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HYENA: FROM THE PERSPECTIVE OF ANIMAL PHYSIOLOGY AND ITS IMPACT ON JURISTS' DISAGREEMENT

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ABSTRACT

This study examines the taxonomy and physiological characteristics of hyena species, drawing from specialized scientific literature. It also investigates Islamic legal texts on the permissibility of consuming hyena meat, presenting the spectrum of jurisprudential opinions. Employing a qualitative methodology, the research combines descriptive and analytical approaches to derive informed conclusions. Scientifically, hyenas are classified into four species: three are carnivorous predators with powerful jaws and aggressive scavenging behaviors, while the fourth—Proteles cristata (aardwolf)—feeds primarily on termites, larvae, and small rodents. Islamic scholars hold divergent views regarding the consumption of hyena meat. Proponents of permissibility rely on ẓannī (probabilistic) textual evidence, whereas opponents cite qaṭʿī (definitive) sources that prohibit the consumption of fanged predators. This divergence may be reconciled by acknowledging the taxonomic differences among hyena species. The study posits that the hyena referenced in early Islamic texts most likely refers to the aardwolf, a species that does not exhibit typical predatory behavior. Furthermore, the claim that hyenas are hybrids of wolves is scientifically unfounded, as such hybridization would result in offspring retaining heightened predatory instincts, not insectivorous feeding patterns. The study underscores the relevance of integrating scientific taxonomy into Islamic legal reasoning.

Keywords: *Hyena, Physiological Impact, Jurists' Disagreement.*

1. INTRODUCTION

Zoological specialists have identified four distinct species of hyenas, primarily distributed across Africa and parts of Asia (de Waal & Tyack, 2003). The largest and most widespread is the spotted hyena (*Crocuta crocuta*), which predominantly inhabits sub-Saharan Africa (de Waal & Tyack, 2003), as illustrated in Figure 1. The second species is the brown hyena (*Parahyaena brunnea*), the least widespread of the four, typically found in the Kalahari and Namib deserts of southern Africa (Owens & Owens, 1996), as shown in Figure 2. The third is the striped hyena (*Hyaena hyaena*), historically known to Arab communities, with a habitat that extends across northern and northeastern Africa, the Middle East, and into northern Asia as far as Siberia (Kruuk, 1976; Bhandari *et al.*, 2018; Ashish *et al.*, 2024), depicted in Figure 3. The fourth and smallest species is the aardwolf (*Proteles cristata*), commonly referred to as the 'earth wolf' and shown in Figure 4. It bears morphological similarities to the striped hyena but differs significantly in diet and behaviour. In classical Arabic zoological texts, it is also referred to as *Asbar* (al-Qazwinī, 2006: 93; al-Damīrī, 2003, 2/112).

<table>
<tr><td>  </td><td>  </td></tr>
<tr><td>Figure 1: Spotted Hyena
Source: Denver Zoo (2025)</td><td>Figure 2: Brown Hyena
Source: BioDB (2025)</td></tr>
<tr><td>  </td><td>  </td></tr>
<tr><td>Figure 3: Striped Hyena
Source: al-Sharq (2023)</td><td>Figure 4: Aardwolf
Source: Encyclopædia Britannica (2025)</td></tr>
</table>

The smallest and most reclusive of the hyena species is found across various regions of the African continent. It exists in two primary subspecies: the first inhabits southern Zambia, Angola, and Mozambique, extending northward to Uganda and Somalia; the second is native to central Tanzania, Ethiopia, Sudan, and Egypt. This species primarily feeds on termites, larvae, and small rodents, relying on a long, sticky tongue to extract its prey. It rarely consumes meat or carrion, resorting to such alternatives only when its preferred food sources are scarce. Remarkably, it is estimated to consume between 200,000 to 300,000 termites per night (Wilson & Reeder, 2005; Stump, 2011). Historically, this species may have inhabited the Arabian Peninsula but is now believed to be extinct in that region due to overhunting. Its previous presence may have led to its misidentification with the striped hyena, which continues to inhabit the area. Morphological differences among the four species can be observed in the attached figures.

This study approaches the subject from the perspective of Islamic law, which is characterized by its adaptability in addressing contemporary issues and scientific advancements. *Ijtihād* (independent legal reasoning) enables scholars to interpret legal rulings in light of evolving knowledge. As human understanding of the natural world expands, new phenomena emerge that were unknown to classical jurists. This study raises critical questions: How many hyena species exist? Are all of them carnivorous? How do modern physiological findings affect classical Islamic legal opinions on the permissibility of consuming hyena meat?

