

FATWA ON SWALLOW'S NEST

Fatwa Commission of the Indonesian Ulema Council (MUI), after :

CONSIDERING: a. that in the midst of the community there is a cultivation of swallows that

taken from the nest and used for various purposes

consumptive, both for food and medicine;

b. that the swallow's nest comes from the liquid that comes out

with saliva that has dried, and it is not uncommon to mix

with dirt, there is even an assumption in some communities

that swallow's nest comes from saliva that has been

drying;

c. that in such a case, questions arise regarding

The law of consuming swallow's nest and

cultivate it;

d. that it is therefore considered necessary to establish a fatwa on

The law of the swallow's nest to be used as a guide.

Al-Quran :

a. The Word of Allah SWT which affirms the commandment to consume halal and thayyib food, including:

يَا أَيُّهَا النَّاسُ كُلُوا مِمَّا فِي الْأَرْضِ حَلَالًا طَيِّبًا وَلَا تَتَّبِعُوا خُطُوَاتِ الشَّيْطَانِ إِنَّهُ لَكُمْ عَدُوٌّ مُّبِينٌ ١٦٨

“O humanity! Eat from what is lawful and good on the earth and do not follow Satan’s footsteps. He is truly your sworn enemy.” (2:168)

يَا أَيُّهَا الَّذِينَ ءَامَنُوا كُلُوا مِن طَيِّبَاتِ مَا رَزَقْنَاكُمْ وَاشْكُرُوا لِلَّهِ إِن كُنتُمْ إِيَّاهُ تَعْبُدُونَ ١٧٢

“O believers! Eat from the good things We have provided for you. And give thanks to Allah if you ‘truly’ worship Him ‘alone’.” (2:172)

وَكُلُوا مِمَّا رَزَقَكُمُ اللَّهُ حَلَالًا طَيِّبًا ۗ وَاتَّقُوا اللَّهَ الَّذِي أَنْتُمْ بِهِ مُؤْمِنُونَ ۝۸۸

“Eat of the good, lawful things provided to you by Allah. And be mindful of Allah in Whom you believe.” (5:88)

b. The Word of Allah SWT which explains about halal

something good and haram something bad, among the

It is stated in Surah al-A'raf verse 157:

وَالْمُنْكَرَ وَيُحِلُّ لَهُمُ الطَّيِّبَاتِ وَيُحَرِّمُ عَلَيْهِمُ الْخَبَائِثَ

“permits for them what is lawful and forbids to them what is impure,” (7:157)

C. The Word of Allah SWT which explains about halal

something good and haram something bad, among the

It is stated in Surah al-A'raf verse 157:

قُلْ لَا أَجِدُ فِي مَا أُوحِيَ إِلَيَّ مُحَرَّمًا عَلَى طَاعِمٍ يَطْعَمُهُ إِلَّا أَنْ يَكُونَ مَيْتَةً أَوْ دَمًا مَسْفُوحًا أَوْ لَحْمَ خنزِيرٍ فَإِنَّهُ رَجَسٌ أَوْ فِسْقًا أُهْلًا لِغَيْرِ اللَّهِ بِهِ ۗ

“Say, ‘O Prophet,’ ‘I do not find in what has been revealed to me anything forbidden to eat except carrion, running blood, swine—which is impure—or a sinful offering in the name of any other than Allah.’” (6:145)

حُرِّمَتْ عَلَيْكُمُ الْمَيْتَةُ وَالدَّمُ وَلَحْمُ الْخنزِيرِ وَمَا أُهْلَ لِغَيْرِ اللَّهِ بِهِ ۗ وَالْمُنْخَنِقَةُ وَالْمَوْقُوذَةُ وَالْمُتَرَدِّيَةُ وَالنَّطِيحَةُ وَمَا أَكَلَ السَّبُعُ إِلَّا مَا ذَكَّيْتُمْ وَمَا ذُبِحَ عَلَى النُّصُبِ

“Forbidden to you are carrion, blood, and swine; what is slaughtered in the name of any other than Allah; what is killed by strangling, beating, a fall, or by being gored to death; what is partly eaten by a predator unless you slaughter it; and what is sacrificed on altars.” (5: 3)

2. Hadith of the Prophet PBUH, among others:

a. Some hadiths that explain the types of animals that are forbidden, include:

1. Hadith of the Prophet PBUH, among others: a. Some hadiths that explain the types of animals that are forbidden, include:

عَنْ ابْنِ عَبَّاسٍ قَالَ نَهَى رَسُولُ اللَّهِ -صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ- عَنْ كُلِّ ذِي نَابٍ مِنَ السَّبَاعِ وَعَنْ كُلِّ ذِي مِخْلَبٍ مِنَ الطَّيْرِ (رواه الجماعة إلا البخاري والترمذي)

