

STREET FATWA - CANCER

On this July 9th, 13th night of Muharram, 538th night of the Age of Aquarius, 1447 years after the Hijra of Muhammad ibn Abdullah (Sallalahu Ailayhi was Salaam), Yawmul Malikul Muhaymin.

RE: Is marijuana (cannabis) forbidden in Islam like alcohol, or can it be considered permissible as a natural herb?



Sheikh of Hip Hop Answered:

Blunts & Coffee, Akhee?

Many contemporary scholars equate marijuana with khamr (intoxicants such as wine) and thus declare it *haram* (prohibited). However, others argue that this stance might be a mistake—similar to how some scholars in the 16th century wrongly banned coffee, thinking it was like wine. To address this, we will examine the historical debate over coffee and the classical jurisprudence on intoxicants, and then apply those lessons to marijuana. The goal is to present a fatwa (legal opinion) that, using sound Islamic legal principles and historical precedent, makes a case for at least the permissibility of marijuana in certain contexts. This response is written in English for a Black American Muslim audience, drawing upon classical jurists' views and texts.

Historical Parallels: The Coffee Controversy

In the early 1500s, coffee was a new and controversial substance in the Muslim world. When coffee spread from Yemen to cities like Mecca and Cairo, some scholars and officials treated it with suspicion. **In 1511, Khayr Beg**, the governor of Mecca, convened a council of jurists to decide coffee's status. Two questions were debated:

- 1. Is coffee itself permissible or prohibited (like khamr)?
- 2. Are the coffeehouse gatherings and activities permissible?

On the second question, the Meccan scholars quickly condemned the *coffee gatherings* for the unseemly behavior they thought occurred there (such as idle talk or distraction from worship). On the first question, however, the jurists initially leaned on a general Islamic legal maxim: **everything is presumed permissible until proven otherwise (al-asl fī al-ashyāʾ al-ibāḥa)**. They argued that coffee should be considered *mubah* (allowed) by default *unless* clear evidence showed it was harmful or intoxicating.

To determine harm, *medical experts* were consulted. These experts (brought by the "prosecution") claimed that coffee had harmful effects. Their testimony – likely alleging that

coffee caused physical illness or intoxication – convinced the assembly. The Meccan scholars issued a **fatwa declaring coffee haram**, equating it with an intoxicant, and the governor **banned coffee in Mecca**. Baristas were flogged, coffee stocks burned, and coffeehouses shut down. Coffee, in that brief moment, was treated as *khamr* – essentially "Muslim wine."

However, this local ban **did not last**. The news was referred to the higher authorities in Cairo, and the official religious establishment in Egypt refused to endorse a blanket prohibition. Soon after 1511, Meccans enthusiastically resumed drinking coffee. In fact, the Sultan of the time (per some reports) *overruled* Khayr Beg's decision and even punished him for overstepping; one account notes that the Sultan declared **coffee to be sacred**, and had the governor executed for his misguided ban. Regardless of the exact details, it's clear that the wider Muslim world sided *for* coffee.

Over the next decades, minor flare-ups continued – for example, in 1525 a jurist in Mecca closed coffeehouses due to *improper activities* happening in them, though he didn't consider coffee itself forbidden. Each time, the closures were reversed shortly thereafter. By the mid-16th century, coffee had gained general acceptance in all major Islamic cities. **The majority scholarly view prevailed that coffee is permissible**, because it is not an intoxicant in the Shariah sense.

What were the arguments on each side? Early opponents of coffee drew analogies to alcohol and other intoxicants. In fact, the Arabic word for coffee, *qahwah*, originally had meant a type of wine, which likely caused confusion. Some jurists thought anything that significantly alters one's state of mind – even stimulation or sleeplessness – could be analogous to khamr and thus forbidden. They cited the well-known hadith: "Every intoxicant is khamr and every khamr is haram." If coffee "intoxicated" (in a broad sense of exciting the nerves), they reasoned, even a little should be haram, since "if much of something intoxicates, then even a little is forbidden". Additionally, conservative voices worried that coffeehouses led to time-wasting, mixing of people in improper ways, or even "radical thinking" against authorities. In sum, coffee's detractors painted it as a dangerous drug, akin to wine in its mind-altering properties and social ills.

