

O You who have Believed, Indeed, Khamr, Gambling, [sacrificing on] Stone Alters [to other than Allah], and Divining Arrows...

تفسير: يَا أَيُّهَا الَّذِينَ آمَنُوا إِنَّمَا الْخَمْرُ وَالْمَيْسِرُ وَالْأَنْصَابُ وَالْأَزْلَامُ

Shaykh Muhammad ibn Sālih al-'Uthaymeen

COMMENTARY: O YOU WHO HAVE BELIEVED, INDEED, KHAMR, GAMBLING, [SACRIFICING ON] STONE ALTERS [TO OTHER THAN ALLAH], AND DIVINING ARROWS...¹

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Allah, the Mighty and Majestic, states,

يَا أَيُّهَا الَّذِينَ ءَامَنُوا إِنَّمَا الْخَمْرُ وَالْمَيْسِرُ وَالْأَنْصَابُ وَالْأَزْلَامُ رِجْسٌ مِّنْ عَمَلِ الشَّيْطَانِ فَاجْتَنِبُوهُ لَعَلَّكُمْ تُفْلِحُونَ ﴿٩٠﴾

90. O you who have believed, indeed, intoxicants, gambling, [sacrificing on] stone alters [to other than Allah], and divining arrows are but defilement from the work of Shaytān, so avoid it that you may be successful.

This verse combines between a sentence in the indicative mood (خَبَر) and a sentence in the imperative mood (طَلَب). The indicative sentence is Allah's statement, **“indeed, intoxicants, gambling, [sacrificing on] stone alters [to other than Allah], and divining arrows are but defilement from the work of Shaytān”**... and the imperative sentence is **“so avoid it that you**

¹ Translated by Abu Ameenah AbdurRahmān Bennett from the Shaykh's excellent commentary on Chapter al-Mā'idah. The commentary on these two verses alone amounts to 36 pages, and so I took the opportunity to abridge certain lengthy sections so as to not overburden the reader.

may be successful". Allah, the Most High, initiates this verse with the vocative case **"O you who have believed."** The likes of this address is off-repeated, and we clarified prior that if He begins speech with this type of vocative address then this signifies its prominence and its great concern. Moreover, this descriptive vocative **"O you who have believed"** denotes that acting truthfully or compliantly is from the requisites of faith (الإيمان). It also implies that any opposition to it, doubt therein or denial of it is incompatible with faith (الإيمان), either at its core or in terms of realising its perfection. Thirdly, this vocative also includes a persuasive device to provoke its addressee. It is as if He is saying, **"If you truly believe, then take heed and obey"**.

Allah, the Mighty and majestic, delivers the statement **"O you who have believed"** in an unrestricted manner—He did not explicitly state what exactly should be believed in since this is something self-evident and known. Jibreel once asked the Prophet (ﷺ) regarding faith and he said,

أَنْ تُؤْمِنَ بِاللَّهِ وَمَلَائِكَتِهِ وَكُتُبِهِ وَرُسُلِهِ وَالْيَوْمِ الْآخِرِ وَالْقَدَرِ كُلِّهِ خَيْرِهِ وَشَرِّهِ

It is to believe in Allah, His Angels, His Books, His Messengers, the Last Day, and in the Divine Decree, its good and its bad.

His statement, **"Indeed, intoxicants..."** (إِنَّمَا الْخَمْرُ), the expression إِنَّمَا (only) is a particle of restriction (أداة الحصر), and it carries the meaning of **asserting a ruling with regard to an aforementioned thing to the exclusion of anything besides it**. This is its core meaning, and it can also just mean to bring into realisation a ruling with regard to an aforementioned thing which does not necessitate the exclusion of anything besides as will be made clear in this commentary.

The Prophet (ﷺ) said regarding the term *khamr* that it is anything which intoxicates (إِنَّهُ الْمُسْكِرُ), and anything that intoxicates is *khamr*. We do not say that everything which causes a person to lose his ability to control his mind or loses his sensibility is *khamr*. Rather we say that *khamr* is a substance that clouds the mind by producing feelings of pleasure and merriment because those who drink *khamr* experience relief, pleasure and merriment. So based on this, anesthetics are not a type of *khamr*, although they numb the senses, but the person does not experience a sense of pleasure and merriment. However, anesthetics are only used in cases of necessity.

O You who have Believed, Indeed, Khamr, Gambling, [sacrificing on] Stone Alters [to other than Allah], and Divining Arrows...

His statement, **“gambling”** The Arabic word *Maysir*² means ‘Taking wealth by means of contesting’. It is also called *Qimār*. It is called *Maysir* due to its ease of gain. An example of betting and gambling is when someone says, “We will play a game together and we will make the payoff 10,000 riyals. Whoever wins, takes the 10,000, and whoever loses, gets nothing. This becomes a case of and uncertainty and risk, and since now it includes reckless risk, uncertainty and jeopardy, it falls under the title of *Maysir*. As a result of that, a person in a single sitting can walk away with hundreds of thousands. This was a well-known custom of the Arabs, up until the initial stages of Islam, but *al-hamdulilāh* it was made unlawful.

His statement, **“[sacrificing on] stone alters”** refers to anything which has been erected for the worship of things besides Allah.

His statement, **“and divining arrows”** refers to arrows which were used to cast lots, by which a person seeks to know what has been allotted to him. The Arabs used to use this method in the times of ignorance. They would write on the arrows a command **‘to do’**, on another arrow the prohibition **‘not to do’** and on a third one they would leave blank.³ Then they would mix them up with other arrows and someone would then say, **“Take one from them without looking”**. Then he would enter his hand in some type of bag and draw out an arrow. If he pulled out the **‘to do’** arrow, he would proceed to accomplish his task, and if he drew out the **‘not to do’** arrow, he would refrain. If, however, he drew out the blank arrow, he would place it back in and repeat the process again. This act, which they used to perform in the days of ignorance, is an act based upon superstitions devoid of any reality. And for this reason, Allah made this act unlawful.

