

Jurisprudential investigation in use of Drugs

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Abstract: The word of drug means all kinds of drugs, stimulants, hallucinogens mantle that are physical and psychological painful followed by one or more times after taking the drug. One of the important issues of drug sentencing jurisprudence examine contemporary mother, which do not require extensive jurisprudence. Drugs were not known at the time of Islam, so that the question of infallible Imams (PBUH) is not a sentence them to be expressed. General rules and principles of law that came to be known as the Book and the Sunnah and Tafrigh Al Forou Men Al Osoul principle to review the sentence. Islam is a way to access the drug seemed to consist of: Investigate the properties, characteristics and consequences or effects that may arise regarding drugs, such as being harmful to the body, John, corruption and lies, and... If Islam is clear about each of these features, we can sentence on the drug charge. It seems that the general rules of law and called the Book and Sunnah indicates that the use of prohibited substances that have a gross disadvantage is legitimate and rational prohibited.

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Introduction:

As you know, the problem of drug addiction, it is a global problem and has widespread and irreversible damages and losses upon the nations of the world, and in recent decades has led to growing corruption. Indeed, what is more important and more pervasive drug that vast, religion, culture, family, science, and... put his serve? In the realm of religion and culture, and the drug is a tool to prevent the growth of religion and attitude you genuine Islamic religion and culture, especially the youth, with its clear nature, the best of religion and to accept.

Within the family, a deadly substance, loving family and put at risk the destruction of the source of many family disputes, orphans and other children are innocent. And knowledge, is also unfortunately subjected constructed and equipped in such a way that the most effective drug manufacturing laboratories, the latest technical knowledge and advanced techniques, built and launched, and a team of researchers and scholars who have time to advance their knowledge in universities and research spending ourselves entertained production and diversification of the drug and its application have been made.

And thousands of other disorders have brought the drugs to countries and nations.

They are based on judgment jurisprudence Mojtaehedi include: books, consensus, and wisdom. We know that alcohol is the alcohol. Before sending Prophet of Islam in many countries including several revelations about the forbidden land of Hijaz consuming and therefore it has been revealed. Such as

"يسئلونك عن الخمر والميسر قل فيهما اثم كبير" (Surah al-Baqarah, 219) and some other verses.

However, pure opium it Vmdynh in Mecca in the era of Prophet Muhammad (PBUH) is reported, so we should not expect Vatyad poppy verse explicit about it being forbidden in the Koran.

The traditions, the traditions of the Prophet and infallible Imams (AS) is quoted on the unlawful production of cannabis or cannabis Bnj or bang one of Hindi material, the emphasis has been such narratives "سلموا على اليهود والنصارى ولا تسلموا على آكل البنج".

Issue of drug use, particularly in the current climate to stress that human life is such that the common fate of each is clearly evident, as are issues that need serious work and research are important.

Therefore, in this article we address this issue by using verses and hadith to the grace of God; we can prove the drugs are forbidden.

1- Verses

1-1- Tahlakeh Verse

و انفقوا في سبيل الله و لاتلقوا بايديكم الى التهلكه و احسنوا ان الله (يحب المحسنين) (Al-Baqarah 2, Ayat 195)

This verse implies that an injunction is two middles namely: "ولا تلقوا بايديكم الى التهلكه", including evidence that a group of Sunni and Shiite jurists sought to infer the document and have argued that self-infliction of death. You said "ولاتلقوا بايديكم" followed by the "انفقوا في سبيل الله" states, but because the verbal test and the "Wow" is turning before they occur in the context of the charity, the charity will result in the allocation of its provisions and verse

decree absolute prohibition of all cases to induce Althlakeh their inclusion in Black Holds whether the case is related to a charitable or non-charitable or Althlakeh is caused by excesses or wastage. And as the verse refers, forbearance of charity has included, and indulgence it also includes non-financial matters such fact. It can be argued that (لا تلتقوا بأيديكم الى التهلكه) states that a general rule of instances, it is a charity affair. (Muhammad ibn al-Hasan al-Tusi, tebyan Commentary, vol 2, p 152).

If "ايديكم" for (لا تلتقوا) would object "Crimea G. These provisions are: "In the power of God and their charity toward destruction, and acts on his way to do well, the good Lord loves the righteous."

