

The Jurisdiction and Conditions for Hunting of Animals in Islam

Dr. Muhammad Sarwar

Assistant Professor, University of Veterinary and Animal Sciences Lahore.

Email: sarwarsiddique@uvas.edu.pk <https://orcid.org/0000-0001-9208-4798>

Dr. Muhammad Hasib

Lecturer in Islamic Studies in University of Gujrat, Gujrat.

Email: dr.mhasib@uog.edu.pk

Hafiz Muhammad Tanzeem

Assistant Professor, Islamiyat, Govt. Graduate College, Daska.

Email: mtanzeem92@gmail.com

Received on: 26-10-2021

Accepted on: 01-12-2021

**Abstract**

Islam is the last beloved religion of Allah and its teachings are according to nature. That is why Islamic teachings regarding hunting animals are also very balanced. Although the Holy Quran and the Sunnah of the Prophet (peace and blessings of Allah be upon him) have permitted the hunting of animals, this is conditional permission in this regard. Muslim jurists explained the various dimensions and circumstances of hunting animals with their domains and commandments. This article describes all such conditions, permissions, domains, and limitations that Islam has given for the hunting of animals.

**Keywords:** Animal, Jurists, Quran, Hadith, Halal, Haram

**Introduction:**

Islam has a very balanced teaching regarding hunting animals. It has been proven that hunting is allowed by the Book, the Sunnah of the Prophet, and by consensus.

And when you come out of (IHRAM), you can hunt.<sup>1</sup>

And it is forbidden for you to suffer from drought as long as you are in (IHRAM).<sup>2</sup>

From these verses, it is clear that it is permissible for a non-MUHRAM to hunt. The justification of hunting is also proved by the hadiths.

Hazrat Abu Thalaba Khashni says: I came to the Prophet (SAW) and asked him: O Messenger of Allah! We live in the area of the People of the Book (Jews and Christians) and eat in their pots and that is the hunting ground where I hunt with my bow and my trained and untrained dog, so tell me which of the following is permissible for me? He said: What you have said that I live in the area of the People of the Book and I eat from their vessels, if you find other than their vessels then do not eat in them and if you do not find others then wash them and then in them Eat and what you have said that I live in the hunting ground, then eat what you hunt with your bow and read on it. So feed it, and if you hunt with an untrained dog, feed it if you get a chance to slaughter it<sup>3</sup>.

---

In addition, many instructions have been narrated in the Prophetic books of Hadith under the title of Kitab us-Sayid, from which the condition and justification of hunting is known.

**Hunting Equipment and Their Explanation:**

To easily understand the rules of hunting, it is necessary to know the difference between the rules of hunting equipment.

There are two types of hunting equipment:

- (A) Inanimate device hunting
- (B) A living hunting tool

The details of their rulings and issues are as follows:

**Inanimate Device Hunting:**

The jurists have mentioned a few conditions for hunting with inanimate objects which are as follows.

- (A) The animal has died from a sharp or pointed wound on the instrument <sup>4</sup> -
- (B) The animal should not have died from the injury of any instrument, because in the Qur'an al-Hakim, it has been declared HARAM<sup>5</sup>.
- (C) The animal should not be strangled by anything, because in the Qur'an, it has been declared HARAM, which means the animal which has been strangled to death.
- (D) If any part of the animal is injured by the hunting device and blood flows from there, but if the wound is large then bleeding is not necessary.
- (E) If the victim dies from the same instrument of hunting, his death and nothing else is involved, if he hunts with an arrow and the animal or bird falls on the mountain or in the water from such a height and the cause of death is suspected that It is not permissible to eat it if it has fallen on a hill or died by falling into the water or has died from an arrow. This is because in the Qur'an al-Hakim, the word "apostasy" has been declared HARAM, which means an animal that falls down a hill, mound, or building or falls into a well and dies.  
It is HALAL if it falls directly on the ground <sup>6</sup> -
- (F) A hunted animal that has not died due to hunting, collision, such as a train, car, etc., will not be HALAL because these things are not instrumental. For this reason, in the Qur'an, "Natiha" has been declared HARAM, which means an animal that has been killed by a collision or a strike<sup>7</sup> -

