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A research study on the hunting by Bullets in the light of Allama Ghulam Rasool Saedi's opinion

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ABSTRACT:

The above-mentioned article, A research study on the hunting by bullets in the light of of Allama Ghulam Rasool Saedi's opinion, is divided into three main discussions.

In the first discussion, the Shariah order of hunting with a gun bullet and the sayings of the jurists have been reviewed. Also, Allama Sahib has chosen this issue for a detailed review in the light of Surah Al-Maida number four of the Holy Quran.

In the second discussion, Allama has mentioned in detail the two views of the jurists regarding gun hunting. First, what is the mention of the scholars who are convinced of the sanctity of hunting with gun bullets and then these jurists have mentioned, who are not convinced of its sanctity, but have gone towards its justification. And then it the end the Allama presented his arguments in details and said that the second view of scholars are correct and according to Shariah.

In the end, all the rules and principles mentioned by Hanaf jurists in this regard are mentioned. Conclusions and recommendations are mentioned in the end with footnotes.

Key Words: *Slaughtering, bullet gun etc.*

The Qur'an and Hadith are the basic and primary sources of the provisions of Shariah. They provide solutions to the problems of every nation, region, and set a roadmap in the future. Apart from this, there are also two secondary sources which are Fiqh and *Ijmah* (Collective opinion of the Ummah). The difference between these two sources is that the first mentioned source is in principle and comprehensive style while the latter secondary sources were compiled in detailed shape.

The hadiths and the Sunnah of the Prophet ﷺ are basically interpretations and explanations, while jurisprudence and interaction of the Ummah (*Ijmah*) are the interpretations and practical examples of the hadiths.

The Muslim Ummah is facing many modern problems and challenges in every age and era. The solutions of these modern problems are found in the first two sources of Islam in a perfect way and other sources are needed only as a support and not permanently.

In the article under review, Allama Ghulam Rasool Saeedi's excellent Urdu commentary "*Tabayan Al-Qur'an*" has described the Shariah order of hunting by gunshots. What is it? Here we have presented a scholarly review of Allama's opinions and arguments regarding hunting by gunshots which has been mentioned in his Tafseer. I reviewed them academically and according to Shariah in this article.

The above-mentioned article is divided into three main discussions;

In the first discussion, the order of hunting with a gun bullet,

In the second discussion, the arguments for hunting with a gun,

And in the third discussion, a review of the Shari'a rules and principles of Hanafi regarding hunting with a gun, has been presented.

At the end of the paper, a summary discussion, conclusions and recommendations are presented while footnotes are listed at the end.

Topic I:

1. Investigation of a prey killed by a gunshot

The blessed verse of Surat al-Maida:

"يسئلونك ماذا اهل لهم قل اهل لكم الطيبات وما علمتم من الجوارح مكلبين تعلمونهن مما علمكم الله فكلوا مما امسكن عليكم واذكروا اسم الله عليه واتقوا لله ان الله سريع الحساب"¹

Translation: People ask you what things have been made lawful for them? Say, "Pure things have been made lawful for you, and the animals of prey - and those whom you have reformed, and you train them with the knowledge that Allah has given you - among the prey you keep." Eat from it and mention the name of Allah over it, and be afraid of Allah, surely Allah will take account soon.

According to this verse, Allama Ghulam Rasool Saeedi has discussed in detail the hunting done with a gun bullet, in which he has first described the history of the invention of the gun, thus he writes:

"The world was not introduced to the explosive gun before the 8th century A.H. It is written in the Encyclopedia that the use of handguns began in Europe in 1365 and in Muslim countries during the reign of Sultan Qatibai in 895 A.H. 1490 AD². However, the use of guns was not common in the twelfth century and because of this it was not debated before this time and after that the Scholars debated this issue in the twelfth century and this is still ongoing.³"

2. Hunting with a gun order

Some scholars call hunting with a gun illegal because the gunshot breaks the game and prey, not cuts it and the animal dies from its heaviness. Therefore, it is forbidden and prohibited because it is included in *Moqzah*. Contrary to this, the other scholars say that the prey is injured by a gunshot, his blood flows and sometimes the bullet hits the prey, and the

compulsory sloughing is based on the injury and bleeding, and this all is done due to the bullet of the gun, so hunting with a gun is permissible.

We will first present the arguments of the first scholars (opponents) and after that, we will present the arguments of the proponents and finally mention his opinion.

