

Eating & Drinking

Introduction

Muslims [in predominantly Muslims countries] normally live in their own homes, villages and cities, in the midst of their families and relations, eating variety of foods and drinking different drinks that they desire; They are familiar with the ingredients of these foods and know that they are free from all that their religion has forbidden, their faith has rejected, and their rich Islamic values have kept distance from.

However, when they migrate to foreign countries to reside in the midst of non-Muslim communities, they are faced with problems in eating and drinking because they don't find foods that are familiar and desirable to them, nor are their ingredients known to them. This is so because the host community is not Islamic; it has its own values, customs and habits which naturally do not abide by the laws of Islam. So, when a Muslim desires to eat any food in a restaurant [in a non-Muslim country], he is faced with the problem of whether or not the food is permissible and pure.

General Rules

160. Since the followers of the **past revealed religions** (that is, the Jews, the Christians and the Zoroastrians) are ritually pure, many of the problems concerning the status and permissibility of the **food** are resolved when we live in their midst. It becomes permissible for us as Muslims to eat from their food no matter whether they touched it with their wet hands or not as long as we do not know or are not sure that it consists of what is forbidden to us, like intoxicating drinks. As for meat, fat and their extracts, there are specific rules that will be discussed later on.

161. A Muslim is allowed to eat the food prepared by a **non-Muslim who is not from *Ahlul Kitab*** [for example, a Hindu or a Buddhist], provided that he does not know or is not sure that the non-Muslim touched the food with wetness; and provided that he does not know or is not sure that the food consists of what is forbidden to him like intoxicating drinks. As for meat, fat and their extracts, there are specific rules that will come later on.

162. A Muslim is allowed to eat any food made by a person whose faith and religion is not known to him, no matter whether that person touched it with wetness or did not touch it, provided that he does not know or is not sure that the food consists of what is forbidden to him. As for meat, fat, and their extracts, there are specific rules that will come later on.

It is not necessary for the Muslim to question the **person who prepared the food** about his beliefs or disbeliefs, or whether or not he had touched the food, even if that inquiry is very convenient and natural for one who wants to ask.

In short, all kinds of food with the exception of meat, fat, and their extracts are permissible for a Muslim, even if he doubts that it might contain something which is forbidden for him to eat or doubts that its cook —whosoever he may be— had touched it with wetness. (See the question–answer section below.)

163. Just as it is not obligatory on him to inquire about the **ingredients** of such food to ensure that it is free from what is forbidden to him, it is not obligatory on him to ask the cook whether he touched it while preparing the food or after it.

164. All kinds of **packed food** with the exception of meat, fat and their extracts, are permissible for a Muslim, even if he doubts that its ingredients might contain what is forbidden for him or even if he doubts that the cook —whosoever he may be— had touched it with wetness. It is not obligatory on him to inquire about its ingredients to ensure that it does not contain anything that is forbidden to him.

165. A Muslim is allowed to buy all kinds of **halal meat** from a Muslim shopkeeper who sells it to Muslims. Such meat would be considered *halal* even if the vendor belongs to a school of thought which have different conditions for slaughtering from ours as long as there is a possibility that the animal was slaughtered in accordance with our conditions. This latter statement applies to all conditions except the one that says that the animal's belly should be facing the *qiblah* at the time of slaughter. Not observing the condition of *qiblah* because the slaughterer's school of thought does not consider it a necessity will not detract from [the permissibility of the meat].

166. If a Muslim knows and is sure that this meat is from an animal which is permissible for Muslims to eat (like cow, sheep or chicken) but that it is not slaughtered in accordance with Islamic laws, that meat is to be considered *mayta*.

Mayta is not permissible for a Muslim to eat even if its seller is a Muslim. Similarly, such meat is impure (*najis*) and would make other things impure, if it comes into wet contact with it.

167. If a Muslim buys or receives meat from a non–Muslim, or from a Muslim who got it from a non–Muslim and did not inquire about its slaughtering according to Islamic laws, such meat is *isharam* for him. But if the Muslim does not know that the animal was not slaughtered according to Islamic laws, it would not be considered *najis*, although it is still *haram*.

