

Muslim Jurists Combating Animal Abuse in Pakistan

Dr. Muhammad Sarwar

Assistant Professor, Department of Social Sciences, University of Veterinary and
Animal Sciences Lahore.

Email: sarwarsiddique@uvas.edu.pk

Received on: 05-01-2025

Accepted on: 07-02-2025

Abstract

The Islamic Republic of Pakistan, similar numerous other nations worldwide, harbors a diverse array of remarkable animals and birds. The country boasts a significant range of flora and fauna that enhance the beauty of its landscapes and forests. Unfortunately, the natural resources of Pakistan are not receiving the adequate attention required for sustained development and conservation. Valuable species of animals and birds are currently facing the threat of extinction or are perilously endangered. Animal abuse is an urgent issue worldwide, including in Pakistan. As an Islamic country with several Muslims, Pakistan can take advantage of Islamic teachings and principles to combat animal abuse. This research project explores the role of Muslim jurists in addressing animal abuse in Pakistan and suggests strategies for their active participation. Certain introduced species may face the risk of permanent extinction if not promptly rescued. The examination incorporates the involvement of legal enforcement bodies, such as higher courts. The connection between animal cruelty and interpersonal aggression, particularly among young individuals, is highlighted. A single health, one welfare approach is needed to address domestic violence and animal abuse. The Holy Prophet was kind and compassionate toward all creatures. The Prophet (peace and blessings of Allah be upon him) did not tolerate the suffering of even the smallest creatures. Islam opposes any animal cruelty. The golden teachings of Islam for the oppressed creatures of Allah Almighty not only condemned cruelty to animals but also imposed regular penalties for violating the rights of animals like humans.

Keywords: Muslim Jurists, Combating, Animal Abuse, Animal Cruelty, Pakistan

Introduction:

In today's world, the issue of animal abuse has gained significant attention due to its ethical implications and the suffering it causes to innocent creatures. It is important to recognize that various religious traditions, including Islam, have teachings and principles that encourage animal protection and welfare. These teachings can provide a strong foundation to address and prevent animal abuse within the Muslim community in Pakistan. As a comprehensive and established religion, Islam views social welfare as one of its principal values¹. In Arabic, the term "animal" refers to various living beings, including humans. "Haiwan" originates from "Hayat," a term found solely once in the Qur'an, where Hayat signifies the authentic existence that commences within the context². The Quran emphasizes the importance of compassion

and kindness toward all living beings, and Prophet Muhammad explicitly instructs his followers to be mindful of the treatment of animals. Islamic scholars and jurists play a crucial role in interpreting and applying Islamic teachings to contemporary issues. Their judgments and writings serve as Muslim guidelines on various matters, including animal abuse. However, despite the growing awareness and efforts to combat animal abuse globally, there remains a gap in research that specifically examines the role of Muslim jurists in addressing this issue in Pakistan³. The Holy Prophet was kind and compassionate toward all creatures. The Prophet (peace and blessings of Allah be upon him) did not tolerate the suffering of even the smallest creatures. Islam opposes any animal cruelty. The golden teachings of Islam for the oppressed creature of Allah Almighty and the responsibilities of a Muslim in this concern not only condemned cruelty to animals but also imposed regular penalties for violating the rights of animals like humans. This research will investigate the sources of Islamic law, including the Quran and Hadith (the sayings and actions of Prophet Muhammad), and judgments and analyze how these sources shape the legal and ethical frameworks for animal welfare in Pakistan. By examining the judgments and writings of prominent Muslim jurists in Pakistan, we can gain insights into their perspectives on animal welfare and the steps they have taken to combat animal abuse within the Muslim community⁴. This research project also aims to shed light on the challenges and barriers faced by Muslim jurists in promoting animal welfare in Pakistan, such as cultural norms and traditional practices that may contradict Islamic teachings on animal welfare. Plantations, deserts, and canals in Pakistan act as guardians of priceless flora and fauna. Animals and avifauna are now regarded as meaningful companions of the human population⁵. These entities should be regarded similarly to other living organisms, possessing distinctive attributes and qualities, and also playing a role in the sustainability of ecosystems on Earth⁶. The previous understanding of this co-existing entity as controllable for labor, entertainment, and trade has been eclipsed by the evolving frameworks of psychosomatic morality. Through the advent of modern scientific insights, humanity has attained a rational understanding of the essential bodily collaboration of all organisms for the harmonious functioning of the Earth. The shared presence of these beings is no longer viewed in terms of being expendable or discernable⁷. The modern world has stimulated more kindness for fellow partners and convinced basic rights for each creature. It is a judicious and benevolent tenor to ask that animals have convinced privileges⁸. We can state for animals as being mad with certain legal rights. Pakistan's constitution provides guarantees to this effect and obligates State authorities to ensure these rights⁹. To truly understand Muslim jurists' approach in combating animal abuse in Pakistan, it is essential to delve deeper into the teachings of Islam regarding animal.