Accordingly, this study will focus on the biological nature, taxonomy, and behavioural instincts of hyenas. The central issue lies in the contradiction between contemporary zoological findings and the rationale employed by classical jurists who permitted hyena consumption based on the assumption that the species is non-threatening or possesses weak fangs. Such reasoning overlooks interspecies variation and behavioural divergence—a gap in understanding that persists in both classical and modern scholarly discourse, often ignoring the inherently repulsive and complex behaviours exhibited by hyenas.

2. METHODOLOGY

This study employs a qualitative methodology grounded in systematic inquiry, descriptive research, and scientific analysis to arrive at reliable and empirically supported conclusions. A comprehensive review of existing

literature revealed an absence of prior studies that specifically address this subject in an interdisciplinary manner. Existing discussions are largely confined to hadith interpretation and comparative jurisprudence, which typically lack engagement with scientific data and are not informed by biological or physiological expertise related to the animal in question. To enhance clarity and support the analysis, visual representations of the four hyena species are included, allowing for a comparative understanding of their subtle morphological distinctions.

3. RESULTS & DISCUSSION

3.1 *Hyenas' Moral Instincts*

Hyenas primarily inhabit grasslands, forests, savannas, sub-deserts, and mountainous regions- often forming hunting groups at night. They predominantly rely on carrion and opportunistically seize prey from other animals (National Geographic, 2025). Exceptionally, the aardwolf feeds exclusively on termites, caterpillars, and small rodents.

According to Andrew Abraham (2021), a postdoctoral researcher at Northern Arizona University, the three larger hyena species possess notably strong jaws compared to other carnivores. This adaptation allows them to crush bones to access bone marrow, which is rich in calcium and phosphorus, contributing to the distinctive white colour of their excrement (Joshua Learn, 2021).

Studies published in the African Journal of Ecology have shown that the faeces of African brown hyenas in the Tswalu Reserve in South Africa's Southern Kalahari Desert, and spotted hyenas in the Maniliti Reserve near Kruger National Park, contain significant levels of calcium and phosphorus. Researchers estimated the hyenas' nutritional intake and found that their faeces contained up to 20,000 times more calcium and phosphorus than the surrounding soils. Additionally, hyenas exhibit the ability to hunt large prey, often hiding surplus food in water holes and consuming all parts, including bones and hooves (Abraham, 2021). In contrast, the aardwolf is a specialized insectivore, consuming approximately 200,000 to 300,000 termites daily (Active Wild, 2017).

3.2 *Contemporary Physiological Studies of the Hyena*

Animal studies have seen significant advancements in the contemporary era, with numerous institutions, organizations, and universities employing innovative methodologies to explore the lives and behaviours of animals. These studies encompass a wide range of topics, including habitats, reproductive

patterns, feeding behaviours, and the diseases affecting various species, often utilizing cutting-edge technologies such as video recording and specialized media channels. Such advances have provided researchers with invaluable insights into animal nature, behaviour, and taxonomy, reducing reliance on speculative reports passed down by ancient scholars. This progress calls for a reassessment of traditional accounts and the updating of certain findings based on modern scientific evidence.

Historically, early scholars such as al-Qazwinī (2006: 93) and al-Damīrī: (2003, 2/112, 2/37) made claims regarding the nature of the hyena species, particularly the '*asbara*' or 'earth wolf,' suggesting it was a hybrid between a wolf and a hyena. These interpretations were also reflected in other juristic texts, which described the '*sim*' as a hybrid between a male hyena and a female wolf. However, contemporary research has challenged these claims. Melissa Thornberry (2024), in her study *The Hybrid Hyena-Wolf: The Fascinating Cross Between Two Strong Predators*, states that while hyenas (with 40 chromosomes) and wolves (with 78 chromosomes) show some genetic proximity, the substantial difference in chromosome number makes successful hybridization biologically unfeasible. Her study concluded that while hybridization may be theoretically possible, it is extremely unlikely, and the resulting hybrid would need to exhibit traits of both predators, combining the hunting and predation instincts of both species.

Supporting this, Jason Bittel's (2022) research published in National Geographic highlights the genetic incompatibility between species, noting that different chromosome numbers often result in sterile hybrids. Such cases limit the ability of hybrid species to pass on genes, reducing the potential for a viable offspring population (Bittel, 2022). Infertility in hybrids, such as mules, results from imbalanced chromosome pairs, which prevent the development of reproductive capabilities.

These findings directly contradict the claims made by al-Qazwinī (2006), al-Damiri (2003). and others, refuting the notion of the '*asbara*' as a wolf-hyena hybrid. It is more likely that the 'earth wolf' represents a distinct species, perhaps a genetic variant of the striped hyena, whose behaviour has adapted to harsh environmental conditions. Over time, this adaptation could have led to its consumption of insects, larvae, and small rodents, thus shaping a separate species with distinct behaviours inherited by subsequent generations. The resemblance to the striped hyena does not necessarily indicate genetic affiliation, as similar traits can occur across unrelated species, as observed in various animal and plant families.