168. Some experts say that by letting out the blood by way of slaughtering, the meat of the animal becomes healthier for the consumer than an animal that was not slaughtered. And so you should not be surprised to see some non-Muslims buying the meat that had been slaughtered according to Islamic laws from *halal* meat stores.

169. In order for **fish** to become permissible for a Muslim, it must have the following conditions:

- a. The fish must have scales on it. [That is, it should not be a skin fish.]
- b. The Muslim should be certain or satisfied that the fish has come out of the water alive or that it died while it was already in the fishing net.

It is not necessary for the fisherman to be a Muslim or to utter the name of Allah for the fish to become *halal*. So, if a non-Muslim catches a fish and brings it alive from the water or it dies after getting caught in his fishing net or fishing line, and it has scales on it, it is permissible to eat.

A Muslim can ascertain the first condition by examining the fish if it is being displayed or by observing its name [which can tell you whether it is a skin fish or a scale fish] as long as you can trust the authenticity of the label. A list of scale fish has been appended at the end of this book.

The second condition is fulfilled in almost all the countries, as they say, because the universal method in fishing ensures that the fish comes out of the water alive or they die after they are caught in the fishing net. Based on this, it is permissible to eat the fish that one gets from a non-Muslim just as one gets from a Muslim, irrespective of whether it is canned or uncanned. (See the question-answer section below.)

170. It is permissible to eat **shrimps**, if they are brought out of the water alive. It is forbidden to eat frogs, lobsters, turtles, every amphibious animal, snails, and crayfish. (See the question-answer section below.)

171. The law concerning **eggs of fish** follows the fish itself: the eggs of a *halal* fish are permissible to eat and those of a *haram* one are forbidden.

172. Some experts of fisheries say that scaleless fish mostly feed upon the waste of the sea and are in a way purifier of the filth, the squalor and the garbage of the sea.

173. It is forbidden to drink **wine, beer**, and everything that causes intoxication or drunkenness in solid or liquid form. Almighty Allah says in the Qur'an:

“O you who believe! Intoxicants and games of chance and (sacrificing to) stones set up and (dividing by) arrows are only an uncleanness, the Shatan’s work; shun it therefore that you may be successful.” (5:90-91)

174. Our noble Prophet Muhammad (s.a.w.) said, “One who drinks intoxicants after Allah has made

them *haram* by my statement is not worthy of marriage [to your daughter] if he proposes to her, or of intercession when he asks for a good word, or of any credibility when he speaks, or of being entrusted with anything.”¹

In another *hadith*, he says, “Allah has accursed alcohol, its growers, those who squeeze it [from the grapes], its drinkers, its servers, its buyers, its sellers, those who live on its income, its transporter, and the one to whom it is being transported.”² There are many more *ahadith* you will find in books of *hadith* and jurisprudence.³

175. It is *haram* to **eat at the table** on which alcohol or any other intoxicants are being consumed. Based on obligatory precaution, it is *haram* to even **sit at** such a table. (See the question–answer section below.)

176. It is permissible for a Muslim to go to places where wine is being served with the food, provided that it does not lead to promotion of those restaurants. However, he cannot eat from the table on which wine is being consumed and should not, based on obligatory precaution, sit at that table. There is no problem though, in sitting at a table near the table on which wine is being consumed.

177. It has been mentioned in Chapter Three, Part One that all kinds of **alcohol** whether derived from wood or other sources are pure (*tahir*). Therefore, the food in whose preparation alcohol was used is *tahir*; the liquids in which it has been dissolved are also *tahir*. (See the question–answer section below.)

178. It is *haram* to use anything that **causes serious harm** to the human being like taking poison. It is also *haram* for a pregnant woman to drink something that would cause miscarriage. Similarly, anything that is known to be harmful or supposed to be harmful or has the probability of harm [is also *haram*], if that probability is considerable in the views of sensible people and that harm is serious enough to cause death or to disable a limb of the body.

179. There is certain **etiquette** to be observed at the dining table. Starting with the name of Allah; eating with the right hand; making small morsels; sitting longer at the table; chewing the food well; thanking Allah after the food; washing the fruits and vegetables before eating; not eating after satisfying the appetite; not over eating; not looking at the faces of others while eating; not taking away the food from others who are sitting at the table; and tasting the salt at the beginning and the end of the dinner.

