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Change in the Nature of Substances & its Juridical Implications ♦

The injunctions of Shariah regarding the permissibility or prohibition of certain substance might alter with the change in their nature. Substances change property in different chemical and physical environments due to certain intrinsic processes, transforming into altogether new substances. Therefore, the juristic position on them should also change accordingly. The emergence various kinds of technologies and their role in changing the properties of substances, making them useful for mankind in discrete ways, have made the matter more complex in the present age. It called for specific deliberations of the Islamic theologians to guide the Ummah on the use of various substances invented and produced nowadays. The Fourteenth Seminar of the Islamic Fiqh Academy passed the following judgements on the matters related to the theme.

- 2.1 The prohibition and profanity of the substances described as forbidden or impure in Shariah pertains to the essence of the thing in question. Any change in the original characteristic or nature of the thing due to a human action, chemical or non-chemical reaction, processes, or due to physical and environmental impacts without involving any human action, will abrogate the earlier Shariah injunctions about it. Here no discrimination will be made between absolute and non-absolute impurity.
- 2.2 What we mean by change of nature is the change in the particular properties of a thing that pertain to its distinctiveness. The presence of the reminiscent of other ineffective properties not reckoned in the original quality of thing does not hinder the process of change in the nature of a substance.
- 2.3 If there is only an intermixture of forbidden and impure substance with a permitted and pure substance and there occurs no change in the original quality of the substance, it will still remain forbidden and impure.
- 2.4 This seminar observes that it is necessary to seek the opinion of experts of chemistry and biochemistry before arriving at a decision on the change of the nature of substance in alcohol and gelatin. This seminar, therefore, calls upon the officials of the Islamic Fiqh Academy to postpone the decision on this subject till another seminar to be held in the near future, so that necessary information on this issue is collected from authentic sources and conveyed to the Islamic scholars and jurists to help them arrive at a right decision.

♦ 14th Fiqhi Seminar (Hyderabad – A.P) 20-22 June 2004.

2.5 This seminar urges the Muslim scientists as well as the leading personalities of the Islamic world to discover the substitute in herbs, physical objects and legitimate animals for forbidden and impure ingredients used in drugs for medical purposes, so that Muslims could avoid medicines containing forbidden and dubious substances as, being Muslims, it is their religious and moral duty.