² [TN]: According to Lane’s Lexicon *“Maysir originally was a game of chance. It was played by ten men who used unfeathered and headless arrows. They first slaughtered a camel [bought on credit] and divided it into ten portions. The first arrow was called الغذ and had one notch and one portion of the slaughtered camel; the second النوع and had two notches and two portions, the third الرقيب and had three notches and three portions; the fourth الحلس and had four notches and four portions; the fifth النفاس and had five notches and five portions; the sixth المسيل and had six notches and six portions; the seventh المعطي which was the highest of them having seven notches and seven portions; the eighth, ninth and tenth were called السفيح والمنيح والوعد, and these three had no portions. The players to whom these three fell had to pay for the slaughtered camel”*.

³ [TN]: On one arrow it would say, **“My lord has commanded me”**. On the second one it would say, **“My Lord has forbidden me”** and on the third would be left blank. It is also stated that *Azlam* was performed by white pebbles with the same writing on them.

His statement, “**are but defilement from the work of Shaytān**” The word *najs* (defilement) means *najis* (filth). The word *najis* can be a tangible type of filth or an abstract type of filth. Allah states,

إِنَّمَا يُرِيدُ اللَّهُ لِيُذْهِبَ عَنْكُمُ الرِّجْسَ أَهْلَ الْبَيْتِ وَيُطَهِّرَكُمْ تَطْهِيرًا ﴿٣٣﴾

33. Allah intends only to remove from you **the impurity** [of sin], O people of the [Prophet's] household, and to purify you with [extensive] purification.

And He states,

فَاجْتَنِبُوا الرِّجْسَ مِنَ الْأَوْثَانِ وَاجْتَنِبُوا قَوْلَ الزُّورِ ﴿٣٠﴾

30. So avoid the **uncleanliness** of idols and avoid false statement.

In these verses, the *najs* is the abstract type, but it can also be the tangible type, similar to the type mentioned by Allah:

قُلْ لَا أَجِدُ فِي مَا أُوحِيَ إِلَيَّ مُحَرَّمًا عَلَى طَاعِمٍ يَطْعَمُهُ إِلَّا أَنْ يَكُونَ مَيْتَةً أَوْ دَمًا مَسْفُوحًا أَوْ لَحْمَ

خِنْزِيرٍ فَإِنَّهُ رِجْسٌ ﴿١٤٥﴾

145. Say, “I do not find within that which was revealed to me [anything] forbidden to one who would eat it unless it be a dead animal or blood spilled out or the flesh of swine - for indeed, it is **impure**.”

Which of the two types of *najs* does this verse speak of? The correct answer is that it speaks of the abstract type of *najs* because it is a descriptive term. His statement “**from the work of Shaytān**” is an adjectival phrase that qualifies the word *najs*. When we render it an adjectival phrase for *najs*, it means a filthy type of act and not a tangible type of filth. This is the correct understanding.

His statement, “**are but defilement from the work of Shaytān**” means that this is a type of Shaytānic handiwork because he [sinisterly] inculcates this act in people through persistent

instruction.

It is said that the word *shaytān* is derived from the lexical root letters شَطَنَ with the meaning **to be or become far**, in recognition to his remoteness from the Mercy of Allah, since Allah made him an outcast and exiled him from [the kingdom of] His mercy. It is also said that it is a derivative of the verb شَاطَ, which means to be angry, and anger is always the most reckless of acts. The first view is the sounder view, and what proves this is that the word is not a triptote (مَصْرُوف). Had it been a derivative from شَاطَ, the *alif* and *noon* on the end would be additional, and thus a diptote (غَيْرُ مَصْرُوف).⁴

His statement, “**so avoid it**” means to “**keep your distance away from it, by being on side whilst it is on another**”.

His statement, “**that you may be successful**”. The word لَعَلَّ⁵ carries the meaning here of explanation/good reason (التَّغْلِيل)—i.e., **in order that you reach your destination successfully**. The meaning of the word الفَلاحُ is successfully securing a desired objective along with deliverance from something extremely unwelcome. Thus, it is a combination of two factors: successfully securing an objective—i.e., he attains his objective and deliverance from something extremely unwelcome.

إِنَّمَا يُرِيدُ الشَّيْطَانُ أَنْ يُوقِعَ بَيْنَكُمْ الْعَدَاوَةَ وَالْبَغْضَاءَ فِي الْخَمْرِ وَالْمَيْسِرِ وَيَصُدَّكُمْ عَنْ ذِكْرِ اللَّهِ وَعَنِ الصَّلَاةِ فَهَلْ أَنْتُمْ مُنْتَهُونَ ﴿٩١﴾

91. Shaytān only wants to cause between you animosity and hatred through intoxicants and gambling and to avert you from the remembrance of Allah and from prayer. So will

⁴ [TN]: The adjectival pattern فَعْلَانُ, along with the additional *alif* and *noon* on the end, prevent the pattern from taking a *tanween* and a *kasra*.

⁵ [TN]: the particle لَعَلَّ generally carries the meaning of hope (النَّرَجِي) and fear (الِشْتِاق) with the common denominator being predicative uncertainty. For obvious reasons, this meaning cannot be attributed to Allah, and for that reason the Shaykh is saying the particle carries the meaning of explanation/good reason.

you not desist?

The sentence starts with **إِنَّمَا** which conveys the meaning of restriction (الْحَصْرُ). In other words, **“Shaytān does not want anything except to cause between you animosity...”**

His statement, **“He wants”** carries the meaning here of **“he loves”**, and if he loves something then he will do that which will **cause between you animosity** (i.e., the believers).

