THE LIVESTOCK WELFARE RIGHTS AND USES IN ISLAM: A STUDY OF CONTEMPORARY MUSLIMS' PERCEPTION IN NORTH-WESTERN NIGERIA

BY

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DECLARATION

I wish to declare that the research work entitled *The Livestock Welfare Rights and Uses in Islam: A Study of Contemporary Muslims' Perception in North - Western Nigeria*, has been carried out by me in the Department of Arts and Social Science Education. The information derived from the literature has been duly acknowledged in the text and a list of references provided. To the best of my knowledge, the study has not been presented partially or wholly anywhere in any application for a higher degree in any University.

Omar Abdallah DUKULY

…….. …… …….

Name Signiture Date

CERTIFICATION

This dissertation entitled: THE LIVESTOCK WELFARE RIGHTS AND USES IN ISLAM: A STUDY OF CONTEMPORARY MUSLIMS' PERCEPTION IN NORTH -WESTERN NIGERIA by Omar Abdallah DUKULY meets the regulations governing the award of the degree of Doctor of Philosophy of Ahmadu Bello University, Zaria and is approved for its contribution to knowledge and literary presentation.

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DEDICATION

With gratefulness to Allah, *Subhanahu Wa Ta'ala* (S.W.T.), I wish to dedicate this work to my late parents Imam Abdoullah and Hajja Fatima (Fanta-Djoly), to my wives: Fatima Ibrahim Komara and Suwaida Abubakar and to my children: Aisha (Hajja-Dousou), Hawa (Mawata), Fatima (Fanta-Djoly) Abdoullahi (Meme) and late Sarah (Ngo-Saran) for their prayers (Du'a), support and patience.

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ABSTRACT

This dissertation entitled: *The Livestock Welfare Rights and Uses in Islam: a Study of Cotemporary Muslims ' Perception in North-Western Nigeria* is borne out of the fact that in Islam life means love, care and respect for everyone including non-human animals such as livestock. The research findings were gathered through the use of questionnaire of Knowledge, Attitudes, Practices and Perceptions (KAPP). 1,470 respondents were randomly selected for the research from 35 major livestock markets and 35 major abattoirs within North-Western Nigeria. The results were statistically calculated through chi-square of Statistical Package for Social Sciences (SPSS) and demonstrated in charts and descriptively analyzed through frequency and percentage in Chapter IV. The major findings of this research are: (1) A wide range of infringements on the rights of livestock take place within North-Western Nigeria. These infringements include lack of resting livestock, squeezing them in tight vehicles and lack of adequate feeding for them on transit. (2) 79% of livestock dealers who have direct contact with the animals are below the age of 30. Consequently, these young people abuse the rights of livestock more than the older people. Livestock do not get the care and respect they need especially those at the infant stage due to massive involvement of young people. Young people overwork the animals, set them to fight one another, severely beat and underfeed them. (3) Inexperienced livestock dealers are one of the major actors in mishandling the animals. Over 60% of the inexperienced respondents do not know that livestock feel pain. (4) Due to poverty, a significant number of livestock dealers are not happy on their job. They transfer their frustration to the poor animals. Lack of job satisfaction makes the dealers to treat livestock like lifeless goods that do not need rest, feel pain or panic. (5) Livestock dealers in the rural settlements infringe more on the rights of the animals than their counter parts in the urban areas. Apart from lack of adequate Islamic teaching awareness, rural areas are remote from government agencies. Some common practices in the rural areas are: overloading and keeping loads on stationed livestock. (6) Most of the people dealing with livestock in markets and abattoirs are not well acquainted with the teachings of Islam vis-à-vis livestock welfare rights. It is only 2.60% of them that have university education in Islamic Studies/Arabic, 14% of them have N.C.E./ Diploma in Islamic Studies or Arabic while the Islamic educational qualification of the remaining 83% are limited to secondary school levels or below. It is against this background that most of the livestock dealers do not know that it is always rewarding to treat livestock with kindness. (7) There is a total absence of monitoring groups. All the respondents claimed lack of inspection from Muslim authority or scholars and very poor service of government agencies at all levels in terms of inspection at the livestock markets and abattoirs.

Chapter one discusses the general background to the study and examines the research problem, research objectives, hypothesis, significance of the study, scope and delimitation of the study. Chapter two cites and reviews related literature in order to project the relevance of the study to the welfare rights of livestock and the need of livestock dealers in that regard in North-Western Nigeria.

Chapter three focuses on the methodology and the research instrument adopted in carrying out the field work study. Chapter four analyzes the results of the field work study. Chapter five gives the summary, conclusion and recommendations of the research.

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ABBREVIATIONS

1. A.B.U – Ahmadu Bello University, Zaria
2. A. H. – After *Hijrah*
3. A.S. – *Alaihi-al-Salam*
4. B. Ed – Bachelor of Education
5. C. E. – Christian Era
6. ed – Edited
7. etc – et cetera
8. F.C.E. – Federal College of Education
9. H.I.S. – Higher Islamic Studies
10. H.O.D. – Head of Department
11. i.e – that is
12. L.G.A (s)– Local Government Area (s)
13. N.C.E. – Nigeria Certificate in Education
14. N.D. – No Date (The date is unknown)
15. N.G.Os – Non-Governmental Organisations
16. R. A. - *Radiyallahu Anhu /Anhuma/ Anha/ Anhum*
17. S. A. W – *Sallal- lahu alayhi wa Sallam*
18. SPSS = Statistical Package for Social Sciences
19. S.S.C.E – Senior School Certificate Examination
20. S.W.T. – *Subhanahu wa Ta'ala*
21. WHO - World Health Organization

OPERATIONAL DEFINITION OF TERMS

1. After Hijrah: After the Migration of Prophet Muhammad (SAW) from Makkah to Madinah in 622 C.E
2. *Ahadith*- Plural of *Hadith* which is the sayings, deeds and silent approval of Prophet Muhammad (S.A.W.)
3. *Ahl al-Kitab* – People of the Book – Jews and Christians
4. *'Alaihi-al-Salam*: Blessing be upon him
5. *An'am* – Livestock, Cattle
6. *Amanah* – Trust, faithfulness, trustworthiness…
7. *Aqiqah* – Naming ceremony
8. Automat – Living things that have no souls, minds, or reason. They can see, hear, and touch, but they are not, in any sense, conscious, and are unable to suffer or even to feel pain.
9. *Basmalah* – Saying Bismillah – In the name of Allah
10. *Bahimah* – Beast, Quadrupeds
11. *Baqarah* - Cow
12. Biomass – The total quantity or weight of living creature in a given area or volume
13. Cukwi – A flat cheese sold in Northern Nigeria
14. *Dabbah* - Animal
15. Ecosystem – A localized group of interdependency together with the environment they inhabit and depend on

16. *'Eid al-Adha* – Festival of Islamic sacrifice taking place in the 12th month of Muslim calendar
17. *Fuqha'u* – Muslim Jurists
18. *Ghanam* – Sheep and goats
19. Genus Bos – A scientific name for cattle
20. Genus Capra – A scientific name for goats
21. Genus Equus – A scientific name for horses
22. Genus Ovis – A scientific name for sheep
23. *Ghusl* – Muslim Ritual bath
24. *Hadith*- See *Ahadith*
25. *Haram* – A prohibited act that attracts punishment if done
26. *Hayawan* – Animals other than humans
27. *Ibadah* – Acts of worship
28. *Ihram* – State of ritual consecration during Hajj
29. *Ihsan*- Goodness, proficiency, Allah's consciousness
30. *Ish'ar* – Marking a livestock for sacrifice
31. *Istinja'* -Dry purification, it is cleaning the private parts with dry objects such as stone and stick in the absence of water
32. *Iman)*- Faith in Allah and His teachings
33. *Jallalah* – Animals that feed on the waste or flesh of other animals be it livestock or not.
34. *Kaffarah* – Expiation of sins

35. *Khail* – Plural of horse

36. *Khutbah*- Sermon before Friday and after the two *'Eid* prayers

37. Lairage – Place where livestock are kept temporarily

38. *Malam* – Teacher, it is sometimes referred to Sir in Hausa language

39. *Makruh* – A reprehensible act in *Shariah*

40. *Mandub* –An emphatic act that requires reward but no punishment if not done.

41. *Maslahah* – General or public interest

42. Mixed farming – Keeping cattle for supply of manure for crops in the field

43. Modi operandi – Plural of modus operandi meaning ways or method of doing something

44. *Mubah* – A permissible act that attracts neither reward nor punishment**.**

45. *Mufassirun* **–** Muslim Commentators of the Qur'an

46. *Muhrim* – A pilgrim in the state of ritual consecration

47. *Nawafil* – Supererogatory acts of worship

48. *Nisab* – Origin or Minimum requirement for giving *Zakat*

49. *Qiblah* – The Direction of Ka'bah in Makkah

50. *Radiyallahu 'Anhu /'Anha/'Anhuma/'Anhum)*: May Allah be pleased with him /her/ both of them

51. *Sahabah*- Companions or disciples of Prophet Muhammad (SAW)

52. *Salat* - An act of worship usually translated as prayer. It refers specifically to the Muslim prayer consisting of a prescribed series of words (starting with *Takbir* and

ending with *Taslim*) and actions demonstrating submission to Allah. The compulsory *salat* is performed five times a day.

53. *Sallal- lahu alayhi wa Sallam*: Blessings and peace of Allah be upon him. (A recommended prayer uttered whenever Prophet Muhammad's name is mentioned).
54. *Shat* - Sheep
55. *Shirk*- Associating partner with Allah (polytheism)
56. *Sunnah* – Acts recommended by the Prophet (SAW)
57. *al-Su'ur* – A small quantity of water left by a livestock and other animals after drinking
58. *Suwar)* –It is the plural of *Surah* which means chapter.
59. *Subhanahu wa Ta'ala*: Glory be to Him (Allah) the Exalted.
60. *Ta'dhib* – Affliction, torture
61. *Talbiyyah* – Glorification of Allah in response to His call for *Hajj*
62. *Taqlid* – Garlanding or decorating livestock for sacrifice
63. *Tawaf al-Ifadah* – Farewell moving around the Ka'bah
64. *Ummah*- Community or society.
65. *'Umrah* – Minor pilgrimage to Makkah
66. University Education- Ph.D, M.A/M.Ed/M.Sc, B.A/B.Ed, B.Sc.
67. *Wajib* – An obligatory act that requires reward or punishment if done or not respectively.
68. *Walimah* - Banquet

69. *Wudu*' – Ablution or ritual cleanliness of some parts of the body with water before *Salat.*

70. *Ẓulm* – Oppression by man against nature

CHAPTER ONE

GENERAL INTRODUCTION

1.1 Background to the Study

Living things are generally divided into plants and animals. But there is no consensus among bio-scientists (specialists in life science) concerning the classification of living things. Some think that organisms should be grouped according to differences or similarities in the way they look or act while other scientists argue that classification should be based on characteristics derived from a shared evolution (Ahmad, 2010). Conflicting philosophies about classification have resulted into a variety of classification methods, each with its own set of assumptions, techniques, and results.

This study is not concerned with such arguments; although it focuses on human interactions with domestic animals particularly livestock. How do the Muslims of North - Western Nigeria perceive the welfare rights of these animals in the light of Islamic teachings as they are subjected to human uses?

Islam as a complete way of life attaches huge importance to each species that forms part of creation including livestock. Apart from the fact that over two hundred (200) verses of the Glorious Qur'an discuss livestock and other animals, six chapters (*Suwar*) of the Qur'an are named after them. These *Suwar* are the Cow (*Surat al-Baqarah* - Q2), Cattle (*Surat al-An'âm* - Q6), the Bee (*Surat al-Nahl* - Q16), the Ants (*Surat al-Naml* - Q27), the Spider (*Surat al-Ankabut* - Q29) and the Elephant (*Surat al-Fil* - Q105). Some of the importance attached to their conservation and well being can be deduced from Allah's (SWT) instruction to Prophet Nuh in *Suratul-Mu'minun* (Q23: 27):

□ ى ى
□ يـ يـ
المؤمنون: ٢٧

So We inspired him (Nuh) (with this message): "Construct the Ark within Our sight and under Our guidance: then when comes Our command and the fountains of the earth gush forth take thou on board pairs of every species male and female and thy family except those of them against whom the Word has already gone forth: and address Me not in favor of the wrongdoers; for they shall be drowned (in the Flood).

The pairs of every species stated in the above verse include livestock and every other animal of this planet (earth) (al-Sabuni 1976). But according to a-Qurtubi (1987), the pairs of every species stated in the above verse refer to both mammalian and oviparous (egg laying) animals with the exception of insects and worms. It did not include insects and worms because their lifespan is seasonal and parasitic in nature. Livestock being mammalian animals were therefore, part and parcel of the passengers of the Ark of Prophet Nuh, *Alaihi al-Salam* (AS).

History has recorded that Prophet Muhammad, *Sallallahu Alaihi Wal-Salam* (SAW) was engaged in rearing livestock in the noble city of Makkah. The engagement of the Prophet (SAW) in livestock rearing is a testimony to the nobility and dignity of livestock in Islam. This is further strengthened in a *Hadith* narrated by Abu Hurairah:

عن أبي هريرة رضي الله عنه : عن النبي صلى الله عليه و سلم قال (ما بعث الله نبيا إلا رعى الغنم) . فقال أصحابه وأنت ؟ فقال (نعم كنت أرعاها على قراريط لأهل مكة) [ش (قراريط) جمع قيراط وهو جزء من النقد وقيل قراريط اسم موضع قرب جياد بمكة] البخاري ٢/ ٧٨٩

On the authority of Abu Hurairah: The Prophet (SAW) said, "Allah did not send any prophet but shepherded sheep." His companions asked him, "Did you do the same?" The Prophet replied, "Yes, I used to shepherd the sheep of the people of Makka for some Qararit. Qararit is the plura of Qirat which is a kind of

currency. It sometimes refers to a name of place near Makkah." (Bukhari vol.2 Hadith N0 789)

Significantly, the suspension of Friday's sermon (*khutbah*) by the Prophet (SAW) to supplicate for rain for the welfare of livestock also explains the importance of livestock in the teachings of Islam. Anas bn Malik reported that on a Friday a man entered the Mosque through the gate facing the pulpit while Allah's Apostle (SAW) was delivering the Khutba. The man stood in front of Allah's Apostle and said, 'O Allah's Apostle! The livestock are dying and the livelihoods are hard; so please pray to Allah for rain.' "Anas added, "Allah's Apostle (SAW) raised both his hands and said, 'O Allah! Bless us with rain! O Allah! Bless us with rain! O Allah! Bless us with rain!' "Anas said, "By Allah, we could not see any trace of cloud in the sky and there was no building or a house between us and (the mountains of) Sila." Anas added, "A heavy cloud like a shield appeared from behind it (that is. Sila' Mountain). When it came in the middle of the sky, it spread and then rained." Anas further said, "By Allah! We could not see the sun for a week. Next Friday a person entered through the same gate and at that time Allah's Apostle was delivering the Friday's Khutba. The man stood in front of him and said, 'O Allah's Apostle! The livestock are dying and the roads are cut off, please pray to Allah to withhold rain.' Anas added, "Allah's Apostle raised both his hands and said, 'O Allah! Round about us and not on us. O Allah! (Send the rain) on the plateaus, on the mountains, on the hills, in the valleys and on the places where trees grow.' So the rain stopped and we came out walking in the sun." Sharik asked Anas whether it was the same person who had asked for the rain (the last Friday). Anas replied that he did not know (Bukhari vol.2, Hadith N0 126 and Muslim vol.2, *Hadith* 612).

It means that the Prophet (SAW) used to give good attention to the need of livestock by protecting and supporting their welfare rights. Therefore, possession of knowledge by a Muslim about Allah's creation is a means of increasing his faith in Allah as well as love and a respect for nature (Hamid 1990). The world is a gift to man, thus man is expected to derive benefit from it. The Glorious Qur'an stated:

چ □ ی
ی ی ی □ چ البقرة: ٢٩

> *It is He who hath created for you all things that are on earth; moreover His design comprehended the heavens for He gave order and perfection to the seven firmaments; and of all things he hath perfect knowledge (Q2: 29).*

According to the above verse, Allah has given man the authority over other creatures and the responsibility to morally work in harmony with the natural environment. The authority given to man over other creatures is Allah's trust (*Amanah*). Prophet Muhammad (SAW) in many instances had demonstrated the ethical teachings of Islam toward livestock. For example, Shaddad bn Aws (RA) reported the Messenger of Allah (SAW) saying:

> إنّ الله كتب الإحسان على كلّ شيء؛ فإذا قتلتم فأحسنوا القتلة, وإذا ذبحتم فأحسنوا الذّبح, وليحدّ أحدكم شفرته, فليرح ذبيحته. مسلم ٦ / ٧٢.

> *Verily, Allah Has prescribed proficiency in all things. Thus… when you slaughter an animal, do it in a good way; and any one of you should sharpen his blade so that the animal may be spared the suffering of slaughtering (Muslim, vol. 6, Hadith N0 72).*

Based on the *Hadith* reporting Angel Jibril's visit to the Prophet (SAW) in the midst of his Companions (*Sahabah*), the term *Ihsan* is explained by the Prophet (SAW)

to mean both proficiency and Allah-Consciousness (*Taqwa*) as elucidated in this statement:

قال(ملك جبريل): فأخبرني عن الإحسان قال أن تعبد الله كأنك تراه فإن لم تكن تراه فإنه يراك (مسلم: ٢٨/١)

He (Agel Jibril) said: Inform me about Ihsan. That you worship Allah as if you are seeing Him, But though you do not see Him, He, surely, sees you (Muslim, 1: 28)

Proficiency and *Taqwa* prescribed by Allah (SWT) according to the Prophet (SAW) in the above *Hadith* encompasses every aspects of Muslim life. In this case, it may be proper rearing of livestock in terms of adequate feeding and proper ranches, it may be decent way of transportation, it may be proper hygiene of handling the livestock, and it may be relieving the livestock from pain in the course of slaughtering.

This is another *Hadith* related to the welfare rights of livestock and other animas:

عن عبد الله بن مسعود: كنا مع رسول الله صلى الله عليه و سلم في سفر فانطلق لحاجته فرأينا حمرة (الحمره طائر) معها فرختان فأخذنا فرختيها فجاءت الحمرة فجعلت تفرش (أي ترفرف) فجاء النبي صلى الله عليه و سلم فقال " من فجع هذه بولدها ؟ ردوا ولدها إليها ". أبو داود ٢/ ٦١.

It is narrated by Abdullah bn Mas'ud that: We were with the Prophet (SAW) in a journey and He left us for a while and we saw a bird with two kids. We took away the two kids and their mother came fluttering around our heards and there upon the Prophet came and asked who took away the kids of this (bird)? Return them to the place from where you took them, and let their mother be with them (Abu Dawud vol. 2, Hadith 61).

The relationship of a Muslim to the environment he lives is therefore, not limited to his immediate desire at the expense of consciousness of Allah (SWT) in relation to the welfare rights of others including livestock. This is in line with the following instruction of the Prophet (SAW):

عن سهل بن الحنظليّة قال: مرّ رسول الله -صلى الله عليه وسلم ببعير قد لحق ظهره ببطنه فقال: «اتّقوا اللّه فى هذه البهائم المعجمة فاركبوها وكلوها صالحة». مسلم ٩٠٠ و أبو داود ٢/ ٣٢٨.

On the authority of Sahl Ibn al-Hanẓaliyah who said: Allah's Apostle happened to pass by a (lean) camel whose belly had shrunk to its back and he said: Fear Allah in respect of these animals who do not speak (our tongue). Ride them when they are in a good condition and retire them in good health" (Muslim, Hadith 900, and Abu Dawud vol. 2 Hadith 328).

The Prophet (SAW) also admonished Muslims to always and adequately feed and take care of their livestock as instructed in the following *Hadith*:

عن أبي هريرة أنَّ رسول الله -صلى الله عليه وسلم قال: «إذا سافرتم فى الخِصب فأعطوا الإبل حقّها وإذا سافرتم فى الجدب فأسرعوا السّير فإذا أردتم التّعريس فتنكَّبوا عن الطَّريق». أبو داود ٢/ ٣٣٣.

On the authority of Abu Huraira (RA), the Apostle of Allah (SAW) said: "In the course of your journey, let camels (and other livestock) graze well if the lands are green, but travel fast if they (lands) are parched and dry, so that the animals would arrive quickly at its destination and be saved from thirst and hunger on the way" (Abu Dawud vol. 2, Hadith 333).

The concept of right as it relates to livestock is one of the issues of this research. Rights in Islam are religious obligations associated with faith (*Iman*). Islam describes right as principles of justice, fairness, and honesty to both physical and spiritual needs of every creature. Rights are generally divided into two phases: the right of Allah and the right of creatures. This is reflected in many Qur'anic verses and *Ahadith* of the Prophet (SAW) such as:

ﭐ ﭑ ﭒ ﭓ ﭔ ﭕ ﭖ ﭗ ﭘ ﭙ ﭚ ﭛ ﭜ ﭝ ﭞ ﭟ ﭠ ﭡ ﭢ ﭣ ﭤ ﭥ ﭦ ﭧ ﭨ ﭩ ﭪ ﭫ ﭬ ﭭ ﭮ ﭯ ﭰ ﭱ ﭲ ﭳ ﭴ ﭵ ﭶ ﭷ ﭸ ﭹ ﭺ ﭻ ﭼ ﭽ ﭾ ﭿ ﮀ ﮁ ﮂ ﮃ ﮄ ﮅ ﮆ ﮇ ﮈ ﮉ ﮊ ﮋ ﮌ ﮍ ﮎ ﮏ ﮐ ﮑ ﮒ ﮓ ﮔ ﮕ ﮖ ﮗ ﮘ ﮙ ﮚ ﮛ ﮜ ﮝ ﮞ ﮟ ﮠ ﮡ ﮢ ﮣ ﮤ ﮥ ﮦ ﮧ ﮨ ﮩ ﮪ ﮫ ﮬ ﮭ ﮮ ﮯ ﮰ ﮱ المائدة: ٨

O ye who believe! stand out firmly for Allah as witnesses to fair dealing and let not the hatred of others to you make you swerve to wrong and depart from

justice. Be just: that is next to piety: and fear Allah for Allah is well-acquainted with all that ye do (Suratul-Ma'ida, Q5: 8).

Ibn Kathir (1997) commented on the above verses of the Glorious Qur'an by saying that the verses made it clear that justice and fairness are the responsibility of every individual Muslim to all other creatures. By inference, it is the responsibility of every Muslim dealing with livestock to treat them justly and fairly.

Rights are established rules of a community. These rights according to Islam have been granted by Allah; they have not been granted by any king, head of state or by any legislative assembly. Rather, they form part and parcel of the Islamic faith (Bawa 2010). Maududi (1970) asserts that there are four broad rights in Islam. These rights are: (1) the laws applicable to the service to Allah which every man is obliged to obey. (2) The rules concerning man's personal needs, as Islam strongly forbids the use of anything injurious to man's physical, mental or moral existence. (3) The rules of law concerning interaction with fellow man which must equally be respected in order to avoid selfishness. Selfishness is disadvantageous to oneself and the society. (4) Although man is honoured by Allah (STW) with authority over all other creatures including animals and plants, they too have rights upon man. Maududi's (1970) assertion can be derived from this *Hadith*:

عن معاذ بن جبل قال كنت ردف النبي -صلى الله عليه وسلم على حمار يقال له عفير فقال «يا معاذ بن جبل». قلت لبّيك رسول اللّه وسعديك. قال «هل تدرى ما حقّ اللّه على العباد». قال قلت اللّه ورسوله أعلم. قال «فإنّ حقّ اللّه على العباد أن يعبدوه ولا يشركوا به شيئًا». ثمّ قال « يا معاذ بن جبل». قلت لبّيك رسول اللّه وسعديك. قال «هل تدرى ما حقّ العباد على اللّه إذا فعلوا ذلك». قال قلت اللّه ورسوله أعلم. قال «أن لا يعذّبهم». البخاري ٣/ ٢٧٠١ و مسلم ١/ ١٥٢.

Muadh bn Jabal said that: I was a companion rider of the Prophet (SAW) on a donkey called Ufair. The Prophet asked, "O Mu'adh! Do you know what is

Allah's right on His slaves, and what is the right of His slaves on Him?" I replied, "Allah and His Apostle know better." He said, "Allah's right on His slaves is that they should worship Him (Alone) and should not worship any besides Him. And slave's right on Allah is that He should not punish him who worships none besides Him." Bukhari vol.3, Hadith N0: 2701 and Muslim vol. 1, Hadith N0: 152."

If the Creator, Allah (SWT) could provide rights for His creatures upon Himself according to the above *Hadith*; what much right livestock should have upon who is not their creator? It is hence, obligatory for every Muslim to protect and respect rights prescribed by Allah for every livestock. This is because rights are not limited to human beings alone, but are accorded to everything on earth as stated in another *Hadith*:

عن أبي هريرة رضي اللَّهُ عنه قال سمعت رسول الله -صلى الله عليه وسلم يقول «إنّ اللّه عزّ وجلّ قد أعطى كلّ ذى حقّ حقّه فلا وصيَّة لوارث ...» أبو داود ٣ /٣٥٦٧.

On the authority of Abu Hurairah (R.A) who said: I heard the Apostle of Allah (SAW) say: Allah has appointed for everyone who has a right what is due to him, and no bequest must be made to an heir (Abu Dawud vol. 3, Hadith N0: 3567).

The statement *Allah has appointed for everyone who has a right what is due to him* in the above *Hadith* includes both human and non-human, living things and non-living things. The following *Ahadith* buttress this view better:

عن سعيد بن زيد عن النبي -صلى الله عليه وسلم قال «من أحيا أرضا ميتة فهى له وليس لعرق ظالم حقّ» أبو داود ٣/ ٣٠٧٥.

On the authority of Sa'id ibn Zayd: The Prophet (SAW) said: If anyone brings barren land into cultivation, it belongs to him, and the unjust vein has no right (Abu Dawud vol. 3, Hadith N0 3075).

This *Hadith* teaches property right, that is one of the means of having right to own a land is to be the first person to use it in terms of cultivation or habitation.

عن أبى سعيد الخدرىّ أنّ رسول الله -صلى الله عليه وسلم قَالَ «إيّاكم والجلوس بالطُرقات ». فقالوا يا رسول الله مالنا بد من مجالسنا نتحدّث فيها. فقال رسول الله صلى الله عليه وسلم «إن أبيتم فأعطوا الطّريق حقّه». قالوا وما حقّ الطّريق يا رسول الله قال «غضّ البصر وكفّ الأذى وردّ السّلام والأمر بالمعروف والنّهى عن المنكر». البخاريّ ٥/ ٥٨٧٥.

Abu Said Al Khudri reported that the Prophet (SAW) said, "Beware! Avoid sitting on the roads." They (the companions) said, "O Allah's Apostle! We can't help sitting (on the roads) as these are (our places) where we have talks." The Prophet (SAW) said, "If you refuse but to sit, then pay the road its right." They said, "What is the right of the road, O Allah's Apostle?" He said, "Lowering your gaze, refraining from harming others, returning greeting, and enjoining what is good, and forbidding what is evil (Bukhari vol. 5, Hadith N0 5875)."

It can be deduced from the above *Hadith* that even inanimate such as road has right to proper use. The word "road" in the *Hadith* can also be considered as a metaphor referring to any public place where Muslims are expected to lower their gaze, refrain from harming others, return greeting, and enjoin what is good, and forbid what is evil.

عن عبد اللّه بن عمرو يرويه --قال ابن السَّرْح عن النبي صلى الله عليه وسلم قال «من لم يرحم صغيرنا ويعرف حقّ كبيرنا فليس منّا». أبو داود ٤/ ٤٩٤٥.

Abdullah bn 'Amri reported that on the authority of Ibn al-Sarh (R.A): the Prophet (SAW) said: He who does not treat our youth kindly and know not the right of elders, he is not part of us (Muslim community) (Abu Dawud vol. 4, Hadith N0: 4945).

While the above *Hadith* addresses an aspect of moral rights for both the youth and the elders, this study concerns itself to those of the welfare rights of livestock.

عن أبي هريرة رضي الله عنه قال سمعت رسول الله صلى الله عليه و سلم يقول (حق المسلم على المسلم خمس رد السلام وعيادة المريض واتباع الجنائز وإجابة الدعوة وتشميت العاطس) البخاري ١/ ١١٨٣.

On the authority of Abu Hurairah (R.A): I heard Allah's Apostle (SAW) saying, "The rights of a Muslim on the Muslims are five: to answer greeting, visit the

sick, follow the funeral processions, accept invitation and to reply the sneezer (Bukhari vol. 1, Hadith N0. 1183).

The above *Hadith* makes it clear that the issue of right in Islam is not limited to property and legal entitlements. It also includes moral concern for the wellbeing of fellow human beings and other animals. It is part of the moral rights of a Muslim to receive answers for his greeting and being visited when he is sick.

عن أبي جحيفة عن أبيه قال: آخى النبي صلى الله عليه و سلم بين سلمان وأبي الدرداء فزار سلمان أبا الدرداء فرأى أم الدرداء متبذلة فقال لها ما شأنك ؟ . قالت أخوك أبو الدرداء ليس له حاجة في الدنيا . فجاء أبو الدرداء فصنع له طعاما فقال كل قال فإني صائم قال ما أنا بآكل حتى تأكل قال فأكل فلما كان الليل ذهب أبو الدرداء يقوم قال نم فنام ثم ذهب يقوم فقال نم فلما كان من آخر الليل قال سلمان قم الآن فصليا فقال له سلمان إن لربك عليك حقا ولنفسك عليك حقا ولأهلك عليك حقا فأعط كل ذي حق حقه فأتى النبي صلى الله عليه و سلم فذكر ذلك له فقال النبي صلى الله عليه و سلم (صدق سلمان) البخاري ٢ / ١٨٦٧

Abu Juhaifa (R.A) said: The Prophet made a bond of brotherhood between Salman and Abu Ad-Darda'. Salman paid a visit to Abu Ad-Darda' and found Um Ad-Darda' dressed in shabby clothes and asked her why she was in that state. She replied, "Your brother Abu Ad-Darda' is not interested in (the luxuries of) this world." In the meantime Abu Ad-Darda' came and prepared a meal for Salman. Salman requested Abu Ad-Darda' to eat (with him), but Abu Ad-Darda' said, "I am fasting." Salman said, "I am not going to eat unless you eat." So, Abu Ad-Darda' ate (with Salman). When it was night and (a part of the night passed), Abu Ad-Darda' got up (to offer the night prayer), but Salman told him to sleep and Abu Ad-Darda' slept. After sometime Abu Ad-Darda' again got up but Salman told him to sleep. When it was the last hours of the night, Salman told him to get up then, and both of them offered the prayer. Salman told Abu Ad-Darda', "Your Lord has a right on you, your soul has a right on you, and your family has a right on you; so you should give the rights of all those who have a right on you." Abu Ad-Darda' came to the Prophet and narrated the whole story. The Prophet said, "Salman has spoken the truth (Bukhari vol.2, Hadith N0. 1867).

Dominion over fellow human beings including family members and one's body is not a license to ignoring their rights. The body parts such as eyes have right to time for

relaxation and sleep, family members have right to mutual satisfaction and respect. Prescription of these rights in the above *Hadith*, makes it clear that Islam expects Muslims to always strive for decent ways of doing things. Decency includes kind treatment of animals such as livestock.

عن زيد بن خالد قال قال رسول الله -صلى الله عليه وسلم « لاَ تسبّوا الدّيك فإنّه يوقظ للصّلاة » أبو داود ٤ / ٥١٠٣.

On the authority of Zaid bn Khalid: the Messenger of Allah (SAW) said: "Do not abuse rooster for it wakes (Muslims) for (morning) prayer." (Abu Dawud vol. 4, Hadith N0: 5103).

Apart from the fact that meat and eggs of cocks or rooster and other fowls are a source of protein; the living ones also notify people more especially in the rural areas about daybreak which is a valuable notice to the time of *Subh* prayer. Permission to derive benefit from cocks, livestock and other animals is not a license to their verbal and or physical abuses.

North – Western Nigeria as the study area of this research is one of the six geo-political zones. Others are North –Central, North –East, South –East, South – South and South West. North-West comprises seven states which are Jigawa, Kaduna, Kano, Kaksina, Kebbi, Sokoto and Zamfara.

There are different ethnic groups that exist in the North –West Nigeria with diversified socio-economic activities. These ethnic groups include Gobirawa, Adarawa, Sullubawa (in Sokoto State); Dakkar (in Zamfara State); Barebari, Alifawa, Hunkawa (in Kebbi State); Bajju, Kataf, Kagoro, Jaba, Gbaggyi, Ninzam, Chawai, Kurama, Atyap, and Gwari (in Kaduna State). Due to their minority nature, most of the ethnic groups have been assimilated into Hausa culture. Hausa and Fulani which are predominantly Muslims,

are the dominant ethnic groups spread across the seven states in the zone and beyond. The two ethnic groups share many things which have integrated them as if they are a single ethnic group popularly referred to as Hausa/Fulani. Their integration is mainly due to common socio-cultural and religious values - intermarriage and acts of worship. The Muslims in the region dominate all the seven states and their local governments within North –West except in southern Kaduna State which is dominated by Christians. The livestock sector is dominated by nomad Fulani pastoralists, who use mostly traditional forms of production traveling from one place to another. State and federal governments have tried periodically to encourage the Fulani to settle down and form large-scale cattle ranches, but with little success. In 1983 cattle rearing was devastated by a highly contagious virus known as rinderpest, but by the mid-1990s it had mostly recovered (Encyclopaedia Britannica 2008).

The Hausa and other ethnic groups in minorities also participate in livestock rearing but generally restricted to backyards and small ranches. Most of the livestock activities at the markets and abattoirs are equally carried out by the Hausa. These activities include transportation in vehicles, butchering and retail sales of meat. It was in the course of involvement in livestock business that the researcher had some terrible experience where most Muslims in the business treat the animals with contempt in the course of trade and transportation.

It is therefore not impertinent, to study the activities of Muslims living in North-Western Nigeria vis-à-vis the handling of livestock which is one of their major occupations. Thus, their attitudes, practices and percptions led into research on *The*

Livestock Welfare Rights and Uses in Islam: a Study of Cotemporary Muslims ' Perception in North-Western Nigeria.

1.2 Statement of the Problem

The rearing, trading or marketing and transportation of livestock are generally dominated by Muslims not only in North - Western Nigeria, but also across the country. Muslims also dominate the aspects of slaughtering, butchering and retail sales of meat of cows, sheep and goats. This process is supposed to be a good development if the Muslims should strictly abide by the teachings of the Glorious Qur'an and *Hadith*. Adherence to the teachings of Islam wil prevent Muslim communities in North - Western Nigeria and elsewhere from committing sins against any creature particularly against livestock and help them to be safe from eating unlawful and unhygienic meat.

In this respect, the livestock will be treated in a kind and dignified manner, even though they are subjected to human use. But the disheartening situation is that the reverse is the case with most Muslims in North-Western Nigeria who habitually infringe on the rights of livestock. These infringements will be viewed by non-Muslims in the light of Islamic teachings as barbaric despite kindness and sympathy Islam advocates for livestock.

Islam requires every Muslim to submit to the fold of Islam in totality, we should not hence, consider brutal dealings and mercilessness to livestock as compliance with Islamic injunctions.

Islam encourages people to engage in lawful trade and other occupations that earn them wealth such as livestock business. However the welfare rights of the animals must

be respected in every circumstance. Thus, keeping them in unsuitable conditions, squeezing and transporting them in tights vehicles or inadequately feeding them as it happens in North-Western Nigeria cannot be said to have corresponde with the teachings of Islam.

The silence of Muslim scholars and the comatose policy of the government about the welfare rights of livestock and total absence of Muslim group that will advocate for the protection of animal rights at the abattoirs and livestock markets, are subjecting the poor animals to various maltreatments.

Proper handling of livestock needs the participation of mature, experienced, financially well-to-do and Islamically educated individuals. No wonder massive involvement of young people, inexperienced, economically frustrated and Islamically ignorant individuals is related to open and incessant infringements on the rights of livestock by many Muslim livestock dealers in North-Western Nigeria.

One of the major objectives of Islam is the cleanliness of the heart from polytheism (*Shirk*), cleanliness of the cloth and cleanliness of the environment from filth (al-Ajri, nd). But most of the livestock markets and abattoirs that are concerned with supply of meat and fresh milk in North-Western Nigeria, were observed to be unhygienic.

These problems and their causes can be addressed if Muslims, dealing with livestock and meat processing in North - Wester Nigeria, are properly educated about Islamic tenets regarding livestock welfare rights and cleanliness of abattoirs and other meat processing places. Other suggestions proffered to the above problems in this research include government support for Islamic law protecting livestock welfare rights, provision of decent means of transportation for them and organization of Muslim group

advocating for animal welfare rights through monitoring and reporting cases of infringement on their rights to appropriate quarters for necessary actions. Inspections by Muslim scholars and government agencies will also help address the hygienic problems of abattoirs and other meat processing places in North - Western Nigeria.

1.3 Objectives of the Study

The main objectives of the study are to:

1. identify the various forms of infringements on the rights of livestock that are taking place across all the seven states of North-Western Nigeria,
2. examine the causes of infringements on the rights of livestock in major livestock markets and abattoirs of North-Western Nigeria,
3. evaluate the activities of the government and Muslim community (*Ummah*) in respect of protecting livestock welfare rights in North-Western Nigeria,
4. explain the implication of Islamic teachings regarding kind treatment and maltreatment of livestock,
5. proffer solutions to the causes and problems of livestock handling in North-Western Nigeria,
6. describe the importance of livestock to mankind in general and to Muslims in particular, and
7. identify some lawful and unlawful types of livestock for consumption.

1.4 Research Questions

The major questions raised to be examined in the course of this study are as follows:

1. What are the various forms of infringements on the rights of livestock taking place across the seven states of North-Western Nigeria?
2. What are the causes of infringements on the rights of livestock in major livestock markets and abattoirs of North-Western Nigeria?
3. What are the level of commitment of the government and Muslim community (*Ummah*) in respect of protecting livestock welfare rights in North-Western Nigeria?
4. What is the position of Islamic teachings regarding kind treatment and maltreatment of livestock?
5. What are the solutions to the causes and problems of livestock handling in North-Western Nigeria?
6. What is the importance of livestock to mankind in general and to Muslims in particular?
7. What are the lawful and unlawful types of livestock for human consumption?

1.5 Hypotheses

The following Null hypotheses formulated for this studty will be tested:

1. There is no significant relationship between major livestock markets and abattoirs across all the seven states of North-Western Nigeria and infringements on the rights

of livestock such as lack of resting livestock on transit, squeezing livestock in tight vehicles and inadequate feeding of livestock on transit.

2. There is no significant relationship between young age of livestock dealers and infringements on the rights of livestock in North-Western Nigeria such as: Lack of resting the animals at work, setting them to fight and severe beating.
3. There is no significant relationship between lack of experience in livestock business and maltreatment of livestock in North-Western Nigeria such as: Tail-twisting, nose pressure, severe tying, in trying to subject livestock to personal desire.
4. There is no significant relationship between lack of desire to engage in livestock business and the wrong perception that animals do not feel pain.
5. There is no significant difference between rural and urban settlements in infringing on the rights of livestock in North-Western Nigeria such as: Overloading and keeping load on stationed livestock.
6. There is no significant relationship between lack of Islamic education and the infringements on the rights of livestock in North-Western Nigeria such as: Ignorance about reward for treating livestock kindly and legal implication of slaughtering livestock infront of one another.
7. There is no significant relationship between the inaction of Muslim community and government agencies and lack of inspections to the livestock markets and abattoirs.

1.6 Significance of the Study

Residents of the states of North-Western Nigeria are predominantly Muslim. Islamic teachings on the relationship between man and his Creator (Allah), his private life his relationship with other people and the environment where he lives are expected to be upheld and respected. However, the high rate of ignorance about the religion especially among the livestock dealers is quite alarming. Livestock's rights to adequate feeding and other forms of kind treatment are grossly violated. The exposure of livestock to hardship and difficulty even before taking them to abattoirs and other slaughter houses are quite disturbing. The abattoirs and livestock markets are places characterized by untidy environments where dangerous diseases can easily spread among the Muslim community of the areas.

The nonchalant attitudes of many Muslim communities, scholars and government over the brutality and maltreatment of livestock in North –Western Nigeria is portraying Muslims negatively which could invite the displeasure and wrath of Allah (SWT).

Any research that could therefore, stand to explain the implication of maltreatment of livestock, unhygienic environments and guide people to upholding the teachings and injunctions of Islam that is supportive to the livestock welfare rights will be of great significance. The research will serve as a springboard for Muslim scholars to include livestock and other animals' welfare rights in their preachings in mosques and other public gatherings. Curriculum planners of Islamic studies could as well be motivated by this study to package welfare rights of livestock into the curriculum. The three tiers of governments, that is, local, state and federal governments could also be urged by this research to review and enforce laws regarding livestock welfare rights. Livestock dealers in North-Western Nigeria and other geopolitical zones across the

country could be guided by this study to treat livestock and other animals kindly and fairly.

1.7 Scope and Delimitation of the Study

It is generally observed that abuses on animals both wild and domestic take many forms. It will be over ambitious to cover all the aspects of animal abuses in this research. This study is thus delimited to livestock only. In a broader sense, livestock include all plants and animals that are domestically used by local farmers. This study however, delimits itself to mainly cattle, sheep, goat, dog, horse, and donkey.

There are many Qur'anic verses, *Ahadith* of Prophet Muhammad (SAW) and works of Muslim scholars that talk about animals in general and livestock in particular. This study focuses on some of those Qur'anic verses, *Ahadith* and works of scholars that address the importance of livestock to man and their rights to kind treatment.

Bio-scientists have carried out many researches about the behaviours of livestock which show that there may be some forms of abuses on the rights of the animals through what they call "selective breeding, artificial insemination, embryo transfer, cloning and vivisection (D'Silva & Stevenson, 1995)." These scientific aspects are not covered in this research for two reasons: the first reason is the fact that the problems identified in this research about "the welfare rights and uses of livestock in North - Western Nigeria" were not done through laboratory researches. The second reason is that the researcher is not a bio-scientist for him to use laboratory in order to confirm or reject claims and counter-claims concerning the experimental findings.

Spatially, Northern Nigeria is a vast terrain comprising three geopolitical zones and 19 states plus Federal Capital Territory, Abuja. This study focuses on North-Western Geopolitical Zone with seven states. Fact findings on how the Muslims of the area use and handle the transportation and slaughtering of livestock will equally be covered.

The timeframe of personal experience on the problems of this research was ten years that is from 2003 to 2013.

CHAPTER TWO

REVIEW OF RELATED LITERATURE

Islamic education research is a humanity research that bears a wide range of relationship with many fields of study such as: Arts, Social Sciences, Education, Natural Sciences and Mathematics. For the research to be comprehensive, it requires not to confine literature review to one's specialization which is due to the inter-related nature of various disciplines. But emphasis should be on one's specialization in order to illustrate how that field has benefited from specialization.

It is against this background, the following topics will be reviewed in agreement or contrast with this study: Definition of Livestock, Theoretical Framework of Abuses on the Rights of Livestock in North-Western Nigeria, Animal Husbandry in Northern Nigeria, Constraints on Livestock Production in North-West, Unhygienic Conditions of Abattoirs and Livestock Markets and their Effects in North-Western Nigeria, Nigerian Legislations Concerning the Welfare Rights of Livestock. Other areas include, Uses of Livestock by Mankind, Use of Livestock as a Source of Meat and Milk, Use of Livestock for Banquet (*Walimah*), Use of Livestock as Raw Materials, Use of Livestock as a Means of Transportation or Labour, Use of Livestock as a Source of Wealth, Use of Livestock for Hunting, Use of Livestock for Religious Purposes**,** Method of Slaughtering Livestock in Islam, Prohibited Types of Livestock, and Livestock as Community of its Own.

2.1 Definition of Livestock

The term livestock like many other terminologies in various disciplines avails itself to various but related definitions by different scholars. Encyclopædia Britannica

(2012) gives the definition of livestock as farm animals, with the exception of poultry. The category of livestock encompasses primarily cattle, sheep, pigs, goats, horses, donkeys, and mules; other animals, such as buffalo, oxen, or camels, predominate in the agriculture of different areas. Chambers English Dictionary (1990) defines livestock as domestic animals, such as cattle or horses, raised for home use or for profit, especially on a farm. Collins English Dictionary (2003) defines it as a term used in Life Sciences & Allied Applications of Agriculture to describe cattle, horses, poultry, and similar animals kept for domestic use but not as pets, especially on a farm or ranch. Livestock is any animals kept for use or profit, farm animals, stock eutherian mammal, except monotremes (egg laying mammals) and marsupials (mammal having no placenta bearing immature young like kangaroo, (www.WordNet 2008).

Livestock is a noun used with a singular or plural verb describing horses, cattle, sheep, and other useful animals kept or raised on a farm or ranch. Livestock refers to domesticated animals that may be kept or raised in pens, houses, pastures, or on farms as part of an agricultural or farming operation, whether for commerce or private use (Dictionary.reference.com: 2011). Livestock further refers to horses, mares, mules, jacks, jennies, colts, cows, calves, yearlings, bulls, oxen, sheep, goats, lambs, kids (young goats or antelopes), hogs, shoats and pigs (livestock law &livestock definition by USLegal.com). By informed analysis, livestock is any animal domesticated long time ago and in recent time for human use such as cattle, sheep, goats, horses, donkeys, pigs, deer, parrots, poultry and fish.

According to an evolutionary biologist, Dimond (1999), animal spevies must meet six criteria in order to be considered livestock for domestication: Firstly, Flexible Diet:

Creatures that are willing to consume a wide variety of food sources and can live off less cumulative food from the food pyramid e.g. corn or wheat, particularly food that is not utilized by humans (such as grass and forage) are less expensive to keep in captivity. Carnivores by definition, feed primarily or only on animal tissue, which requires the expenditure of many animals, though they may exploit sources of meat not utilized by humans, such as scraps and vermin. Secondly, Reasonably Fast Growth Rate: Fast maturity rate compared to the human life span allows breeding intervention and makes the animal useful within an acceptable duration of caretaking. Large animals such as elephants require many years before they reach a useful size. Thirdly, Ability to be bred in Captivity: Creatures that are reluctant to breed when kept in captivity do not produce useful offspring, and instead are limited to capture in their wild state. Creatures such as the panda, antelope and gian forest hog are territorial when breeding and cannot be maintained in crowded enclosures in captivity.

Fourthly, Pleasant Disposition: Large creatures that are aggressive toward human beings are dangerous to keep in captivity. For example, the African buffalo has an unpredictable nature and is highly dangerous. Fithly, Temperament which makes it unlikely to panic: A creature with a nervous disposition is difficult to keep in captivity as it may attempt to flee whenever startled. The gazelle is very flighty and it has a powerful leap that allows it to escape an enclosed pen. Some animals, such as the domestic sheep, still have a strong tendency to panic when their flight zone is crossed. However, most sheep also show a flocking instinct, whereby they stay close together when pressed. Livestock with such an instinct may be herded by people and dog. Sixthly, Modifiable

Social Hierarchy: Social creatures that recognize a hierarchy of dominance can be raised to recognize a human as the pack leader.

Cattle (genus *Bos*) are described by Federal Department of Livestock (F.D.L.,1992) as the single most important livestock species in Nigeria in terms of protein, value biomass (the total quantity or weight of living creatures in a given area or volume). They are kept all over Nigeria, but are most common in the Northern part of the country. There are three main types of indigenous cattle namely: Zebu (humped and long-horned), West African Dwarf (WAD) Short-horn or Muturu (humpless) and Kuri (humpless and bulbous-horned). Cattle feed primarily on pasture by grazing, but in modern farming their diet is ordinarily supplemented with prepared animal feeds. Cattle are sometimes used as draft animals, particularly in small-scale farming and in less developed regions.

Sheep (genus *Ovis*) were among the first animals to be domesticated, perhaps as early as 10,000 BC. They are almost as abundant as cattle worldwide; some 200 breeds are recognized. There are four main types of sheep native to Nigeria: the Balami, Uda, Yankasa and West African Dwarf (WAD). Balami and Uda are kept in the semiarid regions (regions with little rainfall and scrubby vegetation), WAD in the south and Yankasa throughout the country. Sheep are the second most numerous pastoral species, and small flocks of sheep accompany many cattle hers in North-Western Nigeria). In the north sheep are regularly eaten and form part of the everyday protein supply. There is also seasonal variation in the demand for sheep for Muslim religious festival (*Eid al-Adha*). As a result there are dramatic seasonal price fluctuations, and in some areas household fattening of sheep for sale is a major economic activity (F.D.L.,1992).

Goats (genus *Capra*) are hardy and can survive in almost all environments. There are three main varieties of goat in Nigeria: WADs, Sokoto Reds and Sahel. WADs are kept in the forest zone and North Central, Sokoto Reds are raised throughout of the north and Sahel goats are restricted along the frontier with Niger Republic. Goats eat pasture grass, hays (cut and dried grass), and feeds made from grain (F.D.L.,1992).

Camels according to FDL (1992) are restricted in their distribution to the semi-arid zone. Each year camels travel further and further south because they tolerate adverse conditions and have less health problems than do other ruminants (hoofed animals that chew cud such as cattle, camels and giraffes). Camels also cause less environmental damage than do other livestock and can eat browse that other ruminants reject. The vast majority of breeding herds are in the hands of migrant pastoralists, most of whom spend at least part of the year outside Nigeria, usually in the Republic of Nigeria. Pastoralists milk their camels to produce a flat cheese (Cukwi) which is sold in some northern markets. Work camels are kept by farmers in Sokoto and Borno States for water drawing and ploughing and transportation of farm produce.

Horses (genus *Equus*), were first intensively domesticated in Central Asia. In Nigeria the keeping of horses is in decline, but they are still widely used for ceremonial purposes and by police and army. Horses are rarely used by the masses for transport in the north. The elites use them in sports such as polo clubs. The numerous breeds may be classified according to place of origin (*e.g.*, Clydesdale, Arabian), by their principal use (*e.g.*, riding, draft), or by outward appearance (light, heavy, pony). Horses feed on grass and other pasture growths, and their diets are usually supplemented with hays, grain (primarily oats), and other nutritive feeds.

Donkeys are also called asses, and mules. Mules are the hybrids formed by crossbreeding a jackass and a female horse. Donkeys are generally used as work animals on many farms. Sure-footed and strong, they are often employed as saddle mounts as well. In Nigeria donkeys are kept throughout the north by both pastoralists and farmers. As they are extremely hardy and can eat a wide range of browse, they are usually kept in free-range system. Many donkeys are bred in the Republic of Niger and imported to Northern Nigeria. Some villages within Northern Nigeria do also specialize in breeding them (F.D.L., 1992).

Pigs or domestic swine (family Suidae) have been raised for their meat (pork) since ancient times. There are more than 300 breeds worldwide. The production of pigs is only profitable in non-Muslim areas not only in Nigeria but also across the world. Regardless of breed, pigs are classified for marketing purposes as lard, bacon, or pork types, the lard types being the heaviest. Corn is usually the basic feed for pigs, although wheat, sorghum, oats, and barley are often included in their diet (F.D.L.,1992).

After looking into some general definitions of livestock, here are some other definitions from Islamic perspectives. In an attempt to define livestock from Islamic perspective, several vocabularies need to be considered. The vocabularies to consider are categorized into general and specific descriptions. Some general descriptions may encompass all animals including human beings; namely *Dabbah, Bahimah and Hayawan*. Specific descriptions include *an'am*, *ganam*, *ibl*, *baqara*, *shat* and *Khail*.

چ ٻ ٹ ٹ ڎ ڎ ٿٿ ٿ ٿ ٽ ٽ ڈ ڈ ڤ ڤ ڦ ڦ ڦ ڦ ڦ ڦ
ڦ ڃڃ ڄ ڄ ڃ ڃڄ ڄ ڃ ڃ ڇ ڇ ڇ ڇ ڇ ڇ چ النور

And Allah has created every animal from water: of them there are some that creep on their bellies; some that walk on two legs; and some that walk on four.

Allah creates what He wills: for verily Allah has power over all things (Surat al-Nur Q24: 45).

The term *dabbah* in the above verse is a general name describing all animals including human beings and livestock (Ibn Kathir, 1997).

عن أنس رضي الله عنه قال : قال رسول الله صلى الله عليه و سلم (ما من مسلم يغرس غرسا أو يزرع زرعا فيأكل منه طير أو إنسان أو بهيمة إلا كان له به صدقة) البخاري ٢ / ٨١٧.

On the authority of Anas may Allah be pleased with him: Allah's Apostle (SAW) said: If any Muslim plants any plant and a bird, a human being or an animal eats of it, he will be rewarded as if he had given that much in charity." – (Bukhari, 2, Hadith N0 817).

The word *bahimah* is another general name applicable to all animals with the exception of human beings, but in most cases, it refers to quadrupeds (four-footed animals) both wild and domestic mammals (livestock) such as cow, sheep, goat, lion, and elephant.

عن بن عمر قال سمعت رسول الله صلى الله عليه و سلم يقول : لعن الله من مثل بالحيوان. البخاري ٧ / ٤٢٤ و النسائي ٧ / ٢٣٨.

On the authority of Ibn 'Umar who said: I heard Allah's Apostle (SAW) saying: Allah has cursed the one who did 'Muthla' to an animal (i e., cut its limbs or some other part of its body while it is still alive) (Bukhari. 7, Hadith N0 424 & al-Nasa'i. 7 Hadith N0 238)

The term *hayawan* is also a general name which is wider than *bahimah* in scope. While *bahimah* mainly refers to mammalian animals, *hayawan* includes all animals (with the exception human beings) irrespective of their sizes, shapes and nature such as insects, birds, fowls, ants, fish, reptiles, and mammals (livestock and wild).

چ ٹ ٹ ڈ ڈ ٹ ٹ ڈ ڈ ڦ ڦ ڦ ڦ ڦ ڦ ڄ ڄ
ڃ ڃ ڄ ڃ ڃ ڃ ڄ ڃ طه: ٥٣ ٥٤

He Who has made for you the earth like a carpet spread out; has enabled you to go about therein by roads (and channels); and has sent down water from the sky." With it have We produced pairs of plants each separate from the others. Eat (for yourselves) and pasture your cattle: verily in this are Signs for men endued with understanding (Taha, Q20:53-54)

All animals, both wild and domestic, are under the dominion of mankind but the term *an'am* as applied in the above verse is limited in meaning when compared to the meaning of *dabah*, *bahimah* and *hayawan*. *An'am* is translated as cattle because of possessive pronoun (your) attached to it in the statement, *Eat (for yourselves) and pasture your cattle*. Cattle and other livestock are the most spread domestic animals all over the world. If rain is a blessing for man and his animals, the first group of animals that will come to mind is livestock (al-Tabari, 2004).

چک ک ک گ گ گ گ گ گ گ گگ گ ں ں ٹ ٹ ڈ
ٹۀ ۀ ہ ہ ھ ھھ ھ ے ے ےچ الأنعام: ١٣٦

Out of what Allah hath produced in abundance in tilth and in cattle they assigned Him a share: they say according to their fancies: "This is for Allah and this for our `partners'"! But the share of their `partners' reacheth not Allah whilst the share of Allah reacheth their `partners'! Evil (and unjust) is their assignment!(Suratul-An'am: Q6:136).

In the context of defining livestock, the term *an'am* is specifically used to describe domestic animals as shown above. The following verses of the same *Sura*, 143 and 144 explain in detail what *an'am* is.

چاٌ ٻٻ ٻ ٻ پ پ پ پ ڀ ڀ ٺ ٺ ٺ ٺ ٿ ٿ ٿ ٿ
ڦ ڦ ڦ ڦ ڦ ڦ ڄ ڄ ڄ ڄ ڄ ڄ ڃ ڃ ڃ ڃ چ چ چ چ
چ ڇ ڇ ڍ ڍ ڍ ڍ ڌ ڌ ڎ ڎ ڈ ڈ ژ ژ ڑ ڑ ک ک ککک گ گ گ گ ڳ ڳ
ڳچ الأنعام: ١٤٣ – ١٤٤

-

(Take) eight (heads of cattle) in (four) pairs: of sheep a pair and of goats a pair; say hath He forbidden the two males or the two females or (the young) which the wombs of the two females enclose? Tell me with knowledge if ye are truthful. Of camels a pair and of oxen a pair; say hath He forbidden the two males or the two females or the (the young) which the wombs of the two females enclose? Were ye present when Allah ordered you such a thing? But who doth more wrong than one who invents a lie against Allah to lead astray men without knowledge? For Allah guideth not people who do wrong (Suratul-An'am: Q6:143-144).

If one compares verse 136 and verses 143 to 144 of *Surat al-Nah*, it will be very clear that *an'am* as a term describing livestock, includes sheep, goats, camels and cows.

عن عبد الرحمن عن أبيه أنه أخبره أن أبا سعيد الخدري قال له إني أراك الغنم والبادية فإذا كنت في غنمك أو باديتك فأذنت بالصلاة فارفع صوتك بالنداء فإنه (لا يسمع مدى صوت المؤذن جن ولا إنس ولا شيء إلا شهد له يوم القيامة) قال أبو سعيد سمعته من رسول الله صلى الله عليه و سلم . البخاري ١ /٥٨٤ .

On the authority of Abdul Rahman who said: My father imformed that Abu Sa'id Al-Khudri told him, "I see you liking sheep and the wilderness. So whenever you are with your sheep or in the wilderness and you want to pronounce Adhan for the prayer raise your voice in doing so, for whoever hears the Adhan, whether a human being, a jinn or any other creature, will be a witness for you on the Day of Resurrection." Abu Said added, "I heard it (this narration) from Allah's Apostle." (Bukhari. 1, Hadith N0. 583)."

The word *ghanam* as a description of livestock is more specific than *an'am* because while *an'am* covers all domestic quadrupeds, *ghanam* is only referred to sheep and some cases goats.

ﭽ ﭑ ﭒ ﭓ ﭔ ﭕ ﭖ ﭗ ﭘ ﭙ ﭚ ﭛ ﭜ ﭝ ﭞ ﭟ ﭠ ﭡ ﭢ ﭣ ﭤ ﭥ ﭦ ﭧ ﭨ ﭩ ﭪ ﭫ ﭬ ﭭ ﭮ ﭯ ﭰ ﭱ ﭲ ﭳ ﭴ ﭵ ﭶ ﭷ ﭸ ﭹ ﭺ ﭻ ﭼ ﭽ النحل: ٧ - ٨

And they (livestock) carry your heavy loads to lands that ye could not (otherwise) reach except with souls distressed: for your Lord is indeed Most Kind Most Merciful. And (He has created) horses mules and donkeys for you to ride and use for show; and He has created (other) things of what ye have no knowledge (al-Nahl, Q16: 7-8).

According to Ibn Kathir (1997), horses, mules and donkeys are a type of livestock used mainly for transportation and drafting. Mentioning them specifically by their names amid other livestock and joining horse with mule and donkey, implies that it is prohibited or reprehensible to eat their meat.

2.2 Theoretical Framework: Abuses on the Rights of Livestock in North-Western Nigeria

The lacuna to be filled by this research is the fact that, there are lawyers, writers, human rights activists and non-governmental organizations (NGOs) in Nigeria as a whole and in North - Western Nigeria in particular who do fight for the rights of people; but much is required with regards to the rights of livestock.

If interaction among fellow human beings in the areas of business partnership, neighbourliness, leadership and followership are usually characterized by depriving one another some basic rights and privileges, what about the poor livestock whose complaints cannot be understood without keen interest in their welfare? Little wonder then, that livestock dealers are regularly seen throwing the poor livestock into pickup-trucks and tight vehicles and taken to markets or slaughter places hundreds of miles away in an uncomfortable manner. These poor creatures, goats, sheep and cattle, are piled up into these tight vehicles just like lifeless goods, one on top of the other. Maltreating livestock in the course of transportation is against Islamic teachings because, not only has Islam laid down the rights for human beings regardless of religion, race, colour, language and riches, but it has also laid down the rights for livestock. Animals, like human beings, are

one of the creations of Allah (SWT). Prophet Muhammad (SAW) was not only sent as a mercy to mankind but also as a blessing to all creatures as the Quran testifies:

چ ک ک گ گ گ گ چ الأنبياء: ١٠٧

We sent thee not, but as a Mercy for all creatures (al-Ambiya', Q21:107)"

Ibn Kathir (1994), cited al-Dahhak who reported Abdullah bn Abbas to have interpreted the term *al-'Alamin* as all creatures in both heaven and earth which means anything other than Allah. Livestock are therefore, part and parcel of *al-'Alamin* and entitled to the mercy (*Rahmah*) of Allah.

It is based on this principle that Ibn Baz (d. 1420 AH) asserts that compassion for all creation is a basic part of Islamic injunctions. Several Quranic verses and *Ahdith* of the Prophet (S A W) urge Muslims to be benevolent and compassionate to every creature including livestock. For examples, Allah (SWT) says:

چ ٹ ٹ ٹ ٹ ۀ ہ ہ ہ ھ ھ ے ے ۓ چ البقرة: ١٩٥

And spend of your substance in the cause of Allah and make not your own hands contribute to your destruction but do good; for Allah loveth those who do good (Surah al-Baqarah-Q2: 195)

In a related verse Allah (SWT) says:

چ چ چ چ چ چ ڇ ڇ ڇ ڇ ڍ ڍ ڈ ڈ ژ ژ ڑ چ النحل: ٩٠

Allah commands justice, the doing of good and liberality to kith and kin and He forbids all shameful deeds and injustice and rebellion: He instructs you that ye may receive admonition (Surah al-Nahl-Q16: 90).