Under the terms used in the verse, do any of the current realization of the duty which caused the loss of his power, in other words, any action that the common law often provides the capability to destroy the field, will be subject to the prohibitions and sanctions judgment; And that the act of existence, like property or negative action, such as refusing Fasting Jihad and charity, does not matter, in other words the absolute verse and what is causing destruction to the emergence of she and the mean seriously, the real meaning of the G. whether such a thing, is to indulge in the aspect or aspects of waste reduction, as well as avarice and parsimony of charitable causes during the war invalidity and loss of energy, causing the enemy to be mastered, and all assets of the charity, followed by poverty that led to the destruction of lives and destruction of the humanity and dignity of the human. (Tabatabai, Seyed Mohammad Hossein, vol 2, p 65)

The result is that, according to the verse refers to imply that the injunction, harmful actions and behavior towards self- destruction because of such behavior can be brought about, it would be wrong. Drug addiction is one of the largest Msadq annihilation and destruction of the verse: "ولا تلتقوا" "لا تلتقوا" it is forbidden. According to this verse, man must kill and destroy the toy preludes to avoid defeat and destruction, and did not provide its gradual destruction. While today is no secret that drugs are the best examples of the gradual destruction and annihilation and the bitter experience of this drug in the history of mankind has been proven. Drugs are dangerous poisons that gradually into the body at death and ultimately to the destruction and annihilation of his or losses are severe. However, the revelation of this verse about jihad and spend their money, but the case is not qualifiers. And the words of the late Allameh Tabatabai (RA) are known verse forbids the commission of any act intended to cause destruction and destroy the humans. (An article by Ahmad Reza Hosseini)

2-1: murder Verse

يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَأْكُلُوا أَمْوَالَكُمْ بَيْنَكُمْ بِالْبَاطِلِ إِلَّا أَنْ تَكُونَ تِجَارَةً عَنْ تَرَاضٍ مِنْكُمْ وَلَا تَقْتُلُوا أَنْفُسَكُمْ إِنَّ اللَّهَ كَانَ بِكُمْ رَحِيمًا (An-Nisa 4, verse 29)

1-2-1 - implies verse

This verse Crimea, first, how to seize the wealth of expression and capture it somehow, devouring called to cancel, and prohibit certain types prescribed, then the faithful are deterred from committing suicide. What the Crimea, the argument goes, paragraph "و لا تقتلوا انفسكم" is a must see, if it can harm the self-esteem is implicated or not?

In the beginning it is necessary to mention the possibilities of the meaning of the verse:

First forbids suicide, and suicide. (R., Rashid,, vol 5, p 43)

Second, the prohibition of killing Muslims because Islamic society, are merely a breath. (al-Ansari, Muhammad bin Ahmad, vol 5, p 156)

Third injunction to destroy his spiritual personality of deviations due to committing sins. (Ibn Kathir al-Qurashi, E., E. 1407. G., volume 1, page 491)

Fourth deter people from being exposed to dangerous and will kill anything that's causing the field to be their destruction. (Tabatabai, Mohammad Hossein, vol 4, p 320)

Fifth, avoid entering assaults on the body. (Holy, Ardabil, Ahmad ibn Muhammad, p 428)

What was observed which was probably set on the verse, by scholars and a commentator is provided.

2-2-1: Exploring the possibilities

Among the several possibilities were proposed, some of them easily and simple verse, the verse is available for use and appearance, they can not deny Like the first and second chances, but another possibility is expressed without the help of evidence and the evidence can not be enabled because the third possibility, deviations, and the fall of man, by which a person's sins do they commit themselves to destroy. And it's probably not relevant to our discussion is off topic (self-infliction, 1374 AD. I., p 44)

A fourth possibility is that the words of some commentators, superposition of the things that led to the murder, including those that result in serious losses to the end and their end is death. (Tabatabai, Seyed Mohammad Hossein, vol 4, p 320)

But it is more likely to be the subject of discussion, we will probability that meant the fifth murder, and any damage or hurts knows that normally would not cause death or being killed, but somehow, man is injured or becomes damaged.