**Prerequisites for Hunting:**

The following conditions must be fulfilled by a hunter :

- (A) When hunting with a hunting device, his name is mentioned<sup>8</sup> -
- (B) It will be halal if the hunter finds the animal dead after hunting, but it will not be halal if the hunter does not look for the animal and sits down then finds it dead<sup>9</sup> -
- (C) The hunter must be a Muslim or one of the People of the Book<sup>10</sup> - .

**Conditions for Predators:**

Some conditions must be found in animals that are hunted by inanimate objects. Their details are as follows.

---

---

(A) The animal to be hunted should not be one of the familiar animals. For example goat, cow, buffalo, chicken, etc<sup>11</sup>.

(B) The animal to be hunted should not be one of the insects, beasts, or birds of prey, because they all are haraam and will not be halal for hunting reasons<sup>12</sup>.

(C) The fish to be hunted should be none other than fish as only fish is permissible in marine animals<sup>13</sup>.

(D) If the animal is found dead after being hunted, it will be halal. If it is found alive, it will not be halal without slaughter<sup>14</sup>.

### **Types of Inanimate Objects Hunting and Their Rules.**

The conditions mentioned for hunting animals are all conditions for hunting with arrows, without them the animal will not be halal. But some of the rules are only for the arrow which Allama Marghinani has stated in the Hidaiya Shareef.

(A) After hearing the sound of the prey, he shot the arrow. If it is same animal, it will be halal.

(B) If an arrow hits a bird, then that bird flies away and it is not known whether that bird was one of the domestic birds or one of the wild birds became the prey instead, then it is halal.

(C) If you think that there was a thief and you and kill it, but the animal (the person to be hunted) turns out to be, then it will also be halal, provided it is killed by Allah's name.

(D) If the arrow hits any part of the body, it will be seen that if the wound is small and there is bleeding, then it is halal. Similarly, if the wound is big but there is no bleeding, then it is also halal.

(E) If the arrow is aimed at width and the animal is not injured, it will not be halal.

### **Hunting by Gun and its Orders:**

Concerning hunting with a gun, the majority of scholars think that an animal that dies after being hunted with a gun is haraam, but some scholars have stated that it is permissible, including the famous Egyptian researcher Dr. Yusuf Qaradawi and Allama Shokani. Are, Therefore, before starting the ruling of one party, it is necessary to know the ruling of the gun concerning the Qur'an and Hadith, and then the place where some scholars think it is wrong will be pointed out.

The Almighty Allah, referring to the forbidden(HARAM) animals, said:

"Al-moqozato"

The meaning of this word has been unanimously accepted by all the scholars as "an animal which has been killed by being hit by a non-striped object."

In the first chapter, Imam Bukhari has narrated the narration of Hazrat Uday bin Hatim. Hazrat Uday bin Hatim says: I asked the Prophet (SAW) about the prey which he did with the stick of arrow. He said, "If it has been hunted by its tip, then eat it<sup>15</sup>.

And after that he narrated the narration of Uday ibn Hatim in "Bab Ma Asab Al-Ma'araz Bia'rza" as follows:

If the meat is torn, then eat it, and if the stick is beaten, then do not eat it<sup>16</sup>.

Two things became clear from this detailed reference.

(A) An animal that has been the victim of a gun is not halal because it is considered prey.

(B) It has become clear from the edicts of the Prophet (peace and blessings of Allaah be upon him) that the instrument with which one is injured is a dead prey and is haraam, and the animal with which it is inflicted is halal.

All scholars and researchers agree on these two points.

First of all, there is a footnote quoted by Allama Shokani which is quoted in the footnote of Allama Aiji's Tafsir Jami-ul-Bayan.

