

## **Controversy of Stunning in Animal Slaughter: An Analysis of *Fiqh* and *Fatwa* in Contemporary Indonesia**

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### **Abstract**

The practice of stunning animals before slaughter has sparked significant debate within Islamic jurisprudence, particularly regarding its compatibility with halal requirements. This article examines the controversy surrounding stunning animal slaughter from the perspective of *fiqh* (Islamic legal thought) and contemporary *fatwa* issued by Indonesian ulama (Islamic scholars). Drawing upon primary sources, including fatwas and scholarly discourse, this research highlights the diverse opinions among Islamic scholars on the permissibility and ethicality of stunning. It explores key issues such as the interpretation of Quranic verses and hadiths related to animal welfare, the definition of a valid slaughter in Islamic law, and the socio-economic impacts of stunning on Indonesia's meat industry. By analyzing the legal and ethical dimensions of stunning, the article contributes to the broader discussion of halal standards in the modern context and provides insights into how the Indonesian ulama navigates the balance between tradition and contemporary practices. The findings underscore the ongoing need for clarity and consensus on the issue, as divergent rulings affect both religious observance and the livestock market.

**Keyword:** Stunning; Animal Slaughter; *Fiqh* and *Fatwa*; Contemporary Indonesia

### **Introduction**

In Islamic tradition, the process of animal slaughter, or *dhabiha*, is not merely a mechanical procedure but a deeply ritualistic act that holds both religious and ethical significance. It is rooted in a complex set of guidelines drawn from *fiqh* (Islamic jurisprudence), which outline the specific conditions under which an animal must be slaughtered for its meat to be considered halal, or permissible for consumption by Muslims. Among these guidelines are the requirements for invoking the name of Allah at the time of slaughter, ensuring that the animal's throat, windpipe, and blood vessels are properly severed, and critically, ensuring that the animal is alive and conscious at the moment of slaughter (Hamdan et al., 2024). These criteria have been foundational in Islamic dietary laws for centuries.

However, with the rise of modern industrial slaughter methods, particularly the use of stunning a practice where animals are rendered unconscious before slaughter to reduce their suffering the traditional interpretations of halal slaughter have come under scrutiny. Stunning, widely adopted in Western and increasingly in some Muslim-majority countries, hailed by proponents as a more humane way to treat animals under contemporary ethical standards of animal welfare. The practice is seen as reducing the pain and stress animals experience during slaughter, aligning with broader global movements toward ethical treatment of livestock (Jelan et al., 2024).

Nonetheless, the introduction of stunning has generated significant controversy within Islamic discourse, as it presents a potential conflict with the requirement that animals must be alive at the time of slaughter. Islamic jurisprudence emphasizes that animals should not suffer unduly, but the question of whether stunning fulfills or violates this principle has led to intense debate among scholars. The primary concern is that, in some cases, stunning may result in the animal's death before the act of slaughter, thereby rendering the meat haram (forbidden). Even when the animal survives the stunning process, there are differing interpretations regarding whether the temporary loss of consciousness compromises the requirement of the animal being fully alive and aware when slaughtered (Abdullah et al., 2019).

This debate over the permissibility of stunning is not monolithic. Across the Muslim world, different schools of Islamic thought have reached divergent conclusions based on their respective methodologies of legal reasoning and interpretation of the Quran and Sunnah (the practices and teachings of the Prophet Muhammad). Some scholars, particularly within the Hanafi school of thought, are more permissive towards stunning if it is ensured that the animal is still alive at the time of slaughter. Others, especially within the Hanbali school, are more conservative and prefer to avoid the practice entirely, viewing it as an unnecessary innovation that risks violating the core tenets of halal slaughter (Yani et al., 2020).

