



بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ



THE LEGAL RULING ON SMOKING

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[Transcript of Friday Sermon 8th August 2008]



Dear believing brothers! I would like to address an important matter, and that is the legal ruling on smoking in the *sharī'a*¹. This habit has become prevalent amongst our youth, in so much so that it has

become a custom to smoke to relieve oneself from anger or to appear elevated amongst a crowd. Smoking has become a form of amusement and folly for some, and many of our youth adopt this habit to conform to their friends and colleagues.

Dear believing brothers! Smoking is forbidden. There is no doubt whatsoever as to its prohibition among the jurists. The rulings of the *sharī'a* can only be proven by a clear text from the Noble Qur'an, or by the pure Prophetic practice (*sunna*), through the prohibition (in this case) of *al-Muṣṭafā* ﷺ², or by the consensus (*ijmā'*) of the *mujtahidīn*³ or by analogical reasoning (*qiyās*) based upon the Book and the Prophetic practice. These are the four fundamental principles that are agreed upon by the all jurists, imams and *mujtahidīn* without exception.

¹ The Sacred Law of Islam

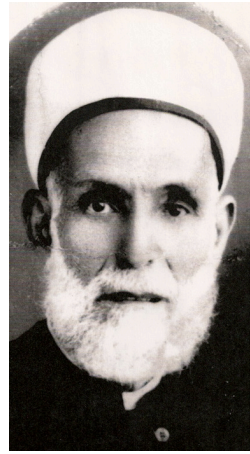
² The Chosen One: one of the names of the Prophet Muhammad ﷺ

³ *mujtahid* (pl. *mujtahidīn*): an Islamic scholar capable of independent juridical reasoning

Through the application of these four principles, one does not need to find a specific text on smoking to arrive at the conclusion that it is forbidden. Rather, the agreement of the jurists in a given era is sufficient to deduce a particular act or thing is forbidden (*ḥarām*), permissible (*mubāḥ*), disliked (*makrūh*) or recommended (*mandūb*). It suffices us to find similar examples which are in unison with the original principle (laid down by the jurists to newly arising problems). As such, the principle of wine being intoxicating is mentioned in a narration of the Prophet ﷺ. If we apply the principle in this case, the ruling is one of prohibition and the proof is from *qīyās*.

Therefore, the majority of jurists have declared smoking to be forbidden. I am not referring to the Islamic council of jurisprudence in Jeddah which gathers a group of jurists from every country to agree on contemporary issues of the Muslims (this council agreed that smoking is forbidden). Rather, I refer you to the opinions of select jurists who clarified this ruling over one hundred years ago.

One such jurist was Sayyid Muhammad ibn Ja'far al-Kittani (may Allah show him mercy), a *muḥaddith*⁴ from Morocco, who authored a great book about three hundred pages long in which he clarified that the legal ruling on smoking is forbidden. He mentioned its harms, deducing its prohibition from Prophetic narrations and various chapters of jurisprudence. My father's paternal uncle, the erudite scholar, Sayyid Muhammad Sharif al-Yaqoubi (may Allah show him mercy), who was the Imam of the Grand Umayyad Mosque, also issued this ruling. He would never attend a gathering where people smoked, for the sake of establishing the Prophetic practice and supporting the religion of Allah.



Sayyid Muhammad Sharif al-Yaqoubi

رحيمه الله
(d. 1362/1943)

My father, Sayyid Ibrahim al-Yaqoubi (may Allah show him mercy), seal of the authenticators, leader of the scholars in this city thirty years ago, also issued a legal edict that it was forbidden to smoke according to the four legal schools of thought. Being an expert in issuing legal judgments according to the four schools, and possessing knowledge of the texts of the jurists of these schools, he found corroboration that indicated to the prohibition of smoking. What are these aspects?



