



## An Analysis of Drug Abuse and Its Solution from Islamic Perspective

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### Abstract

*Drug abuse remains one of the most severe social, moral and spiritual crises confronting contemporary Muslim societies. This paper examines the position of Islam on drug abuse and addiction, tracing the legislative evolution of prohibition through the Glorious Qur'an and the Sunnah of the Prophet Muhammad (Peace Be Upon Him). Drawing on classical Islamic jurisprudence and the views of prominent Muslim scholars, the study analyses the theological foundations underlying the Islamic ban on all intoxicants, including the concept of Khamr, and its extension to modern narcotic substances. The paper further explores how Islam gradually but decisively eradicated alcohol and drug use among pre-Islamic Arabs through a comprehensive moral, spiritual and legislative transformation. It discusses scholarly disagreements on the appropriate punishment for drug abusers whether hadd (fixed punishment) or ta'zir (discretionary censure) and presents the unanimous prohibition of drug trafficking. The study identifies five key findings and makes five concrete recommendations directed at families, educational institutions, government agencies, religious organisations and civil society. The paper concludes that a holistic Islamic approach combining spiritual reformation, family education, institutional responsibility and legislative enforcement provides a lasting and effective solution to the drug problem.*

**Keywords:** Drug Abuse, Islam, Khamr, Hadd, ta'zir, Maqasid Al-Shari'ah.

## INTRODUCTION

Drug abuse constitutes one of the gravest threats to human civilisation in the contemporary era, cutting across ethnic, religious, geographical and socioeconomic boundaries. Its consequences range from individual psychological deterioration and physical health collapse to the disintegration of families and the destabilisation of entire communities. Across the globe, policymakers, healthcare professionals, religious leaders and academics have grappled with the problem, often arriving at partial or short-lived solutions. The urgency of the issue is further amplified in Muslim-majority societies, where the tension between the moral directives of Islamic law and the realities of social change has produced a context in which drug abuse is both a religious offence and a public health emergency. Against this backdrop, the Islamic framework, rooted in divine revelation and prophetic tradition, offers a distinctively comprehensive response that addresses not only the legal dimensions of the problem but also its moral, psychological, familial and societal roots<sup>1</sup>.

Islamic scholarship has long acknowledged that drugs had been used by Muslims for medicinal purposes since the early centuries of Islam. Classical jurists and medical authorities, including Ibn Al-Qayyim Al-Jawziyyah, documented the use of certain substances for therapeutic ends in works such as Al-Tibb Al-Nabawi. However, Islamic law draws a firm and unambiguous line between therapeutic use under necessity and recreational or addictive abuse. The majority of classical jurists were unanimous in prohibiting drug abuse, treating it as an offence (dhanb) warranting punishment. The present paper seeks to examine this Islamic jurisprudential tradition in depth, to trace the Qur'anic and Hadith foundations of the

<sup>1</sup> M.A. Albar, The Problem of Alcohol and its Solution in Islam, Saudi Publishing & Distributing House, 2001, P.10.

prohibition, and to evaluate scholarly positions on punishment, prevention and rehabilitation, drawing practical recommendations for contemporary Muslim societies and institutions<sup>2</sup>.

## ISLAM'S COMPREHENSIVE VISION OF HUMAN WELLBEING

At the heart of Islamic teaching lies the concept of *Maqasid al-Shari'ah*, the higher objectives of Islamic law which include the preservation of religion, life, intellect, progeny and property. Drug abuse constitutes a direct assault on at least three of these five essential objectives: it destroys the intellect, endangers life and corrupts progeny. Islam is, therefore, not merely imposing a ritualistic prohibition when it bans intoxicants; it is asserting a comprehensive framework for human dignity and social order<sup>3</sup>. The prohibition of *Khamr* and all intoxicants is, in this sense, an expression of Islam's deep care for the human being, recognising that the mind and body are trusts from Allah (S.W.T.) that must not be abused or corrupted. This paper demonstrates how this vision informs every dimension of Islam's approach to drug abuse from scriptural prohibition to institutional reform<sup>4</sup>.

The paper is structured as follows: after this introduction, the foundational Islamic stance on drugs and intoxicants is examined through Qur'anic verses and Hadith literature. This is followed by a discussion of how Islam historically solved the problem of alcohol and drug use among the pre-Islamic Arabs through a gradual and psychologically astute legislative process. The views of contemporary and classical Islamic scholars on the way out of the drug problem are then analysed. Five key findings arising from the research are presented, followed by five concrete recommendations. The paper concludes by affirming Islam's unique capacity to address drug abuse at its roots spiritual, moral, familial and institutional.