Topic II:

There are two types of opinions of scholars regarding hunting by gun shoot. Their details and arguments are mentioned below:

1. Arguments of scholars who say hunting with guns is haram:

Allama Syed Muhammad Amin Ibn Abidin Shami Hanafi who died in 1252 AH writes:

“It is clear that a gun bullet burns by exiting the muzzle and the wound is caused by its load because it has no edge so the hunting with a gun is not halal. Allama Ibn Najeem also has the same fatwa and discussion”⁴.

Maulana Amjad Ali writes that the prey of a gun may die. It is also forbidden that a bullet or a knife is not an offensive tool which is used the purposes of slaughter, but it breaks because of its loads⁵.

Mufti Muhammad Shafi Deobandi, who died in 1396 AH, writes: If the prey of a gun dies before being slaughtered, it becomes haram and unlawful. Its food is not halal⁶.

2. Arguments of the scholars declaring gun hunting as halal:

Allamah Abul Barakat Ahmad bin Dardir Maliki writes: “The prey taken with a gunshot will be eaten, because it is more powerful than weapons. As some scholars have issued a fatwa on it and some have trusted it”.

Allama Sawi Maliki who died in 1223 AH writes:

“In summary, there is no specification in the writings of the predecessors regarding hunting with a gun, because the explosive gun was invented in the middle of the 8th century AH and the latter disagree”⁷.

Some scholars have speculated on the Galil (dry clay) its stone and called it impermissible, and some scholars have said it is permissible. By the way, Abu Abdullah al-Qarwi, Ibn Ghazi and Syed Abd al-Rahman Fasi have called it permissible, because blood is shed by means of a gun and the work of hunting is finished with great speed, due to which shariah slaughtering has been made lawful⁸.

Allama Ghulam Rasool Saeedi's research and discussion on gun hunting:

The research of the author in the light of the Quran, authentic Ahadith and the rules of Hanafi jurists is that hunting killed with a gun is halal and its uses is permissible. The Qur'an has stated that the condition of the prey is to injure the prey. Allah says:

قل احل لكم الطيبات وما علمتم من الجوارح مكلبين⁹

Translation: You should say that pure things have been made lawful for you and animals that its injured have been corrected.

Al-Jawahar is the plural of Jarah, and Jarah is an animal that injures, and the prey of a hunting animal is halal only when it gets injures, because Allah has ordered to eat the prey of Jawarah, and when If the derivation is ordered, then the source of the derivation is also from it, since the prey is injured, so according to the verse being halal for the prey is to injure him, and since the prey is injured by a gun bullet or its pellets, therefore, According to the explanation of the verse, a victim killed by a gun is halal and it is not Muqwadha, because it is Muqwadha who dies from an injury, has a wound and does not bleed.

Even in the light of authentic hadiths, hunting with a gun is halal. Imam Muslim narrates on the authority of Hazrat Udi bin Hatim, the Messenger of Allah, peace and blessings be upon him, said:

إذا رميت بالمعراض فخرق فكله وإذا أصابه بعرضه فلا تأكله¹⁰

Translation: When you throw an arrow at a prey and the arrow enters the prey, then eat it, and if the prey dies from the side of the arrow, then do not eat it.

And gunshots and bullets also penetrate the prey, so a prey killed by a gun is permissible and lawful.

In summary, if the word “فخرق” is accompanied by the word "ز" it means to penetrate and the bullet of a gun penetrates and if it is accompanied by the word "ر" it means to tear and the gun's bullet tear the prey. The bullet rips open the prey and pierces it. Therefore, according to this hadith, a prey killed by a gun is halal on every angle.

Similarly, in another hadith Imam Bukhari narrates:

Hazrat Rafi bin Khadij (RA) narrates that I said, O Messenger of Allah! Tomorrow we will face the enemy and we have no knives. You said do it in hurry or he said: Slaughter it quickly (so that it does not die a natural death). Say the name of Allah during slaughtering and eat it but not slaughtering but toot and bone. The reason for the tooth is that it is bone and the nail is the nigger's knife. (In this battle) we got goats and camels as booty. One of them ran away, a man shot it with an arrow, so (Allah) stopped the camel. The Messenger of Allah (ﷺ) said, "Some of these camels are like wild animals. When one of them overcomes you, then you should do in the same way."¹¹

Imam Bukhari also narrated:

Hazrat Rafi bin Khadij narrates that the Messenger of Allah (peace and blessings be upon him) said, "Eat anything of slaughtering that bleeds except tooth and nails."¹²

We know that the gun's bullet is not nail and bone and it bleeds the animal. Therefore, according to this hadith, its killed prey is halal and its eating is permissible. There may be a problem regarding the halal of a prey killed by an arrow, as stated in the hadith. When an animal dies from the bite of an arrow, eat it, and when it dies from the side of arrow, it is unpure, do not eat it¹³.