Questions and Answers

180. **Question:** On the package of **meat** that is produced in Muslim countries by non–Muslim companies, it says, “Slaughtered according to Islamic laws”. Are we allowed to eat that meat? Can we eat that meat, if it comes from Muslim companies in non–Muslim countries? And what is the ruling, if the source is non–Muslim company from a non–Muslim country?

Answer: The writing [on the package] has no value at all. If the producer is a Muslim or it was produced

in a place where Muslims are in the majority and it is not known that the producer is a non-Muslim, then it is permissible to eat it.

But if the producer is a non-Muslim or it was produced in a place where Muslims are not in the majority and it is not known that the producer is Muslim, then it is not permissible to eat it.

181. **Question:** We enter some super markets in Europe and find meat in tin containers produced by a European company with the writing on the package that conveys the sense of it being “*halal*” or “slaughtered according to Islamic laws”. Is it permissible to buy and eat such meat?

Answer: The writing [on the package] has no value if it does not lead to certainty [that it is actually *halal*].

182. **Question:** Meat companies slaughter a large number of **chickens** at one time [that is, simultaneously]. Now if the person running the slaughtering machine is a Muslim, who says *takbir* and says the name of Allah only once at the time of slaughtering all the chicken [simultaneously], is it permissible for us to eat those chickens? If we have doubt about these chickens being *halal*, can we [ignore that doubt and] eat them and consider them pure (*tahir*)?

Answer: If he repeats the name of Allah as long as the machine is continuing to slaughter, it is sufficient. In the event of doubt about its being *halal* (a doubt which arises concerning the mentioning of the name of Allah), it can be considered pure and be consumed.

183. **Question:** Is it permissible to buy meat thinking that it is slaughtered according to Islamic laws from a super-market owned by a Muslim who [also] sells alcoholic drinks?

Answer: Yes, it is permissible; and it is *halal* to eat, even if it previously came from a non-Muslim as long as there is a likelihood that the shopkeeper has ascertained that it was slaughtered according to the *shari'a* laws; but not if there is no such likelihood.

184. **Question:** Some of the **cheese** manufactured in non-Muslim countries contains **rennet** extracted from the calf or other animals. We do not know whether the rennet was taken from the animal that was slaughtered according to Islamic laws; neither do we know that it has transformed into something else. So is it permissible to eat such cheese?

Answer: There is no problem in eating such cheese.

185. **Question:** **Gelatin** is used in a number of drinks and food items in the West. We do not know that gelatin has been extracted from a vegetable or an animal source; and that if it is from an animal, is it from its bones or from the tissues around the bones; neither do we know if the animal was one that is *halal* for us or *haram*. Are we allowed to eat such gelatin?

Answer: It is permissible to eat if the doubt is whether it has been extracted from an animal or

vegetable. But, if it is known that it was derived from an animal, then it is not permissible to eat without ascertaining that the animal was slaughtered according to *shari'a*. This prohibition applies, as a matter of obligatory precaution, even if it was extracted from animal bones.

186. Of course, if a chemical change occurs in the original ingredients during the process of manufacturing the gelatin, there is no problem at all in eating it. Similarly, even if one has doubt whether the animal was slaughtered Islamically or not, still there is no problem in adding the gelatin [made from that animal] to the food in such a minute amount that it is completely absorbed in it.

187. **Question:** Commercial fishing vessels place their huge nets [in the sea] and catch tons of **fish** which are then sold in the markets. It is well known that modern methods of fishing are based on catching the fish alive, and that the fishermen throw the dead fish back into the water for fear of contamination.

Therefore, is it permissible for us to buy such fish in the markets of non-Muslims? Is it permissible for us to buy such fish from Muslims who are not considerate of religious laws? In both the cases to ascertain that this particular fish in front of me was taken out of the water alive, should seek the advice of an expert and reliable witness to testify to that fact which may prove difficult, impractical, and unrealistic.

So, is there a solution for practicing Muslims who face difficulty in ascertaining whether or not the meat of chicken, cow or sheep is *halal*, and therefore take to eating fish instead?