If we can prove the probability of the evidence, then, can this verse is proof of the esteem self harm. However, according to the fourth possibility of harm to the body any harm but not prohibited, but serious

losses and the things that leads to death. (Harm to self, 1374 AD. S, pp. 45-44)

3.2.1 - Shi'ite scholars cite the verse

* The late Sheikh Tusi's discussion حلية الميتة للمضطرّ "it has:" "أما وجوب الأكل خوفاً على نفسه، قال قوم يجب عليه و هو «و لا تقتلوا الصحيح عندنا لأنّ دفع المضار واجب عقلاً و لقوله تعالى «و لا تقتلوا أنفسكم» (Altvsy, Muhammad bin H., 1387 AD. G., c 6, p 285)

* The late Holy Ardabilis after resorting to sanctions suicide verse, Allah says: "ويحتمل اراده الجرح و الضرب" فإنّ القتل بمعنى الجرح و الضرب فإنّ القتل بمعنى الجرح و الضرب "غير بعيد و قالوا بتحريم جرح الانسان نفسه (Holy Alardbyly, Ahmad ibn Muhammad, p 428)

They enter the body from injury resorting to Scripture, the meeting considered and in fact the word murder, gives a broader meaning that is includes both assaults.

* Such are the jewel in the debate team "السبب الثالث،" "الخوف على النفس أو المال، إن وصل الى الماء من اللص أو القتل أو الجرح أو الإذية التي لا تحتمل عادة من غير خلاف اجده فيه

Then, after quoting the words of the jurists stated: "و ذلك وجوب الحفظ و نفى العسر و الحرج واردة اليسر و النهي عن...قتل النفس" (Najaf, MH, 1365 AD. Methods, vol 5, p 102) that resorting to evidence and argument positions of an acute attack of one of them, Ayatollah is killed.

4-2-1 - Sunni scholars cite the verse

* Ibn Hazm of Andalusia, لا يحلّ أكل السمّ القاتل ببطءٍ او تعجيل و لا ما يؤذى من الاطعمة و لا الاكثر من طعام يمرض الاكثر (Andalusia, Ibn Hazm, 1408 AD. G., vol 6, p 95)

Abu Ishaq, Shafi'i scholars in discussion Atmh Firoozabadi, «فما يضرّ لا يحلّ اكله كالسمّ والزجاج و التراب و (Firouz Abadi, Abu Ishaq, Beirut, Daralfkr, vol 1, p 250)

In the fatwas of Sheikh Alish «و تكرار الدخان ليسود ما يتعلق به و تتولد منه الحرارة فتكون داء مزمناً مهلكاً فيشملة قوله سبحانه: «و لا تقتلوا أنفسكم» (Islamic Mrsvh coincide, Egypt, Al-Azhar Society, vol 12, pp 68-66)

2 - Narratives

1-2 - Hadith seeks (La Zarar)

Shit Nabi - Muhammad PBUH - «لا ضرر و لا ضرار في الاسلام».

To infer Sutra self harm and Adlh sources of jurisprudence, the Qur'an, turn to the second source, the "tradition", and study the traditions associated with it appears.

It may be argued that the first hadith cited, and the self-infliction of a sentence can be used to discover Mfadsh,

Noble prophetic "seeks" is. This ancient tradition of special interest to jurists and Islamic scholars and extensive discussions has taken place around him, as

far as jurisprudence is concerned that as a rule "rule seeks" it is mentioned.

This rule is one of the most important and most fundamental legal rules which are more chapter's jurisprudence and documented many of the injunctions is just the same rule. Late Syed Abul Hasan Isfahani (ra) in the book Alnjah

Many clerics and jurists citing massive, why drug prohibition has ruled. Under this rule, anything that has a gross disadvantage is prohibited. Imam Jafar Sadiq (AS) said: «كل شيء فيه المضرة على بدن الانسان من المحبوب و الثمار حرام اكله الا في حال الضرورة»

Anything that can harm the human body, it is forbidden to eat except for necessity.

So one should not be doing that work for him are serious disadvantage. Today, according to human experience and scientific discovery, there is no doubt that some drugs severe losses and substantially mentally and physically on individuals and society, causing severe damage to cultural and socio-unfortunately, all human societies are somehow involved with the drug and its adverse effects are and find a solution to this problem, the human mind has preoccupied intellectuals and sympathizers.

It seems that the most important reason why drug prohibition rule «لا ضرر و لا ضرار في الاسلام», to Khssv the first grave and severe losses of these materials.