## THE STAND OF ISLAM ON DRUGS, DRUGS CONSUMPTION, DRUGS ABUSE AND DRUGS ADDICTION

As mentioned earlier a drug is a substances used to treat an illness, relieve a symptom or modify a chemical process in the body for a specific purpose. Drugs had been used by Muslims for medication purposes since ages. The consumption was acknowledged in Muslim medicine books and *fiqh* treatises.<sup>5</sup> Majority of classical jurists already acknowledged that there was a certain level of consumption of certain drugs for medication and this fact can be found in the medical book of *Tibb al-Nabawi*.<sup>6</sup> This book shows that the consumption for medication was commonly approved by the society.

With regards to the issue of legitimacy, Muslim jurists are in complete agreement on the prohibition of drug abuse, and they consider it as an offense (*dhanb*) that deserves a punishment (*'uqūbah*) which will later be discussed in the chapter, after the opinion of scholars on the way out on drug addiction.

Regarding the depth of its teachings, Islam has focused its main attention on human and his/her well-being both in this and the other worlds. Islam has acknowledged and valued wisdom more than any other schools of thoughts and has never admitted inflicting harm on such a precious gold, including the harmful effects of the narcotic drugs that influences on the wisdom and psych of humans; therefore, Islam has seriously antagonized and prohibited this act and it has been certainly known as a forbidden act by the Islam. In the Glorious Qur'an the word *Khamr* has been used for alcoholic drinks. During the days of the Noble Prophet Muhammad (Peace Be Upon Him) the sources of alcoholic beverages were grapes, dates, wheat, barley and honey.<sup>7</sup> Although alcohol may be prepared nowadays from any other source, it is still considered to be forbidden as long as it intoxicates people. Islam emphasizes on the effects of alcohol on people and not the origin or form of alcohol.

Furthermore, Islam dealt with the problem of alcohol and intoxicants in an excellent way. The information relating to the prohibition of alcohol in Islam is to be obtained directly from the words of Allah (S.W.T.) alone in the Glorious Qur'an as well as from the sayings of the Prophet Muhammad (peace be upon him) in the *Hadith*. The prohibition of alcoholic beverages is mentioned three times in the Glorious Qur'an.

They ask you about intoxicants and games of chance. Say: in both of them there is a great sin and means of Profit for men, and their sin is greater than profit.<sup>8</sup>

<sup>2</sup> Ibn Al-Qayyim, *Al-Tibb Al-Nabawi*, Dar Al-Turath, Cairo, 1978, Pp.222–225.

<sup>3</sup> M. Badri, *Islam and Alcoholism*, Islamic Foundation, Leicester, 1976, P.4.

<sup>4</sup> F. Salem, *An Explanation of Matters Relating to Food, Drinks and Dress in Islam*, Modern Guide, n.p., n.d., P.23.

<sup>5</sup> M.A. Albar, *The Problem of Alcohol and its Solution in Islam*, Saudi Publishing & Distributing House, 2001, P.10

<sup>6</sup> Ibn Al-Qayyim, *Al-Tibb Al-Nabawi*, Dar Al-Turath, Cairo, Qalagia, A.M. (Ed). 1978, Pp222-225

<sup>7</sup> NA... *Muslim in Alien Society: Prohibition of Alcohol in Islam*, Ikhwan Limited, Nairobi, n.d P.5

<sup>8</sup> Qur'an 2:19

In another verse,

O you who believe! Do not go near prayer when you are intoxicated until you know (well) what you say.<sup>9</sup>

He also says in another verse;

You who believe! Intoxicants and gambling, (dedication of) stones and (divination by) arrows are an abomination of Satan's handiwork. Avoid (such abominations) that you may prosper<sup>10</sup>.

He also says in another verse:

Satan's plan is to sow hatred and enmity amongst you with intoxicants and gambling, and to hamper you from the remembrance of Allah and from prayer. Will you not give up?<sup>11</sup>

The above decreeing verses are to specifically keep man alive in his senses, as while man is in a state of intoxication, he is forbidden from prayer the most open identity of every *Muslim* and most formidable act of worship and closeness to Almighty Allah (S.W.T). Hence, the first scale of measurement in judging the human acts and conducts on the Day of Judgment when all shall stand before Almighty Allah (S.W.T) to account for their deeds man is therefore, doomed in engaging in intoxications.