Understanding Interpretation and Application:

Application of Islamic Principles to Animal Welfare: In today's rapidly changing world, the significance of accurate weather forecasts cannot be overstated. Similarly, the welfare and treatment of animals are of great importance. Muslim jurists in Pakistan, custodians of Islamic teachings and principles, play a crucial role to play in addressing and preventing animal abuse within the Muslim community. Their expertise in interpreting Islamic sources and their influence in guiding the Muslim population make them instrumental in shaping attitudes and practices toward animal welfare. However, there is a significant gap in existing

research regarding the specific role of Muslim jurists in combating animal abuse in Pakistan. This research project fills this gap by examining the perspectives and contributions of Muslim jurists in Pakistan on combating animal abuse¹⁰. Through this research, we seek to explore how Muslim jurists in Pakistan interpret and apply Islamic principles to address the issue of animal abuse¹¹.

Research Objectives:

- 1) To examine the current state of animal abuse in Pakistan, including its prevailing forms, causes, and societal impacts.
- 2) To explore the teachings of Islam regarding animal rights and their relevance to contemporary issues related to animal abuse.
3. To investigate the role of Muslim jurists in combating animal abuse and its potential impact on raising awareness and promoting the moral treatment of animals.
- 4) Propose strategies and recommendations for Muslim judges to actively address animal abuse in Pakistan.

Research Questions:

- A) What are the different forms of animal abuse prevailing in Pakistan and what are the main causes of animal abuse?
- B. How does Islamic jurisprudence address animal abuse and its moral treatment?
- C) What initiatives have Muslim jurists taken in Pakistan to combat animal abuse and what impacts have they achieved?
- D) What are the potential strategies and recommendations for Muslim judges to contribute effectively to reducing animal abuse in Pakistan?

Research Methods:

This research is normative legal research. Sources and legal materials were obtained from the Quran, Hadith, Legislation, and other secondary literature supporting the primary legal materials. Then this research was analyzed using a statutory approach and Islamic law theories.

Literature Review:

To understand the role of Muslim jurists in combating animal abuse in Pakistan, reviewing the existing literature on Islamic teachings, Islamic jurisprudence, and animal welfare regarding animal abuse. Previous studies have predominantly focused on animal treatment in Islamic thought through the Qur'an and the traditions of the Prophet Muhammad, highlighting the ethical and compassionate principles that Islam emphasizes toward all living beings, including animals.

Scholars such as Justice ® Dr. Munir Ahmad Mughal have underscored the need to expand research to include the perspectives of Muslim jurists in Pakistan, delving into their interpretations and application of Islamic principles to address animal abuse. This literature review explores the existing scholarship on the topic and identifies any gaps in knowledge or areas that require further investigation¹². By incorporating these diverse perspectives into our research, we can gain a more comprehensive understanding of how the principles

expressed in the main sources of Islam are reflected in daily life, particularly animal welfare. The Islamic tradition of Zakat, which emphasizes the relief of poverty and the redistribution of wealth, has been explored in relation to the concept of an Islamic welfare state¹³.

In Asia, countries like China have undergone a shift in their treatment of animals, particularly pets, viewing them from a perspective grounded in humanistic and moral values rather than merely as utilitarian resources. This shift has been attributed to educational initiatives on animal welfare. However, challenges in implementing stringent animal welfare laws at the national level stem primarily from political and cultural considerations. Variations in animal-related regulations across countries are influenced by a complex interplay of sociopolitical, religious, economic, and cultural factors. In regions where Islamic beliefs hold sway, perceptions of dogs differ significantly. Dogs are regarded both as pets with forbidden meat consumption and as animals suitable for guarding and hunting purposes, while animals like cats, fish and birds are widely accepted as companion animals.

