194080 - Is Hunting Prohibited in Islam?

the question

Is hunting allowed in Islam? And under what conditions? Hunting is illegal in my country of living, so please tell me if I hunt secretly, is it allowed in Islam or not?

Summary of answer

1- Hunting land game is permissible except for one who is in a state of Ihram for Hajj or `Umrah, or is within the boundaries of the Haram zone even if he is not in Ihram.
2- With regard to fishing and catching other kinds of seafood, it is permissible for the one who is in Ihram and others alike.
3- Whoever hunts permissible animals in order to benefit from them by selling them to earn money, or eating them, giving them as gifts, and so on, there is nothing wrong with that according to scholarly consensus.

Detailed answer

Praise be to Allah.

Is hunting prohibited in Islam?

The basic principle concerning hunting land game is that it is permissible, except for one who is in a state of Ihram for Hajj or `Umrah, or is within the boundaries of the Haram zone even if he is not in Ihram.

With regard to fishing and catching other kinds of seafood , it is permissible for the one who is in Ihram and others alike.

Whoever hunts permissible animals in order to benefit from them by selling them to earn money,

or eating them, giving them as gifts, and so on, there is nothing wrong with that according to scholarly consensus.

The rulings on hunting have to do with the hunter, the prey, and the “tools” used. We will explain this matter in brief.

Conditions pertaining to the hunter

With regard to the stipulations required of the hunter for his hunting to be acceptable, they are as follows:

- He should be of sound mind and have reached the age of discernment. This is the view of the majority of jurists (Hanafis, Maalikis and Hanbalis, and it is one view among the Shafi`is).

That is because a minor who has not reached the age of discernment is not qualified to slaughter an animal, in their view, (and if he does that, it is not regarded as acceptable and the meat is not permissible); by the same token, he is not qualified to hunt. Moreover, hunting requires the intention and invoking the name of Allah, which are not valid if done by one who is not of sound mind, as was explained by the Hanafis and Hanbalis.

- He should not be in Ihram. If he is in Ihram for Hajj or ‘Umrah, then any game caught by him is not to be eaten; rather it is regarded as “dead meat” (i.e., meat from an animal that was not slaughtered in the prescribed manner).
- It should be permissible to eat meat slaughtered by him – i.e., he should be a Muslim or one of the People of the Book (Jewish or Christian). It is not permissible to eat game hunted by a polytheist, Magian (Zoroastrian), communist, atheist, apostate and the like.

Based on that, it is not permissible to eat game hunted by one who does not pray altogether , and it is not permissible to eat meat slaughtered by him, because he is a disbeliever and apostate.

- It is stipulated that the hunter must invoke the name of Allah, may He be Exalted, when releasing his hunting animal or shooting. That is according to the majority of Hanafi, Maaliki

and Hanbali jurists.

- It is stipulated that the hunter should intend by releasing his hunting animal or shooting to catch that which it is permissible to hunt. If he releases an arrow or hunting animal against a human being or tame animal, it is not permissible.

Conditions pertaining to the prey

With regard to the stipulations on the prey, it should be an animal whose flesh may be eaten, i.e., it should be permissible to eat. This is the view of all the jurists, if the hunt is for the purpose of eating.

With regard to hunting in general terms, they differed concerning it.

The Hanafis and Maalikis are of the view that there is no stipulation that the prey should be an animal whose flesh may be eaten; rather in their view it is permissible to hunt both animals whose flesh may be eaten and those whose flesh may not be eaten, for the purpose of obtaining its skin, hair or feathers, or to ward off its evil (i.e., if it is posing a danger to people).

With regard to the Shafi`is and Hanbalis, they do not regard it as permissible to hunt or slaughter any animal whose flesh may not be eaten.

- The prey should be a wild animal that is too difficult to capture because it runs very fast or flies away. What is meant by wild is one that is wild by nature and cannot be caught except by means of tricks. As for tame or domesticated animals that have owners, it is not permissible to hunt them.
- It should not be one of the game animals of the Haram zone. The jurists unanimously agreed that it is prohibited to hunt in the Haram zone any land animals – i.e., those that reproduce on land – regardless of whether their flesh may be eaten or not.
- The animal should not disappear from the hunter’s view for a long time if he does not go and look for it. If the prey disappears from his view, and he does not go and look for it, then it cannot be eaten. But if it does not disappear, or it disappears but he does not fail to go and look for it, it may be eaten. This is a point on which the jurists agree in general.

- If he shoots at the prey and part of its body is severed from it, but the animal is still alive, it is prohibited to eat the severed part. There is no difference of opinion among the jurists concerning that, because of the words of the Prophet (blessings and peace of Allah be upon him): “Whatever is cut from an animal when it is alive is (considered as) dead meat.” (Narrated by Abu Dawood, 2858; classed as authentic by Al-Albaani in Saheeh Abu Dawood)

If it is still alive, it must be slaughtered in the prescribed manner or else it too is prohibited, according to scholarly consensus.