The guns that are popular nowadays that are loaded with gunpowder and lead are not discussed by the scholars because they have reached the area of Yemen in the tenth century and when I was asked about the animal that died before being slaughtered, I found it appropriate that it is halal because it tears, that is, it enters from one side and exits from the other side. That the prey may be hunted by the marauding and it may be devoured. (Eat) then eat<sup>17</sup>.

But in this issue, Allama Shoukani made a mistake in two places due to which he issued a fatwa on the situation.

(A) First of all, Allama Shokani himself admitted that gunpowder and lead are thrown in today's gun. If the animal is killed by explosives then it dies from the shock of the explosion of explosives and this animal will enter Natiha because Natiha means the animal that dies from shock and it is forbidden in Qur'an al-Hakim and if it dies due to lead Then it will be seen that he died due to the edge of lead or he died due to the speed and intensity of lead. Obviously, a lead bullet does not sharpen, and if the bullet penetrates the other side with intensity, then the animal enters the moqooza, which means a dead animal with the intensity of a non-striped object, and the Qur'an al-Hakim also mentions it. Therefore, it is haraam to kill an animal that has been killed by a bullet.

(B) The second mistake in Allama Shoukani's style of reasoning is that he says:

"I considered it halal because it is KHARAQ ( to tear) and it has been mentioned in Sahih that if the object is KHARAQ then eat it."

But this argument of Allama Shokani is wrong because the word Kharq (with Ra) is not used in any hadith of Bukhari and Muslim. Rather, the word KHAZAQ (with za) is used there, as it was at the beginning of this chapter and there is a difference in the meaning of both.

KHARAQ means to tear and KHAZAQ means to injure with a sharp object.

Allama Shokani has said that it is haraam to kill a hunted animal because of its throwing power and has said that it was not killed with the edge of a sharp instrument but due to the force of Ramiya<sup>18</sup>.

It has become clear that it is not permissible to eat a hunted animal without slaughtering it.

### **Hunting by Ammunition:**

Ammunition is a substance that explodes and destroys due to chemical movements. Therefore, if a land animal is hunted and killed by gunpowder, it will be haraam and dead. However, if he was severely injured by explosives and still had a chance to live, then this animal would also be halal, but not because of hunting with explosives but because of slaughter.

It is permissible to hunt aquatic animals, ie fish, with gunpowder, because it does not

intend to bleed through hunting, as in some areas, certain types of gunpowder are kept under water and explode, causing the fish to die and Then they eat it, it is permissible. A land animal is not halal because of explosives because when an animal dies due to an explosion of explosives, it will die due to trauma, it will not die from being injured like a sharp instrument. The Qur'an has declared it haraam.

### **Trap Hunting:**

It is permissible to hunt birds and land animals and fish with a net, but it would be halal to slaughter them alive while they are trapped in the net. Except for fish which are halal if they die in the net.

If a bird is caught in a trap and dies on its own, or if an animal is strangled by a trap, it will be dead and forbidden. Because it will be called Munkhaniqa which is called Haram in Qur'an Al-Hakim.

### **Hunting by Animals:**

In the Qur'an al-Hakim, Allah says (interpretation of the meaning:

“People ask you what has been made lawful for them. Say (to them) that pure things have been made lawful for you and the animals which you hunted while hunting. That you teach them (the methods of hunting) which they have taught you, so eat (also) of that (hunting) which they (hunting animals) keep for you (markers) and (while leaving the hunt). Name him (the beast of prey) and be afraid of him. Indeed, he is quick to reckon<sup>19</sup>.

### **Considering this verse, there are five conditions for hunting by a predatory animal:**

- A) The condition of the hunting animal is clear or unambiguous.
- B) The hunter should chase the animal after the hunt itself. If the animal ran and hunted by itself then it will not be halal. The meaning of this condition has been taken from the word "Mukallabeen", so Sahib e Jalalain has interpreted Mukallabeen from Arsal (leaving the animal)
- C) The predators do not eat the prey themselves but bring it to the hunter.
- D) Bismillah should be recited on the animal before it is released.
- E) According to Imame Azam Abu Hanifa, the fifth condition is that the hunting animal should also injure the prey<sup>20</sup>.