To address these shortcomings, animal protection laws underwent modifications during the 19th century, as new acts were recognized as forms of animal abuse or cruelty. These include acts like failing to provide food, water, shelter, or veterinary care to companion animals, as well as mutilations, bestiality, beating, and malicious killing, and any situation causing pain or suffering. Penalties and sanctions have been established often to deter such crimes. However, there is still much room for improvement in animal protection laws due to vague definitions, confusing language, and loopholes. Furthermore, the imposed punishments and fines are often inadequate or challenging to enforce, partly because these laws were drafted by humans and may not always prioritize animal interests.

One possible solution to this issue is promoting the development of laws with input from veterinary professionals. Given their expertise in animal health, veterinarians should be involved in shaping animal cruelty legislation to approach the problem from a standpoint grounded in medical knowledge and animal welfare science. To this end, educational initiatives focusing on legal rights for animals or animal law should be encouraged within school curricula. Additionally, measures are necessary to ensure effective enforcement of laws and appropriate punishment or penalties for those who abuse animals.

Regarding the link between domestic violence and animal abuse, although domestic violence laws have evolved in recent years, many regions overlook the role and vulnerability of animals in abusive environments. Traditionally, animals have been excluded from most domestic violence shelters, complicating the situation for victims seeking shelters. Efforts have been made to explore the socioeconomic factors associated with animal abuse within families; however, animals are often excluded of social support programs. Despite these challenges, some initiatives have emerged to provide shelter for both human victims and animals. Certain states in the United States have integrated animal abuse into domestic violence laws and protective orders. Many studies have shown a significant relationship between animal abuse and interpersonal violence, including domestic or family violence (violent acts between family Members and intimate partners that occur at home but not exclusively¹⁴.

Review of Islamic Rules of Jurisprudence:

In the view of Islam, somatic trials on animals, modern hunting, animal fights, freight animals,

and other such controversial issues. Most of these problems did not exist fourteen hundred years ago, so there was no opportunity for them to pass any special laws. In this context, Islamic jurisprudence principles must be examined. Islamic law is the Qur'an, the secondary is the blessed Hadith, and the consensus of the Ummah. Because Ijtihad is frequently mentioned in most of the following cases. Therefore, a brief explanatory paragraph follows. In addition to Islam's vastness in the form of vast empires. In matters concerning which there were no formal pre-existing laws in the Qur'an and Sunnah. There was a need for speculation about them to meet the requirements of law and justice. In the early period of development, Muslim Jurists were greatly influenced by Latin reforms, such as Juris consults and Prudence, which are interpreted as jurists in Arabic. Response Prudential, which is a collection of jurisprudence, has been taken to mean answering legal questions that have been speculated with the help of the Qur'an and Sunnah and given the name of legal opinion. Some such views of the jurists were accepted as law. It is also called fatwa in Arabic and in Roman law. Because Roman freedom of expression was based on equality rather than royal decree, some secular ideas arose that did not meet Islamic religious requirements. Therefore, it is necessary to shape Islamic law into a credible system that is closer to the spirit and intent of the Qur'an and Sunnah. Therefore, this system has been given the name of law through ijtihad in Islam. The literal and literary meaning of ijtihad is to strive hard to achieve something. "Ijtihad as an Institution" This issue has been debated among Muslims for a long time. Probably a factor in why they are doing so poorly is that some immature religious scholars, for the sake of convenience, have begun to misuse the law on ijtihad. However, some other scholars also feel strongly that this will close all the doors to necessary decisions that Muslims desperately need in the face of the daily changes in daily life.

This whole controversy can be easily resolved if one of the basic principles of Islamic jurisprudence is understood, that is, Ijtihad can be applied only through the intentions of the Qur'an and Sunnah. "Just as the hadith of the Prophet is subject to the Qur'an the early jurists followed this principle and developed various types of jurisprudential principles". They have been used for centuries, and they are called the rules of jurisprudence. Any jurisprudential opinion not subject to Shariah and Law and intent will be forbidden based on the principles cited above¹⁵.

List of Animal Rights by Hashim Naji Jazairi:

Renowned researcher and jurist Mr. Hashim Naji Jazairi has compiled a list of animal rights items.

In which animal rights are presented in a unique way.

This list is summarized below.

- The face of an animal should not be marked or hit because animals also pray and worship Allah Almighty.
- No animal should be forced to carry a heavier load than it can bear.
- No animal should be forced to travel beyond its means.
- The back of an animal should not be on its back or neck.
- The backs of animals should not be made into pulpits.
- Before filling your stomach, you should consider filling your animal's stomach with a mixture of salt and water. Feeding it first.