On the other hand, **proponents of coffee's permissibility** countered with several points:

• Coffee is a stimulant, not an intoxicant: Unlike alcohol, moderate coffee intake sharpens the mind and alertness; it does not cloud judgment or cause inebriation. One prominent 16th-century scholar, Imam al-Hattab of the Maliki school, noted that people were split between "extremists who claimed drinking it is an act of worship and fanatics who claimed it is an intoxicant." He concluded: "The truth is that in itself it is not an intoxicant, but merely a stimulant....". In other words, coffee's effect is fundamentally different from wine's. It does not produce drunkenness; rather, it gives a mild energy boost and only causes a slight weakness or withdrawal effect when one quits after habitual use. This is more comparable to how spicy food might affect the body than to

khamr.

- No impairment of religious duties: Because coffee drinkers stay awake and alert, proponents argued that coffee enhanced worship rather than hindering it. Historical reports note that Sufi mystics used coffee to stay up for late-night prayers (dhikr). One scholar at the time poignantly contrasted coffee with wine, saying: "One drinks coffee with the name of the Lord on his lips and stays awake, while the person who seeks wanton delight in intoxicants disregards the Lord and gets drunk.". Unlike alcohol which clearly leads to forgetfulness of God and lapses in prayer coffee in reasonable amounts posed no threat to one's ability to pray or make sound decisions.
- Lack of evidence of harm: Early coffee defenders challenged opponents to show real proof of coffee being harmful or addictive. Many found that aside from mild side effects (like losing some sleep or, if overused, possibly headaches or an upset stomach), there was no evidence of a prohibiting harm. Some jurists even experimented on themselves or observed habitual coffee drinkers, and they did not find mind-corrupting effects worthy of a ban. Given the Islamic legal principle mentioned above, if there is no clear, demonstrable harm or intoxicating effect, the item remains under the default ruling of permissibility.
- Analogy to medicine: Coffee's supporters pointed out that many medicinal herbs and foods also have effects on the body and mind (some energize, some calm you, etc.), yet they are halal as long as they are not specifically proscribed. Coffee was a new thing, and the Quran and Hadith did not mention it so one should not hastily equate it to wine without evidence. As one Meccan mufti initially told Khayr Beg: "all things are originally permitted until a danger is proven in them."

In the end, **the pro-coffee arguments won out**. Muslim society at large embraced coffee, and it was officially declared permissible by the authorities. The episode, however, lives on as a lesson. It shows that even well-meaning scholars can err by overextending an analogy (in this case, likening coffee to alcohol) or by relying on incomplete evidence. In retrospect, the *coffee fatwa* controversy teaches us the importance of careful, evidence-based reasoning in Islamic law – especially for new substances. Just because something is stimulating or habit-forming does not automatically make it **khamr**.

Defining *Khamr*: Intoxication in Shariah

To understand how substances are classified in Islamic law, we need to define *khamr* and why it is haram. The Quran explicitly forbids **khamr** (often translated as wine/intoxicants) in verse 5:90, calling it "an abomination of Satan's handiwork" and urging believers to avoid it. The Prophet

Muhammad المسلمية reinforced this, extending the prohibition to "every intoxicant" and stating "if a large amount of something causes intoxication, then even a small amount of it is haram."

There is ijma' (consensus) among classical scholars that alcohol from grapes or dates, and by extension any beverage that intoxicates, is forbidden to consume.

However, the Islamic legal tradition has nuanced discussions on what exactly counts as an "intoxicant" and why it is forbidden:

- The reason (illah) for wine's prohibition is understood to be its intoxicating effect, which leads to loss of reason, impaired judgment, and often sin. As Imam Al-Qarafi (a 13th-century Maliki jurist) explains, wine impairs the intellect, memory, and senses, causing one to stagger and lose self-control. These effects undermine a person's ability to fulfill religious duties like prayer, and thus wine is categorically forbidden.
- The Prophet's words "every intoxicant is khamr" led the majority of scholars to apply the ruling of wine to any substance that "covers" the mind (the literal meaning of khamr) in a comparable way whether it's liquid or solid, fermented or distilled, natural or synthetic. For example, opium, heroin, cocaine, and similar drugs that clearly cause drunkenness, hallucination, or serious impairment are considered haram by virtually all scholars, analogized to khamr because of their impact on the mind and body.