The jurists, in the light of the Qur'an and the Hadith, have elaborated a few more conditions that make it easier to understand the problems of the prey by the animal. The details are as follows:

### **The Conditions for Hunting by Animals:**

There are three types of conditions for hunting by animals in jurisprudential books:

- A) Some conditions apply to the victim.
- B) Some conditions apply to hunting animals.
- C) Some conditions apply to the animal being hunted.

These terms are mentioned respectively.

---

---

**Terms for hunting:**

1. If the hunter is a Muslim or at least one of the People of the Book, then hunting will be halal -
  - 2- You release the hunter to hunt for himself, if the hunter hunts for himself then it will not be halal<sup>21</sup>-
  3. The release of a predator should not involve a person other than the hunter whose prey is not halal. Therefore, if the hunter left the animal and the Magi(Majosi) rebuked the hunting animal, he quickly brought the prey, then this hunting will be halal, but if the Magi left the animal and the Muslim drove the animal or rebuked the animal on which the animal hunted, then this hunting is not halal. <sup>22</sup>.
- The name of Allah should not be skipped on the prey intentionally and deliberately because there is a command of “Wazkur Asma Allah Alayh”.
5. Do not engage in any other activity while releasing the predator and then catching it.

**The Conditions for Hunting Animals by Animals:**

1. Being a trained hunter.
2. If it is left to the prey by way of release, it will not be halal if the animal hunts by itself <sup>23</sup>.
- 3 -Do not participate in the hunting of uneducated animals while hunting this educated animal<sup>24</sup>.
- 4 -Even if a predator injures the prey, it will not be halal if it is simply strangled.
- 5.Do not prey on predators<sup>25</sup> -

**The Conditions for Hunted Animals:**

The hunted animal will be halal which is not considered a haraam animal. The hunted animal can defend itself with its wings or legs, etc. If a wild halal animal is sick or has a pet in your house, it will not be halal without slaughter.

The prey may die before the hunter reaches the prey (if it survives, it will not be halal without slaughter).

**Predator training:**

A predatory animal can be any animal that is a "dhi Naab, (crushing) beast" or a bird that hunts with its claws.

Dogs and birds of prey are commonly used to hunt beasts. Therefore, the signs of their being educated are mentioned.

**The Trained Dog:**

No matter how the dog is trained, there is no restriction on it in Islamic law. However, there is a standard of Shariah about training. If it meets this standard, it will be considered an educated dog for hunting.

According to Islamic law, an animal is considered to be tamed if it does not eat its prey but keeps it for its owner and obeys the command whenever it is called. If this action is done on such animal for three times, if it is not done even once, then it will be considered uneducated<sup>26</sup>.

---

---

**The Trained Eagle:**

There is no specific method of training birds of prey. However, according to Shariah, the quality of birds of prey will be known in such a way that when they are called without showing the meat, they will come back will be certified to be educated.

The only difference between the training of the beast and the bird is that in the teaching of birds there is no restriction on not eating the flesh of the animal after hunting.

**Miscellaneous Issues of Animal Hunting:**

A) If wild halal animals become accustomed to human beings or become so sick and weak that they cannot defend themselves, then such animals will not be halal by hunting.

B) Hunting of halal animals is permissible and haraam animals are also permissible if there is any benefit or repulsion from them.

C) It is permissible to use hunting as entertainment but halal animals should not be killed but should be eaten.

D) It is also permissible to adopt hunting as a profession.

**Animals and Game Victims:**

From the previous discussion, it has become clear that hunting is not only permissible but also a pastime.

One animal may be hunted by another

An animal should be hunted with an inanimate object such as an arrow and a gun.

