

# The Dog Debate in Malaysia

Alvin W-L See \*

## **ABSTRACT:**

It is the general belief among Muslims that dogs are ritually unclean and it is thus wrongful for a Muslim to intentionally touch or keep a dog. These traditional beliefs, however, have not gone unchallenged. The possibility of a contrary conclusion, premised upon alternative interpretations of the relevant religious texts, has been variously posited. Unfortunately, despite prolonged debates, the two sides remain in a deadlock. This phenomenon will occupy the discussion of this paper, focusing on the context of the Muslim-majority Malaysia. The aim is not to find the right answer but rather to stress the importance of maturity and openness in religious discourse, which has far reaching consequences even beyond the topic at hand.

**Keywords:** Dogs, Islam, religious discourse, Syariah law

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## 馬來西亞有關狗的爭議

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### 摘要：

穆斯林之間普遍認為狗是不潔淨的，也因此，觸摸或養狗顯然違反了伊斯蘭法制。然而，這項傳統信仰並非牢不可破。透過重新詮釋宗教文本與經典，已有部分人士多次提出迥異的解讀。不過，儘管經過了漫長的辯論，雙方人馬至今仍然各持己見僵持不下。本文將觸角深入穆斯林佔多數的馬來西亞，擬觀察此一爭議，目的不在求得一標準答案，而在強調：成熟與開放的宗教論述何其重要，其影響遠遠超越你我所欲探究的論題本身。

**關鍵詞：**狗、伊斯蘭教、宗教論述、伊斯蘭法

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## 1. Introduction

In most parts of the world dogs are regarded as man's best friend. In the Islamic world, however, their status is ambivalent.<sup>1</sup> On the one hand, Muslims generally believe that dogs void prayers and thus regard them as *najis* (ritually unclean). By extension it is also believed that the keeping, or even touching, of dogs is *ḥarām* (forbidden) or *makrūh* (disapproved). On the other side of the fence are Muslims who question these beliefs. Some of them say that dogs are not *najis*, while others argue that even if they are it is not *ḥarām*, or *makrūh*, to touch or keep them. For convenience we shall call the first group of believers the "anti-dog believers" and the latter group of believers the "pro-dog believers". It is only necessary to add, for now, that the pro-dog believers are the minority and consist mainly of religious scholars who justify their views by careful examination of the allegedly anti-dog religious texts, arguing that the anti-dog beliefs are based on misunderstandings of these religious texts.<sup>2</sup> Despite their seemingly

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<sup>1</sup> See Khaled Abou El Fadl, "Dogs in the Islamic Tradition" in Bron Taylor (ed), *Encyclopedia of Religion and Nature*, Vol I (London: Bloomsbury Academic, 2008), pp. 498-500; Juan E Campo, *Encyclopedia of Islam* (New York: Infobase Publishing, 2009), pp. 200-201; Cyril Glassé, *The New Encyclopedia of Islam: Revised Edition of the Concise Encyclopedia of Islam* (Lanham: AltaMira Press, 2002), p. 121.

<sup>2</sup> For enlightening works on this topic, see Khaled Abou El Fadl, *The Search for Beauty in Islam* (Lanham: Rowman & Littlefield, 2006), Chapter 80; Richard C Foltz, *Animals in Islamic Tradition and Muslim Cultures* (London: Oneworld, 2006), Chapter 7; Javad Nurbakhsh, *Dogs: From a Sufi Point of View* (New York: Khaniqahi-Nimatullahi Publications, 1989); Alan Mikhail, *The Animal in Ottoman Egypt* (Secaucus: OUP, 2014), Chapter 3; Vera Subasi, *Dogs in Islam: A Historical Survey of Islamic Resources* (Einbeck: VDM Verlag Dr. Müller, 2011).

well-argued case, their opinions are often unheeded by the anti-dog believers.