Ibn Baz cited these two verses from the Qur'an to illustrate the position of Islam regarding compassion in a general term and to livestock and other animals in particular. He argues that compassion to livestock is an obligation on whoever possesses them. It is

also forbidden in Islam to subject animals to affliction (*Ta'dhib*). This is because the general principle of Islam for the interdiction of oppression (*Zulm*) includes maltreatment of animals. Ibn Baz also cited the followinge verses from the Qur'an to buttress his view:

چ □ □□ □ □ □ □ □ ى ى چ البقرة: ١٩٠

... But do not transgress limits; for Allah loveth not transgressors (Surah al-Baqara-Q2: 190)

al-Qurtubi (2003) in one of his comments on the above verse explicates that transgression is prohibited even against non-Muslims. By implication, it is also forbidden against livestock and other animals.

چ ۈ ۇ ۆ ۆ ۇ ۇ و و چ الفرقان: ١٩

And whoever among you does wrong shall We cause him to taste of a grievous Penalty (Surah al-Furqan-Q25: 19).

The wrong doing or transgression in the above verse, according to al-Qatani (ND), refers to both associating partner with Allah (SWT) or denying His existence and oppression against creatures. Oppression against creature by informed analysis includes livestock and other animals. It is based on this general principle of prohibiting oppression against creatures that Prophet Muhammad (SAW) said:

عن عبد الله بن عمرو بن العاص قال قال رسول الله صلى الله عليه و سلم: ما من إنسان يقتل عصفورا بغير حقه إلا سأله الله عنه قالوا وما حقه قالوا يذبحه فيأكله ولا يقطع رأسه فيرمي به . رواه النسائ: ١٦٣/٣

Abdullah bn Amr bn al-As reported that the Prophet (SAW) saying: if anyone kills even a sparrow (one of the smallest birds) without justification, Allah (SWT) will ask him about it on judgment day. The Prophet (SAW) was asked what justifies its killing. He said: if it is killed for food and its head should not be thrown away". Nasa': vol.3: 163.

It is very obvious form the *Hadith* and its meaning that Islam does not tolerate wrongful or illegal killing of animal or any form of maltreating them. al-Sharbiny (nd) is of the opinion that Islamic legal ruling on livestock welfare right is that it is prohibited (*Haram*) to subject any animal to affliction (*Ta'adhib*) including those to be slaughtered for food, useful and apparently unuseful ones. It is thus obligation (*Wajib*) to care for them and avoid any thing harmful to their well being.

Livestock deserve care and respect for two major reasons. They are the closest animals to man and invariably man derives many benefits from them in terms of food and business investment. The second reason is that livestock are equally used in seeking spiritual fulfillments in terms of kindness, sacrifice and almsgiving (*Zakat*). But closeness to man according to Ibn Baz (nd), makes livestock more vulnerable when transporting them from one place to another and keeping them in market place and abattoirs. It calls for the attention of the authorities in charge to address the problem of subjecting livestock to hunger and physical abuses. For example, horned livestock should be separated from hornless and the sick from the healthy ones.

Al-Kubaisi (1976) submits that the issue of animal right is one of the fundamental principles of Islam. To begin with, man and his property such as livestock belong to Allah (SWT) alone which is based on the fact the ownership and sovereignty of what is the heaven and earth belong to Him as clearly stated in this Qur’anic verse:

ﭽ □ □ □ □ □ □□ □ □ □ □ □ □ ﭼ المائدة: ١٢٠

To Allah doth belong the dominion of the heavens and the earth and all that is therein and it is He who hath power over all things (Surah al-Ma’idah-Q5: 120).

The relevance of the above verse to this study is that if man and his property belong to Allah, then man needs to look up to Allah for modi oparandi on how to relate to his environment, livestock and other creatures which are provided for his comfort. Interaction between or among various creatures requires an established rules recognizing the rights of everyone. Man as the custodian of the universe has been given rights by the Creator over all other creatures likewise they too have rights over him. It is against this background livestock are given rights over their owners.

Respecting livestock welfare rights in Islam, is one of the ingredients of the owner's faith (*Iman*). It is also a strong element of faith itself and a virtue that adorns one's deeds. This moral teaching, according to al-Kubaisi (1976) is based on many Islamic injunctions as contained in the following *Ahadith*:

عن عائشة رضي الله عنها زوج النبي صلى الله عليه و سلم قالت: قال رسول الله صلى الله عليه و سلم: إن الله يحب الرفق في الأمر كله. البخاري - ٥ / ٢٢٤٢

Aisha (RA), the wife of the Prophet (SAW) reporte Allah's Apostle (SAW) saying: "Allah loves that one should be kind and lenient in all matters" (al-Bukhari 5/2242).

عن جرير بن عبد الله : عن النبي صلى الله عليه و سلم قال: "من لا يرحم (المخلوقات) لا يرحم (من قبل الخالق جل وعلا) البخاري - ٥ / ٢٢٣٩

On the authority of Jarir bn Abdullahi that the Prophet (SAW) said: "He who does not show kindness (to creatures), will not be shown kindness (by the Creator, the Exalted). Al-Bukhari, 5: 2239

عن عائشةَ زوج النبي -صلى الله عليه وسلم عن النبي صلى الله عليه وسلم قال «إنّ الرّفق لا يكون فى شىء إلاّ زانه ولا ينزع من شىء إلاّ شانه ». مسلم ٢٢/٨

On the authority of Aisha (RA), the wife of the Prophet (SAW) that the Prophet (SAW) said: "Verily Kindness is not to be found in anything but that it adds to its beauty and it is not withdrawn from anything but it makes it defective" (Muslim, 8/22).

al-Kubaisi (1976) commented on the above *Ahadith* by explaining that kindness is one of the foundation of Islamic law (*Shari'ah*). This is due to the fact that the main objective of the law is the general interest and welfare rights of all creatures (*Maslahah*). There is a need for kindness between or among creatures because livestock and other living things are companions to man in building a viable ecosystem (interdependency of organisms and their environment). The benefits of ecosystem can be deduced from Allah's (SWT) statement after educating man about His power and unbeatable skills in creating heaven, earth and mankind in Qur'an 16: 2-8 *(Surat al-Nahl*), He followed it with the mentioning of livestock:

چہ ہ ہھ ھ ے ۓ ۓ ڭ ڭ ڭ ۇ ۇ ۆ ۆۈ ۈ ۇٴ ۋ
ۋ و ۉ ۋ ې ې □ □ □ ٱ ب ب ې ې پ پ ې ې ٻ ٻ پ
ٻ ٹ ٹ ٹ ٹ ٹ ٹ ٹ ڈ ڈ ڦ ڦ چ النحل: ٣-٨

He has created the heavens and the earth for just ends: far is He above having the partners they ascribe to Him! He has created man from a sperm drop; and behold this same (man) becomes an open disputer! And cattle He has created for you (men): from them ye derive warmth and numerous benefits and of their (meat) ye eat. And ye have a sense of pride and beauty in them as ye drive them home in the evening and as ye lead them forth to pasture in the morning. And they carry your heavy loads to lands that ye could not (otherwise) reach except with souls distressed: for your Lord is indeed Most Kind Most Merciful. And (He has created) horses mules and donkeys for you to ride and use for show; and He has created (other) things of what ye have no knowledge (Q16: 3-8).

al-Kubaisi (1976) compared and contrasted views of some prominent Muslim jurists (*Fuqha'*) and commentators of the Qur'an (*Mufassirun*) on mentioning of livestock in the above verses and submitted that firstly, al-Qurtubi (1987) is of the view that there

is a strong tie and bond between livestock and man which makes it inviolable to mankind. Secondly, the most honourable beings on planet earth after human beings are livestock and other animals. This is due to their strong moral and ethical principles in terms of manifest and hidden ability to have sexual urge, emotional feelings of happiness and sadness (al-Razi, (nd)). Thirdly, Allah (SAW) teaches man in relation to livestock in order to appreciate the Creator (Allah) and then appreciate the numerous contributions the animals are making to his life. One of such contributions is the sense of pride derived from having a large flock of livestock especially when taking them for grazing. Appreciation of livestock's contributions to ecosystem is usually demonstrated by being kind, respectful and caring while engaging them in lawful services (al-Razi, nd and al-Qurtubi, 1987). Fourthly, the mentioning of some livestock by their specific names such as cattle, horses, mules and donkeys, represents every other species of animals without any exception. The compassion and respect due to cattle, horse, mule and donkey are applicable to dog, cat and every other animal (al-Razi, nd).

Contrary to these moral and ethical principles of Islam regarding livestock's welfare rights, the poor animals undergo several forms of maltreatment. Confinement of livestock in small and unnatural spaces is one of such maltreatments. For economic reasons, animals may be kept in the minimum size of cage or pen with no space to turn or exercise. Even when allowed to move, animals may be denied environment essential to their health. For example, some dogs are kept in free-range barns but have no access to other dogs to play with. The stressful conditions in which some livestock are kept, in turn, leads to a deterioration of their health and the necessity for large-scale use of

antibiotics to prevent disease. Antibiotics and hormones are also fed to livestock simply to produce rapid weight gain (D'Silva & Stevenson, 1995).

Where livestock are used as a source of power, drafting for example, they may be pushed beyond their limits to the point of exhaustion. And overcrowded conditions, heat from tropical area and lack of food, water and breaks to rest, cause a lot of stress to the animals.

The essence of Islamic teachings on livestock welfare rights is that, depriving animals of their fair share in the resources of nature, is so serious a sin in the eyes of Allah that it is punishable by punitive retribution. The Glorious Qur'an describes how the people of Thamud demanded that Prophet Salih (AS) should show them some sign to prove he was a prophet of Allah. The tribes of Thamud were the descendants of Noah. At the time of this incident, the tribe was experiencing a dearth of food and water and was, therefore, neglecting its livestock. It was revealed to Prophet Salih (AS) to single out a she-camel as a symbol and ask his people to give her fair share of water and fodder. The people of Thamud promised to do that but, later, killed the she-camel heinously. As retribution, the tribe was annihilated. This incident has been mentioned in the Glorious Qur'an many times in different contexts (Qur'an 7:73, 11:64, 26:155, 156; 54:27-31 etc…)

ﭽ ﭸ ﭹ ﭺ ﭻ ﭼ ﭽ ﭾ ﭿ ﮀ ﮁ ﮂ ﮃ ﮄ ﮅ ﮆ ﮇ ﮈ ﮉ ﮊ ﮋ ﮌ ﮍ ﮎ ﮏ
ﮐ ﮑ ﭼ الشمس: ١ - ١٤

The Thamud (people) rejected (their prophet, Salih) through their inordinate wrong-doing. Behold the most wicked Man among them was deputed (for impiety). But the apostle of Allah said to them: "It is a She-camel of Allah! And (bar her not from) having her drink!" Then they rejected him (as a false prophet) and they hamstrung her. So their Lord on account of their crime obliterated

their traces and made them equal (in destruction High and low) (Surat-al-Shams, Q91: 11-14).

What moral justification the Muslim livestock dealers in North - Western Nigeria may have if they fail to treat their livestock kindly? The right to kind treatment as it can be deduced from the above story of people of Thamud, belongs to all living things including livestock.

Livestock rights advocates such as Francione (2008) argues that livestock ought to be viewed as persons, not as property. Another nomenclature for livestock rights in the West is "Livestock liberation". It is the idea that the most basic interests of livestock should be afforded the same consideration as the similar interests of human beings. In his struggles of fighting for livestock rights, Singer (1990) considers the eating of livestock flesh as an oppression of other species.

The positions of Francion and Singer are a deviation from Islamic teachings and from the livestock welfare rights of this study. Proposing that livestock should be viewed as legal persons and members of the moral community, not property, and that they should not be used as food, clothing, or entertainment is against Islam. As far the objectives of this research are concerned, human beings have edges over other creatures of Allah as they are created in the best form and they worship Allah in the highest form of worship (*Ibadah*) with the use of sound knowledge. Subjection of livestock to decent use of human needs is also permitted by the Creator Himself (Allah). Nobody apart from Him can deny that. The Qur'an says:

□ □ □ □ □ □ □□ □ □ □ □ □ □ □ □ □چ
□ چ الجاثية: ١٣

And He (Allah) has subjected to you (Mankind) as from Him all that is in the heavens and on earth: behold in that are Signs indeed for those who reflect (Surat-al-Jathiyah: 13).

In some other related verses Allah (SWT) says:

چٱ ٻ ٻ ٻ ٻ پ پ پ پ ڀ ڀ ڀ ٺ ٺ ٺ ٺ ٿ ٿ ٿ ٿ ٹ ٹ
ٹ ڤ ڤ ڦ چ يس: ٧١ - ٧٣

See they not that it is We Who have created for them among the things which Our hands have fashioned cattle which are under their dominion? And that We have subjected them to their (use)? Of them some do carry them and some they eat: And they have (other) profits from them (besides) and they get (milk) to drink. Will they not then be grateful?(Q36: 71-73)

These verses made it clear that man has been given dominion over the sea and its contents, over the air, sky and their flying objects such as birds of any kind, over the livestock such as cattle, sheep, goats, and over all the earth and its creeping things that creep upon the earth. The dominion given to man over livestock includes using their flesh as a source of food (al-Jalalayn, nd). Livestock flesh is a major source of protein which is essential to the growth and development of human body.

The idea of awarding rights to livestock has the support of legal scholars such as Alan Dershowitz and Laurence Tribe of Harvard Law School (Dershowitz, 2004). This made Dube (2008) and Garner (2004) to report that livestock law is taught in 113 out of 180 law schools in the United States, in eight law schools in Canada, and is routinely covered in universities in philosophy or applied ethics courses. In June 2008, Spain became the first country to introduce an animal rights resolution, when a parliamentary committee voted in favor of limited rights for non-human primates.

Singer (2003) reports that Henry Spira, a former seaman and civil rights' activist, became the most notable of the new livestock advocates in the United States. A

proponent of gradual change, he introduced the idea of "re-integrative shaming," whereby a relationship is formed between a group of livestock rights advocates and a corporation they see as abusing livestock, with a view to obtaining concessions or halting a particular practice. Spira's first campaign was in opposition to the American Museum of Natural History in 1976, where cats were being experimented on research that he successfully persuaded them to halt. His most notable achievement was in 1980, when he convinced the cosmetics company Revlon to stop using the “Draize” test, whereby ingredients are dripped into the eyes of rabbits to test for toxicity (the degree to which something is poisonous). He took out a full-page advertisement in several newspapers, featuring a rabbit with sticking plaster over the eyes, which asked, "How many rabbits does Revlon blind for beauty's sake?" Revlon stopped using livestock for cosmetics testing, donated money to help set up Center for Alternatives to Animal Testing, and was swiftly followed by other leading cosmetics companies.

What wonderful techniques Spira used in addressing some of the problems faced by livestock!! Spira's techniques have similar objective with this research but with different target population. The population of Spira’s campaign is all the American factories/industries using livestock in their vivisection (the practice of operating on living animals in order to gain knowledge of pathological or physiological processes). While this study targets the handling of livestock by local Muslim herdsmen, butchers and other dealers in North - Western Nigeria.

There are two main philosophical approaches to the issue of livestock rights in the Western word (Western Europe and North Americas): a utilitarian and a rights-based one. The former is exemplified by Peter Singer, professor of bioethics at Princeton University

(USA), and the latter by Tom Regan, professor emeritus of philosophy at North Carolina State University and Gary Francione, professor of law and philosophy at Rutgers School of Law also in USA. Within the animal rights debate, Singer (2003) does not believe that there are such things as natural rights that livestock have them, although he uses the language of rights to indicate how human beings ought to treat individual creatures. Instead, he argues that, when weighing the consequences of an act in order to judge whether it is right or wrong, the interests of livestock, primarily their interest in avoiding suffering, ought to be given equal consideration to the similar interests of human beings. That is, where the suffering of one individual, human or non-human is equivalent to that of any other, there is no moral reason to award more weight to either one of them.

Regan's and Francione's approaches on the other hand, are not driven by the weighing of consequences. Regan (2001) believes that livestock are what he calls "subjects-of-a-life," who have moral rights for that reason, and that moral rights ought not to be ignored. Francione (1996) also argues that livestock have one moral right, and need one legal one: the right not to be regarded as property.

The common ground between both sides of the debate is that, all the commentators accept that livestock suffer and feel pain, although it was not always so before now. Bernard Rollin (1989), a philosopher and professor of animal sciences, writes that Descartes' influence continued to be felt until the 1980s. Veterinarians trained in the U.S. before 1989 were taught to ignore pain, he writes, and at least one major veterinary hospital in the 1960s did not stock narcotic analgesics for livestock pain control. In his interactions with scientists, he was often asked to "prove" that animals are conscious, and to provide "scientifically acceptable" evidence that they could feel pain.

To prove that livestock feel pain, one does not need any sophisticated scientific approach. Practically, a dog runs away or barks when is being stoned or frightened and plays around when it sees a friendly face. A freshly injured goat makes uncomfortable movements indicating feeling of pains.

Going through some of the above passages on struggles for the rights of livestock, it is clear that there are certain elements of extremism in the Western views regarding livestock rights. For example, some of the livestock rights' activists consider the use of livestock as a source of food, as a violation of their right. It can equally be deduced from their arguments that most of the efforts of the Western world in respect of livestock rights or welfare started in the 17th century C.E whereas those of Islam started as far back as the 7th century C.E.

Livestock rights' critics like Scruton (2000) argues that livestock are unable to enter into a social contract or make moral choices, and therefore cannot be regarded as possessors of rights. He writes that only human beings have duties, and that, "the corollary (obvious deduction) is inescapable: human beings alone have rights."

The idea that livestock are inferior, because they lack rationality and language, and as such are worthy of less consideration than human beings, or even none is also against Islam and therefore against this research. There is nothing inherently wrong with using livestock as resources if there is no unnecessary suffering, a view known as the livestock welfare position. But to say that they have no rights simply because they do not reason the way human beings do is absolutely ridiculous. Prophet Muhammad (SAW) is reported to have said, *every living thing deserves kind treatment* (Bukhari, 8, Hadith 38).

Cottingham (1995) cited the French philosopher, René Descartes (1596–1650) to have submitted that livestock are nothing but complex automata, with no souls, minds, or reason. They can see, hear, and touch, but they are not, in any sense, conscious, and are unable to suffer or even to feel pain. He further argues that any sounds livestock make do not constitute language, but are simply automatic responses to external stimuli.

The view of livestock insensibility to pain accounts for ram fights, bullfights, whipping horses / donkeys to death as they struggle along with heavy carts of stone, sand, firewood etc ... both in North - Western Nigeria and elsewhere. All this are totally unacceptable in Islam. It is the ability to feel pain, not the ability to reason, that should be the benchmark of how livestock are to be treated. If rationality were the criterion, many human beings, including babies and mentally retarded people, would also have to be treated as though they were lifeless things.

The German philosopher Immanuel Kant (1963) opposed the idea that human beings have duties toward livestock. For Kant, cruelty to livestock was wrong solely on the grounds that it was bad for humankind. He argued that human beings have duties only toward other human beings, and that cruelty to livestock is contrary to man's duty to himself, because it deadens in him the feeling of sympathy for their sufferings, and thus a natural tendency that is very useful to morality in relation to other human beings is weakened.

Kant's observation has two bearings on this study. The first view is not in support of the study for claiming that "human beings have duties only toward other human beings" but not to livestock. As the vicegerent of Allah on earth, man has moral responsibility towards every living thing including livestock. His second argument which

is self-contradictory is where he says that cruelty to livestock deadens man's feeling of sympathy. This means that wickedness to one living thing is wickedness to all. Anybody that is wicked to any livestock can equally be wicked to his or her fellow mankind.

2.3.1 Animal Husbandry in Northern Nigeria

Animal husbandry is the process of breeding, feeding, and management of livestock, for the production of food, fiber (food that cannot be digested), work and pleasure. This subtopic intends to describe the activities of Muslims dealing with livestock in Northern Nigeria in terms of breeding, feeding, transportation and related matters. The description will be segmented according to the three geopolitical zones: North-Central, North-East and North-West.

North-Central Geopolitical Zone

The Jos Plateau in the North-Central Geopolitical zone provides the finest grazing land in Northern Nigeria. It is free from tsetse infestation, it has adequate water supplies and there are vast areas of good pastures. This region has therefore proved very attractive to the Fulani pastoralists who are found in every part of the region. But Fulani penetration into the plateau dates from the establishment of British rule because the region had still not been subjugated when the British arrived in 19th century. At first, the Fulani cattle herders settled there for only a part of the year, the dry season, but over the years, a good number of them decided to remain permanently on the plateau (Akintola, 1982). The long period of time (for more than a century) that Fulani have lived in the region (Plateau) qualifies them to be regarded as indigenes of Plateau State.

Udo (1981) describes the cattle population of the Benue drainage basin during raining season as one-and-a-half million heard, but the number of cattle found in the Benue valley during the dry season is much less than this figure. The large number of cattle in the basin is concentrated on the fly-free highlands of the Jos Plateau and the uplands of the eastern borderlands. The Benue valley itself is infested with tsetse flies all through the year, to the extent that about a third of all sleeping-sickness cases reported in Nigeria are from Benue Province.

During the dry season, cattle from the uplands are driven to the plains of the Benue valley, where grazing is available. At this time, the tsetse are closely confined to the vicinity of streams, but since water is hard to get in parts of the plains the herdsmen have to move their cattle to the streams where the pests are concentrated. As in other parts of the North, this pest has proved a serious setback to animal husbandry in the Benue valley and various methods have been employed to exterminate it. One of such methods is the clearing of riverine thickets and other woodlands, but the main point against this method is the sparse (small and scattered) population of vast areas since the cleared bush easily reverts to dense bush after a few years unless the cleared area is effectively occupied. An alternative method suggested by Turner (1977) is to use insecticides, but this is very expensive.

Other factors which combine to restrict the area suitable for dry-season grazing include poverty of grazing in many areas, lack of water over considerable stretches and diseases other than trypanosomiasis (disease caused by blood-dwelling organism, a parasite in the blood).

The reported increase in recent years of the number of cattle kept in the Benue valley confirms that the ravages of the tsetse-fly can be brought under control by extending the area under effective occupation by the local population. Formerly cattle-rearing in the Benue valley was restricted to the Fulani-dominated areas around Yola and Numan, but since the early 1950s an increasing number of cattle have been kept, even during the rainy season, in the Benue valley administrative divisions of Lafia, Wukari and lowland. This change is made possible by the progressive recession of the tsetse-fly belt consequent on the clearing of expansion of the area under cultivation. As people descend from the hills to settle and cultivate the plains the area under forests is reduced, while the area for safe grazing increases (Iloje, 1982).

North-East Geopolitical Zone

The main occupations of the people in the North East are cash crops farming and animal rearing. There is sufficient land for everyone and the soil is fertile, particularly along the river flood plains. A rudimentary form of mixed farming (keeping cattle for supply of manure for crops in the field) is practiced by the Shuwa Arabs, who still own large herds of cattle and are reputed to be the most intelligent farmers in Bornu. The Shuwa Arabs were formerly a nomadic pastoral people but have since settled down to cultivate the land, although many of them are semi-nomadic in much the same way as their cattle are. During the rainy season, where the land is under cultivation, some of the cattle remain near the villages to graze on uncultivated patches, while a considerable number are driven to wet season grazing grounds in western Bornu. It is at this time that much of the manure used to spread on millet and maize crops is collected in large heaps.

As soon as the dry season starts, that is about November; the cattle leave western Bornu to return to the Shuwa villages en route to dry season grazing grounds along the shores of Lake Chad and the Chad-Nigeria borderlands. Most of the cattle left crops are collected in large heaps. As soon as the dry season migrates the few herds left behind to provide milk and household manure are fed on crop residues including the straw of millet, guinea corn and maize as well as oil cakes from groundnuts, sesame and shea butter nuts. Some degree of integration of arable (suitable for growing crops) and pastoral farming is thus achieved. Partly because the Kanuries and Shuwa Arabs were originally a cattle people like the Fulani or Masai, and partly as a result of suitable climate, stock rising has always received as much attention as crop farming in Bornu.

Emphasis in recent years has been on cattle breeding with some households owning as many as thirty herds each. The cattle density of about twenty per square mile is only exceeded by that of the Kano close-settle zone although there are many more cattle per head of the population in Bornu than in Kano. The local cattle breed is named after the Shuwa Arabs and it is a triple-purpose breed. It supplies milk for food, but this is scarcely made use of in the fresh state, being usually curdled (contaminated by bacteria). The Shuwa Arab is also used for pack transport, a bullock being capable of carrying a load of 175 pounds. It is also used for riding, particularly by Shuwa Arab women who may be seen riding their bullocks to and from remote market places (Emielu, 1996).

Considerable flocks of sheep and goats may be found in various parts of Bornu, but particularly in the south which is less suitable for cattle breeding. Camel and horse breeding are of long standing importance, although emphasis today is on the latter since camel breeding is found to be less successful for climatic reasons. Amongst other things

these animals, together with the Shuwa Arab cattle breed, still provide one of the means of transport between some settlements, particularly during the rainy season when many roads become impassable to wheeled transport.

The well-watered, fly-free uplands of Mambila and Bamenda in Taraba and Adamawa states respectively provide some of the best grazing in the region of North Eastern Nigeria and the average density of about one hundred cattle per square mile in both areas is considered to be high for any part of Africa. There has been conflicting demands for land by pastoralists and cultivators, as the cattle population increases side by side the human population. The highland pastures have since started to show signs of overgrazing, and although the Fulani appear to be looking for more grazing they are in effect being forced to graze a lesser and lesser area. The reason for this trend, which has also led to overgrazing and soil erosion, is the spread of population and the encroachment of farmers on grazing land. The large nucleated village is giving way to dispersed farmsteads as people feel safe to migrate to cultivate distant farmland, and this extension of cultivation deep into the grasslands has meant a loss of grazing (Akintola, 1982).

The largest concentration of livestock occurs in the Gongola Basin. In 1962 Bauchi Province had a cattle population of 460,000, a figure which was only exceeded by those for the more northerly Provinces of Sokoto, Kano and concentrations of cattle are on the Biu Plateau and in the upper Gongola district. Other domestic animals include goats, sheep, horses and donkeys, the last two of which are still used for transporting men and goods (Iloeje, 1982).

Different varieties of guinea corn or sorghum are also cultivated. These include grass sorghum and sweet sorghum, both of which are grown for fodder, as well as grain

sorghum which produces grains for human food, while the bran and leaves from the mature plants are fed to livestock. The stems of guinea corn are as much as twelve feet long and are used for penning (fencing livestock), mats thatch and fuel.

North-West Geopolitical Zone

The dominant type of cattle in Sokoto Province is called the Bokoloji, the Sokoto-Gudali or simply the Sokoto cattle. They are medium-sized deep-bodied animals but are bigger and heavier than the White Fulani. The Sokoto-Gudali are considered to be less resistant to trypanosomiasis than the White Fulani, and this explains why the local Fulanis do not go south with their cattle, but wander about the province in search of dry-season grazing. Observations at Shifa Stoch Farm reveal that Sokoto cattle show good adaptability to fattening on grassland. They weigh about 1,1000 to 1,450 pounds at five to six years when they are ready for slaughter and are considered to be very good beef cattle. Sokoto cattle are also used for producing milk, the surplus of which is disposed of by Fulani women who use the proceeds to obtain such household requirement as corn, rice and salt. These cattle are also used for draft purposes, and in this respect they are considered to be very reliable although rather slow (Turner, 1977).

Large number of the Sokoto red goat, small short-legged animals are found not in the backyard as in the forest belt, but wandering about the fields in search of food. These hardy small livestock are well-known for their red skins-the famous Moroccan leather which had featured in the trans-Saharan trade for many centuries. The goats provide the main source of meat since the people rarely slaughter their cattle for food. Their skins are used for making various articles including water containers, belts, mats and sandals.

Sheep are also reared and are in great demand for Muslim religious festivals (*'Ied*) and other social celebrations such as wedding and naming ceremonies. Donkeys are also one of the commonest domestic animals in North _Western, as indeed in the whole of the Sudan. Like goats and sheep, donkeys are left to wander about the village and fend for themselves. Many families in the rural areas keep at least a donkey which is used mainly for transporting various items such as grain, firewood, cotton and groundnuts as well as human beings. Horses and camels are also kept at very insignificant scale (Akintola, 1982).

Like the Sokoto Rice Scheme, the Agangara Scheme, which as initiated in 1951, was made possible by funds provided by the Northern Nigeria Production Development Board. The scheme was directed by the Sokoto Native Authority and had as its main objective of bringing nomad Fulani cattle owners into the local economy, teaching them the value of quality in livestock and providing a supply of cattle to Hausa mixed farmers in the district. To ensure that water was made available throughout the dry season, a masonry dam was built in 1951 at a cost of ₦1,000.00. Three hundred and fifty cattle were watered there until the herds headed south because the local grazing was sufficient to anchor these cattle for five months longer than usual, and clearly, this was made possible by the fact that water had been made available through the scheme.

A second dam located too miles from the first dam was completed in 1953. This dam is be nearest to the biggest local concentration of cattle, but the problem now is that of preserving grazing land within the area. Bush fires set by local hunters during the dry season have been minimized by clearing fire traces. The cattle rearers who were expected to benefit from the scheme were at that time being supplied with free groundnut cake,

cotton seed and salt, as an inducement to settle down. The plan is to get the people to realize the benefits of these concentrates, after which a change will be made for any quantities (of incentives) supplied to them (herdsmen) (Akintola, 1982).

The Kano region has one of the largest concentrations of cattle in the country and their contribution to farming have already been noticed by way of providing manure, which permits permanent cultivation around the two cities of Kano and Katsina. Nearly all the cattle belong to the Fulani, who are obliged to migrate south during the dry season in search of water and grazing. Some settled Hausa and Fulani farmers also keep cattle, but apart from a small number which they fatten on crop residues before selling for slaughter, their cattle are generally entrusted to the nomadic Fulani who take care of them in return for some grains (Emielu, 1996).

The dominant cattle breed in the region is the White Fulani which is comparatively a fair milk producer. They are also used for meat, for work as pack animals and for ploughing. The white Fulani cattle is considered an excellent work animal and has been selected for the various government-assisted mixed farming units (In northern Nigeria mixed farming means the keeping of cattle by farmers for the prime purpose of supplying manure for their crops in the fields).

Most farmers keep goats, sheep and donkeys. Goats supply meat and skins for leatherwork and are often the property of the women. Donkey is mainly used as a transport to markets where cash crops are sold. Donkeys may be hired to transport other goods, including produce from the farms. In some cases farmers use the animals for drafting while others fatten cattle for the nomadic Fulani to kraal (pen cattle) on their farmlands in exchange for grains, but this method is inadequate for manuring large farms.

Government policy has been to encourage mixed farming with the view to maintaining soil fertility and encouraging the sedentarization (nonmigration) of the Fulani. The system was formally initiated in 1928 by the Department of Agriculture (University of Ibadan), and by 1960 there were over 12,000 mixed farmers, about eighty per cent of which were in the Kano region. The main problems raised by mixed farming in such closely settled areas as the Kano District and the environs of Katsina city were the provision of food for the cattle. In such areas, village grazing lands are usually over grazed and degraded (Udo, 1981).

2.3.2 Some Constraints on Livestock Production in North-West

Both mortality rates and diseases responsible for low productivity are significant constraints on livestock production in North-Western Nigeria. Unfortunately, the veterinary services' ability to deliver common veterinary supplies to livestock owners has declined and while there has not been a large-scale outbreak of a major epizootic, such as rinderpest since 1983. Productivity is seriously reduced by disease burden, and so treatment is still very important (Federal Department of Livestock & Pest Control Services (FDL & PCS), 1992).

Prophylactic (protection against diseases) control of such diseases has become patchy and erratic; for example, pastoralists used to be able to vaccinate their herds annually, but many are now obliged to leave their young stock unprotected. Veterinary services are finding it increasingly difficult to respond adequately to reports of outbreaks and to mount effective vaccination campaigns. The situation is most serious in rural areas, where livestock holdings are larger and of greater economic importance than in

urban areas, but where roads and other infrastructure are less well developed. The slow and erratic changeover to a full cost-recovery based system of providing drugs to the states has also contributed to the problem (FDL & PCS, 1992).

If these problems of high mortality rates and diseases must be addressed, livestock health care and disease control services must be improved upon to address the needs of livestock owners and producers. A system of private veterinary practice could be a viable alternative. Non- governmental organization should also be massively involved to complement the present Government-provided services.

2.4. Unhygienic Conditions of Abattoirs/Livestock Markets and their Effects in North-Western Nigeria

Most of the abattoirs and some livestock markets in North – Western Nigeria are situated in swampy areas for easy access to water. The roads to the abattoirs and livestock markets are sometimes characterized by muddy and bumpy paths. Shanties and mud dwellings sandwiched on each side which in many cases house residents of the swampy areas. Customers coming to the abattoirs or livestock markets are sometimes stained by youth butchers who approach them in attires stained with blood and dung. At some designated places, there are activities of those roasting cow/sheep/goat heads and legs for anxious customers and meat sellers who have several orders waiting. While trying to meander one's way through the mud and cluster of butchers, breathing becomes difficult due to stench of mud, mixed with fresh blood of the slaughtered livestock, and the acrid smell of roasted cow heads and legs. Waste from slaughter houses are often channeled into streams or rivers or simply washed into open drains, untreated. Most of the abattoirs

depend on wells and streams for water. Some vendors shake hands with people, visit toilets and touch some objects that are highly contaminated. But they do not wash their hands properly with soap when they want to handle meat. This is more rampant in rural areas.

This practice introduces enteric pathogens (bacteria of intestine) and excess nutrients into surface water and also percolates into the underlying aquifers (water bearing rocks) to contaminate wells and streams that serve the dual purpose of drinking water as well as for dressing the livestock slaughtered in the area. At many abattoirs, ante-mortem examination is inadequate as livestock are off-loaded and conveyed straight to the slaughter halls. Livestock are then slaughtered using the technique of decapitation-on the bare floor with skinning or burning of the carcasses commencing on the same spot (Nathaniel, 2009).

The customers who purchase meat for private consumption note that under tropical conditions, food of animal origin tends to deteriorate more rapidly and become an important vehicle for gastrointestinal infections, thereby endangering consumer's health. Transport facilities for meat are often inadequate and unhygienic. At Dogarawa abattoir/livestock market for example, disgusting odour has taken over the vicinity as a result of improper management of slaughter wastes such as blood, manure, bones, horns, hair and aborted foetuses, all of which are hardly disposed of properly. Even though the managements of some slaughter places have been making efforts to keep the place clean and tidy, but these efforts are not yielding the desired objectives (Abubakar, 2009).

Standard abattoirs that are supervised by government agencies are mostly located in state capitals and they operate between 8: 00 am and 12: 00 noon. The managements of

these abattoirs ensure that only healthy livestock are slaughtered for specifically ordering for medically satisfied livestock. But the overwhelming majority of livestock slaughtered in rural areas are not supervised by experts. The butchers therefore, pay less attention to healthy and hiegenic aspects of the meat.

According to Obed (2009), an Abuja based veterinary doctor, livestock waste contamination can increase the level of nitrates in ground water, which causes methemaglobinemia or "blue baby syndrome". It means high nitrate ingestion by babies via contaminated drinking water, leading to short supply of oxygen to their brains and ultimately, death. Livestock wastes from abattoirs that are not properly disposed of, are also known to produce methane (fuel gas), thereby intensifying the greenhouse effect (warming earth's atmosphere). The good health of the livestock to be slaughtered is as important as the condition of the slaughterhouses. This is even more important as a swine flu epidemic is still raging in many parts of the world.

Bird flu or avian influenza has remained a health concern all over the world for several years. Both swine flu and bird flu have continued to kill human beings. Food poisoning also emanating from unhygienic manners of handling meat has killed many people in North-Western Nigeria. For examples: in June 2012, 26 people reportedly suffered from meat poisoning at Yassharu village in Kafur Local Government Area of Katsina State (The Punch News Paper: 24 August, 2012). Incidence of infection due to *Cysticercus bovis* was reported by Rabiu and Jegede (2010) in Kano Abattoir of Kano State. Cases of bovine (animals related to cattle) tuberculosis in Jigawa State were also reported by Cadmus (2010), from Faculty of Veterinary Medicine, University of Ibadan. No wonder, Obed explained that there is a need for veterinary officials to acertain

livestock fitness, before they are slaughtered for human consumption. Each abattoir should have some necessary standard equipment-slaughtering machines, skinning machines, cold rooms and changing rooms for workers.

Another veterinary doctor, Yusuf (2009) pleaded that water should be used in processing the carcasses to ensure that pollutants and other impurities do not get into the meat products. Therefore, waste management should be given priority attention at abattoirs, to ensure that both the environment and the product produce there, would not serve as vector for diseases. In addition, the transportation of meat and other products from abattoirs to markets should be done in dedicated vans that will protect them from infection. Abubakar (2009) as a health worker, observed that the government still has a lot to do in the area of ensuring standards in abattoir operations. He said that the health authorities must wake up to the challenge of regulating the operations of abattoirs.

It should be borne in mind that the above cited cases are but a few among many. There is no compromise about cleanliness in Islam. A good Muslim is always clean and cares for purity of his cloth, environment and food. He cleanses the exposed parts of his body five times a day as a symbol of spiritual and physical purification (Ablution). This spiritual cleanliness should be reflected in every aspect of a Muslim's life. It is therefore inconceivable, for abattoirs managed by Muslims and in predominantly Muslim area to be so dirty to the extend of raising health concern.

2.5 An Aspect of Nigerian Legislations Concerning the Welfare Rights of Livestock

Since the beginning of 19th century, several interest groups and nations have seen the need for the protection of livestock welfare rights either as a property and or as a

living thing entitled to rights. According to Laws of Federation of Nigeria (LFN-2004) by the Federal Republic of Nigeria, Nigeria as a nation has joined the noble course of protecting welfare rights of animals since 1968. An extract of some of the details of Nigerian legislations regarding livestock handling is attached in appendix I. But below is the summary of the legislation:

Animal Diseases (Control) Act:
Section 12: Control of Trade Animals

It is the responsibility of the Minister of Agriculture to notify the public by publishing in the Federal Gazette, specific areas which the provisions of livestock and other Animals' Deiseases Control Act should be applied. The Minister or Commissioner may establish inspection stations and posts at specified places. The control of trade animals prescribed under this Act shall be exercised by Director, Federal Livestock Department or the Chief Veterinary Officer, as the case may be. Any person in charge of trade animals entering from any place outside into any area in Nigeria shall move all the animals by the most direct route to the control post. Where trade animals have been purchased, the person in charge shall, before taking them out of the area where they were situated at the time of purchase, move them into the nearest control post within such area. Where trade animals are being moved from one area to another for the purpose of being slaughtered they may be moved without restriction, provided that, the distance to be traveled does not exceed thirty kilometers. If trade animals are transported by rail or road for a period exceeding twelve hours the person in charge shall be required to stop to feed, water, and rest such animals every twelve hours (LFN-2004).

Where livestock and other animals are transported by road or rail, horned animals shall either be securely tied or separated by a partition from polled animals. Animals of different sexes or age groups shall also be separated. For example, cattle should be separated from sheep, goats and pigs. In order to provide adequate ventilation in the lorry, a vehicle of size 7.93m + 2.1m + 2.74m (26+7+9) should carry not more than five cattle, sixteen to eighteen calves, 100-110 pigs (on two decks) and 170-190 sheep (on three decks). The height between two decks shall be at least 0.86m-1.14m (2'.10"-3'.9"). Vehicles with three decks shall have a permanent roof. Loading or unloading ramps should also be provided to reduce if not to avoid incidence of fractures and bruises.

The person in charge of any trade animal should, before removing them from any control post, obtain from the authorized officer, a veterinary movement loading permit according to the schedule set out at the control posts for all the animals to pass. This permit should be produced at the designated control post for the authorized officer (s) to carry out inspections. An authorized officer shall inspect any trade animal brought to any of the control post. The authorized officer may brand or affix any identification mark to any animal for the cure and prevention of any disease. He may equally detain such animal for the purpose of observation or treatment of a control post (LFN-2004).

Section 14: Trade Animal License

The condition of trade animal license is that it is annually renewable and granted by an authorized officer before the owner of a trade animal license may transport animal by rail, motor vehicle, river or ocean vessel or by aircraft. The annual license shall be granted only to an owner who, during twelve months prior to the date of the granting of

such license, has transported by rail, motor vehicle, river or ocean vessel or by aircraft not less than 1,000 animal units and the payable fee for the license ₦100.00 which is not transferable to another owner of trade animal. An owner of trade animals who is not qualified for annual license may be granted a temporary license which shall be valid for a period of three months including the month of issue. The temporary license fee is ₦35.00 which is not also transferable to another owner of trade animal (LFN-2004).

It can be deduced from the above sections of 12 and 14 that while Section 12 illustrates the hierarchy of the officials charged with the responsibility of inspecting the movements and transportation of livestock not only in North-Western Nigeria but also in the entire country, Section 14 is concerned with licensing of animal transportation. Article (7) of section 12 clearly states that it is required for people transporting livestock to stop to feed, water and rest the animals in every twelve-hour journey. Article (8) addresses the question of comfort while transporting livestock. These beautiful ideas or policies are part of ideal things that should be carried out in order to protect livestock from dangers and brutalities. But the reality on ground is that there is zero inspection and implementation regarding decent ways of livestock handlings during transportation.

Section 15: Contravention of Sections and 14

Any person granted a license according to section 14 of this Act but fails to drive or take the trade animal through recommended route and control post, contravenes the permission of this Act, provided that, no animal infected or suspected of being infected with disease shall be driven, taken or moved, except in so far as may be necessary for effective isolation or for procuring food and water pending the direction of the authorized

officer. A person shall not be deemed to have contravened section 13 of this Act where he sells any or all of his animals before securing the place or destination mentioned in the permit, provided that no animal infected or suspected of being infected with disease be sold except with authority of the authorized officer. In the case of slaughter or sale of one or more animals in respect of when movement permit has been issued, report the fact of such slaughter on the next control post on the prescribed route and in the case of any particulars of the place, date and the names of the purchaser (LFN-2004).

Section 15 discusses non-compliance with the prescribed laws in sections 13 and 14. The relevance of the section to this research is that its Article (1) prohibits the transportation of any animal infected or suspected of being infected with disease and the healthy animals together. The Article gives exception for taking or driving away infected animals with the condition that if it is due to necessity for effective isolation or for procuring food and water pending the direction of the authorized officer. As for the Article (2) of the section, it is forbidden to sell animal infected or suspected of being infected with disease except with authority of the authorized officer. The Islamic position of selling defective or infected goods such as livestock is that the buyer should be told about the defect thereby giving him choice to buy or not as indicated in this *Hadith*:

عن حكيم بن حزام رضي الله عنه: عن النبي صلى الله عليه و سلم قال: "البيعان بالخيار ما لم يتفرقا فإن صدقا وبينا بورك لهما في بيعهما وإن كذبا وكتما محقت بركة بيعهما" صحيح البخاري - ٢/ ٧٤٣

Narrated by Hakim bin Hizam that Allah's Apostle said, "The seller and the buyer have the right to keep or return goods as long as they have not parted or till they part; and if both parties spoke the truth and described the defects and qualities (of the goods), then they would be blessed in their transaction, and if they told lies or hid something, then the blessings of their transaction would be lost (Bukhari, 2: Hadith 743)."

Therefore, sick livestock for sale, should be declared to the public notice and certified by qualified veterinary doctors before slaughter to ensure safety of its meat.

Section 16: Duties of an Owner of Trade Animal

The person in charge of any trade animal which shows any symptoms of suffering from any disease or dies while in the process of being moved from one place to another, shall report the illness or death of such animal to the authorized officer on arrival at the first inspection station or control post, along the prescribed route, and in the case of death of the animal, shall dispose of the carcass as directed by the authorized officer (LFN-2004).

Section 16 deals with report of sick livestock and livestock dying due to sickness. Reporting animals' diseases is to enhance the control of such diseases in order to avoid its spread to other animals and human beings around the sick animal. Islam also advocates that the movement of sick individuals with contagious disease (s) should be limited to avoid infecting others.

Section 17: Offences of Trade Animal Owner

The offences of trade animal owner include failure to take any trade animal to a control post or fails to take them by the most direct route as provided by this Act; refusal to obey the instructions of the authorized officer regarding the inspection, treatment or detention of the animals in quarantine, or regarding the disposal of dead animals and removing any trade animal from inspection station or control post without movement permit. It is also a contravention to fail to report the slaughter, death or illness of any

trade animal and failure to produce a movement permit for inspection when required to do so. Any person contravening any provisions of this section shall on conviction be liable to a fine not exceeding ₦100 or to imprisonment for a term not exceeding thirty days for the first offence and a fine not exceeding ₦200 or to imprisonment for a term not exceeding two months for each subsequent offence (LFN-2004).

The penalties of ₦100.00 and ₦200.00 cannot effectively deter offenders due to the fact ₦100.00 and ₦200.00 are too insignificant fines that the offenders will consider as worthy of any value.

Section 21: Regulation

After obtaining approval from the Minister or Commissioner of Agricuture, the Director or Chief Veterinary Officers, as the case may be, may make certain regulations. These include: the exanimation, testing, isolation, inoculation, removal, disinfection, branding and slaughter of animals infected or suspected of being infected with any disease or such animal which may have been in contact with any diseased animal; prescribing and regulating the destruction, burial, digging up, disposal treatment of any carcass or of any fodder, litter, utensils, pens, hurdles or any other thing being in an infected premises or removed there from; regulating the movement of animals within a state and prohibiting the movement of animals into an area in which there is suspected to be any disease, and for prohibiting or restricting the removal from any are of any animal, carcass, litter, fodder, animal product, biologic or anything by means of which disease may be carried (LFN-2004).

The authorized officers may as well declare any area to be a controlled area for purposes connected with control of any disease and for eradicating such disease from such areas preventing its introduction or re-introduction thereto and for prohibiting restricting the movement of any animal from any such area; the disinfection of persons, including the clothing of persons, who have been in contact with or employed about animals which are suffering or suspected to be suffering from disease; reporting cases of disease or death amongst animals and the disinfection of buildings or places wherein animals infected with disease have been stalled or kept, and the disinfection and cleaning of public markets, private sale yards, airports and sea ports, railway premises, railway vans, trucks and carriages wherein any animal shall have been placed, kept or carried.

Other areas of regulation incude: prohibiting in any place where disease exists the performance of any local customs that may likely to lead to the dissemination of such disease; requiring or regulating the branding of animals, prescribing the brands which may or shall be used and providing for the registration of brand; the appointment of officers to carry out the provisions of any regulations made under-this Act and conferring upon them all necessary powers; prescribing and regulating the seizure, detention, disposal and forfeiture of any animal in relation to which any breach of any regulation under this Act or of any order or instructions under any such regulation has been committed and for determining the person who shall be liable to defray the expenses of such seizure, detention, and disposal and prescribing the fee to be paid for any examination, inoculation, testing, disinfection, or for any certificate, license, permit or other things issued or done under any regulation made under this Act, and the payment to be made for the feeding and stabling of any animal in quarantine (LFN-2004).

It is also part of the mandate of the Director or Chief Veterinary Officers to prescribe the cases in which compensation may be paid to the owners of any animal slaughtered, or to the owners of any carcass destroyed because it is suspected of being infected with disease, under powers conferred by any provisions of this Act and determining the amount of such compensation and the funds out of which such compensation shall be paid; prescribing the proof required that an animal or carcass is infected with disease or is suspected of being infected with disease; prescribe and regulate the construction, position and proper sanitary maintenance of any place where an animal is kept.

The roles of veterinary doctors and officers towards livestock are similar to those of medical officers and doctors to human medicine. Both groups treat illness or give medical treatments to different species. While veterinarians give medical treatment to animals such as livestock, medical doctors treat human beings. This implies that veterinarians are not by profession, livestock or animal right lawyers as their counter parts for human medicine are not also human right lawyers. Nevertheless, many at times doctors for human medicine can assist court of law to establish a case of infringement against an individual's right to assess the degree of injury or infection deliberately or otherwise caused by another person. It against this background that the above section (21) spells out the roles of veterinary officers vis-à-vis prevention of livestock and other animal diseases and their control. The paramount roles of the officers are to inspect livestock for any disease, treat their diseases and advise on how to prevent diseases through inoculation (immunization). If these measures are adequately carried out, it will help have healthy livestock and protect their meat from infection for safe consumption.

The Meat Edict 1968 by the Military Governor of Northern Nigeria
Part II: Slaughter of Animals

The meat edict prescribed by the military Governor of Northern Nigeria in 1968 stipulates that the Governor may by order require in a controlling authority to establish and maintain a slaughter house in any designated area and may specify the time within which the slaughterhouse shall be established, the type of slaughterhouse to be established and maintained the facilities to be provided at such slaughterhouse. As for the controlling authority or any order person wishing to establish a slaughterhouse shall make application in the prescribed form to the Permanent Secretary for registration of the slaughterhouse and every such application shall be accompanied by the prescribed fee. On receipt of such application and on being satisfied that the applicant is a suitable person to be the holder of a certificate of registration; the site and plans (including its equipment) of the slaughterhouse are suitable for its purpose and the provisions of any written law, including the provisions of this Edict and of any regulations made available in relation to slaughterhouse have been complied with, the Permanent Secretary shall issue to the applicant a certificate of registration in the prescribed form which may include such conditions as Permanent Secretary may think fit (LFN-2004).

Following regular inspection, the registration of a slaughterhouse under this Edict may at any time be cancelled by the Permanent Secretary if he is satisfied that the slaughterhouse or its equipment has been allowed to fall into disrepair or to become insanitary or has become inadequate for the requirements of the designated area, or that for any other reason the slaughterhouse has ceased to be a suitable place for the slaughter of animals intended for human consumption. It shall be the duty of the manager of every

slaughterhouse to maintain the slaughterhouse in a proper sanitary condition to the satisfaction of a veterinary officer, and if he fails to do so, he shall be guilty of an offence. For the purpose of safety, the proper sanitary condition of a slaughterhouse shall be deemed not to be maintained unless the slaughterhouse is kept efficiently lighted, ventilated, cleansed, drained and provided with a sufficient water supply, or if any filth, refuse or any thing likely to affect detrimentally the quality of any meat is allowed to remain thereon.

Meat Edict according to Nigerian legislation refers to the decree given by the Military rulers since 1968 to guide livestock dealers on how to handle meat processing. Part II of the edict itemizes the roles of the various officers charged with the responsibilities of ensuring decent and hygienic ways of processing livestock meat. This move by the government is in line with the aspect of this study that is concerned with getting some individuals to monitor cleanliness of environment where meat is being processed. But the question of practicability remained unanswered.

Grading of Abattoirs for the Purpose of Licensing Such Premises under the Meat Edict of 1968:

Design of Premises

It is generally required that the premises must be designed so that all operations may be carried out under hygienic conditions and so that adequate space and facilities are available for the ante-mortem inspection of animals intended for slaughter and the efficient performance of meat inspection. There must be an adequate lairage for the confinement of animals awaiting slaughter. The lairage must include accommodation for the isolation of any animals which are diseased or are suspected of being diseased. Floors

of the lairage must be of impervious non-slip material constructed so as to enable them to be thoroughly cleansed. The walls and/or fences and gates must also be in condition to allow thorough cleansing by hosing with water under pressure. This must be carried out before entry of the animals (LFN-2004).

The slaughtering and dressing area must be so arranged as to ensure meat will not be liable to contamination by dirty material arising from the process of slaughtering and dressing. Facilities must be provided for the identification of offals with the carcasses from which they are taken. Facilities must be provided for the emptying and cleaning of stomachs and intestines in a place effectively separated from the slaughtering and dressing processes and from any place where meat or offals are handled or kept.

It is very glaring from the legislative position of Federal Government of Nigeria regarding livestock welfare rights that the government is concerned with the health of livestock and sanity of their meat in order to avoid contamination by human beings. Little attention is given to the care and respect the animals deserve. Another close examination of the edict is the fact that since 1968, no review has taken place on the edict as at the of this research. Contrary to these laws, livestock dealers flagrantly ignore the welfare rights of the animals due to the problem of inaction to implement and monitor the established laws concerning the meat edict and other related issues.

2.6 Uses of Livestock by Mankind

The use of livestock in this study refers to the right given by Allah (SAW) for mankind to use animals for decent purposes. It is noteworthy that there is a hierarchical ranking and distinction between living things. The animals are superior to plants, which

can be used as feeds for them, while plants and animals can be also used as food for man (Ashraf, 2004). Historically, livestock has provided many benefits to humanity as stated in the following Qur'anic verses:

چڇ ب ب ٻ ٻ پ پ پ ڀ ڀ ڀ ٺ ٺ ٺ ٿ ٿ ٿ ٹ ٹ ٹ ٹ
ڈ ڈ ڎ ڎ النحل: ٧ – ٨

And they (livestock) carry your heavy loads to lands that ye could not (otherwise) reach except with souls distressed: for your Lord is indeed Most Kind Most Merciful. And (He has created) horses mules and donkeys for you to ride and use for show; and He has created (other) things of what ye have no knowledge (al-Nahl, Q16: 7-8).

The above verses authorize man to use some livestock as means of transportation. These livestock include horses, mules and donkeys. Some other benefits derived from livestock are stated in the following verse of the Glorious Qur'an:

چڇ ب ب ٻ ٻ پ پ پ ڀ ڀ ڀ ٺ ٺ ٺ ٿ ٿ ٿ ٹ ٹ ٹ ٹ
ڤ ڤ چ النحل: ٨٠

It is Allah who made your habitations homes of rest and quiet for you; and made for you out of the skins of animals (tents for) dwellings which ye find so light (and handy) when ye travel and when ye stop (in your travels); and out of their wool and their soft fibers (between wool and hair) and their hair rich stuff and articles of convenience (to serve you) for a time (al-Nahl, Q16: 80.

In addition to numerous blessings of Allah (SWT) on mankind, livestock's skins are used to build tents for temporary homes especially during journeys and their hairs to make articles of convenience such as carpets and tick cloths against cold weather (al-Sabuni, 1976).

2.6.1 Use of Livestock as a Source of Meat and Milk

In many agricultural societies, livestock replaced wild game as the primary source of animal protein. Livestock frequently eat forage and other food sources that human

beings are unable (or prefer not) to eat and convert them to types of food that human beings can eat. Milk is a substance in the female body, like other substances discharged from animal cells, but more specialized. It is part of wonders of Allah that the same food, eaten by males and females, produces in the latter, when they have young, the wholesome and complete food known as milk. Then, when cattle are tamed and specially bred for milk, the supply of milk is vastly greater than is necessary for their young and last for a longer period of time than during the period they give suck to their young. And it is a wholesome and agreeable diet for man. It is pure, as typified by its witness. Yet it is a secretion like other secretions, between the excretions which the body rejects as worthless and the precious blood stream which circulates within the body and is the symbol of life itself to the animal which produces it (Yusuf, 1998). Allah says:

چٹ ٹ ٹ ٹ ٹڈ ڈ ڤ ڤ ڤ ڤ ڤ ڤ ڤ ڄ ڄ ڄ ڄ ڃ النحل: ٦٦

> *And verily in cattle (too) will ye find an instructive Sign. From what is within their bodies between excretions and blood We produce for your drink milk pure and agreeable to those who drink it (al-Nahl, Q16: 66).*

al-Sabuni (1976) interpreted the word *an'am* in the above verse to be a general name for camels, cows, sheep and goats. Using these livestock as sources of meat and milk is a testimony of Allah's (SWT) kindness and generosity to man which must and ought to be appreciated by the consumers.

Dairy products are generally defined as foods produced from cow's or domestic buffalo's milk. They are usually high-energy-yielding food products. A production plant (such as Fan Milk: Dagache, Zaria) for such processing is called a dairy or a dairy factory. Raw milk for processing mostly comes from cows and to a lesser amount from domestic buffaloes, but occasionally from other mammals (vertebrate animals which

females have milk-secreting organs for feeding the young) such as goats, sheep, camels, or horses (www. wikipedia Dairy Products).

The milk from the livestock can easily be processed into other dairy products such as yogurt, cheese, butter, ice cream, kefir (drink of fermented cow's milk), and koumiss (fermented milk drink). In advanced dairying countries the number of products made from milk range in the 20 to 30 types. Using livestock for this purpose can often yield several times the food energy of slaughtering the animal outright (wordiq.com).

2.6.2 Use of Livestock in Banquet (*Walimah*)

Ceremonial events expressing happiness are generally characterized by banquets whereby livestock are slaughtered for refreshment. Roasted, fried or cooked meat of livestock is served to one's guests, friends and relations in many ceremonial occasions in order to cement ties, show respect or share happiness. Prophet Ibrahim (AS) demonstrated this gesture when he unknowingly received three angels as guests. In this respect the Glorious Qur'an says:

چڳ ڳ ۇ ۇ ۆ ۆ ۈۇ ۇ ۋۋ و و ۉ ۉ ې ې چ هود: ٦٩

There came Our Messengers to Abraham with glad tidings. They said "Peace!" He answered "Peace!" and hastened to entertain them with a roasted calf (Hud, Q11: 69)

al-Zamkhashri cited by al-Sabuni (1976) interpreted the word *'Ijl* to mean calf or young cow. He further said that Prophet Ibrahim (S.A) offered his guests cow meat because most of his wealth was a flock of cow. This is an additional advantage to the significance of livestock.

It was also recommended by Prophet Muhammad (SAW) for Muslims to slaughter livestock and share the meat with one's relations and friends on wedding ceremony as indicated in this *Hadith*:

> عن أنس بن مالك رضي الله عنه : أن عبد الرحمن بن عوف جاء إلى رسول الله صلى الله عليه و سلم وبه أثر صفرة فسأله رسول الله صلى الله عليه و سلم فأخبره أنه تزوج امرأة من الأنصار قال (كم سقت إليها) قال زنة نواة من ذهب قال رسول الله صلى الله عليه و سلم (أولم ولو بشاة) البخاري ٥ /١٩٤٤
>
> *Anas bn Malik (RA) reported that Abdur Rahman bin Auf came to the Allah's Apostle having traces of yellow (scent) on his body. Allah's Apostle asked him whether he had got married. He replied that, '"I had married a woman from the Ansar." Then the Prophet asked, "How much did you pay her?" He replied, "I gave her) a gold piece equal in weigh to a date stone (or a date stone of gold)!" The Prophet said, "Give a Walima (wedding banquet) even if with one sheep (Bukhari Hadith 5: 1944)."*

It is therefore a recommended act (*Sunnah*) for a Muslim to slaughter livestock for wedding banquet.

2.6.3 Use of Livestock as Raw Materials

A variety of useful materials are produced by livestock. Some animals, such as sheep, grow thick coats that can be shorn in textiles and used. Cows, deer and sheep have a tough skin which can be made into leather. The bones, hoofs and horns of livestock have also been employed in a variety of industrial, cultural and decorative uses. Most animal offal, edible internal organs, and non-edible parts are transformed into products such as stock-feed and fertilizer (wordiq.com).

When man travels, he wants temporary dwellings, tents, which he can make of the skins of animals, or of the fabrics of vegetable fibres, similar to pitch during halts (Yusuf,

1998). Wool (*Suf*) is what we get from sheep, hair (*Sha'ar*) is what we get from goats or similar animals, for weaving into fabrics. The camel's hair (*Wabar*) is a soft hair of which, also, fabrics are woven; they may be considered intermediate between the other two; by extension and analogy the term may be applied to fur (hair) and such things, by way of illustration. Yusuf (1998) writes that from cattle we get also their skins we make leather for shoes, boots, straps, saddlery, and numerous other uses; from camel's hair and sheep's wool we weave cloth, hangings carpets, etc; from the horns of cattle we make cups and articles of ornament or use.

Livestock leave behind manure, which, after being spread on a field, can increase crop yields many times. This is an important reason why historically, plant and animal domestication have been intimately linked. Parts of animals that have been slaughtered, or animals that die on farms, are rendered into a variety of products, the main one being blood and bone which become waste products and transferred into fertilizer.

Another important use of livestock itself is their engagement in land management. The grazing of livestock is sometimes used as a way to control weeds and undergrowth on an area of land. For example goats and sheep are used to eat dry scrub in areas prone to wild fires in order to remove combustible material and reduce fire risk.

2.6.4 Use of Livestock as a Means of Transportation/Labour

If the history of transport is deeply examined, there have been vast changes through the ages, from rude pack animals to fine equipages, and then through mechanical contrivances, such means of transport as elegant coaches (horse-drawn carriages), tramways and railways, useful motor lorries and Rolls-Royce cars, and air-ships and aeroplanes of all descriptions. At any given point of time, many of these were yet

unknown to man. Nor car supposes the limit to have been reached now or that it will ever be reached at any future time. Through the mind and ingenuity of man it is Allah that creates new things hitherto unknown to man (Yusuf, 1998).

Horses, donkeys and other animals carry loads in order to make inter-communication between different lands easy. If not there would have been many difficulties for mankind, not only physical, but psychological. Weary men carrying loads are in no mood for social and spiritual intercourse. This intercourse is made possible by the kindness and mercy of Allah.

Livestock often serves as an important source of mechanical energy. Before the advent of steam power, livestock was often the only source of non-human labour available. Livestock can be used to pull ploughs (a heavy farming tool with a sharp blade or series of blades for breaking up soil and making furrows, usually pulled by a tractor or draft animal) and other agricultural equipment (again increasing farm yields), transport goods across large distances and to serve important military functions. Draft animals are often bred for desirable qualities such as endurance, strength and, in military usage, aggression.