**Allah Almighty states:**

O you who believe! God will test you with something of the game your hands and spears obtain, that God may know who fears Him at heart. Whoever commits aggression after that will have a painful punishment you who believe! do not kill game while you are in pilgrim sanctity. Whoever of you kills any intentionally, its penalty shall be a domestic animal comparable to what he killed, as determined by two honest persons among you—an offering delivered to the Kaabah. Or he may atone by feeding the needy, or its equivalent in fasting, so that he may taste the consequences of his conduct. God forgives what is past. But whoever repeats, God will take revenge on him. God is Almighty, Avenger. Permitted for you is the catch of sea, and its food—as sustenance for you and for travelers. But forbidden for you is the game of land while you are in pilgrim sanctity. And fear God, to Whom you will be gathered.<sup>27</sup>

**Hunting in the Haram for Muharram:**

In addition to the aforesaid instructions of the Almighty, in the light of the instructions of the Prophet contained in the hadith, the scholars have mentioned the following issues regarding hunting in the Haram.

(A) It is haraam to hunt in a state of ihram in a haram, whether it is a eatable (halal) animal or a non eatable (haraam) animal.

(B) Hunting means those animals which are wild, do not normally live with human are called human pets such as sheep, goats, cows, camels, etc.

---

(C) It is permissible to catch or kill animals that have been exempted by the evidence of Qur'an and Hadith. Like hunting a sea animal because.

It is also permissible to kill some land animals which are mentioned in the hadith such as crow, eagle, wolf, scorpion, rabies, etc. It is also permissible to kill the beast that attacks. Hazrat Abdullah bin Umar narrates that the Holy Prophet (saw) said:

“There are five animals which it is not a sin to kill in Haram and ihram. Rat, scorpion, crow, kite and biting dog<sup>28</sup>”.

In the same way, the following hadith proves the justification for killing an attacking beast.

Abu Sa'eed Al-Khudri says that the Messenger of Allah said: Muharram can kill the attacking beasts<sup>29</sup>.

(D) It is permissible for a muhram (one in ihram) to eat a halal animal that is being hunted outside the haram without ihram, while this muhram should not be a helper, counselor, guide, or guide in this killing, etc., As in the hadith. (It is permissible to eat a mahram because the word for the mahram in the verse is “la taqtulo” and not “la takulo” Thus<sup>30</sup>.”

Hazrat Jabir says that the Messenger of Allah said:

Hunting on land is lawful for you unless you hunt it yourself and hunt it by your command<sup>31</sup>.

Punishment is obligatory for killing a victim of haram intentionally, just as it is obligatory for killing and forgetting<sup>32</sup>.

(G) The description of the components mentioned in Qur'an is that at the time and place where the animal was killed, it is better to estimate the value of the animal from the right people (and it is also permissible to have the same right person). The explanation is that if the slaughtered animal is a non-eatable (haram) animal, then this price will not be more than the price of a goat. No matter how big and valuable the animal is) and if that animal was eatable (halal) then the amount of the estimate will be all that is obligatory. So buy an animal of this value according to the conditions and slaughter it within the border of Haram and distribute it to the poor, or give grain equal to this price according to the conditions of Sadaqah al-Fitr to the poor half a SAA '(one and a half two kilos) to the poor and Half a saa 'per poor person should fast as many grains as he can, and there is no restriction on the distribution of grain and fasting, and if the price of hunting is less than half a sale, then he has the option, Give food or keep a fast, similarly if you give half a SAA 'per poor person and give half a sale to a poor person or keep a fast<sup>33</sup>.

(C) It is permissible to feed the poor in the aforesaid estimates even if they are fed twice a day<sup>34</sup>.

(D) If it is suggested to buy an animal equal to this price but some price is saved, then there is an option in the remainder whether one buys another animal or gives its grain or fasts according to the grain<sup>35</sup>.

(E) Just as punishment is obligatory in murder, so too in the case of injuring such an animal, an estimate will be made as to how much it has reduced the value of the animal. In the amount of this price then it will be the previous three options<sup>36</sup>.

