Dhul-Hijjah, if someone makes his intention to perform the sacrifice (on the day of 'Eid), he should refrain from removing any of those things (mentioned above) from the time that he makes his intention to the time when he performs the slaughter. And there is no sin upon him for whatever part of his hair, nails or skin he removed prior to his intention.

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<sup>22</sup> *Saheeh Muslim*: Book of Sacrificial Offerings (1977); *Sunan Abee Dawood*: Book of Sacrificial Offerings (2971) *Sunan at-Tirmidhee*: Book of Sacrificial Offerings (1523); *Sunan an-Nasaa'ee*: Book of Sacrificial Offerings (4361); and *Sunan Ibn Maajah*: Book of Sacrificial Offerings (3149)

<sup>23</sup> *Sunan an-Nasaa'ee*: Book of Sacrificial Offerings (4361)

<sup>24</sup> *Saheeh Muslim*: Book of Sacrificial Offerings (1977)



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The wisdom behind this prohibition is that since the person sacrificing is partaking in one of the rituals that an individual on Hajj does, which is seeking nearness to Allaah through slaughtering an animal, he should also partake in some of the specific requirements of Ihraam such as not cutting one's hair and so on.

This is a specific ruling that applies particularly to a person who slaughters a sacrificial offering. As for a person who will have an animal slaughtered on his behalf, this ruling does not apply to him since the Prophet ﷺ said: “...**and one of you intends to perform the sacrifice...**” and not: “...**and one of you intends to have a sacrifice done on his behalf...**” It is also due to the fact that the Prophet ﷺ would perform the sacrifice on behalf of his family members and it was not reported on him that he ordered them to refrain from removing these things from themselves.

So based on this, it is permissible for the family members of a person performing the slaughter to cut their hair, nails and skin during the first ten days of Dhul-Hijjah.

If a person intending to sacrifice, removes some of his hair, nails or skin (after making his intention), he should repent to Allaah and discontinue doing that. And there is no expiation binding upon him. Furthermore, this should not prevent him from performing the sacrifice as some of the common people think.

If he removes any of his hair, nails or skin out of forgetfulness or due to being unaware (of the ruling) or some of his hair falls off unintentionally there is no sin on him. And if he has a need to remove any of these things from his body, he may do so without any sin befalling upon him. An example of this is if he breaks a nail and it causes him pain. In this case, he may cut it off. Or perhaps his hair begins to fall over his eyes. In this case, he may shorten it. Another example is when a person needs to cut his hair in order to treat a wound or an injury.



..8..

### *The Conditions of Slaughtering*

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Slaughtering is defined as an act by which an animal becomes lawful to consume and which if not done the animal is not considered lawful (for consumption). Such actions include *nahr* (cutting the throat), *dhab'h* (slicing the neck) and *jarh* (wounding).

The act of *nahr*, which is cutting the throat (below the neck but above the chest) is to be done (specifically) to camels while the act of *dhab'h*, which is slicing the neck area, is for all other animals. Wounding (*jarh*) is to be used for those animals that cannot be slaughtered by any other means.

There are nine conditions for slaughtering:

**The First Condition:** The person performing the slaughter must be sane and at the age of discretion. This means that the slaughter performed by an insane person, an intoxicated person, a child that is not yet of the age of discretion, or an old person who has lost his ability to discern, is impermissible.

**The Second Condition:** The person performing the slaughter must be either a Muslim or a Kitaabee, which is anyone that ascribes himself to the Jewish or Christian faith. It is permissible to eat what a Muslim slaughters whether male or female, upright or sinful, and whether he is in a state of ritual purity or not. As for a Jew or a Christian, it is permissible to eat what he slaughters regardless of whether his father and mother are People of the Scripture or not.

The Muslims are in unanimous agreement that it is permissible to eat what a Jew or a Christian slaughters based on Allaah's statement:

وَطَعَامُ الَّذِينَ أُوتُوا الْكِتَابَ حَلٌّ لَكُمْ

**“And the food (slaughter) of the People of the Scripture is lawful for you.”** [Surah Al-Maa'idah: 5]

It is also based on the fact that the Prophet ﷺ ate a sheep that a Jewish woman had presented to him as a gift. <sup>25</sup>

And he ﷺ also ate barley bread and rancid meat that a Jewish man invited him to eat. <sup>26</sup>

As for all the other types of disbelievers apart from the People of the Scripture, it is not permissible to eat what they slaughter based on the understanding of (the opposite meaning of) Allaah's saying:

وَطَعَامُ الَّذِينَ أُوتُوا الْكِتَابَ حَلٌّ لَكُمْ

**“And the food (slaughter) of the People of the Scripture is lawful for you.”** [Surah Al-Maa'idah: 5]

This is since the construction of the phrase **“People of the Scripture”** entails those who were given the Scripture. So it applies when present and not when absent.