From Ibn 'Abbas he said: The Prophet (peace and blessings of Allaah be upon him) forbade (to eat) any wild animal that has fangs and every bird that has strong claws" (HR

Pilgrims except Imam al-Bukhari and al-Turmudzi)

2. The bird was ordered to be killed, like a raven, as narrated by Aisha ra:

عَنْ عَائِشَةَ رَضِيَ اللَّهُ عَنْهَا عَنْ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ خَمْسٌ فَوَاسِقٌ يُقْتَلْنَ فِي الْحَرَمِ الْفَأْرَةُ وَالْعَقْرَبُ وَالْحَدْيَا وَالْغُرَابُ وَالْكَلْبُ الْعَقُورُ (رواه مسلم)

From Aisha she said: The Messenger of Allah (peace and blessings of Allaah be upon him) said: There are five

things that fall into the category of fawasiq and are killed (if found) in

Haram land, scorpions, rats, "hidya", crows, and

The Dog of 'Aquur' (Hr. Muslim)

3. The birds are forbidden to be killed like the hud-hud and shurad (tengkek birds), as in

Hadith of Ibn Abbas:

عَنْ ابْنِ عَبَّاسٍ قَالَ إِنَّ النَّبِيَّ -صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ- نَهَى عَنْ قَتْلِ أَرْبَعٍ مِنَ الدَّوَابِّ التَّمْلَةُ وَالتَّحْلَةُ وَالْهُدْهُدُ وَالصُّرْدُ (رواه أحمد وأبوداود وابن ماجه)

From Ibn 'Abbas he said: The Prophet (peace and blessings of Allaah be upon him) forbade kill four types of animals; ants, bees, birds

hudhud, and shurad (bird-stumping) (HR. Ahmad, Abu Dawud, and Ibn Majah)

b. A narration that confirms the purity of the drinking water cats, donkeys and wild animals, which can be understood

(mafhum) that the saliva of the animal is holy,

As he said:

عَنْ كَبْشَةَ بِنْتِ كَعْبٍ أَنَّ أَبَا قَتَادَةَ دَخَلَ عَلَيْهَا ثُمَّ ذَكَرَتْ كَلِمَةً
مَعَهَا فَسَكَتَ لَهُ وَضُوءًا، فَجَاءَتْ هِرَّةٌ فَشَرِبَتْ مِنْهُ فَأَصْعَى لَهَا
الِإِنَاءَ حَتَّى شَرِبَتْ، قَالَتْ كَبْشَةُ: فَرَأَيْتُ أَنْظُرُ إِلَيْهِ، فَقَالَ: أَتَعْجِبِينَ
يَا ابْنَةَ أَحْيَى؟ فَقَالَتْ: نَعَمْ، قَالَ: إِنَّ رَسُولَ اللَّهِ - صَلَّى اللَّهُ عَلَيْهِ
وَسَلَّمَ - قَالَ: إِنَّهَا لَيْسَتْ بِنَجَسٍ، إِنَّمَا هِيَ مِنَ الطَّوَائِفِ عَالِيكُمْ
وَالطَّوَائِفَاتِ (رواه النسائي ومالك وأبو داود وأحمد وابن ماجه)

From Kabsyah bint Ka'b ra that Abi Qatadah was a guest

to him, Kabsyah told him, then he prepared water

to perform ablution, then the cat's tail came and drank

from the water, and Kabsyah said: Wait a minute, Abi

Qatadah said: "Are you surprised??" he replied: "Yes".

He said: The Messenger of Allah (peace and blessings of Allaah be upon him) said: "Verily

The cat is not unclean, because it is only an animal

that are often around.

عَنْ جَابِرِ بْنِ عَبْدِ اللَّهِ عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنَّهُ سُئِلَ:
أَتَتَوَضَّأُ بِمَا أَفْضَلْتِ الْحُمْرُ؟ قَالَ: نَعَمْ وَبِمَا أَفْضَلْتِ السَّبَاعُ كُلَّهَا
(رواه البيهقي).

From Jabir ibn Abdillah (ra) from the Prophet PBUH he was asked:

"Can we perform ablution from used water?