In the like manner, there are quite a number of collections of Hadith of the prophet (Peace and Blessings be Upon Him) that also dealt with intoxication: Ibn Umar reported the Messenger of Allah (S.W.T) saying:

Every intoxicant is *Khamr* and every *Khamr* is haram (forbidden)<sup>12</sup>

Also, Anas (R.A) said that the Messenger of Allah (S.W.T) cursed ten people in connection with wine:

The wine-presser, the one who has it pressed, the one who drinks it, the one who conveys it, the one to whom it is conveyed, the one who serves it, the one who sells it, the one who benefits from the price paid for it, the one who buys it, and the one for whom it is bought.<sup>13</sup>

In another narration, Ummu Salama (may Allah be pleased with her) says that, the Messenger of Allah has prohibited all intoxicants and drinks that slacken a person's mind."<sup>14</sup>

The prohibition of the intoxicants is for no other reason, than to provide man with the shield against the obvious dangers, harm, affliction and everlasting consequences in the human structural body to the entirety of his life here and in the hereafter, a situation that captured global concern and commitment.

Classical scholars unanimously agreed on the prohibition of *Khamr* but they differ on its definition and this leads to differing views as to alcohol derived from wine and other substances. Whereas the majority of *Muslim* scholars maintained that *Khamr* is a comprehensive word that includes all intoxicating drinks, a minority of scholars held *Khamr* specifically refers to intoxicants made from grapes. They also differ on the number of lashes the drinker of *Khamr* should have as a punishment<sup>15</sup>.

In general, scholars agreed *Khamr* was prohibited after the battle of Uhud according to the historians. However, they differed about the exact time of the battle, and most of them said it was in the third year after Hijra. Ibn Rushd stated;

With respect to *Khamr*, (*Muslim* Jurist) agreed about its prohibition in small or large quantities, I mean, that which derived from grape juice They agreed that, the amount which intoxicates is prohibited. The majority of jurists of *Hijaz*, as well as the majority of the traditionalists, maintained that small and large amounts of intoxicating liquor are prohibited<sup>16</sup>

<sup>9</sup> Qur'an 4: 43

<sup>10</sup> Qur'an 5:90

<sup>11</sup> Qur'an 5:91

<sup>12</sup> M. B. Al-Bukhari, *Sahih al-Bukhari*. Vol. 7. No.494. Dar Tauq al-Najah, Damascus, 1400h, P.228

<sup>13</sup> Al-Bukhari, *Sahih al-Bukhari* Vol. 7. No.1295 Dar Tauq al-Najah, Damascus, 1400h, P.228

<sup>14</sup> M.I. Hajaj, *Sahih Muslim*, Vol.2. No. 148, Dar Fajr, Alqahira,1994.

<sup>15</sup> F. Salem, An explanation of Matters Relating to Food, Drinks and Dress in Islam, Modern Guide, np, nd, P. 23

<sup>16</sup> Ibn Rushid, *Bidayat Al-Mujtahid*, Vol. 3, np, nd, Pp.23-24

The main concern of Islam for'' decreeing against consumption of alcohol is for prevention of intoxication and its multiple subsequent consequences which constitute the sole aim of embarking into this research, with a view to achieving an enhanced compilation of ways of its understanding and controlling.

## HOW ISLAM MANAGED TO SOLVE THE PROBLEMS OF DRUG ABUSE AND ADDICTION

Islam completely banned the use of intoxicants fourteen (14) centuries ago. Islam dealt with the problem of alcohol and intoxicants in an excellent way. The information relating to the prohibition of alcohol in Islam is to be obtained directly from the words of Allah (S.W.T.) in the Glorious Qur'an<sup>17</sup> as well as from the saying of the Noble Prophet Muhammad (peace be upon him) in the Hadith.

For instance, Arabs in their *Jahiliyah* and even after Islam considered liquor as a source of joy, benevolence, good food and an indispensable tool to keep good health. The misconceptions of the medicinal and health procuring properties of alcohol.<sup>18</sup> Many of the newly converted Arabs to Islam tried to convince the Prophet that they drank liquor and gave it to others only as medicine. The Prophet (peace be upon Him) emphatically said: "*It is no medicine. It is a cause of disease and ailment itself.*"<sup>19</sup>

Alcohol was indispensable for the life of pre-Islamic Arabs. Tensions were high, tribal feuds and fights were the norms, cousin tribes would fight each other for decades, almost until annihilation, for trivial causes. The family life was disrupted. Female children were treated very harshly and even put to death by hanging in the ground at the moment of their birth, or thrown to death from high places, or suffocated by the father or mother. At times this callous behavior might be postponed because the father was traveling somewhere else and the girl was executed after she was old enough to consciously experience the brutality of the crime.<sup>20</sup>

