



PSSST...!



MODULE 9: HALAL & HARAM



Getting Our Bearings—Foundations

What is the default regarding things?



PRINCIPLE 1

الأصل في الأشياء الإباحة

‘The default of things is permissibility’

هُوَ الَّذِي خَلَقَ لَكُمْ مَا فِي الْأَرْضِ جَمِيعًا
(‘It is He who created all things in the earth for
you...’ (2:29))

قُلْ مَنْ حَرَّمَ زِينَةَ اللَّهِ الَّتِي أَخْرَجَ لِعِبَادِهِ وَالطَّيِّبَاتِ مِنَ الرِّزْقِ
(‘Say, “Who may prohibit the
adornment of Allah that He brought forth for His servants, and the wholesome
provision?”’ (7:32))

PRINCIPLE 1

- In Islam, the sphere of haram is small, while the permissible is vast.
- Nothing is haram except what is prohibited by a sound and explicit revealed text.
- The principle ‘The default of thing is permissibility’ is generally sound, but there are some exceptions. Therefore, one must always remember that they must not engage in anything until knowing the ruling of Allah concerning it.

PRINCIPLE 2

Allah alone has the right to make halal and haram

- Allah is the Lawgiver (al-Shari'). Making things halal or haram is His exclusive right.
- No one has the right to make something haram or halal.

أَمْ لَهُمْ شُرَكَاءُ شَرَعُوا لَهُمْ مِّنَ الدِّينِ مَا لَمْ يَأْتِنِ بِهِ اللَّهُ وَلَوْلَا كَلِمَةُ الْفَصْلِ لَفُضِيَ بَيْنَهُمْ وَإِنَّ الظَّالِمِينَ
لَهُمْ عَذَابٌ أَلِيمٌ □ (الشورى ٢١)

PRINCIPLE 2

- The Quran blamed the Jews and Christians for ceding legislative power to their rabbis and priests:

اتَّخَذُوا أَحْبَارَهُمْ وَرُهَبَانَهُمْ أَرْبَابًا ۖ مَا مِنْ دُونِ اللَّهِ

- The Quran also blamed the idol-worshippers for legislating and prohibiting things without any authority from Allah:

قُلْ أَرَأَيْتُمْ مَا أَنْزَلَ اللَّهُ لَكُمْ مِنْ رِزْقٍ فَجَعَلْتُمْ مِنْهُ حَرَامًا وَحَلَلًا قُلْ إِنَّ اللَّهَ أُذِنَ لَكُمْ ط ۖ أَمْ عَلَى اللَّهِ تَفْتَرُونَ

Also:

وَلَا تَقُولُوا لِمَا تَصِفُ أَلْسِنَتُكُمُ الْكَذِبَ هَذَا حَلَلٌ وَهَذَا حَرَامٌ لَتَفْتَرُوا عَلَى اللَّهِ الْكَذِبَ ۚ إِنَّ الَّذِينَ يَفْتَرُونَ عَلَى اللَّهِ الْكَذِبَ لَا يُفْلِحُونَ

PRINCIPLE 2

The role of the jurist (faqih/mufti) does not go beyond explaining what Allah has made halal or haram. They are not legislators.

Imam al-Shafi'i records in al-Umm that Abu Yusuf, a chief student of Imam Abu Hanifa, said: **“I witnessed that our knowledgeable teachers avoided saying, ‘This is halal and that is haram’ apart from what they found clearly stated without requiring an interpretation in the Book of Allah...Some of the companions of Ibrahim al-Nakha'i told us that when they gave a judgment concerning something they would said, ‘It is disapproved,’ or ‘There is no harm in it,’ rather than saying ‘It is haram,’ or ‘It is halal.’...”**

There are numerous reports from Imam Abu Hanifa, Imam Malik and Imam Ahmad, who would say when asked about some matter, would say, ‘I don't like it,’ or ‘I disapprove of it,’ or ‘It does not appeal to me,’ or ‘I do not approve it.’

PRINCIPLE 3

Prohibiting the Halal and Permitting the Haram is One of the Greatest Sins

The Prophet (Allah bless him and give him peace) related in a hadith qudsi that Allah said: **“I created My servants upright (hunafa’). Then the evil ones came to them and led them astray from their religion, and forbade what I had made lawful for them and enjoined them to associate with Me that for which I had not sent down any authority.”** (Muslim)

- Prohibiting the halal is akin to shirk.
- Istihlal, or making halal what Allah and His Messenger have explicitly forbidden, is a denial of Allah and His Messenger and therefore disbelief (kufr).

