

ENVIRONMENT: AN ISLAMIC PERSPECTIVE WITH REFERENCE TO PAKISTAN

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Environment has been defined as, "the conditions under which any person or thing lives or is developed; the sum-total of influences which modify or determine the development of life or character"¹ or "the aggregate of social and cultural conditions (as customs, laws, language, religion, and economic and political organizations) that influence the life of individual and community".²

When we look at human environment, the continuing interaction between organism and surrounding is very evident. It is often said that man, far more than other animal, has developed the ability to modify the environment and thus to live under a wide range of physical and biological conditions. He has, in fact, created a new "biome" or ecological formation—the man-altered landscape which rapidly replacing other terrestrial landscapes as forest are cleared, grass land ploughed and desert irrigated. Man, assuming ecological dominance within this biomes, has affected directly or indirectly all other organisms living there; he has become a new geological force.³

Most members of the human species now live within this man-altered landscape. But this environment is not only a consequence of human activity. For instance, man has created the city; but the nature of the city, of the Urban environment, govern his behavior much as the forest governs the behavior of tree squirrels. We could perhaps most profitably look at this new kind of biome as forming the human ecosystem.⁴

To understand the laws that govern the movement of materials and energy in the environment is ecosystem. An ecosystem is a functional unit of environment that involves all organism and physical features within a given area. An ecosystem thus consists of both living, or biotic, and non-living, or a biotic components. The biotic Community is made up of producers and consumers, which are distinguished by their major functions. Producers, mainly green plants, manufacture their food from water and carbon di-oxide, using sunlight as a source of energy. In contrast, consumers are incapable of producing their own food, and mostly consume other organisms for energy and nutrition.

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13. Ibn-e-Abideen, "*Durr-ul-Mukhtar*", Egypt, Maktaba wa Matba Mustafa, 1966. P. 302 V:6
 14. Sarahsee, "*Al-Mabsoot*" Beirut, Lebanon, Dar-al Ma'arif, P.11 V:12
 15. Qazi Khan, "*Fatawa Qazi Khan*", Lakhnow, India Matba, 'Ali, P. 753 V:4
 16. Abdul Rashid Al-Bukhari, "*Khulasal ul Fatawa*", Lahore, Amjad Academy, P.304 V:4
 17. Rashid Ahmed, "*Ahsanul Fatawa*", Karachi, H.M. Saeed & Company, P.469 V:7
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 20. Al-Kasani, "*Al-Bada'i wa al-Sana'i*", Egypt, Matba ul Imam, P.2790 V:6
 21. Al-Kasani, "*Al-Bada'i wa al-Sana'i*", Egypt, Matba ul Imam, P.2791 V:6
 - a) Qur'an 6:121
 22. Al-Kasani, "*Al-Bada'i wa al-Sana'i*", Egypt, Matba ul Imam, P.2790 V:6
 - a) Qur'an 5:4
 - b) Qur'an 6:118
 - c) Qur'an 6:119
 23. Ibn Taymiyah, "*Fatawa Ibne Taymiyah*", Saudi Arabia, Matba-al Riyadh, P.145 V:35
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 25. Shabbir Ahmed Usmani, "*Tafseer Usmani*", Lahore, Alameen Publication 1984, P.190 V:1
 - a) Qur'an 6:145
 26. Al-Kasani, "*Al-Bada'i wa al-Sana'i*", Egypt, Matba ul Imam, P.2789 V:5
 27. Ibn Hajar, "*Fathul Bari*" Beirut, Lebanon, Dar-al-Fikr 1991, P. 12 V:5

2. There should be intention of *Bismilalh* before slaughtering.
3. No name other than Allah should be recited at the time of slaughtering.
4. There should not be long time-gap between the recitation of *Tasmiyah* and act of slaughtering.
5. *Tasmiyah* should be recited separately for each slaughtering operation.
6. It will cover only those animals/birds/chickens that are slaughtered in one operation. If one animal/bird is slaughtered in one operation, the *Tasmiyah* should be recited for each animal/bird.

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3. Abu Dawood, "*Sunan*", Karachi, Wali Muhammad and Sons, P. 390 V:1
4. Al-Kasani, "*Al-Bada'i wa al-Sana'i*", Egypt, Matba ul Imam, P. 2783 V:5
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9. Ibn-e-Abideen, "*Radd-ul-Mukhtar*", Egypt, Maktaba wa Matba Mustufa, 1966 P. 302 V:6
10. Ibn-e-Abideen, "*Durr-ul-Mukhtar*", Egypt, Maktaba wa Matba Mustafa, 1966 P.302 V:6
11. Sarahsee, "*Al-Mabsoot*" Beirut, Lebanon Dar-al-Ma'arif, P. 10 V:12
12. (A) "*Al-Fatawa Al-Hindia*", Egypt, Matba'Al-Kubra Al-Ameeria, P. 289V:5

'People reported to the Prophet (ﷺ): 'O Prophet of Allah! Some persons bring meat to us. We don't know whether *Tasmiyah* was recited on them or not'. The Prophet (ﷺ) replied, "Recite the name of Allah and eat it".

