



Islamic Rulings on the use of Guide-Dogs

Mufti Zubair Butt

Shar'ia Advisor to:

Muslim Spiritual Care
Provision in the NHS

A project of the

Muslim Council of Britain (MCB)

in partnership with the DH

P.O. Box 57330, London E1 2WJ
Tel: 02074924983 Fax: 02072477079
Email: nhsspiritualcare@mcb.org.uk

Bismillaahirrahmaanirraheem.

A colleague of mine has been contacted by a blind gentleman about a situation that arose recently at a college he can no longer attend because of his guide dog. A Muslim woman in the class took exception to the dog being in the class and the college have decided to take her side as they've been told it's a cultural issue. He now has to go on a journey that takes him 2 hours to attend the same course in a different city! He mentioned it to a Muslim acquaintance of his who said that the woman should keep her views to her self or words to that effect. The blind gentleman phoned us at work in a distressed state and feels that according to the Disability Discrimination act 1995, he's been discriminated against. My colleagues have asked me if there's any view from Islam that could be shown to the Muslim lady that would change her opinion.

I've seen the correspondence between the gentleman and the college that he can no longer attend and in a reply by the college it says "There is a quote in the Koran that actually says that designated dogs as unholy". Now I don't know if this is something the college is quoting from the Muslim lady or what? The letter also says " Dogs are considered extremely dirty animals in Islam and only permitted for certain limited uses..." and " Two hadith state that "The Prophet said ' Angels do not enter a house in which there is a dog or there are pictures' and, 'Allah's Messenger (may peace be upon him) ordered the killing of dogs and we would send (men) in Medina and its corners and we did not spare any dog that we did not kill'.

Can anyone advise or point me in the right direction to resolve this situation as quickly as possible? I don't want this poor man's heart and all those involved in this to be turned against this noble religion. What comes to mind regarding the above hadiths the college quoted is another tradition ' Speak to people at the level of their understanding, do you want Allah and His Messenger to be denied?'

Also, was there some context to the order for the killing of dogs in Medina Munawwara like an outbreak of disease?

19th Sha'baan 1427
12th September 2006

Summary of the Ruling:

Whilst the predominant position is that the saliva of dogs is ritually impure, if the student does not come into direct contact with the dog, then the presence of a dog is not a religious basis for her to refuse to provide care for the patient. It is possible that the student was not entirely aware of the religious position, but I suspect that it may have been more to do with her personal unease when being around the dog. As a community that does not normally keep dogs except for security purposes, I imagine that as the patient was not able to secure the dog out of the way, the student was uneasy. It may also have been the case that the student had wanted to pray later and did not want to risk getting dog saliva onto her clothes, thus rendering her clothes unsuitable for prayer.

Again, the presence of a guide dog is not a religious basis for her to refuse to provide care for the patient. It is probably an idea to have some kind of guidance document as I imagine even Muslims require some education about the issue and how to respond in similar situations. It appears that the student displayed an over exuberant understanding of the fiqh position on this issue.

Reference to dogs in the Holy Qur'an

I am not aware of any reference, express or implicit, in the Holy Qur'an which describes dogs as "unholy". The Holy Qur'an makes reference to hunting animals, which are principally dogs, in Surah al-Maa'idah [5:4] as follows:

They ask you [O Muhammad] what is lawful for them [as food]. Say: "Lawful unto you are pure things, and those birds and beasts of prey which you have trained, teaching them of what Allah has taught you. ..."

The word used here is *mukallibeen*, which is a derivative of the verbal noun *takleeb*, which lexically means to train dogs. Later, this also came to be used for training other hunting animals and releasing them after game. [Ma'ariful Qur'an, 3:55] There is no reference to "unholy" in this verse.

The second reference to dogs is in Surah al-A'raaf [7:176] wherein a similitude is drawn between (according to the most authentic opinion) a deviant saint (Bal-'am b. Baa'urah) of the Israelites who was punished after being persuaded by his people to pray against Musa AS. As punishment, his tongue was made to protrude until it rested on his chest. [Ibn Kathir, 2:351] His panting is described as that of a dog which pants, whether attacked or left alone. Again, there is no reference to "unholy".

So his parable is the parable of a dog: if you attack it, it pants, and if you leave it alone, it pants.

The Holy Qur'an further makes mention of a dog four times in Surah al-Kahf in the story of the People of the Cave: once in verse 18 and thrice in verse 22. Again, there is no mention of "unholy".

... and their dog stretching forth his two forelegs at the entrance [of the cave].

Some will say: "three, the fourth of them being their dog"; and some will say: "five, the sixth of them being their dog", just making conjecture; and others will say: "seven, the eighth of them being their dog".

Purity of dogs

However, the Holy Prophet is reported in many authentic traditions to have instructed the companions to wash up to seven times, one of them with soil, vessels from which a dog had lapped at. The Holy Prophet also described this to be the purification of the vessel.

In the interest of brevity, only the above two narrations have been mentioned merely as examples. It is on the basis these and many other such narrations that the Muslim jurists have based their opinions.

Hanafi School

The opinion of the Hanafi School of thought is that the flesh, blood and saliva of dogs are impure. However, the degree of impurity is less than that of a pig. Whereas the latter is essentially impure (*najis al- 'eyn*), according to the more correct opinion the former is not. Any utensil/vessel etc that is contaminated with the saliva of a dog must be washed three times. It is preferable to wash it seven times, one of those being with soil.

Shafi'i and Hanbali Schools

According to the Shafi'i and Hanbali Schools all dogs and all parts therefrom are essentially impure (*najis al- 'eyn*) including saliva and sweat. Anything that is made impure by a dog must be washed seven times, one of which should be with soil, in order to purify it.