In Indonesia, the country with the largest Muslim population globally, the controversy surrounding stunning has been particularly pronounced. As the Indonesian meat industry grows and adapts to international standards, the pressure to adopt stunning as part of modern halal certification processes has increased. At the same time, the country's religious authorities and scholars remain deeply committed to upholding Islamic orthodoxy, which includes safeguarding the integrity of halal standards in line with traditional jurisprudential views. This has resulted in a series of legal opinions, or fatwas, issued by the Indonesian Ulama Council (MUI), which have sought to navigate this complex terrain. The MUI, Indonesia's highest religious authority responsible for issuing fatwas on Islamic matters, has attempted to strike a balance between the demands of modernity such as meeting international trade standards and ensuring animal welfare, and the need to adhere to the principles of Islamic law (Husna, 2021).

The MUI's fatwas on stunning have varied over time, reflecting both the evolving nature of the meat industry and the nuanced interpretations of Islamic law among Indonesian scholars. Some fatwas have permitted stunning under specific conditions, such as ensuring that the animal does not die as a result of the stunning process and that the stunning method used does not cause irreversible harm (Fatwa MUI No. 12/2009). Other fatwas have taken a more restrictive stance, expressing concerns that even the temporary loss of consciousness might compromise the spiritual and legal requirements for halal slaughter. These divergent opinions have contributed to a broader social debate in Indonesia, involving not only religious scholars but also policymakers, meat industry stakeholders, and consumers, all of whom have vested interests in the outcome of this issue.

The significance of this controversy extends beyond the religious and ethical dimensions; it also has profound social and economic implications for Indonesia. As a major exporter of halal meat, Indonesia must reconcile its domestic halal standards with those of the international market, where stunning is often a mandated practice. The global demand for halal-certified products has created tension between maintaining strict adherence to Islamic principles and adapting to international trade requirements prioritizing animal welfare as defined by Western standards. This has made the issue of stunning animal slaughter not only a religious and ethical question but also a matter of national economic interest.

In light of these considerations, this research aims to provide a comprehensive analysis of the stunning controversy in Indonesia by examining the fiqh-based perspectives and fatwas issued by the Indonesian ulama. By delving into the scholarly discourse surrounding this issue, the study will explore how contemporary Islamic legal thought in Indonesia grapples with the intersection of religious law, ethical concerns for animal welfare, and the realities of a globalized meat industry. Through this analysis, the research will seek to clarify the various legal and ethical arguments that have shaped the fatwas on stunning, while also highlighting the broader social and economic factors that influence these rulings.

## **Research Methods**

This research uses a qualitative approach with an Islamic law analysis method. The qualitative approach was chosen because this research focuses on a deep understanding of the views of scholars, fatwas, and Islamic Sharia principles related to *stunning* animal slaughter. This approach allows researchers to explore dynamic and varied interpretations of Islamic law, as well as to understand stunning controversies in the context of sharia. This research also adopts the method of literature study (*library research*), which involves the study of various religious texts and relevant fatwas.

The data sources in this study are divided into two types, namely primary data and secondary data: Primary data comes from fatwas of scholars related to *stunning* in animal slaughter, both issued by fatwa institutions in Muslim countries and from independent scholars. These fatwas provide the main basis for analyzing the stunning conformity with Islamic sharia principles. Meanwhile, secondary data includes various religious literature such as classical and contemporary fiqh books, scientific articles, journals that study halal slaughter, books on Islamic law, and documents related to the regulation of halal animal slaughter in several countries. This data also includes previous research that addresses animal welfare issues and halal regulations.

The data in this study was collected through Document study, this technique is used to collect primary data from fatwas that have been issued by religious authorities such as the Indonesian Ulema Council (MUI), documents containing the thoughts of jurists and legal documents related to halal slaughter regulations, both in Islamic law and positive law.

Then the data was also collected through a literature review. Secondary data is collected through literature reviews from various fiqh books, academic articles, and other references relevant to the research. This study aims to obtain a comprehensive overview of the concept of halal slaughter in Islam, the development of *stunning* practices, and its impact on the halal industry.