This conclusion aligns with the observations made by jurists, who described the hybrid as possessing the ferocity of a hyena, the boldness of a wolf, and exceptional speed. These characteristics, however, may reflect a misidentification of the species, particularly the striped hyena, which could have been confused with other hyena species. The lack of comprehensive knowledge about the full range of hyena species in antiquity likely led to the erroneous hybridization theory. Ultimately, the true nature of this animal remains uncertain, and further research is necessary to clarify these historical claims.

3.3 *The Doctrines of the Jurists on Eating the Hyena and Their Reasoning*

3.3.1 *Those Who Say that Hyena is Permissible and Their Evidence*

Proponents of the permissibility of consuming hyena meat include a group of prominent Companions, such as Saʿd ibn Abī Waqqāṣ, Ibn ʻAbbās, and ʻAṭā'. This view was also adopted by jurists including al-Shāfiʻī, Aḥmad ibn Ḥanbal, Isḥāq ibn Rāhawayh, and Abū Thawr. Imām Mālik permitted its consumption but considered it *makrūh* (discouraged). In Mālikī jurisprudence, *makrūh* occupies an intermediate status between *ḥarām* (prohibited) and *mubāḥ* (permissible). The proponents of this view supported their position with several evidentiary texts, as outlined below:

The first hadith: Narrated by ʻAbd al-Raḥmān ibn Abī ʻAmmār, "I asked Jabir bin Abdullah, 'Is the hyena game?' He said, 'Yes'. I said, 'Can it be eaten?' He said, 'Yes'. I said, 'Did the Messenger of Allah say that?' He said, 'Yes'." (Musnad Aḥmad, No. 14425; al-Tirmidhī, 1975: no. 1791).

The second hadith: Narrated by Jābir ibn ʻAbdu-Llāh, "I asked the Messenger of Allah (pbuh) about the hyena. He replied, 'It is game, and if one who is wearing *iḥrām* (pilgrim's robe) hunts it, he should give a sheep as atonement'." (Abū Dāwud, 2009: no. 3783; Ibn Mājah, 2009: no. 3085; al-Ḥākim, 1990: no. 1663). It is also narrated from Abū al-Zubayr that ʻUmar ibn al-Khaṭṭāb gave the judgement of a ram for a hyena, a female goat for a gazelle, a she-goat (*ʿanāq*) less than one year old for a rabbit, and a four-month-old kid (young lamb) for a jerboa (rodents) (Abū Dāwud, 2009: no. 1889).

The third hadith: On the authority of Abū ʻAbd al-Raḥmān al-Sulamī, the owner of al-Dathniyyah, he said, "O Messenger of Allah, what do you say about the hyena? He said, 'I neither eat it nor forbid it.' I said, 'If you don't forbid it, I will eat it'." (Musnad al-Ruwayyani, No. 1463; al-Bayhaqī, 2003: 19/440).

It was also cited as evidence the prevailing custom (*'urf*) of that era, wherein the consumption of hyena meat was a familiar practice—an observation noted by Imam al-Shāfi'ī In his book, *al-Umm* (1990: 2/265).

3.3.2 *Those Who Say it is Forbidden to Eat Hyena and Their Evidence*

The scholars who prohibited the consumption of hyena meat include prominent early authorities such as Saʿīd ibn al-Musayyib, Ibn al-Mubārak, al-Layth ibn Saʿd, Sufyān al-Thawrī, al-Ḥasan al-Baṣrī, al-Awzāʿī, ʿAbd al-Razzāq al-Ṣanʿānī, Abū Ḥanīfah, and one opinion attributed to Mālik (see: al-Thaʿlabī, 2/212; al-Rīmī, 1999: 1/419; al-Dasūqī, n.d: 2/117). Their position is supported by several lines of evidence:

The first evidence: The general statement of Allah to consume only that which is *ṭayyib* (pure and wholesome), as expressed in the verses: "Eat of the good things We have provided for you" (al-Baqarah: 172), and: "He allows them as lawful *al-ṭayyibāt* (i.e. all good and lawful as regards things, deeds, beliefs, persons, foods), and prohibits them as unlawful *-al-khabā'ith-* (i.e. all evil and unlawful as regards things, deeds, beliefs)" (al-Aʿrāf: 157). These verses are understood to imply the impermissibility of consuming anything that is foul (*khabīth*), including animals with detestable traits or behaviours.