It is clear, therefore, from the history of pre-Islamic Arabs that the use of alcohol was widespread and that heavy drinking and alcoholism were rampant. Islam in Medina was capable of producing the miraculous achievement of turning the Arabs into complete abstainers, an achievement which has continued progress all those who embraced Islam for the last fourteen centuries. The change in the life of an Arab who embraced Islam was tremendous. His convictions, beliefs, attitudes, and manners were changed. The change was not always abrupt. In fact, more often than not, it was gradual.<sup>21</sup>

Islam did not instantly prohibits alcohol drinking, adultery, or gambling. Islam first attacked the deep rooted false beliefs and values upon which they were based. Idolatry and tribalism and their values were real tracts of the *Jahiliyah* (ignorance) period of the Arabs. Alcoholism, gambling and adultery were simply the fruits of the tree of *Jahiliyah* whose main root was idolatry.<sup>22</sup>

Aisha (R.A) was quoted to have said,

If the Glorious Qur'an first told the Arabs not to drink *Khamr* and not to gamble or perform fomification or adultery they would have said: "No, we cannot comply." The Quran kept putting in their hearts the fear and love of God, the description of the life hereafter with its Paradise and Garden of Eden for those who obey and Hell and its Fire for those who rebel, until their hearts softened. They were commanded to stop *khamr*, adultery and gambling, and they complied.<sup>23</sup>

Even then, *khamr* was not abruptly prohibited. It took three years to completely ban the intoxicating liquor.

The first Qur'anic mention of *khamr* was where the Almighty Allah said:

And from the fruits of date-palm and vines: you derive intoxicant liquor as well as wholesome sustenance. Lo! therein is indeed a portent for people who have sense.<sup>24</sup>

<sup>17</sup> See Qur'an 2:19, 4:43 & 5:90

<sup>18</sup>M. Albar, *Al-Khamr Bayna A-Tibb Wa-l--Fiqh*. Jeddah, Saudi Publishing House, 7th edn. Jeddah, 1986, P.30.

<sup>19</sup>*Ibid*

<sup>20</sup> M. Badri, *Islam and Alcoholism*, p. 4

<sup>21</sup>*Muslim in Alien Society: Prohibition of Alcohol in Islam*, Ikhwan Limited, Nairobi, n.d. p.16

<sup>22</sup>M. Badri, *Islam and Alcoholism*, p. 12

<sup>23</sup>I.M Al-Bukhari, *Sahih Bukhari*, Dar Tauq al-Najah. Hadith: NO kitab Fadal al-Qur'an

<sup>24</sup> Qur'an 6:67

The verse speaks of good sustenance and nourishment compared with intoxicant liquor derived from date palm trees and grapes. Muslims began to question about *khamr*. The second Qur'anic mention was a partial answer to their questions on *khamr*, and game of chance.

They ask you about intoxicants and games of chance. Say: in both of them there is a great sin and means of Profit for men, and there sin is greater than the profit.<sup>25</sup>

This verse put many devout and pious Muslims away from *khamr* and gambling. However, because the liquor was not explicitly banned, the bulk of Muslims continued to drink, particularly in the morning and in the evening. However, this injunction must have helped in reducing the total consumption of alcohol in Medina, the state Capital of Islam.<sup>26</sup>

The third order came when one of the companions prayed while intoxicated, and made horrible mistakes in reciting the Glorious Qur'an in his prayer.<sup>27</sup>

There upon the following verse was revealed:

O you who believe! Do not go near prayer when you are intoxicated until you know (well) what you say.<sup>28</sup>

After the revelation of this Qur'anic *Aya* (verse), the *Mu'azzin* who called for prayers would say "no drunken man should come to prayers."<sup>29</sup>

This restriction was very important as drunkenness was put, for the first time, face to face, against prayers. In actual fact, there would be little time left for drinking if one has to attend to subsequent prayers in the mosque five times a day. Surely the habitual heavy drinker has to wean himself from his habits in order to attend to these five prayers in sobriety.<sup>30</sup>

Many of those whose main source of livelihood was intoxicating liquor were changing their trade to avoid being dependent on selling and serving *Khamr*. The Prophet (P.B.U.H.) also warned clearly that Allah (S.W.T.) was going to prohibit intoxicating liquor, so that any person having his living connected with it should change his source of livelihood. Nevertheless, some people continued drinking and gambling, and the Almighty Allah (S.W.T.) sent a stronger verse that prohibited drinking and gambling.