Imaam Ahmad said: “I do not know of anyone that held a view contrary to this unless perhaps an innovator.” Al-Khaazin reported that there was unanimous consensus on this issue in his Tafseer.

So based on this, it is not permissible to eat from what the communists or polytheists slaughter. With regard to polytheists, it does not matter if the polytheism they commit is in the form of an

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<sup>25</sup> *Saheeh al-Bukhaaree*: Book of Gifts (no. 2617) and *Saheeh Muslim*: Book of Medicine (2190); **Translator's Note**: This is the case where a Jewish woman had given the Prophet ﷺ a poisoned sheep, which he ﷺ was affected by.

<sup>26</sup> *Musnad Ahmad* (3/210)



action such as prostrating to idols or in the form of speech such as supplicating to other than Allaah.

It is also not permissible to eat from the slaughter of a person who does not pray since he is a disbeliever according to the strongest opinion on this issue, regardless of whether he misses prayer out of negligence or because he denies its obligation.

It is also not permissible to eat from the slaughter of someone who denies the obligation of the five daily prayers even if he observes the prayers on a daily basis unless it is someone who is unaware of that due to his being new to Islaam or so on.

It is not required to investigate into what a Muslim or a Kitaabee slaughters as to his method of slaughtering and if he mentioned Allaah's Name over it or not. In fact, one should avoid doing this as it falls under going to extremes in the Religion. The Prophet ﷺ ate from the slaughtered meat of the Jews without asking them questions about it.

It is reported in *Saheeh al-Bukhaaree* and other collections from 'Aa'ishah, may Allaah be pleased with her, that some individuals told the Prophet ﷺ: "A group of people have brought us meat but we don't know if they mentioned Allaah's Name over it (when slaughtering) or not." The Prophet ﷺ said: "**You mention His Name over it and eat it.**" 'Aa'ishah added to this: "These people had just recently embraced Islaam."<sup>27</sup>

So the Prophet ﷺ ordered them to eat it without asking about it even though those who brought the meat were unaware of the laws of Islaam due to their recently having come out of disbelief.

**The Third Condition:** That one makes it his intention to slaughter the animal based on Allaah's saying:

إِلَّا مَا ذَكَّيْتُمْ

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<sup>27</sup> *Saheeh al-Bukhaaree*: Book of Slaughter and Hunted Game (5507)



“...unless you are able to slaughter it (before its death)...” [Surah Al-Maa'idah: 3]

Slaughtering is an exclusive action that requires an intention. So if a person does it without intending to slaughter, the meat of that animal becomes impermissible. An example of this is if one of the livestock charges at a person and he slaughters (i.e. kills) it in order to defend himself.

**The Fourth Condition:** The sacrifice should not be done for other than the sake of Allaah. If one slaughters an animal for other than Allaah's sake, the meat of that sacrifice is not lawful. This is such as someone who slaughters an animal out of adoration to an idol, grave occupant, angel, one's parent or so on, based on Allaah's statement:

حُرِّمَتْ عَلَيْكُمُ الْمَيْتَةُ وَالدَّمُ وَلَحْمُ الْخِنْزِيرِ وَمَا أُهْلِيَ  
لِغَيْرِ اللَّهِ بِهِ وَالْمُنْخَنِقَةُ وَالْمَوْقُوذَةُ وَالْمُتَرَدِّيَةُ وَالنَّطِيحَةُ  
وَمَا أَكَلَ السَّبْعُ إِلَّا مَا ذَكَّيْتُمْ وَمَا ذُيْحَ عَلَى النَّصَبِ

“Forbidden to you (for food) are: Dead animals, blood, the flesh of swine, that on which Allaah's Name has not been mentioned when slaughtering, that which has been killed by strangling or by a violent blow or by a headlong fall or by the goring of horns, that which has been (partly) eaten by a wild animal – unless you are able to slaughter it (before its death) – and that which is sacrificed on stone-altars.” [Surah Al-Maa'idah: 3]

**The Fifth Condition:** One must not mention anyone's name over the sacrificial offering except for Allaah's Name. This is such as when one says: “In the name of the Prophet”, “In the name of Jibreel”, or “In the name of so and so.” If he mentions any name over his slaughter other than Allaah's Name, the meat is not lawful, even if he mentions Allaah's Name along with that name. This is based on Allaah's statement:

حُرِّمَتْ عَلَيْكُمُ الْمَيْتَةُ وَالدَّمُ وَلَحْمُ الْخِنْزِيرِ وَمَا أُهْلِيَ لِغَيْرِ اللَّهِ بِهِ



**“Forbidden to you (for food) are: Dead animals, blood, the flesh of swine, that on which Allaah’s Name has not been mentioned when slaughtering...”** [Surah Al-Maa’idah: 3]

And in an authentic *qudsee* hadeeth, the Prophet ﷺ reported that Allaah said: **“Whoever does a deed for the sake of someone else along with Me, I abandon him and his *shirk* (mixing of partners in worship with Allaah).”**

**The Sixth Condition:** One must mention Allaah’s Name over the sacrifice, such as by saying “In the Name of Allaah” at the time of slaughtering. This is based on Allaah’s statement:

فَكُلُوا مِمَّا ذُكِرَ اسْمُ اللَّهِ عَلَيْهِ إِنْ كُنْتُمْ مُؤْمِنِينَ

**“So eat of that (meat) upon which Allaah’s Name has been pronounced (at the time of slaughtering), if you are believers in His verses.”** [Surah Al-An’aam: 118]

And the statement of the Prophet ﷺ: **“Use whatever causes the blood to flow and eat the animals if the Name of Allaah has been mentioned upon slaughtering them.”** [Reported by Al-Bukhaaree and others] <sup>28</sup>

So if a person does not mention Allaah’s name over the animal when slaughtering it, that sacrifice is not lawful. This is based on Allaah’s statement:

وَلَا تَأْكُلُوا مِمَّا لَمْ يُذْكَرَ اسْمُ اللَّهِ عَلَيْهِ وَإِنَّهُ لَفِسْقٌ

**“And eat not of that (meat) upon which Allaah’s Name has not been pronounced (at the time of slaughtering), for surely it is a sin.”** [Surah Al-An’aam: 121]

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<sup>28</sup> *Saheeh al-Bukhaaree*: Book of Partnership (2488); *Saheeh Muslim*: Book of Sacrificial Offerings (1968); *Sunan Abee Dawood*: Book of Sacrificial Offerings (2821); *Sunan at-Tirmidhee*: Book of Sacrificial Offerings (1491); *Sunan an-Nasaa’ee*: Book of Sacrificial Offerings (4409-4410); and *Sunan Ibn Maajah*: Book of Slaughter (3178)



It does not make any difference whether one leaves off mentioning Allaah's Name over the slaughter intentionally while knowing (the ruling), out of forgetfulness, or out of ignorance (of its ruling) based on the general understanding of this *ayah*. It is also because the Prophet ﷺ made mentioning Allaah's Name over the sacrifice a condition for the lawfulness of the slaughter and a condition does not become removed due to forgetfulness or ignorance.

It is also based on the fact that if an animal's soul departs without having its blood made to flow out of it, due to forgetfulness or ignorance, it becomes impermissible. This is similar to the case where Allaah's Name is not mentioned over it since discussing both of these issues is like discussing one and the same issue, so there is no differentiation to be made between these two issues (as they share the same ruling).

If the person performing the slaughter is mute and cannot pronounce Allaah's Name over the animal, it is sufficient for him to make some motion or gesture that indicates his objective based on Allaah's statement:

فَاتَّقُوا اللَّهَ مَا اسْتَطَعْتُمْ

**“So fear Allaah as much as you are able to.”** [Surah At-Taghaabun: 16]

**The Seventh Condition:** The slaughter must be performed using a sharpened instrument that causes the blood to flow. Such an instrument can be made from either iron, stone, glass or another material. This is based on the Prophet's ﷺ statement: **“Use whatever causes the blood to flow and eat the animals if the Name of Allaah has been mentioned upon slaughtering them. This is unless that instrument is (made from) teeth or fingernails and I will tell you why. As for teeth, they are bones, and as for fingernails, they are the tools of the Ethiopians.”** <sup>29</sup>

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<sup>29</sup> *Saheeh al-Bukhaaree*: Book of Partnership (2488); *Saheeh Muslim*: Book of Sacrificial Offerings (1968); *Sunan Abee Dawood*: Book of Sacrificial Offerings (2821); *Sunan at-*



In one version of this hadeeth reported by Al-Bukhaaree, it states: **"...except for teeth and finger nails, for indeed teeth are bones and fingernails are the tools of the Ethiopians."** <sup>30</sup>

It is also reported in the two *Saheeh* Collections that Ka'ab bin Maalik رضي الله عنه used to have a slave-girl who would graze his sheep for him on a small mountain called Sal'. One day while she was out with the sheep, she observed one dying, so she broke a stone and slaughtered it with it. When the Companions mentioned this to the Prophet ﷺ, he ordered them to eat from it.