The second evidence: The hadith recorded in both *Ṣaḥīḥ al-Bukhārī* and *Ṣaḥīḥ Muslim*, among other canonical sources, from Abū Thaʿlabah, wherein the Prophet (pbuh) explicitly forbaded "eating of wild animals having fangs" (al-Bukhārī, 2001: no. 5210). This hadith is widely transmitted and classified as mutawātir, thus carrying considerable legal weight.

The third evidence: "When the Prophet (pbuh) was asked about eating the hyena, he said: 'Does anyone eat hyena?' or he said: 'Who eats hyena?' " (Al-Mutawa, No. 230). Khuzaymah ibn Juzayr said: "I asked the Messenger of Allah (pbuh) about eating hyena, and He said, 'Does anyone eat hyena?' I asked him about eating the wolf, and he said, 'Or does anyone with any good in him eat the wolf?' " (al-Tirmidhī, 1975: no. 1792; Ibn Mājah, 2009: no. 3237). These expressions of rhetorical questioning indicate Prophet's strong disapproval and a degree of aversion.

The fourth evidence: 'Abdu-Llāh ibn Yazīd al-Saʿdī reported, "Some people from my tribe ordered me to ask Saʿīd ibn al-Musayyib about a spear that they mark and anchor in the ground and it used to kill hyenas. He said, 'I sat down with Saʿīd ibn al-Musayyib and there was a white-headed and bearded old man from the Shām. So, I asked him about it, and he said, 'And you would eat a hyena?' I said, 'I have never eaten it, but some people from my tribe eat it.' Saʿīd

said, 'It is not permissible to eat it. The old man said, 'O Abdu-Llāh, shall I tell you a hadith that I heard from Abū al-Dardāʾ narrating it from the Prophet (pbuh)?' I said, 'Yes'. He said, 'I heard Abū al-Dardāʾ say, The Messenger of Allah (may Allah bless him and grant him peace) forbade predatory bird and every animal that snatches prey, the *mujaththamah* (an animal killed by being shot repeatedly without slaughter), and every fanged predator'. Saʿīd ibn al-Musayyib said, 'It is true'." (Musnad Ahmad, No. 27512).

The fifth evidence: Narrated by Ibn 'Abbās, "The Prophet (pbuh) prohibited the *Mujaththamah*, the milk of the *Jallalah* (an animal that feeds on filth), and drinking from the sprout of the water-skin" (Abū Dāwud, 2009: no. 3786; al-Tirmidhī, 1975: no. 1825; al-Nasā'ī, 1986: no. 4448; Ahmad, No. 1989). On the authority of 'Amr bin Shuʿayb from his father and grandfather, he said, "The Messenger of Allah (may Allah bless him and grant him peace) forbade on the day of Khaybar from the meat of domestic donkeys and from the *jalalah*; from riding them and eating their meat' (Abū Dāwud, 2009: no. 3811; al-Nasā'ī, 1986: no. 4447; Aḥmad, No. 7039).

The sixth evidence: The aardwolf (al-ʿAsbār) is a less predatory animal that feeds primarily on insects. It is plausible that this species once inhabited the Arabian Peninsula but became extinct due to overhunting. Owing to its strong resemblance to the predatory Arabian hyena, people at the time likely failed to distinguish between the two, which contributed to the confusion in narrations and subsequent juristic rulings. This conclusion is supported by what Sheikh al-Shanqīti mentioned in his 'Sharh Zād al-Mustaqni', namely that some scholars have said the hyena is of two types: one that is predatory, and another that mostly feeds on plants — the latter being the type that existed in the Hijaz. They say this is the one the Prophet (pbuh) referred to in the hadith that indicates the permissibility of eating it (al-Shanqiṭī, n.d: 2221).

In summary, table 1 below summarizes the contrast between jurists' differing rulings on the permissibility of eating hyena meat and zoological findings, showing how textual interpretations and legal principles diverge while modern science generally supports its classification as a predatory scavenger.

Table 1. Comparison between Jurists' Opinions on the Hyena's Ruling and Zoological Findings

Aspect	Proponents of Permissibility	Proponents of Prohibition	Physiological / Behavioural Findings
Textual Evidence	Hadith: *"The hyena is game, and if a pilgrim hunts it, he must offer a ram"* – understood as permissibility.	Qur'anic verse: *"…and He forbids them the impure things"* (7:157), and Hadith: *"The Prophet forbade eating every*	The hyena possesses powerful fangs and jaws capable of crushing bones, and it regularly feeds on carrion.

