

FATAWA LOTTERY 2008-2012

Subject: Reasons Behind Prohibition of Gambling and Lottery

From: Samy, Islam on line

Sent: Wednesday, March 19, 2008

Question: Why is gambling prohibited?

Dear Dr. Monzer,

Assalamu Alaykum wa Rahmatullah wa Barakatuh,

Dear prominent scholar As-Salam `Alaykum wa Rahmatullah wa Barakatuh My question is about the reasons behind the prohibition of gambling and lottery in Islam and in the case of these reasons not present. Allah Almighty says in the Qur'an: "O you who believe, truly intoxicants and gambling and divination by arrows are an abomination of Satan's doing; avoid them in order that you may be successful. Assuredly Satan desires to sow enmity and hatred among you by means of intoxicants and gambling, and to hinder you from the remembrance of Allah and from prayer. Will you not then desist?" First of all, should we consider avoid at the same level as haram? Why? From this verse we can understand the reasons from Allah asking us to avoid gambling. The reason is the Satan wants us to lose our time on playing gambling games and then not think of Allah and the prayers and also to create enmity between players through the game. This is usually the case for card- like games (e.g. poker?) where the game may stand for hours (during that time the players are of course not praying and not thinking of Allah) and the players are playing against each other so problems and thus enmity may arise between them. But my concern is about the lottery example where you don't really lose time (it is once a week and it takes you really 2 minutes to play so we can't consider that this may prevent you from thinking of Allah or the prayers) and you don't play against others so no enmity may arise. Ok, enmity may arise if you win and they lose, but this is more Fasad? Than other think and this can also be the case if you win through commerce. In this case the reasons behind the prohibition are absent. Can we in this case consider that the lottery is premised? Also the amount of money you play is low, and if the person knows that he is not going to be addicted to this. Some other persons told me that the reason behind prohibition of lottery is that Muslims are not allowed to earn money without work, but in the other hand I did read some topics in the internet where Internet lottery games where you don't pay to play are premised. In this case also the Muslim is earning money without really work for it. And in my opinion you can lose more time for these games than the one you are paying for. Since it is free and there are many of them in the internet and thus you play much more. Can you please give me your detailed point of view on this? I thank you very much for the time you will devote to answer this question and pray Allah to guide all of us to his straight way.

Jazakum Allahu Khairan for your constant help

Yours, Sami

My Answer:

Bismillah al Rahman al Rahim

Alhamdu Lillahi Rabb al Alamin, wa al Salatu wa al Salam ala Sayyidina Muhammad, wa ala Aalihi wa Sahbihi Ajma'in

Dear Br. Issam

Assalamu Alaykum wa Rahmatu Allahi wa Barakatuh

Number One, the Haram issue: 1) definitely, the word "stay away from it" **فاجتنبوه** means it is Haram. It is even more than Haram because it also means "don't come close to it" This is why for instance in alcohol the prohibition covers not only drinking but also producing, carrying transporting, serving as we are told by the beloved Prophet, pbuh. And that is why in all these four things that are mentioned in this Verse the prohibition covers any amount because a "little" violate the order "stay away from it" (for instance having a small idol for decoration in a room, not for worship, is also Haram), etc. 2) Add to it: look at other things that are mentioned with gambling, all of them are definitely Haram. 3) The word Rijs **رجس** that is translated as "filthy works" is mentioned in the Qur'an 9 times all of them in relation to either prohibition of disbelief. 4) The four things that are mentioned in this Verse 5:90 are described as works of Satan's. Works of Satan are certainly prohibited. And 5) the last sentence of the next Verse (5:92) also tells about prohibition, literally "won't you obey the order of quit" **"فهل أنتم منتهون؟"**

Number Two, reasons for prohibition: What is mentioned in Verses 5:90-91 are not all the reasons. This is evident because "dedication to idols **الأنصاب**" has a primary reason of believing in gods other than The God and alcohol can be used socially between friends (opposite of hatred!). In other words, what is mentioned in these two Verses are the reasons that suit the context of the Surah and surrounding Verses (please read Verses 5:87-96). There are other reasons that relate to each one of the four prohibitions that are mentioned in Verse 5:90.