Intoxicating liquors, gambling, idolatrous practices and divining of the future are but a loathsome evil of Satan's doing. Shun it so that you might attain success (in this world and the day after). By means of intoxicants and gambling Satan seeks to sow enmity and hatred among you and turn you away from prayers. Will you not then, desist.<sup>31</sup>

Therefore, in three gradual steps, intoxicants were prohibited. Whenever the spiritual and moral influence of one step reached its climax, Muslims were moved to the next step until the miracle of collective abstinence became a reality. Each stage in the collective hierarchy revealed to the whole nation the abominable detestable ill effects of intoxication.

This immediate and mass abstinence was exemplified by many incidents that reveal how quick the Muslims responded to this verbal order. The Prophet (Peace Be Upon Him) asked the people of Medina to bring out whatever *khamr* they had at home and he, with a knife, cut and opened the skin bags that contained it.

On that day the Prophet (Peace Be Upon Him) proclaimed a famous Hadith which states that Allah (S.W.T) cursed ten people in connection with wines, who are:

The wine-presser, the one who has it pressed, the one who drinks it, the one who conveys it, the one to whom it is conveyed, the one who serves it, the one who sells it, the one who benefits from the price paid for it, the one who buys it, and the one for whom it is bought.<sup>32</sup>

<sup>25</sup> Qur'an 2:19

<sup>26</sup> Ibn Kathir: *Tafsir Al Quran Al Azim*, Chapter2, verse 219

<sup>27</sup> Badri, M: *Islam and Alcoholism*, p. 23

<sup>28</sup> Qur'an 4: 43

<sup>29</sup> Musnad Ahmed IbnHambal, quoted by Ibn Jarir Al Tabri and Ibn Kathir in their Tafsir of the Quran Sura 5, Verse 90-91

<sup>30</sup> *Muslim in Alien Society: Prohibition of Alcohol in Islam*, Ikhwan Limited, Nairobi, n.d. P.19

<sup>31</sup> Qur'an 5:90

<sup>32</sup> I.M Al-Bukhari, *Sahih Bukhari*, Dar Tauq al-Najah. Hadith: NO:233

## VIEWS OF ISLAMIC SCHOLARS ON THE WAY OUT ON DRUGS AND DRUGS ADDICTION

In dealing with the drug problem, Islamic Law offers a “significant solution” for improving the condition of humanity, protecting, and saving them from destruction and destruction, guiding people from misguidance, keeping people away from immoral acts, motivating people to do good and preventing humans from deviating from the straight path.

Muslim Scholars agreed that Families have a vital role in the implementation of preventive measures for prevention of drug abuse. One of the roles of parents in the prevention of drug abuse is to provide education both formal and moral to children. This is in line with the words of the Almighty Allah;

O you who believe, keep yourself and your family from the fire of hell, whose fuel is man and stone; the guardians of the angels are rude, complex, whoever disobey Allah on what He commanded them, and always do what they are commanded.<sup>33</sup>

The above verse explains that everyone has an obligation and responsibility to keep his family from hell. So the individual, in this case, is a parent, who must direct his child to avoid things forbidden by religion. In addition, it is also explained by a *Hadith* of the Apostle narrated by *Imam* Bukhari and From Abu Hurayrah (R.A.) has said that the Prophet Muhammad (Peace Be Upon Him) said: Every child is born in a holy state, then both parents are the ones who make him Jewish, Christian, or *Majusi*<sup>34</sup>.

The *Hadith* above explains that the child is born in a holy state and chooses a monotheism that must be guided, nurtured, and developed from the child from still in the womb to adulthood. So that the child has a solid educational provision to deal with various situations and conditions so that it becomes difficult for himself/her to fall into negative things such as drugs abuse. There are several indicators of the role of parents in shaping Muslim personalities towards children, namely guiding children by giving advice, practicing good habits and examples and providing supervision of actions carried out by children to ensure that they have a healthy spiritual mind, because children who are left unguided, will do things that are not commendable.<sup>35</sup> Some of the responsibilities of parents in making children into good Muslim personalities in order to avoid illicit acts, including drug abuse.

