

# Foundations of Islamic Antidrug Abuse Education

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## Abstract

Among the basic objectives of the Islamic Sharī‘ah is to protect the human life and human intellect – as such, the consumption of mind-altering and intoxicative substances is prohibited in Islam. Furthermore, Islam imposes criminal penalties on those who consume intoxicative substances such as wine. Muslim jurists (*fuqahā*) have provided descriptive accounts on the foundations of the Islamic antidrug abuse teachings, categories of mind-altering substances, and preventive laws. They also identified three categories of mind-altering substances: *al-muskirāt*, *al-mukhaddirāt*, and *al-muftiraāt*. This paper aims to explore the rationale and jurisprudential foundations of Islamic antidrug abuse education. While highlighting the philosophical background of the Islamic antidrug teachings, the paper presents the jurisprudential foundations of the legal penalties for drug abusers. The Qur’ānic terms and the Prophetic statements related to the subject will be referred to, while the opinions of Muslim jurists and theologians on the subject will be unveiled.

## Introduction

Among the basic objectives of the Islamic Sharī‘ah is to protect the human life and human intellect – as such, consumption of mind-altering and intoxicative substances is prohibited in Islam. Furthermore, Islam imposes criminal penalties on those who consume intoxicative substances such as wine. Muslim jurists (*fuqahā*) have provided descriptive accounts of the

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foundations of the Islamic antidrug abuse teachings, categories of mind-altering substances, and preventive laws. Muslim jurists have also identified three categories of mind-altering substances. First, *al-muskirāt*, which are alcoholic substances that produce states similar to drunkenness. Second, *al-mukhaddirāt*, which are substances that numb or suppress emotions and intellectual activity (heroin would be a perfect example of this category). Third, *al-muftirāt*, which are substances that diminish human ability and motivation, leaving the person desiring only to be in the state induced by the drug (examples of this are marijuana and cocaine). Moreover, while the early Muslim jurists employed the words *khamr*, *muftir*, and *muskir* to express all kinds of intoxication, the term *hashīsh* also appears in medieval Muslim writings.<sup>1</sup> However, because of the analogous resemblances between the effects of *khamr*, *muftir*, *muskir*, and *hashīsh*, which are all intoxicative substances, medieval jurists analogically, extended the prohibition of *khamr* (stated in the Qur'ān 5:90) to all intoxicative substances including *hashīsh*.<sup>2</sup> The reason ('*illah*) is because all are intoxicative substances, which alter the human mind and the competency of the human intellect.

Among contemporary Muslim scholars who highlighted the reason ('*illah*) of drug abuse prohibition in Islam is Yusuf al-Qaraḍawī. According to al-Qaraḍawī, *khamr* (alcoholic drink) and *mukhaddirāt* (intoxicative items) are prohibited because of their harmful effects on the individual's mind, health, religion, and work. Al-Qaraḍawī clarifies further and lists the health complications and social ills, which arise from the consumption of intoxicating items. He also lists some spiritual, material, and moral evils, which proliferate in societies and nations due to the widespread consumption of intoxicating drugs.<sup>3</sup> Indeed, says al-Qaraḍawī:

humanity has not suffered any greater calamity than that brought about by the use of drugs and alcoholism. If statistics were collected worldwide of all the patients in hospitals who, due to drug abuse and alcohol, are suffering from mental disorders, delirium tremens, nervous breakdowns, and ailments of the digestive tract, to which are added the statistics of suicides, homicides, bankruptcies, and broken homes related to the consumption of alcohol and drug-abuse, the number of such cases would be so staggering to the extent that, in comparison to it, all exhortation and preachings against drinking and drug-abuse would seem too little.<sup>4</sup>

Among academic works on antidrug abuse education, which have provided useful background for this work includes, *Al-Mukhaddirāt Bayna al-Tibb wa al-Fiqh* (Drug Abuse between Medicine and Islamic Jurisprudence),<sup>5</sup> written by Ahmad Ali Taha Rayan. The book provides a

comparative analysis on antidrug abuse education from both a legal and medical perspective. While highlighting the commonly abused drugs, the writer compares the position of the Muslim jurists on drug abuse to the opinions of medical practitioners. In his book *al-Mu'āmalah al-Jinā'iyah li-Muta'āfīal-Mukhaddirāt* (Criminal Punishment of Drug Abusers),<sup>6</sup> al-Hādī `Ali Yūsuf Abū Hamzah, addresses drug abuse from the perspective of criminal law. He addresses the common behavior of drug abusers and how to deal with such behavior through educational and social programs as well as preventive laws. Similarly, in his book *Crime, Drugs and Social Theory*,<sup>7</sup> Chris Allen, presents a phenomenological approach toward dealing with drug abuse. His analysis covers a wide spectrum of topics, related to drug abuse related crimes. Another useful book is *Uqūbat ta'āfī al-Mukhaddirāt wa al-I'tjār bihā bayn al-Sharī'ah wa al-Qānūn* (Legal Punishment of Drug Abusers and Drug Smugglers between the Sharī'ah and the Conventional Laws).<sup>8</sup> It covers a variety of topics related to antidrug-abuse education, with particular emphasis on preventive laws. It draws on the philosophical and jurisprudential background of Islamic antidrug-abuse education and antidrug-smuggling measures. Another useful study on drug abuse is *Combating Drug Abuse and Related Crimes*,<sup>9</sup> by Francesco Bruno. This study is funded by the United Nations Fund for Drug Abuse Control, under the United Nations Social Defense Research Institute. The study provides comparative analyses on the effectiveness of socio-legal preventive and control measures in different countries on the interaction between criminal behavior and drug abuse.

## **Types of Abuse Drugs and Their Impact on Human Biological and Behavioral Systems**

Medical dictionaries,<sup>10</sup> categorically, agree to the definition of “drug-abuse” as a habit of consuming stimulant or narcotic substances, which produce a state of arousal, contentment, or euphoria. Excessive use of such substances causes addiction or dependence; however, any attempt to discontinue their use results in specific reactions (called withdrawal symptoms) such as sweating, vomiting, and tremors that cease when the use is resumed.