2.6.5 Use of Livestock as a Source of Wealth

Investment is spending money or purchasing financial assets for future use. Livestock business is one of such financial assets that many people do invest their money into. The Prophet (SAW) acknowledged this importance by saying that:

عن أبي سعيد الخدريّ أنّه قال: قال رسول الله صلّى اللّه عليه وسلّم يوشك أن يكون خير مال المسلم غنم يتبع بها شغف الجبال ومواقع القطر يفرّ بدينه من الفتّن. البخاري ١ /٨ .

Abu Said Al Khudri (R.A.) said: Allah's Apostle (SAW) said, "A time will come that the best property of a Muslim will be sheep which he will take on the top of mountains and the places of rainfall (valleys) so as to flee with his religion from afflictions (Bukhari. 1, Hadith N0. 8)."

In a related *Hadith*, the Prophet (SAW) described the uses of horses to man. One of the uses is a source of wealth as indicated in this *Hadith*:

عن أبي هريرة رضي الله عنه : أن رسول الله صلى الله عليه و سلم قال (الخيل لثلاثة لرجل أجر ولرجل ستر وعلى رجل وزر فأما الذي له أجر فرجل ربطها في سبيل الله فأطال في مرج أو روضة فما أصابت في طيلها ذلك من المرج أو الروضة كانت له حسنات ولو أنها قطعت طيلها فاستنت شرفا أو شرفين كانت أرواثها وآثارها حسنات له ولو أنها مرت بنهر فشربت منه ولم يرد أن يسقيها كان ذلك حسنات له. وأمّا التي هي له ستر فرجل يتخذها تكرُّمًا وتجمُّلاً ولاينسى حقّ ظهورها وبطنها في عسرها ويسرها . ورجل ربطها فخرا ورئاء ونواء لأهل الإسلام فهي وزر على ذلك) . وسئل رسول الله صلى الله عليه و سلم عن الحمر فقال (ما أنزل علي فيها إلا هذه الآية الجامعة الفاذة "فمن يعمل مثقال ذرة خيرا يره . ومن يعمل مثقال ذرة شرا يره") البخاري - (٣ /٥٥٩)

On the authority of Abu Hurairah: Allah's Apostle said, "Keeping horses may be a source of reward to some (man), a shelter to another (i.e. means of earning one's living), or a burden to a third. He to whom the horse will be a source of reward is the one who keeps it in Allah's cause (prepares it for religious expeditions) and ties it by a long rope in a pasture (or a garden). He will get a reward equal to what its long rope allows it to eat in the pasture or the garden, and if that horse breaks its rope and crosses one or two hills, then all its footsteps and its dung will be counted as good deeds for its owner; and if it passes by a river and drinks from it, then that will also be regarded as a good deed for its owner even if he has had no intention of watering it then. Horses are a shelter from poverty to the second person who keeps horses for earning his living so as not to ask others, and at the same time he gives Allah's right (i.e. Zakat) (from the wealth he earns through using them in trading etc.) and does not overburden them. He who keeps horses just out of pride and for showing off and as a means of harming the Muslims, his horses will be a source of sins to him." When Allah's Apostle was asked about donkeys, he replied, "Nothing

particular was revealed to me regarding them except the general unique verse which is applicable to everything: "Whoever does goodness equal to the weight of an atom (or small ant) shall see it (its reward) on the Day of Resurrection. (Bukhari. 3, Hadith N0. 559)"

Horse, mules and donkeys as well as other animals may be beast of burden, but they are also pedigree animals bred for wealth, beauty and for all those more refined uses, such as processions, in which grace and elegance is the predominant feature (Yusuf, 1998, al-Razi, nd and al-Qurtubi, 1987).

A righteous servant is therefore, proud of his cattle and is good to them. As they go to and return from pasture, morning and evening, he has a sense of his power and wealth and their beauty and docility. This makes him to turn from these material facts to the great spiritual truths and purpose behind them as indicated in the Glorious Qur'an:

چڻ ڻ ڳ ڳ ۀ ہ ہ ھ ھ ے ۓ ۓ ﮎ ﮏ ﮐ ﮑ ﮒ ﮓ ﮔ ﮕ ﮖ ﮗ ﮘ ﮙ ﮚ ﮛ ﮜ ﮝ ﮞ ﮟ ﮠ ﮡ ﮢ ﮣ ﮤ ﮥ ﮦ ﮧ ﮨ ﮩ ﮪ ﮫ ﮬ ﮭ ﮮ ﮯ ﮰ ﮱ آل عمران: ١٤

Fair in the eyes of men is the love of things they covet: women and sons; heaped-up hoards of gold and silver; horses branded (for blood and excellence); and (wealth of) cattle and well-tilled land. Such are the possessions of this world's life; but in nearness to Allah is the best of the goals (to return to) Q3: 14.

The Glorious Qur'an also says:

چﯖ ﯗ ﯘ ﯙ ﯚ ﯛ ﯜ ﯝ ﯞ ﯟ ﯠ ﯡ ﯢ ﯣ ﯤ ﯥ ﯦ ﯧ ﯨ ﯩ ﯪ ﯫ ﯬ ﯭ ﯮ ﯯ ﯰ ﯱ ﯲ ﯳ ﯴ ﯵ ﯶ ﯷ ﯸ ﯹ ﯺ ﯻ ﯼ ﯽ ﯾ ﯿ ﰀ ﰁ ﰂ ﰃ ﰄ ﰅ ﰆ ﰇ ﰈ ﰉ ﰊ ﰋ ﰌ ﰍ ﰎ ﰏ ﰐ ﰑ ﰒ ﰓ ﰔ ﰕ ﰖ ﰗ ﰘ ﰙ ﰚ ﰛ ﰜ ﰝ ﰞ ﰟ ﰠ ﰡ ﰢ ﰣ ﰤ ﰥ ﰦ ﰧ ﰨ ﰩ ﰪ ﰫ ﰬ ﰭ ﰮ ﰯ ﰰ ﰱ ﰲ ﰳ ﰴ ﰵ ﰶ ﰷ ﰸ ﰹ ﰺ ﰻ ﰼ ﰽ ﰾ ﰿ ﱀ ﱁ ﱂ ﱃ ﱄ ﱅ ﱆ ﱇ ﱈ ﱉ ﱊ ﱋ ﱌ ﱍ ﱎ ﱏ ﱐ ﱑ ﱒ ﱓ ﱔ ﱕ ﱖ ﱗ ﱘ ﱙ ﱚ ﱛ ﱜ ﱝ ﱞ ﱟ ﱠ ﱡ ﱢ ﱣ ﱤ ﱥ ﱦ ﱧ ﱨ ﱩ ﱪ ﱫ ﱬ ﱭ ﱮ ﱯ ﱰ ﱱ ﱲ ﱳ ﱴ ﱵ ﱶ ﱷ ﱸ ﱹ ﱺ ﱻ ﱼ ﱽ ﱾ ﱿ ﲀ ﲁ ﲂ ﲃ ﲄ ﲅ ﲆ ﲇ ﲈ ﲉ ﲊ ﲋ ﲌ ﲍ ﲎ ﲏ ﲐ ﲑ ﲒ ﲓ ﲔ ﲕ ﲖ ﲗ ﲘ ﲙ ﲚ ﲛ ﲜ ﲝ ﲞ ﲟ ﲠ ﲡ ﲢ ﲣ ﲤ ﲥ ﲦ ﲧ ﲨ ﲩ ﲪ ﲫ ﲬ ﲭ ﲮ ﲯ ﲰ ﲱ ﲲ ﲳ ﲴ ﲵ ﲶ ﲷ ﲸ ﲹ ﲺ ﲻ ﲼ ﲽ ﲾ ﲿ ﳀ ﳁ ﳂ ﳃ ﳄ ﳅ ﳆ ﳇ ﳈ ﳉ ﳊ ﳋ ﳌ ﳍ ﳎ ﳏ ﳐ ﳑ ﳒ ﳓ ﳔ ﳕ ﳖ ﳗ ﳘ ﳙ ﳚ ﳛ ﳜ ﳝ ﳞ ﳟ ﳠ ﳡ ﳢ ﳣ ﳤ ﳥ ﳦ ﳧ ﳨ ﳩ ﳪ ﳫ ﳬ ﳭ ﳮ ﳯ ﳰ ﳱ ﳲ ﳳ ﳴ ﳵ ﳶ ﳷ ﳸ ﳹ ﳺ ﳻ ﳼ ﳽ ﳾ ﳿ ﴀ ﴁ ﴂ ﴃ ﴄ ﴅ ﴆ ﴇ ﴈ ﴉ ﴊ ﴋ ﴌ ﴍ ﴎ ﴏ ﴐ ﴑ ﴒ ﴓ ﴔ ﴕ ﴖ ﴗ ﴘ ﴙ ﴚ ﴛ ﴜ ﴝ ﴞ ﴟ ﴠ ﴡ ﴢ ﴣ ﴤ ﴥ ﴦ ﴧ ﴨ ﴩ ﴪ ﴫ ﴬ ﴭ ﴮ ﴯ ﴰ ﴱ ﴲ ﴳ ﴴ ﴵ ﴶ ﴷ ﴸ ﴹ ﴺ ﴻ ﴼ ﴽ ﴾ ﴿ ﵀ ﵁ ﵂ ﵃ ﵄ ﵅ ﵆ ﵇ ﵈ ﵉ ﵊ ﵋ ﵌ ﵍ ﵎ ﵏ ﵐ ﵑ ﵒ ﵓ ﵔ ﵕ ﵖ ﵗ ﵘ ﵙ ﵚ ﵛ ﵜ ﵝ ﵞ ﵟ ﵠ ﵡ ﵢ ﵣ ﵤ ﵥ ﵦ ﵧ ﵨ ﵩ ﵪ ﵫ ﵬ ﵭ ﵮ ﵯ ﵰ ﵱ ﵲ ﵳ ﵴ ﵵ ﵶ ﵷ ﵸ ﵹ ﵺ ﵻ ﵼ ﵽ ﵾ ﵿ ﶀ ﶁ ﶂ ﶃ ﶄ ﶅ ﶆ ﶇ ﶈ ﶉ ﶊ ﶋ ﶌ ﶍ ﶎ ﶏ ﶐ ﶑ ﶒ ﶓ ﶔ ﶕ ﶖ ﶗ ﶘ ﶙ ﶚ ﶛ ﶜ ﶝ ﶞ ﶟ ﶠ ﶡ ﶢ ﶣ ﶤ ﶥ ﶦ ﶧ ﶨ ﶩ ﶪ ﶫ ﶬ ﶭ ﶮ ﶯ ﶰ ﶱ ﶲ ﶳ ﶴ ﶵ ﶶ ﶷ ﶸ ﶹ ﶺ ﶻ ﶼ ﶽ ﶾ ﶿ ﷀ ﷁ ﷂ ﷃ ﷄ ﷅ ﷆ ﷇ ﷈ ﷉ ﷊ ﷋ ﷌ ﷍ ﷎ ﷏ ﷐ ﷑ ﷒ ﷓ ﷔ ﷕ ﷖ ﷗ ﷘ ﷙ ﷚ ﷛ ﷜ ﷝ ﷞ ﷟ ﷠ ﷡ ﷢ ﷣ ﷤ ﷥ ﷦ ﷧ ﷨ ﷩ ﷪ ﷫ ﷬ ﷭ ﷮ ﷯ ﷰ ﷱ ﷲ ﷳ ﷴ ﷵ ﷶ ﷷ ﷸ ﷹ ﷺ ﷻ ﷼ ﷽ ﷾ ﷿ ﹀ ﹁ ﹂ ﹃ ﹄ ﹅ ﹆ ﹇ ﹈ ﹉ ﹊ ﹋ ﹌ ﹍ ﹎ ﹏ ﹐ ﹑ ﹒ ﹓ ﹔ ﹕ ﹖ ﹗ ﹘ ﹙ ﹚ ﹛ ﹜ ﹝ ﹞ ﹟ ﹠ ﹡ ﹢ ﹣ ﹤ ﹥ ﹦ ﹧ ﹨ ﹩ ﹪ ﹫ ﹬ ﹭ ﹮ ﹯ ﹰ ﹱ ﹲ ﹳ ﹴ ﹵ ﹶ ﹷ ﹸ ﹹ ﹺ ﹻ ﹼ ﹽ ﹾ ﹿ ﺀ ﺁ ﺂ ﺃ ﺄ ﺅ ﺆ ﺇ ﺈ ﺉ ﺊ ﺋ ﺌ ﺍ ﺎ ﺏ ﺐ ﺑ ﺒ ﺓ ﺔ ﺕ ﺖ ﺗ ﺘ ﺙ ﺚ ﺛ ﺜ ﺝ ﺞ ﺟ ﺠ ﺡ ﺢ ﺣ ﺤ ﺥ ﺦ ﺧ ﺨ ﺩ ﺪ ﺫ ﺬ ﺭ ﺮ ﺯ ﺰ ﺱ ﺲ ﺳ ﺴ ﺵ ﺶ ﺷ ﺸ ﺹ ﺺ ﺻ ﺼ ﺽ ﺾ ﺿ ﻀ ﻁ ﻂ ﻃ ﻄ ﻅ ﻆ ﻇ ﻈ ﻉ ﻊ ﻋ ﻌ ﻍ ﻎ ﻏ ﻐ ﻑ ﻒ ﻓ ﻔ ﻕ ﻖ ﻗ ﻘ ﻙ ﻚ ﻛ ﻜ ﻝ ﻞ ﻟ ﻠ ﻡ ﻢ ﻣ ﻤ ﻥ ﻦ ﻧ ﻨ ﻩ ﻪ ﻫ ﻬ ﻭ ﻮ ﻯ ﻰ ﻱ ﻲ ﻳ ﻴ ﻵ ﻶ ﻷ ﻸ ﻹ ﻺ ﻻ ﻼ ﻽ ﻾ النحل: ٥ – ٦

And cattle He has created for you (men): from them ye derive warmth and numerous benefits and of their (meat) ye eat. And ye have a sense of pride and beauty in them as ye drive them home in the evening and as ye lead them forth to pasture in the morning (Q16: 5-6).

Sense of pride and beauty gained from the procession of livestock in and out of grazing fields, make some people keep livestock for prestige purpose only as they neither

sell them for money nor kill them for food. They are happy for other people to recognize their economy status through wealth such as livestock.

2.6.6 Use of Livestock for Hunting

In the matter of killing for meat, the Islamic general rule is that the name of Allah, should be pronounced as a rite in order to call attention to the fact that the life of an animal is not taken thoughtlessly but solemnly for food, with the permission of Allah, to whom all creatures return (Yusuf, 1998). The issue of hunting then raises the question of how could the solemn rite be performed when trained hawks (birds), trained hounds (dogs), or trained cheetahs or other animals trained are sent forth for the chase? They must necessarily kill at some distance from their masters. Their game is legalized on these conditions: (1) that they are trained to kill, not merely for their own appetite, or out of mere wantonness, but for their master's food; the training implies that something of the solemnity which Allah has taught Muslims in this matter goes into their action; and (2) the name of Allah is pronounced over the quarry (hunted animal); this is interpreted to mean that the *Takbir* should be pronounced when the hawk or dog, etc., is released to a quarry (Yusuf, 1998).

Adi bn Hatim narrated the instruction of Prophet Muhammad (SAW) regarding the use of dog in hunting:

> عن عدىّ بن حاتم قال سألت النبي صلى الله عليه وسلم قلت إنّى أرسل الكلاب المعلّمة فتمسك علىّ أفآكل قال «إذا أرسلت الكلاب المعلّمة وذكرت اسم اللّه فكل ممّا أمسكن عليك». قلت وإن قتلن قال «وإن قتلن ما لم يشركها كلب ليس منها» البخاري ١ / ١٧٥ **و** مسلم **٣ / ٤٧٣٢**.

Adi bn Hatim narrated: I asked the Prophet (SAW) saying: I set off trained dogs and they caught for me (the game) can I eat it? He said if you set off trained dogs and recite the name of Allah over it, then you can eat what they cacth for you. I said: even if these (the trained dogs) kill that (the game? He (the Holy Prophet) said: Even if they kill it, but (on the condition) that no other dog, which you did not set off (along with your dogs), participates (in catching the game) ... (Bukhari, 1: Hadith N0. 175 and Muslim, 3, Hadith N0. 4732)."

حدثنا عبد الله بن دينار قال: سمعت ابن عمر رضي الله عنهما عن النبي صلى الله عليه و سلم قال: «من اتّخذ كلبا إلاّ كلب ماشية أو صيد أو زرع انتقص من أجره كلّ يوم قيراطان» مسلم ٣ / ٣٨١٥.

Abdulllah bn Dinar narrated to us that he heard Ibn Umar (RA) reporting Allah's Messenger (SAW) as saying: He who keeps a dog other than that meant for watching the herd or for hunting loses everyday out of his deeds equal to two qirat (Muslim, 3, Hadith N0. 3815)

The word *Qirat* according to al-Nawawi cited in al-Nasa' (1978) is a measurement known to Allah or the size of Mount Uhud. Its meaning in the above *Hadith* is reduction of certain portion of one's good deed due to denial of angels from entering one's house or the harm caused by the dog to visitors and passers-by. It is against this background, Muslims who are conscious of the teachings of the Qur'an and *Hadith* do not keep dog except for recommended purposes.

2.7 Use of Livestock for Religious Purposes

Livestock worship or zoolatry refers to religious rituals involving livestock, especially in pre-modern societies, such as the glorification of livestock deities, or livestock sacrifice. The origins of animal worship have been the subject of many theories. Lubbock (2005) cited an author, Diodorus explaining that the origin of animal-worship is the myth in which the gods, supposedly threatened by giants, hid under the guise of livestock. The people then naturally began to worship the livestock that their gods had

disguised themselves and continued this act even after the gods returned to their normal state. Weissenborn (1906) suggested that livestock worship resulted from man's natural curiosity. Primitive man would observe a livestock that had a unique trait and the inexplicability of this trait would appeal to man's curiosity. Wonder resulted from primitive man's observations of this distinctive trait and this wonder eventually induced adoration. Thus, primitive man worshipped livestock that had inimitable trait. Lubbock puts forward a more recent view. He proposed that livestock-worship originated from family names. In societies, families would name themselves and their children after certain livestock and eventually came to hold that livestock above other animals. Eventually, these opinions turned into deep respect and evolved into fully developed worship of the family livestock. The belief that a livestock is sacred frequently results in dietary laws prohibiting their consumption as well as holding certain livestock to be sacred, religions have also adopted the opposite attitude, that certain livestock are unclean.

The idea that divinity embodies itself in livestock, such as a deity incarnate, and then lives on earth among human beings is totally disregarded by Islam. Yusuf (1998) observes that the true end of sacrifice is not propitiation of higher powers, for Allah is one, and He does not delight in flesh or blood, but a symbol of thanksgiving to Allah (SWT) by sharing meat with fellow-men. The solemn pronouncement of Allah's name over sacrifice is an essential part of the rite. No one should suppose that meat or blood is accepted to Allah. It was a pagan fancy that Allah could be appeased by blood sacrifice. But Allah does accept the offering of His servants' hearts, and as a symbol of such offer, some visible institution is necessary. Allah (SWT) has given mankind, particularly

Muslims power over livestock, and permitted them to eat meat, but only if they pronounce His name at the solemn act of taking life, for without the solemn invocation, Muslims are apt to forget the sacredness of life. The Glorious Qur'an says:

چې ې ې □ □ □ □ □ □□ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ □ چ الحج: ٣٧

> *It is not their meat, nor their blood that reaches Allah: it is your piety that reaches Him: He has thus made them subject to you that ye may glorify Allah for His guidance to you: and proclaim the Good News to all who do right (al-Hajj, Q22: 37).*

By the invocation of Allah's name Muslims are reminded that wanton cruelty is not in their thoughts, but only the need of food. Now if Muslims further deny themselves the greater part of the food (some theologians fix the proportion at three-quarters or two-thirds) for the sake of their poorer brethren, their symbolic act finds practical expression in benevolence, and that is the virtue sought to be taught. Muslims should be grateful to Allah for His guidance in this matter, in which many people have gone wrong, and they should proclaim the true doctrine, so that virtue and charity may increase among men.

In addition to the general uses of livestock by both non-Muslims and or Muslims, there are other specific uses that Islam recommends for Muslims. These include reflection on the creation of livestock as a sign of Allah's Existence, Use of livestock in the propagation of Islam, permissibility of observing supererogatory prayers (*Nawafil*) while riding camels, horses and donkeys and giving *Zakat* out of a specific number of a flock of some livestock (sheep, goats, cattle and camels). Slaughtering livestock for sacrifice also forms part of Islamic recommendations.

A. The Creation of Livestock as a Sign of Allah's Existence

There are many reasons for Muslims to believe in the existence of Allah, such as the existence of all living things. Allah (SWT says:

چچ چ چ چ چ چچ چ چ ڇ ڇ ڇ ڇ ڍ ڍ ڈ ڈ ڈ ڈڈ ژ ژ ڑ ڑ
ک ککک ک گ گ گ گ گ گ چ البقرة: ٢٨٤

> *To Allah belong all that is in the heavens and on earth. Whether ye show what is in your minds or conceal it Allah calleth you to account for it. He forgiveth whom He pleaseth and punisheth whom He pleaseth. For Allah hath power over all things* (*al-Baqarah* Q2: 284).

And anything that has plan and system must have an owner and a maker. For example, one cannot convince people that there is a beautiful house which built itself. So also the creation of livestock, plants, heavenly bodies etc. must have a creator. To identify and appreciate the Skills and Power of the Creator, the Glorious Qur'an asks mankind to look at the impressive artistic design and the unmatched power of imagination displayed on the creation of what some people call nature. One of such wonderful creations is a livestock (camel) as stated in this verse of the Glrious Qur'an:

چھ ہ ھ ہ ھ ھ ے چ الغاشية: ١٧

> *Do they not look at the Camels how they are made?* (*al-Ghâshiyah* Q88: 17).

While commenting on the above verse, Yusuf (1998) states that in case men neglect the Hereafter as of no account, they are asked to contemplate four things, which they can see in every-day life, and which are full of meaning, high design, and the goodness of Allah to man. The first mentioned is the domesticated animal, which for

Arab countries is par excellence the Camel. What a wonderful structure has this ship of the Desert? He can store water in his stomach for days. He can carry men and goods. His flesh can be eaten. Camel's hair can be used in weaving. And withal, he is so gentle! Who can sing his praises enough! Although the reference is being made to camel in the verse, its far reaching implications include all other aspects of "nature" such as reflection on the way cattle, sheep and goat are created and their usefulness to mankind.

Appreciation of Allah's existence through the creation of livestock can also be deduced from another verse of the Glorious Qur'an:

چٹ ٹ ٹ ٹ ٹڈ ڈ ڤ ڤ ڤ ڤ ڤ ڤ ڦ ڦ ڄ ڄ ڃ ڃ ڃچ النحل: ٦٦

And verily in cattle (too) will ye find an instructive Sign. From what is within their bodies between excretions and blood We produce for your drink milk pure and agreeable to those who drink it (al-Nahl, Q16: 66).

The instructive sign (*'Ibrah*) is reflection about the signs of Allah's existence and creativity. It also calls for reflection about Allah's mercy and kindness to mankind. Subjecting livestock to human use is also worth considering of Allah's power over all things. As big as camel is, it would have been very challenging for man to mount it for ride if not for the fact that the Creator has made it subservient to man. Allah (SWT) says:

چٹ ٹ ٹ ٹ ٹ ٹ ٹ ٹ ٹ ٹ ڈ ڈ ڤ ڤ ڤ ڤ ڤ ڤ ڤ ڦ ڦ ڄ ڄ ڃ
ڃ ڃ ڃ ڃ ڃ ڃ ڃ ڃ ڃ ڃ ڃ ڃ ڃ ڎ ڎ ڎ چالزخرف: ١٢
١٤

That (Allah) has created pairs in all things and has made for you ships and cattle on which ye ride. In order that ye may sit firm and square on their backs and when so seated ye may celebrate the (kind) favor of your Lord and say "Glory to Him Who has subjected these to Our (use) for We could never have accomplished this (by ourselves). "And to Our Lord surely must we turn back (Q43: 12-14)

It means that all endowment to man must be referred to Allah (SWT). In using livestock for transportation the Creator's existence must also be acknowledged for subjecting them to human convenience.

B. Use of Livestock in the Propagation of Islam

Islam is a universal religion. Muslims are hence, required to propagate the message of Islam to all and sundry. Its propagation many at times involves travelling from one place to another. In the past it used to require expedition to go on long journeys and sending of emissaries who used livestock such as camels, horses and donkeys to emback on such journeys. The use of livestock in Islamic expeditions is acknowledged by the Glorious Qur'an in these verses:

چگ گچ گچ چگ چگ گگ گگ ںگ ںڻ ڻڻ ڈڈ ۀۀ چ العاديات: ١ ه

> *By the (Steeds) that run with panting (breath). And strike sparks of fire. And push home the charge in the morning. And raise the dust in clouds the while. And penetrate forthwith into the midst (of the foe) en masse (Q100: 1-5).*

During the time of the Prophet (SAW), camels, horses and donkeys were engaged in sport for physical exercise in order to prepare them for the noble cause of expeditions. Sport is encouraged in Islam if it does not involve betting or gambling and unnecessary free mixing of opposite sexes. If the exercise will involve livestock, it should not deliberately constitute any danger to their well being. It is against this background that Prophet Muhammad (SAW) took part in horse racing as indicated in these *Ahadith*:

عن ابن عمر أنّ رسول الله صلى الله عليه وسلم سابق بالخيل الّتى قد أضمرت من الحفياء وكان أَمَدُها ثَنِيَّة الوداع وسابق بين الخيل الّتى لم تضمر

من الثَّنِيَة إلى مسجد بنى زُرَيْق وكان ابن عمر فيمن سابق بها. مسلم ٣ / ٤٦١٠ وأبو داود ٢ / ٣٣٤.

It has been narrated on the authority of Ibn Umar that the messenger of Allah (SAW) had a race of the horses which had been especially prepared for the purpose from Hafya to Thaniyyat al-Wada (the latter being the winning post), and of those which had not been trained from Thaniyya to the mosque of Banu Zaraiq, and Ibn Umar was among those who took part in this race (Muslim, vol 3 Hadith N0. 4610 & Abu Dawud vol. 2, Hadith N0. 334).

عن ابن عمر أنّ النبي ـصلى الله عليه وسلم سبّق بين الخيل وفَضَّلَ الْقُرَّحَ فى الغايَةِ. أبو داود ٢ / ٣٣٤.

Ibn 'Umar narrated that the Prophet (SAW) held a race between horses and kept the one in the fifth year at a long distance ((Abu Dawud, 2, 334).

In a related *Hadith,* Abu Hurairah reported that the Messenger of Allah had a she-camel called al-Qaswah which always defeated all her opponents in race. Then Sa'id bn al-Musib said: "until one day a man came (with his camel) and defeated al-Qaswah. People were not comfortable with the defeat of the Prophet's camel. When news reached the Prophet (SAW), he said:

عن أبي هريرة قال : كانت ناقة رسول الله صلى الله عليه و سلم القصوى لا تدفع في سباق إلا سبقت قال سعيد بن المسيب فجاء رجل فسابقها فسبقها فوجد الناس من ذلك أن سبقت ناقة رسول الله صلى الله عليه و سلم وبلغ ذلك إلى النبي صلى الله عليه و سلم فقال إن الناس لم يرفعوا شيئا من هذه الدنيا إلا وضعه الله عز و جل. الدارقطني ٤ / ٣٠٢.

On the authority of Abi Huraira: A camel of Allah's Apostle, al-Qaswa used to defeat its opponents in every race. Sa'id bn al-Musib said until a man came (with his camel) and defeated al-Qaswa. Defeat of the camel of Allah's Apostle angered people. When this news got to the Prophet (SAW), hes said: People have not raised any thing in high esteem in this world, except Allah (SWT) brings it down (al-Daraqutni, 4, Hadith N0. 302).

Sport is about healthy competition. There must be a winner but it does not call for hatred or violence involving killing one another and destruction of property as recently

witnessed in many places all over the world such as in Illorin, Kwara State, Nigeria on 4th March, 2012 (www.goal.com); in Algeria on 18th November, 20009 and in Egypt on 1st February, 2012 (BBC Tv news).

*C. **Use of Livestock in Relation to Prayer (Salat)***

Islam has not only made prayer compulsory, it has also made purification a sine qua non before its performance. In his book of jurisprudence titled: *al-Rawdat al-Nadiyyah Sharh al-Darru al-Bahyyah*, Abu-al-Tayb (d.1307 AH) states that, majority of scholars are of the opinion that it is obligatory for a worshipper to purify three things: the body, the clothes, and the place of prayer. Some scholars are of the opinion that purification is a condition for the soundness of the prayer, and others say that it is just a *Sunnah*. He therefore concluded that, the truth of the matter is that it is obligatory. Whoever intentionally prays with impurities on his clothing and the place of prayer, has left one of the obligations (of the prayer), but the prayer is still valid.

This subtopic is hence, concerned with the state of purity or impurities of livestock's dung, urine and breeding places in respect to observance of prayer (*Salat*). As for the purity or impurity of dung, urine and breeding places of livestock in general, it seems polemic due to the different interpretations of some *Ahadith*. The Prophet (SAW) permitted observing *Salat* in the breeding places of sheep and goats but forbade it in those of camels. He (SAW) also permitted the drinking of camel's urine for medicine. During his time dogs used to urinate in the mosque and never ordered washing of the spot with water but he did not allow use of dung for dry purification (*Istinja'u*). Ibn Hajar (1379 AH) in his commentary on *Sahih a-Bukhari* known as *Fathu al-Bar*, observes that

Abu Musa al-Ash'ari used to perform *Salat* in the court yard of Daru al-Barid which used to be a lairage for riding livestock such as donkey, mules and horses. Daru al-Barid was at the same time a guest house for dignitaries in Kufah during the Caliphates of 'Umar bn al-Khatab and 'Uthman bn Anfan. Ibn Hajar therefore, concluded that dung and urine of livestock are not impurities. This position is also based on the following *Ahadith* :

عن أنس قال: كان النبي صلى الله عليه و سلم يصلي قبل أن يبنى المسجد في مرابض الغنم. البخاري - ١ / ٢٣٢

On the authority of Anas: "The Prophet (SAW) used to pray in the sheep folds before the construction of the mosque (al-Bukhari 1, 232)."

عن نافع قال: رأيت ابن عمر يصلي إلى بعيره (يجعله سترة له في طرف قبلته) وقال رأيت النبي صلى الله عليه و سلم يفعله. البخاري - ١ / ٤٢٠

Narrated by Nafi: "I saw Ibn 'Umar praying while taking his camel as a Sutra (barrier) in front of him and he said, "I saw the Prophet (SAW) doing the same (al-Bukhari 1, 420)."

عن أمّ سلمةَ أنها قالت شكوت إلى رسول الله -صلى الله عليه وسلم أنى أشتكى فَقَالَ «طُوفِى من وراء النَّاس وأنتِ راكبة». قالَت فَطُفْت ورسول اللّه صلى الله عليه وسلم حِينَئذ يصلّى إلى جنب البيت وهو يَقْرَأُ بِ (الطُّور وَكِتَابٍ مَسْطُورٍ). مسلم ٤ / ٣١٣٧

Narrated by Um Salama: (During Hajj) I complained to Allah's Apostle (SAW) that I was sick: He told me to perform the Tawaf behind the people while riding (a camel). She said: so I did while Allah's Apostle was praying beside the Ka'ba and reciting the Sura starting with "Wat-tur-wa-Kitabinmastur (Muslim 4: 3137)."

عن أنس قال : قدم أناس من عكل أو عرينة فاجتووا المدينة فأمرهم النبي صلى الله عليه و سلم بلقاح وأن يشربوا من أبوالها وألبانها فانطلقوا وشربوا من أبوالها وألبانها حتى صحو... البخاري - ١ / ٢٣١

Narrated by Anas: Some people of Ukl or Urainah came to Madina and its climate did not suit, so the Prophet directed them to go to Liqah (his camels

breeding place) and drink their milk and urine (as a medicine). So they went and drank their milk and urine till their bodies became healthy… (al-Bukhari 1, 231)

Ibn Hajar (1379 AH) compares the *Hadith* on drinking camel's urine with another *Hadith* in which the Prophet (SAW) informed his Companions about someone being punished in the grave for not protecting himself against his urine. He therefore submitted that physical contact with urine of camel and other animals does not invalidate one's *Salat* as compared to human urine.

عن ا شِهاب حدَّثنى حمزة بْن عبد اللّه قال: قال عبد اللّه بن عمر كنت أبيت فى المسجد فى عهد رسول الله -صلى الله عليه وسلم وكانت الكلاب تبول وتقبل وتدبر فى المسجد فلم يكونوا يرشّون شيئا من ذلك. أبو داود ١ / ٣٨٢

On the authority of Ishihab: It was narrated by Hamza bn 'Abdullah that 'Abdullah bn 'Umar said: "I used to sleep in the mosque during the lifetime of Allah's Apostle (SAW) and the dogs used to urinate, and pass through the mosques, nevertheless they never sprinkled water on it (urine of the dog.)" (Abu Dawd, 1: 382)

After a critical analysis of related issues between livestock and *Salat*, Abu-al-Tayb (d.1307 AH) is of the view that dung, urine and breeding places of any livestock including camel, are not impurity in terms of physical contact. Prohibition of prayer in the breeding places of camels by the Prophet (SAW) is a discouragement. This prohibition may be due to (offensive) smell which does not make it impure. According to al-.Azhari (D. 1335 AH) in *al-Thamru al-Dani fi-Taqrib al-Ma'ni sharh Risalat Ibn abi Zayd al-Qairawani*, the prohibition of prayer in the breeding places of camels is unconnected to impurity. It is just as the prohibition of prayer on the street and on top of the Holy Ka'abah.

Ibn Hajar (1379 AH) buttresses the cleanliness of livestock meat by saying that the *Hadith* that required ablution after eating any roasted thing was abrogated by another

Hadith. He further argues that ablution was only required after eating meat of camel. But according to al-Khatabi (cited in Ibn Hajar 1379 AH), performing ablution after eating any meat (whether sheep or camel) is a recommended act (*Mustahab*). This view is also held by al-Sharbini (nd) who said that eating meat of camel and sheep does not spoil ablution.

Evidence of permissibility of observing *Salat* while riding livestock was reported by Salim b. ‘Abdullah who said that his father told him that the Messenger of Allah (SAW) observed supererogatory prayer on his ride no matter in what direction it turned its face, and he observed *Witr* too on it, but did not observe obligatory prayers on it (Muslim 1972: vol. 1 *Hadith* N0 1505). This position is corroborated by the report of Anas which reads thus:

> عن أنس بن مالك : أن رسول الله صلى الله عليه و سلم كان إذا سافر فأراد أن يتطوع استقبل بناقته القبلة فكبر ثم صلى حيث وجهت به ركابه. الدارقطني ١ / ٣٩٦.
>
> *On the authority of Anas bn Malik who said: The Messeger of Allah (SAW) used to observe supererogatory prayers on the back of his camel. He would first of all faced the Qiblah and then continued the prayer not minding whatever direction the camel faced thereafter (al-Daraqutni,. 1, Hadith N0 396).*

In the light of the above juristic analysis and references from the *Ahadith*, prayer on riding livestock and at their breeding places is due to necessity where livestock dealers have no alternative place to perform prayers. If one finds himself in a place where there is no mosque or a clean place to observe *Salat* then, it becomes permissible for him to pray at the ranch of livestock.

Another area of relationship between *Salat* and livestock is the issue of dog. Abdullah bn Umar's report regarding dogs entering and urinating inside mosque during

the time of Prophet Muhammad (SAW) without any hindrance happened at a time when Islam was at the developing stage. The practice was later on abrogated by the following narrations. If a black dog passes in front of a Muslim observing *Salat,* the prayer is null and void. Angels do not enter a house where there is a dog and when it puts its mouth in any container, the vessel must be washed. Abu Hurairah reported that the Messenger of Allah (SAW) said:

عن أبي هريرة قَل إنّ رسول الله صلّى اللّه عليه وسلّم قال: «إذا ولغ الكلب فى الإنَاء فليهرقه وليغسله سبع مرار» البخاري ١ / ١٧٣.

Abu Huraira reported that Allah'sw Apostle said: When a dog licks a utensil belonging to any one of you, (the thing contained in it) should be thrown away and then (the utensil) should be washed seven times (al-Bukhari, 1, Hadith N0. 173)

'Aishah also reported that Angel Jibril (AS) made a promise with Allah's Messenger (SAW) to come at a certain time; that time came but he did not visit him. And there was in the hand of Allah's Apostle a staff. He threw it from his hand and said: Never has Allah or His Messengers (angels) ever broken their promise. Then he cast a glance (and by chance) found a puppy under his cot and said to Aishah, when did this dog enter here? She said: By Allah, I don't know. He outrightly commended that the dog should be sent out. Then Angel Jibril came in and Allah's Messenger (SAW) said to him: you promise me and I waited for you, but did not come, whereupon he said: it was the dog in your house which prevented me (to come), for we (angels) do not enter a house in which there is a dog or picture (Muslim, 1972, 3, *Hadith* N0 5246).

It is clear from the above cited incident that Angels do not enter a house where in there is a dog. A Muslim shoud therefore safeguard his supererogatory prayers (*Salat al-*

Tataw'i) usually performed at home by not keeping dog because the Angels may not come around him during prayers for record taking.

Principles of Leftover Water (*al-Su'ur*)

Leftover water in Islamic jurisprudence is a small quantity of water left by a livestock and other animals after drinking. Abu al-Ikhlas (1985) submits four classifications of judgement on *al-Su'ur* when it comes to its usage for ablution: Firstly, the leftover water can be used for ablution if it is left by human being, horse and any edible animal including livestock. Secondly, the leftover water becomes impure and unusable if it is left by dog, pig or any beast of animal such as cheetah, wolf and lion. Thirdly, the availability of alternative water makes *al-Su'ur* (*Makruh*)-reprehensible, if it is left by cat, fowl, rat and wild birds such as hawk, falcon and kite excluding scorpion. Fourthly, the purity of leftover water becomes doubtful if it is left by mules and donkeys. In the absence of alternative water *Tayyamum* is preferred.

D. Use of Livestock as a Source of Alms Givin (Zakat)

Wealthy Muslims all over the world including North – Western Nigeria, are expected to fulfill the obligation of *Zakat* by giving a fixed percentage of their surplus wealth. *Zakat* has been paired with such a high sense of righteousness that it is often placed on the same level of importance as offering *Salat*. Muslims also regard *Zakat* as a way of purifying themselves from their greed and selfishness and also safeguarding

future business. In addition, *Zakat* purifies the person who receives it because it saves him from the humiliation of begging and prevents him from envying the rich.

چ ٱ ب ب ٻ ٻ پ پ ڀ ڀ ڀ ڀ ٺ ٺ ٹ ٹ ٹ ٹ چ
المؤمنون: ١ ٤

> *The Believers must (eventually) win through; Those who humble themselves in their prayers; Who avoid vain talk; Who are active in deeds of charity (Zakât)* (*al-Mu'minun*, Q23: 1-4).

The above verses are buttressed by another verse which reads thus:

چ ڳ ڳ گ گ گ گ ں ں ڻ ڻ ڈ ڈ ۀ ہ چ التوبة: ١١

> *But (even so) if they repent establish regular prayers and practice regular charity (Zakât) they are your brethren in faith... (al-Tawbah Q9: 11)*

These verses describe believers and their qualities. Giving *Zakat* is one of the conditions that make an individual a Muslim, a sincere believer. *Zakat* is calculated on many items including gold, cash money, items of trade, farm produce and livestock. Giving livestock as an item of *Zakat* is the key point of discussion in this subtopic. Livestock such as camels, cows, buffaloes, goats and sheep that graze freely for most of the year and are kept for milk, procreation and fattening are to be considered for زكاة. The calculation of the amount to be given out is usually done at the end of every lunar year or after one year in possession of the required number of livestock.

Schedule for the Calculation of Zakât on Sheep and Goats

Nisab is the origin or minimum number when *Zakat* becomes applicable on wealth. For instance, if sheep and goats are more than 12 months old, their *Nisab* is forty. This calculation is applicable until the number reaches 120, at which point, up until 200,

the *Zakat* is two sheep. From 201 to 300 sheep or goats, their *Zakat* is three sheep or goats. When the number is above 300, one additional sheep is added for each increment of one hundred.

Zakat of Cattle

The *Nisab* of these livestock when *Zakat* becomes applicable is thirty cows. Cattle are subject to *Zakat* provided they are a freely grazing herd and number thirty at the completion of the year. At that point, the *Zakat* due is a young bull or a young cow of one year old (*Tabi'u* or *Tabi'ah*). When they reach forty, the *Zakât* is a young cow two years old (*Musannah*); when sixty, two young cows or two one-year-olds (*Tabi'ah*); when seventy, the *Zakat* due is one *Musannah* and one *Tabi'u*; when eighty, two *Musannah*; when ninety, three *Tabi'u*; when one hundred, one *Musannah* and two *Tabi'u*; when 110, two *Musannah* and two *Tabi'u*; and when 120, three *Musannah* or four *Tabi'u*. This system is followed on all additional cattle--one *tabi'*, and on every forty, one *Musannah* (al-Qairawani, D. 386 AH).

The schedule for camels and other livestock is omitted, as they are not covered in this research because sheep, goats and cattle are the major livestock reared in North – Western Nigeria and they are the subjects of observation of the research sample.

When the Messenger of Allah (SAW) was asked if there is *Zakât* on donkeys, he replied:

عن أبي هريرة: أن رسول الله صلى الله عليه وسلم سئل عن الحمر، فيها زكاة؟ فقال: (ما جاء فيها شئ إلا هذه الاية الفذة (فمن يعمل مثقال ذرة خيرا يره ومن يعمل مثقال ذرة شرا يره)) أحمد ١ / ٢٧٦.

Abu Huraira narrated that Allah's Apostle was asked abou Zakat on donkey. He replied: Nothing in this respect was ever mentioned (in revelation) except in the following excellent Qur'anic verse: 'And whosoever does evil equal to an atom's weight will see it' [Surat-al-zZalzalah 7-8] (Ahmad, 1, 276)

In a related report, it was narrated by Harithah ibn Madrab that he performed pilgrimage (*hajj*) with Caliph 'Umar, and the notables of Syria came to him and said:

يا أمير المؤمنين، إنا أصبنا رقيقا، ودواب، فخذ من أموالنا صدقة تطهرنا بها، وتكون لنا زكاة، فقال: هذا شئ لم يفعله اللذان قبلي ولكن انتظروا حتى أسأل المسلمين. وروى الزهري عن سلمان بن يسار: أن أهل الشام قالوا لابي عبيدة بن الجراح رضي الله عنه: (خذ من خيلنا ورقيقنا صدقه، فأبى، ثم كتب إلى عمر فأبى، فكلموه أيضا، فكتب إلى عمر. فكتب إليه عمر: (إن أحبوا فخذها منهم، وارددها عليهم وارزق رقيقهم) البيهقي ١ / ٢٧٦.

"O Commander of the Faithful, we have acquired some animals, so take from our property a sadaqah (Zakât) that purifies us." He answered them: "My two predecessors (the Prophet, SAW, and Caliph Abu Bakr) did not do this before. But wait and let me ask the Muslims about this." Az-Zuhri reported from Salman ibn Yassar that the people of Syria said to Abu 'Ubaidah ibn al-Jarrah: "Take from our horses . . . a sadaqah." He refused. Then he wrote to 'Umar, who also refused. They spoke to him again, and he wrote to 'Umar once again. 'Umar wrote back: "If they desire that, take it from them and give it back to them (their poor) and to their slaves" (al-Baihaqi 1: 276).

It is very obvious from this report that horses, donkeys and mules are not liable to *Zakât* except if they are used as items of trade.

What is the penalty of refusing to pay *Zakât* on livestock? Abu Dharr reported Allah's Messenger (SAW) as saying:

عن أبي ذر رضي الله عنه قال : انتهيت إلى النبي صلى الله عليه و سلم قال (والذي نفسي بيده أو والذي لا إله غيره أو كما حلف مَا مِنْ صَاحِبِ إِبِلٍ وَلاَ

بَقَرٍ وَلاَ غَنَمٍ لاَ يُؤَدِّى زَكَاتَهَا إِلاَّ جَاءَتْ يَوْمَ الْقِيَامَةِ أَعْظَمَ مَا كَانَتْ وَأَسْمَنَهُ تَنْطِحُهُ بِقُرُونِهَا وَتَطَؤُهُ بِأَظْلاَفِهَا كُلَّمَا نَفِدَتْ أُخْرَاهَا عَادَتْ عَلَيْهِ أُولاَهَا حَتَّى يُقْضَى بَيْنَ النَّاسِ ». البخاري ٢ / ٥٣٠ و مسلم ٢ / ٦٨٦.

Abu Dharr reported: I was with the Prophet (SAW)when he said: By whom my soul is His hand or by whom there is no deity but Him, if any owner of the camel, cattle and sheep does not pay what is due on them, when the Day of Resurrection comes a soft sandy plain would be spread for them, he will find none of them missing, with twisted horns, without horns or with a broken horn, and they will gore him with their horns and trample him with their hoofs. As often as the first of them passes him the last of them would be made to return to him during a day the extent of which would be fifty thousand years, until judgment would be pronounced among the servants ... (Bukhari, 2, Hadith N0. 530 and Muslim, 2, Hadith N0 686).

This is to say that apart from the fact that livestock are economically important to mankind, they are also spiritually significant to Muslims in that, giving *Zakat* from their flock of sheep, goats and cattle, cleanses one's sins, protect him or her from punishment in the Hereafter and sustain social security among Muslims.

E. Use of Livestock for Religious Sacrifice

There are three major occasions that require the use of livestock as a sacrifice in Islam; namely sacrifice for the *Eid* Festival (*'Eid al-Adha*), naming ceremony (*'Aqiqah*) and expiation of sins (*Kafarah*).

Use of Livestock for Eid al-Adha Sacrifice

Muslims have two major celebrations (*'Eid*); namely, celebration of Fast-Breaking (*'Eid al-Fitr*) and celebration of Sacrifice (*'Eid al Adha*). The *'Eid* for Fast-Breaking comes at the end of the month of fasting, Ramadan. The *'Eid* for Sacrifice is in remembrance of the willingness of Prophet Ibrahim (AS) to sacrifice his son, Isma'il

(AS). This sincere commitment to the service of Allah is commemorated at the time of sacrifice (*Udhiyah*) of ram, camel, bull or goat on the 10th of *Dhul-hijjah* (12th month of Islamic lunar calendar. The story of this monumental trial of Prophets Ibrahim and Isma'il (AS) is summarized by the following verses of the Glorious Qur'an:

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□ □
□ □ □ □ ٱ ب ب ب ب ب پ پ پ پ پ پ ڀ ڀ ٺ ٺ ٺ ٺ ٺ
ٹ ٹ ٹ ٹ ٹ ٹ ٹ ٹ ڤ ڤ ڤ ڤ ڦ ڦ ڦ ڦ ڄ ڄ ڄ ڄ ڃ ڃ ڃ ڃ
چ چ چ چ چ الصافات: ١٠٠ ١١١

O my Lord! Grant me a righteous (son)!" So We gave him the good news of a boy ready to suffer and forbear. Then when (the son) reached (the age of) (serious) work with him he said: "O my son! I see in vision that I offer thee in sacrifice: now see what is thy view?" (The son) said: "O my father! Do as thou art commanded: thou will find me if Allah so wills one practicing Patience and Constancy!" So when they had both submitted their wills (to Allah) and he had laid Him prostrate on his forehead (for sacrifice) We called out to him "O Abraham! "Thou hast already fulfilled the vision!" Thus indeed do We reward those who do right. For this was obviously a trial And We ransomed him with a momentous sacrifice: And We left (this blessing) for him among generations (to come) in later times: "Peace and salutation to Abraham!" Thus indeed do We reward those who do right. For he was one of Our believing Servants (al-Saffat, Q37: 100-111).

The adjective qualifying "sacrifice" here, '*azim*, great / momentous, according to Yusuf (1998) may be understood both in a literal and a figurative sense. In a literal sense it implies that a fine sheep or ram was substituted. The figurative sense is even more important. It was indeed a great and momentous occasion, when two men, with concerted will, ranged themselves in the ranks of those to whom self-sacrifice in the service of Allah was the supreme thing in life.

There is disagreement among scholars about the time of slaughtering. According to Imam Ash-Shafi'i (d. 783 C.E) it should be done on the Day of *Nahr*, 10th of *Dhul-*

Hijjah, and during *Ayyam at-Tashriq* (the 11th, 12th or 13th of *Dhul-Hijjah*) in the light of the Prophet's words "All the *Tashriq* days (10th, 11th, 12th and 13th of Dhul-Hijjah) are Days for Slaughtering" as reported by Imam Ahmad (d. 855 C.E). If one misses slaughtering during these days, then one may slaughter a livestock later on to make up for it. Imam Malik (d. 795 C.E) and Imam Ahmad hold that regardless of whether the slaughtering of the animal is obligatory or a supererogatory act of worship it must be done during the appointed days. The Hanafi school also holds the same view concerning a pilgrim combining *Hajj* and *'Umrah* but with a break in between *(Hajj Tamattu)*' or combining *Hajj* and *'Umrah* without a break in between (*Hajj Qiran*). Such a pilgrim must slaughter the animal during the appointed (*tashriq*) days. Abu Salmah bn Abd al-Rahman and al-Nakh'i reported that the time for slaughtering is from the day of *Nahr* to the end of *Dhul-Hijjah* (al-Sharbini, nd).

But slaughtering sacrificial livestock for *Eid al-Adha* before the *Eid* prayer is not allowed as reported by al-Bara':

> عن البراء قال ضحّى خالى أبو بردة قبل الصّلاة فقال رسول الله -صلى الله عليه وسلم « تلك شاة لحم ». فقال يا رسول الله إنّ عندى جذعة من المعز فقال « ضحّ بها ولا تصلح لغيرك». ثمّ قال «من ضحّى قبل الصّلاة فإنّما ذبح لنفسه ومن ذبح بعد الصّلاة فقد تمّ نسكه وأصاب سنّة المسلمين» مسلم ٣ / ٨٢٣.
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> *Al-Bara' reported: "My maternal uncle Abu Burda sacrificed his livestock before (Eid) prayer. Thereupon Allah's Messenger (SAW) said": That is a goat (slaughtered for the sake of) flesh (and not as a sacrifice on the day of Adha). He said: I have a lamb of six months. Thereupon he said: Offer it as a sacrifice, but it will not justify for anyone except you, and then said: He who sacrifice (the animal) before (Eid) prayer, he in fact slaughtered it for his own self, and he who slaughtered after prayer, his ritual of sacrifice became complete and he in fact observed the religious practice of the Muslims (Muslim, 3, Hadith N0 823).*

It is not permissible to give a butcher his wages out of the meat of the *Eid al-Adha* sacrifice. A butcher may, however, be given a portion of the meat in charity. This is based on the report of Ali bn Abi Talib (d. 661 C.E) who said, "the Prophet (SAW) ordered me to take care of his camels that were to be slaughtered and to distribute their meat, skins and everything else (among the needy), but he ordered me not to give any portion of it to the butcher." And then he said, "*We shall give him from ourselves*" (Bukhari, vol. 2, *Hadith* N0: 775).

This *Hadith* shows that one is permitted to designate someone else to slaughter the livestock due for sacrifice on one's behalf, distribute its meat, skin and other useful parts among others, but one is not permitted to give any portion of it in wages to the butcher. A butcher should, however, be paid for his work as the Prophet (SAW) said, "*We shall give him from ourselves*." It is reported that al-Hasan (d. 670) said,"There is no harm in giving the skin of the animal to the butcher."

According to al-Sharbini (nd), there is consensus among scholars that a sacrifice must be of one of the livestock, and that the best of these animals are, camels, then cows, then sheep and so on; for a camel is more beneficial for the poor because of its great size (many people can benefit from its meat), and similarly a cow is more useful than a sheep. But there is disagreement, however, as to what is best for an individual to offer in sacrifice, a camel or a cow. Seven Muslims can join and share the meat of a camel or cow, while a sheep is meant for one person. Apparently the preference in this regard is to what is more useful and beneficial for the poor and the needy.

One may sacrifice any number of animals one chooses. The Prophet (SAW) offered a hundred camels as a supererogatory sacrifice. The minimum number of

livestock a person is obligated to sacrifice is one sheep or one-seventh portion of a camel or a cow. Jabir said: "We performed *Hajj* with the Prophet (SAW), and we slaughtered a camel for seven persons and a cow for seven persons" (Sabiq, 1990).

A sacrificial livestock should satisfy the following conditions: It should be two years old, if it is an animal other than a sheep. As for sheep, even a six month old lamb may be sacrificed, but it should be fat and healthy. As for a camel, it must be at least five years old, a cow two years old, and a goat a year old at least. It should be healthy and free from all physical defects. It should not be one eyed, nor should it limp, be mangy, or very thin and weak. Al-Qairaiwani (d. 386 A.H.) cited al-Hasan (d. 50 A.H) saying that "If a man purchases a healthy animal for sacrifice but later before its slaughtering it becomes sick or loses one eye or develops a limp in her legs, then such a person may slaughter it as a sacrifice and that will suffice him (to fullfil his obligation)." This was reported by Sa'id bin Mansur.

عن عائشةَ أنّ رسول الله -صلى الله عليه وسلم أمر بكبش أقرن يطأ فى سواد ويبرك فى سواد وينظر فى سواد فأتى به ليضحّى به فقال لها «يا عائشة هلمّى المدية». ثمّ قال «اشحذيها بحجر». ففعلت ثمّ أخذها وأخذ الكبش فأضجعه ثمّ ذبحه ثمّ قال «باسم اللّه اللّهمّ تقبّل من محمَّد وآل محمّد ومن أمّة محمّد». ثمّ ضحّى به. مسلم ٣ / ٤٨٤٥.

'A'ishah reported that Allah's Messenger (SAW) commanded that a ram with black legs, black belly and black (circles) round the eyes should be brought to him, so that he should sacrifice it. He said: Oh A'isha! Give me the large knife, and then said: Sharpen it on a stone. She did that. He then took it (the knife) and then placed the ram on the ground and then slaughtered it, saying: In the name of Allah, "O Allah, accept (this sacrifice) on behalf of Muhammad and the family of Muhammad and the Umma of Muhammad (Muslim, 3, Hadith N0 4845).

The order of the Prophet (SAW) for 'Aishah to sharpen the knife was meant to quickly relieve the animal from pain which demonstrates the care and concern Islam has for the welfare of livestock.

Salama b. al-Akwa' reported Allah's Messenger (SAW) having said: He who sacrifices (livestock) among you nothing should be left in his house (out of its flesh) on the morning of the third day. When it was the next year, they (his Companions) said: should we do this year as we did during the previous year? Thereupon he said: Don't do that, for that was a year when people were hard pressed (on account of poverty), so I wanted that the (flesh) might be distributed amongst them (Muslim 1972, 3, *Hadith* N0 4862).

It is also recommended that when the month of Dhul- Hijjah commences and a Muslim intends to slaughter livestock as sacrifice, he should neither cut hair of any part of his body nor trim finger nails.

عن أمّ سلمةَ أنّ النبي صلى الله عليه وسلم قَالَ «إذا دخلت العشر وأراد أحدكم أن يضحّى فَلا يمسّ من شعره وبشره شيئا». مسلم ٣ / ٤٨٦٩.

Umm Salama reported Allah's Messenger (SAW) having said this: When any one of you intending to sacrifice the animal enters in the month (of Dhu'l-Hijja) he should not get his hair or nails touched (cut) (Muslim, 3, Hadith N0 4869).

al-Sharbini (nd) explains that the interdiction from the above *Hadith* not to trim one's hair and nail, if one intends to do the sacrifice, is a recommended act of worship (*Sunnah*). It is not forbidden for one to cut hair or trim finger nail.

Ish'ar or marking means that a camel or cow to be slaughtered is marked by cutting off their humps on one side. This serves as a mark that they are intended for

sacrifice so that no one should cause them any harm. And *taqlid* or garlanding means, putting leather piece around the sacrificial animal's neck to mark it as such. The Prophet (SAW) garlanded the sheep that he had marked out for slaughtering and sent them with Abu Bakr to Makkah when he performed Hajj in the 9th year after *Hijrah*. It is affirmed by *Ahâdith* that the Prophet (SAW) garlanded sacrificial animals, marked them and did *ihram* for *'Umrah* at the time of Hudaybiah. Most scholars, except Abu Hanifah (d. 699 C.E), hold that marking the sacrificial animal is *Mustahab* meaning desirable (Sâbiq, 1990).

It is permissible to ride and benefit from the sacrificial animals such as camels and cows. Allah says in the Qur'an (*al-Hajj*, Q22.33):

ﭽﭾ ﭿ ﮀ ﮁ ﮂ ﮃ ﮄ ﮅ ﮆ ﮇ ﮈ ﮉ ﮊ ﮋ ﮌ الحج: ٣٣

> *In them (i.e., animals) you have benefits for a term appointed. In the end their place of sacrifice is near the Ancient House*.

According to al-Qurtubi (1987), Abdullahnbn Abbas and many other scholars commented on the above verse in these words: "Benefiting from them here means using them for riding when needed, and benefiting from their milk and wool." The phrase "appointed term" refers to the term when a pilgrim marks the animal for sacrifice until it is slaughtered. And the statement, "In the end their place is near the Ancient House," refers to the Day of Slaughter or Sacrifice (*Nahr*), the 10th of *Dhul-Hijjah*. The Prophet (SAW) illustrated the idea of making use of livestock intended for sacrifice in this narration:

> عن أبي هريرة رضي الله عنه: أن رسول الله صلى الله عليه و سلم رأى رجلا يسوق بدنه فقال (اركبها). فقال إنها بدنة فقال (اركبها). قال إنها بدنة قال (اركبها ويلك) . في الثالثة أو في الثانية البخاري ٢ / ٦٠٦ و مسلم ٢ / ١٣٢٢.

Abu Hurairah reported that the Prophet (SAW) saw a man driving a she-camel to the place of slaughter. The Prophet (SAW) said to the man,"Mount it." The man replied, "It is a sacrificial animal." The Prophet (SAW) said to him twice or thrice, "Woe be to you! Mount it." This is reported by Bukhari, 2, Hadith N0 606 & Muslim Hadith N0. 1322.

Allah (SWT) commands Muslims to eat and feed of their own livestock slaughtered in sacrifice:

چ ۇ ۆ ۆ ۈ ۇۇ ۋ ۇ ۇ ۆ ۋ ۅ ۅ ۉ ۉ ې چ الحج: ٣٦

...Eat you thereof and feed such as (beg not but) live in contentment and such as beg with due humility" (*al-Hajj*, Q22.36).

Apparently this commandment applies to both the obligatory and supererogatory sacrifice. A person offering a sacrifice may consume, without any restrictions, any amount of meat he may desire. He may likewise give away or offer in charity any amount he may wish. Some scholars said that one may eat half and give away the other half in charity, while others said that the meat should be divided into three parts. Of these one may keep a part, distribute a part, and give in charity the third part (al-Sharbini, nd).

Ashraf (2004) observes that some people are often horrified at the thought of livestock sacrifice and regard it as a pagan practice. They are confusing Islamic slaughter with the ancient practice of offering blood to deities. They forget that it was Prophet Muhammad (SAW) who stopped the practice of spattering the blood of the sacrificial animals on the walls of the Ka`bah and throwing their flesh at its door. The Qur'an declares:

□ □ □ □ □ □ □□ □ □ □ □ □ □ □ چ ې ې ې
□□ □ □ □ چ الحج: ٣٧

It is neither their meat nor their blood that reaches God; it is piety that reaches Him (al-Hajj, Q22:37).

The Qur'an specifically mentions the attitude of humility while slaughtering (*al-Hajj,* Q22:37). Sacrificing a livestock represents sacrificing all worldly desires and ambitions to show one's total devotion and submission to Allah. A creature that Allah has made sacrosanct (*al-Furqân,* Q25:68) is being slaughtered for the benefit of man. As livestock are valuable assets to Muslims, sacrifice of them should be imbued with the spirit of self-sacrifice. The act is an outward symbol of one's readiness to lay down one's life and to sacrifice all one's interests and desires for the cause of Truth. That the slaughter is intended as a sacrifice is clear from the Qur'anic dictum that if a Muslim proposes to take advantage of both `*Umrah* and *Hajj,* an animal should be slaughtered, and if such an animal is not available, fast is prescribed for ten days (*al-Baqarah,* Q2:196). The slaughter of livestock for food for the poor, which is one of the ceremonies of the Muslim pilgrimage, is not a propitiatory sacrifice, but it is in commemoration of the sacrifice of Prophet Ibrahim (AS). Allah (SWT) who is the Creator of Abraham does not need the blood of man or animals (*al-Baqarah,* Q2:37; 37:99–111). The repeated Qur'anic insistence on pronouncing the name of Allah whenever one slaughters a livestock is meant to make the believers, as Pickthal (1974 cited in Ashraf, 2004) notes that to realize the awfulness of taking life and the solemn nature of the trust which Allah has conferred upon them in the permission to eat the flesh of livestock. Taking the life of a livestock and shedding of its blood does not make men ferocious, but rather creates humility in their minds.