The data analysis in this study uses a *content analysis* method with a descriptive-analytical approach. The analysis steps include: (1) Data categorization, the data that has been collected is categorized based on key issues such as the views of scholars on *stunning*, legal arguments for or against *stunning*, and fatwas related to *stunning*. (2) Interpretation of Islamic Law, data related to fatwas and views of scholars are analyzed based on relevant fiqh rules, including basic principles in halal slaughter, such as halal conditions, position of intention, and orders not to torture animals. (3) Comparative Analysis, comparisons are made against various existing fatwas, to understand the differences of views that arise and how scholars from various schools and fatwa institutions interpret the concept of *stunning*. This comparative analysis also includes a study of the legal implications in different countries with Muslim populations related to halal industry regulation.

After all the data were analyzed, conclusions were drawn by reviewing the stunning conformity with Sharia principles, as well as its impact on halal regulations and their application in the context of the modern slaughtering industry.

## **Results and Discussion**

The results of this research reveal a complex and multifaceted debate among Indonesian ulama (Islamic scholars) regarding the practice of stunning in animal slaughter. Through an analysis of various fatwas and scholarly writings, several key

findings have emerged that illuminate the diversity of opinions and legal reasoning within the Indonesian Islamic community on this issue.

### **Divergence in Fiqh Interpretations**

The first major finding of this research is the significant divergence in fiqh interpretations concerning the permissibility of stunning. The study shows that different Islamic scholars in Indonesia draw from various schools of Islamic jurisprudence, leading to nuanced and sometimes conflicting views on the issue.

Scholars within the Shafi'i school, which predominates in Indonesia, tend to adopt a more cautious approach towards stunning. They emphasize the need to ensure that the animal remains fully alive and conscious at the time of slaughter, expressing concern that stunning, even if temporary, may interfere with this requirement (Anwar, 2021). Many Shafi'i scholars argue that while the intention behind stunning "to reduce animal suffering" is noble, it risks violating the core principle that the animal must be fully capable of life when the ritual slaughter begins.

On the other hand, some scholars, particularly those influenced by contemporary fiqh movements and international discourses on halal certification, have shown greater openness to the practice of stunning. These scholars argue that provided the stunning does not result in the animal's death before slaughter, it may be permissible under Islamic law (Ahmad et al., 2023; Muhammad & Yani, 2023). They cite the Quranic injunctions to treat animals humanely and point out that modern stunning techniques if carefully regulated, can be designed to ensure that the animal remains alive and healthy at the time of slaughter.

This divergence reflects broader tensions within Indonesian Islamic scholarship between maintaining traditional interpretations and adapting to modern ethical and technological developments. The variety of opinions also illustrates the flexibility of Islamic legal reasoning in response to contemporary issues.

### **Fatwas Issued by the Indonesian Ulama Council (MUI)**

A crucial finding from this research is the role of the Indonesian Ulama Council (MUI) in shaping public understanding and regulatory practices concerning stunning. The MUI has issued several fatwas addressing the practice of stunning, with the most influential fatwas being those that have sought to balance religious orthodoxy with the practical realities of the modern meat industry.

The MUI Fatwa Number 12 of 2009, explains several criteria for the ability to stun animals before slaughter. Among them are:

**Conditional Permissibility.** The MUI fatwa generally takes a conditional permissibility stance. According to the MUI, stunning is permissible as long as it is guaranteed that the animal does not die from the stunning process and remains alive at the moment of slaughter. The MUI has emphasized that only reversible stunning

techniques, such as electrical stunning, should be used, and these techniques must be carefully regulated to prevent harm to the animal (Fatwa MUI No. 12/2009).

**Reluctance Among Some Scholars.** Despite the MUI's conditional approval, there remains significant reluctance among some traditional scholars who are affiliated with the council. They express concerns that even reversible stunning techniques might be improperly applied, leading to the unintentional death of animals before slaughter, thereby rendering the meat haram. This skepticism has led to ongoing debates within the MUI itself, reflecting the broader disagreement within the Indonesian religious community.

However, the MPU or MUI of Aceh Province said that fainting and the like that were carried out before slaughter were illegal acts, and the meat was haram to eat, the proceeds of the sale of meat were also haram (Fatwa MPU Aceh No. 6/2013). The MUI's fatwas have had a considerable influence on halal certification standards in Indonesia, where they serve as the authoritative legal reference for the meat industry. However, the continued disagreement among scholars reflects a broader uncertainty that continues to affect public perceptions of stunning.