		predator with fangs" – general, encompassing the hyena.	
Interpretation	The description as "game" implies its lawfulness for consumption.	The description as "game" indicates only the expiation (*fidya*) required if hunted in ihram, not its permissibility.	Scientific observations confirm that the hyena is both predatory and scavenging in nature.
Behavioral Nature	Some argued it is not a "true predator" (due to relatively weaker fangs or less ferocity).	Classified the three main hyena species as predatory beasts included in the general prohibition.	Of the four known hyena species, three are predatory; only the aardwolf is mainly insectivorous.
Objectives (*Maqāṣid*)	Specific textual evidence is prioritized over the general prohibition (a case of special exemption).	Adopted the principle of precaution, upholding general and explicit proofs forbidding impure and predatory animals, while reinterpreting permissive narrations	Modern zoological studies note that hyenas dig up graves and consume carrion, reinforcing their categorization as impure
Conclusion	Permissibility upheld based on the hadith of Jābir and supporting reports	Prohibition upheld based on stronger general and explicit evidence, with permissive reports interpreted restrictively	Physiological and behavioural analysis affirms hyenas as predatory scavengers, with a possible exception for the aardwolf

3.4 *Maqasid Balancing and the Impact of Physiological Study on the Preponderance*

3.4.1 *Maqasid Balancing*

Upon reviewing the evidence and rationales presented by both perspectives regarding the permissibility of consuming hyena meat, it becomes apparent that the proponents of permissibility primarily rely on Sharīʿah-based evidence and jurisprudential principles rather than scientific findings concerning the biological composition or behaviour of the animal. One of their central arguments is that any animal that does not actively prey using its fangs is deemed lawful (*ḥalāl*) to consume, including foxes and hyenas—despite their possession of fangs—on the grounds that such anatomical features are either weak or not utilized for predatory aggression.

An analysis of the narration attributed to Jābir (r.a), in which he was asked, "Do you eat the hyena?" and he replied, "Yes," followed by the question "Is it game?" to which he also responded affirmatively, reveals important nuances. The sequence of questions and responses differs from other narrations cited by the proponents of permissibility. Notably, the narration cited here opens with

a declaration of permissibility rather than a classification as game. This subtle variation is significant, especially given that Jābir's other transmissions focus solely on the hyena's classification as game (*ṣayd*), without explicitly affirming its permissibility for consumption.

Consequently, the only clear implication from Jābir's narration is that the hyena constitutes game for which expiatory compensation (*fidyah*) is required during the state of *iḥrām*. This classification alone does not imply permissibility of consumption, as held by the Ḥanafīs and some Ḥanbalīs, who maintain that the criterion for expiatory game (*ṣayd*) does not necessitate permissibility of consumption. Rather, it may reflect other utilitarian purposes such as the use of the animal's hide. This is further supported by the report in which ʿAbdu-Llāh ibn Yazīd stated: "I asked Saʿīd ibn al-Musayyib about the hyena and he disliked it." When informed that some of his people consumed it, he responded: "They do not know." In another instance, he stated explicitly, "It is not permissible to eat it" (Musnad Aḥmad, No. 21706; 27101). Ibn al-ʿArabī al-Mālikī echoed a similar sentiment: '... and wonder who forbids the fox while it preys on chickens and permits the hyena while it preys on humans and eats them' (al-Manāwī, 4/258).

These observations indicate that Jābir's hadith cannot independently serve as a definitive exemption from the general prohibition on consuming carnivorous animals with fangs. The principle established in *uṣūl al-fiqh* holds: "When evidence is subject to significant doubt, its probative force is negated" (al-Qarāfī, 1994: 2/87; al-Subkī, 1991: 2/143–144; al-Juwaynī, 1997: 1/194; al-Ghazālī, 1993: 193; al-Rāzī, 1997: 4/367). Furthermore, Jabir's narrations display discrepancies, and additional reports by Ibn ʿAbbās and Abū Hurayrah omit any explicit mention of permissibility. The silence regarding edibility, a critical legal concern, strengthens the conclusion that the narration merely reflects the hyena's legal classification as game, not an endorsement of its consumption.

Around identifying the operative cause (*ʿillah*) behind the prohibition of eating predatory animals with fangs: is it the mere possession of fangs, or rather the animal's predatory nature, namely its aggression in attacking with its fangs? The majority of jurists maintain that the more accurate cause is the predatory aggression of beasts that employ their fangs in attack, rather than the mere anatomical presence of fangs (see: al-Nawawī, 1392H: 13/73; Ibn Ḥajar, 1379H: 9/534). Accordingly, the hyena embodies both causes: it possesses powerful fangs and is classified as a predatory beast that assaults with them, thereby falling within the scope of the prohibitive texts.

