

CHAPTER IV

Understanding of Hadîts about Killing Animal

Understanding of knowledge or it was popular to be said with term *al-fiqh* is an effort that is done by someone through a deep contemplation of something. The result of the contemplation which was expressed in oral explanation or in writing is usually mentioned by *tafsîr* and *syarh*. But, those terms nowadays have been understood in specific science, *tafsîr* was known as explanation of Qur'anic text, while *syarh* was used as explanation of Hadîts' text.

In understanding of Hadîts (*fiqh al-hadîts*), there are some types of *syarh* that we found, but those types of *syarh* usually divide at two types: textual and contextual understanding.¹ Textual understanding is: understanding that focus on the text itself, while contextual understanding is: understanding that focus on the text with observation of historical text, either from time side, nor place side.

In understanding Hadîts with the right understanding, far from deviation, falsification, and bad interpretation, Muslim has to understand it with Al-Qur'an's guidance. Means in Allah's guidance which definite its truth, and does not hesitated the validity. If Al-Qur'an is the first source of Islam, Hadîts is the second source as an explanation in detail of that first source.²

Concerned of the Hadîts about killing animal from previous chapter, it is needed contextual analysis in order to get comprehensive information in applying *sunnah* (tradition) of Prophet Muḥammad. So, that *sunnah* can be used whenever and wherever Muslim lives.

¹ Syuhudi Ismail, *Hadis Nabi Yang Tekstual dan Kontekstual*, (Jakarta: PT. Bulan Bintang, 1994), p. 6.

² Yusuf Al-Qordawi, *Bagaimana Memahami Hadis SAW*, (Bandung: Kharisma, 1993), p. 92.

A. The Meaning of Killing Animal in Hadîts.

After researching Hadîts in kutub al-sittah, there are some types of Hadîts that were talking about animal's killing. In order to understand that topic well, it is better to discuss each type of that Hadîts.

1. Hadîts about Five Animals which was called by *Fâsiq*.

Ibn Daqîq al-‘Îd³ said that attacking is harm from every strong harmful that was leaned to ahl al-qiyâs. The signal was clear with the explanation about *al-fisq*, it is exit or come out from limitation.

Hanafîyyah summarizes only in five animals like in narrative like explanation before which allowed to be killed. They include snake because there is narrative which explains. Likewise wolf was included there (kind of animal which allowed to kill), because it was similar with dog in its savagery. Also include animal which begin to harm and hurt. This cause of appearing the meaning of “*khamis*”, it is naturally harmful and become an enemy to human. If the meaning was clear, the law is allowed (killing animal) from every animal that was in similar meaning.⁴

Command of killing five animals in this Hadîts happened when Muslim did *iḥram*. Those animals are: crow (that has white back or chest⁵), falcon, mouse, scorpion (in another narration it was replaced by snake), and vicious dog. Based on Hadîts:

³ Taqiyuddîn Abu al-Fath Muhammad bin ‘Alî bin Wahb bin Muthî’ al-Qusyairîy al-Manfaluthî al-Sha‘idîy, he was born in 625 H, and was dead in 702 H. his works *Syarḥ al-‘Umdah*, and *al-Imâm fî al-Aḥkâm*. He is one of Hadîts scholar.

⁴ Aḥmad bin ‘Ali bin Hajar Al-‘Asqalânî, *Fath al-Bâri bi Syarḥi Shahîḥ al-Bukhârî*, (Beirut: Dâr al-Fikr, t.th), Volume: 4, p. 34.

⁵ Ibid, p. 35.

خَمْسٌ مِنَ الدَّوَابِّ كُلُّهُنَّ فَاسِقٌ يَمْتَلُئُهُنَّ فِي الْحَرَمِ الْغُرَابُ وَالْحِدَاةُ وَالْعَقْرَبُ وَالْفَأْرَةُ
وَالْكَلْبُ الْعُقُورُ.⁶

"There are five types of animals are entirely wicked, may be killed in the Holy Land: Crow, Falcon, Scorpion, Mouse, and vicious dog."

