

## Abstract

**Objective:** Due to various factors, such as the easy production of narcotics, the issue of addiction has become more prevalent in all human societies, including Islamic Iran. Therefore, the present paper examines the jurisprudential principles of the prohibition of drug use. **Results:** From the public and certain Quranic verses, one can explicitly and clearly discover the religious prohibition of drug use. For example, the pertaining reasons include the prohibition of ego-murder, the prohibition of removing wisdom, the necessity of avoiding filth and acts of evil, on top of which drug use lies. In addition, certain hadiths also imply the prohibition of this act, and the thinkers' rationale confirms the prohibition of this practice. **Conclusion:** The provision of the principles on the prohibition of narcotics can help authorities do their best to eradicate this phenomenon with ease because of the availability of the religious law and religious prohibition on the use of narcotic drugs. Preachers and scholars also give religious motives to avoid this act.

**Keywords:** drug use, jurisprudential basics, religious prohibition, prohibition of self-murder, necessity of avoiding filths

# Jurisprudence Fundamentals of the Prohibition of Drug Use

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## **Introduction**

Today, the issue of drug addiction in Iran has created numerous problems. On the other hand, according to the fourth principle of the constitution of the Islamic Republic of Iran, all laws and regulations should be in accordance with Islamic principles. Therefore, it is essential to investigate whether "the ban on the use of narcotics is based on religious principles". Considering this necessity, as well as the fundamental questions in this regard, the aim of this study is to investigate the jurisprudence principles of the religious prohibition of drug use with reference to credible Islamic sources in order to overcome ambiguities in this regard. Undoubtedly, research on this subject requires a broad and innovative approach that can provide researchers with future jurisprudence principles.

The fundamental question that the study seeks to respond to is: "Are there any trusted sources of jurisprudence in Islam for the prohibition of using narcotics?" According to this question, the most important research hypothesis is that Islam, as the school of thought that has put human salvation in material and spiritual dimensions on priority, has undoubtedly provided cast-iron reasons for the prohibition of drug use.

Narcotic drugs have imposed irreparable damage on all countries in general and on Islamic countries in particular. The involvement of political motives in the distortion of the true face of Islam and the reversal of Islamic teachings by alien countries are among the other growing phenomena in Muslim countries. On the other hand, one can refer to economic goals in order to obtain huge illegitimate wealth that has urged death traders to produce industrial substances and change the pertaining chemical formula. With this process, they have been able to achieve different types of these substances with a different and destructive influence.

In this article, we seek to explore more religious teachings and foundations in order to understand the position of Islam in relation to the use of narcotics. To this end, we will first try to introduce the most important foundations in this field; then we will discuss the Fatawa of contemporary jurists regarding the use of narcotics and, ultimately, we will explain solid religious works affirming the ban on the use of narcotics.

### **1. Religious reasons for the prohibition of the use of narcotics**

In the following, we refer to various religious arguments regarding the prohibited use of narcotics.

#### **1.1. Quranic Verses**

The first reason out of the four reasons used in Islamic jurisprudence is the Holy Quran. Therefore, we first discuss some reasons from the Word of Revelation that forbid the use of narcotics in any form whatsoever.

### **1.1.1. Prohibition of obtaining property in a void manner (unjust enrichment)**

One of the verses that proves the prohibition of narcotic use is Verse 29 of Al-Nesa Sura, according to which the murder of the ego is forbidden and prohibited in religious terms. The text of the verse is as follows:

O' Believers, do not consume your wealth among yourselves in falsehood, except there be trading by your mutual agreement. And do not kill yourselves. Allah is the Most Merciful to you.

In the exegesis of this verse, Ayatollah Makarem Shirazi states that according to this verse, any rape, fraud, falsehoods, usury transactions, transactions whose limits are completely unclear, the sale and purchase of goods with no rational and logic use, and the purchase and sale of the means of corruption and sin are all put under this general law. In addition, various narratives have interpreted the word "void" as gambling, usury, and the like, while they are the clear exemplary representations of this word, not exclusive.