Muslim scholars, however, hold various opinions on what type of punishment is appropriate to the drug abusers. This is so, because of their disagreement on the reason of prohibition; particularly whether drug abuse is outlawed because of intoxication (*iskar*), or the effect of languishing (*iftar*). Muslim jurists like Al-Shirazzi (d. 1286 AC), Al-Nawawi (d. 1277 AC), *Ibn* Taymiyyah (d. 1328 AC), 54 Al-Shawkānī (d. 1834 AC), *Ibn* Hajar Al-‘Asqalānī (d. 1448 AC), and others hold that drug abuse is prohibited because of its intoxication (*iskār*). They hold that drug abuse is another type of *khamr* (mind altering), thus, for them, the prohibition of abuse of drugs is an extension of wine prohibition. Both drinking wine (*shurb al-khamr*) and the abuse of drugs intoxicates the mind; hence as *khamr* is prohibited, similarly abuse of drug is prohibited, for they have the same effect on the mind. Furthermore, since both abuse of drug and *khamr* have the same effect, the punishment of drug abusers should be the same as accorded to wine drinkers. *Imam* Al-Dhahabi (d. 1348 AC) for example, holds drug abuse to be a serious offence, but argues that the punishment of drug abusers is similar to that of wine drinkers (*shārib al-khamr*).<sup>36</sup>

The analogy (*qiyas*) here is that, if the prohibition of *khamr* (wine), which has been stated in the Qur’an, is extended to other intoxicative substances like the abuse of drugs, then the punishment of wine drinkers should also be extended to drug abusers. Muslim jurists like *Imam* Al-Dhahabī (d. 1348 AC) and Al-Zarkashī (d. 1392 AC) argued that legal punishment of drug abusers must be similar to that of wine consumers, because both the drug and the alcohol are intoxicating. Scholars like Al-Šan’ānī (d. 1786 AC) and *Ibn* Al-Qayyim Al-Jawziyyah (d. 1350 AC) categorically stated that: “all intoxicants whether liquid or powder, are prohibited, regardless of whether they are natural or man made,” but they seem to be silent on the punishment of consumers of an intoxicative substance.<sup>37</sup>

On the other hand, some jurists disagreed with the idea of extending the punishment of wine drinkers to the drug abusers. Scholars like *Ibn* Abidin (d. 1836 AC), and others argued that drug abuse is prohibited not because of its intoxicative effect (*iskar*) but because of its languishing (*iftar*) effect upon neurological cells and the metabolic system of the human

<sup>33</sup> Qur’an, 66:6

<sup>34</sup> I.M Al-Bukhari, *Sahih Bukhari*, Dar Tauq al-Najah. Hadith: NO: 276

<sup>35</sup> A. H. Fadlan, “Family’s Role in Character Building of Islam Perspective”, in: Proceeding of Int Conf On Child-Friend Edu, Muhammadiyah Surakarta University, April 21st-22nd, 2018, P.9.

<sup>36</sup> *Ibn* Taymiyya, *Al-Fatawa al-kubra*, Vol. III, pp. 419-424

<sup>37</sup> Elgood, Cyril. *Tibb – ul-nabbi or medicine of the Prophet*. "In Osiris. The University of Chicago Press. 1962. Vol. 14. pp. 33-192.

body.<sup>38</sup> According to this group of jurists, both the biological impact and the symptoms of drug abuse are different from that of alcoholic drinks – thus, the prohibition of drug abuse was because of its obliteration (*ifsad*) of human life. Thus, for its languishing impact on the life of drug abusers, preventive measures (*ta'zīr*) should be imposed but not capital punishment (*hadd*). They maintain that it is improper to punish drug abusers in the same manner as for wine drinkers, and the reason is because the prohibition of the drinking wine was clearly stated in the Qur'an, while the prohibition of drug abuse was through *ijtihad* (speculative analogy). Their contention is based on the view that, breaking a law which is clearly stated in the Qur'an deserves *Hadd*(capital punishment) such as the case of *khamr*, while the act of breaking laws derived from speculative reasoning (*qiyas*), not conclusively stated in the Qur'an like drug abuse deserves *ta'zir* (censure).<sup>39</sup> This group of jurists contends for the prohibition of the abuse of drugs, and they also agreed with the idea of punishment, but for them the punishment of drug abusers is not *hadd* (fixed punishment) but *ta'zer* (censure).<sup>40</sup>

The classification between *muskir* (intoxicant) and *muftir* (languisher) is based on the *Hadith* in which “the Prophet prohibited the consumption of every intoxicant (*muskir*) and languisher (*muftir*).”<sup>41</sup> Though, in this *Hadith*. The Prophet distinguished between intoxication and languisher, which indicates that the legal punishments for wine drinkers and drug abusers are not identical, however, some jurists concluded that the punishment for these two offenses should be the same, while some others contended otherwise. Those who hold that punishment of *shārib al-khamr* (drunk) and drug abusers is identical say so, because *muskir* (intoxication) and *muftir* (languisher) have overlapping meanings. For those who hold that the two terms (*muskir* and *muftir*) are not the same, they suggest that punishment of drug abusers should be less severe than for wine drinkers.<sup>42</sup>