It is plausible that the permissive stance stems from pre-Islamic Arab dietary customs, wherein hyena meat was consumed, and that this practice persisted

through either tacit prophetic approval or temporary suspension of judgement pending revelation. Subsequently, however, the Prophet (pbuh) is reported to have issued a categorical prohibition. On the day of Khaybar, as recorded in the Musnad of Aḥmad (no. 8734) with a sound chain, Abū Hurayrah narrated that the Prophet forbade "every predatory animal with fangs, the *mujaththamah* (an animal killed by multiple blows or spears without slaughter), and domestic donkeys". Another narration adds, "He forbade, on the day of Khaybar, the consumption of domestic donkeys and *jallālah* (filth-eating animals), including riding or eating them" (Abū Dāwūd, No. 3811; al-Ḥākim, 1990: no. 2498).

It is possible that the permissive jurists were unaware of this prohibition or interpreted Jābir's hadith as an endorsement. However, such an interpretation is logically and legally problematic. Should domesticated herbivores like donkeys, which largely consume lawful substances, be prohibited due to occasional consumption of *filth* (najāsa), while carnivorous beasts that consume carcasses, dig up graves, attack live prey, and drink blood remain permitted? This contradiction is striking. A predatory, grave-desecrating, blood-consuming scavenger like the hyena—whose flesh is impure and dangerous—should logically fall under the prohibition, particularly given the Qur'anic and prophetic emphasis on *ṭayyib* (pure and wholesome) food.

Accordingly, the view prohibiting hyena consumption appears to be stronger both in textual evidence and analogical reasoning (*qiyās*). Hyenas are inherently aggressive predators with the potential to attack and kill humans, placing them in the same legal category as other fanged carnivores. The interpretation that the hyena is included in the expiatory category of game (*ṣayd*) does not necessitate its permissibility for consumption. The legal maxim holds: "Not everything classified as game is necessarily lawful to eat." It may be hunted lawfully for utilitarian reasons—such as feeding animals—so long as ritual prohibitions are not violated (al-Manbajī, 1994: 1/427).

Furthermore, those advocating permissibility acknowledge disturbing traits of the hyena, including grave robbing and scavenging carrion, yet justify its consumption by arguing that its fangs are "weak" or unused in hunting—an argument inconsistent with rational legal analysis. If it is acknowledged as filthy and dangerous, then its consumption cannot be justified on the basis of minor anatomical ambiguities

The ḥadīth upon which the proponents of prohibition base their view is authentic. It clearly states that every predatory animal with fangs is prohibited, and the hyena falls under this category, as it uses its fangs for hunting. Conversely, those who deem its consumption permissible argue that the hyena's fangs are weak and thus unfit for effective predation. However, this

assertion is inconclusive, as the hyena does indeed utilize its fangs in hunting, albeit with less intensity than other predators, as previously discussed.

It is perplexing that proponents of permissibility present descriptions of the hyena that contradict their own rationale. They acknowledge that it is a scavenger, inclined to exhume graves, and capable of attacking humans—yet they justify its permissibility on the grounds that its fangs are weak or that it does not actively hunt with them. Such reasoning is neither consistent with logical analysis nor coherent within legal methodology. It is paradoxical to admit its corrupt and predatory nature, particularly its tendency to desecrate graves, and yet still consider it lawful for consumption.

Dr. Fadel Abbas Al-Ruwaie, a nephrology consultant in Saudi Arabia, stated in an interview with Al-Riyadh newspaper—following widespread rumours that hyena meat could cure various epidemiological diseases—that: "What is circulating on social media claiming that hyena meat can cure kidney disease is completely unfounded". There is no scientific evidence suggesting that hyena meat contains any active substance beneficial for the treatment of any form of kidney disease. Furthermore, there is not a single scientific study—either conducted or proposed—that supports such a claim. Scientific research is governed by rigorous principles, one of the most fundamental being the obligation to avoid placing patients at risk. In this case, the underlying theory is scientifically flawed, particularly given that hyenas are scavengers that feed on carcasses and are known to carry various harmful bacteria and viruses. While these pathogens may be tolerated by the hyena's immune system, they can be transmitted to humans through consumption—such as rabies and other zoonotic infections. Moreover, the kidney is susceptible to a range of diseases, each requiring specific treatment. For instance, the treatment for kidney stones differs significantly from that for bacterial nephritis or renal complications due to diabetes. There is no universal cure for all kidney diseases, as treatment must be tailored to the underlying cause (Haydar, 2019).

Among the factors that further support the prohibitive position in addition is the possibility of confusion between the Arabian hyena and the Aardwolf (*al-ʿAsbār*). Some references indicate that the aardwolf once inhabited the Arabian Peninsula but may have become extinct due to overhunting. Given the notable morphological and behavioural similarities between the two species, people may have struggled to distinguish between them, which could partly explain the divergence in juristic narrations regarding its consumption.