This paper will not attempt the difficult task of finding the right answer, i.e. deciding whether dogs are indeed ritually impure and whether it is wrongful for a Muslim to touch or keep dogs. That will clearly require a much larger project. Instead, it seeks to stress the importance of maturity in religious discourse, which has far reaching consequences even beyond the topic at hand. It will also focus on the situation in the Muslim-majority Malaysia, where recent controversies concerning the status of dogs in Islam provide useful background for discussion.

## **2. A brief introduction of Malaysia**

Malaysia is a developing country in Southeast Asia. It has a multi-racial population of almost 30 million, consisting mainly of Malays, Chinese, Indians and Orang Asli (aborigines). As mandated by its *Federal Constitution*, Islam is the official religion of the country. Article 3(1) states: “Islam is the religion of the Federation; but other religions may be practised in peace and harmony in any part of the Federation”. The *Federal Constitution* also defines “Malay” in Article 160 as “a person who professes the religion of Islam, habitually speaks the Malay language, conforms to Malay custom ...” As the vast majority of ethnic Malays are Muslims, it is estimated that about 60% of the Malaysian population embraces the Islamic faith.

Despite being a Muslim-majority country, Malaysia has a large dog population due in part to the significant non-Muslim population, who has no qualms about keeping dogs. At places where Muslims and non-Muslims stay in close proximity, the keeping of dogs by the latter often become a source of tension between the two. Another problem is the large population of stray dogs caused by irresponsible overbreeding and abandonment. As these stray animals are uncontrolled by human owners, they pose even greater problems for Muslims. Despite the regular culling of stray dogs, their population remains very large due to their reproductive abilities. As is often the case, where humans and animals co-exist in tension, the latter would invariably be

at the losing end. Dog abuse is a frequently reported occurrence in Malaysia. To make the matter worse, the existing animal protection laws are rarely enforced in their favor, thus sending a signal that dog abuse is acceptable.<sup>3</sup>

### 3. The great dog event

Hundreds of Muslims in Malaysia get to touch a dog for the first time at the “I Want to Touch A Dog” event that took place in the state of Selangor on 19 October 2014.<sup>4</sup> While the event was open to all, the target audiences were clearly Muslims. The primary purpose of the event is to dispel the negative perception of dogs among Muslims in Malaysia. It seeks to introduce dogs to Muslims who are curious about them and yet afraid to interact with them under normal circumstances. It also seeks to inculcate a culture of respect between Muslims and non-Muslims (many of whom keep dogs) and kindness towards dogs (who were often victims of abuse). It was meant to be an educational event where traditional barriers are broken.

In terms of organisation and response, the event was a huge success. More than 800 people attended the event, roughly half of which were reported to be Muslims. Those who wished to touch a dog were told to wear yellow, while those who only wished to watch were told to come in orange. They were received by about 200 human-friendly dogs of various breeds handled by their owners and assisted by volunteers, both of whom wore red.

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<sup>3</sup> Alvin W-L See, “Animal Protection Laws of Singapore and Malaysia,” *Singapore Journal of Legal Studies* (July 2013), p. 125; Alvin W-L See, “Dog Shot With Arrows — The Law,” 26 May 2014,

<http://www.loyarburok.com/2014/05/26/dog-shot-arrows-%E2%80%94-law>.

<sup>4</sup> “Touching success at dog show for Muslims,” 19 October 2014, *The Star*, <http://www.thestar.com.my/News/Nation/2014/10/19/touch-a-dog-event-attracts-over-800-people/>; “I Want to Touch A Dog’ a big hit,” 20 October 2014, *New Straits Times*, <http://www.nst.com.my/node/44614>.

The color coding enabled the attendees to participate in the event according to their level of comfort. The attendees who wore yellow were taught by the owners and handlers the proper way to approach and touch the dogs.