According to this verse, the late Saheb-e Javaher (Mohammad Hassan Najafi) has said: "Among the cases referred to by the above verse are the preservation of life, the removal of wrath and harassment, the prohibition of murder and killing, and the two narrations of Yaqub Ibn Salem and Dawood Righi are also backed up by this claim." Accordingly, it is imperative to preserve the self, eliminate the pressure and difficulty, provide comfort, and avoid self-murder.

Hence, in the fatwa issued by Sheikh Alish -the scholar of Mālikī religion- it has been mentioned: "The successive use of narcotics causes some heat to be created in the body, which becomes a severe and destructive disease; therefore, it is included in the promise of God that has ordered us not to kill one another".

Accordingly, we should not put the ego at some risks that lead to self-murder unless there is more important advisability, such as Jihad in the cause of God. And because the narcotics cause harm to health and well-being, and this issue has been medically proved, its use is forbidden.

### **1.1.2. Spirit of Islam's Invitation to Avoid Evils**

Islam is a religion of goodness and virtues, and the spirit of this school is not compatible with pollution. For this reason, all acts and deeds in disharmony with this spirit have been prohibited and forbidden. The following verse is the best reason for this claim:

"And to those who shall follow the Messenger the Unlettered Prophet (Muhammad) whom they shall find written with them in the Torah and the Gospel. He will order kindness upon them and forbid them to do evil. He will make good things lawful to them and prohibit all that is foul. He will relieve them of their burdens and of the shackles that weigh upon them. Those who believe in him and honor him, those who aid him and follow the light sent forth with him, shall surely prosper." (Sura AL-ARAF, Verse 157).

The jurisprudents and scholars interpret the above verse that the content of his invitation is in harmony with health principle. The pure items and what the

healthy nature accepts are regarded Halal and the evil and hateful are considered prohibited. Narcotic drugs are evil, so their use is forbidden since the resulting harm is obvious to everyone and it keeps people in the chains of filth and degradation.

### **1.1.3. The Need to Avoid Evil Acts**

According to the spirit of the Islamic call that regards the stability and enhancement of wisdom as the source of human progress, any act that causes damage to this unique gem is an act of evil and disrespect, and Islam announces its dissatisfaction with the tendency toward such behaviors. The following verse is evidence of it:

*"Believers, wine and gambling, idols and divining arrows are abominations from the work of Satan. Avoid them, in order that you prosper./ Satan seeks to stir up enmity and hatred among you by means of wine and gambling, and to bar you from the remembrance of Allah and from praying. Will you not abstain from them?"* (Sura AL-MAEDA, Verses 90 and 91).

Tafsir Nemooneh says: "In Shi'a and Sunnist exegeses, there are various declarations about the first verse and are almost identical to each other. In Tafsir Dur al-Mansoor, it has been cited from Sa'd ibn Abi Waqqas that: "This verse was revealed about me; a man from Ansars (assistants) provided food for us and invited us; a crowd took part in his banquet and they drank in addition to eating his meal, which was before the prohibition of drinking in Islam. When their brains were warmed up, they began to mention their honors; little by little, the discussion became hot and came to a point that one of them took a camel's bone and knocked on my nose and broke it. I came to the service of the Prophet (PBUH) and I narrated the story. At this time, the above verse was revealed."

### **1.1.4. Prohibition of throwing yourself into a trap of death**

Self-esteem and human dignity have been emphasized in Islam in such a way that if someone is unimportant to him/herself, s/he will be considered a villain and should be avoided. In this regard, Imam Ali (AS) has said: "Do not sit down with filthy human".

"Do not hope to receive good from anyone who is disgraced and humiliated in his/her own eyes".

"Do not be afraid of someone who is unimportant in his/her own eyes."

Accordingly, the Holy Quran has forbidden Muslims from such attributes and has not allowed them to throw themselves into the abyss of desolation. There is no destruction worse than narcotics, which not only the individual him/herself but his/her dynasty and ultimately the society will perish. The Holy Qur'an says: "Spend in the way of Allah and do not cast into destruction with your own hands. Be gooddoers; Allah loves the gooddoers" (AL-BAQARA/ verse 195).