His statement, **“animosity”** (الْعَدَاوَة) is an antonym of goodwill and friendship (الْوِلَايَة), and hatred (الْبَغْض) is an antonym of love (الْمَحَبَّة). So, hatred estranges the hearts and animosity estranges the bodies, and through this he desires to dissolve the unity of the hearts and the bodies so that they will not befriend each other. Which one results from the other? Animosity results from hatred because they firstly hate each other and then they become antagonistic towards each other.

His statement, **“through intoxicants and gambling”**. The word **فِي** here carries the meaning of السَّبَبِيَّة (causality). This meaning is used quite often in the Arabic language. An example is the Prophet’s (ﷺ) statement:

عُدِّبَتْ امْرَأَةٌ فِي هِرَّةٍ لَمْ تُطْعَمْهَا وَلَمْ تَسْقِهَا وَلَمْ تَتْرُكْهَا تَأْكُلُ مِنْ خَشَائِشِ الْأَرْضِ

A woman was punished because of a cat. She had neither provided it with food nor drink, nor set her free so that she might eat the vermin of the earth.⁶

In other words, she entered the fire an account of the cat, and not that she entered inside the cat!

His statement, **“through intoxicants and gambling”** is the reason for causing animosity and hatred. When a person drinks alcohol, and refuge is sought with Allah, he acquires similar traits to a lunatic. It is possible that he may kill, steal or commit adultery, and by means of these crimes animosity and hatred arises. As for gambling being a cause for animosity and hatred then gambling is the acquisition of wealth by means of contesting. Wealth is the beloved sweetheart of the soul.

⁶ Reported by Bukhāri 2243a.

O You who have Believed, Indeed, Khamr, Gambling, [sacrificing on] Stone Alters [to other than Allah], and Divining Arrows...

Hence, if someone takes from you a large sum of money by beating you in something which is not even worth a quarter of what he takes there will remain in his heart a hatred that will result in some type of hostility.

His statement, **“and to avert you from the remembrance of Allah”** Yes, the shaytān wants to avert us from the remembrance of Allah we do with our tongues, limbs and hearts. This is exactly what the shaytān wants from us. You find that if a person is intent on getting up to pray, the shaytān hinders and seduces him and he becomes affected with drowsiness and starts to yawn and so he remains in his place. If he wishes to engage in the remembrance of Allah or recite Qur’ān, you will find him in the initial stages spirited and up for the task, but when he takes hold of the Qur’ān, all of a sudden he becomes lethargic. If the shaytān is unable to hinder him verbally or physically then he approaches him from another direction, and it is to divert his heart from the remembrance of Allah. This is the very definition of a great tragedy because when the heart becomes heedless to the remembrance of Allah, this results in him taking losses in his worldly and religious affairs. Allah, the Most High, states,

وَلَا تُطِيعْ مَنْ أَغْفَلْنَا قَلْبَهُ عَن ذِكْرِنَا وَاتَّبَعَ هَوَاهُ وَكَانَ أَمْرُهُ فُرُطًا ﴿٢٨﴾

And do not obey one whose heart We have made heedless of Our remembrance and who follows his desire and whose affair is ever [in] neglect.

For this reason, a person must be self-observant at such moments—is his heart present when he sits down to read the Qur’an? When he engages in the remembrance of Allah, is he consciously present in the moment? When he stands to perform the prayer, does he have presence of mind or is he absentminded? If his heart is heedless to the remembrance of Allah in speech and action then indeed the spirit of worship has truly been lost.

Consequently, when a person is absentminded in his prayer, his heart leaves the prayer in the same state he entered it, i.e., his heart does not increase in light and faith and nor with a stronger hatred for all that is shameful, evil and oppressive. Allah has informed us that the prayer is a means for forbidding all that is shameful, evil and oppressive, so why is it that when a person leaves the prayer he does not find himself hating all that is shameful, evil and oppressive? This is because the

only thing that prayed was his body and not his heart!

This is a matter which, may Allah aid us all, affects the majority of people in this day and age. It is a question constantly asked: **“How do I rid myself of such a thing?”** Ridding oneself of such a thing is quite easy—one just needs to try harder in keeping his presence of mind from the start of the prayer until its end. Condition yourself to do this! Compel yourself to do it until you taste the sweetness of faith [in and outside of your prayer]!

His statement, **“and from prayer”**. Allah gave special mention to the prayer by means of repeating the preposition (عَنْ) to indicate its dignified rank and momentous significance. That is to say, He repeated the preposition and He did not say, “from the remembrance of Allah and prayer”. Rather he said, **“and from prayer”**—alluding to its supreme significance. The explicit mentioning of the prayer, although it being a type of remembrance of Allah, is evidence for its dignified rank. Moreover, repeating the preposition, despite it being in adjunction, is not just evidence of a dignified rank, but it is also something worthy of being mentioned of a class in and of itself.

His statement, **“So will you not desist?”** The use of the rhetorical interrogative here is for purposes of positive incitement (الإغراء), but incitement to what end? To cease and desist. This is more eloquently effective than just saying “Desist!”. In other words, “After this attestation and clarification, will you not desist?!?”.

From the benefits of these two noble verses:

First benefit: The significance of the ruling and it is to avoid intoxicants, gambling, [sacrificing on] stone alters [to other than Allah], and divining arrows.

Second benefit: Avoiding these four things are from the requisites of true faith.

Third benefit: The illegality of [alcohol] intoxicants regardless of their type, whether they are produced from grapes, ripe dates, barely, wheat or anything else, due to the general inclusivity of the verse. The view that states only [alcohol] intoxicants made from grapes are illegal is a weak

view because the verse speaks categorically—actually it speaks in absolute terms. Since, the definite article (ال) has been prefixed to a singular noun. Furthermore, the Prophet (ﷺ) clarified that every type of *khamr* is an intoxicant.