عن أبى هريرة قال: قال رسول الله صلى الله عليه وسلم « لاَ فَرَعَ وَلاَ عَتِيرَةَ». زاد ابْنُ رافع فى روايته وَالْفَرَعُ أَوَّلُ النِّتَاجِ كَانَ يُنْتَجُ لهم فيذبحونه في زمن الجاهلية. مسلم ٦ / ٨٣.

Abu Hurairah reported Allah's Messenger (SAW) as saying: The sacrifice of Fara' and Atira has no (sanction in Islam). Ibn Rafi' made this addition in his narration that Fara' means the first-born young one of a camel. These were traditions of idol worshipers (Muslim, 6, Hadith N0 83).

The above *Hadith* shows that there is no relationship between livestock sacrifice in Islam and that of idol worshipers. Islam focuses on the mind and attitude of the slaughterer toward Allah (SWT) while the physical benefits (meat, skin etc…) go to the fellow human beings.

Use of Livestock as a Sacrifice for Naming Ceremony (Aqiqah)

Aqiqah is the sacrificing of one or two sheep on the occasion of the birth of a child as a token of gratitude to Allah. The ceremony is organized on the seventh day of every Muslim child on earth. It also includes the shaving of the baby head and giving him or her, a good name.

عن سمرة عن رسول الله صلى الله عليه وسلم قال «كلّ غلاَم رهينة بعقيقته تذبح عنه يوم السّابع ويحْلق رأسه ويدمّى» أبو داود ٣ / ٦٥.

Samurah ibn Jundub reported that the Prophet (SAW) said: A boy is in pledge for his Aqiqah. Sacrifice is made for him on the seventh day, his head is shaved ... (Abu Dawud, 3, *Hadith N0.* 65).

The boy in the *Hadith* refers to both male and female child.

عن أمّ كرز الكعبيّة قالت سمعت رسول الله صلى الله عليه وسلم يقول «عن الْغلام شاتان مكافئتان وعن الْجارية شاة». قال أبو داود سمعت أحمد قال مكافئتان أى مستويتان أو مقاربتان. أبو داود ٣ / ٦٤.

Umm Kurz (RA) also said: I heard the Prophet (SAW) say: Two sheep are to be sacrificed for a boy and one for a girl, but it does you no harm whether they are male or female (Abu Dawud, 3, *Hadith* 64).

Eventhough two rams or sheep are recommended for a boy child, parents are allowed to sacrifice one. It depends on their financial capability. Abdullah bn Abbas (RA) reported that the Apostle of Allah (SAW) sacrificed a ram for both al-Hasan and al-Husayn each (al-Sharbini nd).

عن عكرمةَ عن ابن عبّاس أنّ رسول الله صلى الله عليه وسلم عقّ عن الحسن والحسين كبشًا كبشًا. أبو داود ٣ / ٦٦.

On the authority of 'Ikrimah, it was reported by Ibn 'Abbas that the Apostle of Allah (SAW) sacrifice on behalf of (his grand sons) al-Hassan and al-Hussain a ram each (Abu Dawud, 3: 66).

Sacrificing a ram for al-Hasan and al-Husayn each by the Prophet (SAW) is an evidence that the number of ram is determined by financial status of the parents. al-Sharbini (nd) added that if parents could not afford to provide the sacrifice for their child, the child should do so himself when he grows up and have the wherewithal.

al-Azhari (d. 1335 AH) asserts that all the conditions of *Eid adha* sacrifice are all applicable to that of *Aqiqah*. The livestock to be sacrificed should be of good age of one year old or above and of sound hearth with no defect. The preferred time for slaughtering livestock for Aqiqah is Duha (the time of full morning light) and it is reprehensible (*Makruh*) to do the sacrifice between sun set and day break.

Use of Livestock for Atonement of Sins (Kaffarah)

Kafarah is expiation or atonement of sins in Islam which takes many forms ranging from prayers, fasting, and charity to livestock sacrifice. This subtopic is concerned with that of livestock sacrifice for *Kafarah*. Most cases of using livestock sacrifice for *Kafarah* are related to pilgrimage (*Hajj*) rites such as compensation for

shaving the head while in the state of ritual consecration (*Ihram*), using oil on one's head or beard, failing to observe the proper sequence in performing *Hajj* rites, deliberate killing of game (hunting), cutting tree within the Sacred Precinct (*Haram*), sacrifice offered by one performing *Hajj al-Tamatu'i*, abandoning one or all of the last three rounds of farewell going round the Ka'bah (*Tawaf al-Ifada)*, failing to utter (*Talbiyyah)* etc...

The injunctions regarding *Kafarah* for faulting حج rites like a host of other Islamic injunctions were known through face to face contact between Prophet Muhammad (SAW) and other pilgrims, reports and asking questions. Ka'b bn 'Ujra (RA) reported that the Messenger of Allah (SAW) stood near him and lice (plural of louse, parasitic insect) were falling from his head; thereupon he said: "*Then shave your head*"; and it was in connection with me, Ka'b said, that this verse was revealed:

چﮯ ﯓ ﯔ ﯕﯖ ۇ ۆ ۈ ۆ ۋ ۋۇ ۋ ۅ ۅ ۉ ﯤﯥ ﯦ ﯧ □
□ □ □ □ □ □□ □ □ □ □ □ □ □ □ □ □ □ □
ى ﯨ ﯩ ى □ □□ □ □چ البقرة: ١٩٦

And complete the Hajj or `Umra in the service of Allah. But if ye are prevented (from completing it) send an offering for sacrifice such as ye may find and do not shave your heads until the offering reaches the place of sacrifice. And if any of you is ill or has an ailment in his scalp (necessitating shaving) (he should) in compensation either fast or feed the poor or offer sacrifice; and when ye are in peaceful conditions (again) if anyone wishes to continue the 'Umra on to the Hajj he must make an offering such as he can afford it … (al-Baqarah Q2: 196)

He (the Prophet (SAW), therefore) said to me:

Observe fast for three days or give a quantity of alms enough to feed six needy persons or offer sacrifice (of an animal) that is available" (Muslim, 2, Hadith N0 497).

عن كعب بن عجرة --رضى الله عنه أنّ رسول اللّه صلى الله عليه وسلم وقف عليه ورأسه يتهافت قملا فقال «أيؤذيك هوامك». قلت نعم قال «فاحلق رأسك». قال ففىّ نزلت هذه الآيَة (فمن كان منكم مريضا أو به أذى من رأسه ففدية من صيام أو صدقة أو نسك) فقال لى رسول اللّه صلى الله عليه وسلم «صم ثلاثة أيّام أو تصدّق بفرق بين ستَّة مساكين أو انسك ما تيسَّر». مسلم ١ / ٤٩٧.

Rubbing oil on the body in the state of *Ihram* is another act that requires livestock sacrifice according to Abu Hanifah. If a person in the state of *Ihram* (*muhrim*) massages any part of his body with pure oil or vinegar he must slaughter a sheep in expiation for it (Sâbiq, 1990).

al-Qurtubi (1987) says that the majority of scholars hold that as far as the sacrifice of livestock as a penalty for breaching Hajj rites is concerned, there is no difference between one who deliberately kills a game and he who does so forgetfully." The Qur'an imposed a penalty only on the intentional killer of the game, while the *Sunnah* includes those who kill a game forgetfully." In other words, the Qur'an imposes a penalty on an intentional killer for his sin, as is indicated by Allah (SWT) in this verse of the Qur'an:

چ ى ي ي□ □ □ □□ □ □ □ □ □□ □ □ □ □ □□ □ □ □ □ چ
المائدة: ٩٥

...that he may taste the penalty of his deed..(al-*Mâ'idah* Q5: 95).

The *Sunnah* of the Prophet (SAW) and the judgments of his Companions show that he who kills a game by mistake must also pay a penalty by sacrificing a livestock. Killing a game is a destructive act, and therefore, whether it is inflicted intentionally or

forgetfully, makes little difference to the victim, though a deliberate killer is guilty of a sin, whereas one who does so by mistake commits no sin.

If a group of people participated in killing a game intentionally, they are to pay one penalty only, because Allah says "*the compensation is an offering of a domestic animal*." Ibn 'Umar was asked about a group of people who had jointly killed a hyena while they were in the state of *Ihram.* Ibn 'Umar told them, "Slaugther a ram." They asked, "Should we slaughter a ram for each person of our group?" He said, "No. Slaughter only one ram on behalf of all of you (Sâbiq, 1990)."

Earlier generations of Muslim scholars particularly the *Sahabah* and *Tabi'un* according to al-Sharbini (nd), gave verdicts that a camel is to be sacrificed for an ostrich, and a cow for a zebra, a stag or a deer, and similarly a sheep for a woodchuck, a pigeon, a turtledove, a mountain quail, and certain other birds. A male sheep is to be sacrificed for a hyena, a goat for a deer, a four month old goat for a rabbit, a baby goat (kid) for a fox, and a four month old goat should be sacrificed for killing a jerboa.

A *Muhrim* who for a genuine reason is compelled to violate any of the restrictions of *ihram*, like shaving his head, wearing sewn clothes because of cold or heat or something else, with the exception of having sexual intercourse with his spouse, he may do so, but he will have to slaughter a sheep, or feed six needy people, (Each needy person should be given at least the equivalent of half *sa'* in measure) or fast three days to atone for it (Sâbiq, 1990).

2.8 Method of Slaughtering Livestock in Islam

Modern science has identified procedures aiding a conducive way of slaughtering livestock and other animals. Some of these procedures corroborate the position of Islam on welfare rights of livestock and general hygiene. According to Grandin et al, 1994) cited in Babatunde (2011), reducing stress, excitement, agitation and general discomfort in livestock help improve welfare and preserve meat quality. The experts in bioscience recommend among others the following treatments of animals prior to slaughter: (1) Resting: Livestock should be rested adequately before slaughter. It helps to keep quality of meat due to complete development of acidity. (2) Watering: Livestock should receive drinking water during their lairage detention as it lower the bacterial load in the intestine and facilitate pelt removal during dressing (3) Feeding: Livestock intended for slaughter should be well fasted as this will facilitate better bleeding, easy dressing and clean meat. (4) Cleanliness: Livestock must be presented in a clean condition to avoid staining the meat with dung, mud or dust which could lead to contamination. (5) Inspection: Ante-mortem inspection must be carried out as this aids in detecting animals suffering from infectious diseases like anthrax, rabies, glanders, blackleg which are communicable to man (Babatunde, 2011)

Well enough before these assertions, Islam recommends that livestock and other lawful animals for eating should be slaughtered before they become lawful for consumption. Therefore, slaughtering is very important. The slaughterer must be a Muslim, Jew or Christian (*Ahlu al-Kitab*. See the meaning of Figure 32 on page **215** concerning the legality of livestock slaughtered by Jews and Christians). The animal should be tied and laid facing the direction of Ka'bah in Makkah.

The Prophet (SAW) in this statement taught the slaughter method in detail:

إنّ الله كتب الإحسان على كلّ شيء؛ فإذا قتلتم فأحسنوا القتلة, وإذا ذبحتم فأحسنوا الذّبح, وليحدّ أحدكم شفرته, فليرح ذبيحته. مسلم ٦ / ٧٢

Verily, Allah Has prescribed proficiency in all things. Thus… when you slaughter an animal, do it in a good way; and any one of you should sharpen his blade so that the animal may be spared the suffering of slaughtering (Muslim, 6, Hadith N0 72).

عن عبد الله بن عمر قال أمر رسول الله صلى الله عليه و سلم بحد الشفار وأن توارى عن البهائم : وقال: " إذا ذبح أحدكم فليجهز ". ابن ماجه ٢ / ١٠٥٩.

Abdullah bn 'Umar said that Allah's Apostle commanded that the knife should be sharpened without the knowledge of the animal and if one of you wishes to slaughter an animal, let him prepare for it (*Ibn Majah*, 2, *Hadith* N0 1059).

Livestock should not be killed in front of each other. lbn `Abbas once reported that the Prophet saw a man who was sharpening his knife after laying down a sheep to be slaughtered. He rebuked him saying, "*Did you intend to make it die two deaths? Why did you not sharpen your knife before laying it down?*" (Al-Hakim). "He has forbidden to keep waiting of a quadruped for any other animal for slaughter" (Al-Baihaqi) "When you will show mercy on an animal, Allah will show mercy on you" (al-Baihaqi):

عن معاوية بن قرّة، عن أبيه، أنّ رجلا ، قال : يا رسول الله، إنّي أذبح الشّاة وأنا أرحمها، أو قال: إنّي لأرحم الشّاة أن أذبحها ، قال: والشّاة إن رحمتها رحمك اللّه". البيهقي ١ / ٢٢.

On the authority of Mu'wiyya bn Qurrah who said: his father reported that a man said to Allah's Apotle (SAW): Whenever I want to slaughter sheep I do treat them kindly or he said I do treat sheep kindly in the course of slaughter. The Prophet (SAW) said: "if you treat sheep kindly Allah (SAW) will (surely) show you mercy" (al-Baihaghi, 1: 22)

Therefore, Slaughtering should be done with sharp knife so that the animal's throat can be cut instantly thereby reducing the pain. Slaughtering must be done on the neck of the animal for the throat and the two jugular veins to cut. The slaughterer should complete the cutting without lifting the knife from the animal's neck and the name of Allah must be invoked when the animal is being slaughtered.

عن أنس قَال ضحّى النبي -صلى الله عليه وسلم بكبشين أملحين أقرنين ذبحهما بيده وسمّى وكبّر ووضع رجله على صفاحهما. مسلم ٣ / ٤٨٤١.

Anas reported that Allah's Messenger (SAW) sacrificed with his own hands two horned rams which were white with black markings reciting the name of Allah and glorifying Him (saying: Bismillahi Allah-o-Akbar). He placed his foot on their sides (while sacrificing) (Muslim, 3, Hadith N0. 4841).

Before slaughtering an animal for food, a Muslim should say: *Basmalah* (in the name of Allah). If someone says that he slaughters the animal in the name of Satan or a pagan deity or a prophet or saint or any human being, or pronounces the name of anyone other than Allah over it at the time of slaughters, it is a major sin. It is also a major sin to eat from such slaughtered livestock. Allah (SAW) says:

چچ چ ڍ ڍ ڈ ڈ ڈ ڈ ژ ژ ڑ ڑ ک ک ک گ گ گ گ گ
گ چ الأنعام: ١٢١

Eat not of (meats) on which Allah's name hath not been pronounced: that would be impiety. But the evil ones ever inspire their friends to contend with you; if ye were to obey them ye would indeed be pagans (al-An'am,Q6:121).

According to the interpretation of Ibn Kathir (1982), what is meant here by *Eat not of (meats) on which Allah's name hath not been pronounced* are those animals which die on their own (without being slaughtered by cutting the throat) as well as those which are mentioned in these verses:

چأ ب ب ٻ پ پ پ پ ڀ ڀ ڀ ٺ ٺ ٺ ٺ ٿ ٿ ٿ ٿ
ٹ ٹ ٹ ف ف ڦ ڦ ڦ ڦ ڃ ڃ ڃ ڃ چ چ چ چ
ڇ ڇ ڇ ڍ ڍ ڈ ڈ ڈ ڈ ژ ژ ڑ ڑ ک ک ک ک گ گ گ گ
گ گ گ گ ڳ ڳ ں ں ڻ ڻ ڻ ۀ ہ ہ ھ ھ ھ ے
ےئ ئ ﷺ ڪ ڪ ڪ ڪ ۇ ۇ ۆ ۆ چ المائدة: ٣ - ٤

... Dead meat blood the flesh of swine and that on which hath been invoked the name of other than Allah that which hath been killed by strangling or by a violent blow or by a headlong fall or by being gored to death; that which hath been (partly) eaten by a wild animal; unless ye are able to slaughter it (in due form); that which is sacrificed on stone (altars); (forbidden) also is the division (of meat) by raffling with arrows: that is impiety (al-Mâ'idah.5: 3-4).

The question (related to this point) is not about the rule concerning the meat of an animal slaughtered by a Muslim who forgot to mention Allah's name while slaughtering it. The consensus of scholars according to Ibn Kathir (1982) is that the satatement, "*Over which Allah's name has not been mentioned*" refers to those animals which are classified as dead, not those upon which the Muslim only forgot to mention the name of Allah. Some Muslim scholars have clarified the issue of a Muslim forgetting to mention Allah's name during slaughter. According to Ibn Hajar (1376 AH) if a Muslim slaughters an animal and forgets to mention Allah's name, the meat is lawful since it is not deliberate. Allah (SWT) does not hold His servant responsible for forgetfulness.

The slaughtered livestock, by rural people of which it is not known whether or not they did mention Allah's name, are allowed for Muslims provided they will mention Allah's name when eating the meat as reported by 'Aishah (RA):

عن عائشة رضي الله عنها: أن قوما قالوا للنبي صلى الله عليه و سلم إن قوما يأتوننا باللحم لا ندري أذكر اسم الله عليه أم لا ؟ فقال (سموا عليه أنتم وكلوه) البخاري ٥ / ٢٠٩٧.

'Aishah reported that a group of people said to the prophet: Messenger of Allah, people bring us meat and we do not know whether they have slaughtered the animal by mentioning Allah's name or not. Allah's Messenger said: Mention Allah's name and eat. (Bukhari, 5, Hadith N0. 2097).

It is desirable to slaughter camels in a standing position with their left legs tied as described in the following *Ahadith*: Muslim reported from Ziyad bn Jubair that Ibn 'Umar came upon a man who was slaughtering a camel while it was sitting. He said to the man, "Let it stand up, and tie its legs. This is the *sunnah* of your Prophet (SAW)." Abu Daw'ud reported from Jabir that the Prophet (SAW) and his Companions slaughtered their sacrificial camels with their left legs tied and standing on three legs (al-Sharbini, nd)."

Hakim as cited in Sabiq (1990) reported from Ibn 'Abbas concerning the Qur'anic verse (*al-Hajj, Q*22.36)

چے ئے ئے ﷺ ﷺ ﷺ ﷺ ﷺ ﷺ ﷺ ﷺ ﷺ ﷺ ﷺ ﷺ ﷺ ﷺ ﷺ ﷺ ﷺ الحج: ٣٦

... Then pronounce the name of Allah over them as they line up (for sacrifice): when they are down on their sides (after slaughter) eat ye thereof and feed such as (beg not but) live in contentment and such as beg with due humility: thus have we made animals subject to you that ye may be grateful.

Ibn Abbas interpreted the above verse to mean "as they line up and stand on three legs." As for cows and sheep it is preferable to slaughter them in a lying position. According to some it is disliked to slaughter an animal standing that is to be slaughtered lying down and vice-versa. Others disagree and hold that it is not disliked. It is preferable to slaughter one's animal with one's own hands, if possible, otherwise one may assign someone else to do it on one's behalf, but one should be present there.

The life and death of fetus largely depend on its mother. al-Sharbini (nd) therefore observes that slaughtering a pregnant livestock suffices the fetus if found dead in the womb and people can eat it. This position is based on a *Hadith* reported by al-Tirmidhi and Ibn Hiban.

The method of slaughtering in Islam has been described as inhumane by some animal welfare organizations in the West who claim that it "causes severe suffering to animals. Ashrof (2004) replies that experience suggests that the sharper the blade used in shaving beard for example, the lesser the pain. The human model demonstrates that an everyday shaving cut is not in itself painful. Profuse bleeding leads to a gradual decrease in blood pressure. Eventually, consciousness is lost, accompanied psychologically by a resigned, peaceful feeling. When an animal is slaughtered according to Islamic method, the big blood vessels in the throat-the carotid arteries and the jugular veins-are cut, terminating the blood supply to the brain and causing an immediate loss of consciousness. The cut produces instant shock, rendering the animal unconscious, and since the heart is still beating, heavy blood loss occurs under high pressure. The animal remains motionless for about 90 seconds and is then subject to involuntary spasm (muscle contraction) caused by lack of oxygen in the brain. It is believed that sensation ceases upon the initial cut. Some people think that it is cruel only because of their ignorance of the actual processes involved.

There are various other methods of killing livestock such as strangulation and beating the animal to death with a blunt stick. All these techniques are more painful and allow the animal to die before complete bleeding, with the result that the flesh of the animal posses the characteristic of a dead meat and therefore unacceptable in Islam.

2.9 Prohibited Types of Livestock

Prohibition of livestock in this study refers to hindrances put in place vis-à-vis the consumption of certain aspects of livestock. This includes meat of dead animals, charging of price of the dog, flesh of domestic asses, blood from a slaughtered animal, pig's meat and *jallalah* - an animal that eats the waste or flesh of other animals. Expressed ruling concerning some of the cases of prohibition is stated in this Glorious Qur'anic verse:

چڑ ڑ ک ک ک ک گ گ گ گ گ گ گ گ گ گ
ں ں ڻ ڻ ٹ ٹ ۀ ہ ہ چ البقرة: ١٧٣

He (Allah) hath only forbidden you dead meat and blood and the flesh of swine and that on which any other name hath been invoked besides that of Allah but if one is forced by necessity without wilful disobedience nor transgressing due limits then is he guiltless. For Allah is Oft-Forgiving Most Merciful (al-Baqarah, Q2: 173)

A. Dead Livestock and Sacrifice to Idol

Dead livestock is any livestock that dies of itself and is not expressly slaughtered for food with the *Basmalah* duly pronounced on it. Yusuf (1998) argues that carrion and blood as articles of food would obviously cause disgust to any refined person. If a livestock dies by strangling, or by being attacked by a wild animal, the presumption is that it becomes carrion, as the life-blood is congealed before being taken out of the body. But the presumption can be rebutted. If the life-blood still flows and the solemn mode of slaughter in the name of Allah is carried out, it becomes lawful as food. al-Nafrawi (1955) interpreted some part of the verse to say that dead livestock and other animals can be allowed for someone in dire need of food if there is no food except carrion.

Part of prohibition related to dead livestock is a sacrifice devoted to a particular idol or a false god. It also includes anything that is cut off a live livestock. Abu Waqid al-Laithy reported that the Prophet (SAW), said,

عن أبى واقد قال قال النبي ـصلى الله عليه وسلم « ما قطع من البهيمة وهى حيّة فهى ميتَة». أبو دود ٣ /٧٠.

On the authority of Abi Waqid who said: the Prophet (SAW) said: What is cut off of a live animal is considered dead (Abu Dawud, 3, *Hadith N0.* 70).

Cutting off a body part of a live livestock is a cruelty to the animal in question and an improper way of killing it.

B. The Remains of Dead Livestock

Concerning dead livestock's bones, horns, claws, fur, feathers, and skin, they are considered pure. az-Zuhri (cited in Sâbiq, 1990) said, "I have met some scholars of the preceding generations who used such objects for combs and pots for oil, and they did not see anything wrong in that."

عن ابن عباس : أن النبي صلى الله عليه و سلم مر بشاة ميتة فقال هلا انتفعتم بإهابها قالوا يا رسول الله إنها ميتة قال إنما حرم أكلها. الدارقطني ١ / ٤١.

Ibn 'Abbas also reported that the client of Maimunah was given a sheep as charity, and it died. The Messenger of Allah (SAW), passed by it and said,'Why do you not remove its skin, treat it and put it to use?' She said, 'It is dead' (i.e., it has not been slaughtered properly). He said to her, '*Only eating it is forbidden (al-Daraqutni, 1 Hadith N0 41).*'"

Ibn 'Abbas supported this Hadith by reciting a verse from the Glorious Qur'an which says:

چچ گ گ ڳ ڳ ں ں ڻ ڻ ڈ ڈ ۀ ہ ہ ھ ھ ے ے ۓ ۓ ﷺ ﷺ ۇٴ ۋ ۋ ۅ ۅ ۉ ۉ ې ې ى ى چالأنعام: ١٤٥

> *Say: "I find not in the Message received by me by inspiration any (meat) forbidden to be eaten by one who wishes to eat it unless it be dead meat or blood poured forth or the flesh of swine for it is an abomination or what is impious (meat) on which a name has been invoked other than Allah's."* (*al-An'am*, Q6: 145).

Then Ibn Abbas said, "What is forbidden is its meat. As for its skin, used for water skins, teeth, bones, fur and wool, they are permissible." Similarly, its rennet (substance for curdling milk) and milk are considered pure. This is supported by the fact that when Muslims conquered Iraq, they ate the cheese of the Magians which was made from rennet, although their slaughtered animals were considered the same as 'dead animals.' It is confirmed from Salman al-Farsi that when he was asked about cheese, clarified butter and pelts, he said, "What is permissible is what Allah made permissible in His book. What is forbidden is what Allah made forbidden in His book. What he omits, He has pardoned for you." It is well-known that he was being asked about the cheese of the Magians, as Salman was 'Umar's ambassador to Mada'in, Iraq (al-Shabini, nd). Malik (2004) observes that tanning purifies the skin and the fur of a dead animal. This is based on the *Hadith* of Ibn 'Abbas, in which the Prophet said, "*Dibaghu ihabiha tuhuruha*," meaning: *If the animal's skin is tanned, it is purified*.

C. Dog

Dog is one of the livestock that is frequently mentioned in the Qur'an and the sayings of the Prophet (SAW). The use of dogs in Islam is only recommended for hunting, herding, and home protection. But limitedness of using dog does not

compromise kindness to them as kindness is due to every living thing. Legal verdict on the use of dog is reported by Abu Huriar in this Hadith:

عن أبي هريرة عن النّبيّ -صلى الله عليه وسلم قال «من اتَّخذ كلبًا إلاّ كلب ماشية أو صيد أو زرع انتقص من أجره كلّ يوم قيراط». أبوداود ٣ / ٦٧

Al-Sa'ib bn Yazid (RA) reported that the Messenger of Allah (SAW) forbade the sale price of a dog, the earnings of a prostitute and the earnings of a fortune teller (al-Nasai' vol. 3, *Hadith* 112).

عن السائب بن يزيد قال قال رسول الله صلى الله عليه و سلم : من السحت ثمن الكلب ومهر البغي وكسب الحجام. النسائي ٣ / ١١٢.

When the Prophet (SAW) was asked about dog meat he gave the answer in this *Hadith*:

عن معمر قال أخبرني عبد الله بن عبد الرحمن الأنصاري قال سئل رسول الله صلى الله عليه و سلم عن أكل الكلب فقال طعمة جاهلية وقد أغنى الله عنها. (عبد الرزاق - ٤ / ٥٢٨)

On the authority of Ma'mar who said: Abdullah bn Abdul-Rahman, al-Ansari informed me that Allah's Apostle was asked about (the legality of) eaing dog. He replied that "it is the food of the period of ignorance which Allah has spared it for us (Abdul-Razaq, 4: 528).

In a related saying of the Prophet (SAW):

عن أبي هريرة عن النبي صلى الله عليه وسلم قال: "أكل كلّ ذي ناب من السّبِاع حرام" رواه ابن ماجه/٢/٢٩٥

On the authority of Abu Hurairah that the Prophet (SAW) said: "Eating any beast of prey with fang is prohibited" (Ibn Majah, 2: 295)

Ibn Majah interpreted the term "*Dhi nab*" to mean animals such as lion, hyena, dog and cat.

D. Riding Livestock

Disapproval regarding eating riding livestock is the view held by Imam Malik (2004). He argues that horses, mules, and donkeys are not to be eaten because Allah (SWT) said,

چڈ ٹ ٹ ڈ ڈٹ ٹ ڈ ڈ ف ڤچ النحل: ٨

"And (He has created) horses mules and donkeys for you to ride and use for show… (al-Nahl, Q16: 8)."

چ چ چ چ چ چ چ چ چ چ غافر: ٧٩

He (Allah) also said, "*It is Allah Who made cattle for you that ye may use some for riding and some for food (al-Nisa', Q40: 79).*"."

In connection to the view of Imam Malik, Shaibani reported that he asked ʻAbdullah bn Abu Aufa about (the lawfulness or unlawfulness of) the flesh of the domestic asses. He said: "We experienced hunger on the Day of Khaibar and found domestic asses in the exterior of Madinah. We slaughtered them and our earthen pots were boiling when the announcer of the Messenger of Allah (SAW) made announcement that the earthen pots should be turned upside down and nothing of the flesh of the domestic asses should be eaten (Muslim 1972, 3, *Hadith* N0 4768).

E. Blood

Ashraf (2004) discloses that oral intake of blood is poisonous and so the Qur'an completely bans it as well as the eating of meat wherein free blood has coagulated (become semisolid):

چ ٱ ب ب ب ٻ ٻ پ پ ڀ ڀ چ المائدة: ٣

Forbidden to you (for food) are: dead meat blood the flesh of swine… (al-Ma'idah, Q5: 3)

چ ڃ ڃ ڄ ڄ ڄ ڇ ڇ ڇ ڇ ڍ ڍ ڌ ڌ ڎ ڎ ڈ ڈ ژ ژ ڑ ڑ ک ک گ گ گ گ ڳ ڳ ں ں ڻ ڻ ۀ ہ ہ ھ ھ ے ے ۓ ۓ ڭ چ الأنعام: ١٤٥

Say: "I find not in the Message received by me by inspiration any (meat) forbidden to be eaten by one who wishes to eat it unless it be dead meat or blood poured forth or the flesh of swine for it is an abomination… (al-An'am, Q6: 145).

This includes blood that pours forth from an animal's body, such as blood from a slaughtered animal, or from menstruation, except that small amounts are overlooked. Ibn Juraij said about the Qur'anic verse "...*or blood poured forth...*" (*al-An'am* Q6: 145), that this is the blood that flows out. While the blood that does not flow out after slaughter, but remains in the veins, is permissible. This is related by Ibn al-Mundhir. And it is also related from Abu Majlizn in his discourse on blood that he was asked, "What about the blood that remains in the slaughtered sheep or at the top of the cooking pot?" He answered, "There is no problem with it. What is forbidden is the blood that flows out (of the animal at the time of slaughtering)." It is also related from 'Aishah that she said, "We used to eat the meat when the blood was streaking the pot (Sâbiq, 1990)." Another exception regarding permissibility of small quantity of blood was reported by Abdullah bn 'Umar in this Hadith:

عن عبد الله ابن عمر أن رسول الله صلى الله عليه و سلم قال: "أحلت لكم ميتتان ودمان . فأما الميتتان فالحوت والجراد وأما الدمان فالكبد والطحال". ابن ماجه ٢ / ١١٠٢

Abdullahi bn 'Umar (RA) reported that the Messenger of Allah said: *Two types of dead animals and two types of blood have been made lawful for us. The types of dead animals are seafood and locusts. The two types of blood are the (blood of the) liver and the spleen (Ibn Majah, 2, 1102)"*

F. Pig

Pig's meat is one of items described in *Suratu al-Ma'idah* Q5: 3 and *Suratu-al-An'am* Q6: 145 as impure. According to Yusuf (1998), pig's or swine's flesh causes discomfort to one's body where it lives on offal. Where swine are fed artificially on clean food, the objections remain: (1) that they are filthy animals in other respects, and the flesh of filthy animals taken as food affects the eater; (2) that swine's flesh has more fat than muscles-building material: and (3) that it is more liable to disease than other kinds of meat such as trichinosis (disease caused by parasitic war worms) in the muscular tissue.

This informed the reason why Muslim Community in North-Western Nigeria and hopefully every other region and country in the world, do not keep pig as that will be a flagrant disobedience to Allah's (SWT) command who knows what is good and bad for His creatures.

G. Jallalah

Jallalah according to al-Sharbini (nd) in his book of jurisprudence, *Mughni al-Muhtaj ila Ma'arifati Ma'ani alfaz al-Minhaj*, refers to an animal that eats the waste or flesh of other animals, such as camels, cows, sheep, chickens, geese, and so on. Ibn

'Abbas reported that the Messenger of Allah (SAW) forbade the drinking of such animals' milk. This *Hadith* is related by "the five reporters of *Hadith*," except Ibn Majah. al-Tirmidhi grades it as *Sahih* (al-Tirmidhi, vol.4: 270). 'Amr bn Shu'aib related on the authority of his father, from his grandfather, that the Messenger of Allah prohibited the meat of domestic donkeys. As for the *jallalah*, he prohibited riding or eating them (Abu Dawud, 2000: *Hadith* 1713). If the *jallalah* animal is kept away from other animals for some time and is given clean food to eat, then it becomes pure and is no longer called *jallalah*. If this is the case, it becomes permissible to eat, as the reason for its prohibition was the change it underwent.

عن ابن عمر قال نهى رسول الله صلى الله عليه و سلم عن لحوم الجلالة وألبانه. ابن ماجه ٢ / ١٠٦٤.

Forbidding the meat and milk of Jallalah is to first of all avoid communicable deseases between livestock and human beings and also to educate Muslims about the importance of hygiene in Islam.

2.10 Livestock as a Community of its Own

Livestock have similar characteristics, peculiarities, temperaments, and consciousness of their own. They have the ability to experience morally relevant states of consciousness such as pain, distress, fear, anxiety, loneliness, boredom, joy, and pleasure (Ashraf, 2004). It is against this backdrop that a woman was punished with hellfire for starving a cat to death (Bukhari, vol. 3: 553 and Muslim, vol. 8: 35). Many animal species share abilities that make humankind special, such as communications, love and

nurturing a partner and family. The story of the famous Hoopoe (al-Hudhud) of Prophet Sulaiman in *Surat al-Naml* (Q27: 20-44) is a clear testimony of some similarities between human being and animals. The study of animal behavioural pattern (ethology) is reflected in the Qur'anic concept of livestock as an *ummah* (community) just like mankind:

چچ ڃ ڃ ڃ چ چ ڇ ڇ ڇ ڇ ڍ ڍ ڌ ڌ ڎ ڎ ڈ ڈ ژ ژ ڑ ڑ الأنعام: ٣٨

There is not an animal (that lives) on the earth nor a being that flies on its wings but (forms part of) communities like you. Nothing have We omitted from the Book and they (all) shall be gathered to their Lord in the end (al-An'am, Q6:38).

From the Qur'an, it is evident that natural instinctive knowledge has been given to each creature including livestock according to its characteristics. Each kind of animal has been given instinctive knowledge, on the basis of which cattle pull plough, horses speed and jump, and rams ram. This is because Allah endows them with faculties exactly suited to them, and characteristics to the environments in which life will be cast, giving to everything due order and proportion. He has measured exactly the needs of all, and given instincts and physical predispositions.

چ ں ڻ ڻ ڈ ڈ ۀ ہ ہ ہ ھ ھ چالأعلى: ١ - ٣

Glorify the name of thy Guardian-Lord Most High; Who hath created and further given order and proportion; Who hath ordained laws. And granted guidance (al-A'la, Q87: 1-3)

چ□ □ □ □ □ □ □ □ □ □ چ طه: ٥٠

He said: "Our Lord is He Who gave to each (created) thing its form and nature and further gave (it) guidance (Ta-ha, Q20: 50)

There is ample evidence in the Glorious Qur'an to suggest that livestock's consciousness of spirit and mind is of a degree higher than mere instinct and intuition.

The Qur'an describes livestock and other animals having a cognizance of their Creator and, hence, they pay their obeisance to Him by adoration and worship:

چ ڭ ڭ ڭ ۇ ۇ ۆ ۆ ۈ ۈ ۇٴ ۋۋ و ۉ ۋ ۅ ۅ ۉ ې ې ى ى چ النور: ٤١

Seest thou not that it is Allah Whose praises all beings in the heavens and on earth do celebrate and the birds (of the air) with wings outspread? Each one knows its own (mode of) prayer and praise. And Allah knows well all that they do (al-Nur, Q24: 41)

It is worth noting the statement that *each one knows its prayer and praise* according to Ashraf (2004); the execution of a voluntary act performed consciously and intentionally, requires a faculty higher than that of instinct and intuition. Lest some people should doubt that animals could have such a faculty, the following verse points out that it is human ignorance that prevents them from understanding this phenomenon:

چ گ گ گ گ گ گ ڳ ڳ ڳ ڳ ڱ ڱ ڱ ڱ ں ں ڻ ڻ ڻ ڻ ۀ ہ ہ ہ چ الإسراء: ٤٤

The seven heavens and the earth and all things therein declare His glory. There is not a thing but celebrates His adoration; and yet ye mankind! ye understand not how do they declare His glory…(al-Isra', Q17:44).

The above verse of the Qur'an is corroborated by Abdullah bn 'Umar (RA) where he said that "Do not kill frogs because the sounds they make are glorifications and celebrations (of Allah):

عن عبد الله بن عمر قال لا تقتلوا الضفدع فإن صوتها الذي تسمعون تسبيح وتقديس (عبد الرزاق - ٤ / ٤٥٢)

The story of Prophet Sulaiman (SA) and the ant in *Suratu al-Naml* (Q27:18) proves that in the past, man had acquired the lore of speech with animals as early as the

time. It shows that he could understand communication among ants. Perhaps in those days human civilization was more in tune with nature than it is today. This is evidence that livestock too have means of communication even if human beings do not understand what they say. Modern entomology (study of insects) according to (Ashraf, 2004) has discovered a sophisticated system of communication among ants. The Qur'an categorically declares in *Suratul-Baqarah, (*Q2:26) that there is nothing undistinguished in the mention of creatures, such as the fly and the gnat, because Allah (SWT) is the Lord of the small and the big, the Creator of the goat and the bull. All are under divine mercy:

چب ب ب ب پ پ پ پ پ پ پت ت ٹ ٹ ٹچ هود: ٦

> *There is no moving creature on earth but its sustenance dependeth on Allah: He knoweth the time and place of its temporary deposit: all is in a clear Record (Hud, Q11:6).*

Life and the conditions here on earth are mutually balanced for the creatures (Yusf, 1998). The Qur'an mentions the dog that faithfully kept company with the companions of the cave (*al-Kahf*, Q18:18–22). The Qur'an condemns the Arabs of *jahiliyyah* for their superstitious slitting of the ears of cattle, calling it a practice inspired by Satan (*al-Nisa'*, Q4:119). Livestock all live a life, individual and social, like members of a human community. In other words, they are like communities in their own right and not in relation to human species or its values. These details have been mentioned to emphasize the point that even those species which are generally considered as insignificant or even dangerous deserve to be treated as communities; that their intrinsic and not perceptible values should be recognized, irrespective of their usefulness or their apparent harmfulness. The significant point to note is that, physically, man has been put in the same bracket as livestock and all other species. The following *Hadith* leaves no

ambiguity in the scene in which the Glorious Qur'an uses the word 'community': Abu Hurairah reported the Prophet (SAW) telling an incident that happened to another prophet in the past.

عن أبي هريرة أنّ النّبيّ -صلى الله عليه وسلم قَالَ « نَزَلَ نَبِىٌّ مِنَ الأَنْبِيَاءِ تَحْتَ شَجَرَةٍ فَلَدَغَتْهُ نَمْلَةٌ فَأَمَرَ بِجَهَازِهِ فَأُخْرِجَ مِنْ تَحْتِهَا ثُمَّ أَمَرَ بِهَا فَأُحْرِقَتْ فَأَوْحَى اللَّهُ إِلَيْهِ فِي أن قرصتك نملة أهلكت أمة من الأمم تسبح ؟ ». البخاري ٤ / ٥٣٦ و أبوداود ٤ / ٥٣٨.

On the authority of Abu Huraira: the Prophet (SAW) said a prophet among the prophets was resting under a tree and was stung by an ant and, in anger, he ordered the whole of the ants' nest to be burned. At this, God reprimanded this prophet in these words: 'because one ant stung you, you have burned a whole community which glorified Me' (Bukhari, 4, Hadith N0 536 & Abu Dawud, 4, Hadith N0 538).

Once it has been established that each species of livestock is a "community" like the human community, it stands to reason that each and every creature on earth has, as its birth-right, a share in all the natural resources. In other words, each livestock is a tenant-in-common on this planet with human species. But man has always been in competition with animals for food, and the problem has been aggravated in the current world situation, especially because of modern agrarian mismanagement. The Glorious Qur'an repeatedly emphasizes that food and other resources of nature are there to be shared with other creatures (including livestock). Below are just a few out of numerous such verses:

چ ٹ ٹ ٹ ٹ ڤ ڤ ڤ ڤ ٹ ٹ ٹ ٹ ڤ ڤ ڤ ڤ ٿ ٿ چ عبس: ٢٤ــ ٣٢

Then let man look at his food: how We pour out water in showers, then turn up the earth into furrow-slices and cause cereals to grow therein - grapes and green fodder; olive-trees and palm-trees; and luxuriant orchards, fruits and grasses….as Provision for you as well as for your cattle. (Abasa, Q80:24-32).

The interpretation of Imam al-Razi (nd) on the above verses is that Allah's provisions for human beings, livestock and other animals is to establish three laws. Firstly, it is to prove the Oneness and Uniqueness of Allah (SWT) beyond reasonable doubt. Secondly, Allah's control of the basic items of life for the creatures is a testimony of His power and supremacy over the universe. And thirdly, Allah's generosity to man and his livestock should be acknowledged and appreciated by men and women of understanding.

Protoplasm according to Yusuf (1998) is the basis of all living matter, and the vital power of protoplasm seems to depend on the constant presence of water. Yusuf's view on water being the source of life for every animal including human beings and livestock is based on Allah's (SWT) statement in *Suratu-al-Nur*, Q24: 45:

چپ ن ن ن ن ٹ ٹ ٹ ف ف ق ق ق ق
ق ج ج چ چ ج ج ج چ چ چ چ چ چ چ چ النور

> *And Allah has created every animal from water: of them there are some that creep on their bellies; some that walk on two legs; and some that walk on four. Allah creates what He wills: for verily Allah has power over all things.*

In *Tafsiru-l-Jalalayn*, Imams al-Muhlli and al-Suyuty (nd) interpret the term *dabah* in the above verse to mean all animals including reptiles, human beings, birds, beast, and livestock. The two Imams also describe the water (*Ma'in*) mentioned in the verse as sperm (*Nutfah*). Putting livestock and human beings in the same brackets is a testimony of common origin, water and the need for their consideration in terms of protection and kind treatment.

چگ گ گ گ گ گ گ گ گ گ ں ں ٹ ٹ چ النبأ:
٤٠

> *Verily We have warned you of a Penalty near the Day when man will see (the Deeds) which his hands have sent forth and the Unbeliever will say "Woe unto me! Would that I were (mere) dust!"(Q78: 40)*

Ibn Kathir (1997) comments on the statement, *"Unbeliever will say "Woe unto me! Would that I were (mere) dust!,""* from the above verse by saying that Allah (SWT) will judge between animals who hurt one another including a horn animal that hurt a pulled animal. After this judgement, the animals will be told to turn to dust. Seeing the easy ending of the animals, unbelievers will wish to have being created as non-human animals. The relevance of Ibn Kathir's comment to this study is the similitude between man and livestock in terms of accountability in the Hereafter. Both man and livestock will be punished for their wrong doings. It is therefore, wise for man to treat livestock with kindness and respect.

CHAPTER 3

RESEARCH METHODOLOGY

This chapter deals with the procedures this study used. They include: research design, definition of population, sample selection, research instrument, data collection and analysis.

3.1 Research Design

The design of Islamic Studies research, by its nature, is predominantly a qualitative research which refers to the meanings, concepts, definitions, characteristics, symbols and descriptions of things. Qualitative research sometimes borrows some aspects of quantitative research which is generally referred to as counts and measures of things (Jibril et al. 2010). These two major approaches to research (qualitative and quantitative) can also be married together in a single research.

A variable in both qualitative and quantitative researches is a characteristic of the participant or situation for a given study that has different values in that study. Age for example, is a variable because it has large number of values. In qualitative and quantitative research variables are divided into independent and dependent. Independent variables are subdivided into active and attribute. Active independent variable deals with programmes such as workshop, new curriculum involving a group of people under study in connection with their reactions to the programme. Attribute or measured independent variables are preexisting attributes of the persons or their environment that are not systematically changed during the research. For example, the level of Islamic education,

age, settlement type etc... These independent variables can also be referred to as factors. Studies with only attribute independent variable are called non-experimental studies (Morgan et al. 2004).

This research is survey designs because it was conducted with the use of attribute independent variables in terms of awareness of Islamic education, the level of awareness, age, economic status and settlement types of livestock dealers.

Dependent variable is assumed to measure or assess the effect of the independent variable. Dependent variable includes text scores, rating on questionnaire etc. hence, the dependent variables of this study are the results from the questionnaires administered to the sampled respondents of the study.

3.2 Population

The population of this study is all the people dealing with livestock in major market places, pens and abattoirs in North -Western Nigeria. North-West is one of the highly livestock populated area and has the largest consumers of livestock not only in the North but also in the entire country. This is due to the fact that the North-West region has the highest number of human population in Nigeria, over 35 million people (25.56%) according to Nigeria 2006 census figures (Nigeria Masterweb). Therefore, it has significant number of people dealing with livestock as compared to other geographical zones in Northern Nigeria. The North-Western states selected for the study are Sokoto, Kebbi, Zamfara, Katsina, Kano, Jigawa and Kaduna States.

3.3 Sample

Selection of the seven states from the North-West represents 36.84% of the 19 states plus Abuja. This is not bad sample considering the fact that 10% is generally accepted as a reasonable sample (Olaofe, 2010). To narrow it down to a more manageable level of specification, seven major livestock markets and seven abattoirs were selected from each of the seven states. The selection of the markets and abattoirs was based on the highest concentration of livestock being that the study focuses on their rights and uses. This gave us a total number of 49 livestock markets and 49 abattoirs. Ten (10) marketers/traders and ten (10) loaders/transporters totaling 20 individuals from each of the 49 market places were given questionnaires to fill. Ten (10) slaughterers /processors from each of 49 abattoirs were also given questionnaires to fill. To sum it all, 20 individuals from 49 markets each (20x49) = 980 persons. 10 individuals from 49 abattoirs each (10x49) = 490 persons. It is thus clrear that 980 + 490 respondents = 1470 respondents were randomly selected for the research.

3.4 Research Instruments

The research instrument is the tool used to collect data from the respondents. For example, Knowledge Attitudes, Perceptions and Practices (KAPP) questionnaire which serves as an educational diagnosis of a given community was used. Before beginning the process of creating awareness in any given community, it is first necessary to assess the environment in which awareness creation will take place. KAPP Study tells what people know about certain things, how they feel and also how they behave. The Knowledge possessed by a community refers to people's understanding of any given topic such as

livestock welfare rights in Islam. Attitude and perception refer to their feelings towards this subject, as well as any preconceived ideas that they may have towards it. Practice refers to the ways in which people demonstrate their knowledge, attitude and perception through their actions. Understanding the levels of Knowledge, Attitude, Perception and Practice will enable a more efficient process of awareness creation as it will allow the programme to be tailored more appropriately to the needs of the community (Kaliyaperumal 2004).

The questionnaire of this research includes among others:

i. The Teachings of the Glorious Qur'an, Hadith and Fiqh
ii. The Laws of Federation of Nigeria
iii. States
iv. Local Government Areas
v. Livestock Markets
vi. Abattoirs
vii. Qualification (in Islamic Education): (University education, N.C.E Arabic/ ISS, Diploma: Arabic/ISS, S.S.C./HIS, *Islamiyah*/*Makaratan Ilmi*, Qur'anic School/ *Makaratan Allo*, Non of the Above)
viii. Age (Youth, Adolescent or Adult)
ix. Settlement Type (Rural Area or Urban Area)
x. The attitudes of Muslims towards livestock
xi. Knowledge of Qur'anic/Prophetic teachings concerning kind and ill treatment of livestock.

xii. Knowledge of government regulations concerning livestock welfare in North-Western Nigeria.

xiii. Attitudes, practices and perceptions of livestock dealers vis-à-vis livestock welfare rights in North-Western Nigeria.

The full content of the questionnaire is in the Appendix III.

3.5 Validity and Reliability of Research Instrument

The study was carried out in two phases. Zango livestock market in Zaria, Kaduna State was first used for the pilot test to acertain the validity and reliability of the research instrument. The second phase was the administration of the main questionnaire in the seven major livestock markets and abattoirs in each of the seven selected states. A series of review of the first phase of the questionnaire administration was carried out by the three supervisors and an independent expert to meet the required standard. These reviews paid off as ambiguity and duplications were avoided; provocations and difficulties of understanding the questions were drastically reduced if not eliminated.

3.6 Method of Data Collection

The researcher himself and his assistants carried out the administration of the Knowledge, Attitudes, Practices and Perceptions (KAPP) questionnaire in order to explore changes in Knowledge, Attitudes, Practices and Perceptions of the Muslim community in North-Western Nigeria regarding the welfare rights and uses of livestock. This study has provided information for valuation of the welfare rights of livestock and their uses by the Muslims.

Bearing in mind that some of the target respondents do not speak English and some others may not be able to read printed materials in any language, the questionnaire items were translated for such respondents into predominant language, Hausa.

3.7 Method of Data Analysis

Having collected the data, the appropriate filled questionnaire items were sorted out, statistically calculated through chi-square which was drawn on figures to present the results. The frequency, percentage and graphics were used and descriptively analyzed in Chapter.

CHAPTER 4

RESULTS AND DATA ANALYSIS

As its title indicates, this chapter presents the results of the field work research in figures, plates and tables. It has been stated in chapter 3 earlier that the research was conducted with the use of Knowledge, Attitudes, Perceptions and Practices (KAPP) questionnaire. The results reveal decreases in knowledge, changes in attitudes towards the welfare rights of livestock, as well as changes in the kinds of practices that are followed regarding the uses of livestock in North-Western Nigeria. Descriptive analysis of each item of the questionnaire followed each figure to illustrate and buttress the findings or the content. Some specific areas were identified to test KAPP on. These areas include among others: Participation of Muslims in Livestock Business in North-Western Nigeria; Significance of Livestock Dealers' Activities on the following Aspects of Livestock Handlings: Resting Livestock on Transit, Livestock Transportation, Inadequate Feeding of Livestock on Transit. Implication of Youth involvement on certain Aspects of Livestock Handlings and Using Livestock for Amusement, Implication of Inexperience of Livestock Dealers on Livestock Handling and Implication of Lack of Job Satisfaction of Livestock Dealers on some aspect of Livestock Handling are also covered. The chapter also includes Significane of Differences between Rural and Urban Settlements of Livestock Dealers in Overloading Livestock and Implication of Lack of Islamic Education of most Livestock Dealers on some Activities of Livestock Handling. Implication of Lack of Proper Monitoring Groups on the Activities of Livestock Dealings equally forms part of the Chapter.

Relevant *Qur'anic* verses and *Ahadith* are cited to clarify Islamic teachings on the knowledge, attitudes, perceptions and practices (KAPP) of Muslim livestock dealers in North-Western Nigeria. Chi-square as a tool of Statistical Package for Social Sciences (SPSS) was used to compute the data generated from the field work. Apart from the figures, pictorial evidences (plates) are also attached to some of the descriptions for additional clarifications.

As confidentiality is sometimes an integral part of research, the respondents used in the investigation of this study were promised that their names would not be mentioned. But the names of the selected states, local government areas (L.G.As) and livestock markets or abattoirs would be listed. Appendix I contains all the seven states of North – Western Zone of Nigeria, their local government areas and major livestock markets / abattoirs.

4.1 Participation of Muslims in Livestock Business in North-Western Nigeria

It has been assumed in this research that livestock business is predominantly occupied by Muslims in North-Western Nigeria. This subtopic has attempted to prove this assumption with the use of Chi-square. The figure below shows representations of Muslim and non-Muslim faith in each category of workers.

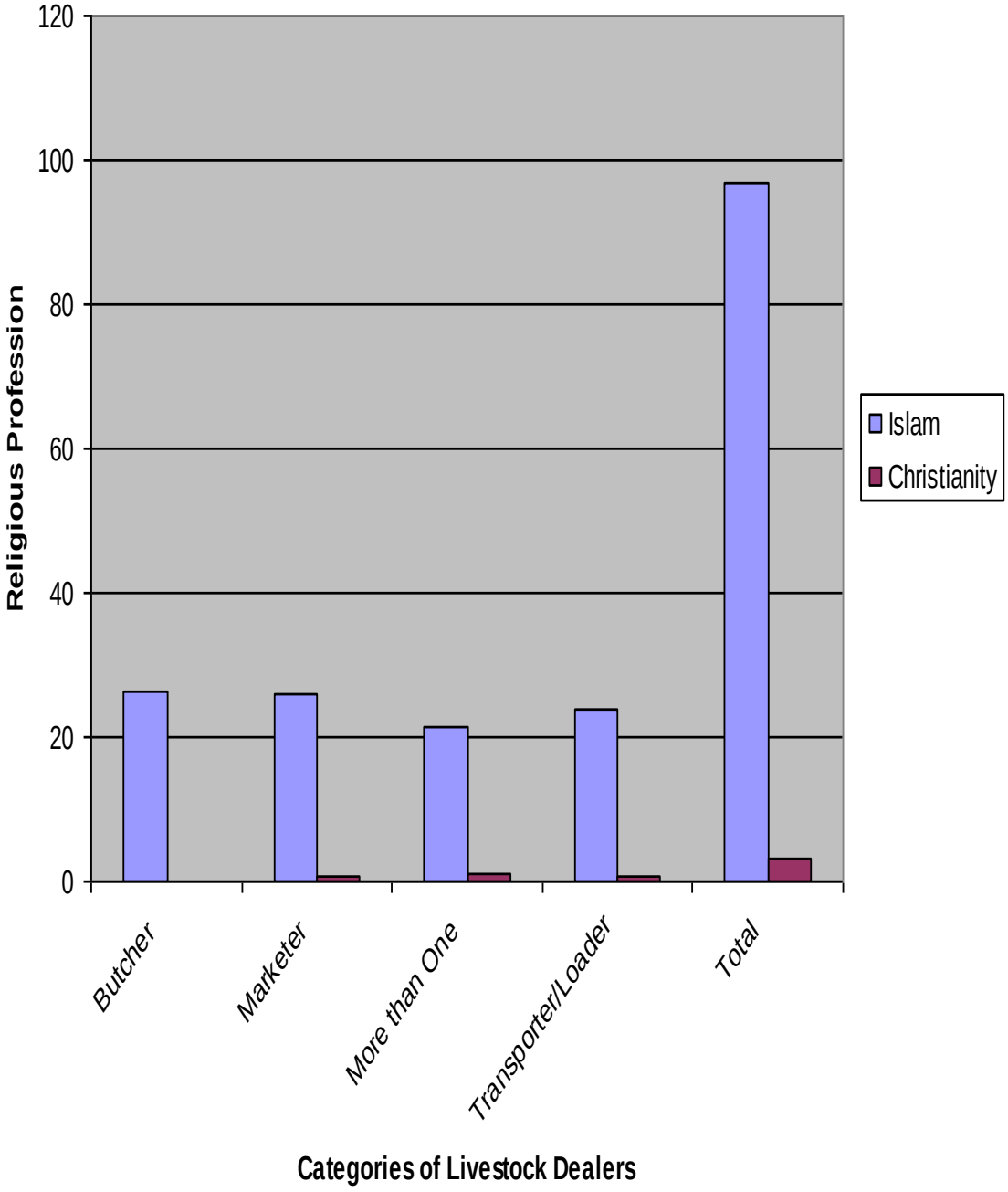


Figure 1: Figure showing 97% of Muslims involvement in Livestock Business within North-Western Nigeria

Interpretation

Muslim livestock dealers account for 97% of the total respondents while the Christians occupy the remaining 3%. The blue bars represent Muslim respondents while the pink bars represent those of Christians in livestock business. Due to negligible number of Christians in livestock business their individual percentages in various categories of workers are not demonstrated.

Meaning

It is clear from Figure 1 that Muslims dominate livestock business in North-Western Nigeria (for over 90%). This is because they are the majority in the zone and the business is lawful and noble. The dominance of livestock business by Muslims justified the relevance of the contents of the questionnaire for being Islamically bias.

4. 2 Significance of Livestock Dealers' Activities on some Aspects of Livestock Handlings in the Selected States

An attempt was made in item 4.2 to identify relationship between the practices of livestock dealers in the seven selected states and some bad handlings of livestock. The use of chi-square calculation on the field study has helped to establish whether or not the assumed infringements on the rights of livestock take place across the seven selected states. Invariably, the selected states served as the independent variables while the responses on lack of resting livestock, squeezing them in tight vehicles and lack of adequate feeding for them on transit served as dependent variables.

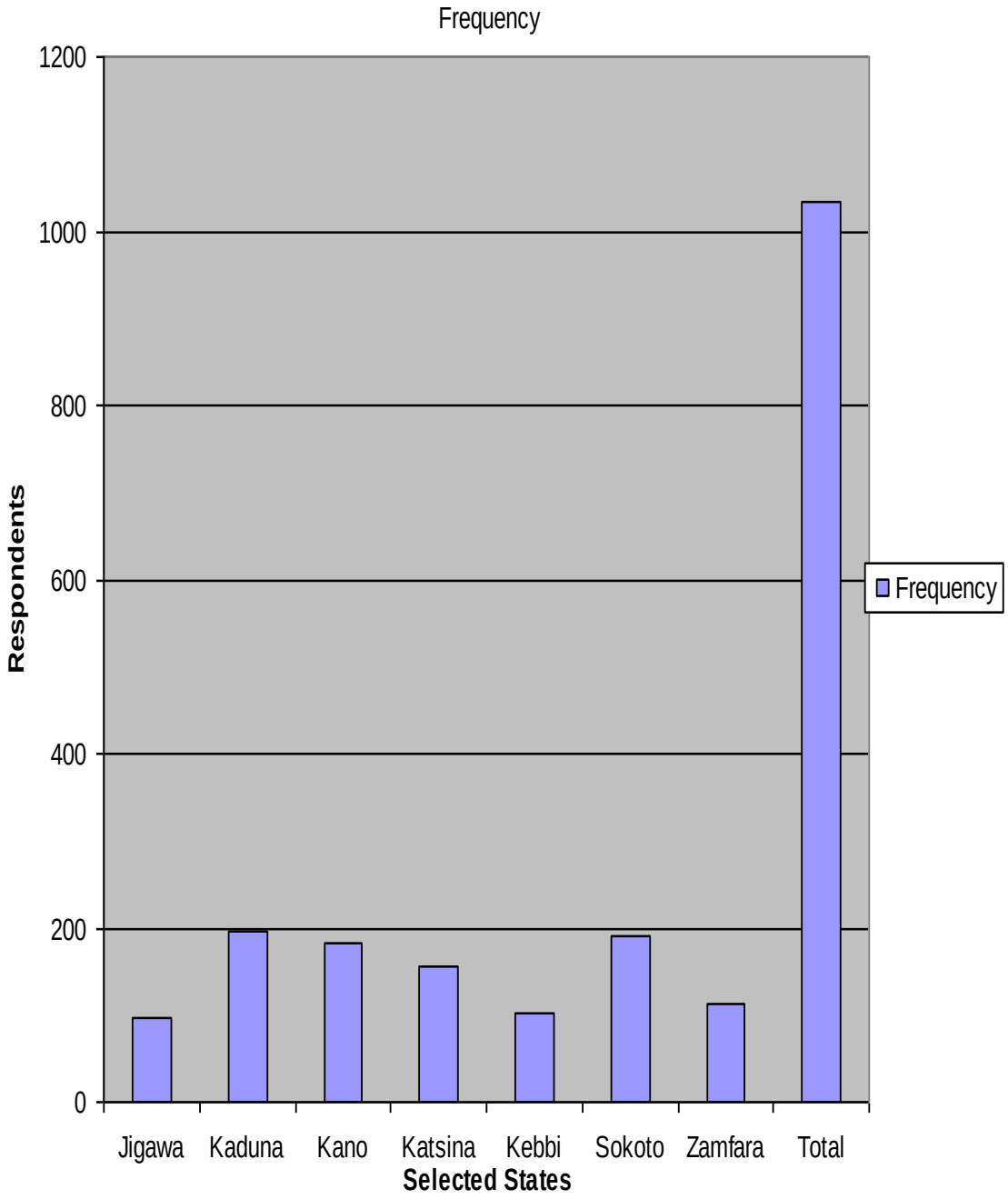


Figure 2: Figure Showing Adequate Representation of each of the Seven States within North-Western Nigeria in the Study

Interpretation

Figure 2 shows the number of respondents that returned their filled questionnaires from each of the seven selected states. Over 200 questionnaires were administered in every state. Due to easy accessibility, Kaduna, Kano and Sokoto states returned the highest number of the questionnaires (195, 183 and 190 respectively). Interestingly, these three states are the major consumers of livestock for *'Eid al-Adha* sacrifice and daily needs of meat not only in North-Western Nigeria but also in the North as a whole.

Meaning

Difficulty in getting transportation to some remote places accounted for the disparity among the states in terms of their returned questionnaires. Meanwhile, the distribution on Figure 2 implies that each of the selected state was given its fair share in the research.