### **Impact of International Halal Standards**

Another significant result of this research is the growing impact of international halal certification standards on Indonesian *fatwas* and *fiqh* interpretations. With the increasing globalization of the halal meat industry, Indonesia has faced pressure to align its practices with international standards that often mandate stunning as part of animal welfare protocols. This has led to tensions between adhering to strict Islamic guidelines and meeting the demands of global trade (Akbar et al., 2023).

Adoption of global practices, some Indonesian scholars, particularly those involved in the halal certification process, have begun to accommodate stunning as a necessary practice to ensure that Indonesian meat products can compete in global markets. This has been a pragmatic shift, driven by the need to satisfy international buyers who often require stunning to meet their ethical and regulatory standards (bin Shapian et al., 2022).

Resistance from conservative scholars, despite this shift, conservative scholars and rural religious leaders continue to resist what they see as undue influence from international standards that may not fully respect Islamic principles. They argue that the prioritization of economic interests over religious compliance could undermine the integrity of Indonesia's halal certification system (Fuseini et al., 2016).

This research highlights how international trade dynamics are increasingly shaping the *fiqh* debates in Indonesia, as religious authorities are tasked with balancing economic interests with Islamic legal principles.

### **Social and Economic Impacts in Indonesia**

The social and economic impacts of the stunning controversy are another key finding of this research. The meat industry in Indonesia is deeply affected by the religious rulings on stunning, as halal certification is a crucial part of the market for both domestic consumption and international export. Many slaughterhouse operators and meat producers have expressed confusion over the conflicting fatwas and scholarly opinions. This uncertainty has led to inconsistent practices within the industry, with some producers opting to avoid stunning altogether to ensure compliance with stricter interpretations, while others follow the conditional permissibility outlined by the MUI (Nugraha, 2024).

The research also uncovers varied reactions among consumers. While many Indonesian Muslims prefer meat from animals that have not been stunned, there is a growing segment of the population, particularly in urban areas, that supports the use of stunning as a humane practice. This division among consumers reflects the broader religious and ethical debates happening within Indonesian society. The social and economic impacts of this debate are significant, as the industry must navigate the competing demands of religious adherence, ethical treatment of animals, and economic profitability.

The controversy surrounding the practice of stunning in animal slaughter, particularly in the context of halal certification in Indonesia, reveals deep-seated tensions between traditional Islamic jurisprudence and the evolving demands of modern ethical and industrial practices. This discussion synthesizes the results of the research by examining key areas of contention, exploring the implications of these findings on the broader Islamic legal framework, and considering the social, ethical, and economic ramifications.

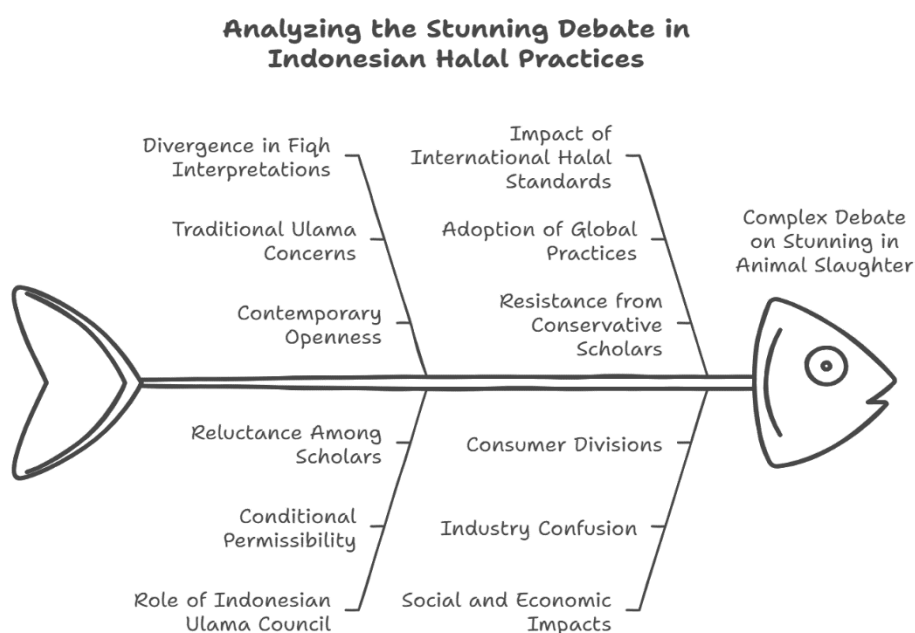
### **Fiqh and Ethical Considerations: Balancing Tradition and Modernity**