Fourth benefit: Yes, it is forbidden due to the Prophet’s (ﷺ) statement, **“Whatever intoxicates in large amounts, is also forbidden in small amounts”**. This is because small doses which do not intoxicate lead to large doses which do. When a person consumes this pleasant tasting beverage, which does not intoxicate, he will increase his consumption until it does intoxicate. What if this alcoholic beverage, which usually intoxicates, does not intoxicate the one who has an alcoholic addiction, which is quite common amongst many addicts? Is it illegal or legal for them to consume alcohol? It is illegal because if small amounts that do not intoxicate are illegal then this is similar in case, for having a non-intoxicating effect is only in consideration of this particular person and not because of the [lack of] of strength contained in this particular alcoholic beverage. There is no doubt that this particular alcoholic beverage has the power to intoxicate and thus it is illegal whether it intoxicates or not.

Fifth benefit: The legality of *nabeedh*, as long as it does not become fermented to the point of intoxication. *nabeedh* is water mixed with grapes or dates and left for a day or two days. The water acquires the taste of the discarded pressed fruit without it fermenting and becoming an intoxicant. Is this beverage legal or illegal? It is legal because the illegal substance is *khamr*, and this substance does not intoxicate. If it were left for more than three days, as long as it does not become an intoxicant, it is legal. However, if it has matured for three days, especially if it has been left in a hot climate, he ought not to drink it, since it could have fermented enough to mildly intoxicate. A clear sign of its fermentation is that the beverage will develop a scum residue on the top.

In conclusion, *nabeedh* is a lawful beverage because it does not cause intoxication. However, if it is left for a certain amount of time or left in a warm climate with the likelihood of it reaching the point of intoxication then err on the side of caution and abstain by given it to animals etc.,.

Sixth benefit: The illegality of gambling in small amounts or large amounts due to the inclusive terminology **“indeed, intoxicants, gambling”**, even if the two parties in the contest pledged just

a penny. We say this because small amounts of gambling, which skims away a person's wealth without him paying much mind to it, is similar in concept to small units of alcohol that do not intoxicate but large units do. Undoubtedly, if a gambling contest takes place with the wager being something small, the wager will grow until it becomes something big. An exception to this are competitions wherein their pros are greater than their cons, and these are of three types as clarified by the Prophet (ﷺ),

لَا سَبَقَ إِلَّا فِي نَصْلِ أَوْ خُفِّ أَوْ حَافِرٍ

Wagers are allowed only for shooting arrows or racing camels or horses.

The people of knowledge state that the Prophet (ﷺ) only exempted these three things because Jihād in the path of Allah, which is to make Allah's word supreme, is accomplished by means of these things. These are tremendously advantageous, since if people know that by competing in these things that they are permitted to take reward, they will compete more [and thus train more] in order to obtain these rewards.

If someone were to say, **“In the case where people use other means for war and no longer use these three things during Jihād, does the ruling remain, even if such things are no longer used or does the ruling now carry over to the modern means for war?”**

The answer: There is a dispute here with respect to its literal meaning and its non-literal meaning. Those who adopt its literal meaning state that the ruling remains even if these things are no longer used in modern warfare. Those who hold its non-literal meaning state that if these things are no longer used in war then there is no difference between making wagers on these things and currently used things, and this is the view which is closest to the truth. However, this is challenged by the following things:

1. That the Messenger (ﷺ) informed us that at the end of times modern means of warfare will cease to exist and that people will resort to using bows and arrows.
2. That the Messenger informed us **“There is goodness in the forelocks of horses till the**

Day of Resurrection”.⁷

3. That it is possible that these things are useless in certain places and terrains. For in cave systems and mountainous terrain only horses maybe useful.

In any case, our aim is to explain this matter from a fiqh perspective, and so we say that when a ruling is legally approved due to the presence of a juristic factor, when it ceases to exist so does its ruling. If we assume that the people no longer make use of these three things in warfare, the juristic factor is negated and by extension its ruling and placing a competitive wage on these things is not different to doing it on other things. When these things become no longer used, the people must use something else in their stead, so does placing wages on competition become permissible on these said other things? The answer is undoubtedly yes, and so based upon this, competing with modern-day means of warfare is permissible because they have taken the place of those three things.

As for knowledge-based competitions, is it permissible to wage competitively on shar'iah knowledge? The popular view of the [Hanbali] madhhab is that it is not permissible. They said that the Prophet (ﷺ) explicitly restricted the options, **“Wages are allowed only...”**. As for those who take into consideration its conceptual meaning then they state that knowledge-based contests and competitions are permissible. They use as evidence the story of Abu Bakr and the Quraysh

أَلَمْ غَلِبَتِ الرُّومُ ﴿١﴾ فِي أَدْنَى الْأَرْضِ وَهُمْ مِّنْ بَعْدِ غَلِبِهِمْ سَيَغْلِبُونَ ﴿٢﴾ فِي بَضْعِ سِنِينَ لِلَّهِ ﴿٣﴾

1. Alif, Lam, Meem. 2. The Byzantines have been defeated 3. In the nearest land. But they, after their defeat, will overcome. 4. Within three to nine years.

The Persians were the people who defeated the Romans, and the Persians were a polytheistic people whom the Quraysh sided with, and the Romans were from the People of the Book whom the believers sided with. The Muslims were pleased with their victory in battle, even though they were disbelievers because they were closer to the believers than the Persians during those times.

⁷ Reported by Bukhāri and Muslim.

The Polytheists said that no way will the Romans defeat the Persians, but Abu Bakr said that on the contrary it was possible. Abu Bakr believed in the Qur'an and the contents it reported, whereas they did not. So they fixed a time span of ten years [and mutually agreed on six]. If the Persians were defeated, Abu Bakr would take the wager [of camels], and if the Romans were defeated the polytheists would take the wager. The Prophet (ﷺ) agreed to this wager⁸ because it was shari'ah knowledge attested to by the Qur'an.