Importantly, though, not all substances that have *some* effect on the mind are classed as khamr. Islamic law does recognize degrees and categories. Classical jurists discussed substances that *do not fit neatly* into the wine category:

- Some drugs were labeled mufattir (dulling/narcotic) or mufsid (corruptive) rather than muskir (intoxicant). A well-known debate arose around hashish (cannabis resin) when it became prevalent in the late medieval period. Many scholars did equate hashish with other intoxicants and thus forbade it. But notably, some prominent jurists drew a distinction between the intoxication of alcohol and the effect of hashish. Imam Al-Qarafi writes that hashish, unlike wine, "seems not to fall into [the intoxicant] category" it may corrupt or impair to a lesser degree, but it does not create the same level of mind-clouding drunkenness. Al-Qarafi ultimately classified hashish as "mufsidah" (a corrupting substance) but not an intoxicant in itself. This is significant: by not labeling it "khamr," he implied that the strictest texts (Qur'an and hadith about khamr) might not directly apply to cannabis. He even notes that this ambiguity has "important ramifications for Muslim ritual practice" for example, if a substance isn't truly intoxicating, consuming it might not nullify one's prayer in the way drinking wine does.
- Some jurists differentiated how a substance is consumed. There was an opinion reported by Al-Qarafi and others: if hashish is eaten or used in its raw plant form (uncooked), it was not considered an intoxicant and thus did not invalidate the prayer,

but if it was processed into a drink or concentrate (cooked/distilled into a liquid form), then it could intoxicate and would invalidate prayer. In other words, transforming the natural herb into a more potent form changed its ruling. This resonates with an intuitive principle: processing often increases a drug's power. Just as grape juice, when fermented into wine, becomes intoxicating (and thus forbidden), cannabis when highly concentrated (as in hashish oil or edibles in large quantities) can have a much stronger, mind-altering effect than when mildly smoked or ingested raw. Not all scholars of the time accepted this raw vs. cooked distinction – many forbade hashish in any form – but the very existence of this opinion shows that classical law did acknowledge the role of processing and potency.

• Even those scholars who prohibited hashish usually stopped short of declaring it "najis" (ritually impure) the way wine is. For instance, the 13th-century Shī'ī jurist Allama al-Ḥillī, after noting that "hashish is known to intoxicate so eating it is prohibited," explicitly said it "is not impure (najas) because impurity is specific to alcoholic liquors.". In practice, this meant that while one shouldn't consume cannabis to get high, the substance itself was not regarded as filth—touching or handling it didn't necessitate purification like spilled wine would. This further underscores that cannabis was not universally equated to wine in Islamic jurisprudence, either in effect or in legal treatment.

From the above, we glean a nuanced picture: All scholars agree that becoming intoxicated – losing one's mind and self-control – is haram, whether from wine, beer, liquor, or any drug. There is no dispute on that. The crux is whether marijuana causes intoxication in the sense of the Shariah definition or not. And if it can cause some lesser effect (like lightheadedness, relaxation, or mild euphoria), is that on par with the severe impairment of alcohol, or is it a different category (perhaps merely makruh – disliked – or permissible in small doses)?

Classical Opinions on Cannabis and Intoxication

Historically, cannabis (usually in the form of **hashish**) entered Islamic lands a few centuries after the Prophet, so there is **no direct reference to it in the Qur'an or any authentic hadith**. Muslims had to use *qiyās* (analogical reasoning) to determine its ruling. By the 13th–16th centuries, many jurists did issue fatwas against hashish, seeing it as an intoxicant like alcohol. For example, **Ibn Taymiyyah** in the 14th century condemned hashish and even suggested its users deserve the **ḥadd** (fixed punishment) like wine-drinkers. Likewise, later scholars like Ibn Ḥajar al-Haytami wrote treatises on the prohibition of hashish. But it's crucial to note two things:

- Not a unanimous stance: Some early Muslim jurists differentiated cannabis from alcohol in their legal rulings. For instance, as noted, the Maliki scholar al-Qarafi did not classify it as khamr. In the Hanafi school, a degree of leniency existed in terms of punishment while wine drinking carried a fixed lashing penalty, the consumption of hashish often was punished under discretionary law (taʿzīr), not the full ḥadd, because some Hanafis didn't technically define it as "wine". This reflects a view that while using it was sinful, it wasn't identical to drinking wine. In the Shīʿī (Jaʿfari) school, as we saw with al-Ḥillī, cannabis was haram if it intoxicated, but it was not considered ritually unclean. In sum, the pre-modern jurists were not completely of one voice there was a spectrum from outright prohibition to mild discouragement, and differing rationale for why.
- Investigation and debate: Far from a blind, stagnant rejection, Muslim scholars actively studied the effects of hashish. A lack of clear textual guidance made some scholars admit to uncertainty. Imam Ibn Ḥajar al-Haytami (d. 1567 CE) remarked that jurists of his time had misconceptions about hashish due to ignorance and conflicting reports about its effects. He recorded that some jurists even tested hashish on themselves to see its impact, then adjusted their fatwas accordingly. One fascinating report is of Imam Sufiyy al-Muzajjad (as cited by Ibn Ḥajar): this scholar initially forbade hashish, but after a personal trial, he found that a small amount gave him energy and helped him in worship. He then revised his fatwa and allowed hashish, reasoning that it had a beneficial effect for those wanting to fulfill religious duties (so long as it was used in moderation). This experimental approach did not convince everyone other ulama pointed out potential harms like loss of appetite or lethargy in heavy users but it shows that some classical scholars were open to the possibility that cannabis might be permissible or at least not categorically haram, especially if used with good intention and within limits.
- "If it intoxicates, it's haram" but does cannabis intoxicate? Most scholars fell back on the Prophet's guideline about intoxication. Thus, if consuming cannabis (in whatever form) overwhelmingly causes people to become intoxicated (mind-covered), they said it is haram. But what if its typical effect is milder for example, causing relaxation, mild euphoria or pain relief, without driving one to debauchery or mindlessness? Herein lies the grey area. Contemporary researchers note that cannabis has a spectrum of effects; moderate use might cause lightheadedness or calm, whereas very high doses (or stronger strains) can cause confusion or impairment in functioning. This variability is why opinions differed. Many erred on the side of caution and forbade it entirely, invoking sadd al-dharā'i' (blocking the means to harm) they worried that any permitted use could lead to abuse or to someone eventually getting intoxicated. Others, as we have seen, believed that intention and usage matter: if used moderately or for genuine benefit (like medicine or enhancing worship), it need not be haram, since it isn't sought for drunkenness. In fact, a recent fatwa by a Shī'ī authority, Ayatollah Rohani of Qom (2014), permitted certain psychoactive plant substances for spiritual purposes under

supervision, stating that such **plant entheogens "do not impair the mind or spirit"**. This shows a line of reasoning that arguably extends back to those earlier scholars – the idea that **not all mind-affecting plants are equal to wine**.

Drawing the Analogy: Marijuana vs. Alcohol (and vs. Other Drugs)

With the above in mind, we can compare **marijuana** to the paradigmatic intoxicant, **alcohol**, and also to other substances like **heroin or cocaine**. This comparison will illuminate why treating marijuana exactly like wine may be an error analogous to the coffee case:

- Source and Processing: Alcoholic beverages (wine, beer, liquor) require a chemical fermentation or distillation process to produce intoxicating ethanol. Grapes or grains on their own do not intoxicate until they are processed into alcohol. This process was known and specifically addressed by Islamic scripture (hence wine is named and banned). Heroin and cocaine are similarly the result of heavy processing: heroin is refined from opium poppies using chemicals, and cocaine is extracted and crystallized from coca leaves. These processes yield potent, concentrated drugs that are far more powerful than the plants they come from. By contrast, marijuana is a plant that is consumed essentially in its natural form - dried and smoked or ingested - without needing fermentation or complex chemical refining. This was a key point in the coffee analogy: coffee beans only needed roasting and boiling (a basic preparation) to be consumed, and were not fermented into something else. Likewise, one can use cannabis simply by harvesting and drying the leaves/flowers. Thus, marijuana is closer to a natural herb like coffee or tea than it is to manufactured intoxicants like liquor or hard drugs. Some jurists implicitly recognized this when they distinguished "raw" hashish from distilled forms - the more "processed" a substance, the more it resembled khamr in their eyes. Today, we see this even in legal regulations: many places that ban hard drugs still allow or decriminalize the use of the natural cannabis plant.
- Intoxicating Power and Effects: Ethanol (alcohol) in sufficient quantity will universally cause intoxication: loss of motor control, cognitive impairment, and in many cases aggressive or reckless behavior. There is a decades-long record of alcohol's destructive effects on individuals and society broken homes, violence, health crises which is part of why Islam decisively prohibited it. Heroin and cocaine likewise are extremely intoxicating and harmful: they rapidly alter the brain's chemistry, causing either severe depression of the central nervous system (heroin) or extreme stimulation (cocaine), along with high addiction potential. Using them even once or a few times can lead to life-threatening overdose or a cycle of addiction that destroys one's life. Marijuana's