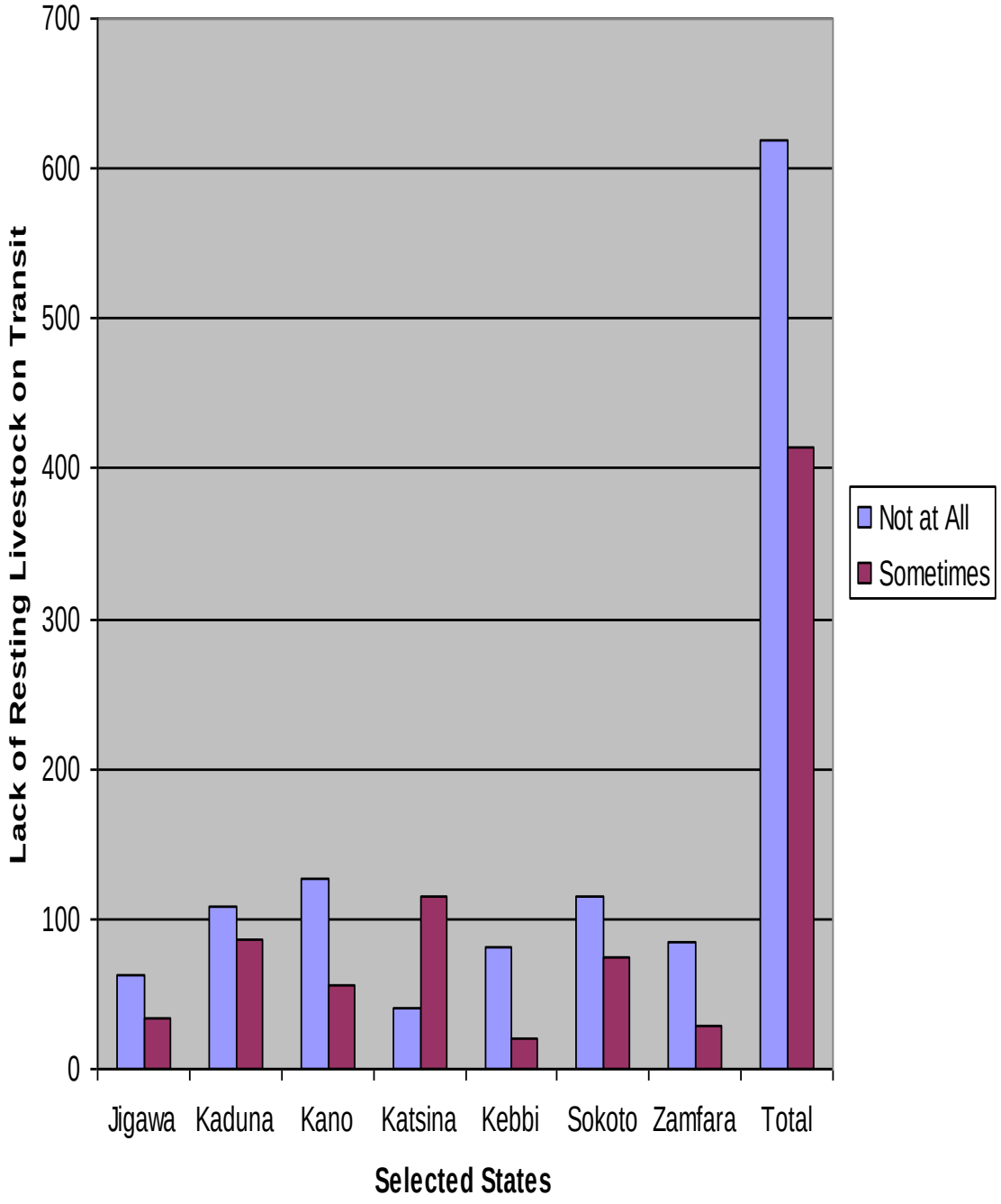


Figure 3: Figure Showing the Frequencies of Lack of Resting Livestock on Transit within North-Western Nigeria

Resting Livestock on Transit
Interpretation

Three options were provided for the respondents to choose on the practice of resting livestock on transit. These options helped us to know whether livestock dealers rest the animals or not. The options are (1) Always, (2) Sometimes and (3) Not at all. It should be noted that resting livestock on transit is based on the fact that livestock are a community like human community. They worship Allah (SWT), feel pain and get tired. Due to their psychological and physiological needs, Nigerian Laws of Federation (2004) legislated that livestock on transit should get rest on any journey exceeding 12 hours.

Contrary to the government rule, well over 500 out of 1033 respondents do not at all rest the animals on transit irrespective of the distance of the journey. The remaining 400 respondents sometimes rest the animals. But no single livestock dealer 'always' rests livestock on transit. To be more specific, over 50% of the respondents from each state do not at all rest the animals on transit while the remaining percentages sometimes rest them.

Meaning

Livestock dealers in the selected states actually infringe on the rights of livestock for not resting them on transit. This problem is due to their ignorance about Islamic teachings regarding welfare rights of livestock. Prophet Muhammad (SAW) commanded that livestock should be rested during journey at every grazeable land (Abu Dawud). The federal government of Nigeria is not also monitoring to ensure compliance to the dictates of the law concerning resting livestock on transit.

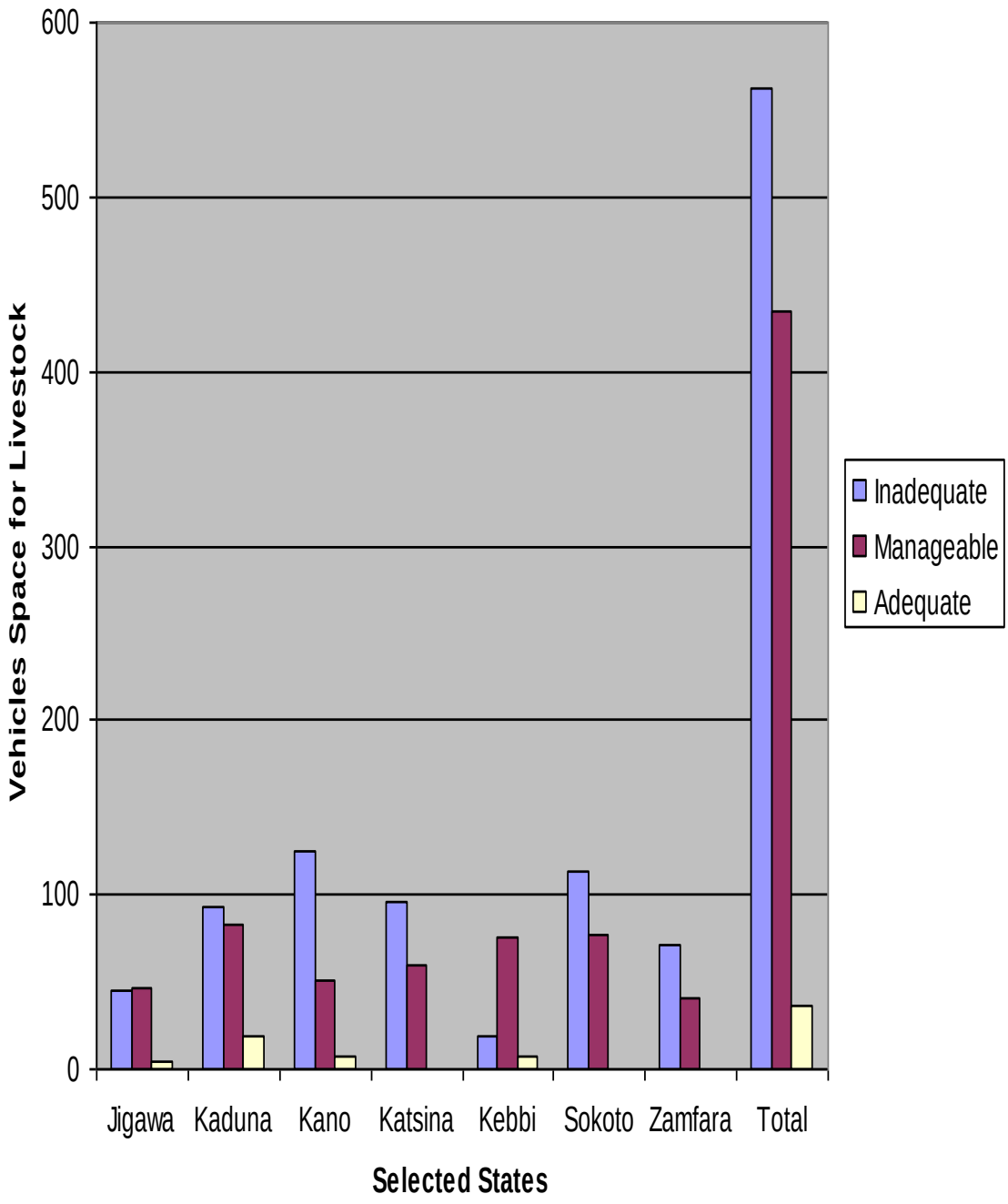


Figure 4: **Figure Showing the Frequencies of Inadequate Space in Vehicles when Transporting Livestock within North-Western Nigeria**

Squeezing Livestock in Tight Vehicles

Interpretation

Figure 4 assessed the practice of providing adequate space in vehicles when transporting livestock from one place to another. Even though the data available can help compare various states in order to identify which state provides more or less space for livestock in vehicles, this is not the aim of the research. It is clear from Figure 4 that squeezing livestock in tight vehicles takes place across the sampled areas as less than 100 out of 1033 respondents do provide adequate space for livestock. Over 500 respondents provide inadequate space while the remaining 400 provide manageable space for livestock. There is a consistency between Figures 3 and 4 as almost the same number of respondents that failed to allow livestock to rest on transit is almost the same number of respondents that squeeze them in tight vehicles. Two appalling instances out of thousands cases of inadequate space for livestock are pictured below.



Plate 1: Plate Showing how seven Big Bulls were Squeezed as they were Transported in a tight Pickup from a Rural Area to an Urban Area within North-Western Nigeria

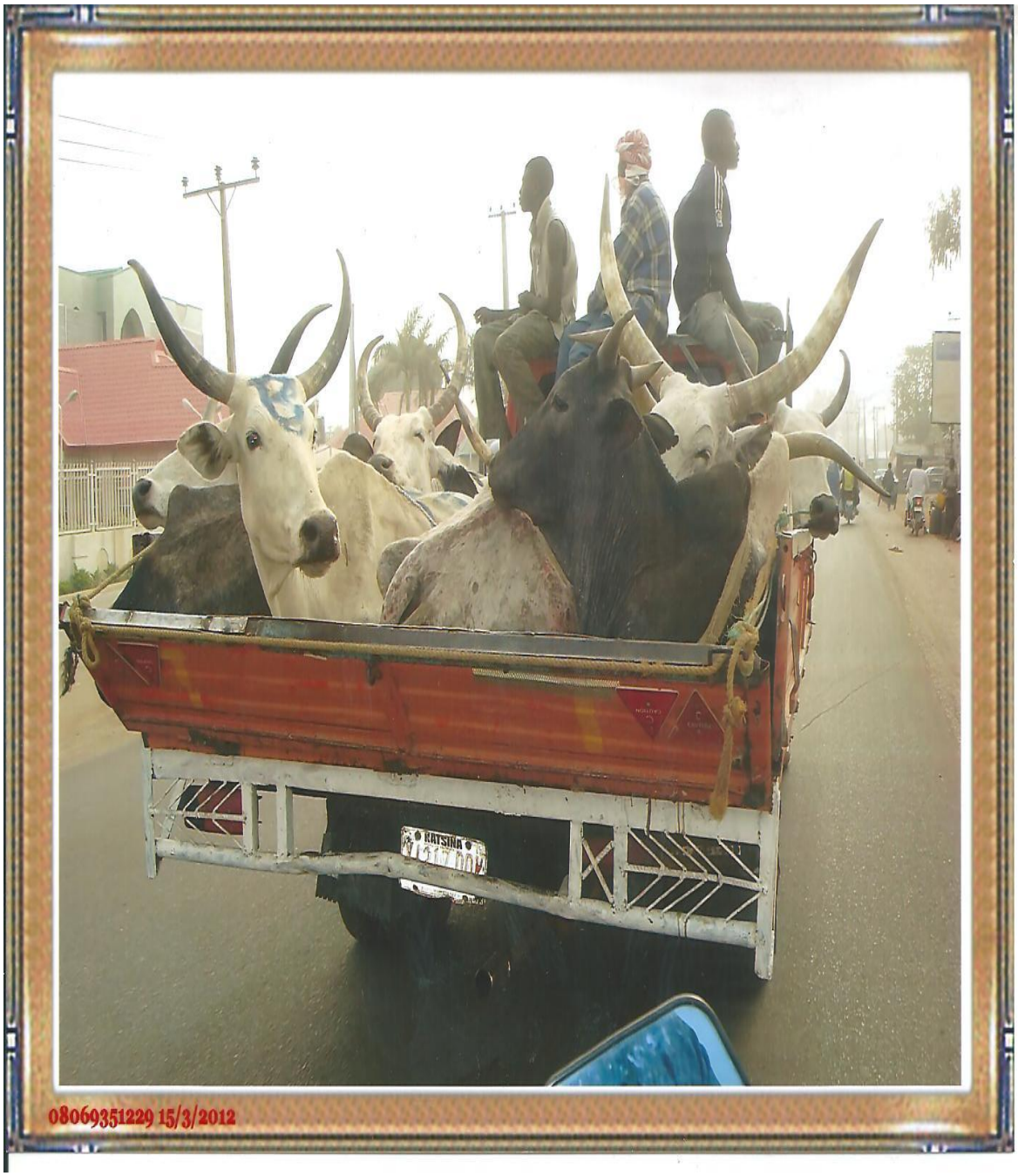


Plate 2: Plate Showing how Ten Big Bulls were Squeezed in a *mini truck* as they were Being Transported from a Rural Area to an Urban Area within North-Western Nigeria

Meaning

The above plates corroborate the results on Figure 4. Livestock dealers are ignorant of the fact that these poor creatures do feel pain and they deserve respect and kind treatment as required by the tenets of Islam. The bulls in the vehicles above are helpless as they feel serious discomfort from tight space.

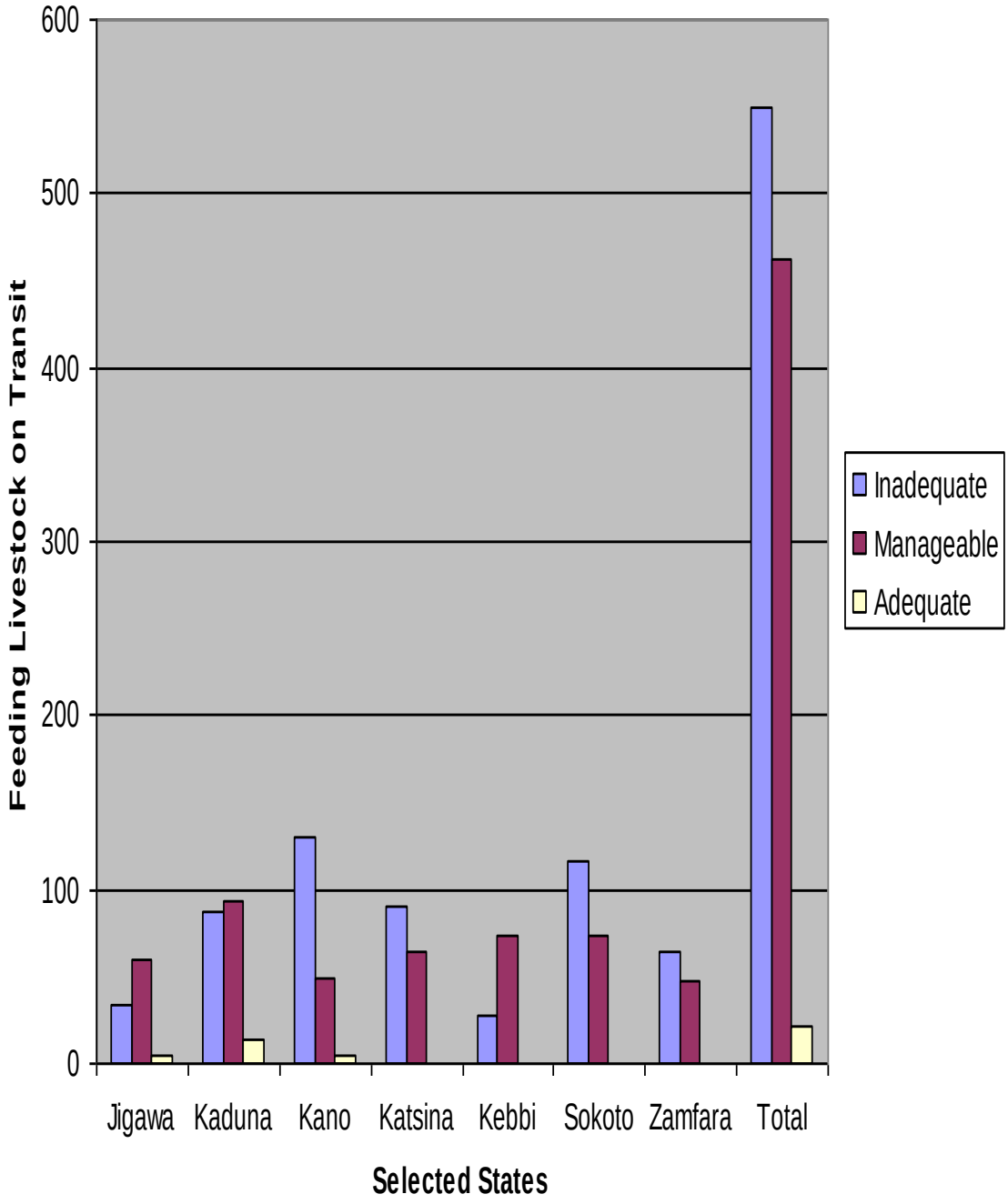


Figure 5: **Figure Showing the Frequencies of Inadequate Feeding Livestock on Transit within North-Western Nigeria**

Feeding of Livestock on Transit

Interpretation

How do the livestock dealers feed their herds on transit? This question is the focus of Figure 5 where less than 100 respondents out of 1033 provided adequate fodder (dried food for domestic animals) for their herds. The majority of the respondents who were well over 500 in number did not provide adequate fodder while the remaining 400 provide manageable feeding for the animals.

Meaning

The livestock dealers were indifferent to inadequate feeding of livestock because they are ignorant of Islamic teachings concerning feeding of animals as recommended in this *Hadith*:

> عن أبي هريرة أنّ رسول الله -صلى الله عليه وسلم قال «إذّا سافرتم فى الخصب فأعطوا الإبل حقّها وإذّا سافرتم فى الجدب فأسرعوا السّير فإذا أردتم النّعريس فتنكّبوا عن الطّريق». أبو داود ٢ / ٣٣٣.

> *On the authority of Abu Huraira (RA), the Apostle of Allah (SAW) said: "If you travel and come across green pasture, (slowdown to) let camels (and other livestock) graze well, but travel fast if they (deserts) are parched and dry, so that the animals would arrive quickly at its destination and be saved from thirst and hunger on the way" (Abu Dawud vol. 2, Hadith 333).*

al-Ansari (nd) and al-Kalbi (1998) submit that maintenance of livestock by its owner is closely related to the maintenance of one's dependents especially slaves. Livestock's owner is obliged to provide general welfare rights to his animals. More attention should be given to breast feeding livestock in order to protect its kids and the

mother as well. While milking livestock, enough milk should be left for the baby and the milker should trim his finger nail to avoid injuring the breast.

4.3 Implication of Youth involvement on certain Aspects of Livestock Handling

The essence of studying some age groups in connection to the handling of livestock is to help identify which age group abuses the rights of livestock more and therefore needs more Islamic education in respect to livestock welfare rights.

> حدَّثنا شعبة قال سمعت هشام بن زيد يقول: دخلت مع جدِّى أنس بن مالك دار الحكم بن أيّوب فإذا غلمان قد نصبوا دجاجة يرمونها قال فقال أنس نهى رسول اللّه -صلى الله عليه وسلم أن تصبر البهائم. البخاري ٧ /٤٢١.
>
> *Narated by Shu'ubah who said I heard Hisham bn Zaid saying: Anas and I went to Al-Hakam bn Ayub. Anas saw some boys shooting at a tied hen. Anas said, "The Prophet has forbidden the shooting of tied or confined animals." (Bukhari, vol. 7, Hadith N0 421)*

Abuses of livestock's welfare rights are more common among youth than it is adults as shown in the above *Hadith*. Shooting at a tied livestock is one of such a heinous and slow killing of a living thing which is not condoned in Islam.

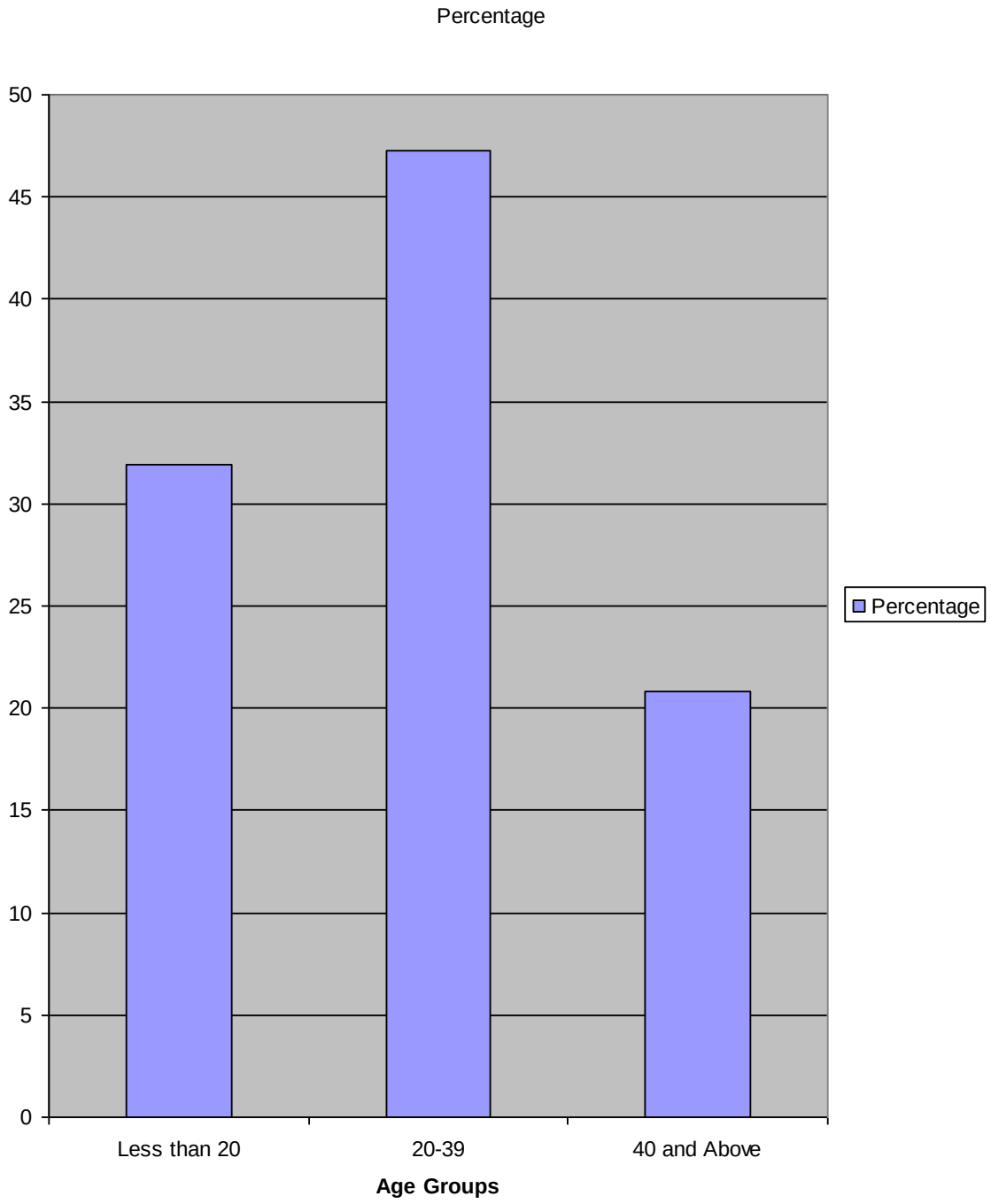


Figure 6: Figure Showing Percentage Representation of various Age Groups in Livestock Business within North-Western Nigeria

Interpretation

The respondents were divided into three age brackets viz: Less than 20 years old (referring to teenagers only) represented 330 respondents out of a total number of 1033 (32%), 20-39 years old had 488 respondents (47%) and 40 years & above got the remaining 215 respondents (21%). If the percentage of 'Less than 20' (32%) is summed up with that of '20-39' (47%) it will give 79% of the respondents of the study as young people. This is highly a significant percentage if one considers the fact that most youth nowadays are callous and aggressive. Livestock need care and respect especially those at the infant stage which they hardly get from young people.

It means that most people having direct contact with livestock in markets and abattoirs are the youth. Full manhood in Islam begins at the age of 40 as indicated in Qur'an 46: 15 and explained by Yusuf (1998).

چ ڀ ڀ ٺ ٺ ٺ ٹ ٹ ٹ ٹ ٹ ٹ ٹ ٹ ڤ ڤ ڤ ڤ ڤ ڤ ڦ ڦ ڦ ڦ ڦ ڦ ڄ ڄ ڄ ڄ ڃ ڃ ڃ ڃ چ چ چ چ ڇ ڇ ڇ ڇ ڍ ڍ ڍ ڍ ڌ ڌ ڌ ڌ ڎ ڎ ڎ ڎ ڏ ڏ ڏ ڏ ڐ ڐ ڐ ڐ ڑ ڑ ڑ ڑ ڒ ڒ ڒ ڒ ړ ړ ړ ړ ڔ ڔ ڔ ڔ ڕ ڕ ڕ ڕ ږ ږ ږ ږ ڗ ڗ ڗ ڗ ژ ژ ژ ژ ڙ ڙ ڙ ڙ ښ ښ ښ ښ ڛ ڛ ڛ ڛ ڜ ڜ ڜ ڜ ڝ ڝ ڝ ڝ ڞ ڞ ڞ ڞ ڟ ڟ ڟ ڟ ڠ ڠ ڠ ڠ ڡ ڡ ڡ ڡ ڢ ڢ ڢ ڢ ڣ ڣ ڣ ڣ ڤ ڤ ڤ ڤ ڥ ڥ ڥ ڥ ڦ ڦ ڦ ڦ ڧ ڧ ڧ ڧ ڨ ڨ ڨ ڨ ک ک ک ک ڪ ڪ ڪ ڪ ګ ګ ګ ګ ڬ ڬ ڬ ڬ ڭ ڭ ڭ ڭ ڮ ڮ ڮ ڮ گ گ گ گ ڰ ڰ ڰ ڰ ڱ ڱ ڱ ڱ ڲ ڲ ڲ ڲ ڳ ڳ ڳ ڳ ڴ ڴ ڴ ڴ ڵ ڵ ڵ ڵ ڶ ڶ ڶ ڶ ڷ ڷ ڷ ڷ ڸ ڸ ڸ ڸ ڹ ڹ ڹ ڹ ں ں ں ں ڻ ڻ ڻ ڻ ڼ ڼ ڼ ڼ ڽ ڽ ڽ ڽ ھ ھ ھ ھ ڿ ڿ ڿ ڿ ۀ ۀ ہ ہ ۂ ۂ ۃ ۃ ۄ ۄ ۅ ۅ ۆ ۆ ۇ ۇ ۈ ۈ ۉ ۉ ۊ ۊ ۋ ۋ ۍ ۍ ێ ێ ۏ ۏ ې ې ۑ ۑ ے ے ۓ ۓ ۔ ۔ ە ە ۖ ۖ ۗ ۗ ۘ ۘ ۙ ۙ ۚ ۚ ۛ ۛ ۜ ۜ ۝ ۝ ۞ ۞ ۟ ۟ ۠ ۠ ۡ ۡ ۢ ۢ ۣ ۣ ۤ ۤ ۥ ۥ ۦ ۦ ۧ ۧ ۨ ۨ ۩ ۩ ۪ ۪ ۫ ۫ ۬ ۬ ۭ ۭ ۮ ۮ ۯ ۯ ۰ ۰ ۱ ۱ ۲ ۲ ۳ ۳ ۴ ۴ ۵ ۵ ۶ ۶ ۷ ۷ ۸ ۸ ۹ ۹ ۺ ۺ ۻ ۻ ۼ ۼ ۽ ۽ ۾ ۾ ۿ ۿ الأحقاف: ١٥

> *... The carrying of the (child) to his weaning is (a period of) thirty months. At length when he reaches the age of full strength and attains forty years he says "O my Lord! grant me that I may be grateful for Thy favor which Thou hast bestowed upon me and upon both my parents and that I may work righteousness such as Thou mayest approve; and be gracious to me in my issue Truly have I turned to Thee and truly do I bow (to Thee) in Islam. (Suratul-Ahqaf, Q46: 15*

The National Youth Development Policy (of Nigeria) also defines youth as any person between the ages of 18 years and 38 years (Morgridge 2012). This means that Islamic definitions of youth and full manhood are universally applicable as observed in this research.

Meaning

People of full manhood may be more careful about livestock welfare due to economic reasons. If livestock are maltreated they may get injured or died in the process which will lead to lost of a source of income. It could also be due to lack of strength to engage in brutal activities toward livestock. Lastly, lack of proper guidance in the course of engagement in livestock business could also be a factor to youth infringing more on the welfare rights of the animals.

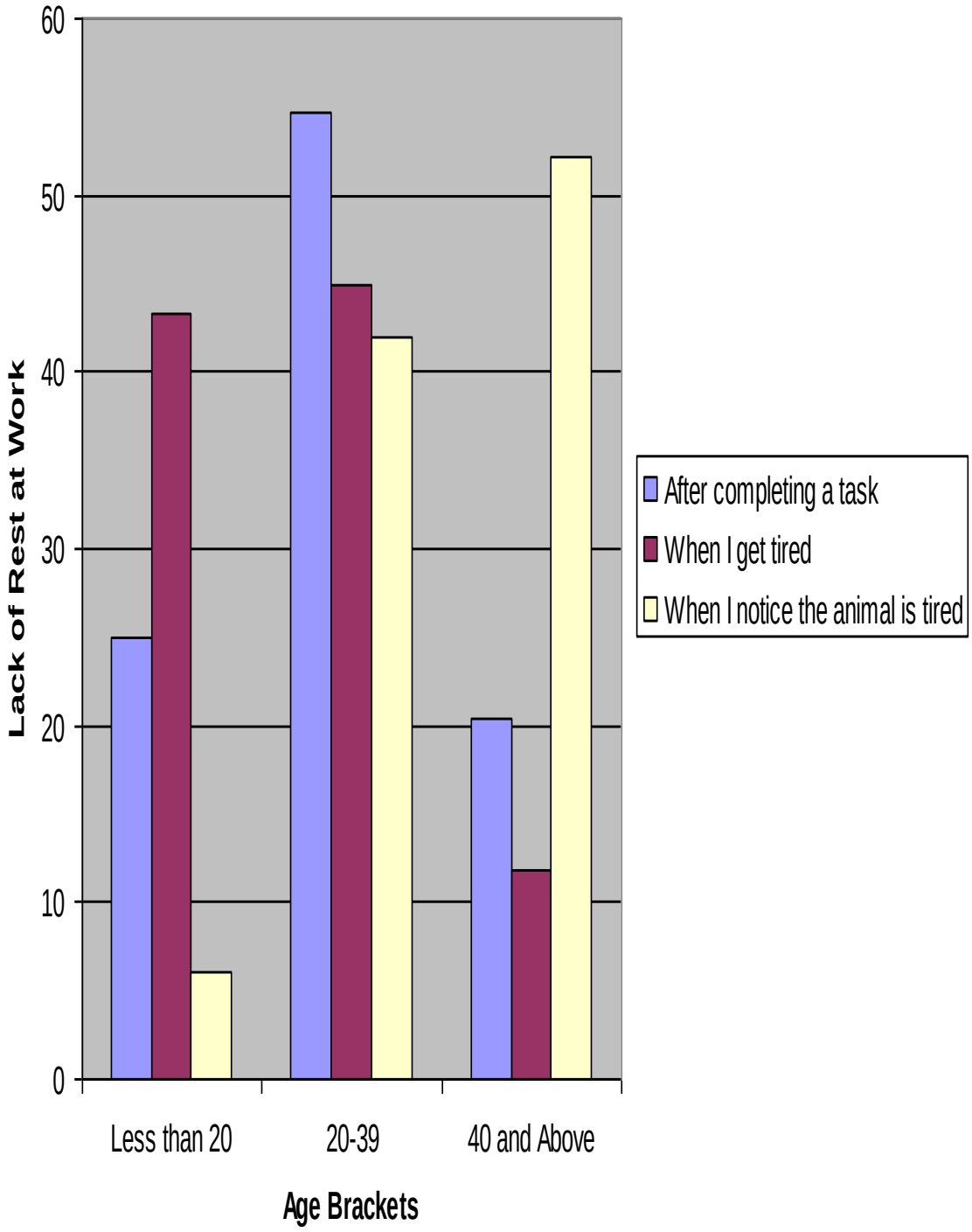


Figure 7: Figure Showing which Age Group had Worse Reasons for Lack of Resting Livestock at Work within North-Western Nigeria

Lack of Resting Livestock at Work by the Youth

Interpretation

According to Figure 7 above, there were three conditions for the livestock dealers to rest the animals at work. Resting at the completion of a task, when the person involved in the work is tired and when the animal is tired. The first two reasons are bad practices because no attention is paid to the welfare rights of livestock at work. If the percentages of bad practices are lumped together and averaged, it gives 34% for less than 20, and 50% for the 20-39 age brackets. Their ages were at the disadvantage to the resting of livestock at work as compared to 16% of 40 & above. These percentages represent people that are less concerned about the feeling of livestock at work. Young people only rest animals at work if they complete a task or if they are tired.

As for the good practice, older people (40 and above) over 50% of them did consider the feelings of livestock at work. Less than 50% for the middle group (20-39) and less than 10% for the youngest group (Less than 20) do not consider resting livestock at work.

Meaning

Lack of resting livestock at work is more frequently carried out by young people perhaps it is due to lack of Islamic guidance which teach them on how to treat livestock kindly. Since bullying is a common phenomenon among young people, they see nothing wrong with stoning, starving and other maltreatment against livestock.

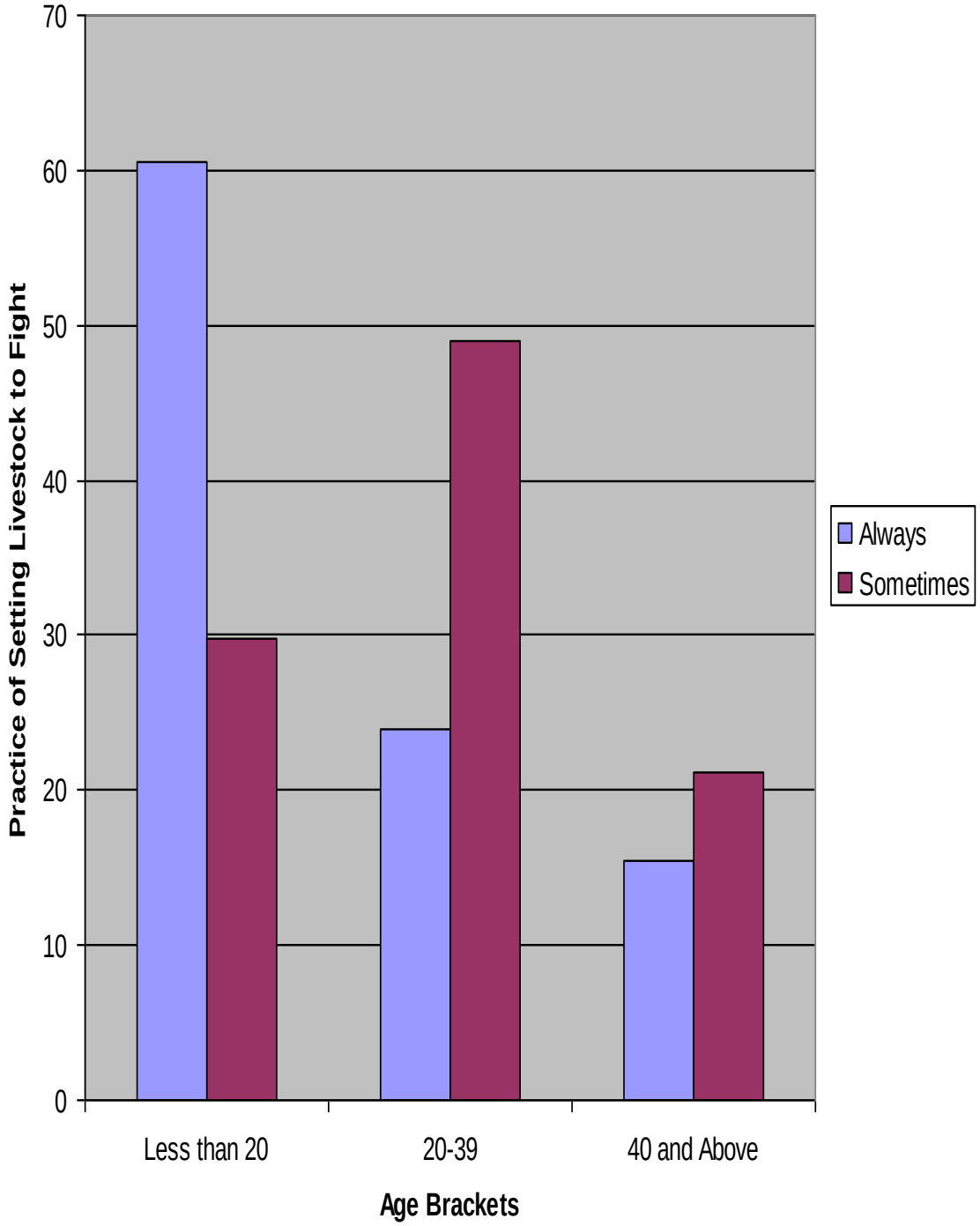


Figure 8: **Figure Showing that Young People Set Livestock to Fight one another more than Older People within North-Western Nigeria**
Setting the Animals to Fight by the Youth

Interpretation

During the first phase of the field study most respondents avoided the question of setting livestock to fight. The question was hence, reframed for the second phase for the respondents to report on cases of people setting the animals to fight. It is very interesting to note from Figure 8 that the practice of setting livestock to fight one another is more common among young people in North-Western Nigeria than the old people. 60% of the 'Less than 20' and over 40% of 20-39 age groups reported that the practice 'always' takes place in their locality. If 60% and 40% of responses of young people are compared to less than 20% of the older people, it will be clear that young age group frequently set animals to fight.

Meaning

A number of youth derive joy in seeing animals fight one another. But setting animals to fight one another is prohibited in Islam because of the injury livestock might sustain in the course of fighting. Young people do fail to understand that there are two major problems associated with setting of animals to fight. The first problem is the act of gambling which sometimes informs the idea. The second problem is the hardheartedness of involving poor beast in what can cause them harm. This is because the Prophet (SAW) prohibited inciting livestock to fight each other as reported in the following Hadith:

عن عبدالله بن عباس قال: نهى رسول الله صلى الله عليه وسلم عن التحريش بين البهائم" الترمذي ٣ /٢٧١.

> *On the authority of Abdullah bn Abbas who said: "Allah's Messenger (SAW) forbade inciting livestock to fight with one another (Tirmidhi, 3, Hadith 210)".*

Below is a picture in which two poor rams were set to fight one another:

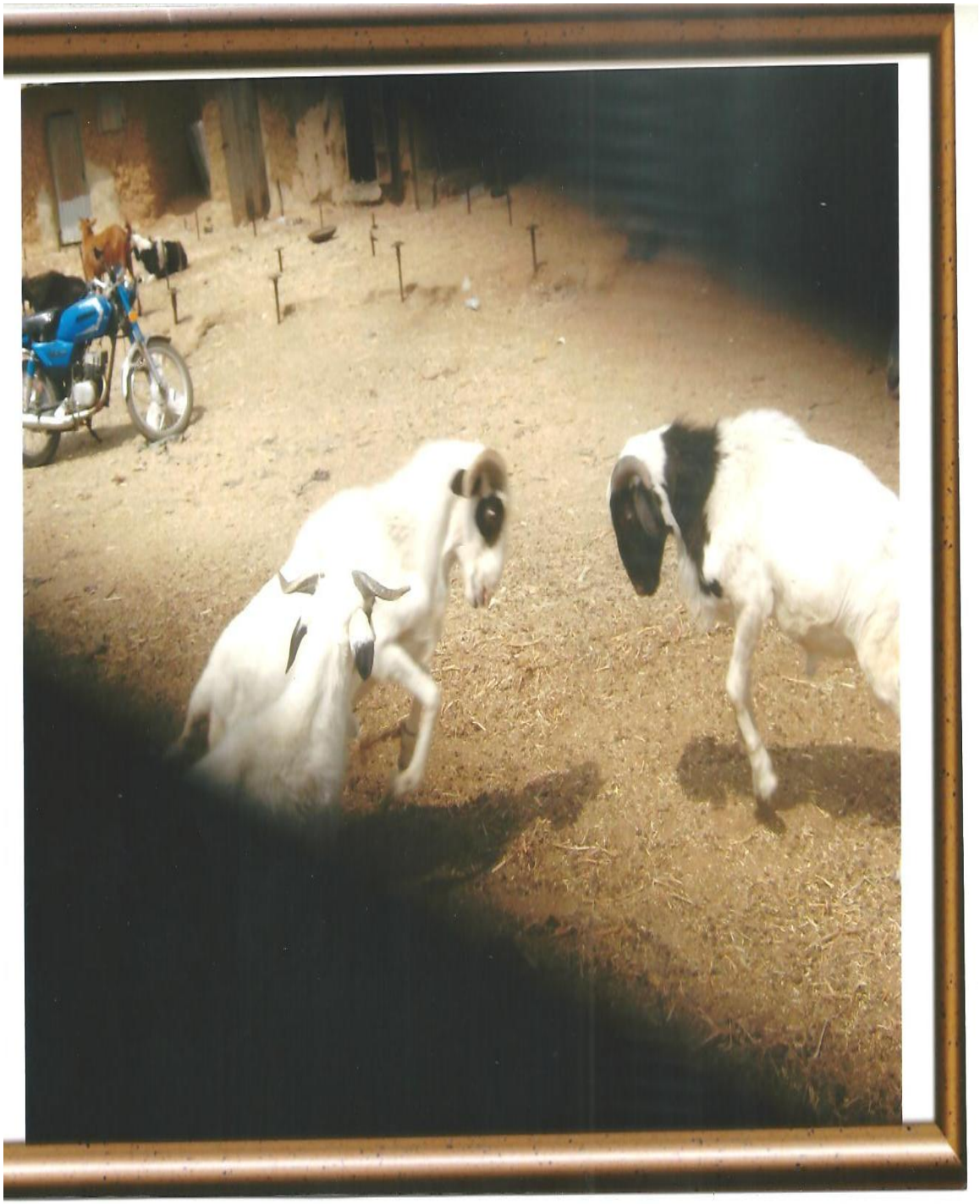


Plate 3: Plate Showing Two Poor Rams Settling Scores between themselves with no Body to Intervene

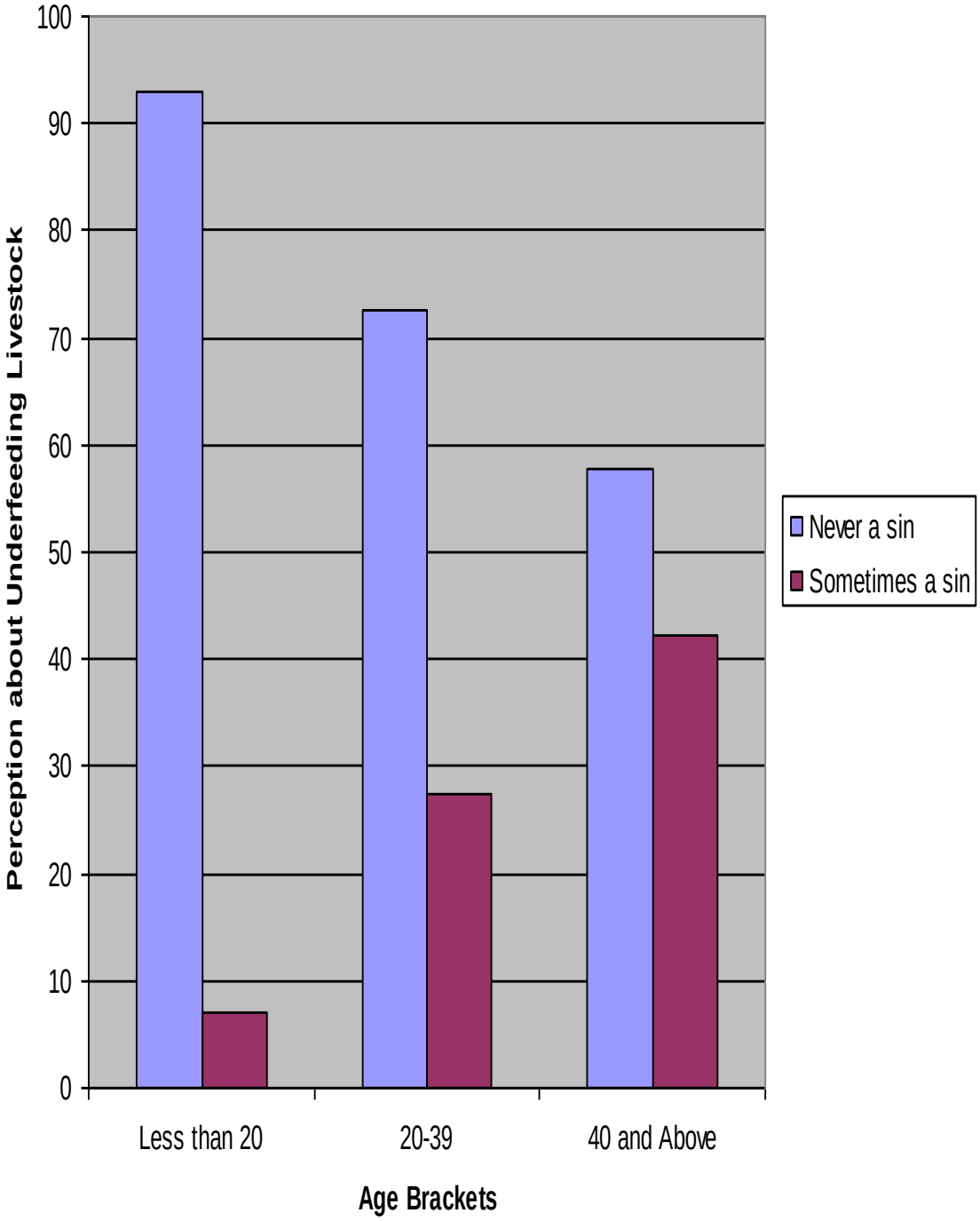


Figure 9: **Figure Showing that Young People have More Wrong Perception about Underfeeding Livestock than Older People within North-Western Nigeria**

Underfeeding Animals by the Youth

Interpretation

Figure 9 investigated the perception of livestock dealers about underfeeding the animals generally. Its result is illustrated by showing that 93% of ‘Less than 20’, 73% of ‘20-39’ and 57% of ’40 and above’ age brackets ‘never’ consider underfeeding livestock as a sin. The respondents, who ‘sometimes’ regard underfeeding livestock as a sin, are, 7% for ‘Less than 20’, 27% for ’20-39’ and 42% for ’40 and above’.

Meaning

Comparison among the three age groups shows that the younger the age of livestock dealer, the more starving for the animals. Most young Muslims are ignorant of the fact that the Islamic teachings guiding livestock welfare rights prohibit man from depriving animals of their fair share in the resources of nature. This is considered as a serious sin in the eyes of Allah.

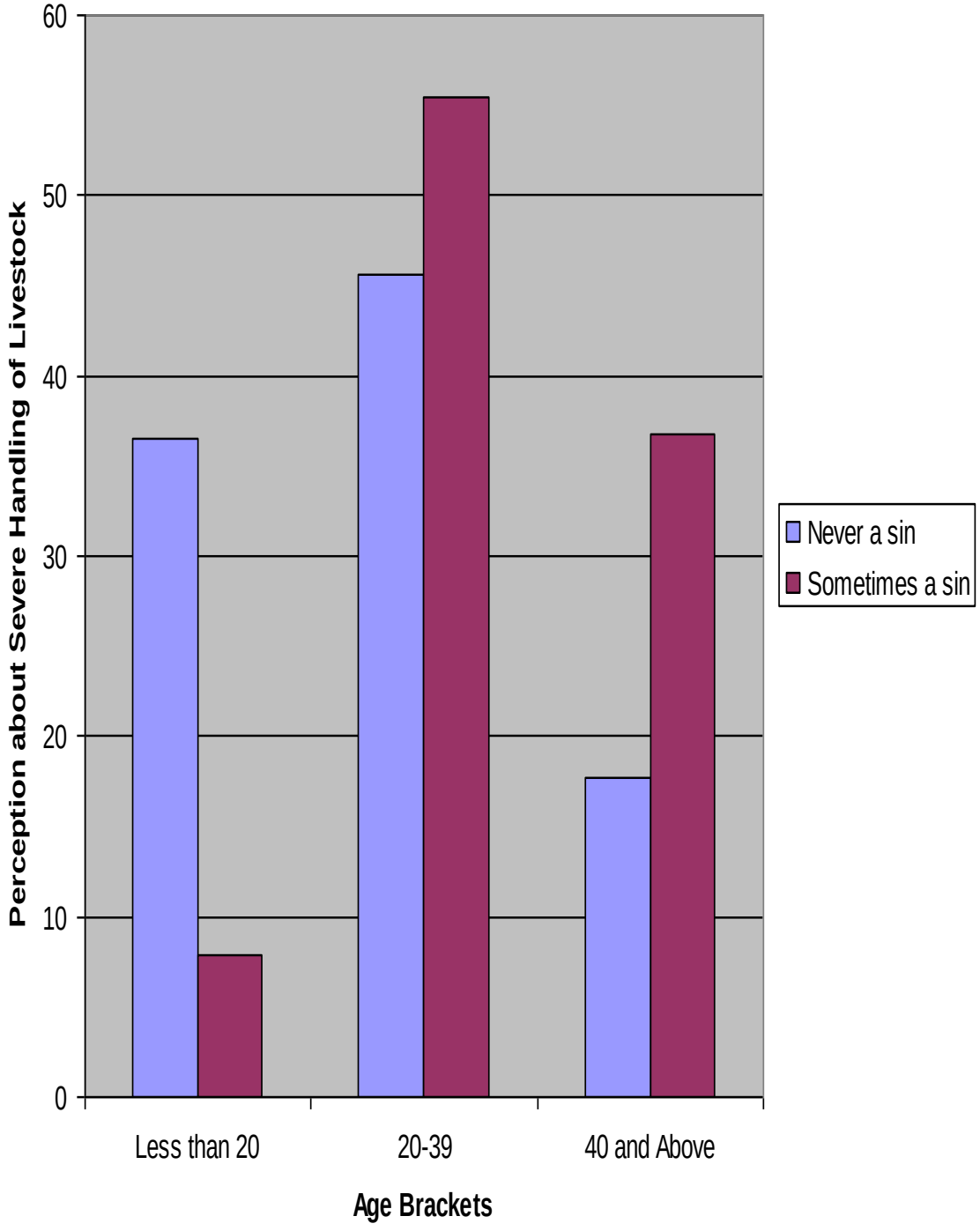


Figure 10: **Figure Showing that Young People have More Wrong Perception about Severely Beating Livestock than Older People within North-Western Nigeria**

Severe Beating of Livestock by the Youth

Interpretation

According to Figure 10, 38% of respondents who are 'Less than 20', 45% of '20-39' and 17% of '40 and above', never regard severe beating of livestock as a sin. 10%, 53% and 37% of the same respective age groups 'sometimes' consider severe beating as a sin.

Meaning

Once again young age has emerged as an issue in maltreating livestock. Young livestock dealers think that severe beating is never a sin due to ignorance about Islamic teaching that every living thing has right to decent and kind treatment and respect.

4.4 Implication of Inexperience of Livestock Dealers on Livestock Handling

Experience, according to Microsoft Encarta Premium (2009) is the best teacher. The relevance of experience to the livestock handling in North-Western Nigeria was put to test in this research to identify differences between experienced and inexperienced dealers in their handlings of the animals. Duration in the business was categorized into three groups in order to assess experience viz: 'Less than 5' years, '5-19' years and '20 years and above'. This categorization helped to identify which experienced group infringes more on the rights of livestock and thus, need more Islamic education. The dealers in question are those having direct contact with the animals.

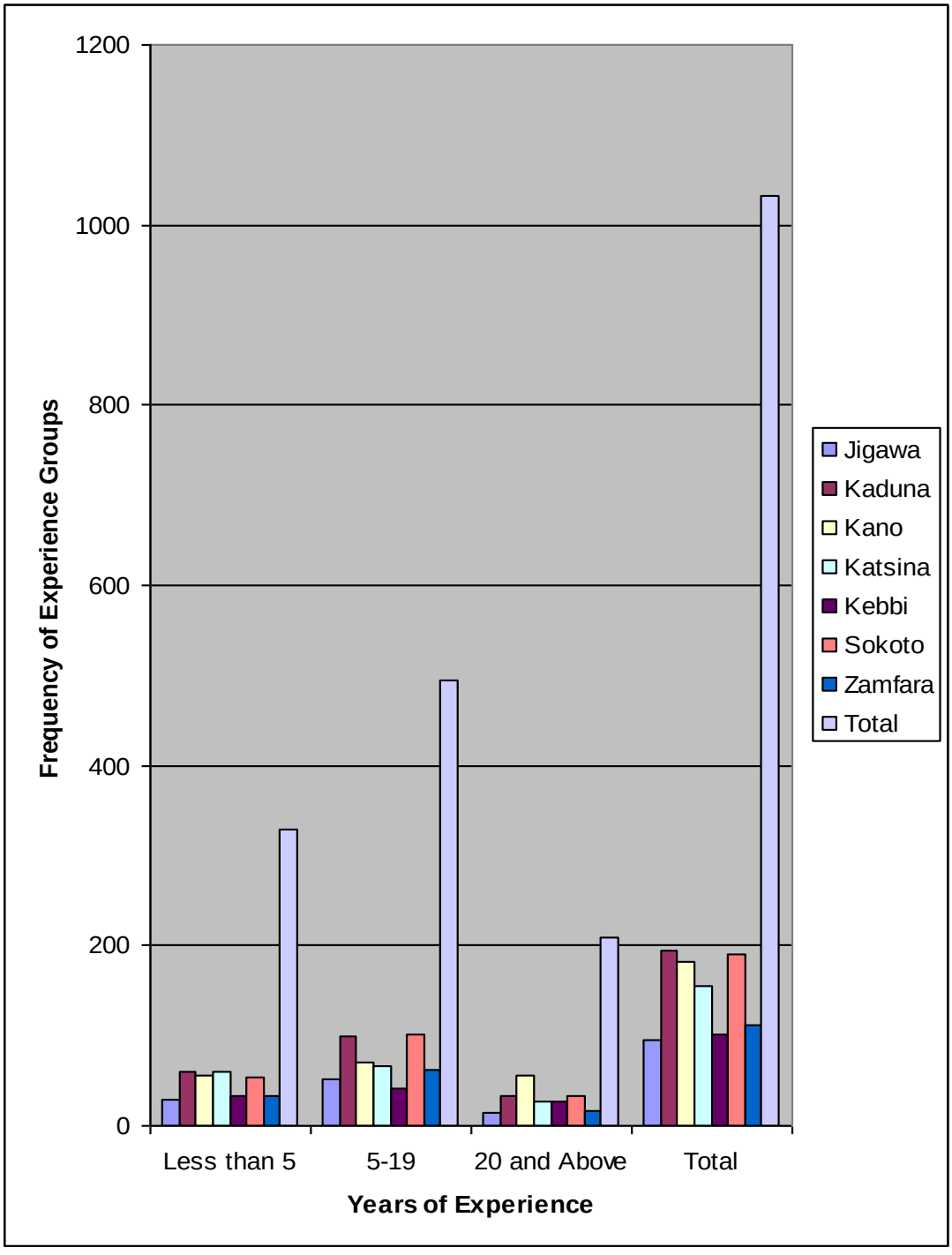


Figure 11: Figure Showing the Involvement of a Significant Number of Inexperienced Individuals in Livestock Business within North-Western Nigeria

Interpretation

Figure 11 shows that livestock dealers with ‘less than 5’ years in the business accounted for 329 (32%) out of 1033 respondents, those with ‘5-19’ years were 495 (48%) and for ’20 years and above’ were 209 (20%).

Meaning

There is a signicant number of inexperienced Livestock dealers in the business. This may be due to lack of motivation for those dealers having direct contact with the animals.

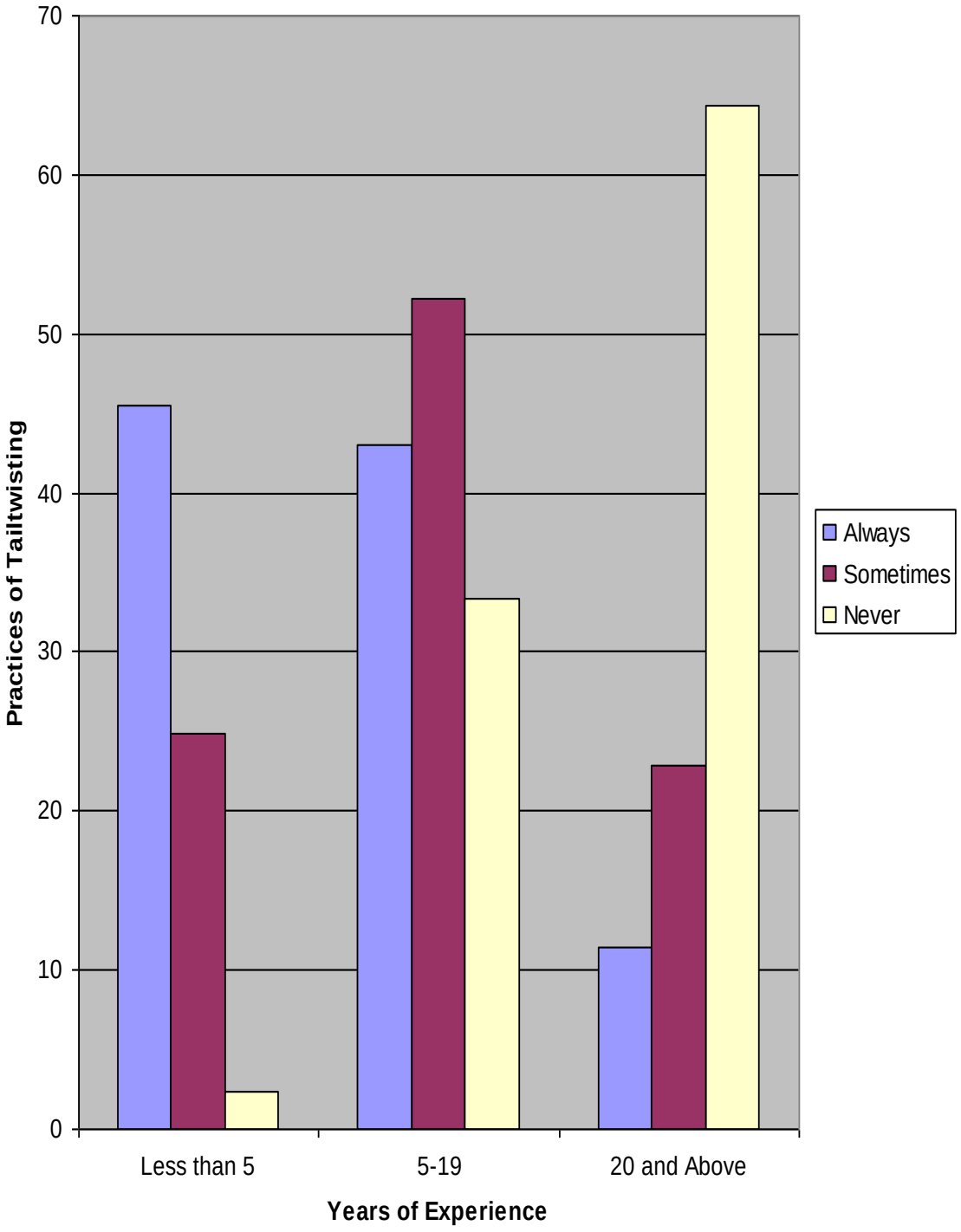


Figure 12: Figure Showing that Inexperienced Livestock Dealers Tail-Twist the Animals more than the Experienced within North-Western Nigeria

Use of Tail-Twisting by Inexperienced Livestock Dealers

Interpretation

Livestock dealers with ‘less than 5 years experience’ on the job accounted for 46% of the respondents who always twist the tails of animals in making them to comply with a task. The dealers with ‘less than 20 yesrs’ accounted for 43% while those of ‘20 years and above’ were just 11%. As for the livestock dealers who sometimes carry out the practice of tail-twisting; ‘less than 5 years’ in the business were 25%, ‘less than 20 years’ were 52% and the remaining 23% were for ‘20 years and above’.

Respondents who never tail-twisted livestock were just 2% for ‘less than 5 years’ in the business, 33% for ‘less than 20 years’ and 65% for ‘20 years and above’.

Meaning

Inexperienced livestock dealers lack some basic skills and technics in handling the animals. They also lack appreciatable knowledge of Islam that will prevent them from maltreating livestock. The following *Hadith* of the Prophet (SAW) provides guidance here:

عن الوضين بن عطاء أن جزارا فتح بابا على شاة ليذبحها فانفلتت منه حتى اتت النبي صلى الله عليه و سلم واتبعها فأخذها يسحبها برجلها فقال لها النبي صلى الله عليه و سلم إصبري لأمر الله وأنت يا جزار فسقها إلى الموت سوقا رفيقا ٤٩٣/٤

It was reported by al-Wadhin bn 'Ata' that a butcher once opened a door on a sheep in order to have it slaughtered then the sheep tried to escape from him until it came near the Prophet (SAW). The butcher followed, got hold of it and started dragging it by its leg. There upon the Prophet (SAW) told the sheep "bear patience with Allah's command and you the butcher! Carry it to its death with compassion" (Abdul-Razaq. 4: 493)

It means that there are necessary and required skills in dealing with livestock which calls for experience and maturity.

