

Animal Protection through Islamic Shariah

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Abstract

This research aims to address animal protection and highlight ways to preserve it, and its impact on the environment in general, to achieve the required ecological balance. The problem with this research lies in many people's lack of awareness of Islamic law's stance on animals, its unique approach to their protection, and avoiding harm to them while preserving them. The importance of the research lies in demonstrating the Islamic law's concern for animals, and how it preceded all human laws in ensuring their rights and protection from all forms of assault. The research adopted an inductive method in collecting the subject's vocabulary by referring to the Quran and Sunnah, and the most famous books of the imams and scholars who addressed this issue. The research also adopted a descriptive-analytical method in analyzing texts, highlighting their universal relationships, extracting principles and rules to regulate this issue, and demonstrating its features. The study reached several conclusions, the most important of which are: that Islamic law preceded all laws and situational studies in protecting animals and ensuring their rights, including the right to life, care, and compassion, and preventing any form of assault on these rights. Also, protecting animals and preserving them is one of the causes of stability and ecological balance that the world is striving to achieve. The study recommends the importance of paying attention to animals as one of the most important elements of the environment, conducting research studies on how to protect and preserve them, creating natural reserves to protect rare species from extinction, providing veterinary care, and other means that ensure animal protection to achieve ecological balance.

Keywords: Animal Protection, Environment, Islamic Law.

Introduction:

Caring for and preserving animals is not a Western civilization achievement as some claim and others believe. Rather, it is an authentic origin in the cohesive Islamic law, which called for the protection and conservation of animals, and the promotion of benefit from them in dozens of noble verses and prophetic sayings.

There is no better evidence of respect for animals in Islamic law than the fact that a number of Surahs in the Holy Quran have been named after animals, birds, and insects, such as the Cow, the Elephant, the Hoopoe, the Bee, and the Spider. Many verses have called for the conservation of animals as an essential component of the physical environment of this existence, and warned those who attack them of painful punishment. It considered attacking animals as a form of corruption, such as when Allah says, "And when he turns away, he strives throughout the land to cause corruption therein and destroy crops and animals. And Allah does not like corruption" (Al-Baqarah: 205).

In the following pages, we will discuss the stance of Islamic law and its approach to protecting and conserving animals and ensuring their rights through the following demands:

First section

Preserving Biodiversity is a Religious Requirement

The term "biodiversity" refers to the variety of living organisms on Earth, including animals, plants, microorganisms, and the various systems they operate in. Each type of organism plays a role in the food chain of animals (Badran, 1995).

Preserving biodiversity is a religious requirement mentioned in the Quran, where Allah says: "And We said, 'Load upon the ship [i.e., ark] of every [creature] two mates and your family" (Hud,40) .This means that Noah was instructed to carry in his ship two (male and female) of every kind of animal, plant, fruit, and so on, along with his family or anyone who had believed with him, to preserve the source of species after the flood, and this meaning is the most likely" (Al-Qurtubi, 1964 & Al-Zahili, 1998).

The Islamic law forbids killing any kind of animal without legitimate reason, and it is narrated that the Prophet, peace be upon him, said: "Were it not that dogs form one of the communities (or nations – of creatures), I would have commanded that they be killed. But kill those that are all black (AbuDawud, n.d).

This hadith is considered the oldest document known in history for the preservation of biodiversity to maintain ecological balance. Islamic scholars strongly emphasized this meaning and elaborated on this hadith.

Imam Al-Khattabi commenting on this hadith says, "Its meaning is that it is disliked to destroy a nation of creatures and to eliminate a generation of creation until all of it is gone, because there is no creation of Allah except that it has a type of wisdom and benefit. He says: If the matter is like this and there is no way to kill them all, then kill their bad ones, which are the black beasts, and keep the rest to benefit from them in guarding. It is said that the black ones among them are the bad ones and the rebellious ones" (Al-Khattabi, 1932).

