

# Animal Welfare in *Ḥalāl* Market Standards

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# Animal Welfare in *Ḥalāl* Market Standards

European Conceptions Coined in Islamic Terms



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## Introduction<sup>1</sup>

As part of my research of the *ḥalāl* market and animal welfare in Islam, I visited different kinds of abattoirs. I was very curious to see how animals are killed for human consumption of meat. During my visit to an abattoir of Widam Food<sup>2</sup> in Doha, Qatar, I quite possibly had the worst experience of all my visits. I witnessed how quickly workers killed animals one after the other, how aggressively they dealt with animals just before slaughter, and the cruel fashion in which animals were transported to the slaughterhouses. Let me share with you my experience at the animal market on a Friday:

I entered the room preceding the slaughter area, where sheep were being placed on the conveyor belt that leads to the slaughter hall. The room was crowded with labourers who brought in sheep

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<sup>1</sup> The research, under the supervision of Prof. Dr. Andreas Kaplony, presented here is a slightly revised version of my M.A. dissertation, submitted for the postgraduate program in Near and Middle Eastern Studies at Ludwig-Maximilians-University, Munich.

A key goal for this research was to address the limited attention paid to animal rights as part of the wider discourse and debates on the *ḥalāl* market and the production of products of animal origin.

I have worked on the topics of animal welfare, sustainable food production and food ethics since 2011; so naturally there has been a wide array of individuals who have contributed to and helped shape and nurture my interest in this area.

I would like to express my gratitude to them for their support and the role they played towards my writing this dissertation. Firstly, I would like to mention my supervisor Professor Andreas Kaplony for generously sharing his expertise, as well as, his patience, kindness and guidance during the development of my research. I also would like to thank my dear friends Muhammad Yousuf and Aymar Pirzada, who have been part of my academic journey since the first days of my undergraduate studies in London, readily sharing their insights and challenging my assumptions as I went on to pursue subsequent advanced degrees in the United Kingdom and Germany.

I would also like to express my deepest gratitude to Rihab Chabaane and Multazem Ghazal for their time and language expertise as I embarked on conquering the Arabic source text. Finally, I would also like to thank my parents and my sister for the continuous support of my academic pursuits and for sharing in, as well as, inspiring a deeply grounded love of animals in my life. They have provided many hours of calm and refuge—a rare joy for a researcher with looming deadlines and chapters to rewrite.

<sup>2</sup> Widam Food is a shareholding company with 95 percent Qatari shareholders. The company states that it is “exclusively handling the government subsidization of Australian meat to Qatari market, and it supports the market by importing other types of meat on a non-exclusive basis”; see Widam Food 2017.

for sale. The place was hectic, and loud voices and screams could be heard. The sheep were being pushed aggressively towards the entrance of the slaughter area. And then something happened: one of the labourers was having difficulty with one of his sheep, and I observed him lifting it and throwing it onto the slaughter hall conveyor belt. I could hardly believe my eyes. Making matters worse, the sheep did not even have enough time to die during the slaughter process. Approximately one minute after it was cut, the workers started to disassemble its body. When the worker started to cut off the legs the body reacted forcefully. So vigorous was the reaction that I was sceptical it was only the pure muscle movements that normally take place right after the slaughter.

I discussed my experience with a very experienced butcher and animal rights activist, Karl Schweisfurth.<sup>3</sup> After sharing it with him, he invited me to come to Herrmansdorfer Landwerkstätten. There I experienced the opposite of what I saw in Doha. The section where animals are kept and the slaughtering area are separated, to make the animals feel more comfortable. At least one night before slaughter, animals are brought to the abattoir to get used to the new location. A metal partition separates the stalls from the slaughter area. This also helps the animals feel less scared and stressed because in a slaughterhouse there are very loud noises. No animal can see how one member of its species is being slaughtered and how the body is disassembled into pieces.<sup>4</sup> Each animal is treated with dignity, respect, and care. In Herrmansdorfer, the killing of animals is a considered and sensitive topic. Therefore, the

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<sup>3</sup> Schweisfurth was the owner of Europe’s biggest sausage factory, Herta (where 25,000 pigs and 5,000 cows were slaughtered every week to make sausage). After his first visit to one of his intensive animal production farms, he decided overnight to leave the conventional meat industry and sold it to Nestlé. In 1984 a new food processing business was established called Herrmansdorfer Landwerkstätten. Animals are treated in accordance with the guidelines of ecological food production. He combines principles of sustainable organic farming with positions of animal ethics, so he founded the Herrmansdorfer Landwerkstätten; see Turner 2009: 90; Schweisfurth/Kolle 2012: 10.