- Before quenching your thirst, think of your animal's thirst and take great care of it.
- Unnecessary punishments for animals during training should be avoided.
- When an animal becomes disobedient or out of control, it should only be punished for Extent necessary¹⁶.

Predator Conditions:

Some conditions must be found in animals that are hunted by inanimate objects. Their Details are given below.

(A) The animal to be hunted should not be familiar. For example, goats cow, buffalo, chicken, etc.

(B) The animal to be hunted should not be an insect, beast, or bird of prey. because they are all haram and will not be halal for hunting purposes.

(C) The fish to be hunted should be no other than fish, as only fish are permitted in marine animals

(D) If the animal is found dead after being hunted, it is considered halal. If it is found alive, Not be halal without slaughter¹⁷.

Cruelty to Animals is more severe than that to Humans:

Slaughtering animals for unnecessary purposes in accordance with human desires has a controversial status in Islamic tradition. Imagine for a second that you were transposed into the karmic, driven world of Earl. And why did all this happen? Because people have become so lazy and self-deprecating that they cannot even find an alternative, or they cannot make a living without doing all this. Such knowledge can be easily disseminated through charts, pictures, computer simulation dummies, and the carcasses of these animals. Those who have died physically are similarly poisoned in many fields. Starved, blinded, and given electric shocks

Al-Azhar University (Egypt) is one of the oldest universities in the Islamic world. The status of this university is unmistakable in terms of Ijtihadi and research work on Islam today. In any case, the fats issued by this university are of great importance. Ever since the animal right movement gained momentum, various topics related to animal rights have been discussed at Al-Azhar University. Several conferences, seminars, and discussions have taken place on this platform. Because animal rights are an important issue today, all questions related to this issue are being discussed at Al-Azhar University. A complete description of the steps taken by the university is lengthy.

The conference was held at Al-Azhar University's Saleh Kamal Center for Islamic Economics. The host was Al-Azhar University, but a Swiss lady, Petra Maria Sidhom, was in charge. The conference was attended by Islamic jurists, Islamic historians, Islamic philosophers, animal rights activists, and senior government officials from around the world¹⁸.

Recommendations of the Conference:

1. On the occasion of Eid-ul-Adha, slaughterhouses should be set up that provide (free) slaughtering services without payment. So that the blood of animals does not flow into the gutters of the streets.
2. The curriculum of agricultural and veterinary colleges in Egypt should include subjects

related to the compassionate treatment of animals.

3. Butchers should be trained in Islamic slaughter methods so that they can be slaughtered according to the true Islamic spirit.

4. Conference participants called on the government agency, which works for the welfare of animals, to take on the responsibility of translating and disseminating work on animal rights in different languages from around the world.

The Plight of Muslim Countries:

It is a pity that in Islamic countries, only the Western curriculum is taught on scientific subjects. It is doubtful whether they will feel any Tamil in this matter. However, Islamic traditions may justify research on animals. As fundamental and practical research in the fields of biology and social sciences will be allowed, the condition is that in doing so, the animals used in the laboratory should not be harmed or disfigured, and at the same time, such research is beneficial to humans or other animals. However, in this debate, it was decided whether such experiments are really necessary and whether there is no other alternative.

A key point in this regard should be understood that when using animals in science and treating them, the same ethical and legal principles that are observed in doing so with human beings should be considered.

From an Islamic point of view, every life (animal) is sacred, and animals have the right to protect themselves and keep them safe. The Holy Prophet (saw) emphasized this point so much that he declared:

In one narration, Hazrat Abu Imam states that the Holy Prophet said the following:

Whoever has mercy (on something) even if it is a bird sacrifice, Allah will have mercy on him on the Day of Resurrection¹⁹.

Regarding the treatment of animals, Islamic law, like all Islamic laws, has been kept open with certain exceptions and is based on various facts and standards. Any kind of experiment on animals or their medical treatment, according to the intention and intent of the performer, becomes moral and legal or immoral and illegal. If the crucial part of his body is cut off, such action would be very high in the sight of the Almighty. Any code of law, including religious law, that is so strict that it does not leave room for exceptional conditions can lead to serious problems. And that is where the hypocrisy starts. To kill an animal is to destroy the spiritual part of one's self, which is why suicide is considered a grave sin in human life. However, animals do not have the freedom to end their lives in free will, which is why they must live their natural lives.