And secondly, its impact is not limited to the individual consumer materials. The family and friends of addicts and the whole society for losses and loss can be severe and irreversible and the power of reason and perception and thinking of the addict loses. There is no soul to become emotional and that is indifferent to all things seem empty of all creation, will govern his behavior. (An article by Ahmad Reza Hosseini)

In short, what about the loss of the drug, and the infliction of harm, and manslaughter Tahlakeh mentioned, the argument is made:

Introduction First, drug use and the harms and losses Tahlakeh and slow murder of the soul. Second Introduction: Gradual loss of self harm and Tahlakeh and murder is forbidden in Islam. Results: Drug use is forbidden in Islam.

If wasteful spending and drug abuse and about fourteen verses in the Quran forbids committing waste and explicitly, we present the argument that we should ask the following form:

Introduction I: The drug is no rational benefit.

Introduction II: The fee for the use of anything that is not rational utilitarian, subject to the revelations of lavish and Tabzir is prohibited.

Results: The cost of drugs is Mnhy Nh is prohibited. (Asadi, Seyed Hassan Papers, 1379 AD. I., p 88)

So what is mentioned in jurisprudence drugs are forbidden, but forbidden because of the use of preliminary operations to kill someone with it, flaming coal, syringes, paper, foil or individual that provides for the use of cryptographic hand holds up a miserable sap of poison lungs, etc, is jurisprudence.

Ayatollah Makarem Shirazi an interview that was done, so he said:

"... Drugs in any form and in any case, is forbidden and all those who are in any way involved in its spread, they work, work is forbidden, absolutely forbidden dealings, drug cultivation conditions current is prohibited, as well, to all those involved, the work is forbidden.

In fact, similar to what the Prophet (PBUH) about wine, says: "The curse of Allah fi ten tribes..." The Lord of the ten tribes on wine and liquor are cursed. His mercy has made the rounds.

He then counts them as follows: those who grow wine grapes intended for those who picked it up and take his water, Those who are into wine, the wine will transport those who are buying and selling and trading dealers are those who fall into the cup of wine, those who eat and those who have the money they use.

Therefore, the ten tribes of the Prophet about wine narrated that Allah has cursed them, it is far from cursed. However, you should know that the drug is identical, and it is worse if such circumstances would Islam and the Quran was sent down, sure verses were sent down about drugs harsher, but the principles of Islamic jurisprudence have, the verdict is clear. So, do not think only those who, or taking, their action is a crime and unlawful. According to Islam, anyone who can help advance the cause of any way to do this, it will be subject to sin. "

2.2 - Narrative ban alcohol

Imam Muhammad Gazafar said: لم حرم الله الخمر و الميتة و الدم و لحم الخنزير فقال: ان الله تبارك و تعالى لم يحرم ذلك على عباده و احل لهم ماوراء ذلك من رغبة فيما احل لهم و لازهد فيما حرمه عليهم و لكنّه عزّ و جلّ خلق الخلق فعلم ما تقوم به ابدانهم و ما يصلحهم فاحلّه لهم و اباحه لهم و علم ما يضرهم فنهاهم عنه ثم احلّه للمضطرّ في الوقت الذي لا يقوم بدنه الا به فامرّه ان ينال منه بقدر البلغة لا غير ذلك ثم قال: و اما الميتة فانه لم ينل احد منها الا ضعف بدنه و وهنت قوته و انقطع نسله و لايموت اكل الميتة الا فجأة و اما الدّم فانه يورث اكله الماء الا صفر و يورث الكلب و قساوة القلب و قلّه الرأفة و الرحمة حتى لا يؤمن على حميمه و و لا يؤمن على من صحبه و اما لحم الخنزير

فان الله تبارك و تعالى مسخ قوماً في صور شتى مثل الخنزير و القرد و الدب ثم نهى عن اكل المثلة لئلا ينتفع بها و لا يستخف بعقوبتها و اما الخمر فانه حرمها لفعالها و فسادها ثم قال ان مدمن الخمر كعابد و ثن يورثه الارتعاش و يهدم مروّته و يحمله ان يجر على المحارم من سفك الدماء و ركوب الزنا حتى لا يؤمن اذا سكر ان يثب على حرمه و هو لا يعقل ذلك و الخمر لا يزيد شاربها الاكل شر.