With these noble teachings, Islam has prevented the extinction of certain species of animals, which is a problem humanity is facing today. This has required tremendous efforts from the world to save these animals, yet these efforts have been inadequate to control and prevent the rate of extinction. As for the hadith regarding the killing of rabid dogs, the reason behind it is the harm they cause. Some scholars have stated that killing black dogs is permissible because they are considered to be "the worst of them and the most harmful," as stated by al-Khattabi. The issue, therefore, revolves around the concept of harm. The evidence in the

hadith indicates that living creatures should not be destroyed as they are nations in themselves (Al-Sarajani, 2017).

The Second section: Manifestations of Animal Protection in Islam

The Sharia of Islam showcases the manifestations of animal protection, care, and guaranteeing their rights in the following ways

1- The commandment to guarantee animal rights and prohibition of aggression against them

Islam has granted all rights to animals, starting with the right of kindness, mercy, and life. The Prophet, peace be upon him, said, "Those who show mercy, the Merciful will have mercy upon them. Show mercy to those on earth, and the One above the heavens will show mercy to you." (Al-Suyuti, 2005).

2- Indicating that kindness to animals is a reason for the forgiveness of sins

Islamic Sharia has illustrated that kindness to animals is one of the reasons for entering Paradise. This was before the establishment of what is known as the "Society for the Protection of Animals" and other associations that appeared afterwards or contemporary attempts to improve animal treatment. In the Hadith of Abu Hurairah, the Prophet, peace be upon him, said, "While a man was walking on a road, he became very thirsty, and found a well, so he went down into it, drank, and then came out. There was a dog panting, eating the dust because of thirst, so the man said, 'This dog is as thirsty as I was.' So he went back down into the well, filled his shoe with water, and held it in his mouth until he climbed up and gave the dog a drink. Allah was pleased with him, and forgave him." They said, "O Messenger of Allah, do we get a reward for treating animals kindly?" He said, "Yes, there is a reward for kindness to every living creature" (Al-Bukhari, 2001).

The Hadith states that there is great reward in treating owned and unowned animals with kindness, and Allah forgives sins through this. The evidence is that mistreating them is a burden equal to that, because treating them kindly inevitably leads to reward, whereas mistreating them is definitely a burden (Al-Barr, 2000).

3- Prohibition of starving animals by withholding food and drink from them.

Islamic law has been keen on protecting animals by prohibiting starving them and withholding food and drink from them. Those who do so are warned of severe punishment in the hereafter.

Abdullah ibn Umar (may Allah be pleased with them both) narrated that the Prophet (peace be upon him) said: "A woman was punished because of a cat which she had imprisoned until it died of hunger. She entered the Hellfire because of it. She did not provide it with food or drink while it was imprisoned, nor did she set it free to eat the insects of the earth" (Bukhari, 2001).

Some scholars have used this hadith as evidence for the obligation of providing for owned animals, just as one is obligated to provide for their family. Ibn Abd al-Barr said: "This hadith is evidence for the obligation of providing for owned animals, which is not disputed. Al-Nawawi said that the owner is obligated to provide for the animal." (Ibn Abd al-Barr, n.d, Zain al-Din al-Iraqi, n.d) "And the author of Al-Hidayah mentioned that he (peace be upon him) forbade the torture of animals" (Al-Qari, 2002).

Therefore, the prohibition of starving animals by withholding food and drink from them is not permissible in Islamic law, nor in any other law or custom.

4- Prohibition of representing animals by cutting off parts of their bodies while they are alive.

Islamic Sharia law also prohibits the representation of animals by cutting off parts of their bodies while they are alive, considering the person who does this to be expelled from the mercy of God, and that it is against human nature because it involves harm and torture to the animal.

Sa'eed bin Jubair said: "I went out with Ibn Umar on a road in Madinah, and we saw some boys throwing a chicken. Ibn Umar said, 'Who did this?' They dispersed, and he said, 'The Messenger of Allah cursed whoever represents animals (Al-Darami, 2000).

Imam Al-Ayni explained the severe warning in the hadith by the harm and torture inflicted on the animal in this act, which the Sharia law mandates mercy, kindness, and compassion towards it, even in the case of slaughtering it (Al-Qari, 1990).