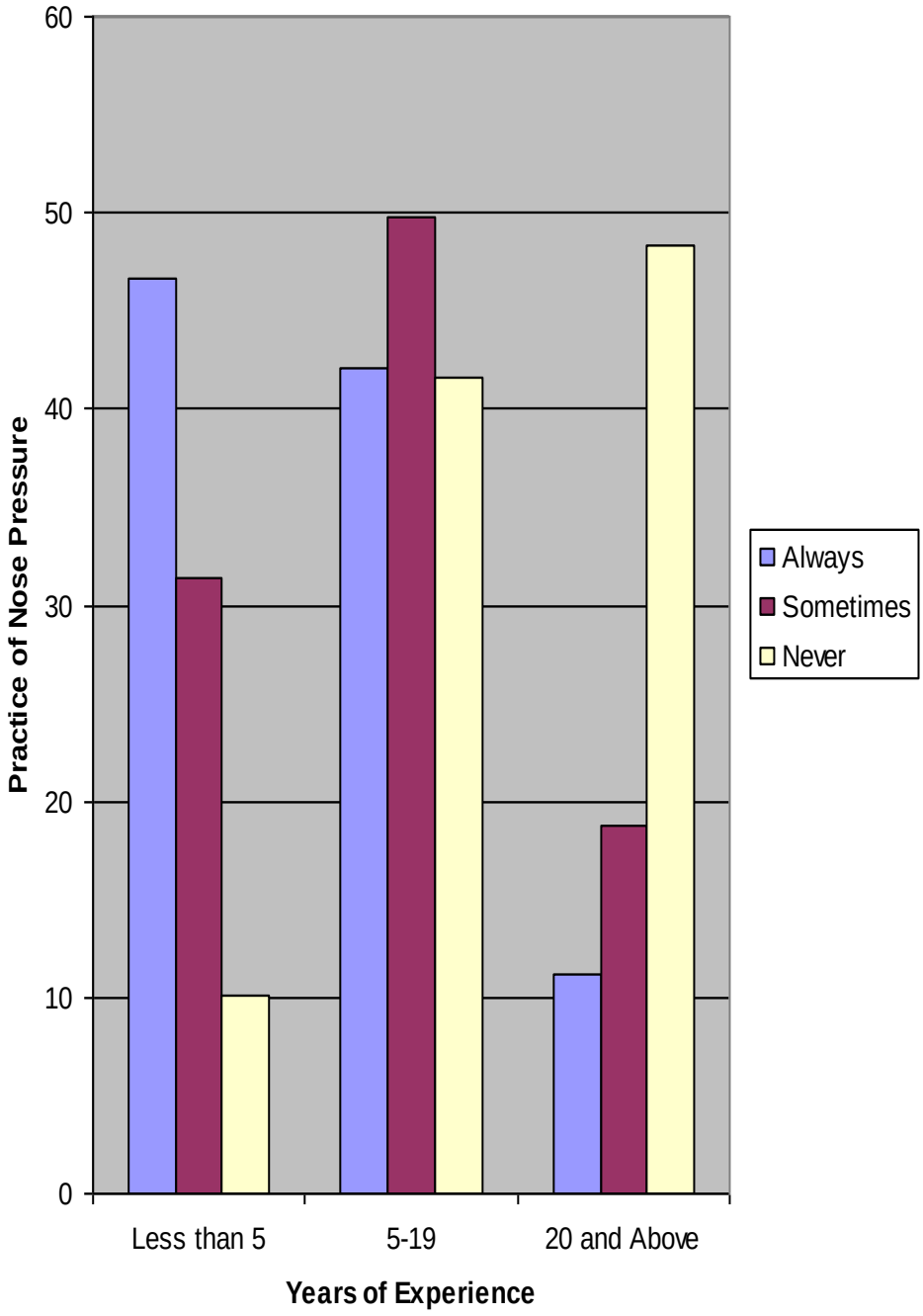


Figure 13: **Figure Showing that Inexperienced Livestock Dealers perform Nose Pressure on the Animals more than the Experienced in North-Western Nigeria**

Use of Nose Pressure on Livestock by Inexperienced Dealers

Interpretation

Figures 12 and 13 are closely related, so also their results. Nose pressure and tail-twisting of livestock are respectively painful methods of subduing the animals to a particular task. Livestock dealers who avoid using nose pressure on animals are 10% for the 'less than 5' years in the business, 40% for '5-19' and 48% for the '20 years and above' on the job. As for the perpetual nose pressure, are 48% for the 'less than 5', 42% for the '5-19' and 12% for the '20 and above' years.

Meaning

Figure 13 revealed that inexperience is a huge factor in using nose pressure on livestock. The dealers, who are in the categories of less than 5 and 5-19 years in livestock business, need more Islamic teaching regarding welfare rights of livestock.

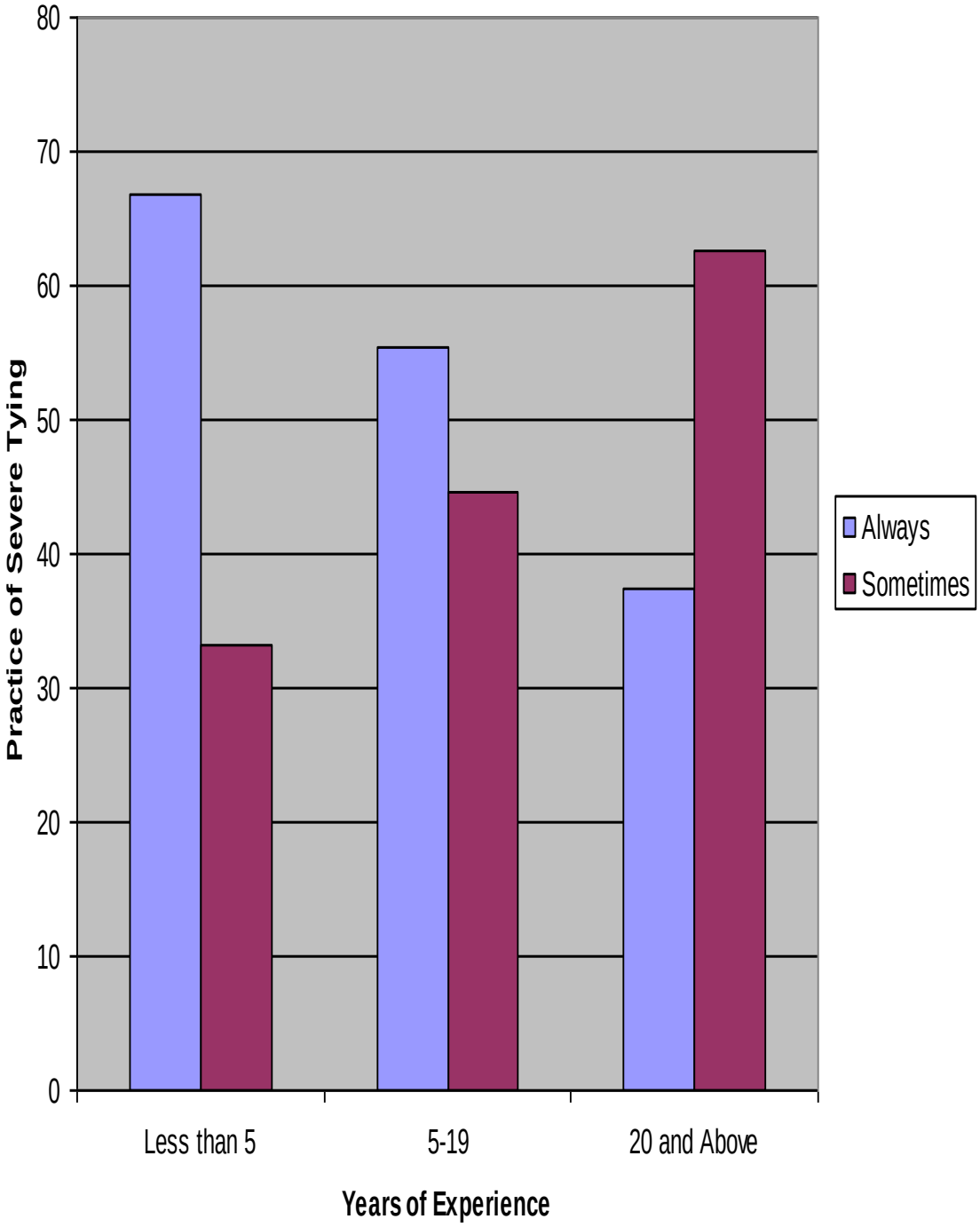


Figure 14: **Figure Showing that Inexperienced Livestock Dealers Severely Tie the Animals more than the Experienced within North-Western Nigeria**

Severe Tying of Livestock by Inexperienced Dealers

Interpretation

Figure 14 revealed another appalling situation for livestock. All the respondents severely tie the animals in that all of them avoided the option that says 'never' tie livestock severely. But then inexperience is still a significant factor as 67% of the respondents with 'Less than 5' years in the business, 55% of '5-19 years' and 45% of '20 years and above' 'always' tie the animals severely. The remaining percentages of each experience group: 33%, 45% and 37% respectively 'sometimes' do the practice of severe tying.

Meaning

Livestock dealers with fewer years of experience tie the animals more severely than those with more years of experience. The inexperienced dealers lack some basic skills and techniques necessary in dealing with livestock. These skills include use of salt and ramps when loading and off loading livestock in and out vehicles. They also lack Islamic guidelines concerning livestock welfare rights when handlings them.

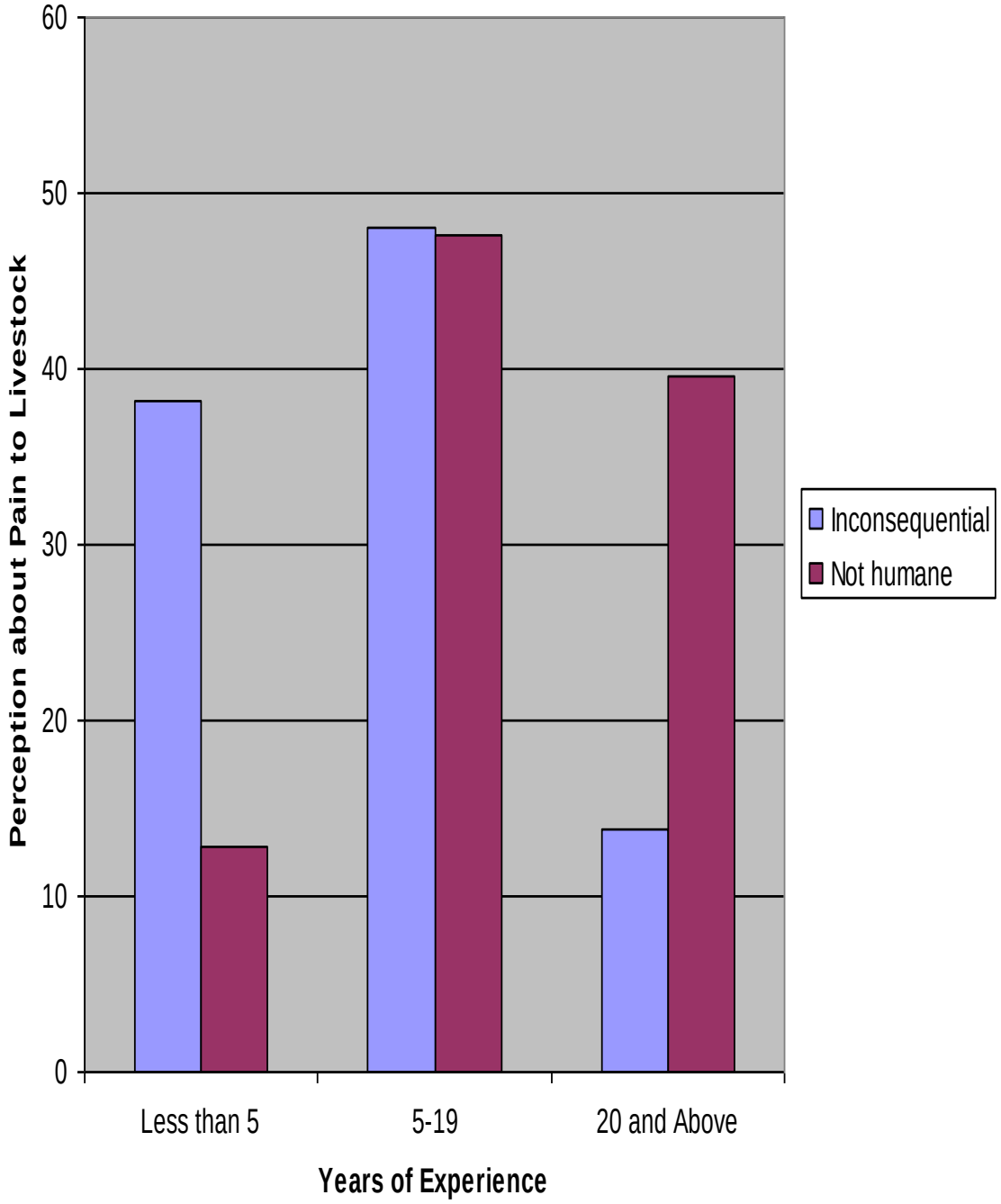


Figure 15: **Figure Showing that Inexperienced Livestock Dealers have wrong perception about causing Unnecessary Pain to the Animals more than the Experienced within North-Western Nigeria**

Wrong Perception of Inexperienced Livestock Dealers on Causing Pain to Livestock

Interpretation

Perception of livestock dealers about causing unnecessary pain to livestock was assessed by figure 15 through comparison of the three categories of experienced groups. 12% of the ‘less than 5’ years on the job, 48% of the ‘5-19’ years and 40% of the ’20 years and above’, believe that causing unnecessary pain to the animals is inhumane. The respondents that trivialize causing unnecessary pain to livestock are 40% of the ‘less than 5’ years, 48% of the ‘5-19’ years and 12% of the ’20 and above’.

Meaning

Inexperienced livestock dealers need to know that Islam holds that every living thing deserves mercy and by implication feels pain. It is against this background that one of the messengers of Allah was reprimanded for setting a colony of ants ablaze without any justification.

4.5 Implication of Lack of Job Satisfaction of Livestock Dealers on Livestock Handlings

Poverty at times pushes people to committing sins and wrong doings. It is against this background that Prophet Muhammad (SAW) once said that poverty (*Faqr*) and infidelity (*Kufr*) are equal or related as reported in this *Hadith*:

> عن أبي سعيد الخدري سَمِعْتُ رسول الله صلى الله عليه و سلم يقول : اللهم إني أعوذ بك من الكفر والفقر فقال رجل ويعتدلان قال نعم. النسائي ٤ /٤٥٦.
>
> *Abu Sa'id al-Khudriy narrated that I heard Allah's Messenger (SAW) say, "O Allah, I seek refuge in Thee from infidelity and poverty." A man asked whether they were equal, and he replied: 'Yes' (al- Nasa'i, 4, Hadith N0: 456).*

The significance of lack of economic benefit or job satisfaction was hence examined to illustrate whether or not it has any bearing on some aspects of unjustifiable reasons for infringing on the rights of livestock in North-Western Nigeria. Three options were put to the respondents to help identify livestock dealers who lack job satisfaction. These options were: "Job of no option", "Manageable" and "Profitable".

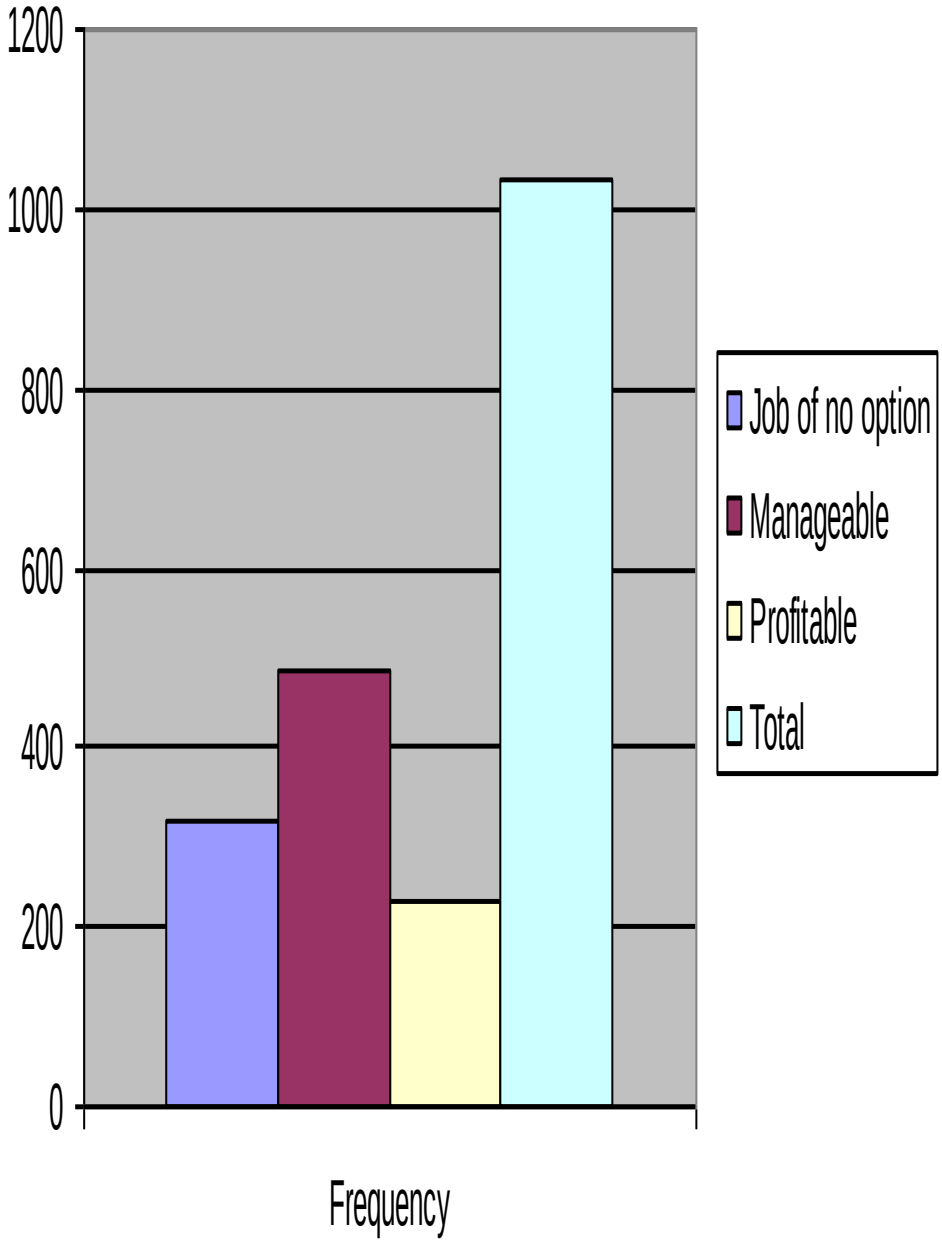


Figure 16: **Figure Showing the Perceptions of Livestock Dealers on Job satisfaction within North-Western Nigeria**

Interpretation

Livestock dealers who describe their business as ‘Job of no Option were 320 out of 1033 (31%), ‘Manageable’ 486 (47%) and ‘Profitable’ 227 (22%).

Meaning

Many livestock dealers are not satisfied in the business which could be due to lack of funding by the government and lack of business strategy by the dealers to promote growth and development.

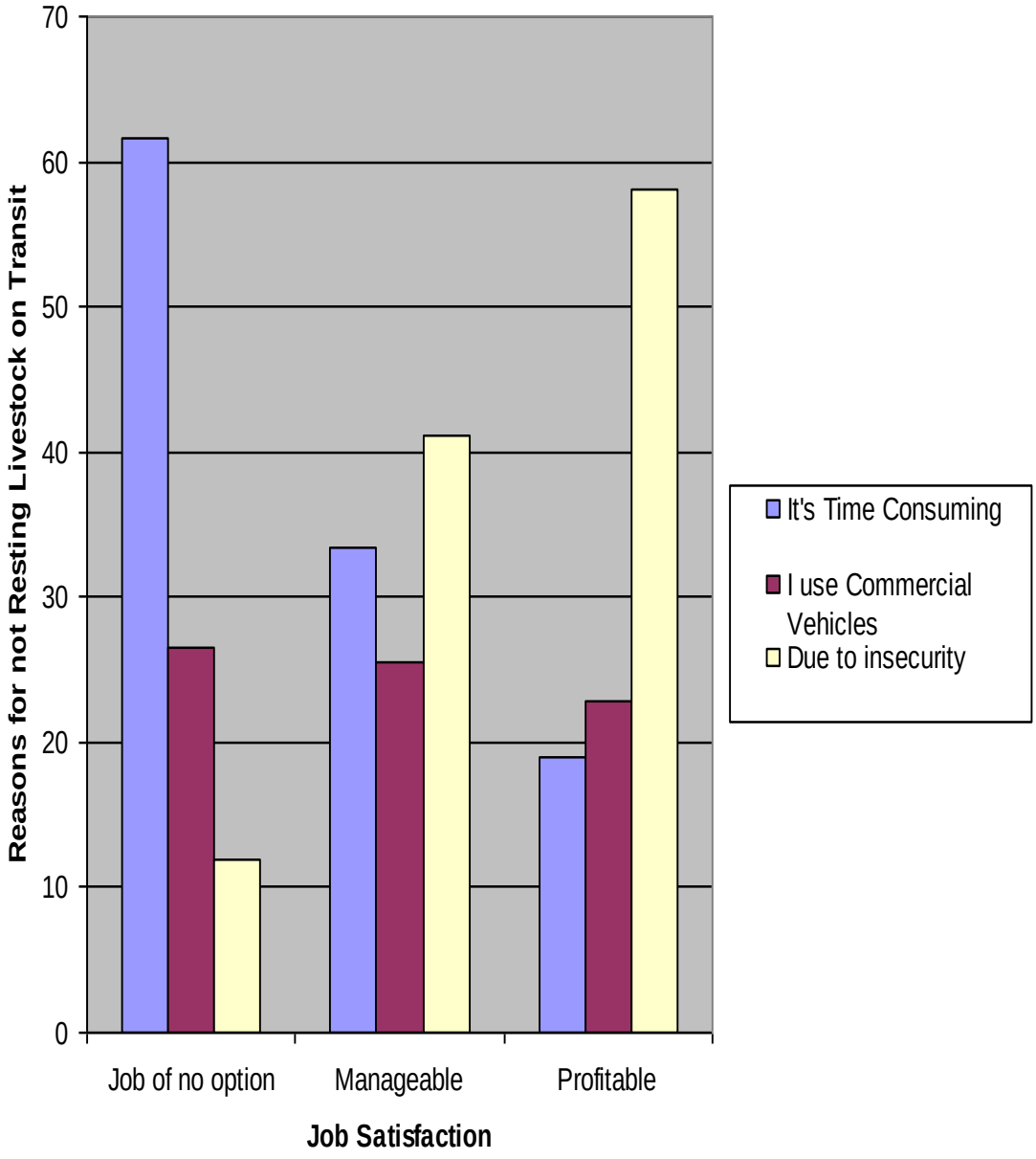


Figure 17: **Figure Showing that Livestock Dealers Lacking job satisfaction do not have Good Reasons for not Resting the Animals on Transit within North-Western Nigeria**

Not Resting Livestock on Transit due to Lack of Job Satisfaction of Livestock Dealers

Interpretation

Three options were provided for figure 17 to find out bad and good reasons for not allowing livestock to rest on transit. Lack of rest for the animals on transit due to 'insecurity' is regarded in this research as a justifiable reason, 'use of commercial vehicles' is considered as a bad reason while 'it is time consuming' is the worst case scenario. Are unjustifiable reasons associated with lack of job satisfaction or lack of economic benefit? The answers to this item are illustrated on Figure 17. 58% of the respondents who described their business as 'profitable', 42% of 'manageable' group and just 11% of the 'job of no option' gave insecurity as their reason for not resting the animals on transit. As for the worst reason over 60% of 'job of no option', 33% of 'manageable group and less than 20% of the 'profitable', considered the option of 'it's time consuming' as their reasons.

Meaning

It is very glaring from Figure 17 above that the happier the livestock dealer is, the better the reason for not allowing livestock to rest on transit. Livestock dealers who regard their business as 'job of no option' need more Islamic counseling vis-à-vis livestock welfare rights. They also need government subsidy in order to alleviate their bad economic situation.

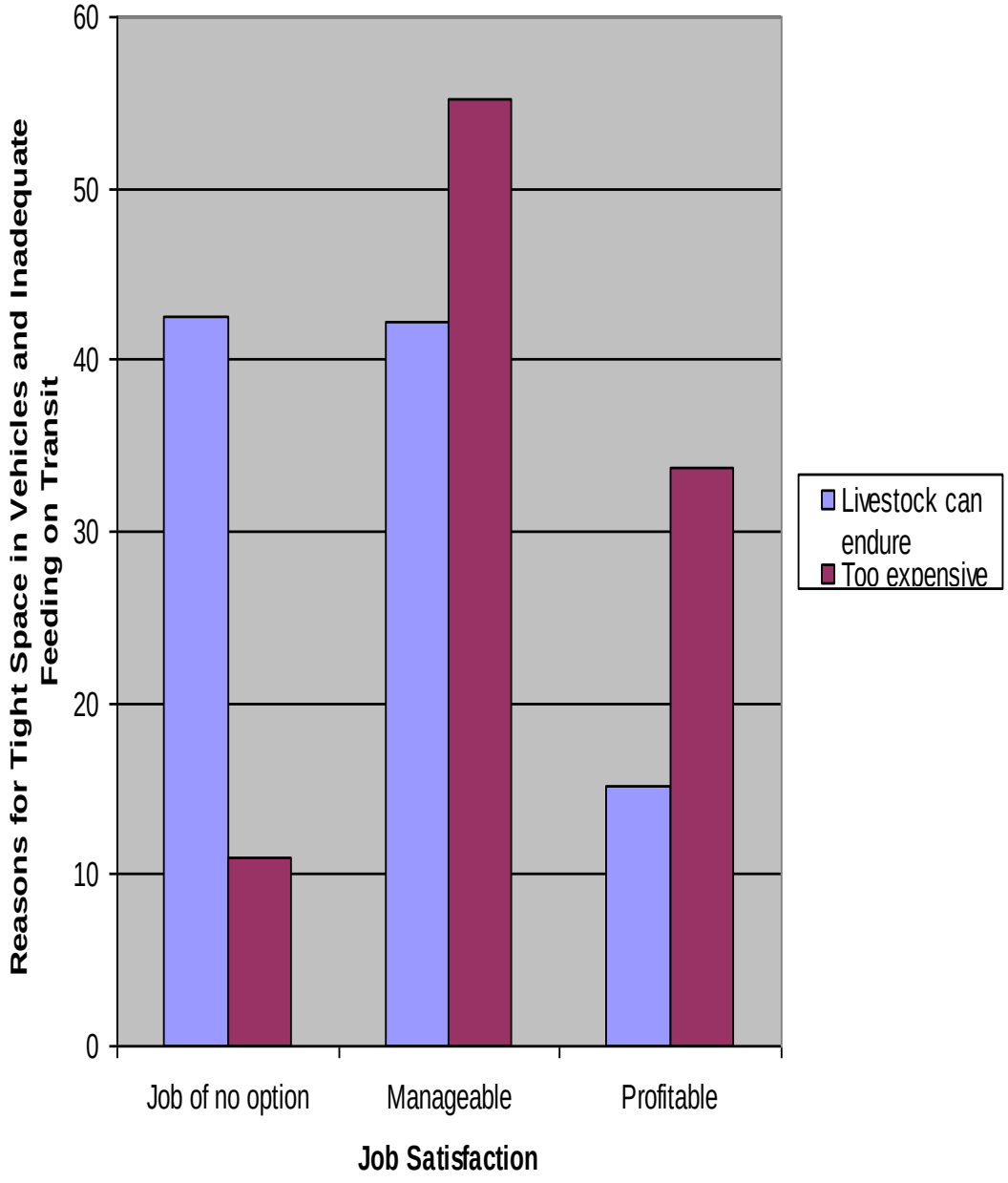


Figure 18: **Figure Showing that Livestock Dealers Lacking job satisfaction do not have Good Reasons for not Providing Adequate Space in Vehicles and Feeding for the Animals on Transit within North-Western Nigeria**

Poor Conditions of Transporting Livestock due to Lack of Job Satisfaction

Interpretation

Earlier on, the respondents have overwhelmingly shown (see Figure 5) that they do not provide adequate fodder for livestock on transit. Figure 18 is concerned with justification of this bad practice. Three options were presented to the respondents to choose what was applicable to them namely: 'It is too expensive' to provide adequate fodder, 'livestock can endure' hunger and 'any other reason' they might consider fit.

Interestingly, all the respondents opted for either the option that says 'It is too expensive' or 'livestock can endure'. Option 'It is too expensive' is considered in this study as the lesser of the two evils and hence better than 'livestock can endure'. 40% of 'Job of no option', 42% of 'Manageable' and 15% of 'Profitable' believe that inadequate feeding of livestock is justifiable because 'livestock can endure' hunger and hardship. Regarding the good reason, it is just 11% of 'Job of no option', 57% of 'Manageable' and 33% of 'Profitable' that do not provide adequate feeding due to the expensive nature of the cost.

Meaning

Lack of job satisfaction or lack of economic benefit is a significant factor in underfeeding livestock. Majority of the respondents that describe their business as a 'job of no option', believe notion that animals can endure hardship and therefore subject them to all sorts of maltreatments including starvation.

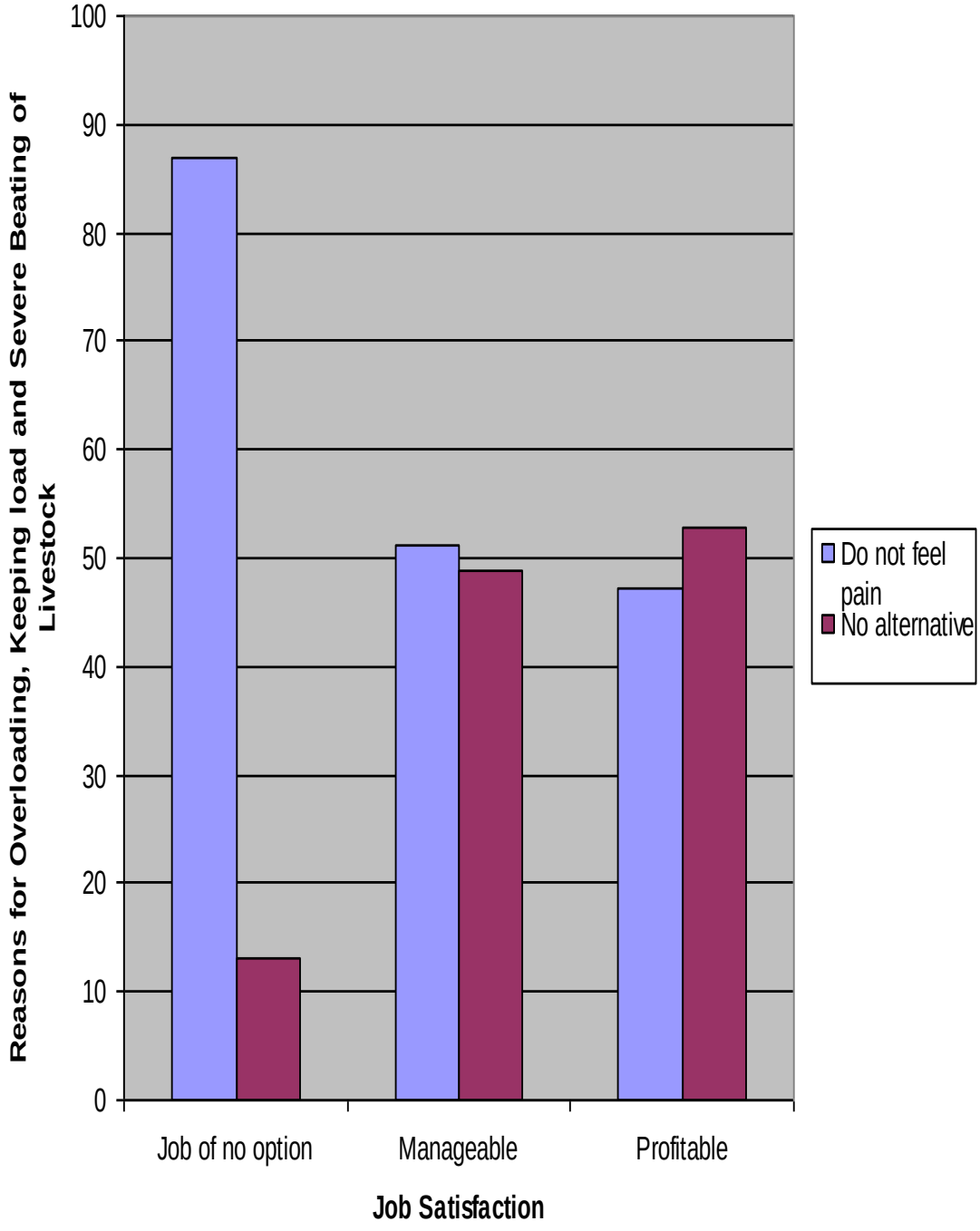


Figure 19: Figure Showing that Livestock Dealers Lacking job satisfaction do not have Good Reasons for Overloading and Keeping Load on Stationed Animals within North-Western Nigeria

Overloading and Keeping Load on Livestock due to Lack of Job Satisfaction

Interpretation

It is the view of 88% of the respondents who described their business as 'Job of no option' that 'livestock do not feel pain' and therefore can be subjected to overloading, severe beating etc… If 88% of 'Job of no option' is compared with the like minds in the groups of 'Manageable' and 'Profitable' (50% and 48% respectively), it will be clear that lack of job satisfaction is an issue in overloading and keeping Load on stationed Livestock in North-Western Nigeria.

Meaning

The fact that there is a correlation between the responses of 'Job of no option' on Figures 18 and 19 regarding unjustifiable reasons for infringing on the rights of livestock in terms of inadequate feeding and overloading, there is a serious need for these individuals to be educated on the concern Islam has for every living.

al-Zuhaili (2010) asserts that it is forbidden (*Haram*) for the owner of livestock to over load or over work his animals beyond what they can bear. All the jurists except those of Hanafi school are of the view that if the owner of livestock fails to take good care of his herds, the law enforcement agency of the community or country will be required to force the owner to provide proper maintenance or else the livestock will be sold or slaughtered on his behalf (al-Kalbi, 1998). As for Hanafis, the livestock owner who fails to take good care of his herds should only be admonished about the displeasure and wrath of Allah for the offence.

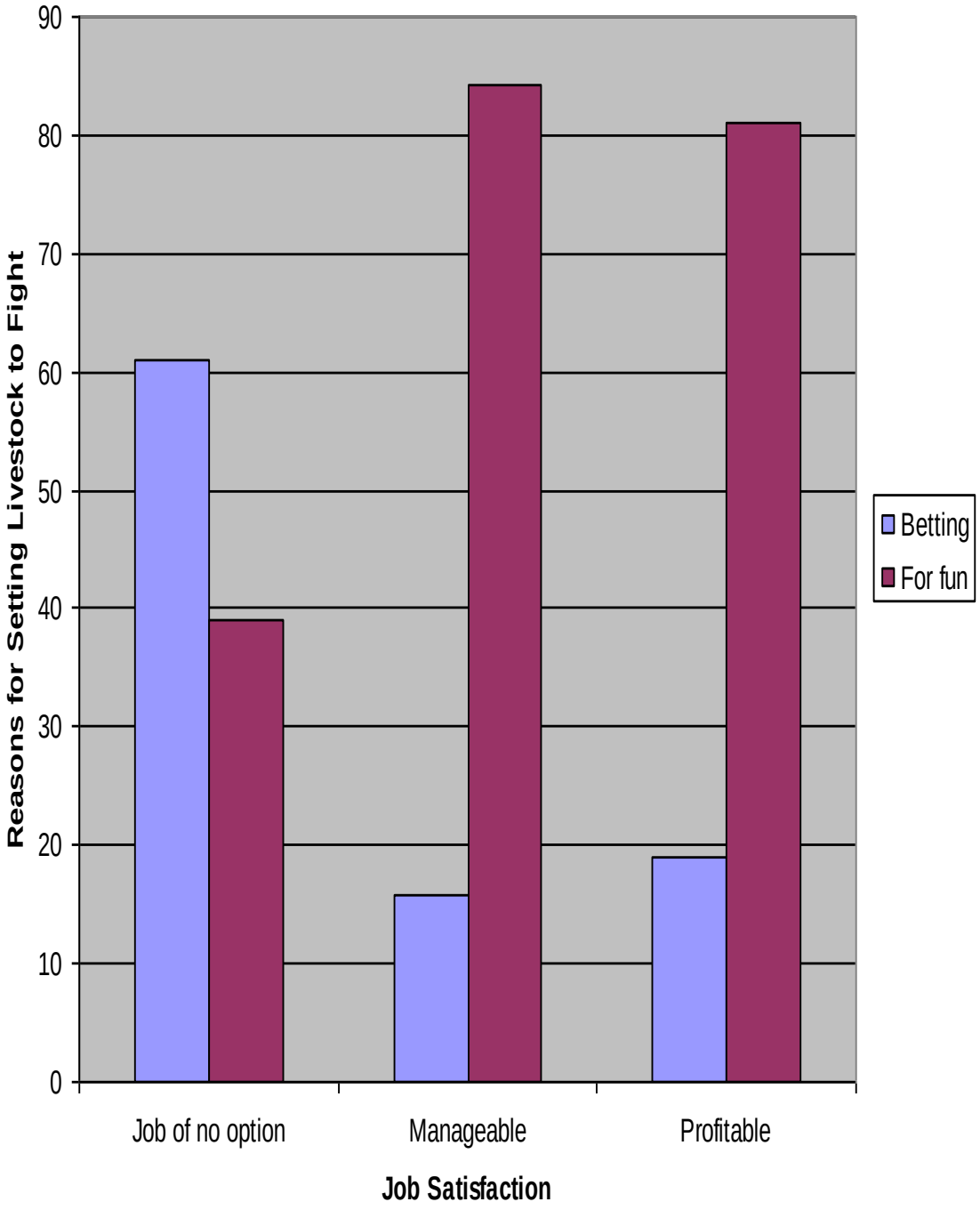


Figure 20: Figure Showing that Livestock Dealers Lacking job satisfaction do not have Good Reasons for Setting the Animals to Fight one another within North-Western Nigeria

Setting Livestock to Fight due to Lack of Job Satisfaction

Interpretation

Figure 20 compared the three groups of the respondents describing their business as 'Job of no option', 'Manageable' or 'Profitable' regarding the reasons for setting livestock to fight one another. Out of the three options: (a) Nothing is wrong with the practice of setting livestock to fight (b) It is for fun and (c) Any other reason; nobody went for option (a). They chose either option (b) or (c) whereby 'Betting' emerged as option (c). Setting livestock to fight for betting is an emrging trend in North – Western Nigeria.

61% 'Job of no option', 16% of 'Manageable' and 19% of 'Profitable' said that setting livestock to fight is for betting. The remaining percentages:
39%, 84%; and 81% respectively said that the practice is just for fun.

Meaning

The options given by the respondents are all bad reasons. In Islam, there is no justification for setting livestock to fight. Meanwhile, lack of job satisfaction is making the practice of setting the animals to fight worse because the group of 'Job of no option' is more into the bad practice in order to get money through betting. Betting which is synonymous to gambling is categorically condemned in the Glorious Qur'an:

چ ڈ ث ٹ ٹ ٹ ٹ ٹ ٹ ڈ ڈ ف ف ڤ ڤ ق ق ڤ ڤ ج ج چ چ چ
المائدة: ٩١

> *Shaitan desires to stir up enmity and hatred between you with intoxicants and gambling and to prevent you from the remembrance of Allah and from Salah (prayers). Will you not abstain? (Q5:91)*

Betting or gambling that engages livestock and other animals to fight has two fold condemnations in Islam. The act is condemned and prohibited in the first place because it creates enmity and hatred between people. Secondly, in the course of fight the poor animals may sustain injury which is not fair to them.

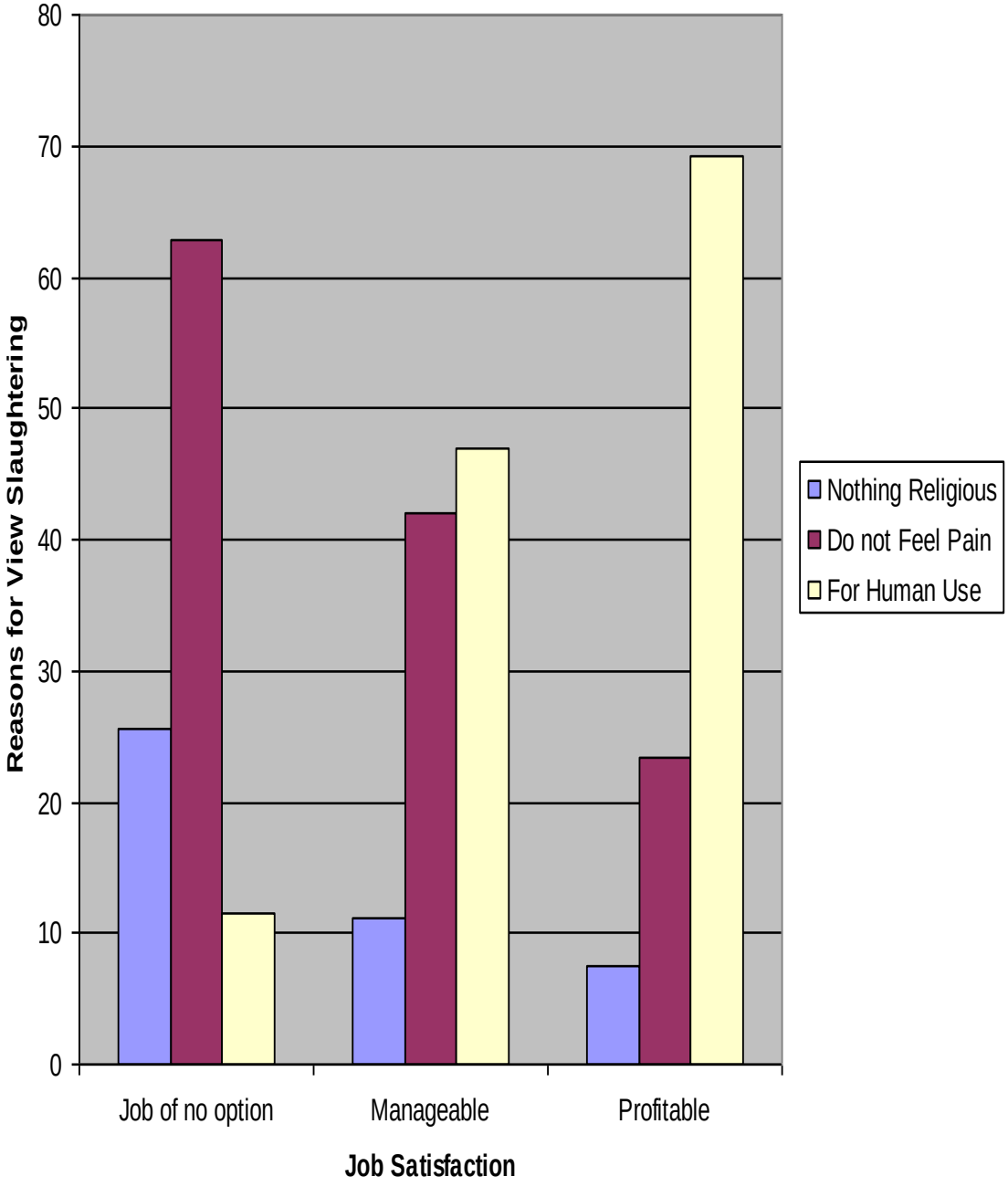


Figure 21: Figure Showing that Livestock Dealers Lacking job satisfaction do not have Good Reasons for Slaughtering the Animals infront of one another within North-Western Nigeria

View Slaughter (Slaughter infront of one another) due to Lack of Job Satisfaction

Interpretation

Is there any justification for a livestock to be looking at another livestock being slaughtered? This was the question put to the respondents in relation to their economic statuses. The economic statuses were classified into 'Job of no option', 'Manageable' and 'Profitable'. It was discovered that the respondents of 'Job of no option' consider the practice of view slaughter as having 'no religious' inclination (26%), livestock 'do not feel pain' (63%) and livestock are meant 'for human use' (12%). As for the category of 'Manageable': 'Nothing religious' is 11%, livestock 'do not feel pain' is 42% and 'for human use is 47%. The third and the last group, 'Profitable' said: 'Nothing religious (7%), 'do not feel pain' (23%) and for human use (69%).

Meaning

The three reasons given by the respondents are all unacceptable in Islam. But majority of livestock dealers who are not happy in their job: 'Job of no option' (23% and 63%) gave worse reason to justify view slaughter. If 23% of the option of 'Nothing religious' about view slaughter and 63% of the option 'Do not feel pain' for the group of 'Job of no option' are compared with 7% and 23% respectively for the group of 'Profitable', it will be clear that lack of job satisfaction is an issue in treating livestock badly more especially in the aspect of view slaughter.

4.6 Difference(s) between Rural and Urban Settlements on the Infringements on the Welfare Rights of Livestock

It has been assumed in this research that livestock dealers in the rural settlements infringe more on the rights of the animals than those in the urban areas. This assumption has been addressed hereunder.

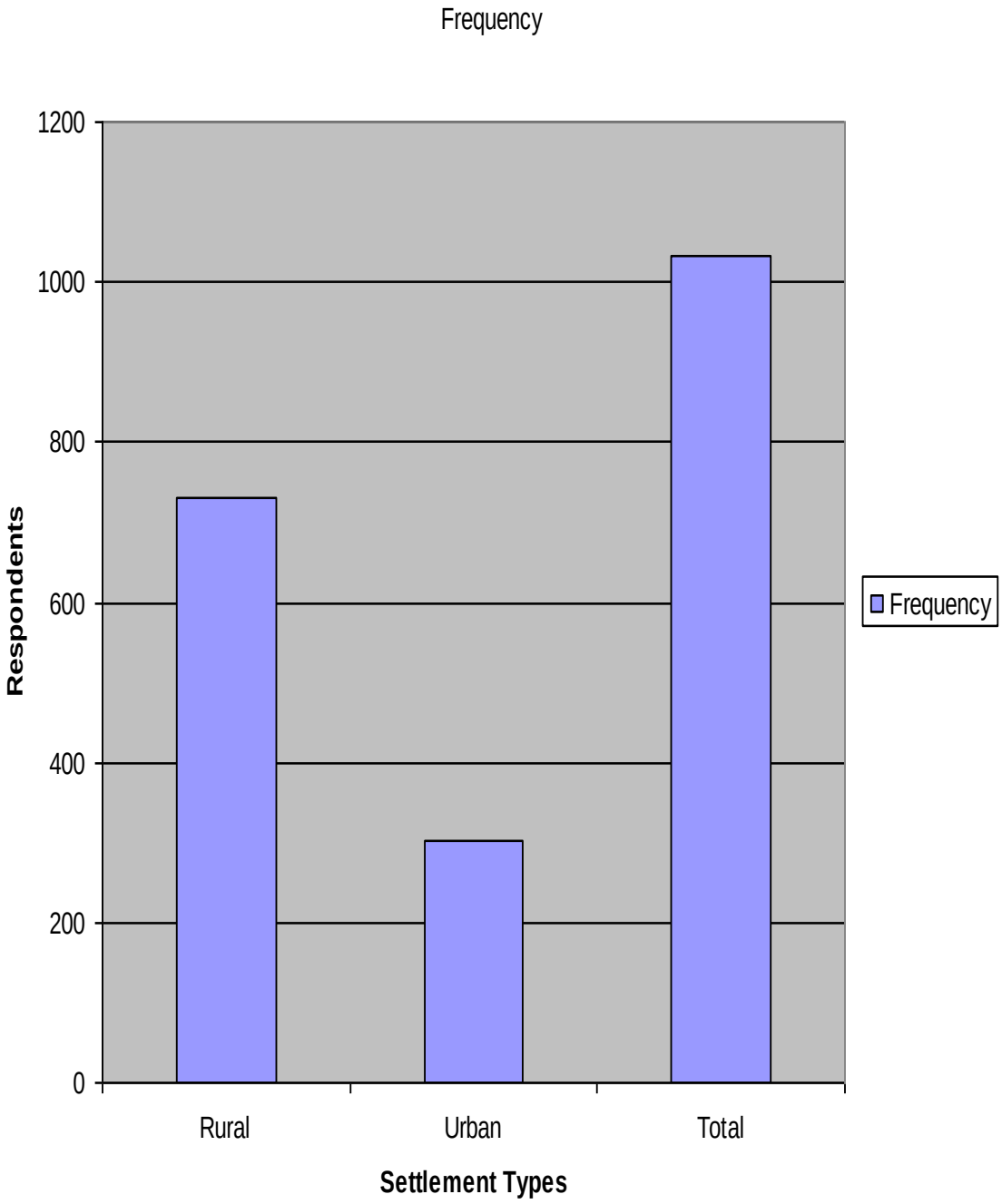


Figure 22: **Figure Showing that there are more Livestock Dealers in Rural Settlements than in the Urban Areas**

Interpretation

According to the responses on Figure 22, 732 (70.86%) out of 1033 livestock dealers live in rural areas while the remaining 301 (29.14%) live in the urban settlements.

Meaning

It is justifiable to have more respondents from the rural areas in that there are more livestock rearings in the rural than the urban settlements. But Islamic teaching awareness is very low in the rural than in the urban areas. In addition to lack of adequate Islamic teaching awareness, rural areas are also remote from government agencies responsiblie for checkmating bad practices of livestock handling. This implies that livestock dealers are not under any supervision and they receive little or no training on how to care and respect the welfare rights of livestock.

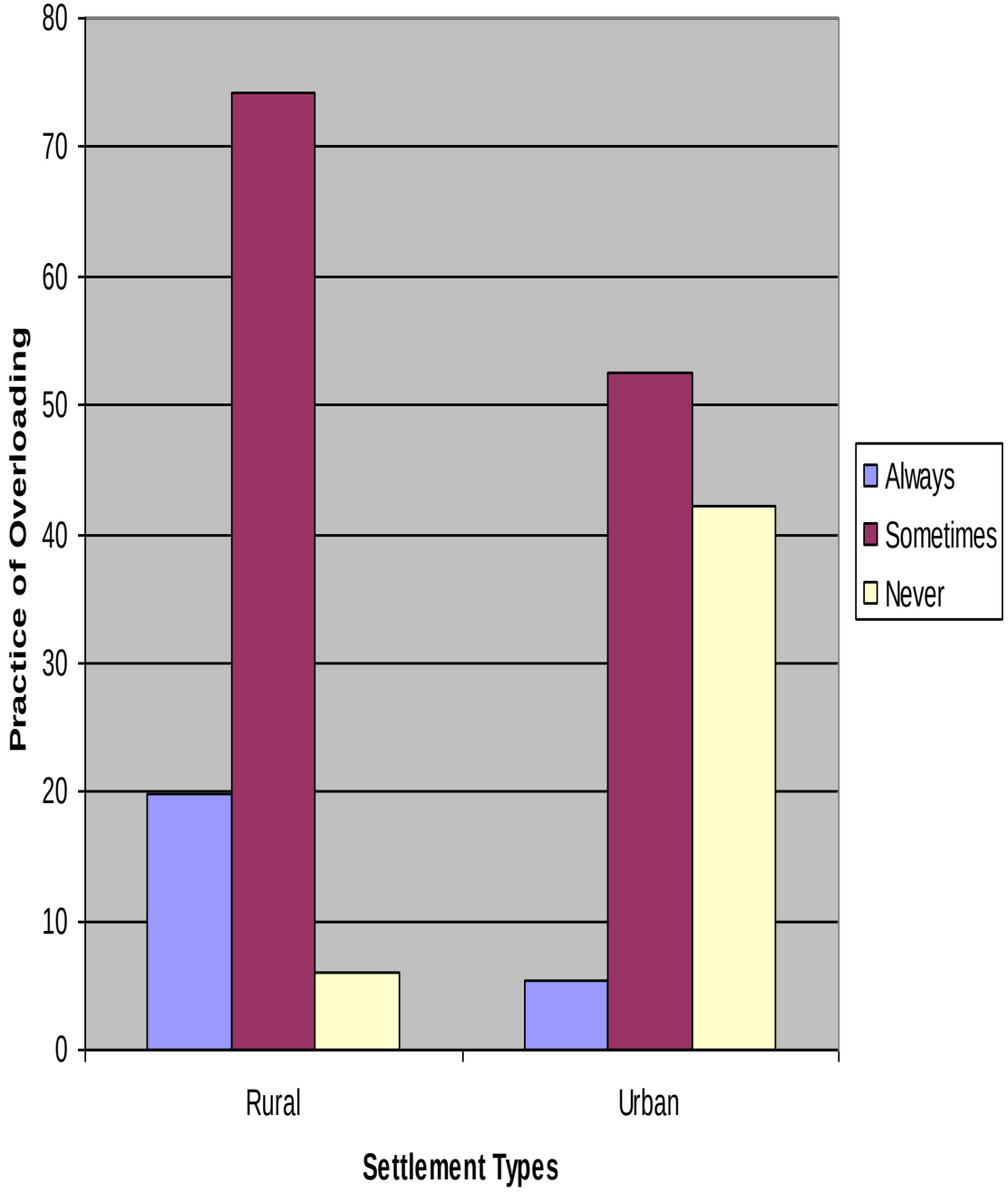


Figure 23: Figure Showing that the Rural Settlement Livestock Dealers Overload the Animals more than the Urban Dwellers

More Overloading Livestock in Rural Settlement than Urban Settlement

Interpretation

Figure 23 shows that 20% of rural and 6% of urban livestock dealers ‘always’ overload livestock. As for those who ‘never’ overload the animals are consistently 6% for the rural and over 40% for the urban settlements. The respondents who sometimes overload livestock are over 70% for rural settlements and over 50% for urban areas. Additional pictorial evidence is hereby attached for more illustration.

Meaning

The livestock dealers from rural settlements overload the animals more because they have more livestock than the urban settlers. Rural areas are also remote from frequent propagations of Islam such as the acvities of *Jama'atu izalat al-Bid'ah wa iqamat al-Sunnah* and *Hizbah*. They are also not comprehensively supervised by government agents on the proper handlings of livestock.



Plate 4: Plate Showing Three Donkeys Struggling with Loads of Sand for Several Miles with no break to rest in a Rural Area within North-Western Nigeria

Prophet Muhammad (SAW) instructed Muslims not to overburden their domestic animals. Burdening a donkey with more load than that which it can easily carry is again a wrongful practice which is forbidden by Allah (SAW). Even when sacrificing the livestock, it is told that we are to use sharp knives and not blunt ones for the latter would cause more pain and discomfort to the animals.

But in the Third World countries like Nigeria in which North – Western zone this study was carried out, things are done in crude manner. For example, neither poor donkeys nor their loads are weighed in order to strike a balance between them. Of course, it will be unfair for a livestock to carry a laod almost equal to its own weight. Islam categorically condemns such heartless maltreatment of livestock.

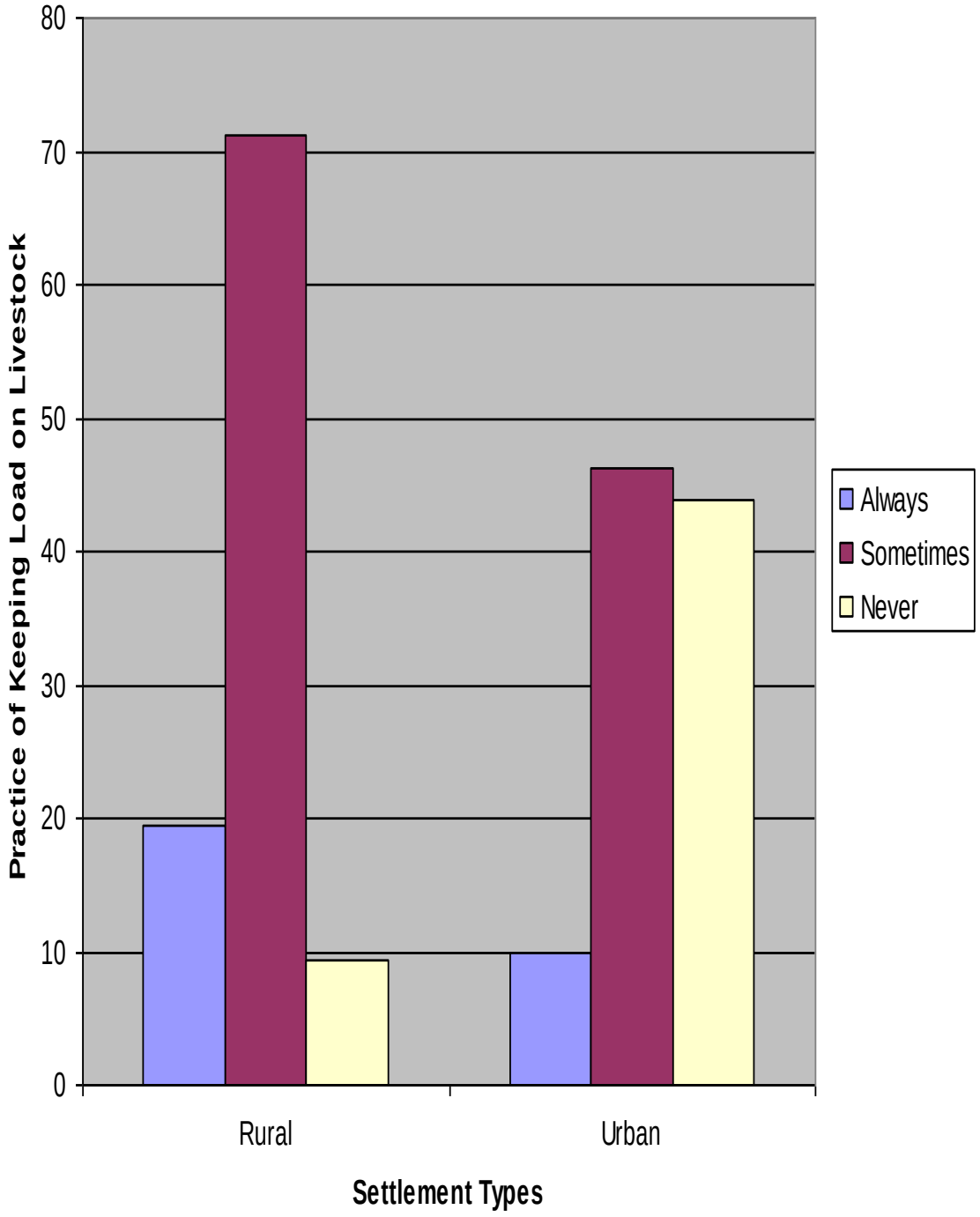


Figure 24: **Figure Showing that the Rural Settlement Livestock Dealers Keep Load on Stationed Animals more than the Urban Dwellers**

Keeping Load on Stationed Livestock is More Practiced in the Rural Settlement than Urban Settlement

Interpretation

Sometimes, people indifferently keep load on the back of stationary donkeys, horses and other animals while they would go and rest or do something else. This is the habit of 20% of rural livestock dealers and 10% of urban ones. Keeping load on stationary livestock is sometimes practiced by 71% of rural people as compared to 47% of urban dwellers. Those who ‘never’ carried out the practice of keeping load on stationary livestock are less than 10% of the rural areas and over 40% of the urban areas' livestock dealers.

Meaning

Livestock dealers in the rural areas contribute more significantly to the keeping of load on the stationed animals than their counterparts in the urban areas. Therefore, there is a need for the rural settlements to be given more attention in terms of Islamic awareness regarding welfare rights of livestock.