(drink it) donkey? The Prophet replied: "Yes, it is also possible from

former beasts" (HR. al-Baihaki)

عَنْ يَحْيَى بْنِ عَبْدِ الرَّحْمَنِ بْنِ حَاطِبٍ أَنَّ عُمَرَ بْنَ الْخَطَّابِ خَرَجَ
فِي رَكْبٍ فِيهِمْ عَمْرُو بْنُ الْعَاصِ حَتَّى وَرَدُوا حَوْضًا فَقَالَ عَمْرُو
بْنُ الْعَاصِ لِصَاحِبِ الْحَوْضِ يَا صَاحِبَ الْحَوْضِ هَلْ تَرُدُّ حَوْضَكَ
السَّبَاعُ فَقَالَ عُمَرُ بْنُ الْخَطَّابِ يَا صَاحِبَ الْحَوْضِ لَا تُخْبِرْنَا فَإِنَّا
نَرُدُّ عَلَى السَّبَاعِ وَتَرُدُّ عَلَيْنَا (رواه مالك والبيهقي والدارقطني).

From Yahya ibn Abdirrahman ibn Hathib that Umar ibn

Khattab traveled by car with 'Amr ibn Ash,

until it passes through the lake. Then 'Amr ibn 'Ash asked

to the owner of the well: "O owner of the well, is there any

Wild beasts that come (drink) to your well? Then

Umar Ibn Khattab cut off: "O owner of the well, do not

You answered, because we (drank) over the animals

and wild beasts (also drink drinks) us. (HR.

Imam Malik, al-Baihaki, and al-Daru Quthni)

عَنِ ابْنِ عُمَرَ قَالَ خَرَجَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - فِي بَعْضِ أَسْفَارِهِ فَسَارَ لَيْلًا فَمَرُّوا عَلَى رَجُلٍ جَالِسٍ عِنْدَ مَقْرَأَةٍ لَهُ فَقَالَ عُمَرُ يَا صَاحِبَ الْمَقْرَأَةِ أَوْلَعْتَ السَّبَّاحَ اللَّيْلَةَ فِي مَقْرَأَتِكَ فَقَالَ لَهُ النَّبِيُّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - « يَا صَاحِبَ الْمَقْرَأَةِ لَا تُخَيِّرُهُ هَذَا مُكَلَّفٌ لَهَا مَا حَمَلَتْ فِي بَطُونِهَا وَلَنَا مَا بَقِيَ شَرَابٌ وَطَهُورٌ » (رواه الدار قطني).

From Ibn Umar he said: The Messenger of Allah (peace and blessings of Allaah be upon him) said:

walking at night on part of his journey,

Cross paths with someone who is sitting in the pool

His - that is, the puddle (basin) of the shelter

then Umar asked: "O owner of the pool, what is the

Tonight there is a wild beast licking your pool? Prophet

The Prophet (peace and blessings of Allaah be upon him) said: "O owner of the pool, do not tell me,

This is excessive. For the beast there is a right (to

drink) in his stomach and for us what is left (may)

drinking and purifying. (Narrated by al-Daru Quthni)

3. Ijma Ulama Imam Ibn Mundzir in his book "al-Ijma'" page 34 narrates the existence of Ijma' among the madhhab of fiqh regarding the purity of the saliva of animals that are halal to eat their flesh, as follows:

Scholars agree that the remaining drinking water from animals that

the flesh is eaten, the law is pure, it is permissible to drink (from

water that the animal has been drinking) and it is also permissible to

"him"

1. The opinion of Wahbah al-Zuhaili in al-Fiqh al-Islami wa Adillatuh (1/298) explains the opinion of Shafi'iyah as follows:

"Fluids that come out of every type of animal such as sweat, water saliva, snot, and mucus are sacred unless it is believed to come out of the stomach...."

2. The opinion of Sayyid Sabiq in Fiqh al-Sunnah (2/444) regarding the meaning of "khabits" (dirty) which is haram is as follows:

In the Book of al-Darari, it is confirmed that there is an opinion that affirm the notion of goodness by humans in general, not restricted by the Arab community, saying: "The animal that considered dirty by humans (in general), not because there is 'illat, not because I am not used to it, but only because I am not used to it. Because it is considered dirty (disgusting), it is haram. If The perception of dirty (disgusting) is only in part community, not in some others, then what counts is what is perceived by the majority of society, such as terrestrial creeping animals (gestures) and many other types of animals that In general, not consumed by humans, most will But there is no specific evidence that prohibits it. Usually, it abandoned and not consumed because it is considered dirty (disgusting). Thus it is included in the general Allah said: "And He has forbidden for them all that is bad..."

Included in "al-khabaits" is every thing that is considered to be dirty such as saliva, snot, sweat, sneezing, feces, fleas, mosquitoes,

and so on.

"Al-Khabaits (all that is bad that is forbidden by the

Allah SWT) is everything that is disgusted by the

Those who have a normal dzauq (taste), really

There are also those who individually (not

look at disgust to the extent that it allows".

