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ANIMAL RIGHTS IN ISLAM

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Abstract

Both the Qur'an and the sayings of the Prophet Muhammad (Hadith) frequently mention animals. The Qur'an declares that God does not shy away from drawing comparisons, even with a gnat, and two of the Suras (chapters) are indeed named after insects: the ant and the bee. The Qur'an speaks of animals being 'communities like yourselves', a phenomenon Western zoologists now study more fully and document in film and scientific reports. Animals and humans all share in the bounty of God's creation.

One of the Prophet's followers was surprised to hear him urge kindness to animals and state that people would be rewarded for it, so it seems that animal rights were not widely recognised at the time. Even when killing animals for food, Muslims are instructed to treat them with kindness and consideration and do the deed well, ever mindful that they are God's creatures. It is not just a question of whether stunning kills the animal or not, but whether it is a kindness to the animals or not. In fact the Prophet himself ate very little meat.

Islamic law as it evolved through interpretation (*fiqh*) does not always enshrine the full spirit of the teachings of the Qur'an and the Prophet, on which it is based, and can be inconclusive, but it does provide some measures beneficial to animals, such as a general prohibition against harming them, recognition of the rights of animals to be provided with food and drink, and provision of *hima* (reserves / sanctuaries), as well as prohibitions against eating and selling certain classes of animals.

ANIMAL RIGHTS IN ISLAM

Animals rights debates can be traced back to the 6th century BC with the likes of Pythagoras and then, a couple of hundred of years later, with Aristotle in the 4th century. The problem is that no real conclusion or consensus was gained by the debates. Pythagoras wrote ,

> "For as long as men massacre animals, they will kill each other. Indeed, he who sows the seed of murder and pain cannot reap joy and love."

Aristotle (384 - 322 BC) thought animals existed to provide humans with food and other provisions. He argued that animals are below humans because only humans can reason and therefore we could use animals without the consideration we would give to people. There are still debates going on around the Internet on whether animals have souls.

There is usually silence in history books about the period between the Romans and the Renaissance, but this was the Golden Age of Islamic Civilization. Inspired by the teachings of the Qur'an. Muslims collected knowledge and wisdom from around the world, not just from Greece but also from India, China, Persia and other places. Books were translated into Arabic and Muslim scholars read them, worked on them, criticized them and developed the ideas they found, introducing experiment as a way of verifying them. Copies of their works were disseminated to public libraries in all corners of the Muslim world, many, including the Qur'an (in 1143), finding their way into Europe in Latin translations.[1]

The Qur'an, revealed to the Prophet Muhammad between 610 and 632 CE is full of verses describing nature and exhorts man to study it. Qur'an 2:26 declares that:

> *God does not shy from drawing comparisons even with something as small as a gnat*[2]

Indeed, in the Qur'an there are suras (chapters) called 'the Ant', 'the Bee' and 'the Spider'. The spider's house (web) is used in the Qur'an as an image to describe the weakness of the tissue of lies spun by idolaters.[3]

> *Those who take protectors other than God are like spiders building themselves houses—the spider's is the frailest of all houses—if only they could understand.*[4]

'The Ant' sura contains the story of King Solomon at the head of his army, listening to an ant, who ordered its people:

> *'Ants! Go into your homes, in case Solomon and his hosts crush you without noticing.' Solomon smiled broadly at its words and said, 'Lord, inspire me to be thankful for the blessings You have granted me and my parents, and to do good deeds that please You; admit me by Your grace into the ranks of Your righteous servants.'*[5]

In 'the Bee' sura, the bee is shown as being inspired by God:

> *Your Lord inspired the bee, saying, 'Build yourselves houses in the mountains and trees and in what people construct. Then feed on all kinds of fruit and follow the ways made easy for you by your Lord.' From their bellies comes a drink of different colours in which there is healing for people. There truly is a sign in this for those who think.*[6]

The Qur'an teaches that animals are God's creatures, who worship Allah:

> *The seven heavens and the earth and everyone in them glorify Him. There is not a single thing that does not celebrate His praise, though you do not understand their praise*