Maliki School

According to the predominant opinion of the Maliki School, dogs are not impure (*najis*). It is recommended (*mandub*) to wash a vessel of water if a dog has lapped at it. [i.e., the dog has placed its tongue in it and shaken it around.] This is done purely as an act of worship and devotion (*ta'abbudan*) without knowledge of the underlying rationale (as dogs are deemed to be pure), in which case the water will be disposed of and the vessel will be washed seven times. This ruling does not extend to a vessel of food or any other item such as clothing. Similarly, if a dog places its paw in a vessel of water, or places its tongue but does not shake it, or its saliva falls into the vessel, it is not recommended (*mandub*) to dispose of the water nor wash the vessel. On the contrary, it is forbidden to dispose of the water as this a needless waste of resource. However, Ibn Rushd from the Maliki School has opined that the more superior opinion is that dogs are impure on account of the authenticity of narrations reported in this regard.

Keeping a dog

The Holy Prophet is reported in a number of Hadith to have forbidden the keeping of dogs except those used for hunting and the protection of herds and cultivated land. [Muslim, 2:20] According to the Hanbali School, keeping dogs is prohibited save for the exception provided for the above three purposes as these are the only three purposes exempt from the general prohibition. Therefore, it is not permitted to keep a dog for the protection of one's house as the narrations in this regard do not provide an exemption for that. According to the Hanafi and Maliki Schools and the more correct opinion of the Shafi'i School, the provision to keep dogs also extends to other purposes where there is a genuine need, such as for the protection of one's house. The three exceptions provided in the sayings of the Holy Prophet are not exclusive, but are based on a common causative factor which is need. Therefore, where need exists, provision to keep dogs will be extended to include that.

Angels not entering a house with a dog

The Holy Prophet is reported to have said that Angels [of mercy and blessing] do not enter a house [etc] in which there is a dog. Imam Bukhari has reported an incident regarding the Holy Prophet himself as follows:

Saalim reports from his father that he said: Once Gabriel promised [to visit] the Prophet but he delayed until it distressed the Prophet. So he came out [of his house] and met Gabriel and complained to him of what he had suffered (due to the delay). Gabriel said to him, "We do not enter a place in which there is a picture or a dog."

The same incident has been reported by Imam Muslim (and others) in further detail as follows:

Saalim reports from his father that he said: Once Gabriel promised [to visit] the Prophet but he delayed until it distressed the Prophet. So he came out [of his house] and met Gabriel and complained to him of what he had suffered (due to the delay). Gabriel said to him, "We do not enter a place in which there is a picture or a dog."

The same incident has been reported by Imam Muslim (and others) in further detail as follows:

It is reported from 'Aisha that she said: Gabriel made a promise with Allah's Messenger to come to him at a definite hour; that hour came but he did not visit him. And there was in his hand [in the hand of Allah's Messenger] a staff, so he threw it from his hand and said: "Never has Allah broken His promise and nor His Messenger [Gabriel]." Then he cast a glance and found a puppy under his cot and said: "'Aisha, when did this dog enter here?" She said: "By Allah, I don't know." He then commanded and it was turned out. Then Gabriel came and Allah's Messenger said to him: "You made a promise to me and I sat waiting for you but you did not come." Gabriel said: "The dog in your house prevented me. We [angels] do not enter a house in which there is a dog or a picture."

The above narrations establish that angels do not enter a place where there is a dog. While Hadith commentators have given various reasons for this, the central fact remains that angels do not enter such a place. Hadith commentators such as al-Nawawi and al-Qari have also stated that despite the generality in reference to angels in these narrations, this refers to angels of mercy, blessing and forgiveness, and not angels that record deeds or remove souls. The Hadith commentators have differed as to whether this applies to all dogs in general or whether there is an exception with regards to those dogs that have been permitted to keep. Al-Nawawi has argued that this applies to all dogs and this is also the opinion of al-Qurtubi, while al-Khatibi, al-Qari and others have stated that this does not apply to dogs that are permitted to keep.

So far, it is clear from the above that:

- There is no reference in the Holy Qur'an that refers to dogs as unholy.
- According to the Hanafi School, dogs are impure (*jajis*) but not essentially impure (*najis al-'eyn*), while according to the Shafi'i and Hanbali Schools all dogs are essentially impure (*najis al-'eyn*). According to the predominant opinion of the Maliki School, dogs are not impure (*najis*) at all.
- The Holy Prophet is reported in a number of Hadith to have forbidden the keeping of dogs except those used for hunting and the protection of herds and cultivated land.
- According to the Hanbali School, keeping dogs is prohibited save for the three exceptions provided in the Hadith. According to the Hanafi and Maliki Schools and the more correct opinion of the Shafi'i School, the provision to keep dogs also extends to other purposes where there is a genuine need.
- Angels [of mercy and blessing] do not enter a place in which there is a dog. Al- Nawawi and al-Qurtubi argue that this applies to all dogs, while al-Khatibi, al- Qari and others have stated that this does not apply to dogs that are permitted to keep.

Therefore, according to the Hanafi, Shafi'i and Hanbali Schools guide dogs are impure but according to the Maliki School they are not. Guide dogs are permitted to keep according to the Hanafi and Maliki Schools and the more correct opinion of the Shafi'i School, but not according to the Hanbali School. Although according to al-Nawawi and al-Qurtubi Angels [of mercy and blessing] do not enter a place in which there is a guide dog, according to al-Khatibi, al-Qari and others this is not the case. Therefore, it is important that one does not impose one's own understanding upon others, but one shows understanding and compassion for others, their needs and their views, especially in an open communal space and in a country where Muslims are living as a minority.