effects, in comparison, are generally milder. While it can impair short-term memory or reflexes (which is why, for example, one should not drive while under the influence), it does not typically lead to the kind of violent loss of control seen with alcohol. Cannabis tends to **sedate or relax** a person more than provoke erratic behavior. It is also notably less addictive physiologically than alcohol, heroin, or cocaine – there is no equivalent to fatal alcohol poisoning or heroin overdose with cannabis, and many medical experts consider it benificial when used in moderation. These differences suggest that the legal severity given to khamr in scripture was due to the degree of intoxication and harm alcohol causes. Marijuana may cause a mild high, but does it "cover the mind" entirely, leading to wanton behavior and loss of all inhibitions? For most people and in moderate quantities, the answer is no - it is not comparable to being drunk. As one modern researcher on Islamic drug policy noted, "from an Islamic law perspective, [cannabis] has an ambiguous status," and many Muslim authorities today concede that its effects lie in a grey area, which is why discussions on regulating it are now happening. We can say marijuana has effects in large doses. But cannabis doesn't intoxicate in the same way, nor is occasional, light use inevitably intoxicating. It's closer to how strong coffee can make some people jittery or lightheaded if they drink too much – a noticeable effect, but not the same as being drunk.

- Medical and Beneficial Uses: Alcohol in Islam is viewed as having negligible benefit compared to its sin (the Qur'an acknowledges "some benefit for people, but their sin is greater than their benefit," 2:219). Cannabis, on the other hand, has well-documented medicinal benefits for certain conditions: pain relief, reducing nausea (e.g. in chemotherapy patients), controlling seizures, treating PTSD or anxiety in some cases, etc. Muslim scholars always made exceptions for using otherwise haram substances as medicine if truly needed. But if a substance has intrinsic healing or beneficial properties, that bolsters the case that it is tayyib (good) and permissible when used appropriately. Coffee, for example, was found to have benefits (alertness, energy) and minimal harms, so eventually it was seen as a blessing. Many Muslims today view cannabis through a similar lens – as a plant that Allah created which can provide relief and benefit, and thus should not be categorically demonized. A notable saying of the Prophet على is: "Allah did not send down a disease except that He sent down its cure." Some contemporary Muslim thinkers apply this to cannabis, arguing that its medicinal use is allowed and even thankful, not haram. If one's intention in using it is treatment or well-being, not escapism, this intention can make a big difference in the legal and moral ruling.
- Social context and abuse potential: We also must consider context. In predominantly
 Muslim societies of the past, alcohol was clearly identified as the major substance of
 abuse and thus strictly outlawed. Hashish was present but often limited to certain circles
 (e.g. some dervish orders or underclass recreational use). In our context for example,
 Hip Hop marijuana use is common in the broader society and carries different social
 connotations. It has been historically criminalized (often unjustly and disproportionately
 against people of color), and yet recently it's becoming legal in many states. This puts

Muslims in a peculiar spot: a substance that was once seen as an illicit "drug" is now openly available in our environment like cigarettes or coffee. A rigid stance of total prohibition without nuance might actually alienate people who see the evident differences between weed and truly dangerous drugs. Islamically, if we treat something less harmful with the same absolutism as something gravely harmful, we may undermine the credibility of the law in people's eyes. This is similar to how an overreaction against coffee would have been perceived as out of touch once everyone saw that coffee wasn't ruining lives like wine was. Thus, one could argue from the Maqāṣid al-Sharīʿa (higher objectives of Islamic law) that our approach to marijuana should aim to preserve health and faith in a balanced way – discouraging abuse and intoxication, but perhaps permitting reasonable use that does not lead to those harms.