PRINCIPLE 4

The Prohibition of Things is Due to their Impurity and Harm

- Allah alone has the right of legislation.
- He can make halal or haram whatever He wills. He is the absolute authority and none can question Him.
- Nevertheless, Allah does not forbid things that are good, wholesome, and pure; and He does not permit things that are harmful.

PRINCIPLE 4

- Allah did forbid some ‘good things’ to the Jews, but that was a punishment for their transgressions:

فَبِظُلْمٍ مِّنَ الَّذِينَ هَادُوا حَرَّمْنَا عَلَيْهِمْ طَيِّبَاتٍ أُحِلَّت لَّهُمْ وَبَصَدَّ هُمْ عَنِ سَبِيلِ اللَّهِ
كَثِيرًا

- We forbade the Jews certain foods that had been lawful to them for their wrongdoing, and for hindering many from the Way of Allah...’

PRINCIPLE 4

الَّذِينَ يَتَّبِعُونَ الرَّسُولَ النَّبِيَّ الْأُمِّيَّ الَّذِي يَجِدُونَهُ مَكْتُوبًا عِنْدَهُمْ فِي التَّوْرَةِ وَالْإِنْجِيلِ يَأْمُرُهُمْ بِالْمَعْرُوفِ وَيَنْهَاهُمْ عَنِ الْمُنْكَرِ وَيُحِلُّ لَهُمُ الطَّيِّبَاتِ وَيُحَرِّمُ عَلَيْهِمُ الْخَبَائِثَ وَيَضَعُ عَنْهُمْ إِصْرَهُمْ وَالْأَغْلَالَ الَّتِي كَانَتْ عَلَيْهِمْ ۗ فَاَلَّذِينَ ءَامَنُوا بِهِ وَعَزَّرُوهُ وَنَصَرُوهُ وَاتَّبَعُوا النُّورَ الَّذِي أُنزِلَ مَعَهُ ۙ أُولَٰئِكَ هُمُ الْمُفْلِحُونَ

“They are the ones who follow the Messenger, the unlettered Prophet, whose description they find in their Torah and the Gospel. He commands them to do good and forbids them from evil, permits for them what is lawful and forbids to them what is impure, and relieves them from their burdens and the shackles that bound them. ‘Only’ those who believe in him, honor and support him, and follow the light sent down to him will be successful.”

PRINCIPLE 4

- In Islam, Allah did not prohibit good things as a punishment. Instead, He legislated repentance, good deeds which wipe away the effects of sins, charity, and decreed that trials and suffering wipe away sins.
- This means we have certain knowledge that everything Allah has made haram in the legislation of Islam—in the Quran and Sunna—is impure and harmful.
- We also know that everything wholesome and beneficial has been made halal for us.
- We are not required to know exactly what is impure or harmful in what Allah has made haram; it may be hidden from us but apparent to others later, or it may not be discoverable in this life. What is required is for us to say: ‘We hear and obey.’
- **Why is eating pork haram?**

PRINCIPLE 5

The Halal is Sufficient and the Haram is Superfluous

Allah has only forbidden things that are harmful and also unnecessary. For everything haram, Allah has permitted an alternative.

1. Omens vs. Istikhara and du'a.
2. Riba vs. trade
3. Gambling vs. halal competition through wagers
4. Fornication vs. marriage.
5. Adultery vs. polygamy
6. Intoxicants vs. wholesome drinks
7. Carrion vs. wholesome meats

Allah legislates for our wellbeing, not to burden us.

PRINCIPLE 6

What Leads to the Haram is Haram Itself

- Allah blocks the avenues that lead to the haram. For example: wearing revealing clothing, seclusion with non-mahrams, obscenity, etc. All of these are to block the means to fornication.
- This is why the sin of a haram act extends to those who facilitated it materially or morally.

PRINCIPLE 7

Falsely Representing the Haram as Halal is Prohibited

- Playing word games to make the haram into something halal is prohibited. The Prophet (Allah bless him and give him peace) said: ‘A group from my nation will make intoxicants halal by giving them another name.’ (Ahmad)

PRINCIPLE 8

Good Intentions Do Not Make the Haram Acceptable

- Whenever a halal action is accompanied by a good intention it becomes an act of worship.
- The haram, however, remains haram no matter how good the intention is.
- We don't believe 'The ends justify the means.' If the end is halal, the means must be halal.
- 'Indeed Allah is Pure and only accepts what is pure...' (Tabarani)

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