In this article, a drug is defined as any chemical substance, natural or synthetic, that when introduced into the body will alter the physiology of the body. Thus, in this definition, a drug may be of therapeutic use when it has the function of causing reversal in an altered physiology of the body (when a person is not well) – or a drug may be used to alter the normal physiology of the body when no alteration is expected for purposes of ill-

defined pleasure or enhancement of normal physiology. In the latter case, such use of a drug is considered as the abuse of drug. According to Louis Sanford Goodman's *Goodman & Gilman's The Pharmacological Basis of Therapeutics*,<sup>11</sup> categories of drugs that are used in the second instance are those that:

- give pleasure through influencing the brain function (e.g., narcotics and stimulants),
- alter the mind and causes a feeling of escapism (e.g., hallucinogen), and
- alter physiological function so as to enhance athletic performance (e.g., steroids).<sup>12</sup>

In his book, *Fundamentals of Pharmacology: An Applied Approach for Nursing and Health*,<sup>13</sup> Alan Galbraith mentions various types of commonly abused drugs – among which are the opiates (opium, morphine, codeine, hydromorphone, heroin, and methadone), cannabis, hashish, cocaine, hallucinogens (such as LSD and mescaline), tranquilizers (such as the barbiturates), inhalants, and alcohol. Some of these drugs affect the brain and impair memory, increase anxiety, and damage many organs – including the brain, heart, and lungs. Some drugs, like cocaine, are potent brain stimulants. Cocaine produces an intense high and afterwards intense depression. The amphetamines can cause hallucinations, convulsions, cardiac arrest, and death. Furthermore, abused drugs like heroin are highly addictive with intense withdrawal effects, and over-dosage will result in death – while the amphetamines suppress appetite and stimulate the heart and central nervous system. Similarly, LSD is a drug that is commonly abused, which causes powerful hallucinations – that is, effects that can cause psychotic reactions and mental breakdown.

While explaining the use and abuse of drugs in his book *Drugs and Society*,<sup>14</sup> Glen R. Hanson mentions various types of drugs being misused and abused by certain sections of the society. There are various kinds of narcotics and stimulants available today, and these drugs cause a whole spectrum of pleasurable effects with variable intensities. They also act in many different ways at the physiological level and cause many adverse effects. The adverse effects are due to the unspecific nature of their action such that they affect not just a single area of the brain but many related areas; some may even have effects outside of the brain, at other organs of vital function. Thus, some rather well-known examples may be used to illustrate the above. Opium and its derivatives and chemical substances such as morphine, heroin, and pethidine fall into the category of “hard drugs.” Acting in the brain, they all cause intense pleasure or euphoria, which is the

main reason for normal individuals seeking to abuse them.<sup>15</sup> At the same time, they affect bowel movement in such a way as to cause constipation; they affect the respiratory function and slow down breathing; and they affect the circulatory system by slowing down the heart.

In the long-term, they cause a person to be dependent on them – that is, “hooked” or addicted to the pleasure that can be gained from their abuse. For this gain, a person trades in his or her personality, self-respect, and will by submitting to the drug’s effect; the individual will be bound to a drug-seeking behavior for a very long time unless cured of the habit. And drug-seeking behavior is nothing but a destructive attitude toward self and society because the individual will have his or her soul controlled by nothing else day and night other than the desire to satisfy the craving for the drug; and thus all sorts of socially unacceptable behaviors may emerge such as stealing, cheating, prostitution, etc., in order to obtain the means of procuring the drug. When a person is addicted to these drugs, there is also the question of the withdrawal syndrome effect, which will occur when there is not enough of the drug in the person’s body. Somehow, the brain senses this lack of the drug and starts a vicious train of events, which a person will suffer and be in great physical discomfort and pain until he or she administers enough of the drug into the body again. Over dosage of these drugs will lead to death by shutting down the functions of the heart and respiratory systems.

There are again other groups of drugs that give pleasure and have other effects upon the body quite unlike what one gets from the above opiate group. These are termed “central stimulants.” Drugs such as cocaine and amphetamine fall into this category. They cause euphoria, and as a side effect, they stimulate other vital organs such as the heart and the respiratory system. Users get addicted to these drugs because of the feeling of euphoria that can be obtained. Unfortunately, because the body gradually acquires tolerance to them, higher doses are required in order to achieve the same “high” as previously. Thus, a spiralling increased need for the drug occurs, and the cost gets higher each time. Addicts usually subject themselves to voluntary withdrawal in order to reduce the cost of obtaining the drug. After a period of withdrawal, when the tolerance has worn off, they can then start at a lower dose. The amphetamines (for example, ice, ecstasy) can lead to very dangerous psychotic behavior. Also, over dosage of the stimulants will cause death due to over stimulation of the cardiovascular system.

The hallucinogens are a group of drugs that simply alter the mind. There is no prediction of what sort of experience a person can get from

any of these drugs (for example, LSD, mescaline, ibogaine, ketamine, and peyote).<sup>16</sup> A violent episode cannot be discounted, and a person may become homicidal or act in a suicidal manner. Thus, it is clear that there are very dangerous and physiologically harmful chemicals, which people use due to their mind-altering properties, mainly for a hedonistic and escapism purpose.

Alcohol is perhaps the most abused legal drug. It causes the most damage to communities in the parts of the world where it is highly consumed – by causing death due to drunk driving, and other violent behavior. Alcohol abuse can also lead to many kinds of cancers such as liver, oesophagus, pharynx, and throat cancers. The medical costs for rehabilitation and treatment are also exorbitant. And babies born to mothers who abuse alcohol will suffer retardation in growth and mental capacity.

### **Foundations of Islamic Antidrug Abuse Education**

Through its dietary laws and intellectual teachings, the Qur’ān has provided a protective and curative system, which aims to prevent individuals from being inclined toward mind-altering substances. Though the Qur’ān did not employ the term *drug abuse*, nevertheless, the Qur’ānic understanding of drug abuse and other types of mind intoxication is to be found in the Qur’ānic words of *khamr* (alcohol),<sup>17</sup> *rijs* (abomination), *khubth* (contamination), and *isrāf* (abuse) – in relation to the preservation of human dignity and health. To protect human dignity (*karāmah*), intellect (*‘aql*), and life, the consumption of beverages containing alcoholic and other intoxicating substances are prohibited in the Qur’ān. Consumption of certain substances such as wine was prohibited because of its alcoholic content, while some other items were prohibited because of being classified as an abomination (*rijs*; Qur’ān 5:90). This is because, while alcoholic drinks intoxicate the mental ability of the person, a substance classified as an “abomination” causes abhorrence and disgust. Similarly, a contamination (*khubth*; Qur’ān 7:157) is another reason mentioned by the Qur’ān for prohibiting the consumption of certain substances. Contamination is the condition where a substance becomes impure either by contact or through admixture with another substance; the substance then changes its property and becomes lethal and noxious. Finally, another reason of prohibiting of a substance is abuse (*isrāf*: Qur’ān 7:31), which means exceeding proper boundaries. The Qur’ān has employed these general terms to express all types of intoxicating – substances impermissible to consume.