With regard to sea animals, none of these conditions are stipulated with regard to them.

According to the majority of jurists (Maalikis and Hanbalis; it is also the more correct view among the Shafi`is), it is permissible to catch and eat all sea animals, whether they are fish or otherwise, because of the words of Allah, may He be exalted (interpretation of the meaning): “Lawful to you is (the pursuit of) water game and its use for food” [Al-Ma’idah 5:96], i.e., hunting or catching it.

Therefore, all sea creatures that live only in water are permissible, whether they are caught alive or dead.

Conditions pertaining to the tools of hunting

With regard to the “tools” used for hunting, they are of two types: inanimate or animate.

1. Inanimate “tools”

- It is stipulated that the tool should be sharp so that it can pierce or cut the flesh, otherwise the meat is not permissible unless the animal is slaughtered in the prescribed manner.

It is not stipulated that the tool should be made of metal; rather it is acceptable to hunt with any sharp tool, whether it is made of metal or hard wood or stone that has been sharpened to a point, or similar materials that may pierce the body.

- It is stipulated that the sharp edge should strike the prey and wound it, and it should be

possible to ascertain that death was caused by this wounding, otherwise it is not permissible to eat it, because that which is killed by the blunt edge of the tool or its weight is regarded as having been killed by a violent blow, and is not permissible.

- It is permissible to hunt with bullets ; whatever is shot with bullets , such as birds, rabbits and gazelles, and the name of Allah was invoked over it at the moment of opening fire, is permissible and may be eaten, even if it is found dead.
- The jurists are of the view that it is not permissible to hunt with poisoned arrows if it is certain or thought most likely that the poison will help to kill the prey or that is possible, because two factors – one permissible and one prohibited – are combined in its killing, therefore the prohibited factor is deemed to take precedence. The same applies if both a Magian and a Muslim shoot arrows to kill the animal.

However, if it is not possible (that the poison could kill the animal), then it is not prohibited to eat it.

1. Animate “tools”

It is permissible to hunt with trained animals, such as dogs, or other carnivores and birds which have fangs and talons, respectively. Trained dogs, lynxes, tigers, lions, falcons and other trained hunting-animals, such as various types of falcons, hawks and eagles are all the same in that regard.

The basic principle is that in general terms it is permissible to hunt with anything that may be taught and trained.

Conditions pertaining to the hunting animals

With regard to hunting-animals, the following conditions are stipulated:

- The animal should be trained, according to the consensus of the jurists, because Allah, may He be exalted, says (interpretation of the meaning): “And those beasts and birds of prey which you have trained…” [Al-Ma’idah 5:4].

- The animal should wound the prey in any part of its body, according to the Maalikis and Hanbalis; this is also the apparent meaning of the report and fatwas of the Hanafis, in contrast to the view of the Shafi`is. If the hunting animal kills it by a blow or bites it without causing a wound, it is not permissible, as in the case of an arrow if it kills it with its blunt edge or weight. The same applies if the hunter releases the dog and it catches the prey and breaks its neck, but does not wound it, or it jumps on its chest and suffocates it.
- The hunting-animal should be released by a Muslim or a person from the People of the Book (Jewish or Christian), along with invocation of the name of Allah. If it goes forward by itself or runs away from its master, or he forgets to invoke the name of Allah when releasing it, then it catches some prey and kills it, it is not to be eaten. This is in general terms.
- The animal should not be distracted by something else after it is released, so that the catch will be a direct result of it being released. This condition is stated by the Hanafis and Maalikis.
- The jurists unanimously agreed that if one whose catch is permissible, such as a Muslim or Christian, hunts in partnership with one whose catch is not permissible, such as a Magian or idol-worshipper, then whatever they catch is prohibited and cannot be eaten. This is based on the principle that the factor that makes it prohibited takes precedence over the factor that makes it permissible.

Based on that, if a Magian works with a Muslim, such as if they both shoot the prey or they both release a hunting animal to catch it, what is caught is prohibited, because both permissible and prohibited factors were present in killing it, so we give precedence to the factor that makes it prohibited in this case. (See: Al-Mawsu`ah Al-Fiqhiyyah, 28/117-142)

Hunting in violation of local laws

If the laws and regulations of the state do not permit hunting and they prohibit it, then it is not permissible to hunt, because that is contrary to the regulations of the state which you entered with a visa and a work contract, so you have to abide by whatever they have stipulated. By admitting you to their country, they only allow you to adhere to its regulations and laws. In most

cases, when the state prohibits hunting it is in the public interest, and in that case you must abide by those regulations.

Even if we assume that it is not obligatory to abide by those regulations, going against them exposes one to the risk of punishment and perhaps to expulsion from the country. The wise person does not try to do things that may bring harm to him or his family.

And Allah knows best.