1-2-2 - implying Hadith

The narrator of this hadith, Imam asks four things cause death of Imam (as) before answering the question about why a general rule and philosophy of respect and objects, spells and says:

Warrants that God has forged, and others forbid certain things lawful and not lawful because the desire and willingness to be unlawful based on that, but according to their interests and corruption, counterfeiting sanctity.

Whatever the interest of the people, and the solvent was what caused their losses, is forbidden, therefore, the Prophet - peace - a standard and a general rule for speech analysis and what sanctions after mentioned as examples of this rule is considered.

That means if the story is, the infliction of self-esteem implies.

3 - Tohafol Oghoul Hadith

Imam Sadiq (PBUH): فاما ما يحلّ و يجوز للانسان اكله مما اخرجت الارض فثالثه صنوف من الاغذية؛ صنف منها جميع الحبّ كلّ من الحنطة و الشعير و الارزّ و الجوّص و غير ذلك من صنوف الحبّ و صنوف والسماسم و غيرها، كل شيء من الحبّ مما يكون فيه غذاء الانسان في بدنه و قوته، فحلل اكله و كل شيء تكون فيه المضرة على الانسان في بدنه ، فحرام اكله الا في حال الضرورة و الصنف الثاني مما اخرجت الارض من جميع صنوف الثمار كلّها مما يكون فيه غذاء الانسان و منفعة له وقوته به، فحلل اكله و ما كان فيه المضرة على الانسان في اكله فحرام اكله و الصنف الثالث جميع صنوف البقول و النباتات و كلّ شيء تنبت الارض من البقول كلّها مما فيه منافع الانسان و غذاء له ، فحلل اكله و ما كان من صنوف البقول مما فيه المضرة على الانسان في اكله نظير بقول السموم القاتله و نظير الدفلا و غير ذلك من صنوف السمّ القاتل، (Alhorr Ameli, Muhammad ibn Hasan, H. 1398. G., vol 17, p 61)

1-3 - indicates the Hadith

In this hadith the Prophet, the food and also divided into three classes, each class express provisions states. We also examined separately for each category are:

1 - In the first category, stated: "The whole object moving fihi Almzrh..." "The whole object" in general and " فيه المضرة " it is stated and the result is a sense that "anything harmful is forbidden". However, since the predicate reverence, bound Eccles, may be symmetric, meaning that the "whole thing" is eatable and non-eatable is not included. Of course, it is possible that a general cobra on the prohibition of any harmful objects, and Eccles property is not raised, but as one of the best examples of its use, is outlined.

2 - The second category reads: " وما كان فيه " و المضرة... The word "we" in the literal appearance, and includes anything that is detrimental to the public. But this kind of issue from the beginning, bound Eccles and warrant prohibition on carrying a harmful object that is bound not to eat any harmful, and to include the public, it will definitely be important.

3 - In the third category, such as Category II: both subject and predicate, KI is bounded, and so the same words, and this is interpreted here as well.

In short, although the subject of this Hadith Sharif is edible, but it is understood that the gauge and the sanctions they have the disadvantage of being harmful to their verdict, the circuit operating losses, and Eccles stated Bob also mentioned the case be. Hadith of position, a general comes from whatever is harmful to the body, is prohibited. (Harm to self (juridical expertise in drug research) in 1374 AD. S, pp. 90-89)

2-3 - In response to a question

It may be said that if Imam - E - induction as a general rule for a prohibition, have been since the very beginning with a general, all no problem, but the mackerel were three categories?

We reply: Prophet - peace - has asked the question of lifting the trumpet, and the sentence can express a variety of seafood traders to be perfectly clear. (As pp. 90)

4 - Fiqh al-Riza Hadith

اعلم يرحمك الله ان الله تعالى لم يبح اكله و لا شرباً الا لما فيه المنفعة و الصلاح و لم يحرم الا ما فيه الضرر و التلف و الفساد، فكل نافع مقو للجسم، فيه قوة للبدن، فجلال، و كل مضر يذهب بالقوه او قاتل، فحرام مثل السموم الميته و الدم. (Fiqh al-Rida, E. 1406. AH, p 245)