When a person causes unnecessary pain and suffering to an animal and it terminates its physical life, it (figuratively) commits a kind of suicide by that animal, and it is the action that kills the animal as well as the spiritual part of its self. It would be very easy to solve many problems and issues related to the use of animals in science and their general treatment if we acknowledge this fact of nature and with every life without prejudice and our favorite. Learn how to compete with standards. For example, consider a large security prison where hundreds of murderers, rapists, and other criminals are involved in serious crimes. We now compare this prison with a so-called research laboratory, inside which innocent and helpless animals are killed at night.

Now think with the breadth of your imagination whether we can find any justification for the

difference between the double standards found in these two places. If there is a difference in their treatment, what is the moral and legal justification for it? As far as human prisoners are concerned, it is not permissible for even a small needle to be dipped into their bodies (meat). However, in the case of animal prisoners, it is permitted that in the name of science and research, their bodies may be incised, their flesh may be scratched, and by any means, in the name of science and research, while such research is mostly done for trivial and commercial purposes.

This and countless other inequalities are regularly allowed in humane and tolerant societies, and the reason for this is simply the double standards of moral and religious values.

Truth be told, the real and ideal solution to this problem is for us to adhere to standards that would make it illegal for animals to perform all the scientific and medical research that cannot be performed on humans.

Human Needs and Interests:

Hafiz Bashir Ahmed presents his point of view on Egyptian scientific experiments as follows: "Commercially Motivated scientific experiments are one such case. We have to seek guidance on such issues through analogy and inference, which is the third source of Law²⁰.

Fundamental Principles of Islamic Jurisprudence:

One of the basic jurisprudential principles applied to financial trading experiences is that "the interest of one thing does not invalidate the right of another. Now, the question arises of whether some human needs become real needs. Therefore, the use of animals to meet such needs and the acquisition of such needs should be legalized and justified.

In such cases, the principles of jurisprudence are very clear. The requirements are divided as follows:

1. Necessary necessities "means the most indispensable needs and interests without which the survival of life is not possible".
2. Al-Masaleh Al-Hajat "means the needs and interests that are needed to relieve pain and suffering and to raise the standard of living".
3. Al-Masaleh Al Tahseeniyah "means those needs or interests which are needed for prosperity and enjoyment even for self-admiration".

It should be borne in mind that the above-mentioned types vary to varying degrees according to the circumstances. These jurisprudential principles can be applied in many situations of life, but at this time, our focus is on the use of animals in science (otherwise, these jurisprudential principles can be applied in other matters as well. The first category includes experiments essential to the survival of humans and animals. These experiments are performed correctly for medical research. The thing without which an urgent need cannot be met becomes an urgent need in itself. This principle illustrates the importance of ensuring that experiments are really important. However, to keep the door open for unavoidable matters, the following jurisprudential principle has imposed all kinds of resistance and obstruction conditions for all other matters. Anything that encourages haram things is haram in itself. This principle states that the acquisition of material interests, including food, and even those that are done in the wrong way, such as unnecessary experiments on animals, is haram. The following verse of the Holy Qur'an supports this position by condemning those

who meet their needs in illegitimate and illegal ways.

Why don't (spiritual) dervishes and (religious) scholars forbid them from speaking sinful and haram? Indeed, what they are preparing (even without raising their voice against evil) is very bad.

If two evils come together, choose the small evil to avoid the large evil. According to this principle, even the inevitable experiments on animals, even if they are performed in a superb way, choose them as an exception and a minor evil. However, the "truth" is still not proven (ie, as a truth, such experiments are not allowed at all.) Avoiding losses takes precedence over pursuing interests and meeting needs. This principle states that the advantages and disadvantages of any experiment should be examined from every perspective.

Damage cannot be justified. No loss can be justified by combining it with such or greater damage. When we destroy our health and our interests because of our foolishness, we have no right to inflict similar or even greater damage on animals to compensate for our loss. For example, let's start doing unnecessary experiments on animals to find cures for the diseases we have imposed on ourselves.

When the real thing is evitable (very important), you should turn to alternatives. The current (mentioned) controversy over this principle, which is related to the use of experimental alternatives in animals, is highly dependent. As with tissue culture and other alternatives, Muslim experimenters should take this rule very seriously. It places a heavy responsibility on Muslim students to find alternative solutions. What has been declared lawful for some reason; when that reason is missing, then this thing also becomes unlawful. All pretenses that lead to harm should be rejected.