The basic reason of the prohibition of Gambling is: transfer of wealth for no reason. It is UNJUST. Why should you take a million and why should you pay the ten? What is the reason? There is no rational reason for it. Reasons of getting a property from another may be: a gift (one will decision), a sell/buy (including work, this is an exchange of wills/properties) or the laws of entitlement (like inheritance, Entitlement also includes obtaining a property that was not owned before by justice-based laws like distribution of open land or simply getting water in your pitcher from a river). Are the roll of numbers, fall of a dice and flip of a coin reasons to transfer property? Of course they are not. This is "vain **عيبث**", it does not make a reason to change hands on property.

Number Three: We need to understand the issue of definitions. In all matters of "do" or "do not do" under all laws and in all human minds there must be a reference to a definite matter/thing. Therefore in Prohibition and Obligations in Islam (and in fact is all systems) the definition of the action/thing is basic because no one can apply do or not do without a clear-cut definition. Definitions put terms and determine boundaries. It is evident that there will be points around boundaries that may seem close to each other (paying for lottery, or having it free, having lottery for noble reasons like helping the poor or the sick...). I understand that some people say look at such closeness as puzzling. But in fact it should not be once we determine the definition and understand them. In the case of this question, since the definition of the reason of prohibition gambling is taking other people's property for no valid reason, if I take it with a one side will it becomes permissible as in prizes given to winners or in free lottery, there is a clear will.

Yet, while free lottery is not, strictly speaking, within the boundary of prohibition, I personally never mentioned that it is permissible for two reasons: 1) it takes the form of prohibited action; and 2) it has a bad intention behind it on those who offer it because it attempts to create addiction of gambling. For these two reason (add to them it promotes a mentality of "getting it free") I have never said that this free gambling is permissible although its prohibition is Ijtihadi and not for the same reason as the prohibition of gambling.

Finally, the issue of creating an addiction because it is known scientifically that gambling creates addiction. If it does that for only ten percent of gamblers, this will be a sufficient reason to disallow it in all societies, not only in our religion alone! It is like drinking alcohol, it does not hinder correct judgment if it is below certain level, do we accept it then within these levels? No because, looking at the macro level of a whole society, social drinking and a little of gambling always give a chance that some people shall exceed the limit. Therefore, it is, of it, an evil and we Muslims must stay away, rather far away, from it.

Wa Allahu A'lam

Wa Alhamdu Lillahi Rabb al Alamin

Wassalam

Prof. Dr. Monzer Kahf

From: Salama

Sent: Thursday, May 28, 2009

Question: Lucky Draw and Selling Islamic financed house

Assalamu `Alaykum wa Rahmatullah wa Barakatuh

Dear Dr. Monzer

Question 1:

Respected scholars, as-salamu `Alaykum. A few years ago, I entered a lucky draw where it was required to place the label of a soft drink that was purchased in an envelope and post it to the distributor of the soft drink. I submitted a few entries. I won the grand prize which was a car. I sold off the car and with the addition of some savings, I bought a house and rent it out and have been using the rental money for personal use. Are such lucky draws considered as gambling? If it is, what should we do now? Jazakum Allahu Khayran.

Question 2:

Salam Alaykum, I sold my apartment which was financed through an Islamic institution, but when I sold it and bought a house they couldn't provide the financing which forced me into taking a conventional mortgage (Riba). I had also bought a pre-construction home which I was planning to sell upon completion. However, due to the real estate market I am now stuck with two interest based mortgages. So, Am I able to sell them and keep the profit? I plan to go to hajj InShaAllah this year and I don't want to have this on my conscious. What do you recommend I do, should I wait until next year?

My Answer:

Bismillah al Rahman al Rahim

Alhamdu Lillahi Rabb al Alamin, wa al Salatu wa al Salam ala Sayyidina Muhammad, wa ala Aalihi wa Sahbihi Ajma'in

Dear Br.

Assalamu Alaykum wa Rahmatu Allahi wa Barakatuh

1. This is not a gambling, this is a win of an advertisement prize, it is permissible and you can enjoy the car and the rent of the house.
2. The matter is we should look for Islamic finance before we buy a house for residence or for sale. Buying a residence under conditions of need for Muslim families who live in the West when Islamic finance is not available may be permissible according to the by-now well-known Fatwa on this matter. But buying an investment property is not within the limit of the Fatwa and Riba is prohibited and greatly sinful. It call for quitting the Riba transaction, repentance and good deed to remove the stain of the bad action. The profit generated is an increase in the value of the house, itself it is not Riba (although the Riba-based finance enabled you to reach the price differential, but it could be otherwise too). On the other hand, going for Hajj is one of the five pillars of Islam and a major obligation. One should perform Hajj when one can do it, it has nothing to do with whatever other transactions one may be doing. Go For Hajj and seek God's forgiveness for the Riba transaction that you did.