<sup>4</sup> During my visit Karl Schweisfurth told me that they were making some changes with respect to pig slaughter. They have found that pigs react more calmly when two are together in the area of slaughtering. The second pig does not actually realize what is happening to his fellow—probably he imagines he sleeps, and finds the clots of blood delicious.

butchers take enough time to stun the animal, to cut it, and finally to let the animal die.

Even after seeing two contrasting types of abattoirs, it is clear that killing animals can never be animal friendly. Killing animals always involves their stress and pain. But animal suffering can be reduced significantly if careful consideration is given to the physiological needs of animals, their correct handling, and a respectful treatment of animals.

Apart from the disturbingly graphic experience itself, what astonished me in the slaughterhouse in Doha was the disconnection between my firsthand observations and the Islamic religion's demand that mankind be gentle and kind towards all living beings.

The two primary resources of the Islamic religion (the Qur'ān and the *aḥādīth*) and Islamic jurisprudence (*uṣūl al-fiqh*) provide very broad viewpoints on the welfare and rights of animals. A careful study of the sources of Islam shows that there is wisdom and purpose behind the creation of animals. Like the heavens, earth, and all the rest of the creation, animals are presented as signs (*āyāt*, sing. *āya*) that point to the existence of the Creator, His Omniscience, Absolute Will, Omnipotence, and other Divine Attributes.<sup>5</sup> Further, nature as a whole and animals in particular must be considered living beings with intrinsic value. The traditional jurists include the topic of animal rights in their legal works.<sup>6</sup> Laws pertaining to animals include categories such as their treatment, their sale, and the lawfulness of animals as food.

In relation to the use of food with animal origins and on the topic of food in general, Islamic teachings provide a number of broad, holistic guidelines and rules. There are strict regulations determining what Muslims are permitted to eat, as well as how to produce and consume food. The purpose of these classifications into permitted and prohibited foods is to safeguard the purity of sustenance (*tayyib*) and a healthy way of life. More generally, traditional scholars have identified that all laws of the *ṣarī'a* aim to accomplish the common good (*maṣlaḥa*) for humans, animals, and the environment.<sup>7</sup>

Practicing Muslims put great emphasis on adherence to the primary sources of Islam and Islamic jurisprudence when it comes to the production of

food with animal origins. For this reason, international-level certification authorities have been created to monitor, control, and certify food-producing companies according to Islamic regulations. More than 120 *ḥalāl* standards<sup>8</sup>, labels, and certificates exist worldwide in the market in order to safeguard conformity with Islamic rules.<sup>9</sup> In the production of meat, authorities seek to ensure that the animals are slaughtered in conformity with Islamic rules. Milk products are judged by whether or not they are free of ingredients that are forbidden by Islamic law. As part of the food production process, machines must be cleansed appropriately and diligently, i.e., to ensure that they do not contain pork ingredients or other impure substances.<sup>10</sup>

In addition to theological and ethical considerations based on Islamic teachings and jurisprudence, Western forms of agriculture and its particular technological advances have also influenced production methods within the *ḥalāl* food industry.

Over the last few decades, the *ḥalāl* food industry has increasingly adapted to industrial production methods. These forms of production primarily focus on the most efficient and least costly methods.<sup>11</sup> Therefore, many ethical issues arise in relation to the production, distribution, preparation, and consumption of food. Animals and the environment are especially prone to suffer under these modern industrialized systems.<sup>12</sup> The environment and animals are regarded as pure resources that can be exploited. Conditions in industrial animal farms are particularly fatal. Livestock are forced to live in terrible surroundings that are not species appropriate. The slaughtering itself is also not performed in a species appropriate manner.

The consequences of industrial farming have immense effects on human beings' health, animal welfare, and environmental protection. Although

<sup>5</sup> Özdemir 1997: 6; al-Qaradāgi 2017: 16.

<sup>6</sup> Foltz 2006: 31; al-Qarāla 2007: 29.

<sup>7</sup> Auda 2006: 15; Abd ar-Raḥmān 2015: 73.

<sup>8</sup> DTFOOD 2012: 16. The wide range of standards is causing a worldwide lack of transparency in the entire *ḥack* market business. Many consumers are therefore confused by the plethora of certifying authorities and certificates. Experts doubt that a unified standard will be introduced in the near future. Not only the different Islamic opinions a factor but the economic need to make a profit also play a crucial role; see Schlossberger 2009: 43.

<sup>9</sup> Schlossberger 2009: 43.

<sup>10</sup> For a more detailed discussion of *ḥalāl* standards in this respect, see Chapter III below.

<sup>11</sup> Gregory/Grandin 2007: 3.

<sup>12</sup> Gregory/Grandin 2007: 3.