Several Muslim scholars were also invited to the event to speak about the status of dogs in Islam, to discourage prejudice and encourage kindness towards dogs. With the help of volunteers, they also demonstrated the necessary cleansing ritual (*sertu*) for Muslim attendees who have come into physical contact with dogs. To facilitate this, Muslim attendees who wished to participate were told beforehand to bring a bottle of water and soap that is made mainly from clay. Having acquired the knowledge of how *sertu* is conducted, the Muslim attendees were less hesitant to interact with dogs. The response was largely positive. Muslim attendees who braved religious stigma to attend the event expressed delight in being able to interact with the dogs. The impression about dogs clearly changed for the better.

Unfortunately, the success of the event was short-lived. As pictures of Muslim attendees touching and holding dogs flooded news reports and online social networking platforms, hardline believers were agitated.<sup>5</sup> The constitution of this group of believers is wide-ranging: normal individuals, newspaper columnists, religious teachers, and even religious authorities at both state and federal levels. They insisted that the touching of dogs is

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<sup>5</sup> See e.g. “‘Touch a dog’ event draws flak from authorities”, 21 October 2014, *The Star*, <http://www.thestar.com.my/News/Nation/2014/10/21/Touch-a-dog-event-draws-flak-from-authorities-Islamic-scholars-question-the-need-for-campaign-and-i/>; “Touching dogs un-Islamic: Malaysia’s National Fatwa Council,” 24 October 2014, *Channel News Asia*, <http://www.channelnewsasia.com/news/asiapacific/touching-dogs-un-islamic/1433824.html>; “Malaysia’s Islamic authority to investigate ‘I Want to Touch A Dog’ programme,” 20 October 2014, *Today*, <http://www.todayonline.com/world/malaysias-islamic-authority-investigate-i-want-touch-dog-programme>; “Jakim warns dog event organiser,” 6 November 2014, *Free Malaysia Today*, <http://www.freemalaysiatoday.com/category/nation/2014/11/06/jakim-warns-dog-event-organiser/>.

unlawful in Islam and accused the event organizers of having a hidden aim to offend the sensitivities of Muslims in the country and to undermine the Islamic faith. The event organizers even received death threats from anonymous persons. The Muslim attendees were also condemned for being confused. Reflecting these sentiments, the Department of Islamic Development of Malaysia (JAKIM) promised to conduct a thorough investigation of the matter and to enforce the applicable laws (if any). In a meeting between religious authorities and the event organizers, the latter was reprimanded. The matter was eventually put to rest when the event organizers apologized for the mistake and expressed guilt. In light of the difficult situation faced by the event organizers, whether they apologized out of genuine guilt, or under pressure, is open to speculation.

#### 4. A debatable religious issue

The Director-General of JAKIM was reported to have said: “We are Muslims and our religion has stated clearly the penalty regarding dogs”.<sup>6</sup> The National Fatwa Council similarly opined that while all animals (including dogs) are revered in Islam, the touching and holding of dogs is against the teaching of the *Shafi'i* school of thought, which Muslims in Malaysia are obliged to adhere to. The problem with these assertions, however, is that they are often unaccompanied by *concrete* religious sources. As it turns out, the religious texts from which the anti-dog belief found support are capable of contrary interpretations.

The *Holy Qur'an* does not explicitly condemn dogs. The dog that guarded the Companions of the Cave in Surah 18 was often viewed in good light. In many of the *Sufi* teachings, the dog was said to have become a human

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<sup>6</sup> See news reports cited in n 5 above. Cf “Ex-Perlis mufti: Shallow thinking that touching dogs is forbidden,” 14 October 2014, *The Star*, <http://www.thestar.com.my/News/Nation/2014/10/20/touching-dog-not-haram-says-ex-perlis-mufti/>.

for its good deed.<sup>7</sup> There was even evidence that inhabitants of medieval Arabian Peninsula had great respect for the dog and some said the dog was granted a place in heaven.<sup>8</sup>