Answer: There is no problem in buying it from Muslims or non-Muslims; as there is no problem in eating it, if they are satisfied that the fish was caught by the method mentioned above and that it belongs to the category of scale fish.

188. **Question:** At times we find the name or picture of fish on the cans and come to know that the fish is a scale fish. So, is it permissible for us to rely on the name or the picture in determining the category of fish, knowing well that a wrong statement of this kind would put the manufacturers in great loss or even more serious [situation] than just a loss?

Answer: If one is satisfied it is the truth, it is permissible to act upon it.

189. **Question:** Is it permissible to eat **lobster**, in all its varieties, by following the pattern of shrimp?

Answer: It is not permissible to eat lobster.

190. **Question:** Is it permissible to buy a fish from a Muslim who is not a Shi'a while we have no knowledge whether it is from the category of scale fish or not?

Answer: It is permissible to buy it but one cannot eat it unless he makes sure that it is from the category of scale fish.

191. **Question:** Is it permissible to eat *halal* food which has been steam cooked with the steam of meat not slaughtered according to Islamic laws?

Answer: It is not permissible since the food, as mentioned in the question, will be considered impure (*najis*) because of coming into contact with the wet parts from the steam of the impure meat.

192. **Question:** If **wine is served at a table**, it is *haram* for a Muslim to sit at that table. What is meant by “table”? Does this apply to the entire group [that has gone to the restaurant and some are being served alcohol] even if the tables are more than one? Or does it only apply to one table [and not the group], in the sense that if there are two separate tables, it would be permissible to sit [at the table on which alcohol is not being served, even if they are part of the same company]?

Answer: The criterion is one table. However, one should know that the prohibition of sitting at a table on which wine or intoxicant drinks are being served is based on precaution; of course, eating and drinking at that table is *haram* based on obligatory precaution.

193. **Question:** A Muslim enters a café and sits down at a table to drink tea, then a stranger comes at the same table to drink wine. Is it obligatory upon the Muslim to stop drinking tea and leave?

Answer: Yes, as mentioned earlier, it is obligatory to move away from that table.

194. **Question:** Is it permissible to drink **beer** that says “alcohol free” on it?

Answer: It is not permissible to drink, if “beer” means the drink made from barley that causes mild drunkenness. But if it means a drink made from barley that does not cause mild drunkenness, there is no problem in it.

195. **Question:** **Alcohol** is used in the production of many drugs and medications: Is it permissible to take them? Are they considered pure (*tahir*)?

Answer: They are pure; and since the alcohol used in them is so minute that it dissolves in them, it is therefore permissible to take them also.

196. **Question:** There is this **vinegar** that is made from wine, in the sense that it was wine and then, through a manufacturing process, changed into vinegar. Therefore, the label on the bottle reads: “wine vinegar” as opposed to the vinegar made from barley or other items. One of the signs [of differentiating between “wine vinegar” and the wine itself is that] the bottles of this vinegar are displayed in the area of vinegar, and it has never happened that these bottles are placed on the shelves of wines. Moreover, there is no difference between such vinegar and the vinegar made from dates for example. So, can this wine which has turned into vinegar be considered vinegar under the rule of change (*istihalah*)?

Answer: If the name “vinegar” can be applied in the view of common people upon that product, as has been assumed in the question, the same rule governing vinegar would apply to it. [That is, it is pure as

well as permissible.]

197. **Question:** The manufacturers of food and sweets as well as of the food packed in cans are required to mention the ingredients of the items being sold. To prevent the food from going bad, manufacturers add **preservatives** to them; these preservatives could be from animal source and are listed by alphabetical codes like “E” alongside a number like “E 450” or “E 472,” etc. What is the ruling in the following situations?

- a. When one does not know the origin of these preservatives?
- b. If one sees a list issued by those who have no idea of the rule of chemical transformation (*istihalah*: a purifying agent) that says that the items described by so and so alphabet and/or number are forbidden because they come from animal source?
- c. When one does preliminary research and is satisfied that the preservative agent does not retain its original form but transforms in characteristics and changes into another substance?