Furthermore, with regards to the Prophetic guidance, the words *muskir* (intoxicant) and *muftir* (languisher) are employed to express the state of

alcoholism and intoxication.<sup>18</sup> Commenting on the issues of alcohol consumption, the Prophet (SAAS) prohibited the consumption of every intoxicant (*muskir*) and languisher (*muftir*).<sup>19</sup> While the former signifies intoxicating, the latter means losing mental and physical strength.

Literally the term *al-khamr* (alcohol) is derived from the Arabic root of *khamara*, which means to conceal or cover.<sup>20</sup> Conceptually, the meaning of *khamr* includes all things that are *muskir* (intoxicants). In the Qurʾān and the Sunnah, *khamr* (the original meaning of which is grape or date wine) applies to everything that causes intoxication. As the Prophet once said, “*kulu muskirin khamr*” – that is, every intoxicant is wine, and every intoxicant is forbidden.<sup>21</sup> In another narration, the Prophet said, “every intoxicant is *khamr* (wine) and every *khamr* is prohibited.”<sup>22</sup>

### ***Maqāṣid Al-Sharīʿah and Drug Abuse***

The Qurʾānic verses and the Prophetic statements, which stipulate that the jurisprudential laws of Islam are goal oriented.<sup>23</sup> This is to say that the ultimate goals of the entire regulatory teachings (*al-aḥkām al-sharʿiyyah*), intellectual wisdom (*al-ḥikmah al-ʿaqliyyah*), and moral values (*al-akhlāq*) of Islam are *first* to maximize the human interest (*jalb al-maṣaḥa*) – and *second*, to prevent hardship on human life (*darʿ al-mafṣadah*). Muslim scholars of jurisprudence, who wrote on the objectives of the Islamic Sharīʿah like Imam al-Shāṭibī and Ibn ʿĀshūr, state that, on one side, the Sharīʿah strives to foster human prosperity, while on the other side, it aims to provide protection to humanity from all kinds of threats.<sup>24</sup> Hence, the Islamic Sharīʿah ultimately aims to protect human life either through alleviation of hardship (*rafʿ al-ḥaraj*) or realization of human interests (*taḥqīq al-maṣlaḥah*).

Though Muslim jurists categorically classify *maqāṣid al-sharīʿah* (objectives of Sharīʿah) into three types: namely, the essential (*darūriyyah*), the complementary (*ḥājjiyyah*), and the desirable (*taḥsīniyyah*).<sup>25</sup> They unanimously agree that the ultimate objectives of the Islamic divine laws are to safeguard and protect human life, religion, property, ancestry (progeny), and the mind (intellect). “These are the absolute requirements to the survival and spiritual-well being of individuals, to the extent that their destruction or collapse would precipitate chaos and the demise of normal order in society.”<sup>26</sup> Indeed, the warp and woof of the Sharīʿah are set to protect and promote these essential values, and validate all measures necessary for their preservation and advancement. For instance, *jihād* has been validated in order to protect religion and human life, and by prescribing death penalty for the murderer (or *qiṣās*), the Islamic law aims at the protection of life.

Similarly, theft, adultery, and the drinking of alcohol or drug abuse are prohibited and remain punishable offenses because they pose “a threat to the immunity of private property, the well-being of the family and the integrity of the human intellect, respectively.”<sup>27</sup>

As the vicious impact of drug abuse on human progeny and ancestry, on life, on property ownership, and an intellect is far reaching, drug abuse has been unanimously regarded as contrary to the spirit and nature of Sharī‘ah objectives.

First, the Sharī‘ah emphasis on protection of human life is because human life is sacred in the sight of Islam, and thus, it is neither permitted to take a life except on the principles of life-for-life,<sup>28</sup> nor is an individual allowed to commit suicide, homicide, or abortion.

Nor kill (or destroy) yourselves: for verily Allah hath been to you Most Merciful!<sup>29</sup>

Similarly, nor can one inflict psychological and intellectual threats on others.<sup>30</sup> To emphasize the sanctity of human life, all manners of the taking of human life are abhorred in the Qur’ān. In this understanding, to kill directly or contribute indirectly to the death of just one innocent human life, is like killing or contributing to the destruction of humankind. Again, to save a human life equals to the saving of the whole of humanity. The Qur’ān states that

If any one slew a person unless it be for murder or for spreading mischief in the land, it would be as if he slew the whole people; and if any one saved a life, it would be as if he saved the lives of the whole people.<sup>31</sup>

This verse contains two types of the taking of human life: first is through murdering a person (*qatl*); second, is to contribute indirectly to the death of a person (*fasād*). According to al-Ṭabarī, the Qur’ānic statement “*fasād fi al-ard*,” denotes “spreading mischief in the land where mischief here refers to all types of destruction and harm,<sup>32</sup> and presumably includes also drug abuse and drug smuggling, which could lead to harming the lives of millions. Besides mind altering and the destruction of body systems, the word *fasād* includes moral and other crimes committed as a result of drug abuse. This means that both drug abuse and drug trafficking are *fasād* – the former obliterates the life of the drug abuser, while the latter is a potential threat to a vast majority of the public. In one part of a verse the Qur’ān states: “do not kill yourselves (nor kill one another),”<sup>33</sup> whereas in another chapter, the Qur’ān instructs that, “make not your own hands contribute to (your) destruction; but do good.”<sup>34</sup> While the first verse prohibits direct

killing (murder), the second verse contains directives to stop all kinds of ill-behaved conducts that are eventually harmful to human life. These and many other instructions are aimed to safeguard human life from social, physical, emotional, and related problems of drug-abuse and alcohol consumption.