Besides the *Holy Qur'an*, Muslims also refer to *ahadīth* (plural for *hadīth*), which are the teachings and practices of the Prophet Muhammad. These supplement the *Holy Qur'an* by clarifying certain aspects of it and by expanding on the practices of Islam that are left unsaid in the *Holy Qur'an*. It is in the *ahadīth* that the anti-dog camp allegedly found support for their belief. However, the *ahadīth* concerning dogs are not entirely consistent. Granted that there are indeed a few *ahadīth* that are apparently anti-dogs. It was said that any utensil used by a dog must be washed seven times.<sup>9</sup> It was also said that an Angel will not enter a house which has a dog in it.<sup>10</sup> Another *hadīth* says that whoever keeps a dog except for guarding of a farm or cattle will have his rewards of good deeds deducted.<sup>11</sup> But there are also

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<sup>7</sup> Javad Nurbakhsh, *Dogs: From a Sufi Point of View*, (New York: Khaniqahi-Nimatullahi Publications, 1989), pp. 65-66.

<sup>8</sup> Al-Tha'labi, *al-Kashf wa-al-bayan* (Dar Ihya al-Turath al-'Arabi, 2002), 2: 251, cited in Sarra Sarra Tlii, *Animals in the Qur'an* (Cambridge :Cambridge University Press, 2012), p. 250. See also Annemarie Schimmel, *Deciphering the Signs of God: A Phenomenological Approach to Islam* (New York: SUNY Press, 1994), p. 48; George Sale, *The Koran, commonly called The Alcoran of Mohammed, Translated into English Immediately From the Original Arabic: with Explanatory Notes, Taken From the Most Approved Commentators*, Vol II (London: T. Tegg, 1825), p. 129.

<sup>9</sup> *Sahih Bukhari*, 1:4:173 (Abu Huraira).

[http://d1.islamhouse.com/data/en/ih\\_books/single/en\\_Sahih\\_Al-Bukhari.pdf](http://d1.islamhouse.com/data/en/ih_books/single/en_Sahih_Al-Bukhari.pdf)

<sup>10</sup> Ibid. *Sahih Bukhari*, 4:54:448; 4:4:539; 7:72:833 (Abu Talha); 4:54:450; 7:72:843 (Salim's father); 5:59:338 (Ibn Abbas).

<sup>11</sup> Ibid. *Sahih Bukhari*, 3:39:515; 4:54:541 (Abu Huraira); 3:39:516 (As-Sa'ib bin Yazid's); 4:54:542 (Abi Zuhair Ash-Shani); 7:67:389 (Ibn Umar); 7:67:390-91

*ahadīth* that are not adverse to dogs. There is one that says: “During the lifetime of Allah’s Apostle, the dogs used to urinate, and pass through the mosques, nevertheless they never used to sprinkle water on it.”<sup>12</sup> There are also *ahadīth* that reveal happy co-existence between man and dogs. As one scholar said:

*... several reports indicated that the Prophet’s young cousins, and some of their companions, owned puppies. Other reports indicated that the Prophet prayed while a dog played in the vicinity. In addition, there is considerable historical evidence that dogs roamed freely in Medina and even entered the Prophet’s mosque.*<sup>13</sup>

As stated at the outset, it is not the purpose of this paper to determine whether dogs are indeed ritually impure. Rather, by citing examples of conflicting *ahadīth*, it wishes to show that the matter is far from conclusive. There is no “clear penalty regarding dogs”, as JAKIM asserts. That *ahadīth* are capable of differing interpretations explains why there are different schools of thoughts in Islam. Muslims in Malaysia mostly adhere to the *Shafi’i* school of thought, which considers dogs to be *najis*. The *Maliki* school of thought, on the other hand, regards only the saliva of dogs to be ritually impure such that one who merely touches a dog but not its saliva need not perform a cleansing ritual. Despite the diversity in opinions, both are established schools of thought of Sunni Islam (the largest denomination of Islam) and neither could be said to be more Islamic than the other.

In 2010, the Jabatan Agama Islam Selangor (JAIS, trans Islamic

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(Abdullah bin Umar).

