

Dar-ul-Ifta

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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

نحمده ونصلي على رسوله الكريم

(RULING OF ALCOHOL - According to Shariah and Fiqh)

Normally, there are different points on views among the Islamic Scholars; we will now quote the most reliable verdict concerning Alcohol.

The Ruling of Shariah & Fiqh Law:

As per the quantity the using of Alcohol divides into two categories:

1. *Al-Miqdaar-ul-Kaseer*
2. *Al-Miqdaar-ul-Qaleel*

Al Miqdaar-ul-Kaseer means to use the Alcohol in a large number of quantities, this is clearly and undoubtedly Haraam and prohibited.

Al Miqdaar-ul-Qaleel means to use IT in a small number of quantities; this also divides into 2 manners:

1. *In case of necessity*
2. *In case of non-necessity*

In case of necessity for example in Homeopathic or Allopathic medicines or in perfumes etc..., this is permissible in the case of necessity only.

In case of non necessity means to use it with fun, pleasure, enjoyment and excitement, this is not permissible and clearly Haraam and prohibited.

The Author of Al-Hidaaya, (*Shaikh ul Islam Allamah Burhaan-ud-Deen Abul Hasan Ali Ibn Abi Bakr Al Farghani Al Marghinaani (D 593 A.H)*) has stated the rules in different technique.

وعصير العنب اذا طبخ حتى ذهب ثلثاه بقي ثلثه حلال ان اشتد وهذا عند ابي حنيفة وابي يوسف وقال محمد ومالك و الشافعي حرام وهذا الخلاف فيما اذا قصد به التقوى

اما اذا قصد به التهلل لا يحل بالاتفاق وعن محمد مثل قولهما وعنه انه كره ذلك وعنه توقف فيه لهم في اثبات الحرمة قوله عليه السلام كل مسكر خمر وقوله عليه السلام ما اسكر كثير فقليله حرام ويروى عنه عليه السلام ما اسكر الجرعة منه فالجرعة منه حرام ولان المسكر يفسد العقل فيكون حراما قليلا وكثيره كالخمر

ولهما قوله عليه السلام حرمت الخمر بعينها ويروى بينهما قليلا كثيرا والسكر من كل شراب السكر بالتحريم في غير
الخمر اذا العطف للمغايرة

ولان المفسد وهو القدح المسكر وهو حرام عندنا وانما يحرم القليل منه

If the juice of grapes be boiled until two-third of it evaporates, it becomes lawful, according to **Imam Abu Hanifa and Imam Abu Yusoof**, notwithstanding it is spirituous.

Imam Muhammad, Imam Shafi'ee and Imam Malik, say otherwise, according to some another version, Imam Muhammad has the same verdict as Imam Abu Hanifa and Imam Abu Yusoof.

Again, the 2 versions of Imam Muhammad is that it is disliked (Makruh) and the second is that he keeps unspoken concerning this matter.

(This difference of opinion, however, exists only on the supposition that it is used with a view to strengthen the constitution; for if it be drunk from pleasure or joy they are unanimous in judging it unlawful).

Arguments supported by Imam Muhammad / Imam Shafi'ee / Imam Malik:

The Holy Prophet (ﷺ) said:

كل مسكر خمر

Every inebriating drink is KHAMR.

And whatever in excess produces intoxication is prohibited, even in moderation.

In another place the Holy Prophet (ﷺ) said:

ما سكر كثير فقليله حرام

Any drink of which one cupful creates intoxication, its single drop is unlawful.

Another narration:

ما سكر الجرعة منه فالجرعة منه حرام

Any drink of which one mug produces intoxication, its single taste also is Haraam.

Logic:

Another argument is that every inebriating liquor tends to stupefy the senses, and is consequently prohibited either in a small or large quantity, in the same manner as KHAMR.

Arguments supported by Imam Abu Hanifa and Imam Abu Yusoof:

The Holy Prophet (ﷺ) said:

حرمت الخمر لعينها
KHAMR is unlawful in its very nature.

In another place the Holy Prophet (ﷺ) said, little or much of it alike unlawful and inebriation from every other strong drink (that is to say, every kind besides KHAMR) is forbidden.

Now since the Holy Prophet (ﷺ) has specified intoxication as a condition with respect to other drinks than KHAMR, we may conclude that on that circumstance only their illegality depends.

Besides, stupefaction of the senses take place only when liquors are used in such excess as to inebriate which is allowed to be legal.

A little, therefore, of any strong drink other than KHAMR is never illegal, except when, on account of its fineness of purity, a little of it invites to more, in which case the law regards every quantity of it in the same light.

This, however, is not the case with the boiled grapes, a little of which, because of its thickness, does not induce a wish for more; and which, in its substances, is food, wherefore when used in a moderate quantity it retains its original legality.

Conclusion:

According to Imam Abu Hanifa and Imam Abu Yusoof, if the juice of grapes be boiled until two-third of it evaporates, it becomes lawful and legal.

Jazaakallah

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