Second, besides the protection of life, Sharī‘ah also aims at the protection of religion. While rejecting the use of force, intimidation, and coercion in the propagation of religion, Islam stands for total freedom of religious expression and grants unfettered religious freedom to all and everybody. Indeed, it is the Qur’ān that clearly states:

Let there be no compulsion in religion: Truth stands out clear from Error. . . .<sup>35</sup>

Furthermore, not only does Islam abolish all obstacles that could prevent freedom of faith, but it prohibits all psychological, social, and physical conditions that can jeopardize the proper exercise of religious duties. According to the Qur’ān, it is not permitted to perform prayers (*ṣalah*) while under the influence of alcohol or drugs (*sukārā*), and any religious duty performed under drug or alcoholic influence is null and void. The reason of such nullification is because the individual is not fully aware of his or her actions and deeds. The Qur’ān firmly prohibits the performance of prayers while drunk:

you who believe, approach not prayer when you are in a drunken state until you know (the meaning) of what you utter. . . .<sup>36</sup>

Similarly, Muslim jurists agree unanimously on the prohibition to undertake legal arbitrations while under the influence of anger, drugs, or other types of psychological turbulences. Likewise, being mentally insensible, because of sleep or drugs, shrinks the liability to effectively participate in one’s daily affairs, thus any contractual undertakings in such circumstances are null and void. Therefore, the root of such prohibitions is that Islam gives great consideration to the mental behavior and psychological well-being of the individual. Thus, protection of religion consists of being able to perform, mindfully and freely, all religious obligations and liturgical supplications without coercion or being under the influence of mind-altering substances.

Third, with regards to the protection of human progeny and ancestry, Islam places family life with utmost importance and views it as an indispensable institution of human societies. Thus, Islam provides proper rules to strengthen family ties and protective regulations for presenting clear and unquestionable progeny. This is because according to the Islamic perspective, the protection of the family institution, which includes preservation

of ancestral lineage and offspring, contributes to enhancing the individual's self-esteem and self-actualization. This is because proper affiliation to family and the protection given by parents in the early age of childhood are rudimentary components of the child's psychological development. On the other hand, according to scholars of psychology,<sup>37</sup> in the event where families have broken up or there is lack of family care, children may well develop criminal tendencies, which eventually contribute to the instability of the social fabric.

To promote continuation of family lineage, a legal marriage (*zawāj*) between a man and a woman is ordained, while divorce (*ṭalāq*) is discouraged and allowed only when it is absolutely unavoidable. Enhancement of familial relationships such as relations between children and parents and between husband and wife are very much encouraged. Thus, all conducts that undermine the stability of family life – including drug abuse, alcoholism, and adultery – are considered as serious crimes in Islam. Punishments are prescribed proportionately on each of these crimes due to their destructive impact on the society's stability.

Fourth, Islam aims to protect the human individuals' worldly possessions (*hiḥẓ al-māl*), in terms of security and proper management of ownership. Certain Sharī'ah laws classified as *ḥudūd* are there in order to secure the property and rights of the individuals, while excessiveness (*isrāf*: Qur'ān 7:31) is prohibited to ensure beneficial expenditure of wealth. However, while drug abuse is associated with crime and violence as well as maltreatment of wealth, it clearly contradicts the Islamic concept of property protection.

Fifth, the Sharī'ah aims to protect the human intellect (*hiḥẓ al-aql*). As such, the consumption of all intoxicants and mind-altering chemicals are strictly prohibited. In the normal human brain, there is an inhibitory control, which tells us not to engage in shameful or wrongful acts. Central depressant drugs, including alcohol, will suppress these nerve pathways and remove such restraints. The ability to make good judgment to protect the self or a person's honor is a human quality that would be taken away under the influence of these sorts of drugs. Effects of alcohol on endocrine organs can be a direct toxic effect or an indirect effect through its influence upon the metabolism of hormones. Alcohol abuse is commonly associated with liver and nutritional disorders, and is seen in chronic alcoholics and abusers of drugs.

## **Drug Abuse, Human Dignity (*Karāmah*), and Viceregency (*Khilāfah*)**

According to the Islamic worldview, human life is both noble (*karāmah*) and purposive (*istikhlāf*). It is noble because God has endowed the human with the qualities of intellect, knowledge, freewill, and guidance – which raises the human into a unique position above other creatures of God. Thus, the human is honored with special talents and faculties. The Qur’ān states:<sup>38</sup>

And indeed We have honored the Children of Adam, and We have carried them on land and sea, and have provided them with *al-tayyibāt* (lawful good things), and have preferred them above many of those whom We have created with a marked preferment.

Furthermore, it is purposive because according to the Islamic concept of human life, a person’s life has certain teleological goals, which requires the individual to remain constantly conscious and cognizant to achieve such goals.

And (remember) when your Lord said to the angels: “Verily, I am going to place (mankind) generations after generations on earth (vicegerent).” They said: “Will You place therein those who will make mischief therein and shed blood, - while we glorify You with praises and thanks (Exalted be You above all that they associate with You as partners) and sanctify You.” He (Allah) said: “I know that which you do not know.”<sup>39</sup>

In this verse, the human existed as a result of a divine plan, and was delegated to civilize the earth, to be a *khalīfah* (vicegerent). In this understanding, the human is associated with the vital mission of making the entire universe a habitable place.<sup>40</sup> As such, human life neither existed through the accidental arrangement of nature nor through random occurrences of natural phenomena.<sup>41</sup> The Qur’ān teaches that Allāh (SWT) empowered the human with mental strength, skill, and intelligence, so that the human can appreciate and improve life (*ta’mir*: Qur’ān: 11:61).<sup>42</sup> While the Qur’ānic term *khilāfah* signifies a commission for a duty and responsibility, the concept *ta’mir* means constant maintenance and improvement of life.

Within the conceptual frameworks of *khilāfah* (vicegerence) and *ta’mir* (improvement), human life is elevated into a level of steward (*taskhīr*) and guardian. According to *mafassirūn* (exegetes of the Qur’ān) like al-Tabari (d. 923 AC) and al-Zamakhshari (d. 1144 AC), while the Arabic terms *khilāfah* and *taskhīr* constitute responsibility and appropriate utilization of natural resources – the combination of these two terms connote working progressively hard for the betterment of human life.<sup>43</sup> However, while drug

abuse changes the function and the structure of the human brain, it also demotes the human's ability to think responsibly, and indeed degrades the human into levels of mental delinquency and behavioral immorality, which are contrary to the concepts of *khilāfah* and *ta'mir*.<sup>44</sup>

Likewise, with the concept of the nobility of the human (*karāmah*), Islam aims to motivate the individual and boost the person's concept of self-esteem, so that individuals will not be inclined to degrade themselves to the level of drug abusers or alcoholics. As such, drug abuse, which causes malfunctions of the human brain's intellectual ability to cope with rapidly changing life circumstances and contradicts the spirit and objectives of the Sharī'ah. Hence, not only does the Qur'ān uphold the importance of the human intellect and dignity, but the entire legal and ethical systems of Islam are in place to protect both the intellect and the dignity of man.