Finally, in terms of prohibition, the debate on the differences between intoxication (*khamr*) and languisher (*muftir*) seems to be merely a matter of academic classification, for whether abuse of drug was prohibited because of its intoxication or languisher, it still remains prohibited. Therefore, whether drug abuse is proscribed because of *muskir* or because of *muftir*, the discussion leads to the same conclusion – that is, the prohibition of drug abuse in Islam. However, the issue of what type of punishment should be imposed upon drug abusers remains a matter of disagreement among jurists.<sup>43</sup>

With regards to drug smuggling and trafficking, Muslim jurists are unanimous on the prohibition of drug smuggling for two reasons. First, in Islam, doing business in the dealing in prohibited substances, such as pork and wine, is not allowed. Since the consumption of such items is outlawed, the buying or selling is also outlawed – thus, while the abuse of drugs is prohibited, drug smuggling is also prohibited. Second, according to some Muslim jurists, drug smuggling is prohibited because it tantamount to causing destruction (*fasād*) or contributing to destruction of the society (*walātulqūbi aydikumila al-tahlukah*) – and in Islam, the destruction of the society or contributing to it is strongly rejected by the Qur'an. Furthermore, Muslim jurists also agreed that capital punishment should be imposed on drug smugglers as *ta'zīr*, and the main stream of the jurists (*jumhur al-fuqaha*) contends for the execution of drug smugglers.<sup>44</sup>

The research aware that government on its own has tried in Nigeria to curtail, eradicate or discourage the use, sale, trafficking and recycling of illegal drugs by promulgating various decrees against illegal such drug use. There is the popular Anti-narcotic Decree under which the NDLEA was set up. In 1989, the Federal Military Government enacted Decree 48 now Cap N30 Law of the federation establishing the National Drug Law Enforcement Agency. The Agency is charged with the dual responsibility of reducing the supply and demand for drugs. The Federal Government of Nigeria appreciates the fact that supply reduction efforts alone cannot solve the drug problem, hence the emphasis on Demand Reduction. The Drug Reduction Directorate is charged with the responsibility of reducing the demand for illicit drugs. At the inception of the Agency, the Drug Demand Reduction Directorate was known and referred to as the Counseling Unit. This former name was considered inappropriate as it referred to just an aspect of the functions and constitutional responsibility of the Directorate. Consequent upon this, the Units' name was changed to Drug Demand Reduction Directorate encompassing all the activities of the Directorate.

<sup>38</sup>Ibn Abidin, Muhammad Amin bin Umar. Radd al-Muhtarala al-Durr al-mukhtar. No place: Dar al-Kutb al- Ilmiyya. 1992. 6 volumes. Pp.349-76

<sup>39</sup>Dar al-Ifta' al-Misriya. *al-Fatawa al-Islamiyya min Dar al-Ifta' al-Misriya*. Cairo: 1980. 8 volumes. Pp.230-50

<sup>40</sup>*Ibid*

<sup>41</sup>Al-Bukhari, Kashf Al-Asrar, vol. IV, p. 351

<sup>42</sup>Al-Suyuti, al-Tibb al-Nabawi, p. 33.

<sup>43</sup>Ibn Taymiyya, Al-Fatawa al-kubra, vol. III, p. 424

<sup>44</sup>Dar al-Ifta' al-Misriya. *al-Fatawa al-Islamiyya min Dar al-Ifta' al-Misriya*. Cairo: 1980. 8 volumes. Pp.230-50

## **FINDINGS**

### **Comprehensive Prohibition of All Intoxicants**

Islam prohibits all mind-altering substances, not just alcohol, based on four Qur'anic verses and numerous Prophetic Hadiths. The Prophet declared every intoxicant to be *Khamr* and therefore haram. Scholars across all four major schools of jurisprudence extended this prohibition to narcotic drugs through analogical reasoning.

### **Gradual and Psychologically Effective Prohibition Strategy**

The Qur'an introduced its prohibition of intoxicants in three deliberate stages over several years rather than through an immediate sweeping ban. The first stage identified harms, the second restricted intoxication during prayer, and the third commanded total abstinence.

### **Scholarly Disagreement on Punishment for Drug Abusers**

Muslim scholars unanimously agree that drug abuse is prohibited but differ on the appropriate punishment. One school, represented by Al-Dhahabi, Al-Nawawi and Ibn Taymiyyah, holds that the fixed hadd penalty applied to wine drinkers should equally apply to drug abusers. A second school, represented by Ibn Abidin, argues that discretionary ta'zir punishment is more appropriate given the neurologically debilitating nature of drugs.