The view that it is permissible to make wagers on knowledge-based matters is the view favoured by Shaykh al-Islam ibn Taymiyyah. However, that being said, there is an important point that must be heeded, and it is that the objective in the competition is for purposes of attaining a shari'ah ruling. If it is purely for purposes of taking money from his brother then it is not permissible, since they do not do this for religious purposes; they only do it for monetary and worldly purposes. Some people utterly exploit this view by saying that as long as it's a matter of knowledge, we can make bets with each other. However, it is a stipulation that objective behind this competing is for purposes of attaining the truth and not just to attain someone's wealth.

If someone were to ask: **“Is it permissible to wager bets in non-shari'ah based knowledge, like Arabic grammar?”** Apparently, the answer would be no because Arabic grammar, even if we were to say it's a type of shari'ah science, it is only so because the objective of studying it is to acquire a better understanding of the Book and the Sunnah. Thus, we say that the Arabic sciences are a means to a goal and not the goal themselves.

If someone were to ask: **“Is it permissible to wager bets in physics, chemistry, geography and other sciences?”** It is not permissible to wager bets in these types of sciences.

Seventh benefit: The prohibition of idol worship due to Allah's statement **“so avoid it”** Does this command include everything that is taken as an type of idol, regardless of its materials? Yes it does because the verse is general. They have substituted the worship of the Most Merciful with the worship of idols, and this is because it is by necessity of man's nature to betake from himself

⁸ [TN]: He actually told Abu Bakr to increase the wager and the number of years.

some agent that can benefit him and protect him from harm, so Allah changed attachment to the idols to attachment to Him, the Mighty and Majestic.

Eighth benefit: The prohibition of divining arrows, which is explicit. Similar to this is what they now call “**Try Your Luck**”.⁹ Even if this type of transaction does not fall under this, it definitely falls under gambling and it is illegal. Does Astrology fall under this? For example, when it is said, “**This man, whose star sign is Aquarius, will live a pleasant life, and this boy, whose star sign is Taurus, will live a miserable life**”. Yes, this is a type of divination. Actually, it is a type of shirk because it involves affirming a legal or fatalistic means that Allah Himself did not affirm. Allah has substituted divination, and all praise is for Allah, with the Prayer of *Istikhārah*. Thus, if you are unsure about an issue and you are worried if it will turn out to be good or bad then perform the supererogatory, two-unit, *Istikhārah* prayer then give the salutations and say,

اللَّهُمَّ إِنِّي أَسْتَخِيرُكَ بِعِلْمِكَ، وَأَسْتَعِينُكَ بِقُدْرَتِكَ... إِلَى آخِرِهِ

“**O Allah, I ask You for the good by Your knowledge and I ask You for strength by Your power...**”¹⁰

Ninth benefit: An extreme warning against these four practices, due to Allah’s statement: “**defilement from the work of Shaytān**”. This warning requires that these things are completely shunned due to them being described as a defilement and then being described as the handiwork of shaytān.

Tenth benefit: The obligation of avoiding *khamr*, gambling, sacrificing on stone alters and divining arrows, based on His statement: “**so avoid it**”.

Eleventh benefit: That avoiding these four practices is a cause for success. Every person wants

⁹ [TN]: Perhaps this is similar to a sweet/toy sold in the west called *Kinder Surprise*. This type of sale is forbidden because it includes type of unknown transaction which lacks the required details of transparency to fulfil the criteria of a valid sale. It falls under transactions that contain some uncertainty, which the Prophet forbade.

¹⁰ Reported by Bukhari 7390.

success, so let each person carry out the causes that lead to success, and the reason for this: **“that you may be successful”**.

Twelfth benefit: affirmation of legal justification in passing rulings—that is to say, legal rulings have praiseworthy objectives, and the wise purpose here is **“that you may be successful”** and also due to His statement, **“defilement from the work of Shaytān so avoid it”**.

Thirteenth benefit: The method of the Noble Qur’ān in clarifying legal justification. On occasions, the legal justification is mentioned first and on other occasions it is delayed. In other words, when Allah issues a ruling and He mentions its legal justification, sometimes He mentions the justification prior and then He establishes the legal ruling. Inversely, He issues the ruling first and then He mentions its legal justification, depending on the case at hand and the contextual evidence. On this occasion, He mentions the legal justification before the ruling. And what is the legal justification? It is **“defilement from the work of Shaytān so avoid it”**. In Allah’s statement,

وَيَسْأَلُونَكَ عَنِ الْمَحِيضِ ۖ قُلْ هُوَ أَذَىٰ فَأَعْتَزِلُوا النِّسَاءَ فِي الْمَحِيضِ ﴿٢٢٢﴾

222. And they ask you about menstruation. Say, "It is harm, so keep away from wives during menstruation."

Does the ruling come first or the legal justification? The legal justification comes first **“Say, ‘It is harm, so keep away from wives during menstruation’”**. The benefit in fronting the legal justification is that the ruling comes to the person whilst he has been reassured about the ruling [via the justification] and now he is in anticipation of the ruling. It is a well-known fact that when a justification is given to a reasonable person then he will act in accordance with the legal justification. As soon as the person hears **“Say, ‘It is harm’**, the ruling **“so keep away from wives during menstruation”** will reach him in expectancy. His statement **“defilement from the work of Shaytān so avoid it”** is similar to this. When a person learns that these types of practices are a defilement from the handiwork of shaytān, he will be waiting with an air of expectancy for its prohibitive ruling. Sometimes the legal justification comes after the ruling. For example, Allah’s statement,

قُلْ لَا أَجِدُ فِي مَا أُوحِيَ إِلَيَّ مُحَرَّمًا عَلَى طَاعِمٍ يَطْعَمُهُ إِلَّا أَنْ يَكُونَ مَيْتَةً أَوْ دَمًا مَسْفُوحًا أَوْ لَحْمَ

خِنْزِيرٍ فَإِنَّهُ رِجْسٌ ﴿١٤٥﴾

145. Say, "I do not find within that which was revealed to me [anything] forbidden to one who would eat it unless it be a dead animal or blood spilled out or the flesh of swine - for indeed, it is impure."