Animals in the Qur'an, like the rest of God's creation, worship and submit to God. Unlike human beings they do not seem to have the capacity to disobey His laws and so deserve punishment:

> *Do you not realize [Prophet] that everything in the heavens and earth bows down to God: the sun, the moon, the stars, the mountains, the trees, and the animals? So do many human beings, though for many others punishment is well deserved.*[7]

Allah honoured man with authority over animals:

> *We have honoured the children of Adam and carried them by land and sea. We have provided good sustenance for them and favoured them specially above many of those We have created.*[8]

> *He has subjected / tamed all that is in the heavens and the earth for your benefit,*[9]

but this does not mean humans have a license to do as they please. God subjects / tames animals for us to use for our benefit and so that we may be grateful and glorify Him but He is equally capable of making His creations wild and dangerous to people if He wills, and of taking away all that He has given to people, if they prove ungrateful and disobedient. Examples of such punishments abound in the Qur'an, from gardens that are taken for granted and inspire arrogance in their owners, water that disappears into the ground or floods, or rages in the ocean, but none of these examples depicts animals rebelling and harming human beings, as sometimes happens if the animals are treated badly, deprived of food or habitat. Instead, positive treatment of animals is shown. They have a right to water and food, which is provided by God for all, humans and animals.

> *Which is harder to create: you people or the sky that He built, raising it high and perfecting it, giving darkness to its night and bringing out its morning brightness, and the earth that He spread out, bringing waters and pastures out of it, and setting firm mountains [on it] for you and your animals to enjoy?* [10]

In more than one instance the animals come first in the order of God-given rights to water:

> *We send down pure water from the sky, so that We can revive a dead land with it, and We give it as a drink to many animals and people We have created*[11]

The beauty of animals is shown,

> *And livestock—He created them for you too. You derive warmth and other benefits from them: you eat some of them; you find beauty in them when you bring them home to rest and when you drive them out to pasture.*[12]

and some of the wonders of their usefulness to human beings are emphasised:

> *They carry your loads to lands you yourselves could not reach without great hardship—truly your Lord is kind and merciful! — horses, mules, and donkeys for you to ride and use for show, and other things you know nothing about.*[13]

> *In livestock, too, you have a lesson—We give you a drink from the contents of their bellies, between waste matter and blood, pure milk, sweet to the drinker.*[14]

Animals are also mentioned for the signs of God's power that can be observed in them, quite apart from their usefulness to human beings:

> *Do they not see the birds above them spreading and closing their wings? It is only the Lord of Mercy who holds them up: He watches over everything.*[15]

A very important verse states that

> *... all the creatures that crawl on the earth and those that fly with their wings are communities like yourselves ...*[16]

Biologists[17] are now finding out more and more about the communities of animals, from plankton to dolphins and primates, and documenting the

relationships between members of such communities. Jane Goodall[18] was one of the pioneers of the study of chimpanzee communities, living close to them and giving them all names. Since then she has championed animal rights and set up her own foundation.

Human ill-treatment of animals is condemned in the Qur'an, particularly when resulting from pagan superstitions. Here, Satan is credited with inciting people to such practices

> *In His place the idolaters invoke only females, and Satan, the rebel God rejected, who said, 'I will certainly take my due share of Your servants; I will mislead them and incite vain desires in them; I will command them to slit the ears of cattle; I will command them to tamper with God's creation.'*[19]

Muslims are forbidden to eat animals which have died from such painful means as beating, strangulation or falling, as well as those killed in the name of other gods, and those found already dead.[20]

These principles were all taken from the Qur'an. I shall now move to the practice (sunna) of the Prophet Muhammad, as found in the reports of his sayings and deeds (the Hadith). The example of the Prophet is praised in the Qur'an,[21] which instructs Muslims to, 'Obey God and obey the Prophet'.[22]

Sayings of the Prophet (Hadith)

The Prophet Muhammad (pbuh) demonstrated kindness, care and general good principles for the treatment of animals, which form a benchmark for Muslims. He outlawed killing animals for sport, told people not to overload their camels and donkeys, commanded that slaughtering an animal for food be done with kindness and consideration for the animal's feelings and respect for Allah who gave it life, he even allowed his camel to choose the place where he built his first mosque in al-Madinah.