Fatwa Conclusion: Is Marijuana Permissible?

After weighing the historical precedents, classical opinions, and the nature of marijuana, we conclude that marijuana (cannabis) is *not* khamr by the Shariah's definition. Therefore, it is not haram in the way wine, beer, or other alcoholic drinks are. Rather, its ruling is conditional and can be one of the following based on usage:

- Permissible (Halal/Mubah) Using cannabis in moderation for genuine benefit (such as medical treatment or functional relaxation/stress relief) would be permissible. This is analogous to how Muslims drink coffee or tea for energy and focus. The default for any plant of the earth is permissibility, as Allah says He created for us "every plant yielding seed... for food", and nothing clearly prohibits this particular plant. As long as one's intention is not to become intoxicated or negligent of duties, and as long as it does not in fact lead to sinful behavior, partaking in marijuana would remain allowed. The principle "no clear harm, no clear prohibition" applies. We should remember the words of the Meccan Mufti in 1511: everything is permitted until proven harmful. To date, moderate marijuana use (especially in forms that do not damage the body, e.g. vaporized or in edible medical formulations) has not been proven to cause the kind of harm that would warrant a blanket ban akin to alcohol's prohibition. On the contrary, it has known benefits in many cases.
- Discouraged or Mildly Disliked (Makruh) If someone uses marijuana in a way that
 has some minor negative effects for example, it makes them a bit lazy or slow (the
 classical scholars might say it "corrupts" the mind slightly, mufsid, without reaching
 intoxication) then it could be considered makruh. It's not a sin per se, but better
 avoided if it diminishes one's sharpness or motivation. This would parallel how some
 ulema viewed excessive coffee drinking: not haram, but potentially not ideal if
 overindulged (e.g. causing sleeplessness or irritability). Many historical scholars who

learned of hashish's downside (loss of appetite, excessive lethargy in heavy use) landed on the view that it was a bad habit even if not as bad as wine. A user of cannabis should be honest with themselves: if it's starting to dull one's worship or work ethic, then Islamically that usage is disliked and should be curbed.

- Avoidance is praiseworthy: Even if we argue marijuana isn't outright haram, a Muslim who avoids it entirely out of caution for their mind and religion is certainly doing something meritorious. No one is obligated to consume it. As the classical debates show, some people may simply feel better steering clear of such substances, and that's fine "For those who do not mesh well with coffee (or cannabis), there is no need to force yourself to drink (or use) it," went one conclusion of the 17th-century coffee treatises. The same applies now: if it doesn't benefit you, leave it.
- Know yourself: If you find that marijuana makes you lazy in your duties or is becoming an addiction, then it has effectively become harmful and sinful for you, even if it might be permissible for someone else. Imam al-Hattab's moderate view on coffee noted that quitting coffee could cause some weakness in heavy users by analogy, dependency on cannabis is bad. Islamically, anything that enslaves you or significantly clouds your judgment be it weed, video games, or even overeating should be curbed. "Do not by your own hands cast yourselves into destruction" (Qur'an 2:195).
- Context of use: As with any substance, the when, where, and why matter. A person who uses a bit of marijuana in a private, safe setting to alleviate chronic pain or severe anxiety is not the same as someone getting high out of boredom and then neglecting their family or driving impaired. One is nearer to ibaha (allowed), the other to haram. Always ask: Is my use helping me fulfill my obligations (to God, family, society) or hindering me? This aligns with the Prophetic wisdom that "actions are judged by intentions."
- Public interest (Maslahah): Leaders in the Muslim community may still advise a general avoidance of recreational cannabis to prevent misuse, especially among youth. This is understandable as a precaution. Our fatwa here doesn't say "everyone should go use marijuana"; it simply corrects the notion that it is intrinsically equal to alcohol in Islam. In applying this fatwa, we must consider the maslahah (public welfare). We absolutely discourage underage use, and we remind that obeying the law of the land is important if it's illegal in your state or country, a Muslim should not violate those laws heedlessly, as that invites legal trouble and harms the community's image.

Allah knows best.

WITNESS MY NOBLE SEAL, Upper WITNESS MY NOBLE SEAL, Lower





Sheikh of Hip Hop