Some scholars say that since gun bullets and pellets have no edge, therefore, an animal killed by a gun is *Muquzha* and not halal. But this reasoning is not correct. Imam Bukhari has quoted this interpretation of *Muquzha* from Hazrat Ibn Abbas RA.

And the animal that is killed because of stick and wood is *muqadza*. In his commentary, Hafiz Ibn Hajar Asqalani writes: Because in this case, the prey is in the order of heavy wood, stone and heavy object¹⁴.

In summary, *muqadza* is an animal that is killed by a heavy object, and gunshots or pellets are not heavy, so an animal killed by them is not *muqadza*. A gun bullet is sharp, so there is no problem with it. However, gun bullets do not have a point, but since they tear flesh and bleed blood, they are classified as sharp objects. Therefore, the prey killed by gunshots or pellets is halal and it is permissible to eat it.

It should be noted that some of the companions and jurists of *Tabi'een* call the hunting killed by the bullet of catapult as permissible and halal. While the bullet of Galil does not injure the animal nor does it bleed, and we have no doubt about its validity. Even so, when there is no consensus on the haram of a victim killed by a bullet in catapult, how can it be right to call a prey killed by gunshots or bullets as haram?

Imam Abd al-Razzaq bin Hammam narrates: Ibn Musayyib says that the wild animal that you killed with a stone, a catapult bullet or a stone, eat it and recite Bismillah, then eat.

Ibn Uyanah says that the brother of Ibn Abi Laili narrated to me that I killed a bird or a game with catapult, then I asked Abd al-Rahman bin Abi Laili about this. he ordered me to eat it¹⁵.

Ibn Taus narrated on the authority of his father that he said this about the prey of the arrow when the arrow penetrates the prey, then there is no harm in eating it. Yes, if you shoot an arrow that has no iron (or edge) in it and the prey falls, then eat it¹⁶.

From these narrations, it became clear that some of the companions and jurists of Tabi'in considered the hunting killed by the bullet of catapult and the arrow without iron to be halal and permissible. And from this it is known that the sanctity of the prey shot by the bullet of catapult and the unsharpened arrow is also not absolute, certain and accidental¹⁷.

And although some recent jurists have declared the prey killed by a gun bullet as haram, but this is their scholarly mistake. The research is that if the prey is killed by a gun bullet, it is halal and tayyab in the light of the Holy Qur'an and authentic hadiths.

Topic III:

Rules for Hunting with Guns

After clarifying the order of hunting with a gun from the Holy Qur'an and Hadith, we now want to clarify this issue in the light of the principles and rules of the Hanaf jurists:

Allama Shams Al-Aima Muhammad bin Ahmad Sarkhsi, who died in 483 AH, writes:

Zakat (slaughter) means the shedding of impure and impure blood and it has two types. Slaughter Optional and Slaughter compulsory. Slaughter is

optional, that is to cut a knife on the throat of the animal when it is possible and when it is not possible to cut the neck, then to put a wound on any part of the animal's body. happens. So, in the case where he can stab the animal's throat, Zakat will not be received without stabbing the animal's throat.

Hunting with sticks and stones is said to be illegitimate because it is customary to kill with sticks and stones when the animal is close and near, it can be slaughtered by running a knife across its throat. So slaughter here is optional, not reflexive. And when the animal is far away and it is not possible to catch it and put a knife on its neck, for example, it is sitting on a tree or flying, or running, and hunting these animals by firing a gun and shooting them with bullets or pellets. If those animals get injured and bleed from their body due to being hit, their injury and bleeding is a compulsory slaughtering. According to this stated rule of the jurists, it is halal and its eating is permissible

Also, Allama Sarkhsi, who died in 483 A.H., writes: Abraham (may God have mercy on him) narrates that when the side of arrow tears the prey, eat it, and if it does not tear it, then do not eat it. be One saying is that he is a wingless arrow. Sometimes the arrow strikes from the side and does not tear the prey but it breaks it. Regarding this, the Messenger of Allah, peace and blessings be upon him, said¹⁸: If the prey dies and is wounded by an arrow, then eat it, and if he dies by the side of an arrow, then do not eat it. This will happen only when the side of arrow tears the prey and if the prey is broken without tearing, the blood will not flow. (For example, a bone or a leg may be broken by this strike) and this ruling is permissible and this text is absolutely forbidden¹⁹.