We have no right to neglect or harm other creatures nor to kill them out of anger, greed, pleasure or self-indulgence. As with all our actions there is accountability here too. The Prophet was asked if acts of charity even to the

animals were rewarded by Allah. He replied, “Yes, there is a reward for every one with a moist liver. " (i.e. every living being).[23]

Professor Richard Foltz in his book *Animals in Islamic Tradition and Muslim Culture* sums up the Islamic principles neatly, saying: Muslims should ‘kill animals only to satisfy hunger or to protect themselves from danger’.

Hunting for sport is banned, in a hadith (saying) of the Prophet Muhammad, which indicates that animals, like people, will get justice in the next world:

> The Prophet said: 'If someone kills a sparrow for sport, the sparrow will cry out on the Day of Judgment "O Lord ! That person killed me in vain ! He did not kill me for any useful purpose." '[24]

Another version of this hadith explains one useful purpose for killing an animal.

> The Prophet said, "Whoever kills a sparrow or anything bigger than that without a just cause, Allah will hold him accountable on the Day of Judgment." The listeners asked, "O Messenger of Allah, what is a just cause?" He replied, "That he will kill it to eat, not simply to chop off its head and then throw it away." [25]

The Prophet's condemnation of using animals for target practice was strong:

> Sa'd bin Jubair said, 'While I was with Ibn Umar, we passed by a group of young men who had tied a hen and started shooting at it. When they saw Ibn Umar, they dispersed, leaving it. On that Ibn Umar said, "Who has done this ? The Prophet cursed the one who did so. " '[26]

Even when using hunting animals and birds to catch food the prey must be quickly and humanely slaughtered:

> When you set your dog (for the chase), mention the name of Allah, if he catches the game, and you reach it while it is still alive, cut, its throat quickly (so it won't suffer)." [27]

Some practices only recently banned in the UK were banned by the Prophet 1400 years ago:

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> The Prophet not only preached to the people to show kindness to one another but also to all living creatures. He forbade the practice of cutting tails and manes of horses, of branding animals at any soft spot, and of keeping horses saddled unnecessarily.[28]

He would have approved of the RSPCA's efforts to save neglected and ill-treated animals:

> The Prophet told his companions of a woman who would be sent to Hell for having locked up a cat; not feeding it, nor even releasing it so that it could feed itself. [29]

Sharks' fin soup[30] would also have been prohibited:

> Any part cut off a living animal is dead flesh (i.e. unlawful to eat).[31]

In fact the Prophet cared deeply about the welfare of animals both physically and psychologically:

> If the Prophet saw any animal over-burdened or ill-fed he would pull up alongside the owner and say, "Fear God in your treatment of animals." [32]

> We were on a journey with the Messenger of God, and he left us for a while. During his absence, we saw a bird called *hummara* with its two young and took the young ones. The mother bird was circling above us in the air, beating its wings in grief, when the Prophet came back and said: 'Who has hurt the feelings of this bird by taking its young? Return them to her'. [33]

This applies even when slaughtering an animal for food;

> The Prophet said, "Allah has ordained kindness (and excellence) in everything. If the killing (of animals) is to be done, do it in the best manner, and when you slaughter, do it in the best manner by first sharpening the knife, and putting the animal at ease." [34]

To make such teachings accessible to Muslims and non-Muslims alike, Compassion in World Farming and the Islamic Foundation's Kube Publishers

recently published a new edition of a book by Al-Hafiz Basheer Ahmed al-Masry called '*Animal Welfare in Islam'.*[35]

Islamic Jurisprudence and Shari'a Law

Islamic law (*Sharī'a*) has been built up over many centuries on the basis of the Qur'an and the Prophetic hadiths, as well as incorporating local customs, in particular those of the people of Madina after the death of the Prophet Muhammad. More recently, European and American laws have been influential in formulating laws based on *Sharī'a*. In the early period, starting in the second century after the Prophet Muhammad, various methods were used by different interpreters, which later resulted developed into the four schools of Islamic law *madhāhib (*sing*. madhhab)*. Some sayings of the Prophet were deemed weaker than others and so carried less weight, based on the likelihood of them being remembered and transmitted correctly by the 'chains' of named narrators who passed them on from one to the other. This meant that some of the hadiths quoted above were discounted in favour of others, but even the weak hadiths could be used as guidance if there was nothing stronger that contradicted them. The laws of Islam do reflect some concern for animals and the way they are treated.