Sayyid Ibrahim al-Yaqoubi

رحيمه الله
(d. 1406/1985)

The first aspect is harm. The harm of smoking is now obvious to everyone. Our parents and grandparents clarified some of its harms, and indeed in this era in which knowledge has advanced and medical research has expanded, everyone is familiar with the harm of smoking! It would require more time and a long lecture to explain the harmful effects in

⁴ An Islamic scholar who has mastery of the science of Prophetic narrations

detail. Nevertheless, I would like to elucidate the extent of the damage caused by smoking.

It has been proven that from the time of its plantation, farming and then further to its consumption, great harm is attributed to tobacco production, its inhalation and even long after its consumption. Some physicians from the Faculty of Medicine of Damascus authored an epistle called “The Industrial Harms of Tobacco Production”, which showed that there is harm involved in the sowing of tobacco, from harvesting, drying out and milling its leaves, and there is also harm on whoever is involved in the production process. If these people are inflicted with harm, what of the one who consumes smoke? In this latter case, smoke is entering the body!

What is the proof for this? I do not believe a rational person would demand proof. The Prophet ﷺ said in an authentic narration, “There is no inflicting or receiving harm.” This means it is not permissible for anyone to harm himself or to inflict harm onto another. This narration is from the comprehensive speech of the Prophet ﷺ, which became a juristic principle on which rulings are based. Perhaps mankind thinks that the harm is not manifest and that he cannot see the effect. If a man consumes a large amount of poison he will die in a moment. Yet if he takes a matchstick, dips it into poison, places it in a handkerchief, and then puts the handkerchief into a barrel of water and then drinks from it, it will not visibly harm him straight away. However its harm will manifest over a period of time. Many leaders died from slow poisoning, Harun al-Rashid is one such example.

With regards to the inhalation of smoke, some of our youth argue, “I am not harmed by it,

nor does it affect me”. They are deluded, as man does not know when an illness will appear. Likewise, it is not known when a malignant tumour will manifest itself. Tumours can consume the members of his body, limbs and intestines in the severest of manners. Man does not know when to purchase the cure for his body. It has been medically proven that smoking is harmful and the facet of its harm does not stop with the liver, the heart, the intestines, the brain, the blood and the chest. Physicians know this better than us. I do not wish to change the subject of this sermon to medicine. Hence, smoking is forbidden because it is harmful.

The second aspect of the prohibition is that smoking is an irritant. Namely, it is a type of drug which spreads after being consumed. We can prove this by knowledge of a smoker’s habit. Their habit is to argue with every one of their smoking companions and to display severe anger until what frees him! Smoking? So it cools his anger, cools his limbs and calms his nerves. This is proof that smoking numbs the nerves.

Knowledge of tobacco being an irritant has been proven without a shadow of a doubt. As a child, aged ten years old, I saw an experiment; the nicotine from a cigarette was injected into a kitten, and it died instantly! Although the strength of a human body can bear these levels of nicotine, it does cause weakness. Passing unnoticed, the desire to smoke increases; most smokers begin with one or two cigarettes in a day and then progress to one or two packets a day.

We are heading towards the month of Ramadan. Henceforth, we would like every one of us who smokes to take a silent oath within them to give up smoking. Fasting is the

best way for us to quit smoking. Thus, we can see the benefits of fasting, its virtues and its fruits, if Allah ﷻ wills, in Ramadan. We beseech Allah ﷻ that we arrive in Ramadan in the best of health, wellbeing, faith and piety, as He is *Sami*⁵, *Qarib*⁶ and *Mujib*⁷.

It was narrated by Umm Salama ؓ, recorded by Imam Ahmad his Musnad and authenticated by Imam al-Suyuti, that the Prophet ﷺ said, “Prohibited is every intoxicant and drug”. Thus, the second aspect is that it is an irritant.

As for the third aspect of prohibition; it gives off a pungent smell. This is something we know well, as most of us have experienced the harm caused by the smell of smokers or smoke. Imam Muslim reports, in his authentic collection of Prophetic narrations, that the Prophet ﷺ said, “Whoever eats from these two nauseating trees should not approach our mosques because angels are repulsed by what people are repulsed by.” The Prophet ﷺ indicated onions and garlic and, in some narrations, leeks.