The summary of this text of Allama Sarkhsi is that the animal that is broken by something heavy (i.e. its bone is broken), its body is wounded and does not bleed, and if an instrument tears the animal's body. If it is given and his blood is shed, it is lawful and the prey killed by a gun is not

wounded or bled. So he is not killed, but a gunshot tears through his body. There is a hole in his body. Sometimes the bullet goes through, the body is wounded and the blood flows (remember that it is not necessary to bleed from the whole body in compulsory slaughtering. As in the case of a prey bitten by a dog, sometimes not all the blood is in the body. Flowing) Therefore the prey killed with a gun is halal and tayyab and its uses and eating is permissible.

Alhamdulillah, it is clear from the Qur'an, authentic Hadith and Islamic jurists that hunting with a gun is halal. I have done more detail and research in this problem because in this era some scholars say that being hit with a gun is haram and unlawful due to being moqudha. It is obvious that these scholars have given this fatwa with good intentions. But these scholars did not go into this problem in depth and from all angles, and they had an scholarly error in this problem. Gun hunting is common these days and many people suffer from it.

And if the animal dies due to a bullet, then it is declared dead and prohibited according to this fatwa. Whereas according to the specifications of the Holy Quran, Hadith and Islamic jurists, it is halal and tayyab, and in ijtiḥad issues, I think that simple and easy rulings should be explained for the Muslim Ummah and according to the principles and rules of the Holy Quran, Hadith and Islamic jurists. traet ease and ease should be achieved for the Muslim Ummah. The Messenger of Allah (ﷺ) said, "Make it easy and do not put people in trouble."

This has been my style in Sharḥ Sahih Muslim that wherever I found an easy and easy argument and way for the action of Muslims in the Qur'an, Sunnah and the rules of Islamic jurisprudence in matters of ijtiḥad, I adopted that and abandoned the path of Asr and trouble, and whenever I took up the pen to investigate a problem, I have prioritized the Qur'an, Sunnah, and the Islamic jurists and abandoned the sayings of the hardliners and the jurists of the age.

However, like other problems, I have written this problem with good intentions and Godliness. If it is true and correct, then it is from Allah and His Messenger, and if it is false, then it is a flaw in my study and my lack of understanding. Allah and His Messenger are free from it.²⁰

Summary

The above-mentioned article, Shari'a review of Allama Ghulam Rasool Saeedi's opinion on hunting by gunshot, is divided into three main discussions.

In the first discussion, the Shariah order of hunting with a gun bullet and the sayings of the jurists have been reviewed. Also, Allama Sahib has chosen this issue for a detailed review in the light of Surah Al-Maida number four of the Holy Quran.

In the second discussion, Allama has mentioned in detail the two views of the jurists regarding gun hunting. First, what is the mention of the scholars who are convinced of the sanctity of hunting with gun bullets and then these jurists have mentioned, who are not convinced of its sanctity, but have gone towards its justification. And then at the end the Allama presented his arguments in details and said that the second view of scholars are correct and according to Shariah.

In the end, all the rules and principles mentioned by Hanaf jurists in this regard are mentioned. Conclusions and recommendations are mentioned in the end with footnotes.

Recommendations

The following issues are presented as conclusions and recommendations after conducting a research review in the paper under review.

- 1) Allama Ghulam Rasool Saeedi has discussed the Shariah order of gun hunting.

- 2) Allama Ghulam Rasool Saeedi's style of narration is researched and embellished with arguments.
- 3) He first explained in detail the opinions of the jurists and their arguments regarding the hunting by gun bullet and after that he mentioned his research.
- 4) He also mentioned the principles and rules of Imam Hanaf under the Shariah of hunting through a gun bullet, which made this debate four moons.
- 5) Apart from the research of Allama Ghulam Rasool Saeede, it is the need of the hour to review his research on other issues of this type.

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