Islam teachings and jurisprudence provide Muslims with a broad food system, the rules and principles are not being implemented. Muslim certification authorities, which are responsible for guaranteeing conformity to these Islamic rules, only certify the slaughtering process.<sup>13</sup>

The goal of this work is to examine the *ḥalāl* market standards that contain principles and rules concerned with the welfare of animals that are used for the production of food with animal origins. Although animal welfare rules are subject to these *ḥalāl* market standards, the regulations are shaped by an anthropocentric handling of animal rights. Furthermore, the standards cover selective aspects of veterinary and human medicine. In addition, the standards give high priority to Islamic legal considerations, whereas ethical considerations are neglected where the topic of *ḥalāl* food is concerned.

To show to what extent animal welfare rights exist in the chosen standards, I consulted legislative acts of the European Union and veterinary sources on the treatment and handling of animals for the production of food with animal origins. In addition, I studied Islamic literature to see how legal and ethical aspects of welfare standards are dealt with in the production of food.

As primary sources I used two *ḥalāl* certification standards.<sup>14</sup> Selective passages of these standards are presented as original quotes in this work. The first standard, “The Project for the Distribution of Special Rules—3650: 2015—Directive Principles and Special Instruction for *Ḥalāl* Food” (*mašrū‘at ta‘mīm muwāṣafa—3650:2015—al-mabādi’ at-tawǧīhiyya wa t-ta‘līmāt al-ḥāṣṣa bi-l-ḡadā’ al-ḥalāl*; hereafter the SASMO standard), was published on the website of the Syrian Arab Standards and Metrology Organization (*hay‘at al-muwāṣafāt wa-l-maqāyis al-‘arabiyya as-sūriyya*, SASMO).<sup>15</sup> SASMO works on the development, distribution, and enhancement of national standards and provisions for products, raw materials, and services.<sup>16</sup> It was established by decree-law

No. 248, dated 13-10-1969, and is connected with the Ministry of Industry.<sup>17</sup> Although the standard was published by SASMO, it was originally developed by the Standardization Expert Group (SEG) of the Organisation of the Islamic Conference (OIC). It was also adopted by the Standards and Metrology Institute for Islamic Countries (SMIIC) and the Technical Committee on Halal Food Issues.<sup>18</sup> Because this standard was developed by commonly accepted rules and beliefs of Islam, regardless of variations in different groups of Islam, I felt it was appropriate to use this standard that was published by the Syrian government.

The second certification standard, “The Directive Standard for the Production and Services of *Ḥalāl*” (*ad-dalīl al-iršādī li-šinā‘at wa-ḥidamāt al-ḥalāl*), was published in 2013 by the Emirates Authority for Standardisation and Metrology (*hay‘at al-imārāt li-l-muwāṣafāt wa-l-maqāyis*, ESMA).<sup>19</sup> ESMA was established as the only standardisation body in the United Arab Emirates (UAE) under Law No. 28/2001.<sup>20</sup> It aims to formulate and issue national standards for the UAE as well as “adopting international standards and mandatory standards issued by binding resolutions of the council ministers. Furthermore, it develops and monitors technical regulations and standards for products and systems in the fields of safety, health and environmental protection, and protection of consumer rights”.<sup>21</sup>

The *ḥalāl* standards of SASMO and ESMA also operate according to international food standards.<sup>22</sup> They incorporate standards such as ISO standards, Good Hygiene Practice (GHP), and Good Manufacturing Practice (GMP).

To explain these two *ḥalāl* certificates, further Arabic juristic literature was used. One of these sources is the article *ḥuqūq al-ḥayawān wa-ḍamānātuhā fi al-fiqh al-islāmī* (Animal Rights and Their Guarantee in Islamic Jurisprudence) written by Aḥmad Yāsīn al-Qarāla.<sup>23</sup> Published in 2007, it aims to demonstrate the diverse rights of animals

<sup>13</sup> Ramadan 2009: 251.

<sup>14</sup> According to the International Organization for Standardisation (ISO), standards can be defined as *a document, established by consensus and approved by a recognized body that provides, for common and limited use, rules, guidelines or characteristics for activities or their results, aimed at the achievement of the order in a given context*; see Syed Bahaldin 2005: 1; ISO Standards 2017.

<sup>15</sup> SASMO - Standard 2017.

<sup>16</sup> SASMO 2012: Foreword.

<sup>17</sup> SASMO - About us 2017.

<sup>18</sup> SASMO 2012: Foreword.

<sup>19</sup> ESMA - Standard 2017.

<sup>20</sup> ESMA - About us 2017.

<sup>21</sup> ESMA - Vision 2017.