The hadith mentioned above, about the cat that died from neglect and confinement, for example, is quoted, by way of analogy, in support of the view that birds should not be caged, but it is also argued by some, on the basis of the same hadith, that if the owner feeds and cares for the bird properly, there is no reason why birds should not be kept in cages.

The laws about slaughtering animals for food have been interpreted by some modern *halal* inspection authorities[36] as being chiefly about whether the animal dies from stunning or from having its throat cut according to the prescriptions of the hadith. Whether the animal is distressed or suffers seems to play little part in their deliberations, although the hadith quoted above makes clear that the animal should be comforted. Other Muslim scholars, however, stress that the animal should not see other animals being slaughtered, or even the knife being sharpened, and should be fed and watered before being slaughtered.[37] Many 'green' Muslims nowadays lay emphasis on the Qur'anic prescription that the meat should be 'wholesome' *tayyib,* as well as lawful, and seek ways to eat only organic *halāl* (Islamically lawful) meat. This is expensive and difficult (but not impossible) to find and some are conscientious enough to give up meat altogether or eat very little.

Although the Prophet to have praised eating meat in moderation, his example (*sunna*) supports eating very little meat by today's standards:

> Aishah (the Prophet's wife) said ‘A complete month would pass by during which we would not make a fire (for cooking), and our food used to be only dates and water unless we were given a present of some meat.[38]

The Prophetic hadiths prohibiting the use of some animal skins in furnishings, for example

> “The angels do not accompany a group of people among whom there is a tiger skin.”[39]

along with considerations of blameworthy displays of extravagance and whether the animal is lawful or forbidden, form the basis for arguing that such animal skins cannot be used for furnishings or clothes. This and other prohibitions in the hadith literature on eating various species and classes of animals (predators, amphibians, donkeys etc.) tend towards the protection of some species, including monkeys and apes with canine teeth:

> Ibn 'Abbas reported that Allah's Messenger prohibited the eating of all fanged beasts of prey, and all the birds having talons.[40]

There is hadith of the Prophet

> On the authority of Abū az-Zubayr, who said: I asked Jābir about (the ruling on) the revenue (from the sale) of cats and dogs. He replied, "The Prophet) strictly forbade that." It was collected by Muslim and an-Nasā'ī, who added: "Except for hunting dogs."

Legal interpreters (*fuqahā'*) have tried to find a reason for this strong prohibition (Arabic verb *zajara*) but only come up with the idea of uncleanness, although the cat is not considered unclean. Another hadith adds the revenue from prostitutes and soothsayers to the list of forbidden income, which adds weight to the 'unclean' argument. On the basis of this, trade in other unclean and useless or dangerous animals (like snakes and lizards) is discouraged, and also considered as a waste of money.

Another hadith, which is seldom mentioned, forbids trade in slaves (now known as 'people-trafficking'):

> "There are three categories of people against whom I shall myself be a plaintiff on the Day of Judgement. Of these three, one is he who enslaves a free man, then sells him and consumes this money"[41]

Slaves in early Islam were either prisoners of war or people lacking family protection for some other reason, who need to be taken into the care and protection of richer and better established households. They were to be treated like members of the family, could marry, and were encouraged to work for money, if they could, to pay for their freedom / independence from the proceeds. The Prophet himself married at least one prisoner of war (Ṣafiyya bt. Huyyay) and adopted his slave Zayd as his son.

In view of the anti-slave-trade hadith, those on trading various animals and if one adds to this the hadiths showing disapproval of stealing baby birds or eggs on the clear grounds of hurting the mother's feelings, there is a strong body of evidence against trading in most of God's sentient creatures. Only domesticated riding, agricultural, hunting, food animals and fish seem to be left!