(A) It is haram for a muhram to hunt an animal which is haram to slaughter. It doesn't happen, it kills<sup>37</sup>.

(B) If the place where the animal is killed is a forest then its value etc. will be estimated based on the population close to it.

(c) It is haraam to guide, point to and help the hunter on Muharram like hunting.

**Sahibe Qaduri says:**

If the victim of the haram is slaughtered by a halal (non-muhram) then the price of the animal becomes obligatory on him who has to give charity to the poor.<sup>38</sup>

**Conclusion:**

Islam has given very balanced teachings regarding the hunting of animals. Although the Book of Allah and the Sunnah of the Prophet (peace and blessings of Allah be upon him) have permitted to hunt animals, in this regard, it has been given conditional permission.

**References**

- 1 - Al-Mayda 5:2
- 2 - Al-Mayda 5:96
- 3 - Bukhari, Muhammad ibn Isma'il, Al-Sahih, Kitab ul Zabay walsayd, Dar al-Qalam, Damascus, Syria ,Hadith No 5170,V5,P2090
- 4 - Marghinani, Burhanuddin Abu Al-Hasan Ali Bin Abi Bakr. Al Hidayah. Karachi, Pakistan: Muhammad Ali Karkhana Islamic Books, V 4, P507
- 5 - Al-Mayda 5:3
- 6 - Al Hidayah , V 4, P508
- 7 - Al-Mayda 5:3
- 8 - Bukhari, Hadith No 5498
- 9 - Al Hidayah , V4,P507
- 10 - Ibid
- 11 - Ibid
- 12 - Ibid
- 13 - Ibid
- 14 - Ibid
- 15 - Bukhari, Muhammad ibn Isma'il, Al-Sahih, Kitab ul Zabay walsayd,Hadith No 5159,V5,P2086
- 16 - Bukhari, Al-Sahih, Kitab ul Zabay walsayd,Hadith No 5160,V5,P2087
- 17 - Eji, Muhammad ibn Abd al-Rahman ibn Muhammad ibn Abd al-Shirazi al-Shafi'i, Jami 'al-Bayyan, Volume 1,P157.
- 18 - Jami 'al-Bayyan, Volume 1,P158
- 19 - Al-Mayda 5:4
- 20 - Muhammad Shafi, Mufti, Ma'arif-ul-Quran,Maktaba Rahmania ,Lahore, V3,P41
- 21 - Ma'arif-ul-Quran, V3,P40
- 22 - Al Hidayah , V 4, P505
- 23 - Ibid
- 24 - Ibid
- 25 - Ibid
- 26 - Al-Zuhili, Dr. Wahba Al-Zuhili Kitab ul Al Fiqh ul Islami w aAdilato ,V2,P54
- 27 - Al-Mayda 5:94-95-96
- 28 - Muslim, Abu Al-Hussein Muslim Ibn Hajjaj,Ahya al Turas ul Arbi, Beirut, ,Hadith No 1199 V2,P857.

- 29 - Tirmidhi, Abu Isa Muhammad ibn Isa ,Jamiy Tirmidhi. Beirut, Lebanon: Dar al-Gharb al-Islami, Hadith No 838,Volume 3,P198
  - 30 - Al-Sahih,Hadith 1824
  - 31 - Tirmidhi, Abu Isa Muhammad ibn Isa ,Jamiy Tirmidhi ,Hadith No 846,V3,P203
  - 32 - Ma'arif-ul-Quran, V3,P234
  - 33 - Al Hidayah,V1,P258
  - 34 - Ma'arif-ul-Quran, V3,P235
  - 35 - Ibid
  - 36 - Al Hidayah,V1,P261
  - 37 - Ma'arif-ul-Quran, V3,P235
  - 38 - Qadduri, Abu Al-Hassan Ahmad Bin Muhammad Bin Jafar Al-Baghdadi (3 AH), Al-Mukhtasar, 2, Multan, Pakistan: Maktab Imdadia 82
-