Answer:

- a. It is permissible to eat the food containing those preservatives.
- b. If it is not ascertained that it is from an animal source —even if such a claim is made— it is permissible to eat it. Similarly, [it is permissible] if it is ascertained that [it is from an animal source] but one is uncertain whether it comes from an impure *mayta* and that its amount mixed in the food stuff is so minute that it is completely absorbed in it in the view of common people.
- c. There is no problem in applying the rule of purity and permissibility whenever the chemical change is proved in the form that it transforms into another substance and in the view of common people nothing of the original substance remains.

198. **Question:** It is requested of you to answer the following two questions:

- a. In itself is **gelatin** considered pure (*tahir*)?
- b. If we have doubt whether or not *istihala* (chemical change) has occurred [in the process of manufacturing the gelatin] because of uncertainty about the concept and the extent of applying the rule of *istihala*, do we extend the previous knowledge (*istishab*) that gelatin is still impure?

Answer:

- a. As for the gelatin derived from animal source, if the impurity of the origin is not established (for example, if there is a probability that the animal was slaughtered according to Islamic laws), it will be considered pure; however, it should not be added to the food, except in such amounts that it would be completely absorbed. [That is, it is pure (*tahir*) but should be used in food items in very minute quantities

only.]

This [latter caution] is for a case where it is neither established that the animal was slaughtered according to Islamic rules, nor had *istihala* taken place. [If any of these two issues were established, then there would be no restriction in using gelatin in food items.]

The above ruling does not differ whether the gelatin was derived from parts of the animal that has feeling (like cartilage, gristle) or has no feeling (like bones). This ruling about parts with no feeling is based on obligatory precaution. However, if its impurity was established (for example, it is known that it comes from an essentially impure animal or from the cartilage of an animal not slaughtered according to Islamic rules, or from its bones without purifying them, in which case it would be considered *mutanajjis* by coming into wet contact with an impure item), then considering it pure and permissible for use in food items depends on establishing *istihala*. And in this matter [whether *istihala* took place or not], one should refer to the common perception of the people. We have explained its criterion earlier.

b. [*Istishab* is a principle that says that in case of doubt one should extend the previous knowledge about that particular issue until proven otherwise.] The principle of *istishab* is neither applicable in cases of doubt concerning the concept [of the law], nor in cases of the law themselves—as has been proven in its appropriate place in the Science of *'Usûl*.

However, since the issue of impurity (*najasad*) is related to the generic concept in a common man's perspective and extension of judgement about *najasad* depends, in the eyes of sensible people, on continued existence of its elements — this makes the doubt about occurrence of *istihala* (whether its application is limited or broad) into a doubt about continued existence of impure elements [in the gelatin]. And this is a matter of application of the law. There is therefore no problem in applying the principle of *istishab* in this case. Allah knows the best.

199. **Question:** We are unaware of the ingredients of food sold in shops in Western countries: it might be free from those ingredients that are forbidden to us or it might contain them. Are we allowed to eat such items **without looking into their ingredients**, or inquiring about them? Or is that not allowed to us?

Answer: It is permissible [to eat such food] as long as it is not known that it contains meat, fat, and their derivatives that are forbidden to us.

200. **Question:** Is it permissible to use, in our foods, **oils** derived from fish that are forbidden to us? What about using such oils for other matters?

Answer: It is not permissible to eat such oils but their other usage is permissible. Allah knows the best.

201. **Question:** Is it permissible for a Muslim **to attend** a gathering where **intoxicant drinks** are being served?

Answer: Eating and drinking in those gatherings is forbidden. However, the prohibition in attending such gatherings is based on compulsory precaution. But there is no problem in attending such gatherings for the purpose of forbidding the evil (*nahi 'anil munkar*), if one is capable of doing that.

202. **Question:** Is it permissible to eat lobster, crayfish, and snails?

Answer: Is it not permissible to eat from marine animals anything except fish that has scale; shrimp is considered from that category [of permissible sea animals]. But other than fish, like lobster, and similarly the fish that does not have scale is forbidden. Allah knows the best.

1. Al-Kulayni, Muhammad bin Ya'qûb, *Furû'u 'l-Kafi*, vol. 6, p. 396.

2. As-Sadûq, *Man La Yahdhurhu 'l-Faqih*, vol. 4, p. 4.

3. See *Furû'u 'l-Kafi*, vol. 6, p. 396.

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