<sup>12</sup> Ibid. *Sahih Bukhari*, 1:4:174 (Hamza bin Abdullah).

<sup>13</sup> Khaled Abou El Fadl, “Dogs in the Islamic Tradition,” in Bron Taylor (ed), *Encyclopedia of Religion and Nature*, Vol I (London: Bloomsbury Academic, 2008), p. 499.

Department of Selangor) received complaints about a Muslim woman who, in carrying out voluntary animal rescue work, was shown (in a newspaper coverage) to have held a puppy. JAIS' written response to the complaint was that according to the *Shafi'i* school of thought dogs are considered to be *najis*, but qualified this statement by saying that the touching or holding of a dog is not sinful or unlawful in Islam.<sup>14</sup> The keeping of a dog was admittedly a more debatable matter. Even on this matter JAIS allowed Muslims to consider the opinions of other schools of thought that are more tolerant towards dogs, such as the *Maliki* school of thought, but warned against switching schools of thoughts merely for the sake of convenience.<sup>15</sup> The allowance of this flexibility is due to the fact that the different schools of thought diverge not on the core issues of Islam but rather on debatable issues.<sup>16</sup> JAIS' response in fact provides a convenient defence for the organizers of the "I Want to Touch a Dog" event. Surprisingly, no one, including the event organizers, paid any attention to it.

## 5. The great dog debate<sup>17</sup>

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<sup>14</sup> Jabatan Agama Islam Selangor, "Maklumbalas Berkaitan Hukum Menyentuh / Memegang Anjing dan Kepekaan Umat Islam Terhadap Makanan Halal" (Laporan dan Kajian R&D, 18 May 2010), para 3.1: "Menyentuh atau memegang anjing tidaklah berdosa atau menyalahi hukum Islam."

<sup>15</sup> Ibid, paras 3.2-4.6. See also a similarly opinion by the Islamic Religious Council of Singapore (MUIS), "Irsyad on Guide Dogs," <http://www.muis.gov.sg/cms/oomweb/irsyad.aspx?id=18367>.

<sup>16</sup> Ibid, para. 4.1: "Ini kerana dalam kes-kes tertentu ulama-ulama Mazhab ini berbeza mengenai perkara yang furu' (cabang) dan bukan perkara asas."

<sup>17</sup> The event was reported in great detail in William R Roff, "Whence Cometh the Law? Dog Saliva in Kelantan, 1937," *Comparative Studies in Society and History* 25 (1983):323. See also Nik Abdul Aziz bin Nik Hasan, *Sejarah Pergerakan Ulama Kelantan* (Kota Bharu: Pustaka Aman Press, 1977).

Many Muslim scholars argue that the traditional prejudice towards dogs is based on a misunderstanding of the relevant religious texts. They offer alternative interpretations that take into account the apparently inconsistent *ahadith*. Indeed, one cannot accept the anti-dog *ahadith* while ignoring the pro-dog *ahadith*. Unfortunately, these scholars are often branded as religious heretics regardless of the soundness of the explanations offered. The hardline believers seemingly prefer assumptions to reasons. The apparent inability or unwillingness to engage in a meaningful debate appears contrary to the long tradition of diversity of opinions and intellectual pluralism in Islamic discourse. The intellectual regression is clear if one compares the present state to a great dog debate that took place almost 80 years ago in the northern state of Kelantan. As a de facto Islamic state, and hence often perceived as conservative, it is an unlikely venue for a great dog debate, even less so in the 1930s. Yet, the only great dog debate in Malaysia took place in 1937 Kelantan.

In the mid-1930s, Tengku Ibrahim, then Raja Kelantan, heir apparent and younger brother of the Sultan of Kelantan, kept a Dalmatian hound in his house. His sister, Tengku Maharani, objected to the keeping of the dog on the ground that dogs are ritually impure. Tengku Ibrahim sought advice from Nik Abdullah, a young Muslim scholar who had just returned from studying in Mecca. Nik Abdullah gave an advice in Tengku Ibrahim's favour. As the matter become more widely known, religious scholars began to debate among themselves, some agreeing while others disagreeing with Nik Abdullah's advice. Eventually, Tengku Ibrahim decided to convene a public council of debate (*majlis mudzkāra*) to discuss the matter.