Wa Allahu A'lam

Wa Alhamdu Lillahi Rabb al Alamin

Wassalam

Prof. Dr. Monzer Kahf

Subject: Grants from Lottery sources

From: Mohammad

Sent: Saturday, May 31, 2008

Question: scholarship from lottery revenue

Assalaamu Alaykum Dr. Kahf,

Insha'Allah all is well with you!

I had a quick inquiry to make ... As you may recall we are putting together an interest free student loan fund [or Muslim Students' Education Fund]. The fund will primarily be funded through community donations. We are looking into some government funding/grants. Unfortunately these grants are coming from lotteries and bingo homes.

Do you think we can accept these grants (even though they are offered by the gov't but they are receiving from lotteries)?

Jazaka Allah Khayr, Assaalaamu Alaykum, Mohammad

My Answer:

Bismillah al Rahman al Rahim

Alhamdu Lillahi Rabb al Alamin, wa al Salatu wa al Salam ala Sayyidina Muhammad, wa ala Aalihi wa Sahbihi Ajma'in

Dear Br. Mohammad

Assalamu Alaykum wa Rahmatu Allahi wa Barakatuh

I see no reason why we do not accept in any charitable work donations from governments regardless of their sources, even though a government may assign an agency that has non-

permissible resources, according to our Shari'ah, to be the payer of these donations. Sources of income of government and its agencies have no bearing on accepting such donations.

Besides, the best use of lottery income is charity because this is an income that came through non-permissible contracts (the gambling contract when a person purchase a lottery ticket) and it is not appropriate to return it to its payer (because from the payer point of view she/he got what she/he paid for) the only use of such money is charity according to Shari'ah. In other words, if you use it for charity you are then doing what best can be done with this kind of revenue given the fact that you did not produce the lottery or approve of its action.

On the other hand, I wouldn't like to use such donation for building a mosque only because of the sacredness and sanctity of a place of worship.

Wa Allahu A'lam

Wa Alhamdu Lillahi Rabb al Alamin

Wassalam

Prof. Dr. Monzer Kahf

Subject: Lottery tickets

From: Samy

Sent: Monday, February 11, 2013

Location: Canada

Question:

Dear Shaikh,

I have a case which I feel doubtful about:

I have a friend living in Canada, and he bought a lottery ticket 649 and won USD 22,620,000. He spent about 1,620,000 on poor and needy Muslims, thus the Shaikh approved of it; my question is, tickets such as 649 or 7..etc, is it Halal and when one wins with it and distribute portion of the money upon poor and needy Muslims and the rest becomes Halal for him?

I hope you can give me a clear and direct answer as I promised my friend, because I am not convinced that it is permissible.

Looking forward to hearing from you.

Jazaka Allahu Khayran.

Wassalam

My Answer:

Bismillah al Rahman al Rahim

Alhamdu Lillahi Rabb al Alamin, wa al Salatu wa al Salam ala Sayyidina Muhammad, wa ala Aalihi wa Sahbihi Ajma'in

Dear Br. Samy

Assalamu Alaykum wa Rahmatu Allahi wa Barakatuh

It is always nice to hear from you.

Buying lottery tickets is not permissible in Shari'ah and any amount won in the lottery is Haram it cannot be purified except by giving it away to charity regardless of the amount. I believe any Fatwa otherwise is not consistent with Shari'ah. I can understand what the local Imam said not as a fatwa but advice. Apparently he noticed that the man is not going to give the unlawfully

(Shari'ah wise) won amount and he considered giving a part of it at least reduce the evil by giving some of it to charity.

Wa Allahu A'lam

Wa Alhamdu Lillahi Rabb al Alamin

Wassalam

Prof. Dr. Monzer Kahf

Subject: Working in gambling company

From: Tahir

Sent: Monday, December 01, 2008

Question: working in a gambling casino

Dear Sir, I just wanted to ask. If I was to work in an organization whose prime interest is gambling, although, there will be no gambling involved with the position, is it right to work within that organization.