### **The Qur'ānic Concepts of *Khubth*, *Rijs*, and *Israf***

According to the Qur'ānic dietary laws, consumption of food and drinks are conceived as basic needs of the human, however, for quality control and health reasons, the Qur'ān states two provisions upon which consumption of food and beverages are evaluated. First, the substance of the consumed item must not be contaminated. Based on this provision, there are a number of foods and beverages which, because of their content of impure substances, are considered harmful (*ḍarar*) for humans to consume; therefore, they are forbidden. These include pork meat (*lahm al-khinzīr*), blood (*al-damm*), and the carrion or the meat of *halāl* animals that did not get properly slaughtered (*al-maytah*).

He has only forbidden you dead meat, and blood, and the flesh of swine, and any (food) over which the name of other than Allah has been invoked. But if one is forced by necessity, without willful disobedience, nor transgressing due limits,- then Allah is Oft-Forgiving, Most Merciful.<sup>45</sup>

Likewise, there is another category of substance – such as wine and other alcoholic beverages (*muskir*) – which because of being considered as harmful in nature (*rijs*) and/ or of it being intoxicative (*khamr*) – is not permissible for humans to consume. According to the Qur'ān, the consumption of this type of substance is prohibited because it causes abomination and disgrace to the human intellect. The Qur'ān states:

O ye who believe! Intoxicants and gambling, (dedication of) stones, and (divination by) arrows, are an abomination,- of Satan's handwork: eschew such (abomination), that ye may prosper.<sup>46</sup>

Similarly, the Qur'ān prohibits the consumption of noxious (*khabīth*) food, which can cause contamination, and allows the consumption of healthful and nutritious foods (*tayyibāt*). The Qur'ān states that:

He (the Prophet) allows them as lawful what is good (and pure) and prohibits them from what is bad (and impure). . . .<sup>47</sup>

According to al-Qurṭubī (d. 1273 AC), the Qur'ānic term *tayyibāt* (good) means all lawful actions and foods, thus equals legitimate (*halāl*) – while *khabīth* (impure) means contaminated food, and thus equals prohibitions (*muḥarramāt*).<sup>48</sup> In this regard, *tayyibāt* food is the food that is nutritious, containing elements suitable to encourage healthy human growth, while *khabīth* foods are the food and drinks that contain toxic and impure elements. Furthermore, food may be characterized as impure if its substance is harmful to a living organism. Thus, the Qur'ānic terms like *rijs* (abomination) and *khabīth* (noxious) are applied to substances that are noxious and poisonous to the human body, or that could cause any abnormal behavior in humans. As such, Islam prohibits narcotic substances, which undermine the chemical processes of the living cells that are necessary for life. The Prophet was once asked about the amount and limits of an intoxicative substance, and said, “of that which intoxicates in a large amount, a small amount is forbidden (*ḥarām*).”<sup>49</sup> Thus, while commenting of the damage of wine and alcoholic beverages on humans, the Prophet once said, “intoxication of mind is the source of all kinds of evils and crimes,”<sup>50</sup> hence, Islam strongly prohibits all kinds of intoxication. including drug abuse.

Second, besides the quality of the substance, Islamic dietary laws give similar attention to the ways of consumption. In some cases, permissibility or prohibition of the food may not be determined because of the quality of the substance of the food, rather it is determined by the way of consumption. The question of “how” food is consumed plays a role in the permissibility of food, where exceeding the proper bounds of consumption (*isrāf*) is rejected. The Qur'ān states that:

Eat and drink, but waste not by excess, for Allah loveth not the wasters (*musrifūn*).<sup>51</sup>

In this verse, drinking and eating are made permissible but without abusive behavior. The term *isrāf* denotes excessiveness, abuse, waste, or exceeding the proper bounds,<sup>52</sup> according to which the issue of prohibition or permissibility of consumption is also determined. With regards to drug abuse, though Islam encourages proper medical treatment of diseases through the use of drugs, nevertheless, excessive use of any drug which

is considered as *isrāf* and is strongly prohibited. In this instance, this prohibition of drug abuse is, however, not due to the substance of a drug, but because of the abusive and excessive nature of the consumption of a drug. Related to this abusive element is the possession of drugs outside the legitimate channels. In this case, if drugs are obtained through proper medical prescriptions, and consumed based on the medical instructions, then such drugs remain lawful. However, if drugs are obtained through illegitimate channels – like smugglers and drug-trafficking agents and used for nonmedical purposes – then such conduct is characterized as abuse, and it is prohibited. Also considered as an “abusive element” is a person taking a drug in an amount exceeding the limits of normality. In this regard, the consumption of drugs must be in moderation and without exceeding medically prescribed bounds of amount and duration.

### **Drug Abuse and the Islamic Concept of *Ḍarar* (Prevention)**

Among the main objectives of the Sharī‘ah is to alleviate hardship and to facilitate easy achievement of all needs for the good of humanity. In addition, one of the rudimentary jurisprudential principles of Islamic law is: *lā ḍarara walā ḍirār* (harm should not be inflicted or reciprocated), which denotes that an individual should not cause any hardship for himself or herself and should not inflict harm on others. In this regard, *ḍarar* includes whatever that can cause health problems – physical injuries, mental damage, and psychological complications for the individual – including, drug abuse, alcoholic drinks, and smoking.

Based on this understanding, drug abuse should be eradicated because it constitutes a severe *ḍarar*, which causes damage to the body and mind of the drug abuser and it remains a potential threat to society. It lowers inhibitions and impairs judgment, leading to unsafe behaviors, and eventually leading to an untimely death.<sup>53</sup> Thus, since drug abuse dismantles the proper functioning of the neurological cells, and disturbs many physiological processes, it must be avoided. This principle of abstinence seems to be very much related to the control and prevention of drug abuse, and commands that all necessary measures should be taken to prevent any kind of drug abuse from happening.

While Islam prevents the wrong from occurring at the inception and blocks all avenues to wrong doing (*sadd al-dhars’ah*), prevention of drug abuse not only saves the lives of drug abusers – it also reduces the crime rate in the society, and thus saves the life of millions of innocent men and

women, as well as the environment. While the concept, “harm should not be inflicted nor reciprocated” indicates prevention of drug abuse from happening, also it denotes the provision of proper rehabilitation approaches for drug addiction. This can be done through giving more attention to the needs of the victim by educating the masses, social workers, law enforcement agencies, and physicians – and teaching all professionals the better ways of handling drug abusers. An equally important measure is to employ better and more sophisticated treatment of drug abusers and establishing rehabilitation centers on a large scale to try and tackle the drug-abusers problems.