The reason here is that dead animals, spilled blood and the flesh of swine are things we naturally have an aversion towards, and thus, the ruling is fronted because the innate souls are in anticipation of enacting this ruling. Actually, even without the legal ruling, they may well avoid such things anyway, and then the legal justification comes, which agrees with what the natural disposition requires.

Fourteenth benefit: The deeds that shaytān commands are defilement, based on Allah's statement, "but defilement from the work of Shaytān". Consequently, do we say here that the verse is evidence that *khamr* is an impure substance (نَجَاسَةٌ) because the word *rijs* is a type of *najis* (impurity)? Yes, some of the scholars cite this verse as evidence for the impurity of *khamr*, but under closer scrutiny you find that this noble verse is not evidence that *khamr* is an impure substance from two angles:

1. Allah said, "defilement [*rijs*] from the work of...", hence it is an action-based type of *rijs* and all action-based types of *rijs* are abstract types of *rijs*.
2. Gambling, [sacrificing on] stone alters and divining arrows are not substance-based *rijs*, and the predicate of these four things is a simple predicate—the subject is *khamr* and the other three things are conjunctively coordinated and then comes the predicate *rijs*. So where is the evidence that these things differ in ruling? For it is claimed that three of them are action-based types of *rijs* and the first type is a substance type of *rijs*. Where is the evidence? This view needs evidence.

If it is said, **“Is there any evidence in the Sunnah to support this view?”** The answer is no there is no evidence in the Sunnah to support this view. As for the hadith of Abu Tha’labah al-Khushni who asked the Prophet (ﷺ) about eating from the utensils of the People of the Book and he (ﷺ) replied by saying,

لَا تَأْكُلُوا فِيهَا، إِلَّا أَنْ لَا تَجِدُوا غَيْرَهَا، فَاغْسِلُوهَا، وَكُلُوا فِيهَا

If you can find utensils other than theirs, do not eat from theirs, but if you cannot find other than theirs, wash them and eat from them”¹¹

What would be the response to this hadith? This hadith is used by those to support their view that *khamr* is a substance type of *najāsah* (impurity), but as a matter of fact this is not an evidence at all. The reasoning being is that the Messenger of Allah (ﷺ) only forbade them from eating from them provided that they have not been washed, and another condition he (ﷺ) stipulated is that they cannot find anything else to use. What is meant here, no doubt, is to avoid mixing with them and eating from their utensils, and this is evidenced by the fact that had the juristic reason for avoiding their utensils been *najāsah* (impurity), just washing them would be enough to make it lawful to eat from them—that is, the stipulation of finding other than their utensils would not be necessary. The Prophet (ﷺ) wanted us to avoid mixing with the people of the Book and to stay away from them and not to borrow anything from them so that they do not use that as leverage against us.¹²

Therefore, whoever asserts that the impurity of *khamr* is a type of physical impurity then let him provide evidence for his assertion, or else it is not possible to imposition the servants of Allah by washing utensils that have had *khamr* in them or their clothes if they are soiled by *khamr* or if it has had bodily contact. It is also not possible to invalidate their prayers if their clothes have splashes on *khamr* on them or on their bodies except with clear evidence. This matter is not merely a matter of semantics; it is an matter that has resultative effects, and therefore we have to make sure that we have indisputable evidence from Allah. Thus, until proven otherwise the ruling remains that it is not an impure substance and the absolute prohibition of a thing does not necessitate that it is

¹¹ Agreed upon 5478 and 1930.

¹² [TN]: At this point, the Shaykh delves into a lengthy back and forth on the issue of *khamr* being impure or not. Due to the issue being lengthy and not exceptionally important I decided not to translate it.

impure, evidenced by the fact that poison or harmful things that are eaten are indeed forbidden but are not impure. This is an evidence which is taken from a well-known maxim: **the basic principle is that acquittance is taken for granted**. Additionally, we have an affirmative proof, as opposed to the primary evidence that is a lack of evidence, for *khamr* being a pure substance and that its impurity is the abstract type. The evidence is that at the time when *khamr* was made unlawful, the Companions took the *khamr* outside into the marketplaces and poured it out. Had *khamr* been impure, they would never have poured it out on the streets of the marketplace paths because it is not permissible to pour out impure liquids in the markets' of the Muslims, just as it is not permissible with urine and excrement.¹³

Another evidence: it has been reported in Saheeh Muslim that a man presented to Allah's Messenger (ﷺ) a waterskin full of *khamr*—he had reserved it as a gift for Allah's Messenger (ﷺ) without knowing that the consumption of *khamr* had been made unlawful. So Allah's Messenger (ﷺ) said to him, **“Are you aware that Allah has made unlawful the consumption of *khamr*?”** He said, **“No”**. It is a well-known fact that a person cannot accept an unlawful gift, regardless of whether the thing is unlawful in and of itself or it is unlawful due to its means of acquisition, provided that the person receiving it is somehow aware. The man then whispered to his friend, **“Sell it”**. The Prophet (ﷺ) inquired, **“What did you whisper to him?”**. The man said, **“I told him to sell it”**. So the Prophet (ﷺ) said, **“The One who has made it unlawful to consume has also made it unlawful to sell”**. On learning that, the man opened the waterskin and poured out the *khamr* in front of the Prophet (ﷺ) and He didn't instruct him to wash it out. Would the Prophet remain silent if *khamr* were an impure substance? Would he not have said to this man to wash this waterskin? He would never have remained silent if such were the case, since this man was completely unaware that it was unlawful so how would he know that it is also impure?!