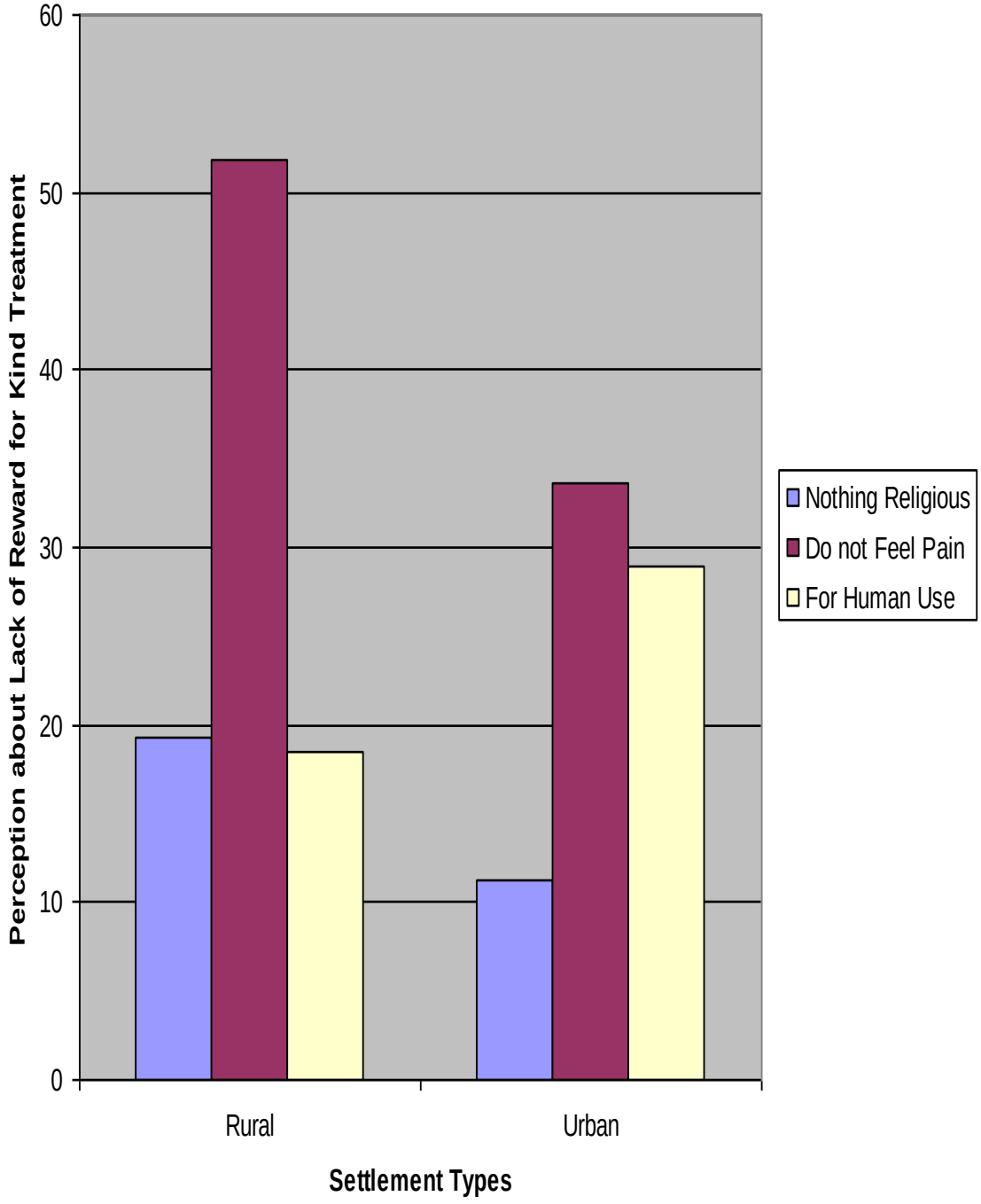


Figure 25: Figure Showing that the Rural Settlement Livestock Dealers Give Bad Reasons for Lack of Reward for Treating Livestock Kindly more than the Urban Dwellers

Rural Settlement is more Ignorant about Reward for Treating Livestock Kindly than Urban Settlement

Interpretation

Figure 25 addressed the perception of the respondents who claimed on Figure 27 that kind treatment of livestock is not rewarding. It will not be out of place to know the reasons for lack of reward. 19% of the respondents in the rural settlement and 11% of those of the urban areas believe that treating livestock kindly has no religious inclination. 53% and 34% of the two respective types of settlement dwelleres associated lack of reward to the notion of *automata* which according to René Descartes (1596-1650), is an object with no souls, minds, or reason. Meaning that livestock can see, hear, and touch, but they are not, in any sense, conscious, and are unable to suffer or even to feel pain. The remaining 18% and 29% of the respondents of each settlement areas are of the view that livestock are subjected to human use and thus, there is no reward in whatever good service rendered to them.

Meaning

Respondents in the rural areas are more ignorant of the welfare rights of livestock than urban livestock dealers. Even though the two groups gave unjustifiable reasons but the rural respondents denied any connection between kind treatment of livestock and the teachings of Islam by 20% more than their counterparts in the urban areas.

Rural dwellers dealing with livestock should hence receive more attention in the propagation of Islamic teachings concerning livestock welfare rights in North-Western Nigeria.

4.7 Implication of Lack of Islamic Education of Livestock Dealers on some Related Issues to Livestock Handling

Education is the bedrock of any developed and civilized society. It is against this background that this subtopic has attempted to compare the views of holders of various Islamic educational qualifications to find out whether or not lack of Islamic education is associated with certain infringements on the rights of livestock.

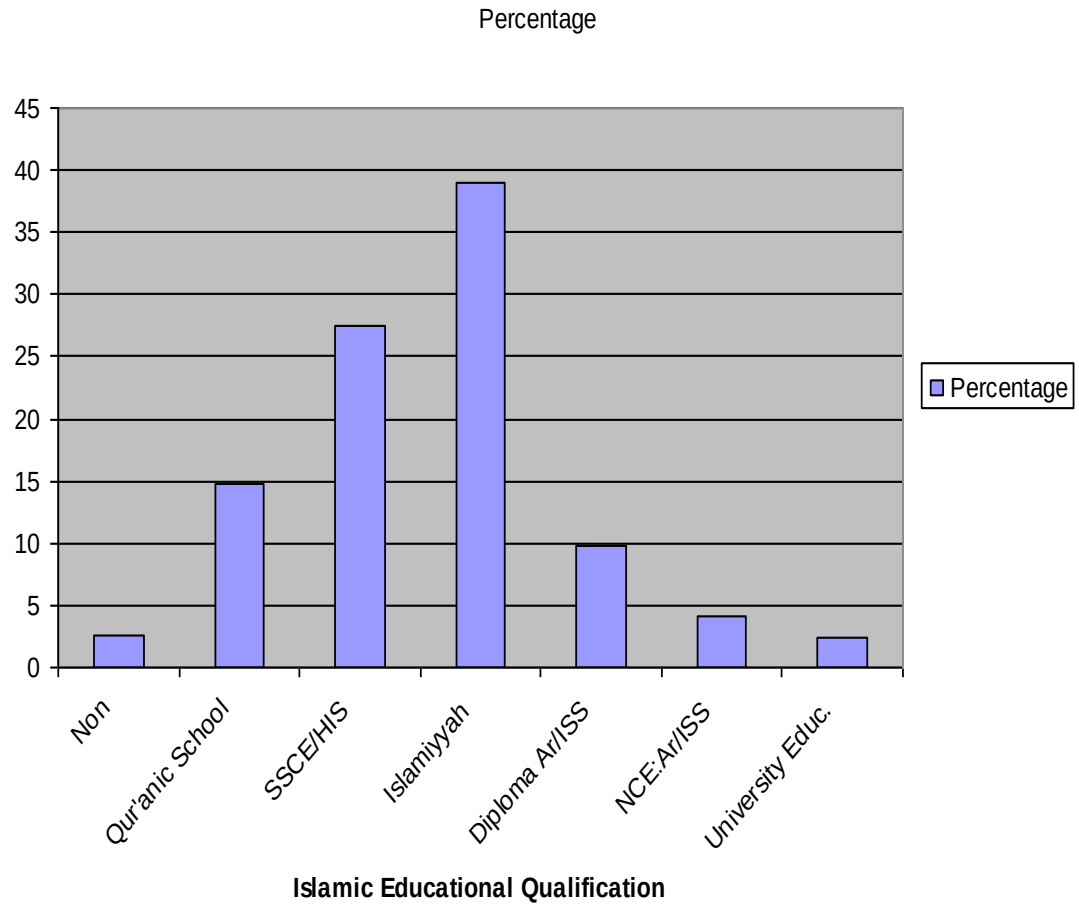


Figure 26: **Figure Showing various Islamic Educational Qualification of Livestock Dealers**

Interpretation

Figure 26 revealed that most of the people dealing with livestock in markets and abattoirs are not well acquainted with the teachings of Islam vis-à-vis livestock welfare rights. It is only 2.60% of them have university education in Islamic Studies or Arabic, 14% of them have N.C.E./ Diploma in Islamic Studies or Arabic while the Islamic educational qualification of the remaining 86% are limited to secondary school levels or below.

Meaning

If no special Islamic educational training is provided to lower levels of education, there will be a continued lack of awareness of the welfare rights of livestock. It should be noted that rearing livestock in Islam requires high level of educated man power in terms of skills, legal and moral obligations.

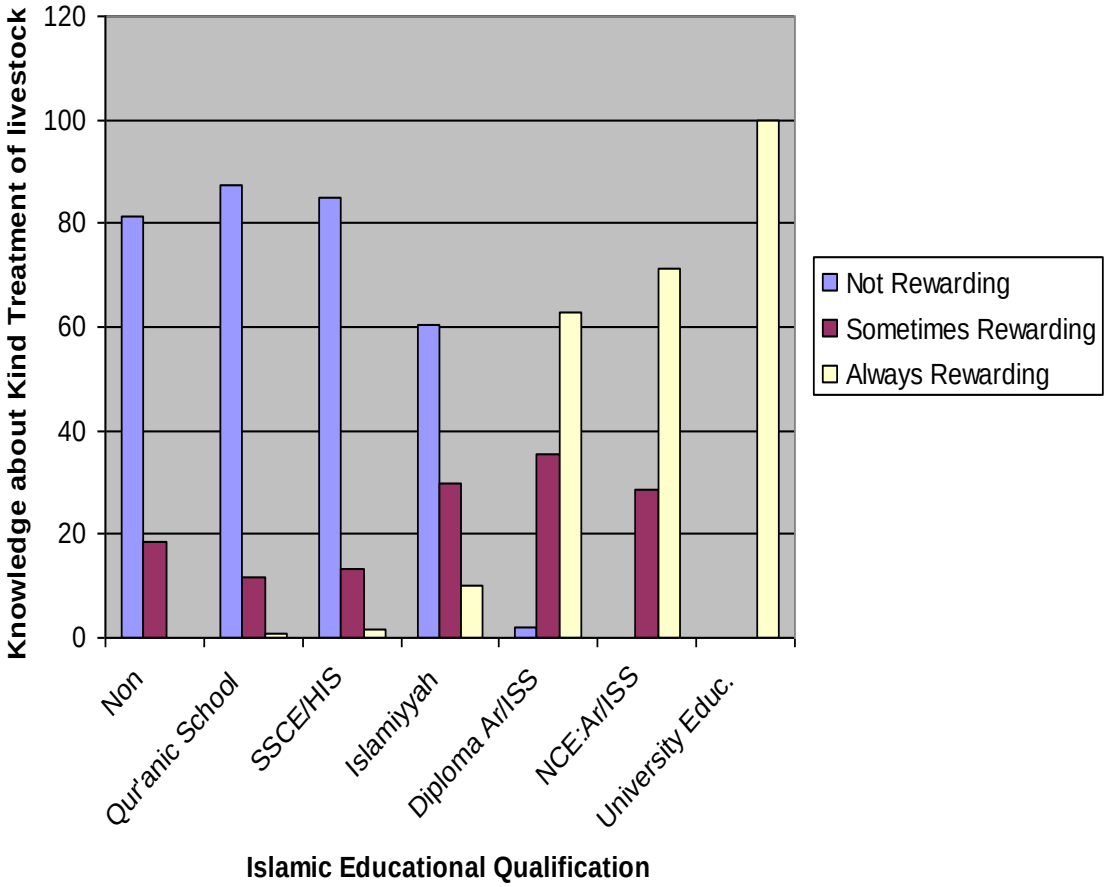


Figure 27: Figure Showing that Livestock Dealers with Lack of Islamic Education are more Ignorant about Reward in Treating Animals Kindly than those with Sound Islamic Education

Lack of Kind Treatment of Livestock due to Lack of Islamic Education

Interpretation

Is kind treatment of livestock rewarding? This was the question put to the livestock dealers who might have a privilege of knowing something about Islam. Figure 27 above shows that, 100% of livestock dealers with university education in either Islamic Studies or Arabic believe, it is 'always rewarding' to treat livestock with kindness. 70% and 60% of NCE and Diploma graduates respectively also believe the same. The respondents that think being kind to livestock is 'not rewarding', are 80% for respondents with no Islamic educational qualification, 85% for *Qur'anic* school, 82% for secondary school and 60% for *Islamiyyah* school graduates.

Meaning

Livestock dealers with low or lack of Islamic education are ignorant of ethical standard of Islam regarding welfare rights of animals in general and those of the livestock in particular. These livestock dealers are not aware that a man was granted Paradise for giving water to a thirsty dog. They are also not aware of the saying of Prophet Muhammad (SAW) that:

> ما من مسلم يغرس غرسا أو يزرع زرعا فيأكل منه طير أو إنسان أو بهيمة إلا كان له به صدقة. البخاري ٢ / ٨١٧
>
> *If any Muslim plants any plant and a bird, a human being or an animal eats of it, he will be rewarded as if he had given that much in charity" – (Bukhari, 2, Hadith N0 817).*

The above *Hadith* emphasises and priotises feeding animals in general by mentioning birds first before human beings and then mentioning quadrupeds at the end.

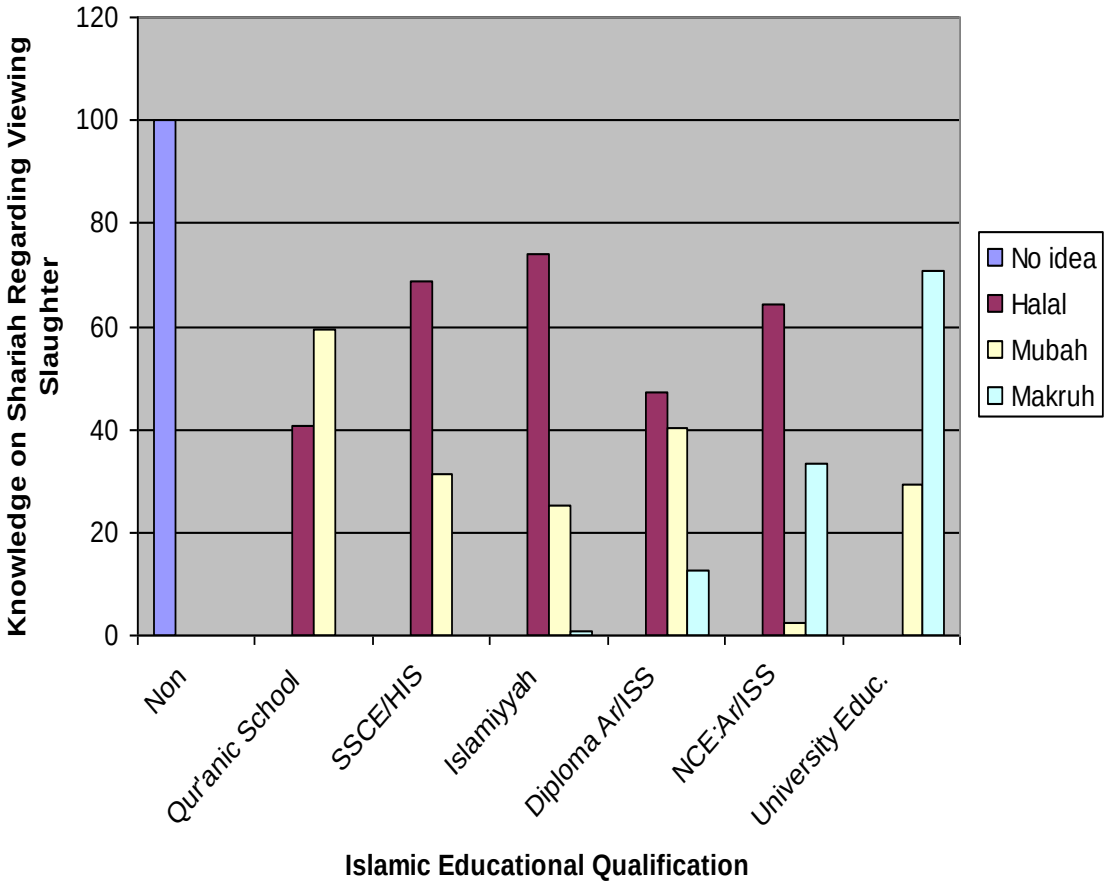


Figure 28: Figure Showing that Livestock Dealers with Lack of Islamic Education are more Ignorant about Legal Implication of View Slaughter than those with Sound Islamic Education

Slaughtering Livestock infront of one another and Sharpening Knife infront of them due to Lack of Islamic Education

Interpretation

It is a common practice to see butchers in North-Western Nigeria slaughtering livestock infront of one another. This informed the reason why all the respondents (100%) avoided describing the practice of viewing slaughter as prohibited. 70%, 30%, and 10% of the respondents with university education, NCE and Diploma respectively instead consider viewing slaughter as reprehensible which is next to *Haram* in condemnation. The overwhelming majority of respondents with lower qualifications described the practice of viewing slaughter as either lawful or permissible.

Meaning

Overwhelming majority of Muslim livestock dealers are not aware that Islam forbids sharpening knife infront of animals and censures slaughtering animals in front of one another because it adds more trouble to the feeling of the last to be killed. Prophet Muhammad (SAW) described it as "*Double Killing*;" meaning that the poor animals will feel killed before being killed which is expressed in this Hadith:

عن عكرمة أن النبي صلى الله عليه و سلم رأى رجلا أضجع شاة فوضع رجله على عنقها وهو يحد شفرته فقال له النبي صلى الله عليه و سلم: "ويلك أردت أن تميتها موتات هلا أحددت شفرتك قبل أن تضجعها" (عبد الرزاق - ٤٩٣/٤).

On the authority of Ikrima who said: the Prophet (SAW) saw a man laying a sheep on the ground and putting his leg on its neck while he was sharpening his knife. The Prophet (SAW) said to him: "woe unto you! Do you want to kill it many times? Why didn't you sharpen your knife before you laid it on the ground?(Abdul-Razaq, 4: 493)

In a related Hadith Umar bn al-Khatab applied a sterner approach in correcting the bad practice of tormenting animals which is stated in this *Athar*:

عن صفوان بن سليم قال كان عمر بن الخطاب ينهى أن تذبح الشاة عند الشاة (عبد الرزاق - ٤/ ٤٩٤)

On the authority of Safwan bn Salim who said that Umar bn al-Khatab used to interdict the slaughtering of a sheep infront of another sheep (Abdul-Razaq, 4: 494).

There is no doubt about the above teachings of Islam that sharpening knife before livestock and viewing the slaughtering of one another are prohibetd or reprehensible.

The picture overleaf buttresses the views of the respondents on Figure 28 where a significant number of them are ignorant of moral and physiological implications of sharpening knife infront of livestock or slaughtering them infront of one another. Islam forbids it because of genuine concern for the welfare right of the animals.

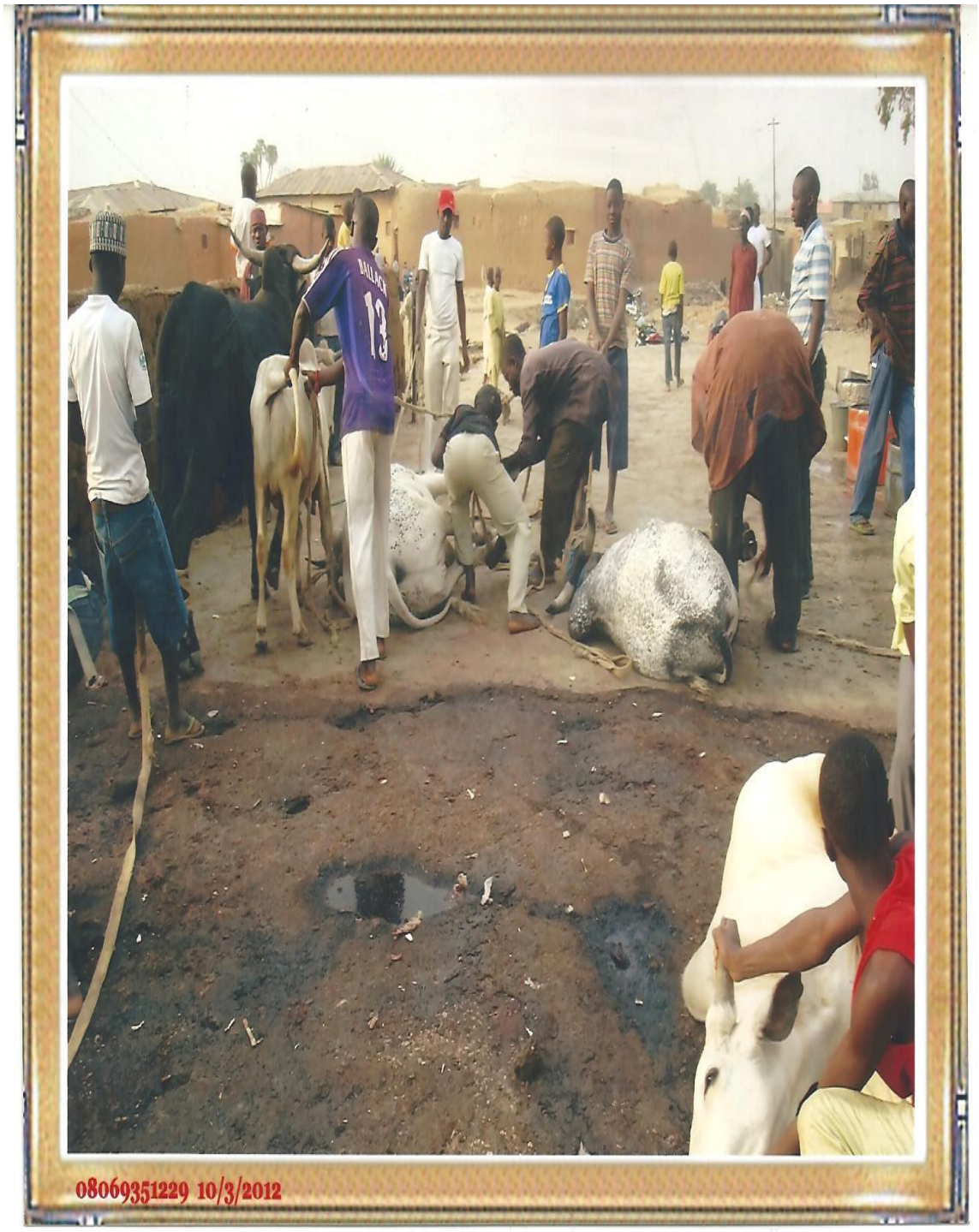


Plate 5: Plate Showing Two Bulls Watching other Cows Being Slaughtered while they Await their Own Turn within North-Western Nigeria

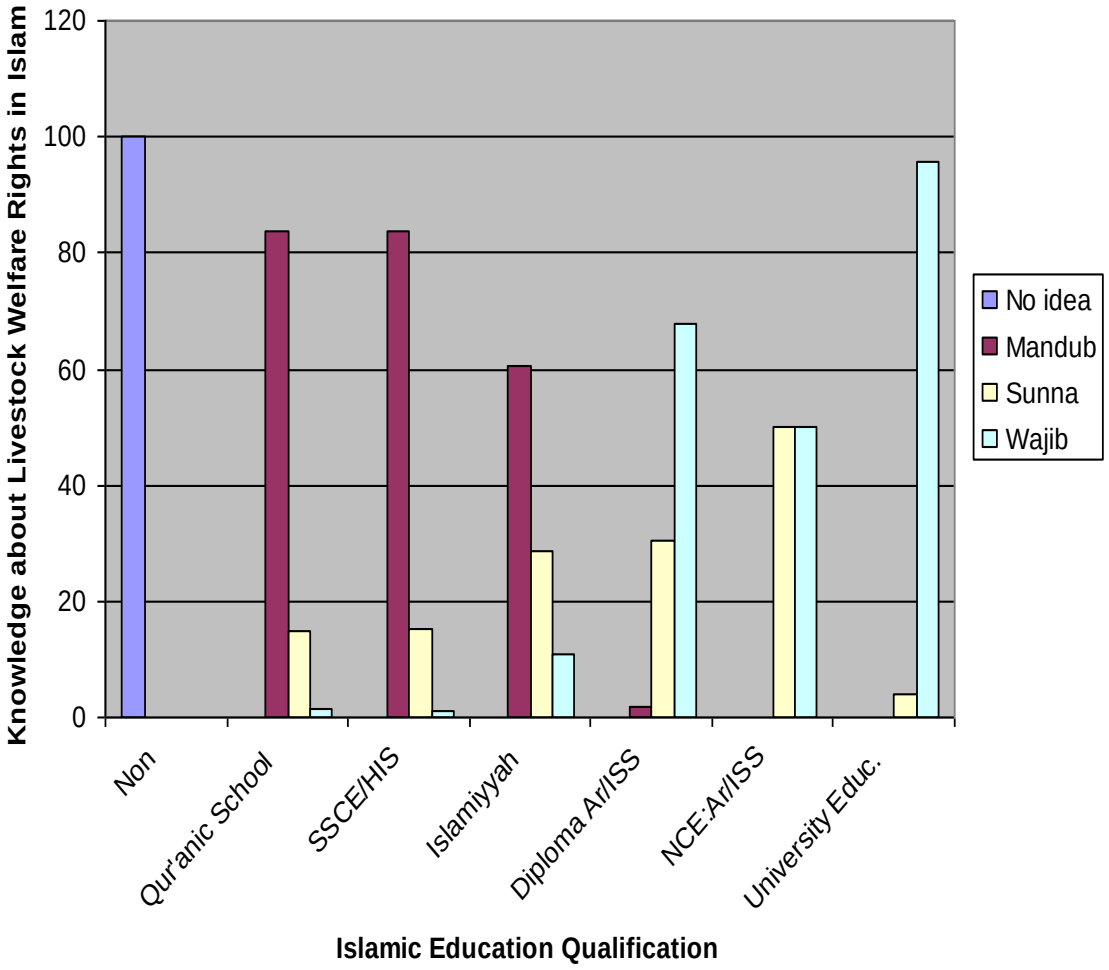


Figure 29: Figure Showing that Livestock Dealers with Lack of Islamic Education are more Ignorant about Legal Implication of the Welfare Rights of Livestock in Islam than those with Sound Islamic Education

Ignorance about Welfare Rights of Livestock due to Lack of Islamic Education

Interpretation

Figure 29 tested the knowledge of the respondents on the welfare rights of livestock in Islam. 100% of university education, 50% of NCE and over 60% of Diploma holders claimed that it is compulsory to protect the rights of livestock. Less than 20% of each lower qualification (*Qur'anic*, Secondary and *Islamiyyah* schools) also consented to the obligatory nature of protecting livestock welfare rights. On the other hand, 80% of each of the *Qur'anic* and secondary school and 60% of *Islamiyyah* School considered the protection of livestock welfare rights as a recommended act.

Meaning

Livestock have many purposes and are used for such by human beings. This does not mean that men have the right to treat livestock beyond Allah's jurisdiction. While people would hit their livestock on the face, Islam forbids such an act. Every creation is very sensitive as far as the face is concerned. If one was to lightly tap a person on the shoulder or on the back, they would not feel offended but if one was to do the same on the face then everyone would find that offensive (Saifuddin, 2005). Being aware of the sensitivity of the face Allah (SWT), through Prophet Muhammad (SAW) strictly forbids hitting livestock on the face as stated in the *Hadith* below:

عن جابر أنّ النّبيّ -صلى الله عليه وسلم مُرَّ عليه بحمار قد وُسِم في وجهه فقال « أمّا بلغكم أني قد لعنت من وسم البهيمة في وجهها أو ضربها في وجهها ». البخاري ٧ / ٤٤٩ وأبو داود ٢ / ٣٣١.

Narated by Jabir: That the Prophet (SAW) passed by a donkey which face has been branded and said "Have you not been informed that I forbid the branding

and beating of animals on the face (Bukhari, 7, Hadith N0 449 & Abu Dawud, 2 Hadith 331).

Interdiction of branding livestock on the face has two fold benefits. The first benefit is the protection of the animal from unnecessary pain and the second benefit is the protection of its beauty as Allah (SWT) is the Best Fashioner and Creator.

عن بن عمر قال سمعت رسول الله صلى الله عليه و سلم يقول : لعن الله من مثل بالحيوان. البخاري ٧ / ٤٢٤ و النسائي ٧ /٢٣٨.

On the authority of Ibn 'Umar who saiod: I heard Allah's Apostle (SAW) say, 'Allah has cursed the one who did 'Muthla' to a livestock (i e., cut its limbs or some other part of its body while it is still alive)' (Bukhari, 7, Hadith N0 424 & al-Nasa'i, 7 Hadith N0 238).

During the times of ignorance (*Jahiliyyah*) in Arabia people would cut the limbs of livestock while they were alive. Islam brought this disgusting practice to an end. Not only that but shooting at an animal who is tied was also forbidden by Prophet Muhammad (SAW) as narrated by Ibn Umar (RA). There are people who claim that Prophet Muhammad (SAW) ordered the killing of dogs. If one were to read the references they give it is indeed true that such an order was given. However, these people will never quote the *Hadith* properly as it explains why such an order was given. Ibn Mughaffal reported that there was a time when dogs became nuisance to the people of Madina:

عن ابن مغفّل أنّ رسول الله -صلى الله عليه وسلم أمر بقتل الكلاب ثمّ قال «ما لهم ولها ». فرخص في كلب الصّيد وفي كلب الغنم ». قال أبو داود وهكذا قال ابن مغفّل. أبو داود ١ / ٢٨.

Narrated by Ibn Mughaffal that Allah's Apostle (SAW) then ordered the killing of dogs and then said: what is the trouble with them (the people of Medina)? How dogs are nuisance to them (the citizens of Medina)? He then permitted

keeping of dogs for hunting and (the protection of) herds (Abu Dawud, 1, Hadith 28).

In a related *Hadith* transmitted on the authority of Abu Huraira (RA) who said,

عن أبي هريرة عن النّبيّ- صلى الله عليه وسلم قال «من اتَّخذ كلبا إلاَّ كلب ماشية أو صيد أو زرع انْتَقص من أجره كلّ يوم قيراط» أبو داود ٣ / ٦٧.

Abi Huraira said: the Prophet (SAW) said whoever keeps dog other than keeping for (the protection of) herds, for hunting and (the protection of) cultivated land only, will have his good deeds reduced every day by qirat . – (Abu Dawudb, 3, Hadith N0 67)

When one reads this *Hadith*, one gets to learn about the context of the order. The people of Madinah complained that the dogs became a nuisance to them. This is just like today where many countries have problems with street dogs. There have been many cases where these street dogs have bitten people and transmitted diseases like rabies (disease that affects the central nervous system). For example, in the United Kingdom (UK) between 2003 and 2004, there were 5,868 dog attacks on humans, resulting in 5,770 working days lost in sick leave (Working Borough Council, nd). Many have even died from this disease. Thus, due to the complains by the people of Madina regarding these stray dogs, Prophet Muhammad (SAW) ordered that such dogs that are hazardous to the people should be killed. Back in those days there were no any animal shelter facilities and this was the only way to safeguard the people (Saifuddin, 2005). The position of Islam against stray dogs is equally practiced today in some Western countries including United States and Unite Kingdom. Some shelters of dogs complain of not having enough resources to feed the pets and by being constrained they kill them. (Humane Society of the United States (HSUS, nd). The *Hadith* on the killing of dogs further on explains that all dogs were not to be killed and the permission to keep dogs was also given.

Islam takes great care when laying down rules and regulation and has made sure that men do not behave with cruelty towards livestock. Even in a state of war, Muslims are prohibited from killing the livestock in the lands of the enemies and are also prohibited to burning or cutting down trees for no reason. Islam is a mercy for everyone, it is not only a religion but a complete way of life which even secures the rights of livestock. The Prophet added that,

عن أبي هريرة رضي الله عنه : عن النبي صلى الله عليه و سلم قال (من حق الإبل أن تحلب على الماء) البخاري ٢ / ٨٣٨.

On the authority of Abu Hurayra that Allah's Messenger said: One of their rights (livestock) is that they should be milked while water is kept in front of them" (Bukhari, 2: *Hadith* N0: 838).

Moreover, Allah's Apostle (SAW) reported how Allah (SWT) forgave a man for showing kindness to livestyock:

عن أبي هريرة أنّ رسول الله -صلى الله عليه وسلم فقال: « بينما رجل يمشي بطريق فاشتّد عليه العطش فوجد بئرا فنزل فيها فشرب ثمّ خرج فإذا كلب يلهث يأكل الثرى من العطش فقال الرجل لقد بلغ هذا الكلب من العطش مثل الذي كان بلغني فنزل البئر فملأ خفَّيْه فأمسكه بفيه حتّى رقىَ فسقى الكلب فشكر الله له فغفر له ». فقالوا : يا رسول الله وإنّ لنا فى البهائم لأجرًا فقال : « فى كلِّ ذات كبد رطبة أجر » البخاري ٨ / ٣٨ وأبو داود ٢ / ٣٢٩.

On the authority of Abu Huraira: While a man was walking on a road, he became very thirsty. Then he came across a well, got down into it, drank (of its water) and then came out. Meanwhile he saw a dog panting and licking mud because of excessive thirst. The man said to himself "This dog is suffering from the same state of thirst as I did." So he went down the well (again) and filled his shoe (with water) and held it in his mouth and watered the dog. Allah thanked him for that deed and forgave him." The people asked, "O Allah's Apostle! Is there a reward for us in serving the livestock?" He said, "(Yes) There is a reward for serving any animate (living being)." – (Bukhari, 8, Hadith 38, Abu Dawud, 2, 329)

This *Hadith* made it clear that even animals that may be regarded as spiritually unclean or apparently harmful such as dogs, deserve kind treatment and one gets rewarded for being kind to them and be punished for maltreating them.

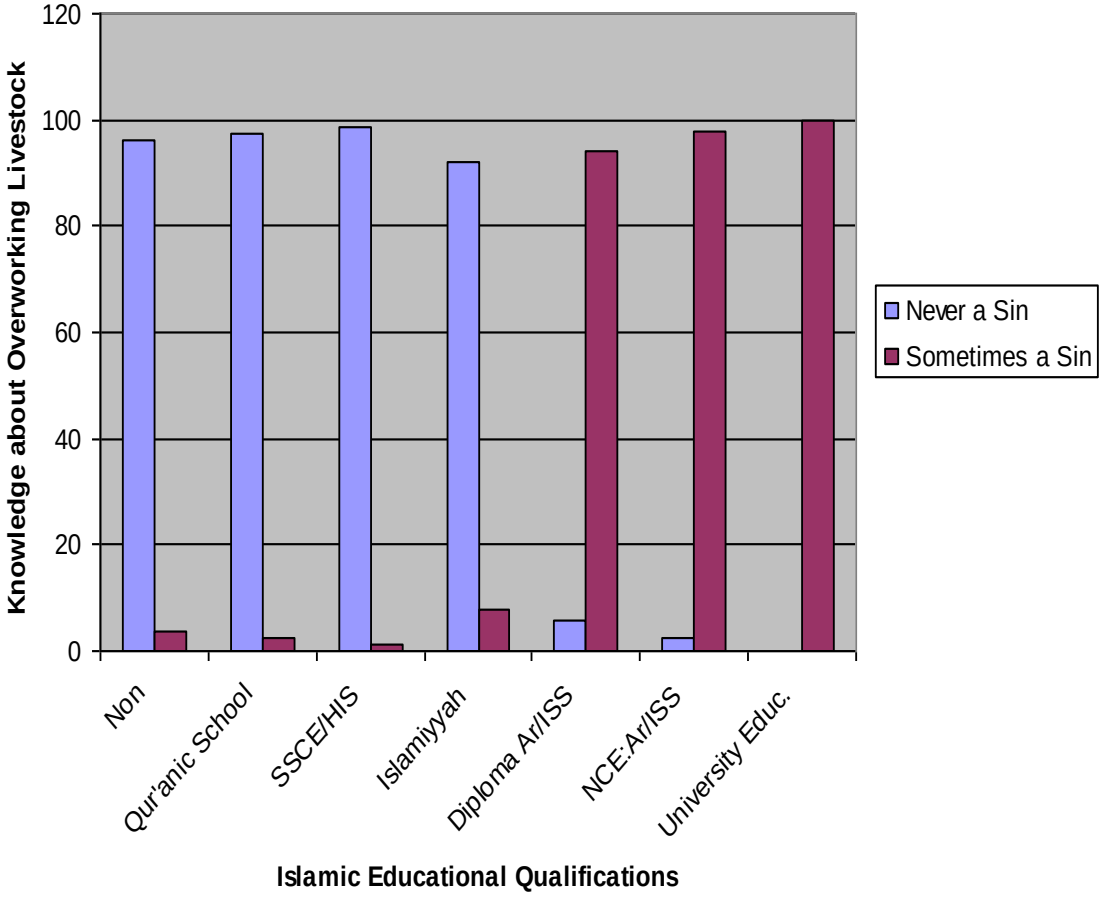


Figure 30: Figure Showing that Livestock Dealers with Lack of Islamic Education are more Ignorant about Legal Implication of Overworking Livestock than those with Sound Islamic Education

Overworking Livestock due to Lack of Islamic Education

Interpretation

97% of livestock dealers with no Islamic knowledge, 98% of *Qur'anic* and Secondary schools and 92% of *Islamiyyah* school graduates are of the view that overworking livestock is 'never a sin'. The remaining percentages of the respective respondents believe that it is 'sometimes a sin' to overlabour the animals.

Over 90% of the respondents with Diploma and NCE in Islamic Studies also believe that overworking livestock is 'sometimes a sin'. Less than 10% of the holders of the two qualifications described overworking as 'never a sin' in Islam. As for all the university degree holders with Islamic Studies or Arabic, overworking livestock is 'sometimes a sin'.

None of the respondents described overworking as 'always a sin' which was one of the three options put to them.

Meaning

There is a massive ignorance about the welfare rights of livestock in North-Western Nigeria. But the worse case scenario is associated with lack of Islamic education by livestock dealers.

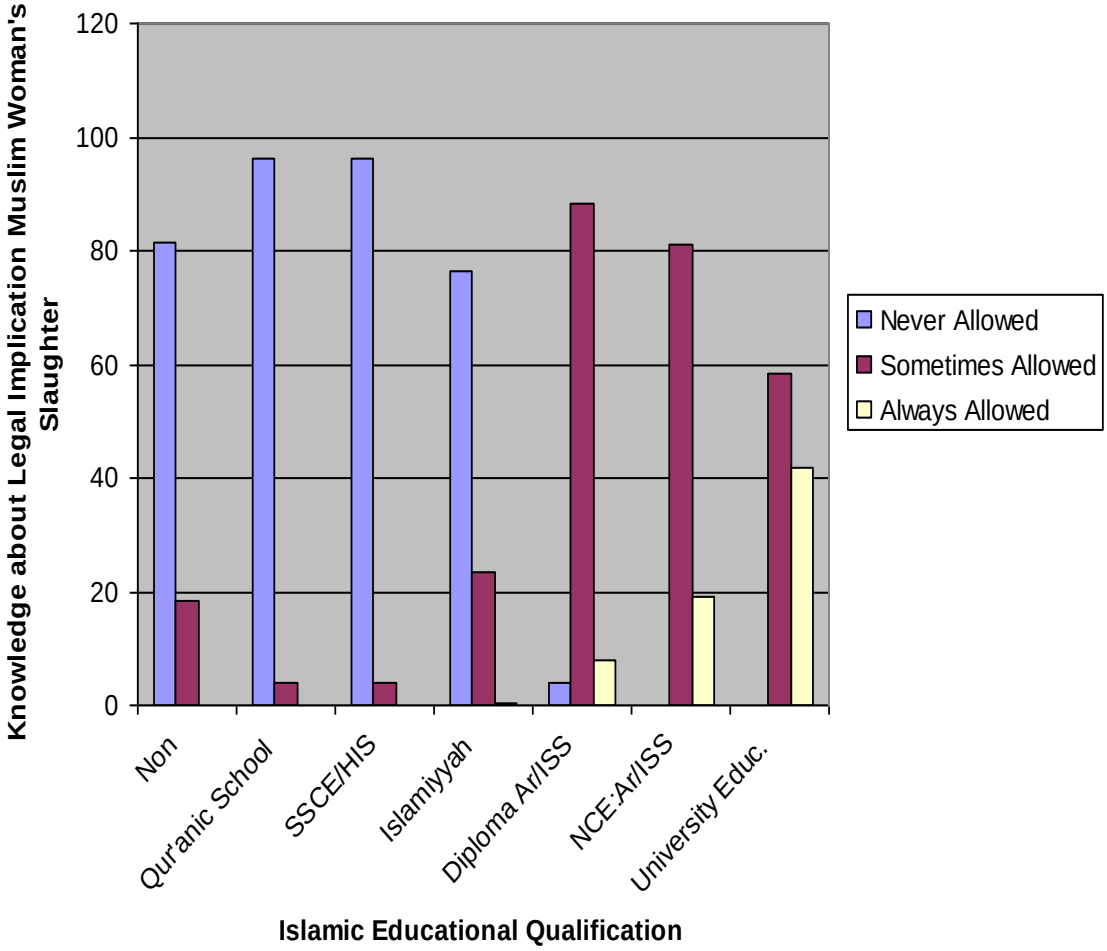


Figure 31 Figure Showing that Livestock Dealers with Lack of Islamic Education are more Ignorant about Legal Implication of Muslim Woman Slaughtering Livestock than those with Sound Islamic Education

Ignorance about the Legality of Muslim Woman Slaughtering Livestock

Interpretation

Is a Muslim woman allowed to slaughter livestock? This question may not be directly relevant to the welfare rights of the animals. But it was set to test the broad spectrum of the views of the respondents on how much they are acquainted with Islamic tenets regarding livestock issues. It was interesting to observe from Figure 31 that 40%, 20% and 10% of the university education, NCE and Diploma respectively believe that a Muslim woman is allowed to slaughter livestock. 60%, 80% and 84% of the holders of the same qualifications in that order are, of the view that a Muslim woman is sometimes allowed to slaughter livestock. Contrary to these views, over 90% of *Qur'anic* and secondary schools and 78% of *Islamiyyah* school graduates believe that a Muslim woman is never allowed to slaughter livestock.

Meaning

According to Microsoft Encarta (2009), necessity is the mother of invention. It is against this background that a maid belonging to Ibn Ka'b's father slaughtered a dying sheep when she could not find any man to do so. This was an invention because it was an unprecedented act in the history of Islam for a woman to slaughter livestock; the approval of which was given by Prophet Muhammad (SAW) as stated hereunder:

> عن ابن كعب بن مالك : أن أباه أخبره أن جارية لهم كانت ترعى غنما بسلع فأبصرت بشاة من غنمها موتا فكسرت حجرا فذبحتها فقال لأهله لا تأكلوا حتى آتي النبي صلى الله عليه و سلم فأسأله أو حتى أرسل إليه من يسأله فأتى النبي صلى الله عليه و سلم أو بعث إليه فأمرالنبي صلى الله عليه و سلم بأكلها.
> البخاري 5 / 2096

> *On the authority of Ibn Ka'b bn Malik that his father informed him that they had a maid who used to sheperd sheep at Sal'a (a mountain in Madina); one day the maid saw a sheep dying and she broke a stone and slaughtered the sheep with it. His father said to the people, "Don't eat it till I ask the Prophet (SAW) about it (or till I send somebody to ask the Prophet)." So, he asked or sent somebody to ask the Prophet, and the Prophet permitted him to eat it (Bukhari, 5 Hadith N0: 2096).*

What an important improvisation and proactivity by the maid! Her ability to take initiative provided very good contribution for *Shari'ah*. It is clear from the *Hadith* that a Muslim woman is allowed to slaughter livestock in the absence of a male adult. How many Muslim livestock dealers are aware of this important legal provision in North-Western Nigeria? Based on the results of this research on Figure 31, it is only few graduates of higher institutions of learning in Islamic Studies and Arabi with Diploma, NCE and University education who believe that a Muslim woman is allowed to slaughter livestock. The majority who are with lower qualifications do not believe it.

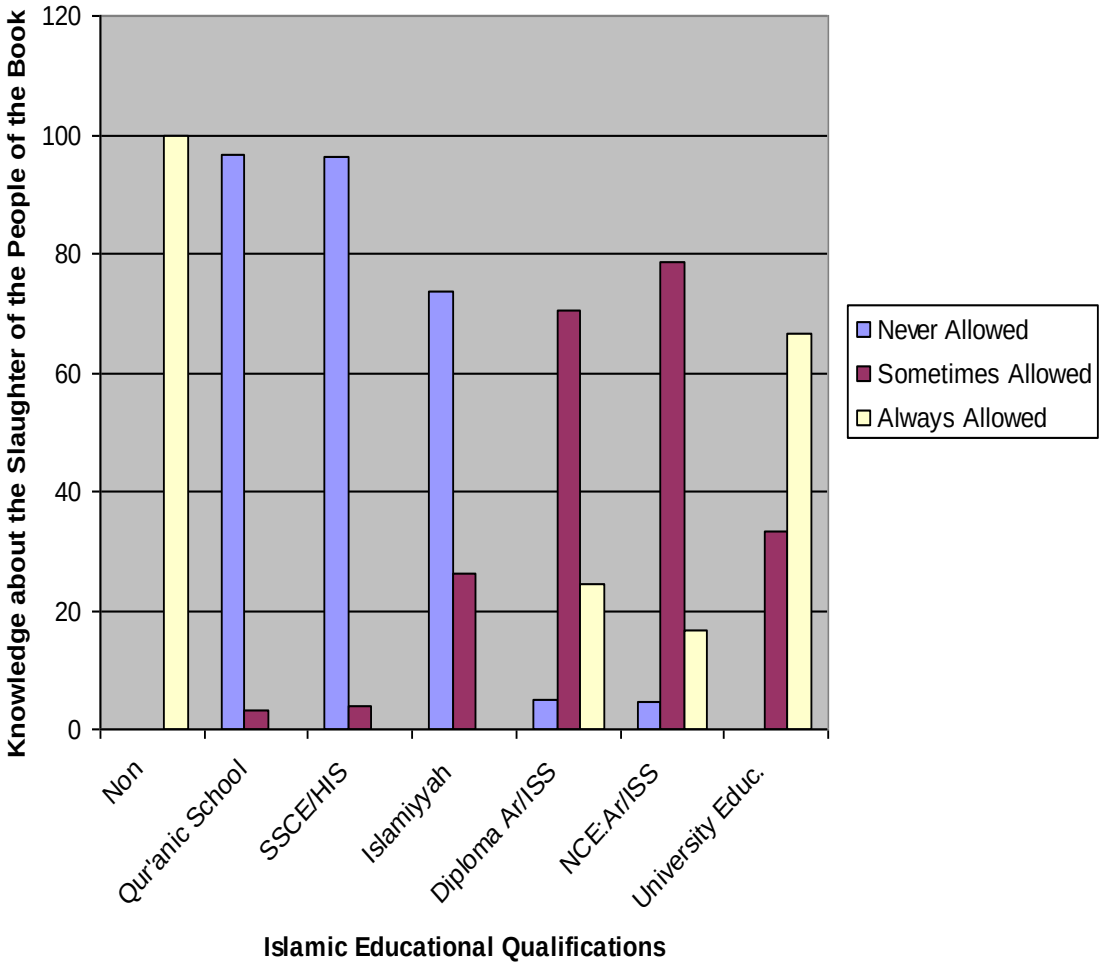


Figure 32 Figure Showing that Livestock Dealers with Lack of Islamic Education are more Ignorant about Legal Implication of People of the Book Slaughtering Livestock than those with Sound Islamic Education

Ignorance about the Legality of People of the Book Slaughtering Livestock

Interpretation

It has been revealed in this study that 27 Christians were engaged in livestock business. All the 27 of them have the belief that whatever livestock the Jews and Christians slaughter, Muslims can eat it. Awareness of the Muslims about the lawfulness of what the People of the Book slaughter is corroborated by 22% of Diploma, 18% of NCE and 65% of the University degree holders in either Islamic Studies or Arabic. The remaining 70%, 79% and 35% of the respective qualifications believe not always what they slaughtered is allowed for Muslims' consumption.

Each of Qur'anic and Senior Secondary schools (having 98%) as well as 72% of *Islamiyyah* school graduate understand that what the people of the Book slaughter, is never allowed to be consumed by Muslims. On the other hand the remaining percentages of these lower qualifications remained undecided.

Meaning

Muslim livestock dealers with low Islamic educational qualifications are ignorant of the interpretation of Allah's (SWT) statement in the Glorious Qur'an which says:

چۓ ۇ ۈ ۇٴ ۋ ۅ ۅ ۉ ۉ ې ې ۑ ۑ چ المائدة: ٥

This day are (all) things good and pure made lawful unto you. The food of the People of the Book is lawful unto you and yours is lawful unto them… (Suratul-Ma'idah, Q5:5)

al-Tabari (2004) comments on the above verse by saying that the people of the Book (*Ahl al-Kitab*) refers to Jews and Christians. "The food" in the verse is generally

considered to be their slaughtered livestock. Islam being the seal of monotheistic religion, has the basic elements of previous divine religions: Judaism and Christianity. It enjoins its followers to believe in all the messengers of Allah. One of the basic elements shared by Islam and Christianity is the prohibition of livestock offered to idols, blood and animal strangled to death (Q5:3 and Acts 15: 29). Are the *Ahl al-Kitab* of today the same with those *Ahl al-Kitab* at the time of Prophet Muhammad (SAW)? The scholars of Shafi'i school of thought do follow the view of Ali bn Abi Talib (RA) who regarded non-Isralite Christians as nominal Christians due to lack of commitment to the true Christian faith. For example, Ali bn Abi Talib considered the slaughtered animals of Christianised Bani Taghlib unlaw because they were Arabs who only followed Christians to drink wine, sing and dance. But according to the overwhelming majority of Muslim scholars including Abdullah bn Abbas, the slaughtered livestock and other animals of any *Ahl al-Kitab* are lawful because Allah (SWT) did not make any exception. They also base their argument on this statement from the Glorious Qur'an:

چ ٹ ٹ ٹ ٹ ڤ ڤ چ المائدة: ٥١

> *And whoever amongst you allies himself with them (Ahl al-Kitab) becomes, verily, one of them… (Q5: 51).*

It is also based on the above verse, Abdullah bn Abbas submitted that the statement makes clear that any body that follows the People of the Book, he is part and parcel of them and therefore, his slaughtered livestock is lawful because they all believe in the Taurah and Injil (Ibn Kathir, 1997).

At this juncture, a curious mind one may ask another question. That is, what is the slaughter method of *Ahl al- Kitab*? Thornton (1968) cited in Babatunde (2011) gave practical illustration of Jewish method of slaughter popularly known as "*Kosher*". The Kosher method of slaughter is equally the expected method of Christian way of slaughter. There are five rules guiding Kosher method of slaughter: (1) *Shehiya* (Delay): this means that the throat of any lawful animal to be slaughtered must be cut with one rapid continuous motion from start to finish. There should not be any pause. (2) *Derassa* (Pressing): there should be a required pressure to creat the incision. (3) *Chalada* (Digging): the incision must not close back upon itself and cover the surface of the blade which must be visible at all time. There should be no burrowing or stabbing action. (4) *Hagrama* (Slipping): the incision must occur laterally across the throat between the larynx and the top of the inflated upper lung. (5) *Ikhur* (Tearing): the oesophagus and trachea must be clearly cut anot torn.

It is therefore logical to say that the verdict of *Shari'ah* concerning food in general and meat in particular, is its goodness and purity. Being that the people of the Book care about spiritual and physical cleanliness of livestock meat, their slaughtered livestock is therefore lawful for Muslims and that of Muslims is equally lawful for them.

4.8 Implication of Lack of Proper Monitoring Groups on the Activities of Livestock Dealers at markets and abattoirs

Livestock markets and abattoirs were the studied fields of this research. Selection of the markets and abattoirs was based on the easy accessibility to the major stakeholders including marketers/traders, transporters/loaders slaughterers/butchers and government agents/inspectors. This sub-topic was thus interested in finding out how effective were Muslim leaders, Muslim animal welfare rights groups and government agencies in inspecting and supervising the activities of livestock dealers in their respective places of work.

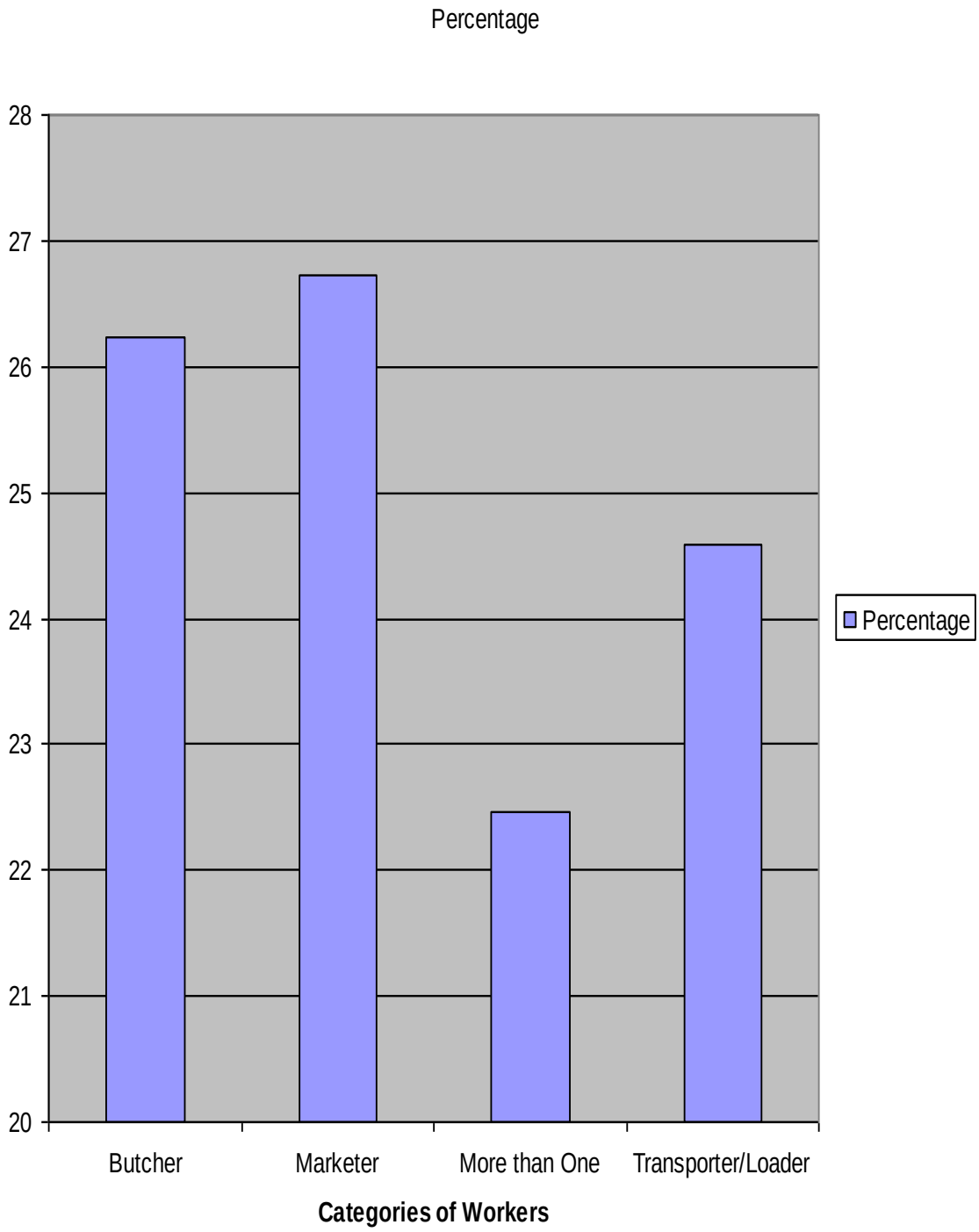


Figure 33 Figure Showing Categories of Workers Involved in Livestock Business at Markets and Abattoirs

Interpretation

Figure 33 has identified major types of workers in livestock business. Butchers occupied 26%, marketers 27%, those who were doing more than one work 23% and transporters/loaders 25%.

Meaning

The various categories of major livestock dealers were adequately represented in the research which avoided being bias against any stakeholders. Government agencies for inspection were not available in the markets and abattoirs.

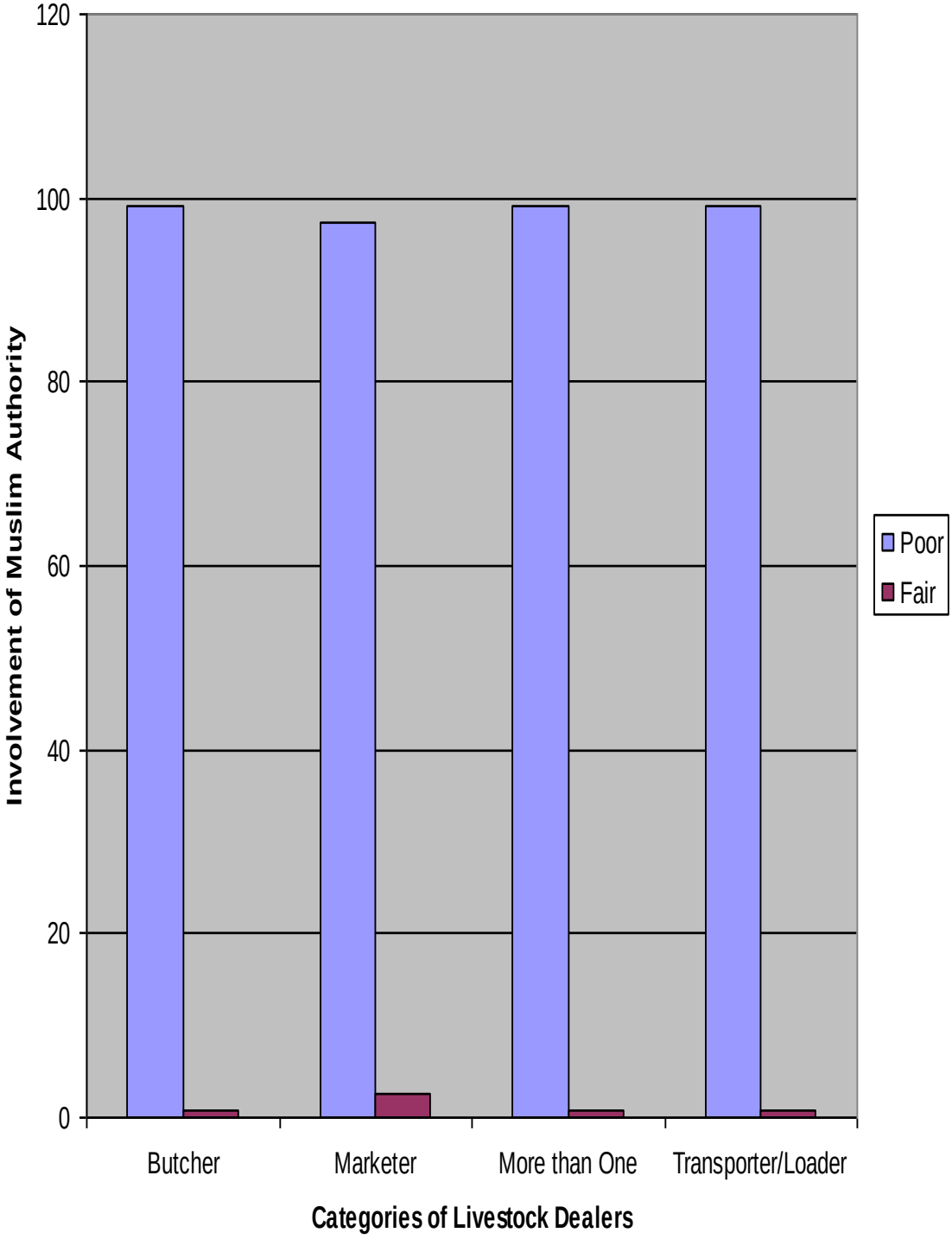


Figure 34: Figure Showing Categories of Workers Reporting Lack of Inspections by Muslim authority to the Livestock Markets and Abattoirs

Lack of inspections to the livestock markets and abattoirs by Muslim scholars

Interpretation

How effective are respective Muslim scholars in inspecting various livestock markets or abattoirs? The options available for this question were: 'effective', 'fair' and 'poor'. Interestingly enough, none of the respondents chose option that says, 'effective' instead, overwhelming majority went for option 'poor' and a very negligible number went for option 'fair'.

Meaning

Making law is one thing and enforcing it is another. It is against this background, that the Glorious Qur'an tasks Muslim scholars to enlighten Muslims on Islamic law regarding general well being and livestock rights. Allah (SWT) said:

چ ﮒ ﮓ ﮔ ﮕ ﮖ ﮗ ﮘ ﮙ ﮚ ﮛ ﮜ ﮝ ﮞ ﮟ ﮠ ﮡ ﮢ ﮣ ﮤ ﮥ ﮦ ﮧ چ آل عمران: ١٠٤

> *Let there arise out of you a band of people inviting to all that is good enjoining what is right and forbidding what is wrong; they are the ones to attain felicity (Surat Al'Imran, Q3: 104).*

It is unfortunate as revealed on Figure 32 above that Muslim scholars do not care about livestock rights. This is reflected in the over 90% of the respondents who opined that no Muslim scholar comes to inspect their activities.