The above two principles leave no excuse for Muslims to continue the current slaughter of millions of animals for animal feathers, skins, ivory, and various commodities and the excuse that these things are human. There are basic needs; they will not last long. Modern technology has made all of these things from synthetic materials. And all of these things are not only available all over the world, but in some cases, at low prices. In ancient times, such things as animal feathers and skins were basic needs²¹.

The Qur'an and the Animals:

And He has created cattle for you; they have for you warm clothing and (other) benefits, and you eat some of them²².

Prophet Mohammad (PBUH) has forbidden the use of the skins of wild animals and laying them on the floor as a door.

The Prophet (peace and blessings of Allah be upon him) said:

"Do not ride on a saddle made of silk or leopard skin²³."

Use of Stunner for Slaughtering Animals:

One of the modern jurisprudential issues concerning the slaughter of animals is the use of a stunner. Controlling slaughter animals, especially large animals, is a huge problem. Sometimes animals get seriously injured while lying down, so nowadays stitches are used to protect animals from this kind of severe damage. In this method, the animal is either unconscious or semi-conscious. Large animals are exposed to electric shocks. It is a matter of debate whether it is permissible or not from an Islamic perspective. As early as the 1960s

Muslim Animal Activist B. Alal- Masri Reports that Al-Azhar jurists were presented with the question (by him He does not say) of whether stunning livestock before slaughter was acceptable under Islamic Law. A committee was formed and agreed upon a unanimous opinion that the stunning of livestock is lawful as long as it does not interfere with the bleeding procedure prescribed by Islamic law. The committee accepted arguments that stunning animals before killing them was more humane than killing them while they are conscious²⁴."

Pakistan has also provided many legal rights to animals through different acts and laws.

Pakistan has specially adopted these laws for animal protection:

- Prevention of Cruelty to Animals Act 1890
- Pakistan Karachi Cattle Slaughter Control Act 1950
- Punjab Animal Slaughter Control Act of 1963
- The Pakistan Animal Quarantine (Import and Export of Animals and Animal Products) Ordinance, 1979.
- Pakistan Trade Control of Wild Fauna and Flora Act, 2012²⁵.

Famous Case Laws to Combat Animal Abuse in Pakistan:

Province of Sindh v Lal Khan Chandio, 2016 SCMR 48:

This judgment of the Supreme Court of Pakistan laid down guidelines for the implementation of national laws and international treaties to prevent the decimation of Houbara Bustard.

Government of Punjab v. Aamir Zahoor ul Haq, PLD 2016 SC 421. In this judgment, the Supreme Court held that the hunting of Houbara Bustards must be With laws.

Gu Longbin v. State, 2016 PCrLJ 1210:

This judgment is in the Lahore High Court. It deals with a case in which donkey hides were smuggled without any lawful authority and were obtained from stolen donkeys.

Ali Imran v Forest Wildlife and Fishery Department, PLD 2020 Lahore 24:

This judgment is of the Lahore High Court. This section deals with Black's rights Buck deers. It has been held that the Government was bound to protect and preserve this endangered species of deer.

Islamabad Wildlife Management Board through its Chairman, Versus Metropolitan Corporation

Islamabad through its Mayor & 4 others, W.P. No. 1155/2019:50

The preceding discussion was declared and directed as follows.

- The Marghazar Zoo, also known as the Zoo, is located in Islamabad and lacks the necessary resources and facilities to cater to the behavioral, social, and physiological requirements of animals that are kept in captivity under unsuitable and unlawful conditions.
- The animals residing in captivity at the Zoo have been subjected to conditions that inflict unnecessary pain and distress on them, thereby breaching the regulations stipulated in the Act of 1890 and the Wildlife Ordinance of 1979. The current facilities are insufficient to provide appropriate living conditions that can address the behavioral, social, and physiological needs of animals.