The meaning of *al-fisq* according to Arabic Speech is exit or come out. Animal in this Hadîts was called by *Fâsiq* because it is exit, means it hurts, harms, and damages from the way of other animal. It also can be said that it is because of exiting from the law of animal which is not allowed to kill it in *ihram* condition and in the land of *haram*.⁷

In the case of crow, scholars have different opinion. But, scholars of Hadîts agreed that people did not allow to kill little crow which ate seed, and it was called as “*ghurâb al-zar‘u*” (crow which usually flies in rice field and eats seed), and it was not allowed to eat it too. In *ahl al-lughât*’s opinion, the meaning of crow in this Hadîts is the flecked crow, while *Shahîb al-hidâyah* said: the crow which was be intended in the Hadîts is black crow and flacked crow, because it ate a corpse, and the planting crow did not eat corpse. It is assumed that the meaning of that crow is planting crow.⁸

⁶ This Hadîts was narrated by al-Bukhârî in *kitâb bada’ al-khalq*. Similar text was narrated by Muslim, al-Turmudzî, and al-Nasâî, in *kitâb al-hajj*. Abû Dâwud and ibn Mâjah placed it in *kitâb al-manâsik*, but used word “*فِي الْحَيْلِ وَالْحَرَمِ*” and ibn Mâjah added “*الْحَيَّة*” replacing “*الْعَقْرَبُ*”. And in Muslim there is narrative that used “*أربع*” and added “*الأبع*” after word “*الغُرَابُ*”.

⁷ al-Nawâwî, *Shahîh Muslim bi Syarhi al-Nawâwî*, (Beirut: Dâr al-Fikr, 1981), Volume: 4, juz: 4, p. 228.

⁸ Muḥammad bin ‘Alî bin Muḥammad Al-Syaukânî, *Nail al-Authâr*, (Beirut: Dâr al-Kutub al-‘Ilmiyyah, 1995), Volume: 5, p. 29.

In Abû Dawûd's narrative, it explains that does not kill it, only allowed to throw it. Al-Khaththâbî⁹ said that the meaning of that sentence is little crow which ate seed, it is only allowed to throw it. Al-Zayla'îy¹⁰ said that the crow which is prohibited to kill is the crow which is not eat a corpse. This is containing an order to kill flecked crow which ate a corpse.¹¹

According to al-Mâlikiyyah,¹² there is another difference about specific crow and falcon. It allowed to kill both if it starts to harm people. And according to majority of scholars, the characteristic of both (crow and falcon) are which white or red in the foot, or its wings, or its stomach.¹³ One of the characteristic of falcon is it is standing in aviation, and it was said that usually it kidnaps from the right side.

Including kind of crow is the crow which similar to pigeon in the shape of crow. Al-Ḥanafî¹⁴ said the law of that animal is similar with flecked crow, and some scholars said that it was like planting crow (does not allowed to kill).

The other animal which allowed killing it is scorpion. According to “*shâhib al-muḥkâm*”,¹⁵ its eye on its back, and it would not harm

⁹ His full name of Al-Khaththâbî is Abû Sulaimân Muḥammad bin Ibrâhîm bin al-Khaththâb, al-Khaththâbî. He was born in Madinah, 319H, and was dead 388 H. his works: *Kitâb gharîb al-Ḥadîts*, *Ma'âlim al-Sunan: Syarh Sunan Abî Dâwud*, *A'lâm al-Ḥadîts*, etc.

¹⁰ His full name is: Jamâl al-Dîn abû Muḥammad 'Abdullah bin Yûsuf bin Muḥammad bi Ayyûb bin Musâ al-Zayla'îy. Historian did not explain about his birth, he was dead 762 H. his works: *Nashbu al-Râyah li Ahâdîts al-Hidâyah*, *al-Kâf al-Syâf bi Tahrîri Ahâdîts al-Kasysyâf*.

¹¹ Muḥammad 'Abd al-Raḥman bin 'Abd al-Raḥîm Al-Mubâarakfûrî, *Tuḥfat al-aḥwâdzî bi Syarḥ Jâmi' al-Turmudzî*, (Egypt: al-Fajâlah al-Jadîdah, t.th), Volume: 2, p. 385

¹² Al-Mâlikiyyah is the followers of Madzhab that was built by Imam Mâlik (Mâlik ibn Anas ibn Mâlik ibn Abî 'Âmir al-Asbahî. He was born in Madinah, 93 H, and dead 179 H. he is Scholar of *Fiqh* and *Ḥadîts*. His work which popular in *Ḥadîts* is al-Muwaththa').

¹³ Aḥmad bin 'Ali bin Ḥajar Al-'Asqalânî, *op. cit*, p. 35.

¹⁴ The follower of al-Ḥanafî's Madzhab that the founder is Abû Ḥanîfah (Nu'mân bin tsâbit bin Zûthâ bin Marzubân also known as Abû Ḥanîfah. He was born in Kûfah, 80 H, and was dead in 148 H. his works *Kitâb al-âtsâr*, *al-'Âlim wa al-Muta'allim*, *fiqh al-akbar*).

¹⁵ Abû al-Ḥasan 'Alî bin Ismâ'îl also known as ibnu sayyidah al-Mursiyyi al-andalusiiyi. He was dead in 458 H.

corpse and people who sleeps until he moves. So, if people don't move, he will not be harmed by scorpion.¹⁶

There is difference narration like it was explained in previous chapter, that scorpion replaced with snake, but it is clear that Prophet Muḥammad warned of one those animals, and explained its law together. From those argumentation (snake and scorpion), actually it is kind of harmful animal in the world. So, it was allowed to kill it and all animals that similar with it, that is the reason.