### Opinions of Muslim Jurists on Drug Abuse

With regards to the issue of legitimacy, Muslim jurists are in complete agreement on the prohibition of drug abuse, and they consider it as an offense (*dhanb*) that deserves a punishment (*ʿuqūbah*). However, they hold various opinions on what type of punishment is appropriate to the drug abusers. This is so, because of their disagreement on the reason of prohibition; particularly whether drug abuse is outlawed because of intoxication (*iskār*), or the effect of languishing (*iftār*). Muslim jurists like al-Shīrāzī (d. 1286 AC), al-Nawawī (d. 1277 AC), Ibn Taymiyyah (d. 1328 AC),<sup>54</sup> al-Shawkānī (d. 1834 AC), Ibn Hajar al-ʿAsqalānī (d. 1448 AC), and others hold that drug abuse is prohibited because of its intoxication (*iskār*). They hold that drug abuse is another type of *khamr* (mind altering), thus, for them, the prohibition of abuse of drugs is an extension of wine prohibition.<sup>55</sup> Both drinking wine (*shurb al-khamr*) and the abuse of drugs intoxicate the mind; hence as *khamr* is prohibited, similarly abuse of drug is prohibited, for they have the same effect on the mind. Furthermore, since both abuse of drug and *khamr* have the same effect, the punishment of drug abusers should be the same as accorded to wine drinkers. Imam al-Dhahabī (d. 1348 AC) for example, holds drug abuse to be a serious offence, but argues that the punishment of drug abusers is similar to that of wine drinkers (*shārib al-khamr*).<sup>56</sup>

The analogy (*qiyās*) here is that, if the prohibition of *khamr* (wine), which has been stated in the Qurʾān, is extended to the other intoxicative substances like the abuse of drugs, then the punishment of wine drinkers should also be extended to the drug abusers. Muslim jurists like Imam al-Dhahabī (d. 1348 AC) and al-Zarkashī (d. 1392 AC) argue that legal punishment of drug-abusers must be similar to that of wine consumers, because both the drug and the alcohol are intoxicating.<sup>57</sup> Scholars like al-Ṣanʿānī (d. 1786 AC) and Ibn al-Qayyim al-Jawziyyah (d. 1350 AC)<sup>58</sup> cat-

egorically state that: “all intoxicants whether liquid or powder, are prohibited, regardless of whether they are natural or manmade,”<sup>59</sup> but they seem to be silent on the punishment of consumers of an intoxicative substance.

On the other hand, some jurists disagree with the idea of extending the punishment of wine drinkers to the drug abusers. Scholars like Ibn ‘Ābidīn (d. 1836 AC),<sup>60</sup> and others argue that drug abuse is prohibited not because of its intoxicative effect (*iskār*) but because of its languishing (*iftār*) effect upon neurological cells and the metabolic system of the human body. According to this group of jurists, both the biological impact and the symptoms of drug abuse are different from that of alcoholic drinks – thus, the prohibition of drug abuse was because of its obliteration (*ifsād*) of human life. Thus, for its languishing impact on the life of drug abusers, preventive measures (*ta’zīr*) should be imposed but not capital punishment (*ḥadd*). They maintain that it is improper to punish drug abusers in the same manner as for wine drinkers, and the reason is because the prohibition of the drinking wine was clearly stated in the Qur’ān, while the prohibition of the drug abuse was through *ijtihād* (speculative analogy). Their contention is based on the view that, breaking a law which is clearly stated in the Qur’ān deserves *ḥadd* (capital punishment) such as the case of *khamr*, while the act of breaking laws derived from speculative reasoning (*qiyās*), not conclusively stated in the Qur’ān like drug abuse, deserves *ta’zīr* (censure). This group of jurists contends for the prohibition of the abuse of drugs, and they also agree with the idea of punishment – but for them the punishment of drug abusers is not *ḥadd* (fixed punishment) but *ta’zīr* (censure).<sup>61</sup>

The classification between *muskir* (intoxicant) and *muftir* (languisher) is based on the Prophetic ĪdĒth in which “the Prophet prohibited the consumption of every intoxicant (*muskir*) and languisher (*muftir*).”<sup>62</sup> Though, in this hadith, the Prophet distinguished between intoxication and languisher, which indicates that the legal punishments for wine drinkers and drug abusers are not identical, however, some jurists concluded that the punishment for these two offenses should be the same, while some others contended otherwise. Those who hold that punishment of *shārib al-khamr* (drunk) and drug abusers is identical say so, because *muskir* (intoxication) and *muftir* (languisher) have overlapping meanings. For those who hold that the two terms (*muskir* and *muftir*) are not the same, they suggest the punishment of drug abusers should be less severe than for wine drinkers.

Finally, in terms of prohibition, the debate on the differences between intoxication (*khamr*) and languisher (*muftir*) seems to be merely a matter of academic classification, for whether abuse of drug was prohibited because of its intoxication or languisher, it still remains prohibited. Therefore whether drug abuse is proscribed because of *muskir* or because of *muftir*,

the discussion leads to the same conclusion – that is, the prohibition of drug abuse in Islam. However, the issue of what type of punishment should be imposed upon drug abusers remains a matter of disagreement among jurists.

With regards to drug smuggling and trafficking, Muslim jurists are unanimous on the prohibition of drug smuggling for two reasons. First, in Islam, doing business in the dealing in prohibited substances, such as pork and wine, is not allowed. Since the consumption of such items is outlawed, buying or selling is also outlawed – thus, while the abuse of drugs is prohibited, drug smuggling is also prohibited. Second, according to Muslim jurists, drug smuggling is prohibited because it is tantamount to causing destruction (*fasād*) or contributing to the destruction of society (*wa lā tulqū bi aydīkum ila al-tahlukah*) – and in Islam, the destruction of the society or contributing to it is strongly rejected by the Qur’ān. Furthermore, Muslim jurists also agree that capital punishment be imposed on drug smugglers as a *ta’zīr*, and the main stream of the jurists (*jumhūr al-fuqahā*) contend for the execution of drug smugglers.<sup>63</sup>

## Conclusion

Drug abuse is contradictory to the spirit and aims of Islamic teachings. This is because the essence of Islamic teaching is to safeguard human well-being both intellectually and physically and prevent any burden on human life; however, drug abuse is a threat to both. Similarly, while Islamic teaching’s aim is to protect human life, religion, property, progeny, and the mind, drug abuse violates such basics of humanity. Therefore, drug abuse remains a punishable crime, while drug trafficking is a serious offense upon which criminal punishment is imposed under the Islamic law. Drug abuse, including alcohol consumption leads to the deterioration of human individuals and the society. The seriousness and dire consequences of the evils of drugs and alcohol must be taught to the children as part of the educational curriculum, and society must also be made to realize that drug abuse is a human failing disease like any other and can be cured.