- Kaavan, an elephant, has endured severe mistreatment, resulting in unimaginable suffering for the past 30 years. His continuous captivity in such circumstances could have led the authorities to face legal repercussions under the Act of 1890. To end Kaavan's suffering, he must be relocated to a suitable elephant sanctuary, either within the country or overseas.
- The Chairman of the Board of Wildlife Management, established under the Wildlife Ordinance of 1979, will promptly make arrangements, preferably in coordination with and with the approval of the High Commissioner of Sri Lanka, to transfer Kaavan to an appropriate sanctuary within a month. The Board may enlist the support of experts and international entities/organizations in this process.
- The Board, as constituted by the Wildlife Ordinance of 1979, is mandated to relocate all remaining animals to their respective sanctuaries within sixty days upon receiving an authorized copy of this ruling.
- The Board, established under the Wildlife Ordinance of 1979, will promptly take over the management of the Zoo. The Corporation and the Chief Commissioner of Islamabad Capital Territory will provide assistance to the Board until all animals have been relocated.
- The Minister responsible for the Ministry of Climate Change, along with the Board members, will be collectively responsible for ensuring the welfare and well-being of each animal until they are transferred to their designated sanctuaries.
- The Board is prohibited from introducing any new animals to the Zoo until a reputable international organization specializing in zoological garden matters certifies the availability of suitable facilities and resources to meet the behavioral, social, and physiological needs of each animal species.
- The Board, as established under the Wildlife Ordinance of 1979, will conduct inspections of any other zoo within Islamabad Capital Territory to evaluate the treatment of animals and take appropriate actions within the boundaries of the law.
- The Black Bear, seized by the Board in accordance with the Wildlife Ordinance of 1979, will remain in the Bear Sanctuary, as it was illegally held within the Islamabad Capital Territory.
- The Board will receive support from the Chief Commissioner of Islamabad Capital Territory and the Inspector General of Police to enforce the regulations outlined in the Wildlife Ordinance of 1979.

The Board is tasked with ensuring and implementing measures to uphold the stipulations of the Wildlife Ordinance 1979 and the Act of 1890, aiming to prevent any form of unnecessary pain and suffering that is inflicted upon animals. The Federal Government may contemplate recommending to provincial governments the integration of teachings from Islamic Studies, specifically emphasizing on animal care, welfare, and well-being as advocated in the Ahadiths and Quran, into the curriculum. The media, likewise, could play a role in educating the public on the appropriate treatment of animal species as part of Allah's creation. As a competent authority, the Board is responsible for establishing policies and frameworks on stray dogs. It is anticipated that the Board, in devising such a policy, will consider international best practices and teachings of Islam that advocate for the humane treatment of animals. Although acknowledging an attempt to obstruct the court order, this Court exercises restraint in matters of contempt. The two officials who were serving show cause notices appear to have not acted independently but rather out of compassion for the vulnerable animals.

The constitutional petitions are allowed and disposed of under the above conditions.
CHIEF JUSTICE announced in the open Court on 21-05-2020.

Approved for Reporting:

Luqman Khan, -UploadedBy:Engr. Umer RasheedDar, 2018 YLR 298:

This judgment is in the Peshawar High Court. The rights of cattle in grazing lands.

Ghulam Asghar Gadhi, Senior Superintendent of Police Dadu, PLD 2018 Karachi 169

This judgment is in the Sindh High Court. This section deals with the subject of cruelty to animals²⁶.

Conclusion:

The research project “Muslim jurists combating animal abuse in Pakistan” provides a deeper understanding of how Islamic principles are applied in the specific context of animal abuse. It also explores the Islamic perspective on motivation in the workplace, specifically examining how Islamic spirituality, reward, punishment and justice influence Pakistan. This contributes to ongoing efforts to promote animal welfare, not only in Pakistan but also in Muslim-majority countries worldwide. By incorporating these diverse perspectives and sources of information, we hope to shed light on how Muslim jurists in Pakistan are actively combating animal abuse and promoting animal welfare, guided by Islamic teachings. In today’s society, the issue of animal abuse has gained significant attention and concern. As ethical considerations regarding animal treatment continue to gain traction globally, it is crucial to examine how these principles are reflected in daily life, specifically within Muslim communities. By delving into the perspectives of Muslim jurists in Pakistan, this research provides valuable insights into the challenges and barriers they face in combating animal abuse while remaining true to Islamic teachings.

Furthermore, exploring potential collaborations and cooperation between Muslim jurists in Pakistan and international organizations working on animal welfare and protection is essential for addressing this issue on a global scale. Understanding the implications of Islamic teachings on animal welfare and protection is not only important within the context of Pakistan, but it also has broader implications around the world.

References

¹ Alphonso W Haynes et al., ‘Islamic Social Transformation: Considerations for the Social Worker’, *International Social Work* 40, no. 3 (1997): 265–75.

