513231 - What is the ruling on slaughtering the udhiyah when it is standing?

the question

We are a charity and we work in facilitating sacrifices (udhiyah). The butcher has asked us to let him slaughter the sacrificial animal standing on its feet, so as to make his work easier. Is this permissible according to Islamic teachings?

Detailed answer

Praise be to Allah.

I.

For the slaughtered animal to be halal, there are three conditions which, if they are met, the slaughtered animal becomes halal.

There are Sunnah and mustahabb actions that do not have any impact on the issue of the meat being halal and slaughtered correctly.

The essential matters, without which the slaughtered animal will not be halal, are as follows:

1. Saying Bismillah over the animal

That is because Allah, may He be Exalted, say: { So eat of that over which the name of Allah has been mentioned, if you [truly] believe in His revelations } [Al-An`am 6:118] and {And do not eat of that over which the name of Allah has not been mentioned, for indeed, it is grave disobedience} [Al-An`am 6:121].

And because the Prophet (blessings and peace of Allah be upon him) said: “If you use something that makes the blood flow and if the name of Allah is mentioned [when slaughtering it] then eat.”

Narrated in the six books of hadith.

It is stipulated to say Bismillah when one is about to slaughter the animal; if there is a long interval between saying it and slaughtering the animal, then it is no good, because Allah, may He be Exalted, says: {So eat of that over which the name of Allah has been mentioned} [Al-An`am 6:118], and the Prophet (blessings and peace of Allah be upon him) said: “Mention the name of Allah over it.” The phrase “over it” indicates that the animal is present, and that Allah’s name should be mentioned when one is about to do the action, because saying Bismillah is a kind of dhikr that is stipulated when doing the action, so it should be done whilst doing the action.

And it is stipulated to utter the word Bismillah except when one is unable to speak, in which case a gesture is enough.

2. The blood should flow, meaning that causing it to flow is obligatory.

That is because the Prophet (blessings and peace of Allah be upon him) said: “If you use something that makes the blood flow and if the name of Allah is mentioned [when slaughtering it] then eat.” And it is essential that the blood should flow from the neck, between the bottom of the neck and the jaws.

It is sufficient, according to the correct view, to cut the two jugular veins in order for the slaughtered animal to be halal, whether the oesophagus and trachea are also cut or not.

Ibn Qudamah (may Allah have mercy on him) said: If he cuts the jugular veins only, it should become halal, based on the hadith and the meaning, but the best is to cut everything (the two veins, oesophagus and trachea), because that will cause the blood to flow better and will cleanse the meat of the blood.

End quote from *Al-Kafi fi Fiqh al-Imam Ahmad*, 1/550.

Shaykh Ibn `Uthaymin (may Allah have mercy on him) said: Hence the correct view is that if the two jugular veins are cut, the slaughtered animal becomes halal, even if the oesophagus and trachea are not cut.

End quote from *Ash-Sharh al-Mumti` `ala Zad al-Mustaqni`*, 7/448.

3. The one who slaughters the animal should be a Muslim or a kitabi – one of the People of the Book, that is, an adherent of the Jewish or Christian religion – whether an adult, a child who has reached the age of discernment, or a woman.

It says in *Al-Mughni*, quoting from Ibn al-Mundhir: All the scholars from whom we acquired knowledge were agreed that it is permissible for a woman or child to slaughter an animal. He said: It was narrated that a slave woman of Ka`b ibn Malik used to tend sheep at (the mountain of) Sal`. One of the sheep was injured, so she rushed to it and slaughtered it with a sharp rock. He asked the Prophet (blessings and peace of Allah be upon him) about it and he said: “Eat it.” Agreed upon.

End quote from *Al-Mughni*, 13/311.

Summarized from *Ahkam al-Udhiyah wadh-Dhakat* by Shaykh Ibn `Uthaymin.

Shams ad-Din ibn Abi `Umar said: The scholars are unanimously agreed that it is permissible to eat meat slaughtered by the People of the Book, because Allah, may He be Exalted, says: {and the food of those who were given the Scripture is lawful for you} [Al-Ma’idah 5:5].

Al-Bukhari said: Ibn `Abbas said: “Their food” means meat slaughtered by them. This was also the view of Qatadah and Mujahid, and something similar was narrated from Ibn Mas`ud. This is the view of Malik, ash-Shafa`i and as-hab ar-ra’y.

It makes no difference whether the person, be he Muslim or one of the People of the Book, is of good character or an evildoer.

End quote from *Ash-Sharh al-Kabir*, 27/287.

II.

Apart from the conditions mentioned above, the other requirements are regarded as Sunnah, including the positioning of the animal and how the slaughter is to be done.

The Sunnah is to slaughter camels, on the one hand, and sheep and cattle on the other, in different ways.

1. In the case of camels, the Sunnah is to cut at the bottom of the neck, near the chest, in the hollow between the chest and the bottom of the neck. So it is to be slaughtered standing, with its left foreleg tied up, because Allah, may He be Exalted, says: {So mention the name of Allah over them [at the time of sacrifice] as they are standing} [Al-Hajj 22:36].

Ibn `Abbas (may Allah be pleased with him) said: Standing on three legs with the left foreleg tied up.

It was narrated from Jabir ibn `Abdillah (may Allah be pleased with him) that the Prophet (blessings and peace of Allah be upon him) and his companions used to slaughter camels with the left foreleg tied up, standing on the remaining legs. Narrated by Abu Dawud, 1767.

2. In the case of cattle and sheep, they are be slaughtered lying on the left side, with the slaughterman placing his foot on the side of the animal's neck to control it, because of the report narrated by Anas ibn Malik (may Allah be pleased with him), who said: The Messenger of Allah (blessings and peace of Allah be upon him) sacrificed two black-and-white rams – according to one report: two horned rams – and I saw him placing his foot on the side of their necks, saying Bismillah and Allahu akbar, then he slaughtered them with his own hand. Narrated by al-Bukhari, 5238.

But if cattle are slaughtered standing, that is permissible. The same applies if camels are slaughtered lying down.

Ibn Qudamah (may Allah have mercy on him) said:

If camels are slaughtered in the manner prescribed for cattle and sheep, or vice verse, that is permissible. This is view of the majority of scholars, including Ata', az-Zuhri, Qatadah, Malik, al-Layth, ath-Thawri, Abu Hanifah, ash-Shafa`i, Is-haq and Abu Thawr.

End quote from *Al-Mughni* by Ibn Qudamah, 13/103.

Based on the above:

If the butcher insists on slaughtering sacrificial sheep or cattle when they are standing, or if that is kinder and serves some purpose, then there is nothing wrong with it, and it does not affect the validity of the sacrifice.

And Allah knows best.