## Notes

1. Aḥmad b. Idrīs al-Qarāfiyī, *Al-Furūq*, (Beirut, Lebanon: ‘Alam al-Kutub, 1900); Abī Ishāq Ibrāhīm b. ‘Alī al-Shīrāziyī, , *Kitāb al-Tanbīh fī al-Fiqh al-Shafi’i* (Beirut, Lebanon: Dār al-Fikr, 1996); Moḥd b. Bahadır al-Zarkashiyī, *Zahr al-‘Arīsh fī Tahrim al-Hashīsh*, (Cairo, Egypt: Dār al-Wafā’a, 1990); Ibn Qayyim al-Jowziyyah, *Zād al-Ma’ad fī Hadyi Khayr al-Anām* (Beirut, Lebanon: Mu’assasat al-

- Risālah, 1986); and Al-Showkāni, *Al-Sayl al-Jarrār al-Mutadafiq 'Alā Ḥadā'iq al-Azhār*, (Beirut, Lebanon: Dār al-Kutub al-Ilmiyyah, 1985), in which they all agreed on the prohibition of hashish consumption.
2. Muhyidīn b. Sharaf al-Nawawiyī Abū Zakariyā, *Al-Majmu' fī Sharḥ al-Muḥazab*, (Medina, Saudi Arabia: Maktabah al-Salafiyyah, 1925); Mohd b. Bahadir al-Zarkashi, *Zahr al-'Arīsh fī Tahrīm al-Hashish*, (Cairo, Egypt: Dār al-Wafā'a, 1990); Ibn Qayyim al-Jowziyyah, *Zād al-Ma'ad fī Ḥadyi Khayr al-Anām*, (Beirut, Lebanon: Mu'assasat al-Risalah, 1986); and Ibn Hajar al-Asqalani, *Fath al-Bari fī Sharḥ Sahih al-Bukhari*, (Cairo. Egypt: Maktabah al-Kulliyāt al-Azhariyyah, 1978).
  3. Shiekh Yusuf al-Qaradāwiyī, *Friday Speech (khutbah)*, 15/Safar/1418 AC.
  4. Ibid.
  5. Ahmad Ali Ṭāhā Rayān, *Al-Mukhadirāt bayna al-Ṭibb wa al-Fiqh*, (Cairo, Egypt: Dār al-'Itisām, 1984).
  6. Ālī Yusuf Abu Ḥamzah al-Hādī ', *al-Mu'malah al-Jinā'yah limutā'ati al-Mukhadirāt*, (Tripoli, Libya: al-Dār al-Jamāhīriyyah, 2003).
  7. Chris Allen, *Crime, Drugs and Social Theory* (Aldershot, UK: Ashgate, 2007).
  8. Abdul Sami'Osama al-Sayed, *'Uqūbat Ta'attī al-Mukhdirāt wa al-Ijārī Bihā Bayn al-Sharī'ah wa al-Qanūn* (Alexandria, Egypt: Dar al-Jami'ah al-Jadidah, 2008).
  9. Francesco Bruno, *Combating Drug Abuse and Related Crime*, (Rome, Italy: Fratelli Palombi Ediyori, 1984).
  10. Benjamin Frank Miller, *Miller-Keane Encyclopedia & Dictionary of Medicine, Nursing, & Allied Health* (Philadelphia, PA: Saunders, 1992) and Elizabeth A. Martin, ed., *Concise Medical Dictionary* (New York: Oxford University Press, 1991).
  11. Louis Sanford Goodman, *Goodman & Gilman's The Pharmacological Basis of Therapeutics* (New York: McGraw-Hill Medical Pub. Division, 2006), 621.
  12. Ibid., 621–22.
  13. Alan Galbraith et al, *Fundamentals of Pharmacology: An Applied Approach for Nursing and Health* (Harlow, UK: Pearson Education Limited, 2007), 206–210.
  14. Glen R., Hanson, *Drugs and Society*, 10<sup>th</sup> ed. (Boston: Jones and Bartlett Publishers, 2009), 47–60.
  15. Galbraith, *Fundamentals of Pharmacology*, 206–204.
  16. For further discussion see: Goodman, *Goodman & Gilman's the Pharmacological Basis of Therapeutics*, 623; Galbraith,

*Fundamentals of Pharmacology*, 209–210; Hanson, *Drugs and Society*, 51–60.

17. Alcohol is a generic term for ethanol, which is a particular type of alcohol produced by the fermentation of many foodstuffs – most commonly are barley, hops, and grapes. Other types of alcohol commonly available – such as methanol (common in glass cleaners), isopropyl alcohol (rubbing alcohol), and ethylene glycol (automobile antifreeze solution) – are highly poisonous when swallowed, even in small quantities. Alcohol intoxicates the mind and produces behavioral or physical abnormalities. Both mental and physical abilities of the alcohol consumers are impaired.
18. Alcoholism is a disorder characterized by the excessive consumption of and dependence on alcoholic beverages, leading to physical and psychological harm and impaired social and vocational functioning.
19. Umu Salamah (*r.a.*) said: “the Prophet (*s.a.w*) prohibited the consumption of every intoxicant (*muskir*) and languisher (*muftir*).” Abu Da’ud reported this hadith in the chapter of drinks (*al-ashribah*) of his *Sunan Abu Da’ud*.
20. *Al-Munjid fī Al-lughah* (Beirut, Lebanon: Dār al-Mashriq, 42nd. ed., 2008), 195.
21. Ibn Omar (*r.a.*) said: “every intoxicant is wine, and every intoxicant is forbidden.” Al-Tirmadhiyi reported this hadith in the chapter of drinks in his *sunnan al-Termidhiyi*.
22. Reported by Muslim.
23. Abū Ishāq al-Shāṭibiyī, *Al-Muwāfaqāt fī Uṣūl al-Sharī’ah*, (Beirut, Lebanon: Dār al-Kutub al-Ilmiyyah, 2004), 221; Mohammed al-Tāhir ibn ‘Ashūr *Maqasid al-Sharī’ah al-Islāmiyyah*, ed, Mohammed al-Tāhir al-Misāwiyyī (Petaling Jaya, Malaysia: Al-Baā’ir Lil Intāj al-‘Ilmiyī, 1998), 117–18.
24. Al-Shāṭibiyī, *Al-Muwāfaqāt fī Uṣūl al-Sharī’ah*, 224–25 and Ibn Al-Tahir, *Maqāsid al-Sharī’ah al-Islāmiyyah*, 118.
25. Al-Shāṭibiyī, *Al-Muwāfaqāt fī Uṣūl al-Sharī’ah*, 221–22.
26. Mohamad Hashim Kamali, *Principles of Islamic Jurisprudence*, 2nd. (Kuala Lumpur, Malaysia: Ilmiah Publishers, 1999), 397.
27. *Ibid.*, 398.
28. Qur’ān (5:45). The English translations of the Qur’ānic verses are taken from: Abdullah Yusuf Ali, *The Meaning of the Holy Qur’an*, (Brentwood, MD: Amana Publications, 1992).
29. Qur’ān (4: 29).
30. Qur’ān (2:256): “Let there be no compulsion in religion: Truth stands out clear from Error: whoever rejects evil and believes in Allah hath