This noble hadith provides evidence for the prohibition of torturing animals by representing them while they are alive or attempting to triumph over them by deceiving them and stabbing them with knives and arrows in their back as a false show of bravery in a fake wrestling match, as in bullfighting, where advocates of animal welfare see how poor animals are tortured, and make a spectacle of their suffering to entertain the crowds. Islam, which is the religion of mercy, has forbidden this in the strongest possible terms due to its cruelty and brutality (Al-Qari, 1990).

5- Prohibition of burning animals and their offspring:

The Prophet ﷺ warned against torturing and burning animals, and this is not the habit of a Muslim. Abdullah bin Mas'ud reported in Sunan Abi Dawud that they were traveling with the Prophet ﷺ when they came across a scarlet tanager bird with its young. They took the young, and when the mother returned, she began to spread her wings. The Prophet ﷺ said, "Who has distressed this bird by taking its young? Return the young to it." They also came across a village of ants that they had burned, and the Prophet ﷺ said, "Who burned this?" They replied, "We did." He said, "It is not appropriate to punish with fire except by the Lord of the Fire." (AbuDawud, n.d).

The Prophet's ﷺ question about the identity of the companion who took the two chicks carries within it disapproval of this act and a rebuke for whoever caused the young scarlet tanagers to be deprived of their right to life and their mother's care (Al-Qari, 1990).

In this noble hadith, the perfection of the mercy of the Messenger of Allah ﷺ towards every creature of Allah the Almighty is evident, through his prohibition of causing distress to a mother by separating her from her son and burning her heart for her baby due to this heinous act that harms her. This act is explicitly forbidden, as Allah Almighty has placed mercy in the hearts of human beings, and we also see mercy in the heart of a mother when she comes looking for her baby until our noble Prophet ﷺ orders her son to be returned to her. The Prophet ﷺ also draws attention to another issue, namely burning with fire. Burning with fire is not a characteristic or right of humans, but it is the right of the Creator of humans, the Almighty. Burning with fire is incompatible with the attribute of mercy placed in the hearts, especially when there is no justification for it.

This meaning was confirmed by what the scholar Ibn Uthaymeen wrote when he commented on this hadith in his book "Sharh Riyad al-Saliheen". He said, "It means that it is not permissible for a person to torture someone by burning them, because torture can be inflicted without it, and the limits can be established without it. Therefore, burning is an increase in torture that is unnecessary...Then the Prophet (peace be upon him) went for his need and

found the companions with a Hamra bird and its two chicks. They took the chicks, and the bird began to circle around them, as it is usual for birds when their offspring are taken away. This is because Allah Almighty has put mercy in the hearts of animals for their offspring, to the extent that an animal lifts its hoof over its young to protect it from harm. This is from the wisdom of Allah Almighty. The Prophet (peace be upon him) ordered them to release the chicks to their mother, so they released them. Then he passed by a village of ants that had been burned, and he said, "Who burned this?" They said, "We did, O Messenger of Allah, the community of ants inside their holes." So they burned them with fire. The Prophet (peace be upon him) said, "No one should be tortured with fire except the Lord of the Fire," and he forbade that (Uthaymeen, 2005).

Conclusion

The most important results of the research are

1-The Islamic Sharia preceded all laws and situational studies in protecting and ensuring the rights of animals. It granted animals rights such as the right to life, care, and compassion, and prohibited any form of aggression against these rights.

2- Protecting and conserving animals is one of the causes of environmental stability and balance that the world seeks to achieve.

3- The Islamic Sharia has established principles, foundations, and rules that guarantee a safe life for animals, which maximizes their benefit and ensures their function in life.

4- The Islamic Sharia prohibits all forms of violence that lead to harming animals and exposing their lives to danger, and threatens the perpetrator with punishment in the afterlife.

The study recommends the necessity of caring for animals as one of the most important elements of the environment, conducting research and studies on how to protect and conserve animals, as well as establishing natural reserves to protect rare species from extinction, providing veterinary care, and other means that ensure the protection of animals and maximize their benefit.

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