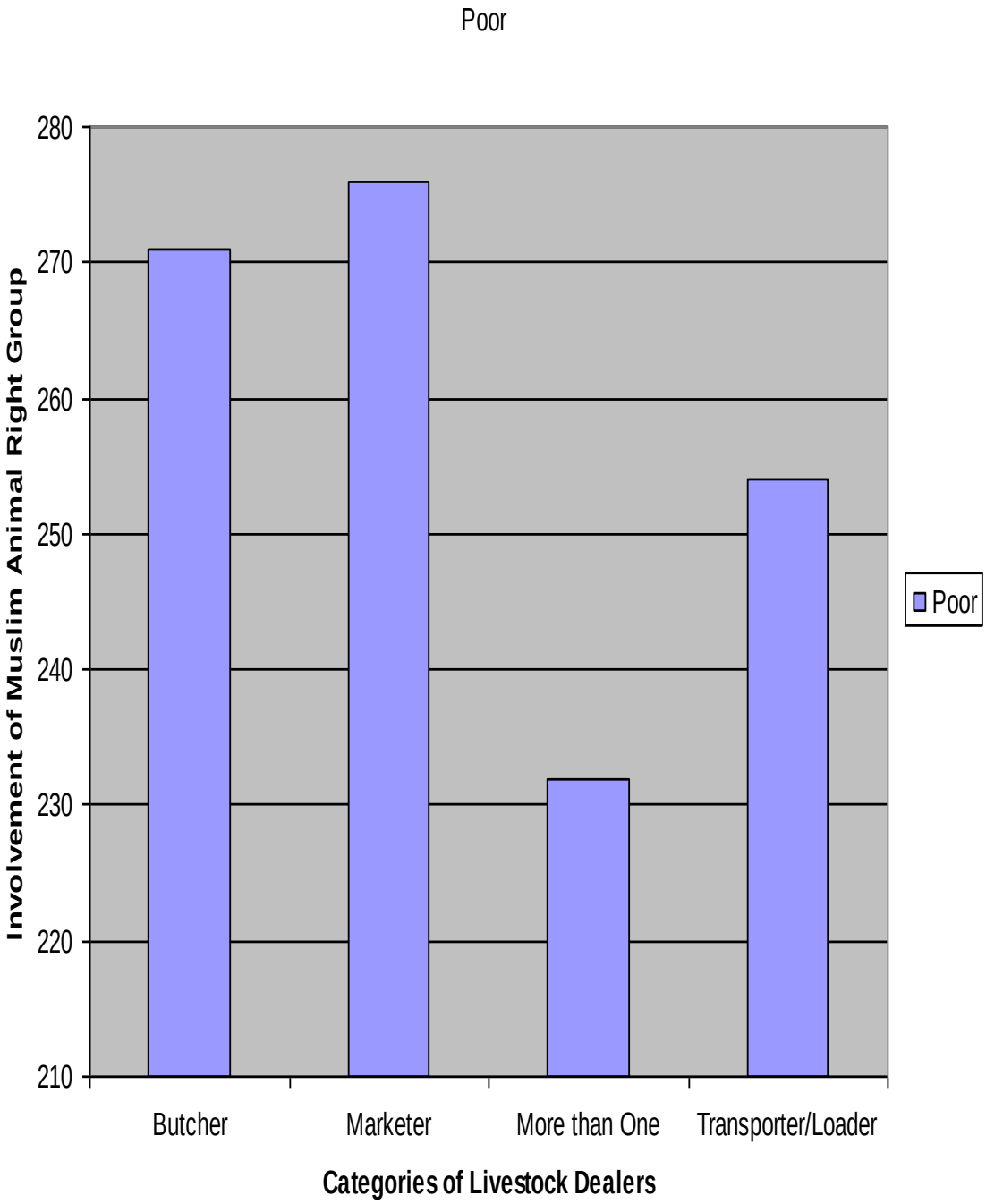


Figure 35: Figure Showing Categories of Workers Reporting Non-Existence of Muslim Animal Right Groups for Inspections to the Livestock Markets and Abattoirs

Lack of Muslim Right Group for animals

Interpretation

According to Figure 35 above, all the 1033 (100%) respondents unanimously said that there is no single Muslim animal group in their locations.

Meaning

Nobody is taking any action about the wide spread infringements on the rights of livestock in North-Western Nigeria. This inaction is partly due to ignorance and partly due to negligence of Muslim scholars about welfare rights of livestock. Despite the fact that there are many lawyers, writers, human rights activists and non-governmental organizations (NGOs) in North - Western Nigeria who do fight for the rights of the masses, there is no single animal right organization in the region.

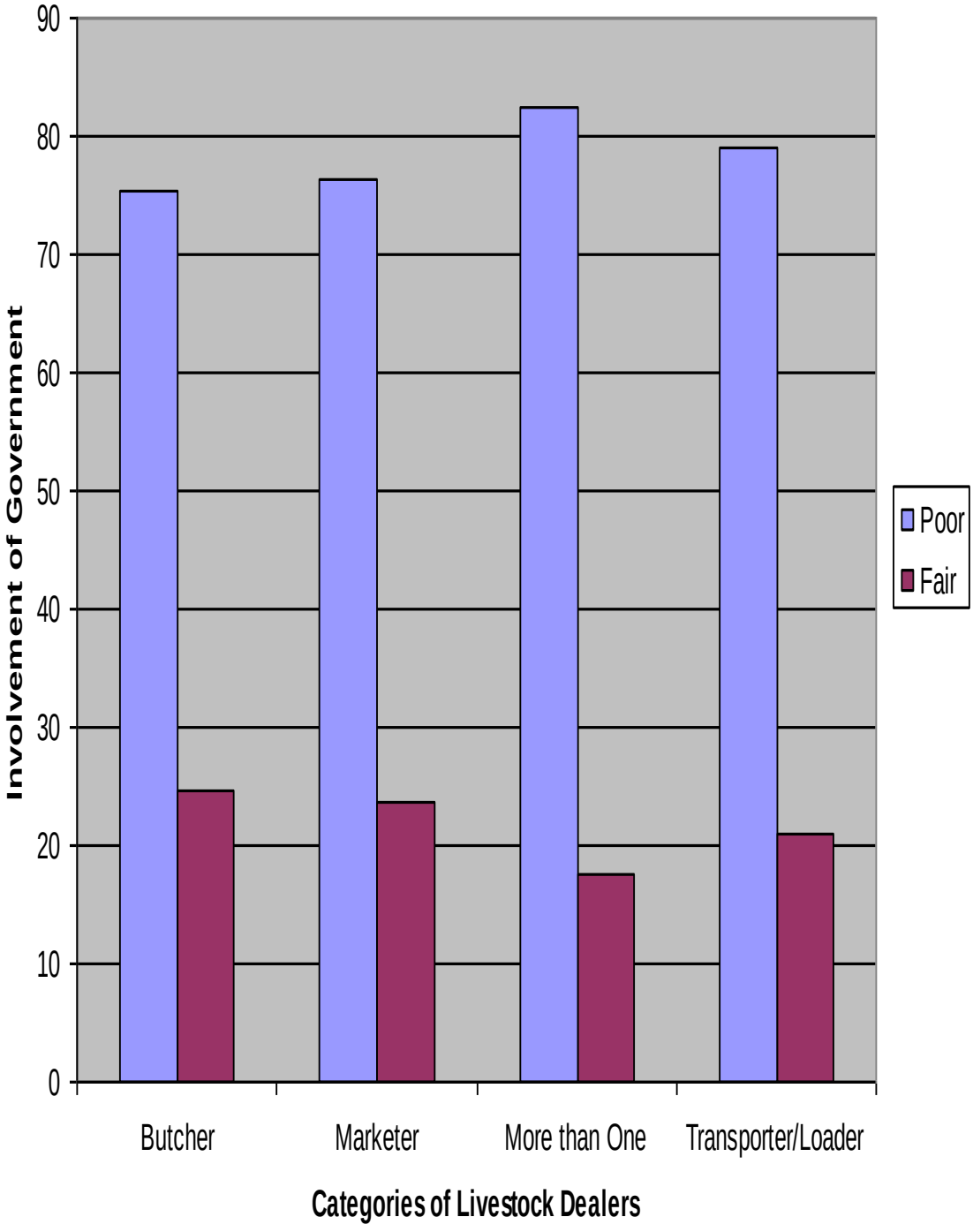


Figure 36: Figure Showing Categories of Workers Reporting very Poor Service of Government Agencies in Inspecting Livestock Markets and Abattoirs

Inaction of Government Agencies on inspecting livestock markets and abattoirs

Interpretation

The efforts of the government in inspecting and supervising the activities of livestock dealers were generally ‘poor’. Poor performance of the government was reported by over 70% of butchers and marketers, over 80% of transporters/loaders and those who were doing more one job. Less than 25% of each work group claimed that the government’s effort was ‘fair’.

Meaning

The inaction of the government accounts for some infringements on the rights of livestock. Due to lack of inspection, livestock dealers fail to rest the animals on transit. They also fail to provide appropriate place for slaughter to avoid view slaughter and unhygienic processing of meat.

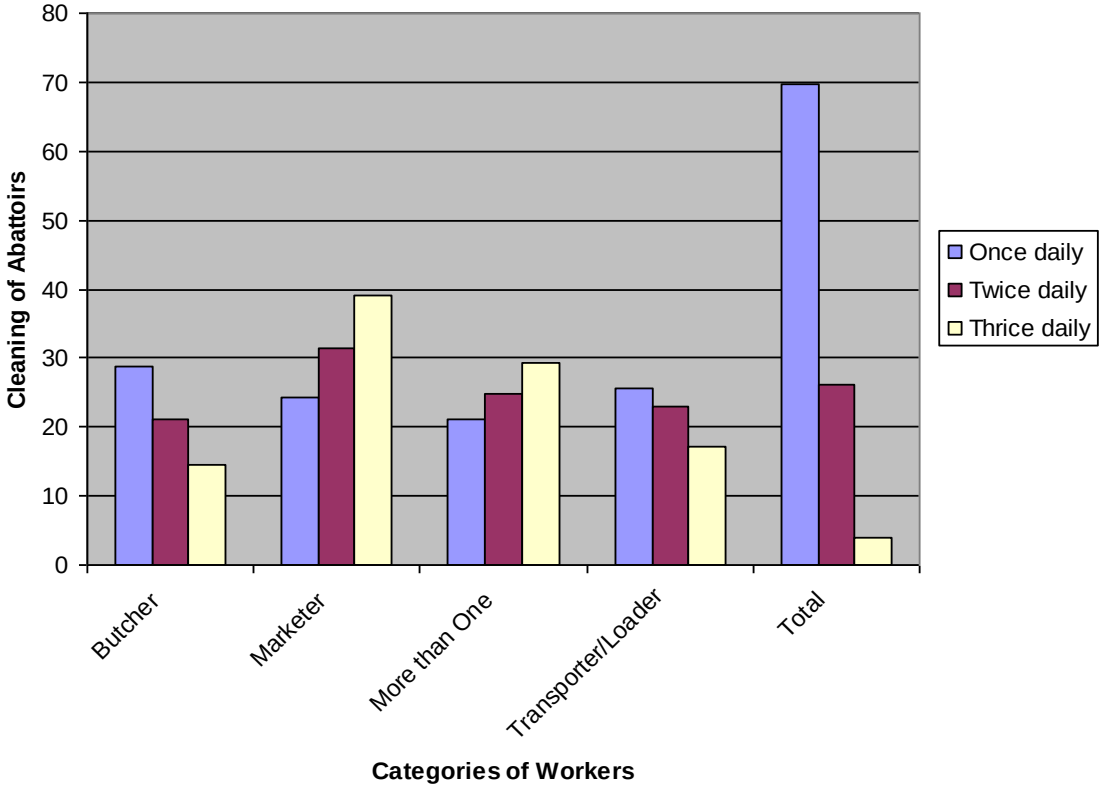


Figure 37: Figure Showing Categories of Workers Reporting Inadequate Cleanliness of Abattoirs

Inadequate Cleanliness of Abattoirs

Interpretation

In Islam, it is believed that *cleanliness is half of faith* in Allah (Tirmidhi vol.1, *Hadith* 12). Cleanliness is not restricted to acts of worship such as ablution, ritual bath etc; it as well includes sanitation of environment where people live, work, what they wear and what they eat.

Therefore, abattoirs and other slaughter places of livestock manned by Muslims should to be of high quality of decency and hygiene. But if one look at the above result on Figure 37, it is clear from the reports of various workers involved in this study that most of the cleaning at the abattoirs is done just once daily. Cleaning the abattoirs once daily is reported by 70% of the respondents. 26% of the respondents claimed that cleaning the abattoirs is carried out twice daily and the remaining 4% said it is thrice daily.

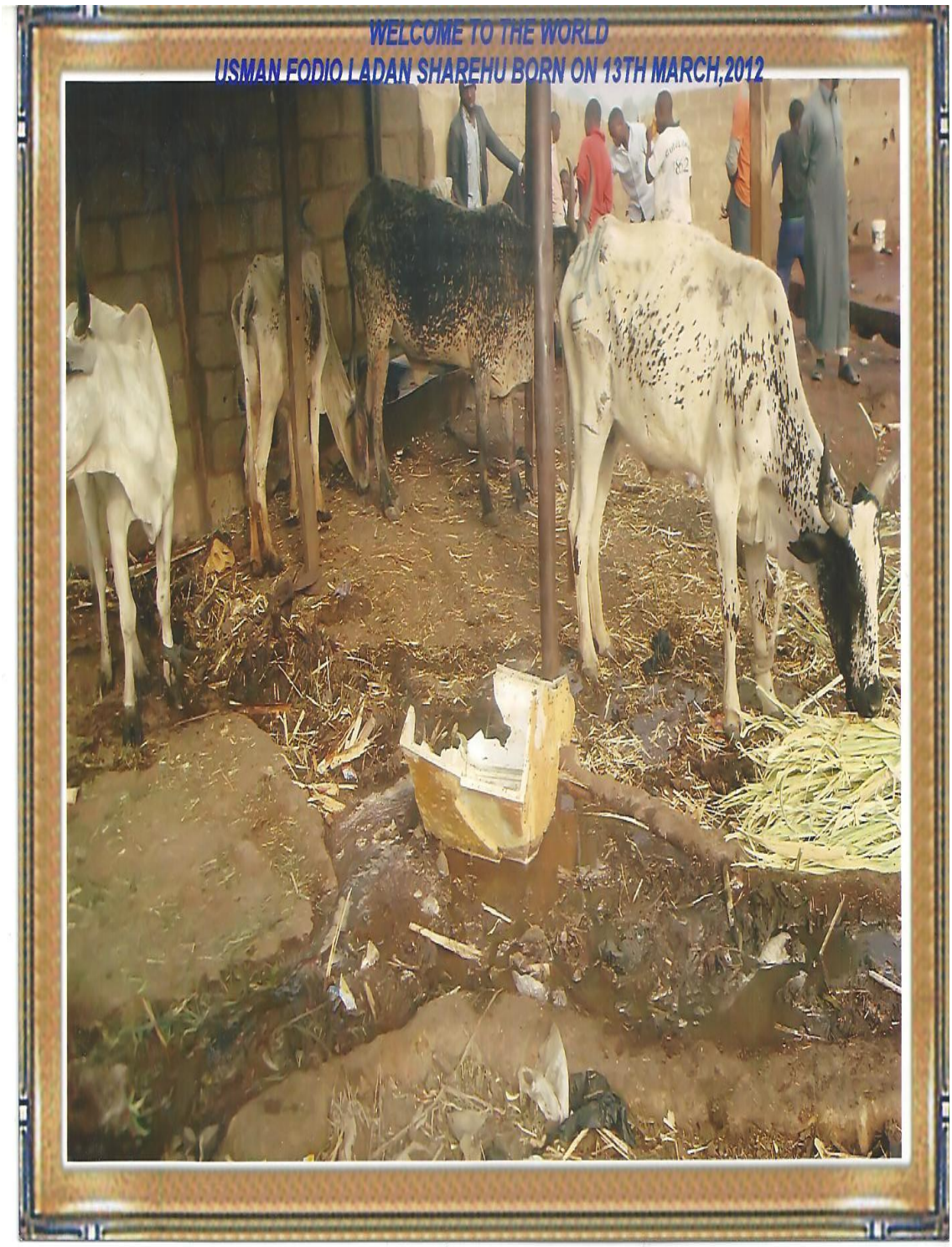


Plate 6: Plate Showing Untidy abattoir where dug are not clean and grass is fed to livestock on the same spot

Meaning

The Muslims dealing with livestock at the abattoirs such as the one above are not complying with the teachings of Islam regarding cleanliness of environment and not minding pathogens spreading to meat. Meat hygiene is concerned with the hygiene practices that prevent meat from harmful substances which is very important in Islam. Five key principles have been suggested by World Health Organization (2010) to ensure food and meat hygiene, namely: (a) Prevent contaminating meat with pathogens spreading from people, pets, and pests (b) Separate raw and cooked meat to prevent contaminating the cooked meat (c) Cook meat for the appropriate length of time and at the appropriate temperature to kill pathogens (d) Store meat at the proper temperature and (e) Use safe water and raw materials.

Therefore, there is no doubt that untidy environment such as abattoirs do contaminate meat. Contaminated meat, as further observed by World Health Organization (WHO), can transmit diseases from person to person as well as serve as a growth medium for bacteria that can cause meat poisoning.

Identifying this problem earlier before WHO over 1400 years ago, Islam placed a strong emphasis on hygiene. Apart from the need to be ritually clean in time for the five daily prayers (*Salat*) through ablution (*Wudu'*) and ritual bath (*Ghusl*), there are a large number of other hygiene-related rules governing the lives of Muslims. In the first place the Glorious Qur'an says:

چ....ۆ ۆ ۇ ۇ ۇ ۇ ۆ ۆ و چ البقرة

Allah loves those who turn to Him constantly and He loves who keep themselves pure and clean (Suratul-Baqarah, Q2: 22).

Untidy abattoirs and slaughter places are not decent for our health and acts of *Ibadah*. Some aspects of *Ibadah* such as self-reliance, fasting and midnight prayers (*Tahjud*) can not be done without sound health. They are not also decent for the livestock welfare. Prohibition of *al-Jallalah* as stated earlier under 2.9 is another proof of meat hygiene concern in Islam.

CHAPTER FIVE

SUMMARY

Chapter 5 is the finality of this research. It includes summary, conclusion, major findings and recommendations.

5.1 Summary

The general introduction of the whole research work was captured in Chapter 1 whereby the background of the study was given and the problem stated. The ojectives, hypothesis, significance and scope of the study were equally outlined. Under the background it was explained how Islam attaches high value to every living thing including livestock. For example, at the time of flood that wiped out everything on earth, Allah (SWT) instructed Prophet Nuh (AS) to bring on board of his Ark livestock and other animals. It means the Creator cares for the protection and preservation of animals. There are also many *Ahadith* of Prophet Muhammad (SAW) that urge Muslims to protect livestock from both physical and psychological abuses.

The concept of right as it relates to entitlement was Islamically defined as religious obligations associated with faith (*Iman*). Islam describes right as principles of justice, fairness, and honesty to both physical and spiritual needs of every creature**.** Generally observed, rights in Islam are based on (1) the laws applicable to the service to Allah; (2) the rules concerning man's personal needs; (3) The rules of law concerning interaction with fellow men and (4) authority over all other creatures and responsibility of taking care of them. Allah (SWT) as the Creator has provided rights for His creatures upon Himself. What much of the right livestock should have upon human beings who are not their creators? But contrary to this position of Islam, livestock dealers in North –

Western Nigeria do carry out a lot of infringements on the welfare right of animals. It is the habit of a significant number of livestock dealers in North - Western Nigeria to be carrying fowls by holding them on their legs while the heads are down for a long period of time.

The rearing of livestock in North – Western Nigeria is dominated by Fulani pastoralists, who use mostly traditional forms of production. State and federal governments have tried periodically to encourage the Fulani to form large-scale cattle ranches, but with little success. As for the trading/marketing, transportation / loading / offloading, slaughtering/butchering of livestock are largely dominated by Hausa and minority tribes such as include Gobirawa, Adarawa, Dakkar, Barebari, Hunkawa, Kataf, Kagoro, Jaba, Kurama, Atyap, and Gwari.

Research questions were set and hypothesis formulated on the following objectives to: (1) Identify the various forms of infringements on the rights of livestock that are taking place across all the seven states of North-Western Nigeria. (2) Examine the causes of infringements on the rights of livestock in major livestock markets and abattoirs of North-Western Nigeria. (3) Evaluate the activities of the government and Muslim community (*Ummah*) in respect of protecting livestock welfare rights in North-Western Nigeria. (4) Explain the implication of Islamic teachings regarding kind treatment and maltreatment of livestock. (5) Profer solutions to the causes and problems of livestock handling in North-Western Nigeria. (6) Describe the importance of livestock to mankind in general and to Muslims in particular. (7) Identify some lawful and unlaw types of livestock for human consumption.

In terms of significance, this study is highly significant not only to Muslim community in North – Western Nigeria but also to other communities at large. It can help Muslim scholars to inculcate the welfare rights of livestock on their followers through daily and weekly preachings. The study is also a wake up call to governments at all levels: federal, states and local to review and enforce laws pertaining to livestock and animals' welfare rights. It equally educates Muslims about the importance of meat hygiene.

Scopewise, abuses on animals take many forms both wild and domestic. It will be over ambitious to cover all the aspects of animal abuses in this research thus; it delimits itself to livestock only. There are many Qur'anic verses, *Ahadith* of Prophet Muhammad (SAW) and works of Muslim and non-Muslim scholars that talk about rights of livestock and other animals. This study focuses on some of those Qur'anic verses, *Ahadith* and works of scholarsed that address the importance of livestock to man and their rights to kind treatment.

In chapter 2 some relevant topics were reviewed in agreement or contrast with this study. The topic include: Theoretical Framework (Abuses on the Rights of Livestock in Northern Nigeria), Definition of Livestock, Animal Husbandry in Northern Nigeria, Nigerian Lagislation Concerning the Welfare Rights of Livestock, The Rights of Livestock in Islam, Uses of Livestock by Mankind vis-à-vis Meat**,** Transportation/Labour etc... *'Eid-al-Adha*, Sacrifice for Naming Ceremony (*Aqiqah*), Atonement of Sins (*Kaffarah*) and the Creation of Livestock as a sign of Allah's Existence, were also covered.

It is a truism to say that North – Western Nigeria is facing a lot of challenges in terms of service delivery of leadership and followership, empowerment of women and youth and provision of basic amenities. Notwithstanding, there are lawyers, writers, human rights activists and non-governmental organizations (NGOs) in Nigeria as a whole and in North - Western Nigeria in particular who do fight for the rights of people; but there is no single one of them effort is felt with regards to the rights of livestock. If the masses who are human beings just as their fellow citizens, business partners, neighbours, and ruling class, could be deprived them of their basic rights, what about the poor livestock whose complaints cannot be understood without keen interest in their welfare and let alone they are subjected to human use? No wonder livestock dealers are regularly seen throwing the poor livestock into trucks and tights vehicles and taken to markets or slaughter places hundreds of miles away. These poor creatures, goats, sheep and cattle, are piled up into these trucks just like lifeless goods. These are all against Islamic teachings.

Many livestock rights advocates in the West argue that livestock ought to be viewed as persons, not as property. Livestock rights, also referred to as Livestock liberation in the West, is the idea that the most basic interests of livestock should be afforded the same consideration as the similar interests of human beings. Some others consider the eating of livestock flesh as an oppression of other species. These positions are unacceptable in Islam. Subjection of livestock to decent use of human needs is also permitted by the Creator Himself (Allah).

It means that there are certain elements of extremism in the views of some Western scholars struggling for livestock rights. For example, some of the livestock

right's activists consider the use of livestock as a source of food, as a violation of their right. It can equally be deduced from their arguments that most of the efforts of the Western world in respect of livestock rights or welfare started in the 17th century C.E whereas those of Islam started as far back as the 7th century C.E.

Livestock rights' critics on the other hand, argue that livestock are unable to enter into a social contract or make moral choices, and therefore cannot be regarded as possessors of rights. The idea that livestock are inferior, because they lack rationality and language and as such are worthy of less consideration than human beings, or even none is also against the teachings of Islam. There is nothing inherently wrong with using livestock as resources if there is no unnecessary suffering, a view known as the livestock welfare position. But to say that they have no rights simply because they do not reason the way human beings do is categorically rejected. Prophet Muhammad (SAW) is reported to have said, *every living thing deserves kind treatment*.

Animal Husbandry in *North-West Geopolitical Zone* of Nigeria is charaterised by the rearing of cattle, sheep and goats. The dominant type of cattle in Sokoto Province is called the Bokoloji, the Sokoto-Gudali or simply the Sokoto cattle. They are medium-sized deep-bodied animals but are bigger and heavier than the White Fulani. The Sokoto-Gudali are considered to be less resistant to trypanosomiasis than the White Fulani, and this explains why the local Fulanis do not go south with their cattle, but wander about the province in search of dry-season grazing.

Large number of the Sokoto red goats is not confined in the backyards but wander about the fields in search of food. These hardy small livestock are well-known for their red skins-the famous Moroccan leather which had featured in the trans-Saharan trade for

many centuries. The goats provide the main source of meat since the people rarely kill their cattle for food. Their skins are used for making various articles including water containers, belts, mats and sandals. Sheep are also reared and are in great demand for Muslim religious festivals (‘*Eid*) and other social celebrations.

Kano and Kastina states have one of the largest concentrations of cattle in the country and their contribution to farming have already been noticed by way of providing manure, which permits permanent cultivation around the two cities of Kano and Katsina. Nearly all the cattle belong to the Fulani, who are obliged to migrate south during the dry season in search of water and grazing. Some settled Hausa and Fulani farmers also keep cattle, but apart from a small number which they fatten on crop residues before selling for slaughter, their cattle are generally entrusted to the nomadic Fulani who take care of them in return for some grains. Many local farmers keep donkeys. The main use of the donkey is as a means of transport to markets where cash crops are sold. Donkeys may be hired to transport other goods, including produce from the farms. In some cases farmers use the animals for drafting.

Prophylactic control of diseases has become patchy and erratic; for example, pastoralists used to be able to vaccinate their herds annually, but many are now obliged to leave their young stock unprotected. Veterinary services are finding it increasingly difficult to respond adequately to reports of outbreaks and to mount effective vaccination campaigns. The situation is most serious in rural areas, where livestock holdings are larger and of greater economic importance than in urban areas, but where roads and other infrastructure are less well developed. The slow and erratic changeover to a full cost-

recovery based system of providing drugs to the states has also contributed to the problem.

The idea of livestock divinity such as a deity incarnate is totally disregarded by Islam. The true end of sacrifice is not propitiation of higher powers, for Allah is one, and He does not delight in flesh or blood, but a symbol of thanksgiving to Allah by sharing meat with fellow-men. The solemn pronouncement of Allah's name over sacrifice is an essential part of the rite. Meat or blood is not accepted Allah. It was a pagan fancy that Allah could be appeased by blood sacrifice. But Allah does accept the offering of His servants' hearts, and as a symbol of such offer, some visible institution is necessary. He has given mankind, particularly believers, power over livestock and permitted them to eat the meat, but only if they pronounce His name at the solemn act of taking life, for without the solemn invocation, Muslims are apt to forget the sacredness of life.

By the invocation of Allah's name Muslims are reminded that wanton cruelty is not in their thoughts, but only the need of food. Giving out the greater part of the meat for the sake of poorer brethren is a symbolic act expressing practical benevolence, and that is the virtue sought to be taught. Muslim should be grateful to Allah for His guidance in this matter, in which many people have gone wrong, and they should proclaim the true doctrine, so that virtue and charity may increase among men.

Islam recommends that livestock and other lawful animals for eating should be slaughtered before they become lawful for consumption. The slaughterer must be a Muslim, Christian or Jew (*Ahlul- kitab*). The animal should be tied and laid facing the *Qiblah* (direction faced during *Salat*, Ka'ba in Makkah). There are various methods of killing livestock such as strangulation and beating the animal to death with a blunt stick.

All these techniques are more painful and allow the animal to die before complete bleeding, with the result that the flesh of the animal posses the characteristic of a dead meat and therefore unacceptable in Islam.

Prohibited types of livestock for consumption includes dead animals (meat), charging of price of the dog, flesh of domestic asses, blood from a slaughtered animal, pig's meat and *jallalah*. Dead livestock is any livestock that dies of itself and is not expressly killed for food with the *Basmalah* duly pronounced on it. The carrion or dead meat and blood as articles of food would obviously cause disgust to any refined person.

Jallalah refers to an animal that eats the waste or flesh of other animals, such as camels, cows, sheep, chickens, geese, and so on. Ibn 'Abbas reported that the Messenger of Allah (SAW) forbade the drinking of such animals' milk. 'Amr ibn Shu'aib related on the authority of his father, from his grandfather, that the Messenger of Allah prohibited the meat of domestic donkeys. As for the *jallalah*, he prohibited riding or eating them. If the *jallalah* animal is kept away from the other animals for some time and is given clean food to eat, then it becomes pure, and is no longer called *jallalah*. If this is the case, it becomes permissible to eat, as the reason for its prohibition was the change it underwent due to eating filth.

From the Qur’an, it is evident that natural instinctive knowledge has been given to each creature including livestock according to its characteristics. Each kind of animal has been given instinctive knowledge, on the basis of which cattle pull plough, horses speed and jump, and rams ram. This is because Allah endows them with faculties exactly suited to them, and characteristics to the environments in which life will be cast, giving to

everything due order and proportion. He has measured exactly the needs of all, and given instincts and physical predispositions.

Chapter 3 discussed research methodology that is research design, definitions of population, sample selection, research instrument, data collection and analysis. The population of this study is all the people dealing with livestock in major market places, pens and abattoirs in North -Western Nigeria. Selection of the seven states from the North-West represents 36.84% of the 19 states plus Abuja. This was not bad sample considering the fact that North-West is one of the highly livestock populated area and has the largest consumers of livestock in the North. Therefore, it has significant number of people dealing with livestock as compared to other geographical zones in Northern Nigeria.

Seven major livestock markets and seven abattoirs were selected from each of the seven states. The selection of the markets and abattoirs was based on the highest concentration of livestock being that the study focuses on their rights and uses. This gave us a total number of 49 livestock markets and 49 abattoirs. Ten workers of various categories including marketers/traders, loaders/transporters and butchers were given questionnaires to fill from the markets and abattoirs. To sum it all 980 persons from the markets and 490 from the abattoirs were selected. The researcher collected the data through the use of Knowledge Attitudes, Perceptions and Practices (KAPP) questionnaire. KAPP study measures the Knowledge, Attitudes, Perceptions and Practices of a given community. It serves as an educational diagnosis of the community.

Chapter 4 presented the results of field work research in figures. Descriptive analysis of each item of the questionnaires followed each figure to illustrate and buttress the findings. Some specific areas were identified to test KAPP on. These areas include among others: Participation of Muslims in Livestock Business in North-Western Nigeria; Significance of Livestock Dealers' Activities on the following Aspects of Livestock Handlings: Resting Livestock on Transit, Livestock Transportation, Inadequate Feeding of Livestock on Transit. Implication of Youth involvement on certain Aspects of Livestock Handlings and Using Livestock for Amusement, Implication of Inexperience of Livestock Dealers on Livestock Handling and Implication of Lack of Job Satisfaction of Livestock Dealers on some aspect of Livestock Handling are covered. The chapter also includes Significant Difference between Rural and Urban Settlements of Livestock Dealers in Overloading Livestock and Implication of Lack of Islamic Education of most Livestock Dealers on some Activities of Livestock Handling. Implication of Lack of Proper Monitoring Groups on the Activities of Livestock Dealings also forms part of the Chapter.

5.2 Conclusion

On land and sea, there is a vast variety of animal species. As for Muslims, each species that make up creation enjoys certain rights. Each livestock as species has its place and its role to play in the intricate and interdependent network of ecosystems. It is against this backdrop that livestock rearing is of paramount not only in North –Western Nigeria but also in other part of the world. Various types of animals such as sheep, goat, cow, donkey, horse, fowl, duck and fish are reared depending on the local conditions: climate,

consumer demand, land type, native animals, and tradition all influence the predominant type of livestock in any given area. These animals furnish great value of agricultural products as they supply a high proportion of human food in terms of meat and milk. With this, North – Western Nigeria is greatly able to contribute part of its own quota towards the enhancement of the economic sector of the nation.

Given that a significant number of lawful livestock for consumption are slaughtered for every day needs of meat and milk as a major source of protein in every community, it may be surprising that they are never in short supply. It hence, required a coherent reflection to appreciate Allah's wisdom and power in making female dogs to be giving birth to three to five puppies at a given time while cows, ewes and nanny goats do give birth to only one or two calfs or kids at a time. But if one should compare dogs with consumable livestock in terms of slaughter and killing, the comsumables by far outnumber dogs.

In developed countries the question of the welfare of livestock has resulted in animal welfare laws which specify the minimum conditions of care, housing, and transportation. The animal rights' lobby argues that these are inadequate and seek tighter controls, and in extreme cases seeks the banning of the ownership of animals and the making the consumption of meat, dairy and other animal products illegal. Some farmers have developed management techniques that they believe are more enlightened and progressive and that they feel address most of the concerns of lobbyists. But such concerns are grossly inadequate in North – Western Nigeria.

The causes of infringements on the rights of livestock spring from three major sources. First, there is the idea of a divine hierarchy based on the theological concept of

dominion, from the Glorious Qur'an, wher Adam is given "dominion over all other creatures on earth including fish of the sea, the fowl of the air, the cattle, and every creeping thing that creepeth upon the earth. Secondly, there is the idea that animals are inferior, because they lack rationality and language. As such livestock and other animals are worthy of less consideration than humans, or even none. And thirdly, there is the idea of animal insensitivity to pain. These claims in respect of livestock welfare rights are baseless in Islam.

5.3 Major Findings

The major findings of this research are:

1. A wide range of infringements on the rights of livestock take place across the seven selected states in North-Western Nigeria. These infringements include lack of resting livestock, squeezing them in tight vehicles and lack of adequate feeding for them on transit. Over 50% of the respondents are in the habit of these bad practices.
2. 79% of livestock dealers who have direct contact with the animals are below the age of 40. Consequently these young people abuse the rights of livestock more than the older people. Livestock do not get the care and respect they need especially those at the infant stage due to massive involvement of young people. Young people overwork the animals, set them to fight one another, severely beat and underfeed them.
3. Duration in the business was categorized into three groups in order to assess experience viz: ‘Less than 5’ years, ‘5-19’ years and ’20 and above’ years. Over

60% of the inexperienced respondents do not know that livestock feel pain as a result they mostly tail-twist the animals, carry out nose pressure, and severely tie them.

4. Due to poverty, a significant number of livestock dealers are not happy on their job. They transfer their frustration to the poor animals. Lack of job satisfaction make the dealers to treat livestock like lifeless goods that do not need rest, food and feel pain or panic
5. Livestock dealers in the rural settlements infringe more on the rights of the animals than their counter parts in the urban areas. Apart from lack of adequate Islamic teaching awareness, rural areas are remote from government parastatals. This implies that livestock dealers are not under any supervision and they receive little or no training on how to care and respect the welfare rights of livestock. Some common practices in the rural areas are: overloading and keeping loads on stationed livestock
6. Most of the people dealing with livestock in markets and abattoirs are not well acquainted with the teachings of Islam vis-à-vis livestock welfare rights. It is only 2.60% of them that have university education in Islamic Studies or Arabic, 14% of them have N.C.E./ Diploma in Islamic Studies or Arabic while the Islamic educational qualification of the remaining 83% are limited to secondary school levels or below. It is against this background, most of the livestock dealers do not know that it is always rewarding to treat livestock with kindness. They are not also aware that slaughtering livestock infront of one another (viewing slaughter), overworking are *haram.*

7. There is a total absence of monitoring groups. All the respondents claimed lack of Muslim animal rights group, lack of inspection from Muslim authority/scholars and very poor service of government at all levels in terms of inspection at the livestock markets and abattoirs.

5.4 Recommendations

Through study from the Glorious Qur'an, *Hadith*, works of scholars and field work, a set of problems and their causes have been identified to be affecting welfare rights of livestock in North-Western Nigeria. It is hereby recommended that

1. Individual Muslims should reflect about the importance of livestock to mankind in general and to Muslims in particular and therefore treat them with kindness and respect.
2. Individual wealthy Muslims should direct some of their charity to providing decent means of transportation for livestock such as dedicated vants for livestock transportation.
3. Muslim scholars should educate their followers in schools and mosques about the welfare rights of livestock in Islam.
4. Muslim scholars involved in curriculum planning of Islamic Studies should include Islamic injunctions on the welfare rights of livestock in the syllabus.
5. Muslim scholars should form Animal Rights Organizations (NGOs) that will fight for the welfare rights of livestock in North Western Nigeria and therefore be involved in inspecting transportation, slaughtering and other related matters to livestock welfare.

6. Government at all levels (Federal, State and Local) should organize workshops and seminars through Muslim scholars to educate Muslim livestock dealers about Islamic injunctions regarding welfare rights of livestock.
7. There is an ardent need for the government intervention in animal farming through subsidy in order to aliviate poor economic condition of some workers in livestock business by giving animal farmers loans.
8. The Federal government needs to review the ₦100.00 fine enacted since 1968 for anybody infringing on the welfare rights of livestock.

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APPENDIX I

Nigerian Legislations Concerning the Welfare Rights of Livestock

According to Laws of Federation of Nigeria (2004) by the Federal Republic of Nigeria, Nigeria as a nation has recently (1968 to be precise) joined the noble course of protecting welfare rights of animals. Below is an extract of some of the details of Nigerian legislations regarding livestock handling:

Animal Diseases (Control) Act:
Section 12: Control of Trade Animals

(1) The Minister (of Agriculture) may, by notice published in the Federal Gazette, specify the areas which the provisions hereunder shall apply.

(2) The Minister or Commissioner may by notice published in the Federal Gazette establish more inspection stations and post at specified places.

(3) The control of trade animals prescribed under this Act shall be exercised by Director, Federal Livestock Department or the Chief Veterinary Officer, as the case may be.

(4) Any person in charge of trade animals entering from any place outside into any area in Nigeria shall move all the animals by the most direct route to the control post.

(5) Where trade animals have been purchased, the person in charge shall, before taking them out of the area where they were situated at the time of purchase, move them into the nearest control post within such area.

(6) Where trade animals are being moved from one area to another for the purpose of being slaughtered they may be moved without restriction, provided that, the

distance to be traveled does not exceed thirty kilometers measured by the most direct cattle route and there is no control post along such route.

(7) Where trade animals are transported by rail or road for a period exceeding twelve hours the person in charge shall be required to stop to feed, water, and rest such animals every twelve hours.

(8) Where animals are transported by road or rail-

a. Horned animals shall either be securely tied or separated by a partition from polled animals;

b. Animals of different sexes or age groups shall also be separated;

c. Cattle shall be separated from sheep, goats and pigs;

d. To provide adequate ventilation in the lorry, a vehicle of size 7.93m + 2.1m + 2.74m (26+7+9) shall carry not more than five cattle, sixteen to eighteen calves, 100-110 pigs (on two decks) and 170-190 sheep (on three decks);

e. The height between two decks shall be at least 0.86m-1.14m (2'.10"-3'.9")

f. Vehicles with three decks shall have a permanent roof.

(9) Where trade animals are carried on a vehicle, loading or unloading ramps shall be called to reduce the incidence of fractures and bruises.

(10) The person in charge of any trade animal shall, before removing them from any control post, obtain from the authorized officer, a veterinary movement loading permit in set out in the Ninth Schedule to this Act (in this Act referred to as "movement permit) in which shall be set out the route to be followed and the control posts through all the animals shall pass.

(11) Any person in charge of any trade animal shall, until the designated mentioned permit has been reached at all times keep such permit in his possession and shall produce the same for inspection by any authorized officer.

(12) An authorized officer shall inspect any trade animal brought to any of the control post specified in the Third Schedule to this Act and the authorized officer may, if he brand or affix any identification mark to such animals and he may for, the cure and prevention of any disease detain such animal for the purpose of observation or treatment of a control post.

Section 14: Trade Animal License

(1) The owner of a trade animal license shall not transport such animal by rail motor vehicle, river or ocean vessel or by aircraft unless he is the holder of an annual license granted in that behalf by the authorized officer.

(2) An annual license shall be granted only to an owner who, during twelve months prior to the date of the granting of such license, has transported by rail motor vehicle, river or ocean vessel or by aircraft not less than 1,000 animal units.

(3) An annual license shall not be transferable and shall be in the form set out in the Seventh Schedule hereto and the fee payable shall be ₦100.

(4) An owner of trade animals who has not qualified for annual license may be granted a temporary license which shall be valid for a period of three months including the month of issue.

(5) A temporary license shall not be transferable and shall be in the form set out in the Eight Schedule to this Act and the fee payable shall be ₦35.

Section 15: Contravention of Sections and 14

(1) Any person granted a license under section 14 of this Act who fails to drive or take the trade animal through specified route and control post contravenes the permission of this Act, provided that, no animal infected or suspected of being infected with disease shall be driven, taken or moved, except in so far as may be necessary for effective isolation or for procuring food and water pending the direction of the authorized officer.

(2) A person shall not be deemed to have contravened section 13 of this Act where he sells any or all of his animals before securing the place or destination mentioned in the permit, provided that no animal infected or suspected of being infected with disease be sold except with authority of the authorized officer; but he shall-

a. In the case of slaughter or sale of one or more animals in respect of when movement permit has been issued, report the fact of such slaughter on the next control post on the prescribed route and in the case of any particulars of the place, date and the names of the purchaser or

b. In the case of slaughter or sale resulting in the disposal of all animals of which the movement loading permit has been issued, report the fact of slaughter or sale either to the next control post on the prescribed route or the control post which he last departed from and in the case of any sale, full particulars of the place, date and name of the purchaser or purchasers.

Section 16: Duties of an Owner of Trade Animal

The person in charge of any trade animal which shows any symptoms of suffering from any disease or dies while in the process of being moved from one place to another,

shall report the illness or death of such animal to the authorized officer on arrival at the first inspection station or control post, along the prescribed route, and in the case of death of the animal, shall dispose of the carcass as directed by the authorized officer.

Section 17: Offences of Trade Animal Owner

(1) Any person who-

a. Fails to take any trade animal to a control post or fails to take them by the most direct route as provided by this Act or refuses to obey the instructions of the authorized officer regarding the inspection, treatment or detention of the animals in quarantine, or regarding the disposal of dead animals; or

b. Removes any trade animal from such inspection station or control post without movement permit; or

c. Fails to report the slaughter, death or illness of any trade animal; or

d. Fails to produce a movement permit for inspection when required to do so, shall be deemed to have contravened the provisions of this Act.

(2) Any person contravening any provisions of this section shall on conviction be liable to a fine not exceeding ₦100 or to imprisonment for a term not exceeding thirty days for the first offence and a fine not exceeding ₦200 or to imprisonment for a term not exceeding two months for each subsequent offence.

Section 21: Regulation

(1) The Director or Chief Veterinary Officers, as the case may be, may, subject to the approval of the Minister or Commissioner, make regulations-

a. Providing for the exanimation, testing, isolation, inoculation, removal, disinfection, branding and slaughter of animals infected or suspected of being infected with any disease or such animal which may have been in contact with any diseased animal;
b. Prescribing and regulating the destruction, burial, digging up, disposal treatment of any carcass or of any fodder, litter, utensils, pens, hurdles or any other thing being in an infected premises or removed there from;
c. Regulating the movement of animals within a state;
d. Prohibiting the movement of animals into an area in which there is suspected to be any disease, and for prohibiting or restricting the removal from any are of any animal, carcass, litter, fodder, animal product, biologic or anything by means of which disease may be carried;
e. Declaring any area to be a controlled area for purposes connected with control of any disease and for eradicating such disease from such areas preventing its introduction or re-introduction thereto and for prohibiting restricting the movement of any animal from any such area;
f. The disinfection of persons, including the clothing of persons, who have been in contact with or employed about animals which are suffering or suspected to be suffering from disease;
g. For the reporting of cases of disease or death amongst animals;
h. For the disinfection of buildings or places wherein animals infected with disease have been stalled or kept, and the disinfection and cleaning of public markets, private sale yards, airports and sea ports, railway premises, railway

vans, trucks and carriages wherein any animal shall have been placed, kept or carried;

i. Prohibiting in any place where disease exist the performance of any local customs likely to lead to the dissemination of such disease;

j. Requiring or regulating the branding of animals, prescribing the brands which may or shall be used and providing for the registration of brand;

k. For the appointment of officers to carry out the provisions of any regulations made under-this Act and conferring upon them all necessary powers;

l. Prescribing and regulating the seizure, detention, disposal and forfeiture of any animal in relation to which any breach of any regulation under this Act or of any order or instructions under any such regulation has been committed and for determining the person who shall be liable to defray the expenses of such seizure, detention, and disposal;

m. Prescribing the fee to be paid for any examination, inoculation, testing, disinfection, or for any certificate, license, permit or other things issued or done under any regulation made under this Act, and the payment to be made for the feeding and stabling of any animal in quarantine;

n. Prescribing the cases in which compensation may be paid to the owners of any animal slaughtered, or to the owners of any carcass destroyed because it is suspected of being infected with disease, under powers conferred by any provisions of this Act and determining the amount of such compensation and the funds out of which such compensation shall be paid;

o. Prescribing the proof required that an animal or carcass is infected with disease or is suspected of being infected with disease;

p. Prescribing and regulating the construction, position and proper sanitary maintenance of any place where an animal is kept; and

q. Generally for the prevention of the introduction and spread of any disease and for giving effect to the purpose of this Act.

(2) Any regulations made under this Act shall have effect from the date of its publication in the Federal Gazette or such later date as may be specified therein.

Section 23: Interpretation

… Trade Animal means cattle, sheep, goat and camel, horse, donkey, pig, intended for slaughter or for use as a pack animal whether coming overland or by air or sea from any outside Nigeria or purchased in and intended to be moved out of an area; but does not include cattle proceeding to grazing ground, and not intended for sale or for use as animals.

The Meat Edict 1968 by the Military Governor of Northern Nigeria
Part II: Slaughter of Animals

The meat edict prescribed by the military Governor of Northern Nigeria in 1968 stipulates among others as follows:

Section 4: The military Governor may by order require in a controlling authority to establish and maintain a slaughter house in any designated area and may specify the time

within which the slaughterhouse shall be established, the type of slaughterhouse to be established and maintained and the facilities to be provided at such slaughterhouse.

Section 5: (1) The controlling authority or any order person wishing to establish a slaughterhouse shall make application in the prescribed form to the Permanent Secretary for registration of the slaughterhouse and every such application shall be accompanied by the prescribed fee.

(2) On receipt of such application and on being satisfied that--

a. the applicant is a suitable person to be the holder of a certificate of registration;

b. the site and plans (including its equipment) of the slaughterhouse are suitable for its purpose; and

c. the provisions of any written law, including the provisions of this Edict and of any regulations made thereunder in relation to slaughterhouse have been compiled with the Permanent Secretary shall issue to the applicant a certificate of registration in the prescribed form which may include such conditions as Permanent Secretary may think fit.

(3) The registration of a slaughterhouse under this Edict may at any time be cancelled by the Permanent Secretary if he is satisfied that the slaughterhouse or its equipment has been allowed to fall into disrepair or to become insanitary or has become inadequate for the requirements of the designated area, or that for any other reason the slaughterhouse has ceased to be a suitable place for the slaughter of animals intended for human consumption.

Section 7: (1) It shall be the duty of the manager of every slaughterhouse to maintain the slaughterhouse in a proper sanitary condition to the satisfaction of a veterinary officer, and if he fails to do so, he shall be guilty of an offence.

(2) For the purpose of this section the proper sanitary condition of a slaughterhouse shall be deemed not to be maintained unless the slaughterhouse is kept efficiently lighted, ventilated, cleansed, drained and provided with a sufficient water supply, or if any filth, refuse or any thing likely to affect detrimentally the quality of any meat is allowed to remain thereon.

Grading of Abattoirs for the Purpose of Licensing Such Premises under the Meat Edict of 1968:
Design of Premises

1. General.- the premises must be designed so that all operations may be carried out under hygienic conditions and so that adequate space and facilities are available for the ante-mortem inspection of animals intended for slaughter and the efficient performance of meat inspection.
2. Lairage- There must be an adequate lairage for the confinement of animals awaiting slaughter. The lairage must include accommodation for the isolation of any animals which are diseased or are suspected of being diseased.
    a. The floors of the lairage must be of impervious non-slip material constructed so as to enable them to be thoroughly cleansed.
    b. The walls and/or fences and gates must also be in condition to allow thorough cleansing by hosing with water under pressure. This must be carried out before entry of the animals.

3. Slaughter hall.- The slaughtering and dressing area must be so arranged as to ensure meat will not be liable to contamination by dirty material arising from the process of slaughtering and dressing. Facilities must be provided for the identification of offals with the carcasses from which they are taken.
4. Accommodation for by-products.- Facilities must be provided for the emptying and cleaning of stomachs and intestines in a place effectively separated from the slaughtering and dressing processes and from any place where meat or offals are handled or kept.

APPENDIX II

TABLES SHOWING MOST POPULAR LIVESTOCK MARKETS AND ABATTOIRS IN THE SEVEN INVESTIGATED STATES AND THEIR LOCAL GOVERNMENT AREAS

This list of tables was obtained from traders/marters and various ministries of Commerce within North Western Nigeria.

Table 1

State	LGA	Towns/Markets	Abattoirs
Jigawa	Gumel	Gumel	Gumel
	Hadejia	Hadejia	Hadejia
		Marma	Marma
	Kaugama	Kaugama	Kaugama
		Dakayawa	Dakayawa
		Girbobo	Girbobo
	Kiyawa	Kiyawa	Kiyawa
		Shuwarin	Shuwarin
	Maigatari	Maigatari	Maigatari
		Madana	Madana
	Mallam Madori	Mal. Madori	Mal. Modari
		Garin Gabas	Garin Gabas
	Taura	Taura	Taura
		Gujungu	Gujungu

Table 2

State	L.G.A	Towns/Markets	Abattoirs
Kaduna	Igabi	Kamfanin ZangoAya	Kamfanin z/Aya
		Rigachikun	Lamban zango
		Rigasa	Birnin yero
	Kaduna North	Kawo	Kawo
		Checheniya	Checheniya
		Badarawu	Tudun wada
	Kajuru	Kasuwan magani	Kasuwam Magani
		Kajuru	Kajuru
		Idon	Idon
	Kubau	Anchau	Anchau
		Kubau	Kubau
		Dutsen wai	Dutsen wai
	Lere	Saminaka	Saminaka
		Lere	Lere
		Yarkasuwa	Yarkasuwa
	Makarfi	Makarfi	Makarfi
		Gubuci	Gubuci
	Soba	Maigana	Maigana
		Soba	Soba
		Dinya	Dinya
			Kwasallo

Table 3

State	L.G.A	Towns/Markets	Abattoirs
Kano	Dambatta	Dambatta	Dambatta
		Yariya	Yariya
		Laraba Kuzusimin	Laraba Kuzusimin
	Dawanki Kudu	Dawanki Kudu	Dawanki Kudu
		Mokuli	Mosuwa Duniya
		Kasuwa Duniya	Kasuwa Duniya
	Kura	Kura	Kura
	Madobi	Madobi	Madobi
	Rimin Gado	Rimin Gado	----
		Rimin Gado	Rimin Gado
		Yarima – Dazuya	Yarima Dazuya
		Gulu	Gulu
	Tarauni	Tarauni	Tarauni
		Hororo	------
		Yanwaki-Kuwicuku	Yanwaki-Kuwicuku
	Wuddil	Wuddil	Kachako
		Dariki	Dariki

Table 4:

State	L.G.A	TOWNS/MARKETS	ABATTOIRS
Katsina	Batagarawa	Yarganji	Yarganji
		Ajiwa	Ajiwa
		Bakiyawa	Bakiyawa
	Charanchi	Charanchi	Charanchi
			Gungu
			Nasarawa
	Daura	Daura central M.	Daura central market
		Fada market	Kayawa
		Dannakola	Dannakola.
	Jibia	Jibia	Jibia
		Gurbin Baure	Gurbin baure
		Daddara	Daddara
	Kafur	Kafur	Kafur
			Dankanjiba
			Yari Bori
	Kankia	Kankia	Kankia
		Kafin Soli	Kafin Soli
		Yarkutungu	Yarkutungu
	Mai'adua	Mai'adua	Mai'adua
		Gwajo Gwajo	Gwajo Gwajo
		Kwangwalan	Kwangwalan

Table 5

State	L.G. A.	Towns Markets	Abatiors
Kebbi	Arewa - Dandi	Kangiwa	Sandi
		Arewan dandi	Kamba
		Mahore	Fanna
	Argungu	Guro	Nasarawa
		Argungu	Giro
		Zazzagawa	Ganwo
	Bagudo	Bagudo	Suru
		Darangari	Darangari
			Aljannare
	Bunza	Bunza	Ung/makera
			Kangiwa
			Gwambara
	Dandi	Dandi	Dandi
		Kamba	Kamba
		Shiko	Fanna
	Gwandu	Gwandu	Nasarawa
		Dagere	Giro
		Ambursa	Ganwo
	Jega	Jega	Maiyema
		Fagga	Damana

Table 6

State	L.G.A	Towns /Markets	Abatoirs
Sokoto	Bodinga	Bodinga	Bodinga
		Milgoma	Milgoma
		Kunkundo	Kunkundo
	Dange-shuni	Dange	Dange
		Shuni	Shuni
		Bogeya	Bogeya
	Illela	Illela	Illela
		Waura	Waura
		Rumi	Rumi
	Sokoto north	Sokoto	Sokoto
	Tambuwal	Tambuwal	Tambuwal
		Illelan-daji	Illelan-daji
		Masu	Masu
	Tangaza	Tangaza	Tangaza
		Gidan madi	Gidan madi
		Boto	Boto
	Wurno	Wurno	Rabah
		T/Bake	Mailalle
		Giyawa	Gandi

Table 7

State	L.G.A.	Towns /Markets	Abatoirs
Zamfara	Gusau	Gusau	Wanke
		Mada	Gusau
		Magami maitarko	Mada
	Kaurannamoda	Kaura	Kaura
		Kasuwandaji	Kasuwandaji
		Kiyawa	Kiyawa
	Shinkafi	Shinkafi	Kwali
		Shanawa	
	Talatan mafara	Jangebe	Jangebe
		Rimi	Mafara
		Tarlatan mafara	Rimi
	Tsafe	Tsafe	Tsafe
		Mutuniji	Mutuniji
		Yandoto	Tafkin kazai

APPENDIX III

QUESTIONNAIRE

DEPARTMENT OF ARTS AND SOCIAL SCIENCES

(ISLAMIC STUDIES SECTION)

FACULTY OF EDUCATION

AHMADU BELLO UNIVERSITY, ZARIA

Dear Mallam/ Mallama,

I am by name Omar Abdallah Dukuly from the above mentioned institution. This questionnaire is part of a research project for a Ph.D programme on the rights and uses of livestock in Islam. The aim of the questionnaire is to gather information on the handling of livestock by Muslims and meat processing in North-Western Nigeria. All information collected is for academic purposes only and will be used solely for this purpose. Detailed personal information will not be required and all information collected will be treated with confidentiality.

I rely on your co-operation.

……..

Omar Abdallah Dukuly

Please tick or circle the options applicable to you

1. State …….
   (a) Jigawa (b) Kaduna (c) Kano
   (d) Katsina (e) Kebbi (f) Sokoto
   (g) Zamfara

2. Local Government Area …….

3. Ward/Village …….

4. Name of Market or Abattoir …….

5. Age:
   a. 40 and above
   b. 20-39
   c. Less than 20 years

6. Sex:
   a. Male
   b. Female

7. Job Description
   (a) Marketer/Trader
   (b) Transporter /Loader
   (c) Butcher
   (d) More than one of above
   (e) Others (Please specify ……..)

8. Duration in Profession or Trade / Experience
   (a) 20 years and above
   (b) 5-19 years
   (c) Less than 5 years

9. How will you describe the economic benefit of your job?
   (a) Profitable
   (b) Manageable
   (c) Job of no option

10. Religion:
   (a) Islam
   (b) Christianity
   (c) Others (Please specify ……..)

11. Settlement Type:
    (a) Urban Area
    (b) Rural Area

12. Islamic Education Qualification:
    (a) University Education
    (b) N.C.E Arabic/ISS
    (c) Diploma: Arabic/ISS

    (d) *Islamiyah*/*Makaratan Ilmi*

    (e) S.S.C.E/HIS

    (f) Quranic School/*Makaratan* Allo

    (g) Non of the Above

13. How often do you rest livestock on transit?
    (a) Always

    (b) Sometimes

    (c) Not at all

14. If "Sometimes" or "Not at all" why you do not rest them?
    (a) It is due to insecurity

    (b) It is difficult to control livestock on transit.

    (c) I use commercial vehicles.

    (d) It is time consuming.

    (e) There are other reasons. (Please specify …….)

How do you consider the following while on transit?

15. The space you provide for livestock in vehicles.
    (a) Adequate.

    (b) Manageable.

    (c) Inadequate

16. Your feeding provisions for livestock.
    (a) Adequate.

    (b) Manageable.

    (c) Inadequate.

17. If "Manageable" or "Inadequate" to questions 15 & 16 why you do not provide adequate space and food for them?
    (a) It is too expensive to provide adequate food.

    (b) Livestock can endure discomfort and hunger.

    (c) There are other reasons (please specify …….).

Regarding load carrying, how would describe as your practice?

	Always	Sometimes	Never
18. Overloading livestock:	□	□	□
19. Keeping load on livestock while they are not moving:	□	□	□
20. Beating livestock to move when they are reluctant or sluggish:	□	□	□

21. If "Always" or "Sometimes" in questions 19-21, why do you do it?
    (a) There is no alternative way of handling livestock.

    (b) Livestock do not feel pain.

    (c) There are other reasons (please specify …….).

22. How often do you rest livestock when you engage them as work bulls?
    (a) When I notice that the animal is tired.

    (b) After completing a task.

    (c) When I get tired.

    (d) There are other options (please specify …….).

23. Have you have a cause to keep a livestock alone in isolation?
    (a) Yes.

    (b) No.

24. If your answer to question 24 is “Yes” why did you do it?
    (a) To prevent disease transmission.

    (b) Waiting for the time it could be sold or slaughtered.

    (c) For fattening or tending.

25. If your answer to question 25 is “For fattening or tending” how long do you do it?
    (a) Less than a month

    (b) A month and above.

    (c) A year and above.

    (d) Others (please specify …….).

How often do you find it necessary to use the following severe methods of handling livestock?

	Always	Sometimes	Never
26. Tail twisting:	□	□	□
27. Nose pressure:	□	□	□
28. Tying with ropes:	□	□	□

29. If your answer to questions 27-29 is “Always” or “Sometimes”, why do you do it?
    (a) Livestock are difficult to control without severe handling.

    (b) Livestock can endure severe handling.

    (c) Others (please specify …….).

30. How often do you observe people of your work setting livestock to fight?
    (a) Always

    (b) Sometimes

    (c) Never

31. If your answer to questions 31 is “Always” or “Sometimes”, why do they do it?
    (a) It is fun.

    (b) There is no law prohibiting it..

    (c) There are other reasons (please specify …….).

32. How often do the cleaners clean the abattoir?

(a) Immediately after processing a carcass.

(b) It is trice a day.

(c) It is twice a day.

(d) It is once daily.

33. How regular does Muslim Authority inspect livestock slaughter/abattoir?
    (a) Daily.

    (b) Weekly.

    (c) Monthly.

    (d) Quarterly.

    (e) Yearly.

    (f) Not at all.

34. What is your opinion about causing unnecessary pain to livestock?
    (a) It is inhumane.

    (b) It is inconsequential.

What is your opinion about the following maltreatment of livestock?

	Always a sin	Sometimes a sin	Never a sin
35. Underfeeding/watering:	□	□	□
36. Severe tying:	□	□	□
37. Squeezing into tight vehicle:	□	□	□
38. Overloading/overworking:	□	□	□

39. Beating & other severe handling □ □ □

40. Slaughtering infront of one another: □ □ □

41. If your answer to questions 36-41 is “Never a sin”, why do you think they are never a sin?
    (a) Because livestock are subjected to human use.

    (b) They do not feel pain.

    (c) It has nothing to do with religion.

    (d) There are other reasons (please specify …….)

42. What is your opinion about kind treatment of livestock? It is
    (a) Always rewarding.

    (b) Sometimes rewarding.

    (c) Not rewarding.

43. If your answer to questions 43 is “Sometimes or Not rewarding”, why do you think it is not rewarding?
    (a) Because livestock are subjected to human use.

    (b) Because they do not feel pain.

    (c) It has nothing to do with religion.

44. What is your opinion about the participation of Muslim women in livestock slaughter? It is

Always allowed	Sometimes allowed	Never allowed
□	□	□

45. If your answer to questions 45 is “Sometimes or Never allowed”, why do you think it is not allowed?

(a) They cannot withstand the process of slaughtering.

(b) The women are not always clean.

(c) There are others (please specify ……).

46. What is your opinion about the participation of the People of the Book in livestock slaughter? It is

Always allowed	Sometimes allowed	Never allowed
□	□	□

47. If your answer to questions 45 is "Sometimes or Never allowed", why do you think it is not allowed?

(a) The People of the Book do not believe in Prophet Muhammad (SAW).

(b) Some of them regard Jesus as God.

(c) There are others (please specify ……).

48. Protection of welfare rights of livestock in Islam is

(a) Wajib.

(b) Sunnah/Mustahab.

(c) Mandub.

49. The slaughtered livestock by a Muslim woman is

(a) Halal

(b) Mubah.

(c) Makruh.

(d) Haram.

50. The slaughtered livestock by the People of the Book is

(a) Halal

(b) Mubah.

(c) Makruh.

(d) Haram.

51. Overloading and Overlabouring of livestock is
    (a) Haram.

    (b) Makruh.

    (c) Mubah.

    (d) Halal

52. Slaughtering livestock infront of one another is
    (a) Haram.

    (b) Makruh.

    (c) Mubah.

    (d) Halal

53. Following Islamic procedures of slaughter is
    (a) Wajib.

    (b) Sunnah/Mustahab.

    (c) Mandub.

The impact of the following regarding welfare rights, abattoir inspections, enforcing transportation and abattoir sanitation regulations of livestock in your region is

	Effective	Fair	Poor
54. Muslim authority:	□	□	□

55. The Government agents: □ □ □

56. Muslim Animal Right Organisation/Group □ □ □