Prominent religious scholars of diverse educational backgrounds, from Malaya and abroad, were invited to participate in the debate. The debate was held in one of the palaces and was open to the public. It was attended by the Sultan and more than 2,000 others. During the debate, both sides argued their views by citing religious texts and opinions. Authorities derivable from

other schools of thoughts were also brought into discussion. The pro-dog scholars who supported Tengku Ibrahim relied mainly on the principle of *talfiq*, which is the selective and combinatory use of rulings of the different schools of thoughts. Thus, it was argued that even though Kelantan follows mainly the *Shafi'i* school of thought, it is permissible to also follow the *Maliki* school of thought on the issue of dogs, thus dispensing with the need for special cleansing ritual in consequence of coming into contact with the dogs. In essence, the argument favours a more liberal approach in the interpretation of the religious texts, departing from the traditional approach of unquestioning adherence to a long-held rule.

Ultimately, the result of the debate was inconclusive as both sides held firmly to their views. But this is beside the point. The willingness to engage in open discussion was itself a milestone in religious discourse. The many attendees must have also benefitted from the discussion. They became aware that the issue has no clear answer; it is debatable. Having heard the different views from eminent scholars, the attendees may go back and ponder over which interpretation is better supported by the religious texts and better reflects the Islamic faith.

After the conclusion of the debate, Tengku Ibrahim sought a *fatwa* (legal opinion) from Al-Azhar at Cairo, Egypt, on three related matters:<sup>18</sup>

(1) *Whether the keeping of dogs for household security was permissible or not;*

(2) *Whether, when licked or touched by a dog, one might follow Imam Malik on limited ablution in combination with Imam Shafii on other aspects of ritual prayer, by application of **talfiq** to the two **madzhab**;*

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<sup>18</sup> William R Roff, "Whence Cometh the Law? Dog Saliva in Kelantan, 1937," *Comparative Studies in Society and History* 25 (1983): 336.

(3) *Whether Maliki opinion regarding the (relative) cleanliness of dogs controverted the religion of Islam.*

Shaykh Muhammad Fahm, head of the Fatwa Committee, answered the first two questions in the positive and the third question in the negative. In essence, the argument put forth by the scholars supporting Tengku Ibrahim was affirmed. If we recall, the same reasoning was also employed by JAIS in its 2010 written response.

## 6. Legal implication

The Malaysian legal system closely resembles those in other Commonwealth countries, under which the main sources of law are legislations and case laws. A proposed legislation is debated in the Parliament and is enacted upon approval by 2/3 of the members of Parliament and upon royal assent by the King (Yang di-Pertuan Agong). As legislations are presented before and interpreted by the courts, a body of case law is created, shedding light on how certain legislative provisions are to be interpreted. On issues that are not addressed by legislations, the courts also make laws to fill the gap, continuing the common law tradition. Such judge-made laws are developed incrementally based on established common law principles and reasoning as well as policy considerations.

Interestingly, in recognition of Islam as the official religion of Malaysia, the *Federal Constitution* also empowers individual states to establish their own Syariah legal system to administer Syariah law for matters that fall beyond the jurisdiction of the federal government.<sup>19</sup> At present, all states have taken advantage of this entitlement to establish Syariah courts and enforcement agencies, enabling them to more actively regulate the lives of

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<sup>19</sup> *Federal Constitution*, Schedule 9, List II paragraph 1, [http://www.agc.gov.my/images/Personalisation/Buss/pdf/Federal%20Consti%20\(BI%20text\).pdf](http://www.agc.gov.my/images/Personalisation/Buss/pdf/Federal%20Consti%20(BI%20text).pdf).