The beginning of the verse refers to the charity, but in the following, the statement "do not cast into destruction with your own hands" gives an important warning to humans. Drug addiction is one of the greatest examples of destruction and desolation. The statement "do not cast into destruction with your own hands"

has a broad and wide-ranging concept that includes many other things, including that one does not have the right to drive dangerous roads (whether in terms of insecurity or atmospheric factors or otherwise) without the necessary predictions, one is not allowed to have the food that is likely to be contaminated with poison, or even to enter Jihad field without a plan and program. In all these cases, human beings will endanger their lives and be responsible. Thus, in today's society, the detrimental effects and disadvantages of narcotics have been scientifically and practically confirmed, and the consumption of drugs is, in fact, like the ingestion of dangerous poison that gradually enters the body and eventually leads to destruction or severe losses. Hence, it is forbidden and must be avoided. In the words of the late Allameh Tabataba'i, "This verse is used to deny the commission of any act that causes the destruction of human."

#### **1.1.5. Prohibition of dementia**

The wisdom of humankind is a measure of good and evil, and any disruptions in the effectiveness of this valuable tool have been rejected and forbidden in the light of Islam. In the same vein, the first verse that prohibits the use of narcotics and anything that causes humankind's decline and dementia is verse 219 of AL-BAQARA Sura as follows: "They ask you about intoxicating drink and gambling. Say: 'There is great sin in both, although they have some benefit for people; but their sin is far greater than their benefit'".

Liquor refers to any drunken substance that causes dementia because it lexically means "to hide and cover". All the drunken substances cause mental deterioration and deter the distinctive power of the good and bad deeds of mankind and take away the power of thought and perception. "Slip" also refers to guilt and sin; that is, a condition which leads to the deprivation of humanity from gaining charity and causes wrath and distress to mankind. When this state comes to human wisdom and soul, it prevents them from reaching the main purpose of creation, i.e. human perfections and inflicts great harm to the body and soul. According to this verse, alcohol and narcotics religiously forbidden and banned since they impose many losses, cause the dementia of the human mind and perception and understanding, and dominate the false and transient lusts to social and normal behaviors in humans.

#### **1.2. Narratives**

The second reason that the Islamic jurisprudent refers to is the narratives that have been left by the immaculate leaders. As the use of narcotics is prohibited from the Quranic point of view, narratives have also emphasized this prohibition the same as divine verses. Although narcotics have not had such a wide extension at the time of the well-known prophet of Islam (PBUH) and Imams (AS), many narrations in this regard have been quoted from the well-known Prophet Muhammad (PBUH) and the Imams (AS).

##### **1.2.1. The first category of narratives**

The Shiite jurisprudent, late Mirza Hussein Noori, has narrated some statements in Mustadrak Al-wasa'il that confirms this claim that the use of narcotics is

forbidden from the Islamic point of view. Below are some of these narratives: 1. "Ahl al-Bayt narrates that the Prophet (PBUH) has stated: One day will get for this nation when they use something called Bang (hashish); I hate them and they also hate me." 2. "You can say hello to Jews and Christians, but do not say hello to the person who uses cannabis (bang)." 3. "The one who belittles the sin of taking cannabis is a disbeliever." 4. "A person who uses cannabis (Bang) is as if s/he has destroyed the house of Ka'bah seventy times and has killed seventy angels and seventy prophets, has set fire to seventy volumes of Quran, has thrown seventy rocks to the Lord, and s/he is even more distant from God's mercy than a sot, a usurer, and an adulterer."

### **1.2.2. The second category of narratives**

The following narratives also indicate the religious prohibition of the use of narcotics: 1. "Beware that any type of inebriant substance is forbidden and any kind of narcotics is forbidden. If something is inebriant in quantity and its small amount is forbidden as well". 2- "Anas ibn Hazifeh says that he wrote a letter to the Messenger of Allah (PBUH) on the subject that after the boycott of wine, people have turned to other drinks that are made from dates and raisins and are inebriant. These beverages are cultured in jugs of pumpkin, containers lined with crude oil, and vegetable containers, and are then poured into a musk, their lids are covered, and are offered to people." This news came to the Messenger of Allah (PBUH). Then, the Prophet rose up among the people and said: "This act (ugly) is done by those who are from the hell. Beware that any Haram, any lethargic material and any narcotic substance are forbidden. If something is inebriant in quantity and its small amount is forbidden as well".