grasped the most trustworthy hand-hold, that never breaks. And Allah heareth and knoweth all things.”

31. Qur’ān (5:32).
32. Abū Ja’far b. Moḥd b. Jarīr al-Ṭabariyī, *Jāmi’ al-Bayān ‘an Ta’wīl Ayy al-Qur’an*, (Cairo, Egypt: Dar Iḥyā al-Turāth al-Arabiyyī, 1993).
33. Qur’ān (4:29).
34. Qur’ān (2:195).
35. Qur’ān (2:256).
36. Qur’ān (4:43). Although an argument could be made that this verse was abrogated by a subsequently more stronger one, it does not change the fact of prohibition. Indeed, it emphasizes it.
37. S. Richard Sauber et al., *The Dictionary of Family Psychology and Family Therapy* (Newbury Park, CA: Sage Publication, Inc., 1993).
38. Qur’ān (17:70).
39. Qur’ān (2:30).
40. See the following verse of the Qur’ān (11:61): “He brought you forth from the earth and settled you therein. . . .”
41. This is because, unlike the modern scientism theories – which are influenced by the Darwinian school of interpretation of man’s origin, in which human life existed merely through evolutionary transformation or a natural gradual process from lower animals to the current shape without purpose and aim –according to the Islamic perspective of human life, human’s existence aims at achieving certain ultimate goals.
42. The Qur’ānic word *ta’mīr* signifies civilizational development, progress, management, and administration of life, which are all the duties of humans.
43. Abu Ja’far b. Moḥd b. Jarir al-Tabari, *Jamī’ al-Bayān ‘An Ta’wīl Ayy al-Qur’ān* (Beirut, Lebanon: Dar al-Kutub al-Ilmiyyah, 1999 and Mohmud b. Omar, al-Zamakhshariyī, *Al-Kashāf āan Ḥāqa’iq al-Tanzīl wa ‘Uyūn al-Aqawīl fī Wujūh al-Ta’wīl*, (Beirut, Lebann: Dār al-Ma’rifah, 1900).
44. According to the Qur’ān, Allāh will not change the social, economic, and political conditions of human communities unless communities give constant effort for change to the betterment of their economic and social life. Nevertheless, such change for the betterment of life is not conceivable without effective human intellectual faculty.
45. Qur’ān (16:115).
46. Qur’ān (5:90).
47. Qur’ān (7:157).

48. Abū Abdullahi Moḥd b. Aḥmad al-Qurṭubiyī, *Al-Jami' li Aḥkām al-Qur'ān*, (Dār al-Kutub al-Arabiyyah, 1968).
49. Ibn Omar said: “the Prophet (*s.a.w.*) said: ‘of that which intoxicates in a large amount, a small amount is forbidden (*haram*).’” Reported by al-Termadhiyi in the chapter of drinks (*kitab al-ashribah*).
50. Reported in Al-Sayuti, *al-Jami' al-Saghir fi Ahadith al-Bashir al-Nazir*, (Beirut, Lebanon: Dar al-Kutub al-Ilmiyyah, 2002).
51. Qur'ān: (7:31).
52. Hans Wehr, *A Dictionary of Modern Written Arabic-English* (London: Macdonald & Evans Ltd., 1974), 408.
53. Similarly, alcohol has many side effects including altering an individual's perceptions, dulling his senses, hindering coordination, and blocking memory functions. If the individual continues to use alcohol heavily, the person could experience stomach ailments, sexual impotence, heart and central nervous system damage, loss of appetite, and blackouts. Likewise, when alcohol accumulates in the bloodstream of the individual, the errors of the individual considerably increase, and alcohol creates a false sense of confidence.
54. Ibn Taymiyyah *Al-Siyāsah al-Shar'iyyah* (Riyadh, Saudi Arabia: wizarat al-Shu'un al-Islamiyyah wa al-Awqaf wa al-Da'wah wa al-Irshad, 1998), 146.
55. Showkani, *Al-Sayl al-Jarar*, vol. 4, 328.
56. Imam al-Dhahabi, *Kitāb al-Kaba'ir*, (Beirut, Lebanon: Dār Ibn Zaitun, 1986), 86
57. Moḥd b. Bahadir al-Zarkashiyī, *Zahr al-'Arīsh fi Tahrīm al-Hashīsh*
58. In Ibn al-Qayyim al-Jawziyyah, *Zad al-Ma'ad, Ibn al-Qayim* (Beirut, Lebanon: Mu'assasat al-Risalah, 1987), vl. 4, 240.
59. Ibn al-Qayyim al-Jawziyyah, *Zād al-Ma'ad fi Hadyi Khayr al-Anām*, vol. 5 (Beirut, Lebanon: Mu'asasah al-Risālah: 1987), 747.
60. Ibn Abidin, *Al-Radd al-Mukhtār 'Alā al-Dur al-Mukhtār*, (Kuwait: Wazārat al-Awqāf wa al-Shu'un al-Islamiyyah, 1980).
61. See his monumental book on Muslim jurisprudence: *al-Radd al-Mukhtār 'Alā al-Dur al-Mukhtār*, vol. 6, 457.
62. The Arabic text of this *ḥadīth* was mentioned above.
63. Usama Sayyid Abd al-Sami', '*Uqūbat Ta'tti al-Mulkhadirāt wa al-Itijāri Bihā Bayna al-Sharī'ah wa al-Qanūn*, (Alexandria, Egypt:: Dar al-Jami'ah al-Jadīdah, 2008), 117–20.