Argument:

If *Tasmiyah* is essential, why did the Prophet (ﷺ) say like this. This clearly indicates that the *Tasmiyah* is not essential.

Refutation:

This Hadith has been quoted by Imam Bukhari (r) to remove the doubt. The questioners were in doubt whether the name of Allah was recited before slaughtering or not. The Prophet (ﷺ), just to satisfy them and to remove their doubts directed them to say *Bismillah* and eat the meat.

It was the general practice to recite *Tasmiyah* before slaughtering. At this occasions the questions were of uncertain type. They, on their own, doubted about the meat being Halaal.

The Prophet (ﷺ) satisfied them by telling them not to worry much. If they have doubt, they should recite *Bismillah* and eat.

The Prophet (ﷺ) used to guide persons with doubt in the above way. Imam Bukhari has compiled this Hadith in the chapter 'Removal of doubts'. There is another traditions of this type in this chapter. For persons of uncertain nature. Exceptional replies are given. Then firstly according to the environment in the time of the Prophet (ﷺ) it was almost certain that *Tasmiyah* was used to be recited before slaughtering even by the people of the Book. And secondly if *Tasmiyah* was not essential before slaughtering'. It was the duty of the Prophet (ﷺ) as a lawgiver to express unambiguously.

SUMMING UP

In the opinion of the author, machine – slaughter is not out rightly Halaal itself, but it is conditional Halaal if an only if the machine-slaughter system fulfils all the following conditions:

1. *Tasmiyah* is the actual recitation of *Bismillah* silently or loudly.

Muslim. Thus the two acts of slaughtering and reciting Tasmiyah make the meat of animal Holy and clean. (25)

111-NON-ESSENTIALITIES OF TASMIYAH: ARGUMENT & REFUTATIONS

1- From the Qur'an:

قل لا اجد فيما اوحى الى محرما على طاعم يطعمه الا ان يكون ميتة او دما مسفوحا او لحم خنزير فانه رجس او فسقا اهل لغير الله به (25: a)

'Say: I find nothing in what has been revealed to me that forbids men to eat of any food except carrion, running blood and the flesh of swine-for these are unclean- and what has been profanely slaughtered to gods other than Allah' (25-a)

Argument:

This verse declares four entities as haraam:

- 1-Carrion (dead animal)
- 2-Blood in fluid state
- 3-Pork and
- 4-Dhabihah slaughtered in the name other than Allah

The generality of the verse denotes that all other *Dhabihahs* are *Halaal* wheter the name of Allah has been recited or not. The whole *Surah Al-An'aam* was revealed once.

Refutation:

There are many responses of the above argument. The best is given by Allamah Fiqih Allauddin Kaasaani. He states:

واما ما يروى ان سورة الانعام نزلت كلها جملة واحدة فمروى على طريق الآحاد، فلا يقبل في ابطال حرمة تثبت بالكتاب (26)

'The tradition about the revelation of surah Al-An'aam being all at one time is Khabr-e-waahid (one-chain type) which can not abrogate the clear injunction of the Book of Allah'.

And the Book of Allah categorically declares *Tasmiyah* as essential for slaughtering.

2. From the Hadith:

ان قوما قالوا: يا رسول الله! ان قوما ياتوننا باللحم، لا ندري انكروا اسم الله عليه ام لا؟ فقال رسول الله - صلى الله عليه وسلم - : سموا الله عليه واكلوه (27)

“And eat not of that whereon Allah’s name has not been mentioned, for lo! It is abomination”.

He has extracted two points from the above verse:

- a) If there is *Laa* () categorically about an injunction, then it is Haram
- b) Allah has declared that *Dhabihah* on which *Tasmiyah* is not recited as *Fisq* (abomination).

Fisq is always used for the haraam actions.⁽²²⁾

2- *ShiekuIslam Ibn Taimiah* has quoted following four verses in support of *Tasmiyah*.

(22. a) فكلوا مما امسكن عليكم واذكروا اسم الله عليه

1. “So eat of that which they catch for you and mention Allah’s name upon it”.