<sup>22</sup> Syed Bahaldin 2005: 38; SASMO 2015: 22.

<sup>23</sup> al-Qarāla is Associate Professor in the Department of Jurisprudential and Legal Studies at the University al-Bayt in Jordan.

that are embedded in Islamic law. The author also shows that these rights are not just moral or optional rights but consistent rules in Islamic jurisprudence.<sup>24</sup>

In addition, several council regulations were used. Special consideration was given to Council Regulation (EC) No. 1099/2009 of 24 September 2009, on the protection of animals at the time of killing,<sup>25</sup> and on European Regulation (EU) 2016/429 of the European Parliament and of the Council of 9 March 2016, on transmissible animal diseases and amending and repealing certain acts in the area of animal health (the “Animal Health Law”).<sup>26</sup>

Finally, I refer to the insights and results of the Dialrel Project of the European Commission in relation to religious slaughtering and animal welfare. The Dialrel Project addresses issues relating to the practice of religious slaughter, the market, and consumers. The project deals with questions such as to what extent animal welfare can be harmonised with the religious need to slaughter animals without first stunning them.<sup>27</sup> In addition to the scientific outcomes of the Dialrel Project, I consulted the works of the veterinarians Neville Gregory<sup>28</sup> and Temple Grandin,<sup>29</sup> particularly Grandin’s scientific outcomes on *ḥalāl* slaughtering and the books *Animal Welfare and Meat Production* and *Animal Welfare and Meat Science*.<sup>30</sup>

<sup>24</sup> al-Qarāla 2007: 23.

<sup>25</sup> This legislative act consists of minimum requirements for the protection of animals at the time of slaughtering.

<sup>26</sup> This legislative act lays down regulations on animal health, such as disease eradication, veterinary controls, notification of diseases, and financial support in relation to different animal species.

<sup>27</sup> Caspar/Luy 2010: 9.

<sup>28</sup> Gregory is Professor of Animal Welfare Physiology at the University of London. His areas of expertise are Animal Welfare, Farm Animal Production and Meat Science; see the internet source Gregory 2017.

<sup>29</sup> Grandin is an American Professor of Animal Science at Colorado State University and consultant to the livestock industry on animal behaviour. She focuses on animal welfare aspects in kosher and *ḥalāl* slaughtering. Grandin has visited over 400 slaughter plants in 20 countries and has served as a consultant on the design of handling systems, correct operation of stunning equipment, writing animal welfare guidelines, and training welfare auditors; see the internet source Grandin 2017.

<sup>30</sup> See Grandin/Regenstein 1994. *Animal Welfare and Meat Production* and *Animal Welfare and Meat Science* are by Neville Gregory and Temple Grandin; see Gregory/Grandin 2003 and 2007.

## I. Animal Protection Rights: A European Context

This chapter discusses the various ethical and legal viewpoints of animal welfare that shape public policies in the production of food with animal origins. Animal welfare science is developing knowledge and skills to identify how human behaviour affects animals. Thus, animal ethics develops moral sensitivity and moral judgement in both science and law. Science, animal ethics, and law are inextricably linked and therefore have a complementary relationship with each other.<sup>31</sup>

### 1. Philosophical and Religious Viewpoints on Animal Welfare

There are several issues to address when discussing animal welfare. They start with the legal relationship towards animals and end with ethical problems. As a major issue it can be identified that regulations about animals are always made from a human perspective.

The topic of animal welfare is shaped either by an anthropocentric or by an anthropomorphic viewpoint.<sup>32</sup> Anthropocentrism can be defined as a limitation or inability to know other species for what they are.<sup>33</sup> But it is also linked with the notion of the feeling of superiority.<sup>34</sup> Anthropomorphism, in contrast, is the attribution of human characteristics to nonhuman beings and inanimate objects.<sup>35</sup> Such a viewpoint can provide a legitimate opportunity to access, experience, and evaluate the inner world of nonhuman creatures.<sup>36</sup> Though anthropocentrism and anthropomorphism are two different terms, they share a common characteristic, namely, centrism.<sup>37</sup> Humans project their own thoughts and feelings

<sup>31</sup> Verrinder/McGrath/Phillips 2016: 81.

<sup>32</sup> Wynne 2001: 2; Tlili 2015: 51.

<sup>33</sup> Wynne 2001: 2; Tlili 2015: 51.

<sup>34</sup> Anthropocentric viewpoints are not always defined as a limitation or inability to know other species but are also linked with the notion of the feeling of superiority; see Wynne 2001: 2; Tlili 2015: 51.

<sup>35</sup> Bekoff 2012: 14.

<sup>36</sup> Bekoff 2012: 14.

<sup>37</sup> Daston/Mitman 2005: 4.