Al-khaththâbî said that when people are praying, they are allowed killing snake and scorpion.¹⁷ Someone's praying does not break if they hit it one or two times, but it will break if they hit several times. Animal which was allowed to kill when people pray is not only scorpion and snake, but also animal which will harm someone, it was allowed to kill it. All scholars of Ḥadîts agreed with Al-khaththâbî's opinion, except Ibrâhîm al-Nakhâî¹⁸.

Muslim also was allowed to kill mouse. All scholars of Ḥadîts did not differ in opinion about killing it for people when *iḥram*, except a story from Ibrâhîm al-Nakhâî, he said: there is reward for people who kill mouse when he is *iḥram*. But according to Ibn al-Mundzirî¹⁹: it was different from the opinion of mayor scholars of Ḥadîts. Ibn Syâs²⁰ quote from al-Mâlikiyyah that there is difference opinion about killing small mouse which is not able to harm, and according to Al-

¹⁶ Aḥmad bin 'Ali bin Ḥajar Al-'Asqalânî, *op. cit.*, p. 36.

¹⁷ See, ḥadîts number eleven at chapter three about killing two black animals when praying.

¹⁸ His full name is Abû 'Imrân Ibrâhîm bin Yazîd bin Qays al-Nakhâî. His born was not written by historian, and he was dead in 96 H. all scholars of Ḥadîts agreed that he is credible man.

¹⁹ His full name is Zakîyyuddîn 'Abd al-'Adzîm bin 'Abd al-Qawiyy bin 'Abdullah bin Salamah Abu Muḥammad al-Mundzirî. He is the great scholar of Ḥadîts from Damaskus, but he was born in Egypt 581 H and dead in 656 H. his works: *al-Targhîb wa al-Tarhîb*, *Mukhtashar Shahîḥ Muslim*, *Mukhtashar Sunan Abî Dâwud*, etc.

²⁰ His full name is Jalâl al-Dîn Abû Muḥammad 'Abdullah al-Najm bin Syâs al-Jadzâmiyy al-Mishriyy, al-Mâlikiyy. He is the author of the book "*al-Jawâhir al-Tsamînah fî Fiqh Ahl al-Madînah*". He was dead in 616 H.

Mâlikiyyah, there is difference law on killing small snake and scorpion which is not able to harm.²¹

There are various mice, it is *al-juradzu* (rat), *al-khuldu* (mole), *fa'rah al-ibil*, *fa'rah al-misk* (muskrat), *fa'rah al-ghaith* (jerboa - kind of mouse), and the law of eating and killing it is same. So, it is allowed to kill it if harmed people. But, there is different opinion about killing small mouse.²²

The other kind of animal which is allowed to kill is dog. Kind of dogs is tame and wild. According to usefulness of a dog, there is a dog which useful for guardian and useful for hunter, the dog also can follow the footstep, smell the scent, it can guard, sleep only for a moment, and accept an instruction not like the other. It was said that the first person who took a dog for guardian is Prophet Nûh.²³

For Muslim scholars, There is different meaning of a dog in this case (allow to kill it), is it because of its characteristic that vicious or because of the other reason. It was narrated from Sa'îd ibn Mansûr from Abu Hurairah that the meaning of *al-kalb al-'aqûr* is lion. Zufar²⁴ said that the meaning of *al-kalb al-'aqûr* is a wolf specifically. Malik (the man who wrote *al-muwaththa'*) gave an opinion about *al-aqûr*. It is every wild animal which is frightened by human, such as: lion, tiger, cheetah, and wolf. Abu Hanîfah²⁵ said that the meaning of *al-kalb al-*

²¹ Syams al-Haq Âbadî, Muḥammad, *'Aun al-Ma'bûd*, (Beirut: Dâr al-Fikr, 1979), Volume: 5, p. 298.

²² Aḥmad bin 'Ali bin Ḥajar Al-'Asqalânî, *op. cit*, p. 37.

²³ Aḥmad bin 'Ali bin Ḥajar Al-'Asqalânî, *op. cit.*, p. 38.

²⁴ Hî full name is Abû al-Hudzail Zufar bin Hârîts bin 'Amr bin Mu'âdz bin Yazîd al-Kilâbî, he is Tabi'în and dead around 65 H.

²⁵ Nu'mân bin tsâbit bin Zûthâ bin Marzubân also known as Abû Ḥanîfah. He was born in Kûfah, 80 H, and was dead in 148 H. his works *Kitâb al-âtsâr*, *al-'Âlim wa al-Muta'allim*, *fiqh al-akbar*.