1-4 - indicates the narrative

In this tradition, the subject of the Eccles and drinking, and objects based on the interests and dignity, based on disadvantages and evils in which they are held and then any object that has benefit and strengthen the body, and respect everything that can

be harmful and cause destruction or death to humans, it has accessories. But of all traditions, which can be useful for our discussion,

و كل مضر يذهب بالقوة او قاتل، " فحرام " which raised a total cobras in which each object that is harmful to humans or unable to bring him to destruction, has been sanctioned. Since the original in every latitude, it is avoidance, arguing for the sanctity of the tradition of self-harm is limited to cases where harmful objects, one of the two properties mentioned in the hadith, possess, or the power the person that caused the damage or destruction and death should not both be used in respect of any damage to the cargo, difficult and unlikely.

2-4 - In response to a question

A question may be raised and argued that the hadith flawed, is that the hadith is the KI and drinking, so it warrants a sanction, the food and beverage, seafood and alcohol does not belong and theoretical, or in other words, general use, and the inclusion of the hadith is the problem.

The answer to this question is that even though the subject at the beginning of the word, Eccles and drinking, but a more general cobras raised voice and narrative interpretation, suggesting the induction of a general rule is to ban things, Eccles and Drinking also, true to its a whole, is considered.

One thing that tops it is necessary to mention that there is another hadith Fqrh Bzhn may be, it can also be the subject of debate, and its use search Fqrh " لم يحرم الا ما فيه الضرر و التلف و الفساد ". With the approximation that the object of sanctions, loss, loss etc has been proposed, therefore, every object is unlawful, harmful.

But this argument is like this item, it is intended to express the wisdom of sanctions objects and not due to instrumental following the example of the toxins, and the Committee was struck by the tail, while small amounts of the Committee and tail, not harm, no cause is lost and not making mischief, the Islam, eating some of them, have been sanctioned.

From what was said, turned out to be harmless and the convictions of the hadith, as Wisdom has presented no cause, and therefore it can not be convicted, the sentence of self-harm, argued.

و كل مضر يذهب بالقوة او " and " قاتل فحرام " is permitted and can undoubtedly lead to a decline in losses power, or be killed, the Bulls proved esteem and create such damage. (Self-harm (juridical expertise in drug research) in 1374 AD. I., pp. 95 to 94)

Result

- 1) When the lawyer has not drug vehicle specific reason not about opium, but sensory loss and corruption due to drug addiction has

been established. So here Baql their knowledge and a criterion, ie, a necessary vice we have achieved in the field of drugs. So we know what the sentence is harmful to humans and vice be legally forbidden, we conclude that drug addiction is prohibited.

- 2) Using drugs to the loss of important people puts all individual and social disrupts the normal affairs, religious affairs has also led to impede the tasks performed by Venice verse Tahlakeh (ولاتلقوا بأيديكم الى التهلكه) Vthqq perform any of the required current, often destroying abilities provides, subject to the prohibitions and he will be subject to sanctions as well as for its corruption, such as the corruption which is Muslims to permissible any.

Appendix:

About sinful drugs and preparations that need to be religious fatwa and opinions expressed emulation accessible to Mitt citation.

Estftayat:

1 - Ayatollah Seyyed Hossein Tabatabai Jaj Boroujerdi (ra)

IN THE NAME OF GOD

Holy attend Mr. Haj Agha Hossein Tabatabai Msttab Grand Ayatollah Boroujerdi fashion Alaly Zillah, Use of drugs such as opium and morphine syrup.... including eating and smoking in non-medical cases according to their opinions that smoking is harmful to the body of citizens, what is? (As of 24 / Rabi Awwal 1377)

Fatwa:

* Always have written is appropriate for Muslims, but for all the wise of these toxins are awaiting their rescue.

* "... Whatever the reason is forbidden in Islam..."

2 - Ayatollah Khomeini (ra), who died in 1368)

Thesis

* "Opium addiction is not permitted"

* "Using drugs is not permitted"

* "It is not permissible to sell heroin"

* Money heroin and feeding it is not permitted is forbidden "

* "It is a conspiracy to distribute heroin"

* "Acquire and diffuse among the people of opium, heroin and lay bringing the youth of the nation would be that, before the punishment comes upon them, before they whip it divine to eat, see they do not, leave it that way, it's a crime, it is our Memorial to the loss

of youth smoking, this corrupt generation, a generation of spoiled.... "

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