¹³ [TN]: At this point, the Shaykh, being a seeker of truth and extremely confident in his own position, brings a rebuttal to his own argument whereby he states that the *khamr* they poured out was not that much and so there was no harm in them pouring out the *khamr* in the marketplaces. He retorts by stating that the argument is not that the *khamr* they poured out was necessarily a lot to the extent that it flowed down the paths; the argument is that it is more than a piece of excrement which we are not allowed to dump in the paths. Then the Shaykh places them on the backfoot by rhetorically asking if it has been reported from the Companions that they washed out their vessels after they had poured out the *khamr*. He states that there are no reports at all and that if *khamr* were indeed impure, they would have washed out their vessels and reported that to the Ummah.

Thus, it becomes clear that *khamr* is impure in the abstract sense of the word, even though only a few subscribe to this view, which is based upon evidence, whilst the majority are of the view that it is tangibly impure. However, despite this, the proof for it being impure in the abstract sense of the word is evidently clear.

Based on this, what about things nowadays that contain alcohol in them, such as white spirits or alcohol used as a disinfectant to clean wounds. Are these impure or pure? Such things are pure because if the very essence of *khamr* is pure, as made evidently clear by the Qur'an and the Sunnah, then it stands to reason that a derivative of it is likewise pure. Is it permissible for a person to wear perfume with these alcohol-based perfumes or to treat wounds with these creams and ointments? When we say that in cases of need we say it is unlawful, we have no problem with this *al-hamdulillah*. For example, when a wound needs to be treated with an alcohol-base antiseptic for medical procedures. There is no doubt that this is permissible because a ruling that contains some ambiguity is made lawful in cases of need even if its origin is forbidden. What if there is no case of necessity and he just wishes to use it as perfume. Is this forbidden or not? Let us look at Allah's statement, **"so avoid it"**. Is the intent here to avoid consuming it, which leads to all types of corruption, or does it mean to avoid it under all circumstances? When Allah states, **"so avoid it"** and then states, **"Shaytān only wants to..."** we learn here that the intent behind the command to avoid is to without doubt avoid consuming it. As for avoiding it in all other circumstances then this is subject to uncertainty, but the cautious thing is for a person to only use it in cases of need and that he only uses it as a treatment when the need arises, such as disinfecting wounds and the like.

If someone were to ask, **"If these perfumes contained a percentage of alcohol but the percentage is small amount, 5% for example, does it still have an intoxicating effect?"** No, it does not have an intoxicating effect unless it is mixed with something else, and if it does not have an effect then it is not forbidden, as evidenced through analogy: a man has a container full of water and some impure substance falls into it but the water does not change. What state is this water in? It is still pure because it wasn't affected. Thus, based on this, we say if the percentage is small, even in these perfumes, then there is no doubt that they are permissible because the percentage is too small to have an effect.

If someone were to ask, “Some beverages have a small percentage of alcohol in them. Are they permissible to drink?” Providing the amount is small, then they are permissible to drink. However, I advise the questioner that he says “*Bismillāh*” and when he finishes he says “*al-hamdulilāh*”.

Fifteenth benefit: The mercy that Allah has on His slaves, whom He created to worship Him, whereby He alerted them to everything that contains some harm and made it clear to them the detrimental results of these harmful things. He states, “so avoid it that you may be successful”.

Sixteenth benefit: affirmation that Shaytān has freewill, based on Allah’s statement, “Shaytān only wants to...”. There is no doubt that he has freewill. Look at Allah’s statement,

وَإِذْ قُلْنَا لِلْمَلَائِكَةِ اسْجُدُوا لِآدَمَ فَسَجَدُوا إِلَّا إِبْلِيسَ أَبَىٰ وَاسْتَكْبَرَ وَكَانَ مِنَ الْكَافِرِينَ ﴿٣٤﴾

34. And [mention] when We said to the angels, "Prostrate before Adam"; so they prostrated, except for Iblees. He refused and was arrogant and became of the disbelievers.

He wilfully contended his Lord and in that case he has freewill.

Seventeenth benefit: Shaytān’s ill will towards the children of Adam—that he wants to cause between them animosity and hatred which entails disunity and division.

Eighteenth benefit: That the disunity of the Muslim ummah is from the nefarious objectives of the Shaytān because there is no doubt that animosity and hatred lead to disunity and division. Thus, everything which leads to disunity and division is from the nefarious objectives of the Shaytān.

Nineteenth benefit: The principle we just referenced prior, i.e., that every type of division is from the nefarious objectives of the Shaytān, is a principle which incorporates thousands of situations, such as trying to compete with a Muslim in selling commodities, hiring and renting things and

marriage proposals can all lead to animosity and hatred. Everything which leads to division is indeed from the nefarious objectives of the Shaytān.

Twentieth benefit: Allah’s hatred for animosity and hatred developing amongst the Muslims, since His statement, “**Shaytān only wants to cause between you...**” is a clear warning, and also because Allah has commanded unity amongst the Muslims and forbade any type of disunity. Allah states,

وَأَعْتَصِمُوا بِحَبْلِ اللَّهِ جَمِيعًا وَلَا تَفَرَّقُوا ۗ ﴿١٠٣﴾

103. And hold firmly to the rope of Allah all together and do not become divided.

And He also stated,

وَلَا تَكُونُوا كَالَّذِينَ تَفَرَّقُوا وَاخْتَلَفُوا مِنْ بَعْدِ مَا جَاءَهُمُ الْبَيِّنَاتُ ۗ ﴿١٠٥﴾

105. And do not be like the ones who became divided and differed after the clear proofs had come to them. And those will have a great punishment.

And,

إِنَّ الَّذِينَ فَرَّقُوا دِينَهُمْ وَكَانُوا شِيَعًا لَسْتَ مِنْهُمْ فِي شَيْءٍ ۗ ﴿١٥٩﴾

159. Indeed, those who have divided their religion and become sects - you, [O Muhammad], are not [associated] with them in anything.