'*aqûr* is the dog itself, like common people know.²⁶ Abû 'Ubaid object Zufar's opinion with the Hadîts:

اللَّهُمَّ سَلِّطْ عَلَيْهِ كَلْبًا مِنْ كِلَابِكَ . فَقَتَلَهُ الْأَسَدُ .²⁷

And with the Qur'an:

يَسْأَلُونَكَ مَاذَا أُحِلَّ لَهُمْ قُلْ أُحِلَّ لَكُمْ الطَّيِّبَاتُ وَمَا عَلَّمْتُمْ مِنَ الْجَوَارِحِ مُكَلِّبِينَ تُعَلِّمُونَهُنَّ مِمَّا عَلَّمَكُمُ اللَّهُ .²⁸

“They ask thee what is lawful to them (as food). Say: lawful unto you are (all) things good and pure: and what ye have taught your trained hunting animals (to catch) in the manner directed to you by Allah.”

So, that verse shows that it is derived from the name of dog. Thus, it was said that every predator is included in '*aqûr*.

Al-Thahâwî²⁹ also object Hanafiyah who named "*al-kalb al-'aqûr*" is the dog itself, and the law is just for the dog. While the animal that has same characteristic cannot be judged with the dog, like a wolf. It is contradiction with the other opinion that allows killing animal which has similar characteristic.

²⁶ Wahbah Zuhailiy, *Al-Fiqh al-Islâmiy wa Adillatuhu* (translated by Masdar Helmy), (Bandung: Pustaka Media Utama, t.th), p. 361.

²⁷ Abû 'Abd Allah Muḥammad, Al-Hakim, *Al-Mustadrak 'Alâ al-Shahîhayn*. (Beirut: Dâr Al-Fikr, 1978), Volume: 3, p. 237.

²⁸ Q.S. al-Maidah: 4.

²⁹ His full name is Abû Ja'far Aḥmad bin Muḥammad bin Salâmah al-Azdî al-Thahâwî. He is Muslim scholar in fiqh. He was born in Egypt 239 H, and he was dead in 321 H. his work which most popular is *al-'Aqîdah al-Thahâwiyah*, he also wrote *Bayân al-Sunnah wa al-Jamâ'ah fî al-'Aqîdah, Syarh al-Jâmi' al-Shaghîr wa al-Kabîr li al-Syaibânî fî al-Furû'*.

It was said in the book of al-Nihâyah³⁰ that *al-kalb al-‘aqûr* is every predatory animal which hurt, kill, and devour like lion, tiger, and wolf called by dog (*kalb*), because of similarity in savagery.³¹

In another narrative, there is addition about kind animal which is allowed to kill it, it was *al-Sab‘u al-‘Âdî*. It is animal which preys human and harmful. So, all the animals which did that act are included in *al-Sab‘u al-‘Âdî*, like lion, cheetah, tiger, and the other. People who kill it did not get punishment, because it is allowed.³²

If term of “*kalb al-‘aqûr*” and “*al-Sab‘u al-‘Âdî*” had been understood, it has similar meaning. Means it is all animals which could hurt, harm and danger human. The examples of each are also similar, like lion, tiger, cheetah, etc.

Majority scholars of Hadîts (except Hanafiyah) said that all animal which has similar characteristic is include in the law (of killing) like explanation above (lion, tiger, cheetah, etc), although they vary in opinion about the meaning. It also was said that the essence is all animal which harmful. So, it was allowed to kill that harmful animal. That is the law of *madzhab malik*³³. It is also said that the essence is not allowed to eat. So, every animal which is allowed to kill it, there is no redeem (*fidyah*) for people who ihram. This is the law of *madzhab syâfi*³⁴.

³⁰ It is book Nihâyah al-Muhtâj ilâ Syarh al-Minhâj fi al-Fiqh alâ Madzhab al-Imâm al-Syâfi ‘î, the book which was written by Imâm Ibnu Syihâb al-Dîn al-Ramlî, it contained eight Volume.

³¹ Muḥammad ‘Abd al-Raḥman bin ‘Abd al-Raḥîm Al-Mubârafûrî, *op. cit.*, p. 386.

³² Syams al-Ḥaq Âbadî, Muḥammad, *op. cit.*, p. 300.

³³ Madzhab Mâlik is one of the Madzhab of *Fiqh* within Sunni Islam. It was founded by Mâlik bin Anas and it considers the rulings from Muslim Scholar from Madinah to be Sunnah. The characteristic of this Madzhab is it was influenced by Sunnah. The basis of this Madzhab is For example, in killing dog case, dog which allowed killing it is the dog and animal that similar.