Sanctuaries (*hima*)

Sanctuaries (*hima*) can be set up under Islamic law for wildlife as well as for grazing animals needed for public purposes, like war horses and camels. The original *hima*s or *harim* zones also protected water sources from pollution and misuse. The conditions for creating a *hima* are:

1. It should be created in response to a definite public need
2. It should not cause harm
3. It should be in a place without buildings or cultivation
4. Most importantly, the purpose of *hima* is to protect public interest.[42]

The Prophet himself set up a *hima* in Medina:

> After emigrating to Medina, the Prophet Muhammad surveyed the natural resources in the region—the *wadis* (riverbeds); the rich, black volcanic soil; the high rangelands—and decreed that they be preserved and set aside as a *hima*, an Arabic term meaning “protected place.”
>
> He told his followers, “Verily Abraham declared Makkah a sanctuary and I declare al-Madinah, that which lies between its two lava flows, to be a sanctuary; its trees shall not be cut and its game shall not be hunted,”.[43]
>
> > “The Prophet Muhammad laid down guidelines that transformed the *hima* into one of the essential instruments of conservation in Islamic law,” said *hima* advocate and authority Othman Abd ar-Rahman Llewellyn, of the Saudi National Commission for Wildlife Conservation and Development. “[Hima] is the most widespread

> and long-standing indigenous, traditional protected-area institution in the Middle East, and perhaps on Earth."[44]

On the basis of such views, *hima*s for the protection of biodiversity have recently been established in Saudi Arabia, Lebanon, East Africa and other places, although some of the traditional interpreters of Islamic law (*fuqahā'*) have needed some convincing:

> "There is a gulf between Muslim jurists, who tend to be more preoccupied with ritual, theological and family-type legislation, and people in conservation, who are used to working with secular laws," said [Othman] Llewellyn, who raises important questions, even as he advocates the return of *hima*s to Saudi Arabia and elsewhere. How will private land adjacent to *hima*s be affected, especially if that land is needed for the management of the *hima*? Under what circumstances should compensation be made to those who claim they have been denied access to the *hima*'s resources? Because there is no mention of coastal or marine *hima*s in the Qur'an or the sayings of the Prophet, can they be legally established? "I have spoken with jurists who say these issues can be worked out, but [*hima* advocates] need to provide them with scientific information, so that they can understand how the environment works."[45]

Ordinary Muslims are not so hard to convince. According to Othman Llewellyn

> "In many villages, respect for the tradition of the *hima* is stronger than respect for the government's environmental laws," ... "Across the Arab world, people already understand that you can't be a Muslim if you pollute the Earth and destroy habitat. What we are doing is tapping into the collective memory to help introduce a new generation to an old idea."[46]

Of course the oldest Muslim (or even pre-Islamic) Sanctuary is the Haram in Mecca, where it is prohibited to kill a human, or a harmless wild animal or cut a wild plant. Flocks of birds circle round the Ka'ba, whose eggs are protected too.

Conclusion

Birds find a welcome inside the offices of sheikhs at al-Azhar in Cairo. Cats roam freely around apartment buildings and restaurants there, and when they have kittens, are fed and sheltered by kindly people. Animals and poultry live in rooms of the older houses in Egyptian villages, and ducklings wander and even nest in the human quarters.

I saw a cats' home established by a generous donor in the old Ouadaya quarter of Rabat in Morocco. In Islamic literature and teachings, dogs have been treated as unclean (rabies threat?) but also accepted as guards and hunting companions, and even praised as being 'better than many of those who wear clothes'.[47] Early Muslim zoologists[48] in the 8-9th centuries collected existing knowledge about animals, adding more from their own observation and reflection. In contrast, western travellers even centuries later were still writing wildly exaggerated travellers' tales about mythical beasts.[49]

No doubt some working animals owned by poor people do still get worked beyond their capacity and need the services of animal hospitals, but the ethos of Islam and Muslim society, as taught by the Qur'an and the Prophet Muhammad, and partially enshrined in Islamic law, is to respect animals and care for them as sentient fellow creatures, worshipping God, and with a right to share the benefits God conferred on all His creation.

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