We have a principle in the manners of greeting people, which is that one adorns oneself with the best of ornaments and the most beautiful garments. Part of beautification is the use of perfume of good scent and part of the individual characteristics of the Prophet ﷺ was the pleasant fragrance of his noble perspiration. It would emanate an aroma of musk, despite it not being touched by perfume. Nevertheless, the Prophet ﷺ loved perfume and said, “Beloved to me are perfume, women and the apple of my eye is in the prayer.” This is the disposition of the Muslim, especially concerning the obligations upon him.

Therefore, how should one enter the house of Allah ﷻ? How then, should one enter the prayer? In what state should one be in, considering the angels accompany him? “Protectors are sent to you.” “They guard you from the front and from behind; they protect you by the command of Allah ﷻ.” How is it that he invokes Allah ﷻ with this odour, knowing that with each invocation the angels descend on him from the heavens, bringing mercy which engulfs him and tranquillity falls upon him, as reported in the narration of *al-Mustafa* ﷺ? Knowing this, is it appropriate for a believer to change the odour of his body and mouth? Is it appropriate, after this, to invoke the name of Allah ﷻ with his mouth, and take breaths with His names? Is it fitting, after this, to change the natural odour to a disliked odour, which repels angels as it repels humans? This is an external aspect of the prohibition of smoking.

The fourth aspect to the prohibition of smoking and perhaps the most obvious is widely known among people, due to the fact that Allah ﷻ categorised matters into good and bad. Our Prophet ﷺ was described in a passage from the Noble Qur’an, and it encompasses the description of his message. Allah ﷻ states, “Those who follow the Messenger, the Prophet, the Unlettered, who is found recorded in the Torah and the Bible. He commands goodness and forbids evil.... ” “He invites to goodness and forbids that which is foul.” Allah ﷻ has commanded us to take from the good of the Earth, “Eat from the good that we have provided for you.” It is forbidden to eat the odious; the Prophet ﷺ forbade the repulsive. There is no hesitation in categorising tobacco as harmful. How can it

⁵ One of the Names of Allah ﷻ, often translated as ‘All-Hearing’

⁶ A Name of Allah ﷻ, an interpretation of its meaning is ‘The Close’ or ‘Nigh’

⁷ Also a Name of Allah ﷻ, translated as ‘The Answerer of prayers’

be categorised as good? I do not think a drinker of wine would categorise it as good.

The aspect of its prohibition is vast and without end; it would need lengthy lectures and lessons. I would only like this to be a brief insight into the evidences for the prohibition of smoking. I urge smokers young, old, women and men to give up smoking because smoking is disobedience to Allah ﷻ.

The fifth and final aspect is squandering and wasting money. We deduce this from the following narration of the Prophet ﷺ, "Spendthrifts are the brothers of Satan." The money of those who waste it is seized under the laws of jurisprudence and they are called fools. What would you think of a person who sets his money alight? What would you call a person who brings dollars and burns them in front of people? A person who, every day would come with hundreds of pounds and set

them alight in front of others? How would people judge him? No doubt he would be called a fool. There are chapters and rules pertaining to these types of people in the books of jurisprudence. They are restricted from spending money even for their living expenses. This is the reality of the one who smokes; he burns and squanders his wealth. He will be asked regarding it on the Day of Judgment, "The feet of a slave will not move on the Day of Judgment, until he is questioned about four things." The Prophet ﷺ finished with, "From where he earned his wealth and where he spent his wealth."

I ask Allah ﷻ to teach us what benefits us and benefit us with what we have learnt; as He is *Samī*, *Qarīb* and *Mujīb*. I affirm my speech and I seek forgiveness for myself and all of you. And seek His forgiveness as the seekers of forgiveness attain success.

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