³⁴ It is Madzhab that was built by al-Syâfi ‘î (Abû ‘Abdullâh Muḥammad bin Idrîs al- Syâfi ‘î, he was born in Palestine 150 H, and he was dead in Fusthat, Egypt 204 H. his work which popular is *al-Risâlah* and *al-Umm*). This madzhab mostly spread Hijaz, Yaman, Syria, Somalia, Ethiopia, Indonesia, Malaysia, Brunei etc. the basis of this Madzhab is Al Quran, Sunnah, Ijma’, and Qiyas.

Al-Syâfi'î³⁵ has divided the animal (relating to people when *ihram*) into three kinds, animal which is recommended killing it, animal which is allowed killing it, and animal which is allowed to eat or forbidden to kill it.³⁶

Al-Syâfi'î also said that there are three characteristic which is not allowed to eat: the first characteristic is predatory animal which harm (Wolf, Tiger, Lion, etc.), the other characteristic is killer and harmful insect (Scorpion), the last one is kind of bird which is not included of harmful predator, and it is not part of harmful insect, but it was kind of bird which eat meat of corpse (Falcon and Crow).³⁷

The other scholars chose of returning to interpretation of term “*al-fisq*”. There is scholar who interpreted with exit or come out, means it is animal which harmful. There is also scholar who interpreted with allowing to kill it, and forbade to eat it.

People who said because of harmful: actually, kind of harm is different. As if intuitiveness like scorpion and the similar in harming with biting, and the resemble which having poison like snake and hornet. Mouse which wrecks with digging and biting like weasel. The

This characteristic of this Madzhab is between traditional and rational. For example: in allowing of killing animal when Muslim *Ihram* because substantively that animal forbade eating it.

³⁵ Abû ‘Abdullâh Muḥammad bin Idrîs al- Syâfi'î, he was born in Palestine 150 H, and he was dead in Fusthat, Egypt 204 H. his work which popular is *al-Risâlah* and *al-Umm*.

³⁶

1. The first one is animal which is recommended (to kill) like five animals and the similar one which harmful.
2. The second one is animal which is allowed (to kill) because of it is not allowed to eat. This also divide into two kinds:
 - a. Animal which has benefit and damage. So, it is allowed to use it for hunting.
 - b. Animal which does not have benefit or damage. So, it is makrûh who kill it, but it is not ḥaram.
3. The third one is animal which is allowed to eat or forbidden to kill it. So, it is not allowed to kill for people who ihram. (See, *Fath al-Bârî*, p. 40.)

³⁷ Al-Nawâwî, *op. cit*, p. 230.

crow and falcon was grabbing and kidnapping its prey, such as a hawk. Dog which aggressive and vicious like lion and cheetah.

People who reasoning because of allowing to kill it and forbade to eat it, if it is limited only in five animals because kind of those animals is excessively for people. So, it cannot be understood well. This opinion same with Al-Syâfi's opinion, it is all animal which allowed to kill it, is forbade to eat. And every animal which was born from those (animal which forbade eating it) is also allowed to kill, and there is no ransom (*fidyah*) because of that killing.³⁸

2. Hadîts about Killing Snake.

All Hadîts from number two until eleven at Chapter III, point A³⁹, was talking about killing snake. From the Hadîts number two has appeared that human and snake has against each other. Actually, the fighting and enmity between human and snake often happened in mountain at that time, because each one of them wants to kill each other. It is said that the cause is Devil wanted to disturb Adam and his wife in heaven in order to eat the forbidden fruit. So, the devil embodied to snake form. This is al-Qârî's⁴⁰ opinion.⁴¹

Arab's Jahîliyyah had belief that they did not allowed killing snake. The reason is, if they kill snake, its couple will bite them to revenge. That's what Arab's Jahîliyyah believed. It can be seen in Hadîts which was narrated by ibn Mas'ud (Hadîts number three in

³⁸ Al-Nawâwî, *op. cit*, p. 231.

³⁹ See Hadîts in Chapter III , point A.

⁴⁰ He is Alî bin Sulthân al-Qârî, he is scholar of Hadîts and Imam of *fiqh*, Qur'anic commentary, language, history and *tasawwuf*, he authored several great commentaries such as *al-Mirqât* on *Misykât al-Masâbiḥ* in several volumes. He was dead in 1014 H.

⁴¹ Syams al-Ḥaq Âbadî, Muḥammad, *op. cit*, p. 164.

chapter three).⁴² So, Prophet Muḥammad wanted to change those bad habitual which believed thing like that.