### **Unanimity on the Prohibition and Capital Punishment for Drug Trafficking**

Unlike the disagreement over drug use, Muslim jurists are unanimous that drug trafficking is categorically prohibited and deserves the severest legal sanction. The prohibition rests on the unlawfulness of trading in prohibited substances and the Qur'anic ban on spreading corruption in the earth. The mainstream of Islamic scholars agrees that capital punishment by way of ta'zir is appropriate for traffickers given the catastrophic social harm they cause.

### **The Family and Education as the Foundation of Prevention**

Islamic scholars unanimously identify the family as the primary institution for preventing drug abuse, grounded in Qur'anic and Prophetic teaching. Parents bear a direct religious duty to nurture children through Islamic education, role modelling and consistent supervision. Schools, Da'awah organisations, counselling services and community networks serve as vital complementary structures.

## **RECOMMENDATIONS**

### **Parental and Guardian Responsibility**

Parents and guardians must take deliberate and sustained responsibility for the moral and religious education of their children from the earliest age. The home remains Islam's most powerful institution of character formation, and parental investment in anti-drug moral guidance far outweighs any external intervention. Mothers, as primary architects of early childhood development, should be specifically equipped with Islamic parenting resources and counselling support.

### **Targeted Anti-Drug Campaigns by Enforcement Agencies**

The NDLEA and equivalent bodies must intensify anti-drug campaigns with a specific focus on Muslim youth, adolescents and women, who are often underserved by mainstream prevention programmes. Campaign messaging must be grounded in the language and ethical framework of the Qur'an and Prophetic tradition to carry genuine moral authority.

### **Integration of Drug Education into School Curricula**

Federal and State Ministries of Education must integrate drug education, anchored in Islamic ethical principles, into primary and secondary school curricula in Muslim-majority states. Delivery must go beyond passive classroom instruction to include seminars, youth forums, film screenings and community rallies.

### **Multi-Stakeholder Public Awareness Collaboration**

All tiers of government, NGOs, Islamic bodies and Da'awah organisations must work in sustained and coordinated partnership to deliver public awareness programmes on drug abuse in Muslim communities. Religious leaders possess unmatched capacity to shape attitudes and behaviour through the pulpit, the madrasa and community gatherings.

### **Establishment of Islamically Integrated Rehabilitation Centres**

Comprehensive rehabilitation programmes must be established for individuals struggling with addiction, designed to be both clinically effective and sensitive to the Islamic spiritual framework. Centres should combine professional medical treatment with Islamic spiritual therapy, including structured prayer, Qur'anic recitation, scholarly guidance and community support.

## CONCLUSION

Drug abuse stands in direct contradiction to the spirit, letter and objectives of Islamic teaching. The Qur'an and the Sunnah of the Prophet Muhammad (P.B.U.H.) leave no ambiguity regarding the prohibition of all intoxicants, and the historical record of Islam's successful eradication of rampant alcohol abuse among the pre-Islamic Arabs stands as enduring testimony to the transformative power of the Islamic moral and legislative framework. The genius of Islam's approach lay not merely in prohibition but in the gradual spiritual preparation of the human conscience, such that when the final command came, obedience was not coerced but willingly embraced by a community whose hearts had already been reformed.

This paper has demonstrated that Islamic jurisprudence offers a rich, nuanced and comprehensive body of scholarship on the question of drug abuse — from its theological foundations to the debates on punishment, from the role of the family to the responsibilities of the state. The disagreement among scholars on whether hadd or ta'zir is the appropriate sanction for drug consumers does not undermine the unanimous moral condemnation of the act; it reflects the sophistication of Islamic legal reasoning and its capacity to adapt to the realities of each era. What remains beyond dispute is that drug trafficking is a gravely destructive crime warranting the severest punishment, and that the preservation of the human intellect, life and social order is among the most sacred obligations in the Islamic tradition.

The recommendations offered in this paper call upon families, educational institutions, government agencies, religious organisations and civil society to work in concert, drawing on the resources of Islamic teaching, to build communities that are resilient against the scourge of drug abuse. The drug problem is not merely a legal or medical phenomenon; it is, at its root, a spiritual and moral crisis. Islam, with its comprehensive vision of human dignity, its emphasis on accountability before Allah (S.W.T.) and its tradition of community solidarity, possesses the moral and institutional resources to address this crisis at every level. The challenge before Muslim societies today is not the absence of solutions, but the will to implement them with the sincerity, consistency and collective commitment that Islam demands.

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