### **1.2.3. The third category of narratives**

In the book, entitled "Tuhaf al-Uqul" authored by the late Hassan ibn Ali, known as Ibn Shu'bah Harani, and the book, entitled Wasā'il al-Shī'a authored by Sheikh Al-Hurr al-Amili, this narrative has been mentioned: "Imam Sadiq (AS) narrates that eating what is harmful to human beings from herbs and vegetables, such as lethal poisonous plants, oleander, and the like, is forbidden."

### **1.2.4. The fourth category of narratives**

The fourth category of narratives banning the use of narcotics is as follows: 1. Imam Reza (AS) in a relatively long narrative expresses the philosophy of prohibited and halal foods for any kind of food or drink that has harmful to the body and mind: "May Allah have mercy on you, that the Lord did not allow any food and drink unless there is a favor and interest in it and did not proclaim anything forbidden unless there was a loss and destruction and corruption in it; so whatsoever that has benefit and strength for the body is lawful, and any harmful thing that destroys power or strength or is deadly is forbidden; for example, poison and dead meat and blood are prohibited." Here, although eating and drinking were initially referred to, but the whole concept is a general rule for boycotting certain objects. 2. This hadith, quoted from the immaculate Imam (AS), states that "whenever fasting harms man, then Iftar (breaking it) is

obligatory" and this implies that harm to the self is forbidden; otherwise, iftar was not obligatory. If fasting with all its grandeur it is harmful to the body, it will be prohibited; thus, narcotics that destroys the foundation of the body and human life will be preferably forbidden. 3. Take care of refugees like yourself and do not harm them as you do not like you get harassed. According to the two above-mentioned hadiths, we find that anything harmful to human beings is forbidden, even if that thing is as obligatory as fasting; so, in the case of narcotics, as it hurts to the body in all its aspects, it can be said that its use is forbidden.

### **1.3. Rationale**

The third reason used for the issuance of the jurisprudent in the Shi'a school is the rationale by scholars that is used herein in the case of ban on narcotics. Terms, such as the construction of rational, general rationale, practices of rationale, approach of rationales, generality, rational conduct and action, etc., which are applied by the Shi'a religious scholars in the past two centuries, are in fact the same as generality or a branch of the generality, and it is defined as follows: "The rationale is the continuity of practice and the general method of logic and reason in conversations, transactions, and other social relations without regard to their religion and nationality"; "In other words, the meaning of the rationale is The continuity of practical action by scholars to us, i.e. a method and practice that is permanent and everywhere."

However, some analysts claim that the rationale is of the orbit of the validity whenever the discoverer of the decree has obtained confirmation by the immaculate Imams since narcotics did not exist in the present form at that time. Therefore, it must be remembered that the infallible Imams (AS) have never confirmed any harm arising from the use of any kind of harmful substance. Hence, it is possible to observe their approval of the prohibition of narcotics as well.

Therefore, it must be said that the rationale has always emphasized the prevention and prohibition of narcotics during history because one of the major concerns of the current world is the problem of narcotics, which has attracted the attention of the various strata of the population, the authorities of the armed forces, and international organizations due to global, psychological, financial, personal, family, legal, and social consequences of consuming these substances. In this regard, they have taken a wide range of measures to combat this phenomenon where numerous governmental and nongovernmental organizations have embarked on combating this phenomenon. In addition, journals, Broadcasting Organization, and religious leaders and scholars have talked about the harmful effects of narcotics, and addicts in the Islamic system are the most hateful people, and even women, children, fathers, and mothers suffer from addicts' problems. The importance of the case is so serious that all executive agencies have mobilized all capacities in favor of the health of the community and have mobilized all relevant organizations to prevent and combat

this evil phenomenon. Moreover, throughout the world, despite the lack of common religious beliefs in this regard, there is a consensus because it is a rational belief.