So therefore, the meat of an animal that is slaughtered without a sharp instrument is not permissible. Examples of this are animals that are suffocated or electrically shocked until they die. However if these things are done to an animal to the point that it loses its senses and then afterward it is slaughtered in a religiously legislated manner, while it is still alive, it is lawful. This is based on Allaah's saying:

حُرِّمَتْ عَلَيْكُمُ الْمَيْتَةُ وَالدَّمُ وَلَحْمُ الْخِنْزِيرِ وَمَا أُهِلَّ لِغَيْرِ اللَّهِ بِهِ  
وَالْمُنْخَنِقَةُ وَالْمَوْقُوذَةُ وَالْمُتَرَدِّيَةُ وَالنَّطِيحَةُ وَمَا أَكَلَ السَّبُعُ إِلَّا مَا ذَكَّيْتُمْ

**"Forbidden to you (for food) are: Dead animals, blood, the flesh of swine, that on which Allaah's Name has not been mentioned when slaughtering, that which has been killed by strangling or by a violent blow or by a headlong fall or by the goring of horns, that which has been (partly) eaten by a wild animal – unless you are able to slaughter it (before its death) [Surah Al-Maa'idah: 3]**

There are two signs that indicate an animal is still alive:

**One:** It moves.

**Two:** Red blood flows out from it intensely.

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*Tirmidhee*: Book of Sacrificial Offerings (1491); *Sunan an-Nasaa'ee*: Book of Sacrificial Offerings (4409-4410); and *Sunan Ibn Maajah*: Book of Slaughter (3178)

<sup>30</sup> *Saheeh al-Bukhaaree*: Book of Partnership (2488)



**The Eighth Condition:** The blood must be allowed to flow out of the animal when slaughtering it based on the Prophet's ﷺ statement: **"Use whatever causes the blood to flow and eat the animals if the Name of Allaah has been mentioned upon slaughtering them."** <sup>31</sup>

If an animal is not able to be controlled, such as one that has gone astray or fallen into a well or is stuck in a cave and so on, it is allowed to cause its blood to flow from any part of its body. However, one should try his best to find a quick death for the animal since that is easier and less painful for it.

However if an animal is able to be controlled and held down, it must be cut and its blood allowed to flow from any spot between its neck and its jawbones. This means that its jugular veins should be cut. The jugular veins are two large veins that surround the throat. The best way of achieving this is by also cutting the throat and esophagus along with these veins. The throat is the passageway for air while the esophagus is the passageway for food and drink.

This should be done to remove the source behind the animal's existence, and that is its blood and its passageways, which consist of the throat and the esophagus. At any rate, if one limits himself to cutting only the jugular veins, the slaughter is valid and lawful to eat.

**The Ninth Condition:** The one slaughtering must have valid authority to slaughter the animal. As for those who do not have valid authority, this is of two types:

**First:** That which is forbidden with respect to Allaah's rights, such as game that is killed in the sacred precinct (Makkah) or during Hajj. These types of slaughter are not lawful even if one sacrifices the animal according to the religious manner, based on Allaah's saying:

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<sup>31</sup> *Saheeh al-Bukhaaree*: Book of Partnership (2488);



أَحَلَّتْ لَكُمْ بَهِيمَةَ الْأَنْعَامِ إِلَّا مَا يُتْلَى عَلَيْكُمْ غَيْرَ مُحَلِّي الصَّيْدِ وَأَنْتُمْ حُرْمٌ

“Lawful to you (for food) are the animals of grazing livestock except for that which will be recited to you (herein, i.e. in the Qur’aan) – hunted game being (also) unlawful when you are in the state of Ihraam.” [Surah Al-Maa’idah: 1]

And Allaah says:

أَحِلَّ لَكُمْ صَيْدُ الْبَحْرِ وَطَعَامُهُ مَتَاعًا لَكُمْ  
وَالسِّيَّارَةَ وَحُرْمَ عَلَيْكُمْ صَيْدُ الْبَرِّ مَا دُمْتُمْ حُرْمًا

“Lawful to you is hunted game from the sea and its food as provision for you and the travelers. But forbidden for you is (hunted) game from the land so long as you are in the state of Ihraam.” [Surah Al-Maa’idah: 96]

**Second:** That which is forbidden with respect to the creation’s rights, such as an animal that is confiscated or stolen and slaughtered by the one who confiscated or stole it. The scholars have two views with regard to the validity of such a slaughter. You may refer to a discussion on these opinions and see their evidences in the source treatise (pgs. 82-85).