Table 2: *Maqāṣid*-Based Balancing between the Proponents of Permissibility and Prohibition

Classification of *Maqṣad*	Enhancing (*Ḥājī* or *Taḥsīnī*)	
Position	Permissible	Prohibited
Functional Type	Attainment of Benefit (*Jalb Maṣlaḥah*)	Prevention of Harm (*Darʾ Mafsadah*)
Strengths	Considers customary practice, reduces hardship, expands permissibility	Strong textual foundation aligns with safety and purity objectives, precaution in doubtful matters. *Sadd al-Dharīʿah* invoked due to close resemblance to the aardwolf. Backed by animal behavior specialists.
Weaknesses	Weak textual basis, potential conflict with principles of *ṭahārah* and safety, overlooks biological risks.	Possible over-restriction, interpretive rigidity, limited accommodation of historical norms.
Legal Weighting	———	Prevails in case of conflict (*Yuqaddam ʿinda al-Taʿāruḍ*)

Supporting Note for Prohibition: The possibility of confusion between the Arabian hyena and the aardwolf (al-ʿAsbār) raises concern over the mixing of lawful and unlawful categories, reinforcing the need for precaution and legal restraint in dietary rulings.

3.4.2 *Balancing the Physiological Analysis*

Following thorough discussion, analysis, and a *maqāṣidī*-based evaluation, it is evident that the more probable and well-supported ruling is the prohibition of consuming the predatory hyena. The strength of the textual evidence (*naṣṣ*) and its rational justifications, reinforced by findings from biologists and animal physiologists, supports this position. Scientific analysis has confirmed that the hyena is a predatory and ferocious scavenger that feeds on carrion and possesses unparalleled jaw strength among carnivorous animals—capable of crushing bones—thereby affirming the credibility of the prohibitionist stance and invalidating the permissive argument that its fangs are weak or that it is not an aggressive predator.

Physiological and biological evaluations provide significant insights: contemporary zoological research has identified four species of hyenas, three of which are carnivorous and clearly predatory. One species, however, is comparatively less predatory, feeding primarily on termites, larvae, and small rodents. This species bears a strong resemblance to the striped hyena commonly found in the Arabian Peninsula—one of the three known predatory

species—but differs in certain physiological traits, notably its smaller size and the number of toes: it possesses five digits on its forelimbs, whereas the more ferocious hyenas have only four digits on both forelimbs and hindlimbs. This less predatory species is referred to as '*asbar*', which medieval scholars such as al-Qazwinī and al-Damīrī inaccurately described as a hybrid between a wolf and a hyena. This claim, however, has been refuted and rejected by modern experts in zoology, as previously discussed.

It appears that '*asbar*' was once common in the Arabian Peninsula and was regularly hunted and consumed. Due to its physical resemblance to its more predatory counterparts, it was not distinguished from them by the local population, which likely led to a conflation in their legal status. Based on this understanding, one plausible interpretation of the *ḥadīths* that permit hyena consumption is that they refer specifically to this less predatory type. This interpretation is supported by scientific evidence, and from this perspective, both juristic opinions—those that permit and those that prohibit—could be valid depending on the specific species in question. And Allah knows best.

This conclusion finds further support in the statement of Sheikh al-Shanqiṭī in his commentary on *Zād al-Mustaqniʿ*, in which he cites a view attributed to one of the scholars that hyenas are of two types: one is predatory, and the other is primarily herbivorous; the latter being found in the Hijaz region. It is this type, they argue, that was referred to in the prophetic narration permitting its consumption (al-Shanqīṭī, n.d: 2221).

As previously discussed, contemporary zoologists and animal scientists from both the Eastern and Western traditions have documented these distinctions through empirical research, highlighting the inaccuracies in earlier juristic classifications of animals—classifications that were understandably based on the limited scientific knowledge available at the time. The jurists, not being experts in zoology, exercised their best judgment based on the information accessible to them. At that time, the tools for safe and systematic scientific investigation were not as advanced or accessible as they are today. However, one of the distinguishing features of this great and dynamic Sharīʿah is its adaptability and capacity for renewal in addressing contemporary issues. This is done through a careful assessment of benefits and harms (*maṣāliḥ wa mafāsid*), while remaining grounded in its immutable principles and foundational rulings. This methodology has long been the hallmark of scholarly tradition throughout Islamic history. And Allah is the bestower of guidance to the straight path.