(22. b) فكلوا مما ذكر اسم الله عليه

2. “So eat of (meats) on which Allah’s name hath been pronounced”.

(22. c) وما لكم الا تاكلوا مما ذكر اسم الله عليه

3. “And why should you not eat of that on which the name of Allah is mentioned”.

4. Al-An’aam, 6:121, as given above under 1.

The details are given in *Fataawah Ibn Tahmiyah*.

In addition to the above verses there is very authentic Hadith; in support of *Tasmiyah*:

(23. a) ما انهر الدم و ذكر اسم الله عليه فكلوه

“Eat the animal that has been drained of blood and on which Tasmiyah has been recited”.

This Hadith clearly shows that the drainage of blood and *Tasmiyah* both are two of the essential conditions for *Dhabihah* to be Halaal.

Further the scholar *Shaikh ul Islam Allamah Shabbir Ahmed Uthmani* supports in the following words:

“The Halaal and clean animal that has been slaughtered in the name of Allah is killed basically with the sanction of Allah. Aliah bestows death upon the animal through the knife of a

B - TASMIYAH BEFORE SLAUGHTERING

(i.e. reciting Tasmiyah on each bird or once only)

1. DIFFERENCE IN OPINION

There is difference in the opinions of the prominent Imams about this issue. According to Imam Shafi'I, *Tasmiyah* before slaughtering is not essential while others: Imam Abu Hanifah, Imam Malik, Imam Ahmad, Imam Thauri and Imam Hasan bin Saleh consider *Tasmiyah* as one of the essential conditions for Halaal slaughtering.

Hanafi School:

Dhabihah (slaughtered animal) is Halaal if the Muslim slaughterman forgets to recite *Tasmiyah*. If he does not recite *Tasmiyah* intentionally, then *Dhabihah* is not Halaal in any circumstances.

Following are two *ahaadith* out of many in support of the opinion of Hanafi School, as stated in **Badaai'I' ul Sanaa'i'**.

ذبيحة المسلم حلال سمى او لم يسم ما لم يتعمد (20)

'The slaughtering by a Muslim is Halaal whether he recites *Tasmiyah* or not provided non-recitation is not intentional'.

عن عبد الله عباس : انه سئل عن رجل ذبح ونسى ان يذكر اسم الله عليه، فقال : اسم الله

عز وجل في كل قلب مسلم ، فلياكل (21)

'*Abdullah bin Abbas(r)* was asked: 'If a person slaughters and forgets reciting *Tasmiyah*, what should be done?'

He replied: 'There is the name of Allah in the heart of a Muslim. Hence the *Dhabihah* can be eaten'.

Maliki School:

If *Tasmiyah* is not recited before slaughtering intentionally or forgetfully, in any case *Dhabihah* is not Halaal.

11. IN SUPPORT OF TASMIYAH

The reasoning by the majority of *Fuqahaa'* in support of *Tasmiyah* are plenty. The following two *Fuqahaa'* have referred to the following verses of the Qur'an in support of *Tasmiyah*.

I-Allamah Alauddin Al-Kaasaani:

(21. a) ولا تاكلوا مما لم يذكر اسم الله عليه وانه لفسق

Hence I humbly give verdict that machine-slaughtering is Halaal provided the system fulfils all the following conditions:

I-PRIMARY CONDITIONS

- 1- All four or at least three – the respiratory tract, (حلقوم) the esophagus, (مرئى) and one of the jugular veins (ودج) (blood arteries) must be severed.
- 2- The slaughterman should be a Muslim.
- 3- There should be intention of *Tasmiyah* before slaughtering.
- 4- Slaughtering should be performed only with the name of Allah, not having any other name.
- 5- Recitation of *Tasmiyah* at the time of slaughtering should be done without long time-gap between the *Tasmiyah* and the action of slaughtering.
- 6- Recitation of *Tasmiyah* should be done for each animal.

2-SECONDARY CONDITIONS

- 1- Before hanging on the chain, birds/chickens are passed through cold electrified water to swoon them. The voltage should be between 43-55 volts. More voltage may kill the birds and less may not be effective.
- 2- To remove the feathers and clean, the birds are submerged in hot water. The temperature should be 55-58 C. Higher temperature would disintegrate and make the birds contaminated and lower temperature may not be effective.

If the above eight conditions are maintained in a machine-slaughtering system, the slaughtered chicken are Halaal otherwise not. It is hereby advised to avoid the product of a system that does not fulfill the above conditions. The author has visited some systems and there exist some that can be safely recommended for Halaal products. Hence every system should be judged on its merit and then the verdict should be given by the authorities accordingly.