..9..

### *The Etiquettes of Slaughtering*

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There are certain etiquettes one must abide by when slaughtering an animal for a sacrificial offering. However, these etiquettes are not conditional for the validity of a sacrifice. So the sacrifice is still valid even in their absence. Among these etiquettes are:

1. He should face the Qiblah with the animal at the time of slaughtering.<sup>32</sup>
2. He must slaughter the animal in a good manner, which is by quickly and firmly passing a sharpened blade over the neck area.

Some scholars hold the view that this etiquette is obligatory based on the implication found in the Prophet's ﷺ saying: **“Verily Allaah has prescribed proficiency in everything. So when you kill, kill proficiently. And when you sacrifice, sacrifice proficiently. Each of you should sharpen his blade and lessen the pain inflicted on his sacrificial offering.”** [Reported by Muslim]<sup>33</sup>

This opinion is the correct view.

3. The slaughter of a camel must be done by cutting the area just below the neck and above the chest. This is known as *nahr*. As for all other types of animals, their necks should be sliced.

A camel should be slaughtered while standing and with its (front) left leg tied. If it is difficult to do it this way, the camel can be slaughtered while kneeling.<sup>34</sup>

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<sup>32</sup> Based on a hadeeth reported by Abu Dawood (2795) and Ibn Maajah (3121)

<sup>33</sup> *Saheeh Muslim: Book of Game and Slaughter* (1955)

<sup>34</sup> *Sunan Abee Dawood: Book of Rituals* (1767)



## The Rules of Sacrificial Offerings and Slaughtering

As for all of the other animals, they are to be slaughtered while lying flat on their left side. However, if the one slaughtering is a lefty, he may use his left hand and lay the animal down on its right side. This is so long as doing it this way is easier upon the animal and more convenient for the one slaughtering.

It is also prescribed for him to place his foot on the collar of the animal to give him better control. As for making the animal kneel and tying its legs together, there is no basis for this in the Sunnah. Some scholars mentioned that one of the reasons why the legs should not be tied is so that the outflow of blood can increase as a result of the animal's constant motion and instability.

4. The throat and esophagus of the animal should be cut in addition to its jugular veins. For more on this, refer to the discussion on this under the eighth condition of slaughtering.

5. The blade should be concealed from the view of the animal when sharpening it. This means that the animal should not see the blade until the time of the actual slaughter.

6. One should glorify Allaah (by saying *Allaahu Akbar*) after mentioning His Name (by saying *Bismillaah*) when slaughtering.

7. One should name the person whom the sacrificial offering (*udhiyah*) or *'aqeeqah* is being performed for after mentioning Allaah's Name and glorifying Him. He should also ask Allaah to accept it from him.

So for example, he should say: "In the Name of Allaah, Allaah is the Greatest. O Allaah, this is from You and for You on behalf of me" if he is performing the slaughter for himself or "...on behalf of so and so" if the slaughter is being done on behalf of someone else. And he should say: "O Allaah, accept this from me" if he is performing the slaughter for himself or "...accept this from so and so" if the slaughter is being done on behalf of someone else.

.. 10 ..

*Detestable Acts when Slaughtering*

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There are certain disliked things that those intending to slaughter should avoid, such as:

1. Performing the sacrifice with a blunt object, i.e. an unsharpened knife. Some scholars hold the opinion that this is Haraam, i.e. forbidden, and that is the correct view.
2. Sharpening the blade in front of the livestock.
3. Slaughtering an animal while the rest of the livestock is watching.
4. Doing harmful things to the animal after having slaughtering it but prior to it dying such as breaking its neck, skinning it, or breaking any of its bones. This is before the animal has had a chance to die. Some scholars say that doing these things is forbidden and this is the correct view.

This brings to a close what we intended to abridge from the book "The Rules of Sacrificial Offerings and Slaughtering." We ask Allaah to grant benefit through this abridgement as well as through its original source.

Completed on the evening of Thursday,  
The 13<sup>th</sup> of Dhul-Hijjah, 1400H

All praise is for Allaah, Lord of the worlds, and may the peace and praises of Allaah be on our Prophet, Muhammad, his family, and Companions.