One of the central issues highlighted by this research is the divergence in fiqh interpretations regarding the permissibility of stunning, a practice rooted in the need to balance Islamic legal requirements with the humane treatment of animals. Traditional Islamic law, as reflected in the Shafi'i school, emphasizes the importance of ensuring that animals are alive and fully conscious at the time of slaughter. The spiritual dimension of *dhabiha* (ritual slaughter) is closely tied to the notion that animals should be treated with dignity and that the act of taking life must be done with full awareness and care, both by the slaughterer and the animal (Nurfa et al., 2024).

However, the introduction of stunning presents a modern challenge to this interpretation. Proponents of stunning, particularly those influenced by international halal certification standards, argue that the practice serves to minimize the suffering

of animals during slaughter, aligning with broader ethical concerns in the global meat industry. They contend that temporary unconsciousness does not compromise the spiritual requirements of halal slaughter, provided that the stunning process is reversible and the animal remains alive. In this view, stunning represents an adaptation to contemporary standards of animal welfare, which are increasingly seen as a moral imperative (bin Shapian et al., 2022).

This tension between tradition and modernity is reflective of broader debates within Islamic jurisprudence, where scholars are tasked with adapting timeless principles to modern contexts. The disagreement among scholars demonstrates the dynamic nature of fiqh, where the interpretation of foundational texts such as the Quran and the Sunnah (the practices and sayings of the Prophet Muhammad) must be continuously revisited in light of changing circumstances. In this sense, the controversy over stunning serves as a case study in the ongoing evolution of Islamic law, as it seeks to balance fidelity to tradition with responsiveness to contemporary ethical concerns.



### **Diverging Fatwas and the Role of the Indonesian Ulama Council (MUI)**

The Indonesian Ulama Council (MUI) plays a critical role in shaping the public discourse and regulatory framework surrounding stunning. The MUI's fatwas, which represent authoritative religious rulings, have attempted to strike a middle ground by conditionally permitting stunning, provided that certain safeguards are in place to ensure that the animal is still alive at the time of slaughter.

This approach reflects a pragmatic adaptation to the realities of the modern meat industry, where stunning is often mandated as part of animal welfare protocols. By allowing stunning under specific conditions, the MUI has sought to ensure that Indonesian halal-certified products meet domestic religious and international trade



standards. This conditional permissibility has been designed to preserve the integrity of halal slaughter while also acknowledging the ethical and economic pressures facing the meat industry (Fatwa MUI No. 12/2009).

However, this compromise has not been universally accepted. The reluctance among scholars within the MUI, particularly those who adhere to more conservative interpretations of Islamic law, underscores the ongoing debate over whether stunning truly aligns with the spirit and letter of Islamic teachings. These scholars argue that any potential risk of the animal dying before slaughter, or the mere fact of its temporary unconsciousness, undermines the legal and spiritual requirements of halal slaughter. Their resistance is rooted in a desire to maintain strict adherence to traditional fiqh principles, reflecting a broader concern about the erosion of religious standards in the face of modernity.

The divergence in fatwas has also led to practical challenges for the meat industry. The ambiguity and conflicting opinions have created confusion among producers, who must navigate a complex regulatory environment where different religious authorities may issue different rulings. This uncertainty can hinder the standardization of halal practices and undermine consumer confidence in the halal certification process. Therefore, the MUI's attempt to balance competing interests has exposed the difficulties inherent in regulating a practice that is both religiously significant and economically vital.