## **2. Fatawa of contemporary jurists regarding the prohibition of narcotics use**

Jurists of the Islamic world, who have historically been the main contributors for the protection of intellectual and ideological frontiers, have also been vigilant in dealing with narcotics and have rescued practitioners from wonder and confusion. Of course, it is worth noting that almost all the authorities agree on the prohibition of narcotics. Here are a number of some of the fatawa issued by great contemporary Marjas who have responded to the religious question of drug use:

### **2.1. Imam Khomeini**

a) The distribution of opium and heroin among our youth will destroy our nation. They themselves should see the issue and withdraw from drug use before they come to God's punishment and receive the whip. It is a felony, this is the invitation of our youth to destruction. It is the generation's corruption.

b) This (narcotics) is a source of corruption; corruption must be eradicated to improve others.

### **2.2. Ayatollah Khamenei**

The use of narcotics is banned considering their harmful effects, such as the many personal and social costs involved in their use; for this reason, it is prohibited to gain revenue through the trafficking, maintenance, purchase, and sale, etc. of narcotics.

### **2.3. Ayatollah Makarem Shirazi**

Ayatollah Makarem Shirazi's view about the religious law of narcotics is as follows: a) "Drug use is one of the prohibited cases and various religious arguments point to its definite prohibition. It is imperative for all Muslims to avoid these evil things. Children, relatives, and friends should be strongly discouraged from narcotics. Anyone who contributes to cultivating, procuring, trafficking, and distributing these substances will be subject to divine punishment. Any revenue obtained from the issue is forbidden and illegitimate."

b) Narcotics are banned in any form and any case, and the task of all those who are in charge of spreading it in any way is prohibited; their transactions are certainly forbidden. Drug cultivation is forbidden in the current conditions, and its agents' affairs are also forbidden. These acts are, in fact, similar to what the Prophet (peace be upon him) says about the wine that Allah has cursed ten tribes in relation to wine, that is, he has made away his mercy. Narcotic drugs are the same as and even worse than wine, and if such conditions were at the dawn of Islam, more severe Quranic verses would be revealed about narcotics; and this decree is well understood from the current principles of Islamic jurisprudence. The use of narcotics is one of the definite prohibitions of Islam and its material, spiritual, social, and economic losses are not hidden to any wise person; worst

of all, the narcotics have become one of the most destructive colonial means." c) "The use of narcotic drugs and any activity around it are forbidden and among great sins, and the use of ecstatic and harmful pills is not permissible if there is significant harm or a source of corruption."

#### **2.4. Ayatollah Boroujerdi**

"I have always written: It is necessary for Muslims and even all wise individuals to save themselves from these deadly poisons." And he has stated elsewhere: "Anything that eliminates wisdom is forbidden in Islam."

#### **2.5. Ayatollah Fazel Lankarani**

"The use of narcotics in so far is not allowed at all as it impairs essential harm on the human body, disrupts all normal and natural personal and social affairs, prevents humans from performing their religious duties and affairs, and brings about other injustices."

#### **2.6. Ayatollah Safi Golpayegani**

"The harm of these deadly toxins and their dangers to religion, faith and honor, independence, health of the soul and body, and all aspects of the society are clear. Any acts and transactions that cause the Islamic community to be deprived of immunity and lead to the risk of suffering from addiction to this poison are strictly forbidden. And forbidding wrong and preventing it, besides being a direct duty to the government, is obligatory to everyone according to religious rules and everyone should prevent this evil and other similar ones which would corrupt and ruin the Islamic ethics of society."

### **3. Religious works on the prohibited use of narcotics in different jurisprudence doors**

In various jurisprudence doors, it has been numerously quoted from Sunni and Shi'i religions about the effects of narcotics and their prohibition, each of which is briefly summarized here.