My Answer:

Bismillah al Rahman al Rahim

Alhamdu Lillahi Rabb al Alamin, wa al Salatu wa al Salam ala Sayyidina Muhammad, wa ala Aalihi wa Sahbihi Ajma'in

Dear Br. Tahir

Assalamu Alaykum wa Rahmatu Allahi wa Barakatuh

Gambling is not only Haram but also a shame (in Arabic شَيْن) therefore any involvement in it is not permissible, similarly prostitution, liquor, pornography and the like.

On the other hand there are other lines of businesses in which only doing what is Haram is forbidden, like a company that sells goods but only on credit and charges interest, here it is permissible to work in this company say as a warehouse chief of money or goods handler because the goods are permissible but writing an interest credit contract or signing it is prohibited.

Wa Allahu A'lam

Wa Alhamdu Lillahi Rabb al Alamin

Wassalam

Prof. Dr. Monzer Kahf

Subject: Prizes and competitions on chance

From: Farid

Sent: Saturday, February 09, 2008

Question: Prize lottery on accounts

Respected scholars, as-Salam `Alaykum. I have a question regarding Lottery!

We have some banks in our country that make an account by name of portion (Qismat) or luck (Nasib). The bank saves the money for its users and user can get his/her money everywhere in the country. The bank doesn't want any wage for keeping money. The bank has lottery at the

end of each month. If our money spent one month in the bank then they run the lottery who have 100\$ or more than 100\$. The customer either gets the chance of lottery or not. So How is this issue in Islam?

This is the complete detail of Accounts

<http://www.kabulbank.com/html/SavingBankDeposit.html#Bakht> <http://www.azizibank.af/#>

My Answer:

Bismillah al Rahman al Rahim

Alhamdu Lillahi Rabb al Alamin, wa al Salatu wa al Salam ala Sayyidina Muhammad, wa ala Aalihi wa Sahbihi Ajma'in

Dear Br. Farid

Assalamu Alaykum wa Rahmatu Allahi wa Barakatuh This is interest. The Fiqh Academy of the OIC has ruled that this chance is tantamount to interest and equally forbidden in Shari'ah. This ruling came in regards to government bonds issued with the chance to win a prize. It is similar to having the deposit for one month and then you are entitled for a chance to win a prize.

Wa Allahu A'lam

Wa Alhamdu Lillahi Rabb al Alamin

Wassalam

Prof. Dr. Monzer Kahf

From: Samy, Islam on line

Sent: Thursday, July 03, 2008

Question: Competition without Paying Money and Winning a Prize

Dear Dr. Monzer,

Assalamu Alaykum wa Rahmatullah wa Barakatuh,

Recently, some companies in the field of mobile technology offered prizes for those who buy their SIM card and voluntarily participate in the competition. It should be known that the participants will not bear any extra money for their participation in the competition and the winner will win a big prize. Only one or two SIM card numbers are going to be chosen randomly as winners and thus will be given a prize without paying any money to the company offering the prize. What's Islam's stance on this issue? Does it tantamount to the prohibited gambling and betting? Pleas elaborate.

Jazakum Allahu Khairan for your constant help

Yours,

My Answer:

Bismillah al Rahman al Rahim

Alhamdu Lillahi Rabb al Alamin, wa al Salatu wa al Salam ala Sayyidina Muhammad, wa ala Aalihi wa Sahbihi Ajma'in

Dear Br. Sami

Assalamu Alaykum wa Rahmatu Allahi wa Barakatuh

Let us put it in a different way, is it not permissible for this company to announce a price reduction for persons who buy from it during a given period of time? Is it not similar to saying that this price reduction is going to be given to selected number of persons from among those who buy its products during that given period of time? Both are permissible because this is an advertisement gift given in appreciation of buying its products. This is of course as long as you

are not paying for this prize separately or in the form of a higher price for sale during the prize covered period. Gambling is prohibited because it changes hands over wealth for no sufficient or rational or appropriate reasons such as a dice thrown or a roll hitting a number. An essential element in it is that you pay for it. On the other hand any one will contract (such as gift, donation, Sadaqah or Loan, in contrast to exchange contracts) can be effected in any way that pleases (or serve the interest of) the giver as in this case of giving gifts to promote its products.