### **Ethical Considerations: Animal Welfare and Islamic Jurisprudence**

The question of animal welfare is central to the stunning debate and raises broader ethical concerns within Islamic jurisprudence. Islamic law traditionally emphasizes compassion and mercy towards animals, with numerous hadiths (teachings of the Prophet Muhammad) instructing Muslims to treat animals with kindness and avoid unnecessary harm. The idea of minimizing suffering is therefore deeply embedded in Islamic ethics, and this principle is often cited by those who advocate for stunning as a humane practice.

However, opponents of stunning argue that the focus on humane treatment must be balanced with adherence to religious requirements. They contend that Islamic slaughter methods, when performed correctly, already ensure a swift and relatively painless death for the animal, thus fulfilling the ethical imperative to minimize suffering. In this view, stunning is seen as an unnecessary innovation that complicates the slaughter process without offering significant ethical benefits. Moreover, the risk of the animal dying prematurely due to stunning is viewed as a greater violation of Islamic principles than the potential for momentary pain during traditional slaughter.

This debate reveals a deeper philosophical divide within Islamic thought regarding the relationship between law and ethics. On one hand, there is a desire to incorporate contemporary ethical standards, such as those espoused by animal rights

movements, into Islamic legal reasoning. On the other hand, there is a commitment to preserving the integrity of religious rituals, even in the face of external ethical pressures. The stunning controversy thus illustrates the broader challenge of reconciling religious law with modern ethical concerns, a tension that is likely to persist as Islamic communities continue to engage with global discourses on animal welfare.

### **Economic and Global Market Implications**

The research also highlights the significant economic implications of the stunning debate, particularly in the context of Indonesia's position in the global halal meat industry. As a major exporter of halal products, Indonesia must navigate the demands of international markets, where stunning is often required by animal welfare regulations. This creates a tension between religious adherence and economic pragmatism, as the Indonesian meat industry must ensure that its products meet both Islamic standards and international ethical expectations.

The conditional permissibility of stunning, as endorsed by the MUI, represents an attempt to align Indonesia's halal practices with global market demands. However, the lack of consensus among scholars and the conflicting fatwas have created uncertainty within the industry. Some producers may choose to avoid stunning altogether to ensure compliance with the most conservative interpretations of Islamic law, while others may adopt stunning to meet international certification standards. This inconsistency can impact the competitiveness of Indonesian halal products in global markets, where clear and standardized certification processes are crucial for maintaining consumer trust.

Moreover, the stunning controversy has broader implications for the global halal industry. As halal certification becomes increasingly standardized across international markets, the question of stunning will likely remain a contention. The diversity of opinions within the Indonesian context reflects a broader global debate within the Muslim community, where different regions and schools of thought have reached varying conclusions. This lack of uniformity presents a challenge for developing a unified global halal standard, which is necessary for facilitating international trade and ensuring the integrity of halal certification systems worldwide.

### **Conclusion**

The research on the controversy of stunning animal slaughter within the context of contemporary Indonesia reveals a multifaceted debate that touches on the intersection of Islamic jurisprudence, ethical considerations, and global economic factors. The divergent interpretations among Islamic scholars regarding the permissibility of stunning reflect broader tensions between traditional fiqh principles and the evolving demands of modern ethical and industrial practices. One key finding

is the conditional permissibility of stunning as endorsed by the Indonesian Ulama Council (MUI), which seeks to reconcile religious requirements with animal welfare standards and international market demands. However, the lack of consensus among scholars and the issuance of conflicting fatwas underscore the dynamic nature of Islamic legal reasoning, as it grapples with modern challenges.

Ethically, the debate highlights the tension between upholding the humane treatment of animals and ensuring strict compliance with religious rituals. While proponents of stunning argue that it minimizes suffering and aligns with Islamic principles of mercy and compassion, opponents contend that it introduces risks that undermine the integrity of halal slaughter. The controversy also has significant economic implications, particularly for Indonesia's role in the global halal market. The challenge of meeting both Islamic and international ethical standards can create confusion for producers and complicate the development of a standardized halal certification process, which is crucial for maintaining Indonesia's competitiveness in global markets.

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