1. Explanation of Dr. Rustama Saepudin, swallow expert from the Faculty of Agriculture, University of Bengkulu in the Fatwa Commission Meeting on December 15, 2011 which explained that swallow nests come from substances stored from bird caches mixed with substances derived from salivary glands; The process is similar to honey secreted by bees.
2. The paper submitted by Dr. HM Asrorun Ni'am Sholeh which was delivered at the Fatwa Commission Meeting on December 8, 2011, which essentially explained that swallows are ma'kul al-lahm animals (animals whose flesh can be eaten by first slaughtering them according to shari'i), and that swallow saliva is sacred, so consuming swallow's nest is permissible; Likewise, cultivate it.
3. Opinions, suggestions, and inputs that developed in the Fatwa Commission Session at the last Fatwa Commission Meetings on January 12, 2012.

By trusting in Allah SWT

FATWA ON SWALLOW'S NEST

First: General Provisions

In this fatwa, what is meant by:

A swallow's nest is a nest made by a swallow,

derived from substances stored in mixed bird caches

with substances derived from salivary glands (saliva) that have been

dried.

Second: Legal Provisions

1. Swallow's nest as intended in the provisions

common is holy and halal.

2. In case the swallow's nest is mixed with or affected

unclean goods (such as excrement), must be purified according to shari'i

(Tathhir Syar'i) before consumption, the ordinance of which refers to

in MUI Fatwa Number 2 of 2010.

3. The cultivation of swallow's nests is legal.

Third: Closing Provisions

1. This fatwa comes into force on the date set by the

If in the future it needs improvement, it will

improved and refined as it should be.

2. So that every Muslim and those in need can

to know this, appealing to all parties to disseminate

fatwa.

Established in : Jakarta

On : 17 S h a f a r 1433 H

January 12, 2012 m

INDONESIAN ULEMA COUNCIL

FATWA COMMISSION

FATWA SUMMARY: Swallow's Nest (Bird's Nest)

□ 1. Authority

► Fatwa Commission of the Indonesian Ulema Council (MUI)

- Issued in response to public questions about consuming and cultivating swallow's nests.
- Considerations:
 - Swallow nests are harvested for food and medicinal purposes.
 - Nests are made from dried saliva, sometimes mixed with dirt.
 - Guidance was needed for lawful consumption and cultivation.

□ 2. Qur'anic Basis

- Eat what is **lawful and good (halal and thayyib)**:
 - 2:168 – Eat from what is lawful and good; do not follow Satan.
 - 2:172 – Eat what Allah has provided and be grateful.
 - 5:88 – Eat lawful and good, mindful of Allah.
- 7:157 – Allah permits lawful things and forbids the impure.
- 6:145 – Forbidden: carrion, flowing blood, swine, and offerings to others than Allah.
- 5:3 – Forbidden includes carrion, blood, swine, animals killed improperly, and sacrifices to others.

□ 3. Hadith Basis

- Some wild animals and birds with fangs/claws are forbidden to eat.
- Other animals, like cats, donkeys, and birds like swallows, are **pure**; their saliva or drinking water does not become impure.
- Saliva and secretions of lawful animals are **pure** unless it comes from the stomach.

□ 4. Scholarly Opinions

- Ijma (consensus) among fiqh scholars: saliva and fluids of animals whose meat is halal are **pure**.
- Wahbah al-Zuhaili: sweat, saliva, snot, mucus of lawful animals are sacred.
- Sayyid Sabiq: something considered dirty by humans is haram if widely perceived as disgusting, but swallow saliva is not considered filthy.

□ 5. Expert Explanation

- Dr. Rustama Saepudin: swallow nests are made from salivary gland secretions mixed with stored substances, similar to honey.
- Dr. HM Asrorun Ni'am Sholeh: swallows are lawful to eat if slaughtered, and their saliva is **pure**, so nests are halal.

□ 6. Definition in Fatwa

- **Swallow's nest**: a nest made by swallows from dried salivary secretions mixed with stored substances.

□ 7. Legal Provisions (Hukm)

1. Swallow's nest is **pure and halal**.
2. If the nest is mixed with impurities (e.g., excrement), it must be **purified according to Shari'i (Tathhir Syar'i)** before consumption (see MUI Fatwa No. 2 of 2010).
3. **Cultivation of swallow nests is lawful**.

□ 8. Closing Provisions

- Fatwa is effective from the set date.
- Subject to correction or improvement if new information arises.
- Muslims and relevant parties are encouraged to **disseminate this fatwa**.

☑ SUMMARY RULING:

- Swallow's nest → **halal** for consumption and cultivation.
- Must be purified if contaminated with unclean substances.