#### **3.1. Ta'zir and Had**

The difference between the prohibited acts that create addiction in the self and the prohibitions that do not create addiction, including eating blood and dead meat should be assigned credit. If it does not create addiction, it should receive the religious penalty of Ta'zir. However, if it leads to addiction, it will receive the penalty of Had in addition to natural and religious punishment (cannabis consumption lies in this category).

#### **3.2. Diyah**

"Mobnaj refers to someone who seduces another person to drink something that removes wisdom. In this situation, the person has committed a felony similar to someone who has consumed hashish because it has caused a defect in his/her wisdom and body. Therefore, s/he must receive the penalty of Ta'zir and if someone has taken something secretly, his/her hand should be cut off after returning that thing."

### 3.3. Food & Beverage

a) "Small-scale and large-scale toxic substances are prohibited; however, eating small amounts, such as opiate, socmonia, and conium can be allowed when combined with other stuff. And every amount that is likely to harm the body or mind is not allowed." b) "Everything that is harmful to the body or the mind, such as stones, dirt, and poison is forbidden, even though it is a small amount unless it does not harm to the body and/or mind (Example: Large amounts of substances harmful to wisdom, such as opiate, nutmeg, ambergris, saffron, and hashish). c) "Forbidden food and beverage are those that decay wisdom, whether they are liquids, such as wine or solid, such as cannabis and opium."

### 3.4. Uncleanness

"And the sentence: It harms the body or the mind, what is harmful to the body, such as toxins or to wisdom, such as opium and saffron, which are clean shows that the reverence of these substances are due to their harm rather than their uncleanness."

### 3.5. Prayer

"Someone whose wisdom is destroyed by drinking inebriant materials, consuming bang and Hashish, and other things that can wipe out the wisdom is required to restore his/her lost prayers." b) "But anybody who loses his/her wisdom and mind by drinking inebriant substances is not required to compensate for that if s/he has consumed that substance merely for the sake of healing." c) "It was asked about a person who says his/her prayers and had hashish on his/her head. He replied: "The prayer is correct and it does not have any restoration because hashish is a clean drunken substance."

### 3.6. Rental

"When we give what we can take a halal advantage of it to someone who uses it in an evil way, his/her money is forbidden according to the definite vote of Islamic jurisprudents because of what we mentioned from the arguments above. Therefore, the money obtained from the thing whose profits are not halal (such as narcotics) is preferably forbidden."

### 3.7. Divorce

"If someone's wisdom is destroyed by drinking bangs and lethargic substances, its divorce will not come. Abu Hanifa is on the same verdict, and Shafi'i said that if drinking is for healing and wisdom does not go away, the divorce will not come yet; however, if his drinking is for fun and entertainment, the divorce will come into play. Our reason for this is that it was said in the first question that it is a consensus; engagement is also the principle of the survival and the occurrence of divorce is necessary because there is no reason for this type of divorce to come in the religion."

### 3.8. Sale

a) "The purchase of poisons, such as cannabis and these kinds of herbs is permissible if they are sold for beneficial purposes; otherwise, it is not permissible." b) "One of the conditions of sales and selling is profit and interest,

that is, religious benefits; the purchase of poisons is forbidden whether in low or high volume if it is deadly. However, if the purchase of low amounts of these substances, such as opiate is beneficial, it will not be forbidden."

### **Discussion and Conclusion**

Narcotics as a pervasive phenomenon that has caused many problems for humankind, especially Muslims, has been a matter of concern to the Islamic leaders from the very beginning of the formation of Islam; and appropriate and effective solutions have been provided to tackle it. The verses, narratives, and rationale which have always been used by the Islamic jurists and scholars to deduce religious rules are the basis for the principle of the prohibition of narcotics use. Based on these principles, narcotics are forbidden and prohibited because of the harms and disadvantages caused to the wisdom, the body, the family, the community, the government, and the state; therefore, the perpetrators will undergo worldly and legal punishments in addition to religious penalties. The Islamic jurists who are defenders of the boundaries of opinion and thought have reached the consensus that narcotics should be included in the category of definitely prohibited substances. It is not permissible for any Muslim to use these substances and if they use these substances, they have committed a serious sin.

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