Muslims under their respective jurisdiction.<sup>20</sup> Having taken the first step of establishing Syariah court systems, the attention now turns to developing the substantive law. As Syariah law is only to be administered at the state level and not at the federal level, the development of its substantive content necessarily varies from state to state due to differing interpretations of the religious texts. This again demonstrates the existence of room for differences.

In terms of the scope of the Syariah jurisdiction, the *Federal Constitution* included, among other things, “offences by persons professing the religion of Islam against precepts of that religion ...”<sup>21</sup> This was given effect to by the enactment of the *Syariah Courts (Criminal Jurisdiction) Act 1965*, section 2 of which enables such offences to be prescribed by written law. In other words, it enables individual states to enact written laws specifying offences that are against the precepts of Islam. The penalty for committing such an offence is imprisonment for a term not exceeding 3 years or a fine not exceeding RM 5,000 or six strokes of whipping, or any combination thereof. Pursuant to such powers, certain states have enacted laws that are *fatwa*-based. In Selangor, for example, the *Administration of the Religion of Islam (State of Selangor) Enactment 2003* provides for the establishment of a Fatwa Committee headed by an appointed Mufti. The Fatwa Committee has the power to issue *fatwas*, which are binding on Muslims in the state upon its publication in the Gazette. Also pertinent is the *Syariah Criminal Offences (Selangor) Enactment 1995*, which makes it an offence to perform any ceremony or act or give any opinion that is contrary to any *fatwa* presently in force (sections 7 and 13).

At present, there is no written law that prohibits a Muslim from touching or keeping dogs. Neither is there any official *fatwa* prohibiting the

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<sup>20</sup> See generally Farid F Shuaib, “The Islamic Legal System in Malaysia,” *Pacific Rim Law & Policy Journal* 21 (2012): 85.

<sup>21</sup> *Federal Constitution*, Schedule 9, List II paragraph 1, [http://www.agc.gov.my/images/Personalisation/Buss/pdf/Federal%20Consti%20\(BI%20text\).pdf](http://www.agc.gov.my/images/Personalisation/Buss/pdf/Federal%20Consti%20(BI%20text).pdf).

same. But given the public outrage caused by the “I Want to Touch A Dog” event, as well as expression of disapproval by the religious authorities, the issuance of an official *fatwa* on the matter becomes a real possibility. Given that such a *fatwa* has penal consequences, the law-making authorities cannot rely merely on unsubstantiated traditions or beliefs. It is of course true that while normal laws are made by reference to policy considerations, religious laws are based on assumed truths. So if the *Holy Qur'an* explicitly prohibits a certain act and prescribes a penalty, that would be the end of the matter; there is no room for debate. However, the issue of whether dogs are abhorred in Islam is not such a straightforward case. As explained earlier, the *Holy Qur'an* does not explicitly condemn dogs, and the *ahadith* concerning dogs appear to be inconsistent. For such inconclusive issues, only a careful and in-depth study of the primary texts of Islam offers the best chance of arriving at the truth. Importantly, this process of discovery would be greatly facilitated by open discussion of the underlying issue, which includes the willingness to consider various interpretations.

## 7. Conclusion

While the present discussion focused on dogs, the same problems are likely to resurface in disputes of other religious matters. As the prior discussion has shown, alternative opinions in religious issues are often met with hostile reactions. This phenomena also reflects the apparent inability to distinguish between genuine opinions and opinions calculated to undermine or challenge the Islamic faith. This is unfortunate in that it closes the door on meaningful religious discourse, which only serves to deepen a believer's understanding of his or her own religion. Once it is understood that diversity of opinions is accepted in Islam, as is most clearly evidenced by the existence of the different schools of Islamic thought, Muslims should be more receptive to considering alternative opinions, especially when confronted with inconclusive matters. This would prevent hostilities between believers who

hold different opinions and more importantly allow the issues at hand to be more properly resolved.

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