² Muhammad Sarwar, Muhammad Hasib, and Hafiz Muhammad Tanzeem, ‘The Jurisdiction and Conditions for Hunting of Animals in Islam’, *Al-Aijaz Research Journal of Islamic Studies & Humanities* 5, no. 4 (2021): 16–25.

³ Necmettin Kızılkaya, ‘Be Gentle to Them: Animal Welfare and the Protection of Draft Animals in the Ottoman Fatwā Literature and Legislation’, *Religions* 11, no. 10 (2020): 538.

⁴ Kızılkaya.

⁵ Kevin Markwell, *Animals and Tourism: Understanding Diverse Relationships*, vol. 67 (Channel View Publications, 2015).

⁶ A Hussain, AQ Sial, and A Usman, ‘The Study of Animal Rights and Related Laws in Pakistan’, 2021.

⁷ Hussain, Sial, and Usman.

-
- ⁸ Tibor R Machan, 'Do Animals Have Rights?', *Public Affairs Quarterly* 5, no. 2 (1991): 163–73.
- ⁹ Justice R Mughal, 'Rights of Animals in Pakistan: Constitution and Law', Available at SSRN 3698976, 2020.
- ¹⁰ Clara K Chow et al., 'Prevalence, Awareness, Treatment, and Control of Hypertension in Rural and Urban Communities in High-, Middle-, and Low-Income Countries', *Jama* 310, no. 9 (2013): 959–68.
- ¹¹ Corri Zoli, M Cherif Bassiouni, and Hamid Khan, 'Justice in Post-Conflict Settings: Islamic Law and Muslim Communities as Stakeholders in Transition', *Utrecht J. Int'l & Eur. L.* 33 (2017): 38.
- ¹² Kızılkaya, 'Be Gentle to Them: Animal Welfare and the Protection of Draft Animals in the Ottoman Fatwā Literature and Legislation'.
- ¹³ Haynes et al., 'Islamic Social Transformation: Considerations for the Social Worker'.
- ¹⁴ WHO, 'World Report on Violence and Health: Summary' (World Health Organization (WHO).), accessed 24 May 2024, https://www.who.int/violence_injury_prevention/violence/world_report/en/summary_en.
- ¹⁵ Muhammad Sarwar, Hafiz Muhammad Tanzeem, and Azhar Farid, 'ENGLISH 2 THE JURISPRUDENTIAL CONTRIBUTION OF ISLAM: FOR ANIMAL RIGHTS', *International Journal of Islamic Business, Administration and Social Sciences (IJIBAS)* 1, no. 4 (2021): 15–28.
- ¹⁶ Muhammad Sarwar, Hafiz Muhammad Tanzeem, and Ahmad Raza, 'Animal Rights and the Responsibilities of a Muslim', *International Research Journal of Education and Innovation* 2, no. 2 (2021): 112–24.
- ¹⁷ Sarwar, Hasib, and Tanzeem, 'The Jurisdiction and Conditions for Hunting of Animals in Islam'.
- ¹⁸ Muhammad Sarwar, Muhammad Ashfaq, and Ahmad Raza, 'ANIMAL RIGHTS IN ISLAM AND JUDAISM (AN ANALYTICAL STUDY)', *Al-Mahdi Research Journal (MRJ)* 5, no. 1 (2023): 266–90.
- ¹⁹ Sarwar, Tanzeem, and Farid, 'ENGLISH 2 THE JURISPRUDENTIAL CONTRIBUTION OF ISLAM: FOR ANIMAL RIGHTS'.
- ²⁰ Al-Hafiz Basheer Ahmad Masri, *Animal Welfare in Islam* (Kube Publishing Ltd, 2016).
- ²¹ 'The Holy Quran Al-Mayda 5:63', n.d.
- ²² 'The Holy Quran Al-Nahal 16:5', n.d.
- ²³ Sarwar, Tanzeem, and Farid, 'ENGLISH 2 THE JURISPRUDENTIAL CONTRIBUTION OF ISLAM: FOR ANIMAL RIGHTS'.
- ²⁴ Richard Foltz, *Animals in Islamic Tradition and Muslim Cultures* (Simon and Schuster, 2014).
- ²⁵ Samreena Gulzar and Aqsa Tasgheer, 'Animal's Protection for Environmental Sustainability: An Islamic Perspective', *Al-Qamar*, 2020, 137–52.
- ²⁶ Justice® Dr. Munir Ahmad Mughal, *Rights of Animals in Pakistan: Constitution and Law*, n.d.