In Hadîts:

قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ اقْتُلُوا الْحَيَّاتِ كُلَّهِنَّ فَمَنْ خَافَ نَأْرَهُنَّ

فَلَيْسَ مِنِّي.⁴³

“Allah’s messenger said: kill the snakes, whoever who was afraid of making them as enemy, they are not my people.”

It was clear that Prophet Muḥammad PBUH allowed killing all snake. This Hadîts is global on killing all kind of snake, but there is Hadîts which forbade killing snake which was seen at home. That snake allowed to be killed if people had been warned that snake. So, all snakes had been allowed to kill except snake at house without warning, because the argumentation which explained is general.⁴⁴

Muslim scholars of Hadîts have different opinion about warning snake at home. Is that warning three times or three days, but in Majority of Hadîts’s scholars opinion, the true is three days. If that snake back after warned three days, people allow killing it, because it is Satan.⁴⁵ Prophet Muḥammad PBUH had been given an example of method to warn snake, it is by saying:

أَشْذُكُنَّ بِالْعَهْدِ الَّذِي أَخَذَهُ عَلَيْكُنَّ نُوحٌ وَسُلَيْمَانُ عَلَيْهِمَا السَّلَامُ أَنْ لَا تَبْدُونَ وَلَا تُؤْذُونَا.⁴⁶

“I appeal you with the promise that you made with Nûh and Sulaimân, so do not appear again and do not hurt us”.

⁴² Syams al-Ḥaq Âbadî, Muḥammad, *op. cit*, p. 165.

⁴³ This Hadîts was narrated by Abû Dâwud on *kitâb al-adâb*, and Shaḥîḥ Muslim in *kitâb al-salâm*. Al-Nasâî placed this Hadîts on *kitâb al-jihâd*.

⁴⁴ Al-Nawâwî, *op. cit*, p. 233.

⁴⁵ Syams al-Ḥaq Âbadî, Muḥammad, *op. cit*, p. 165.

⁴⁶ This Hadîts was put in *Kitâb al-adâb* by Abû Dâwud, put in *Kitâb al-ahkâm wa al-fawâid* by al-Turmudzî.

Imam Mâlik⁴⁷ said that snake which should be warned three days is snake which was found at people's home in Medina, not the other country. He also said that it was enough to say⁴⁸:

أُحْرَجَ عَلَيْكَ اللَّهُ وَالْيَوْمَ الْآخِرَ أَنْ لَا تَبْدُو لَنَا ، وَلَا تُؤْذِينَ.

“By the name of Allah and Judgment Day, I want to ask you to get out from here, do not appear and do not hurt us.”

It means that the essence of that warning is people want snake to leave and does not hurt people. So, it is enough to warn snake by saying “don't appear again, and don't hurt us.” This is meant that people do not only saying its sentence, but also people should try to chase away snake, such as with stick of bamboo, etc.

Scholars of Hadîts said that command of killing snake is general, and there is exception, it is snake at home. While snake which has short tail and poisonous snake had been allowed to be killed at any condition (despite in house) according to sixth Hadîts at chapter three.⁴⁹

All Muslim scholars of Hadîts agreed that the characteristic of poisonous snake “*dzâ al-thufyataini*” is there are two white lines on its back. *Al-abtarr* is snake which was cut its tail, it is also said that it has short tail. Al-Dâwudî⁵⁰ said: its length is around a span. Actually, *Jin* did not transform into poisonous snake “*dzâ al-thufyataini*” and short tail “*al-abtarr*”, so it was allowed to kill it in every condition without

⁴⁷ Mâlik ibn Anas ibn Mâlik ibn Abî 'Âmir al-Asbahî. He was born in Madinah, 93 H, and dead 179 H. he is Scholar of *Fiqh* and Hadîts. His work which popular in Hadîts is *al-Muwaththa'*.

⁴⁸ Syams al-Haq Âbadî, Muḥammad, *op. cit*, p. 165.

⁴⁹ Al-Nawâwî, *op. cit*, p. 233.

⁵⁰ Aḥmad bin Nashr al-Dâwudî al-Asadî al-Mâlikiy, his birth was not written by Historian, and he was dead in 402 H. he is scholar of Hadîts, and he memorized it. His work: *al-Nâmî fî Syarḥi Muwaththa' al-Imâm Mâlik, al-Nashiihah fî Syarḥi Shaḥîḥ al-Bukhârî, Kitâb al-Ushûl*.

any warning. Nadhar ibn Syumail⁵¹ added an explanation that it can blur color (blind eyes). It also can abort the pregnant. So, pregnant woman had been suggested to not look at it.⁵²

According to explanation above, Muslim allowed killing snake which poisonous and which has sort tail. That snake allowed to be killed, because it can blind eyes and it also can abort the pregnancy. A person only has been allowed killing snake if that snake danger and harm people. It can be true if someone intentionally hunt and kill snake.