4. CONCLUSION

This study has yielded several significant findings. The divergence of opinion among Islamic jurists regarding the permissibility of consuming hyena meat can be traced to three main factors: (1) the apparent contradiction between the *ḥadīth* of Abū Thaʿlabah—which is *mutawātir* (mass-transmitted)—and the *ḥadīth* of Jābir—which is *āḥād* (solitarily transmitted); (2) the interpretive ambiguity in Jābir's report—specifically, whether he merely stated that the hyena is game (*ṣayd*) and liable for expiation during *iḥrām*, or that it is also lawful for consumption; and (3) the uncertainty surrounding the classification of the hyena—whether it is truly a predator possessing both aggression and strong fangs (like lions and wolves), thereby falling under the prohibition of "every predator with fangs," or whether it possesses only one of these traits?

While the authenticity of the *aḥādīth* permitting hyena consumption is acknowledged, even proponents of permissibility concede the strength of the opposing view's evidence. Those who argue for permissibility interpret the general prohibition against predatory animals with fangs as excluding the hyena, contending that it lacks the typical characteristics of such predators due to its relatively weak fangs or non-aggressive behavior.

However, from a *maqāṣidī* (objective-based) perspective, the argument in favor of prohibition is more compelling. This is based on several key considerations. The *ḥadīth* of Abū Thaʿlabah is definitive, *mutawātir*, and explicit in its prohibition of "every predator with fangs," whereas Jābir's narration is ambiguous and inconclusive, and therefore insufficient to override a stronger textual foundation. Next, the principle of *iḥtiyāṭ* (precaution) in Islamic jurisprudence supports prioritizing prohibitive evidence when there is a conflict between permissibility and prohibition. In addition, the permissibility mentioned in Jābir's report is best understood as having preceded the later prohibition. Fourth: Among the factors that further support the prohibitive position is the possibility of confusion between the Arabian hyena and the aardwolf (*al-ʿAsbār*). Some references indicate that the aardwolf once inhabited the Arabian Peninsula but may have become extinct due to overhunting. Given the notable morphological and behavioral similarities between the two species, people may have struggled to distinguish between them, which could partly explain the divergence in juristic narrations regarding its consumption.

A *maqāṣid*-based balancing also suggests that the view permitting the consumption of hyena meat is grounded in the consideration of benefit (*maṣlaḥah*), specifically the preservation of life — categorized as either *ḥājī* or *taḥsīnī* — under the classification of *ṭayyib* (wholesome). In contrast, the view prohibiting it is based on the consideration of harm (*mafsadah*), also linked to

the preservation of life — likewise *ḥājī* or *taḥsīnī* — but under the classification of *khabīth* (impure). Since both considerations occupy the same level within the hierarchy of *maqāṣid*, the principle of legal preference (*tarjīḥ*) dictates that avoiding the prohibited takes precedence over engaging in the permissible, as established by the scholars of legal theory (*uṣūl*).

Moreover, the hyena is inherently impure and repugnant due to its scavenging behavior, consumption of carrion, and tendency to desecrate graves—traits acknowledged even by those who permit its consumption. The Qur'ān clearly prohibits the intake of impure substances. To boot, scientific evidence from zoology and animal physiology helps reconcile the apparent conflict in the texts by demonstrating that 'hyena' is not a singular classification but encompasses four distinct species. Of these, three are clearly predatory, while the fourth—the aardwolf—is significantly less predatory, feeding mainly on termites, larvae, and rodents. Its occasional scavenging behavior does not rise to the level that would warrant a ruling under the same category as its more aggressive relatives.

Accordingly, this study suggests that the permissibility mentioned in some Islamic texts may refer specifically to this fourth, less predatory species. However, due to the striking resemblance between this type and the striped hyena native to the Arabian Peninsula, jurists may have conflated the two, leading to divergent assessments of their behavioral traits. A comparative visual analysis provided in this study helps clarify these differences and supports the conclusions drawn.

This research underscores the necessity of revisiting religious rulings that intersect with scientific disciplines, especially applied and empirical sciences. Interdisciplinary collaboration—with experts in fields such as astronomy, mathematics, medicine, engineering, chemistry, physics, geography, and zoology—is imperative for producing well-informed and accurate religious verdicts. The findings of such joint efforts should be systematically updated and disseminated to guide contemporary Islamic discourse. The present study offers a clear example of the importance and efficacy of such an approach.

Furthermore, this study cautions against relying on scholarly opinions outside one's field of expertise, as doing so risks misinformed rulings that may lead to contradictions and unintended societal consequences. Several such examples were examined herein, and the discrepancies were addressed by consulting subject-matter experts, thereby reaffirming the value of interdisciplinary engagement in achieving coherent and evidence-based Islamic legal judgments.

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