And,

﴿شَرَعَ لَكُمْ مِنَ الدِّينِ مَا وَصَّى بِهِ نُوحًا وَالَّذِي أَوْحَيْنَا إِلَيْكَ وَمَا وَصَّيْنَا بِهِ إِبْرَاهِيمَ وَمُوسَى وَعِيسَى أَنْ أَقِيمُوا الدِّينَ وَلَا تَتَفَرَّقُوا فِيهِ ۗ﴾ ﴿١٣﴾

13. He has ordained for you of religion what He enjoined upon Noah and that which We have revealed to you, [O Muhammad], and what We enjoined upon Abraham and Moses and Jesus - to establish the religion and not be divided therein.

And,

وَلَا تَنَزَعُوا فَتَفْشَلُوا وَتَذْهَبَ رِيحُكُمْ وَأَصْبِرُوا إِنَّ اللَّهَ مَعَ الصَّابِرِينَ ﴿٦٦﴾

46. and do not dispute and [thus] lose courage and [then] your strength would depart; and be patient. Indeed, Allah is with the patient.

These two foundational evidences—actually, the two foundations, the Book and the Sunnah, are full of such instructions, i.e., the command to remain united and the prohibition to refrain from being disunited. Does this include the students of knowledge? Yes, all the more so! Regrettably, however, when the students of knowledge differ in a matter wherein there is a jurisprudence difference, they become enemies to one another except for a few. It gets to a point where they smear campaign each other, and so he firstly becomes a tyrant to himself and then to his brother and even to the servants of Allah who benefit knowledge-wise from the oppressed brother, for when his standing and value diminishes in their eyes, they no longer seek to benefit from his knowledge. This results in him oppressing himself, his brother and those who benefit from his knowledge. Therefore, great attention must be paid to this by embracing the view that when someone differs with you in a matter wherein there is a jurisprudence difference, in reality he has agreed with you because both of you are on the truth. For he believes that his opinion amounts to the truth and you believe that the truth is contrary to his opinion. Who made one of you a messenger to the other whereby it is a must that you follow him?! No one! In that case, he has the right to follow what he believes points to the truth and you have the right to what you believe points to the truth. Let the hearts be impartial and unbiased.

If someone were to ask, **“A person finds that he feels resentment and envy towards his brother. How should he remedy this?”** He remedies this by saying to himself, *You want the truth? But your version of the truth is not indisputable ordinance; it is a matter of disputed jurisprudence, and all of us are involved in these matters of dispute.*

Twenty-first benefit: affirmation of causal effects, and the evidence is that Allah informed us that *khamr* and gambling or causes for animosity and hatred. This is something indisputable that only a fool would deny. Everyone knows that if you plunge into the sea you will drown or if you are thrown into a fire you will burn. That being said, there are a people who deny casual effect and a people who go to the extremes in affirming it. As for those who deny it, they claim that their denial deems Allah far above having a partner [in causality], and thus they have gone to extremes in freeing Allah from any partners. As for those who affirm causal effects then they have associated partners with Allah [by claiming that these causal effects take place independently of Allah]. As for the people of the truth then they state that causes have effects but that Allah is the One who causes these effects. Thus, causal effects are not independent in creating their effects, rather Allah has incorporated such forces that lead to their effect. This is evidenced by the fact that causes necessitate certain effects that are rendered effectual by Allah, but in spite of that things can be rendered ineffectual. For example, the burning fire that that Prophet Ibrāheem was thrown into and Allah said to it,

كُونِي بَرْدًا وَسَلَامًا عَلَىٰ إِبْرَاهِيمَ ﴿٦٩﴾

69. be coolness and safety upon Ibrāheem.

Hence the fire became cool and safe since the properties of burning and heat were negated. Had causal effects been independent in creating their effects, the fire would have effectively burnt Ibrāheem. Similarly, the person whom the Dajjāl will cut in two and then he will command him to stand as a whole. We know that the Dajjāl is not the cause for bringing him back to life; rather that will be due to Allah. Had the Dajjāl tried to split him in three, he would not have been able to kill him, since Allah gave him no authority to exercise over him after that event. Therefore, we say that for every cause there is an effect but not an independent one; rather Allah has incorporated such forces that lead to their effect. The evidences for this are enumerable, both textual and factual.

Twenty-second benefit: Everything which averts from the remembrance of Allah is from the commands of the Shaytān. Remembrance of Allah takes place via the heart, tongue and limbs.

Everything that averts you from the remembrance of Allah is from Shaytān's commands and wilful intentions.

Twenty-third benefit: The virtuous status of the prayer due to it being earmarked for special mention from amongst the types of remembrance of Allah. This signifies the prayer's honorary and virtuous status over all other types of remembrance, much similar to Allah's statement:

تَنْزَلُ الْمَلَكَةُ وَالرُّوحُ فِيهَا

3. The angels and the Spirit descend therein.

The Spirit is Jibreel and he is one of the angels; however, Allah earmarked him for special mention due to his honourable status.

Twenty-fourth benefit: Taking precaution against Shaytān's attempts to avert us from the prayer. This takes place due to us being distracted by our wealth or children or by being preoccupied with amusing ourselves or by being involved in some endeavour. It can also be our bodies are involved in the act of prayer but our hearts are distracted, so be wary of Shaytān and his attempts to avert you from the prayer.

Twenty-fifth benefit: That everything that causes your heart to feel the burden of prayer is from the Shaytān and his ardent intent.

Twenty-sixth benefit: Emphasis placed on the prohibition of *khamr* and gambling: **“So will you not desist?”** The point of emphasis comes in the form of a rhetorical question. In other words, **“After this legal clarification will you abstain or persist?”** And what was the response of the Companions? **“We will abstain! We will abstain!”**