3. Hadîts about Killing Lizard.

Asbâb al-Wurûd (the reason of appearing Hadîts) of Hadîts about killing lizard is Prophet Ibrâhîm's case when he had been thrown into fire by unbeliever people in his period. All animals around him tried to extinguish the fire, but lizard did not want to extinguish the fire. On the contrary, this lizard puffed the fire, so that fire will become bigger than before. This incident became a reason why Prophet Muḥammad commanded to kill it.⁵³

Some Muslim scholars said that lizard is deaf, and it would not enter a place which there is saffron or crocus, because it would weaken its energy. Also said that the bigger species has poisonous which can spread leprosy⁵⁴, and according to linguistic expert, this kind of lizard which was meant in Hadîts. All Muslim scholars of Hadîts agreed that lizard is one kind of harmful animal (because it has poison that can spread leprosy).

⁵¹ Abû Ḥasan al-Nadhar bin Syumail bin Kharisyah bin Yazîd bin Kultsûm al-Mâzinî al-Tamîmî, he was born in 203 H. He is Muslim Scholar of Fiqh, Language, narrator of Hadîts. His work: *Gharîb al-Ḥadîts, al-Madkhal ilâ kitâb al-'Ayni, al-Mashaadir*, etc.

⁵² Aḥmad bin 'Ali bin Ḥajar Al-'Asqalânî, *op. cit.*, Volume: 6, p. 237.

⁵³ Ibnu Hamzah Al-Husaini, *Asbabul Wurud I*, (Jakarta: Radar Jaya Offset, 2006), 9th edition, p. 388-389.

⁵⁴ Aḥmad bin 'Ali bin Ḥajar Al-'Asqalânî, *op. cit.*, Volume: 6, p. 239.

According to Hadīts about killing lizard, there is reward for everyone who kills it, is that killing in one, two, or three hits. This is caused by important of initiative to kill it, and careful at lizard, and recommend of killing that lizard at the first hit. If someone want to kill it with two hits, the lizard is worried would escape.⁵⁵

The limitation of reward with one hundred good rewards and in another narrative seventy is not contradict each other. This is like the case of reward of praying together. This was meant for number, and it did not used by *al-ushûliyyîn*⁵⁶ and the other scholars, and they said that there is no contradiction there. That is the first reason why there is different in the number of reward. The second reason is maybe there is revision (*mansûkh*) from the God. Means He added the reward from seventy to one hundred, because Hadīts which explained about one hundred rewards came last. The third reason why is the reward of killing lizard different, it is depend on the intention (*niyyat*), the sincerity, and perfection of people action (act to kill). One hundred rewards for people who did it perfectly, and seventy for the other.⁵⁷

4. Hadīts about Killing Dog.

At the point one (Hadīts about 5 (five) animals which were wicked) had been explained about the case. It had been known by narration of Hadīts that in the Prophet Muḥammad period, many people who possessed a dog, for hunting or for guardian.

In one narration, Prophet Muḥammad commanded to kill dog. The reason is one night, Jibrîl did not want to enter a house because there were dog and picture, in the morning after that case, Muḥammad PBUH commanded to kill dog, until there was woman came back from

⁵⁵ See, Hadīts number 16 and 17 in chapter three.

⁵⁶ It is group of Islamic Ideologies who return all problems to Al-Qur'an and al-Sunnah. This term (*ushûliyyîn*) had been understood as a group of Islamic scholar of *Ushûl al-Fiqh*.

⁵⁷ Al-Nawâwî, *op. cit*, Volume: 14, p. 237.

desert (with a dog), and companion would kill her dog, then they were forbidden killing it by Prophet, and commanded killing the black one, because it was *Satan*.⁵⁸

Abu Laylâ⁵⁹ said that the meaning of Prophet's statement about black dog is Satan, actually it was also born from a dog, because black dog is the worst dog, and it only has a few benefit. It cannot guard and hunting well. It also often sleeps, different with the other kind of dog. Hunting with black dog also was forbidden by prophet.⁶⁰

Imâm al-Haramain⁶¹ said that Prophet Muḥammad commanded killing all dogs is true, and then it was true that he forbade killing it, and said again later to kill only black dog.⁶²

Ibn 'Abd al-barr⁶³ said that based on Hadîts, Muslim permitted to possess a dog for hunting and guard the livestock, also for guarding of garden. Possessing beside that importance is *makrûh*, except there is another reason which similar of hunting and the other, means possessing dog for benefit and refuse the damage.⁶⁴

Companions agreed that it was *haram* if Muslim possesses a dog without any necessity. Such as: possessing a dog because of its

⁵⁸ Ibnu Hamzah Al-Husaini, *op. cit*, p. 373-374, It also can be seen at Hadîts number nineteenth and twentyat chapter three about asbab al-wurud of killing Hadîts.

⁵⁹ Abî Laylaa bin 'Abdullâh bin 'Abd al-Raḥmân bin Sahal al-Anshârî al-Madanî, he was dead in 37 H. he is companion and the narrator of Hadits from Prophet Muḥammad, and his Hadîts had been narrated by his son 'Abd al-Raḥmân.

⁶⁰ Al-Nawâwî, *op. cit*, Volume: 3, p. 182.

⁶¹ Imâm Haramain 'Abd al-Malik bin 'Abdullâh bin Yûsuf bin Muḥammad bin 'Abdullâh al-Juwaynîy. He was born in Naysabur, Iran 419 H, and he was dead 478 H. he is Muslim scholar of fiqh, *Ushûl al-Fiqh*. His works: *al-Burhân fî Ushûl al-Fiqh*, *al-Irsyâd fî al-Kalâm*, *al-Syâmil fî Ushûl al-Dîn*, etc.

⁶² Al-Nawâwî, *op. cit*, Volume: 3, p. 184.

⁶³ Abû 'Umar Yûsuf bin 'Abdullâh bin Muḥammad bin 'Abd al-Barr bin 'Âshim Al-Namarî Al-Qurthubî. He was born in 368 H, and he was dead in 463 H. he is a Muslim scholar of Hadîts from Andalusia (Spain). His works: *al-Isfî'âb fî Ma'rifah al-Shahâbah*, *al-Ajwibah al-Mû'iba fî al-As'ilah al-Mustaghribah*, *al-Ibnâh 'alâ Qabâ'il al-Ruwât*, etc.

⁶⁴ Al-Nawâwî, *op. cit*, Volume: 3, p. 184.

beautiful body, or for ostentation. It was not allowed without any objection from scholars. The necessity which was allowed possessing dog is like guarding garden or rice field, guarding livestock, and for hunting. This is allowed without any objection from scholars. There is difference opinion about possessing a dog to guard a house or a path. There is scholar who forbade it, because it is not one of dispensation at Hadîts. There is also scholar who allowed it, because it is at the same meaning of guard. There is also difference about possessing a hunting dog for people who does not hunt.⁶⁵

So, Hadîts about command of killing a dog can be used if that dog harmful, if it is not harmful, it is not allowed killing it, either there is benefit⁶⁶ or not.

B. The Relations of the Teaching of Killing Animals with Ethic of Environment.

In society's opinion, killing animal like dog, lizard, snake, etc. is become common case, so if they meet with scorpion for example, they do not think twice to kill it, or one day they found snake at their house, without any warning, they kill it. It is common case which occurs in social live. They did that without thinking will get any social sin or religion punishment, because they argue that their action based on Prophet Muḥammad teaching. Their action is also suitable with Hadîts, such as killing snake, lizard, dog, and the other like explanation before. They also believe that everyone who follows Prophet Muḥammad's teaching (Hadîts), he will get a good reward from God.

As common civilization, their action cannot be blamed, because their understanding about Hadîts only in literal meaning. Therefore, they have to be given an understanding about that case (problem of killing),

⁶⁵ Al-Nawâwî, *op. cit.*, Volume: 3, p. 185.

⁶⁶ Usefulness for guarding garden/rice field, guarding livestock, and for hunting.

with understanding from all Hadīts. So, if they understood, they would not kill animal as they like, although that killing had been allowed by prophet.

Hadīts that was talked about killing animals generally can be said that it was *shahîh*, except two Hadīts that was *dha'îf al-isnâd* like explanation before. Even so the Hadīts is *shahîh*, Muslim should not directly apply in society, it should be understood well that the aim of Hadīts is for human goodness, for protecting human life. It is not for ordering Muslim to kill animals wildly.

Unconsciously, when Muslim kills animals which was allowed by Prophet Muḥammad PBUH, that species will decrease. If Muslim understands well about that order (killing animal), the purpose is to protect people from danger. So, if the animal is not harm or danger human, it is not true killing that animal, because it will damage ecosystem. Killing dangerous animal of course, human will not be harm anymore, but it also has bad effect, certain species of animal will extinct, and the chain of food will damage.

Islam concept about environment in general meaning is the effort to revitalize the first mission of ecology (*back to basic ecology*). The first mission of ecology is studying the interrelationship between components in ecosystem, so it is not only discussed about human and their ecosystem, but also all of components in ecosystem.

It is true that animal and all of creature was prepared for human, and it means that human can use it as they like, but human also must pay attention another living being viability. In environmental ethic, it is not true that human kill animal unnecessarily, because it will damage environment. The chain of food will broke if one component disappears.