Wa Allahu A'lam

Wa Alhamdu Lillahi Rabb al Alamin

Wassalam

Prof. Dr. Monzer Kahf

From: Samy; live Fatwa

Sent: Wednesday, October 08, 2008

Dear Dr. Monzer,

Assalamu Alaykum wa Rahmatullah wa Barakatuh,

Question: Math competition with prizes

I would like to know if it would be halal to organize a mathematics competition where money prizes will be given but only to the winners. To enter the competition the students will have to buy two small safety match boxes per month, for six months, which cost about five cents in US dollars. Please note that where I live practically no one buy electric ovens as they are too expensive, with the price of electricity not being favorable with the price of butane gas for example. So, almost everyone has to buy safety matches or a lighter, as a source of heat. It is a necessity of life, as much as buying food, since we have to light our wood, gas, or charcoal for cooking purpose. So I am not asking them to buy something they do not need, such as an ice cream which is not a necessity in this life. I am just asking them to buy my own brand of safety matches. They would have bought these safety matches (but not necessarily my brand) or a lighter, regardless if the competition takes place or not. So is this competition as described halal? Or should I give the students the choice to buy either a lighter or a safety match to make the competition halal? Thank you for answering.

Jazakum Allahu Khairan for your constant help, Yours,

My Answer:

Bsmillah al Rahman al Rahim

Alhamdu Lillahi Rabb al Alamin, wa al Salatu wa al Salam ala Sayyidina Muhammad, wa ala Aalihi wa Sahbihi Ajma'in

Dear Br.

Assalamu Alaykum wa Rahmatu Allahi wa Barakatuh

This kind of prize is permissible if the price of the match box is not inflated for those who participate in the competition. In other word if there is not cost paid to enter the competition. Because the moment we add a price on entering this kind of competition and chance to prizes we then enter into the Maysir/gambling/lottery grounds that is Haram.

But when we only use these competitions as a sale advertisement without increasing the price to those who enter in it, it is permissible.

Wa Allahu A'lam

Wa Alhamdu Lillahi Rabb al Alamin

Wassalam
Prof. Dr. Monzer Kahf

From: Imane

Sent: Tuesday, January 20, 2009

Location: Switzerland

Question: prizes for charity fund raising

Dear,

We are organizing an event in favor of Gaza. To encourage the people to give, we would like to organize a raffle for which:

- All money will be given to charity
- All tickets are winning: but the gift value can vary from a t-shirt to a computer.

Could you tell me if this seems ok or is similar to gambling?

Thanks a lot for your answer

Imane

My Answer:

Bismillah al Rahman al Rahim

Alhamdu Lillahi Rabb al Alamin, wa al Salatu wa al Salam ala Sayyidina Muhammad, wa ala Aalihi wa Sahbihi Ajma'in

Dear Sr. Imane

Assalamu Alaykum wa Rahmatu Allahi wa Barakatuh

I don't like to announce it in advance as a condition in buying the ticket, it seems that even with the noble cause the method is doubtful very close to gambling. But if after buying tickets, inside the hall you decided to distribute free numbered tickets and announce the donation for each series and some gifts for each it may be then ok.

Wa Allahu A'lam

Wa Alhamdu Lillahi Rabb al Alamin

Wassalam

Prof. Dr. Monzer Kahf

From: Shamir

Sent: Monday, August 23, 2010

Question: a card game without any money

Salam Alaykum Professor,

I understand if you're busy then you may not have time to answer, but if you do may Allah reward you for your efforts.

The issue is whether the game called 'Yu-Gi-Oh!' that my friends play is Halal and if it's like gambling, it's a leisure activity they participate in.

Summary of the game: My old friends play a trading card game which is largely strategy based I'll give a quick summary of how it works.

Each player creates a deck of cards, there are thousands of cards to choose from but a player picks about forty that they feel go well together and that they can win with these forty or so cards are called a deck. Each player then takes turns to pick up cards from their own forty card deck. Each card can do something different in the game which is why I say it's mostly strategy

based as you need to decide which cards are best to play in which situation. There is some element of luck though as when you're taking turns to pick cards you could keep picking cards that are of little use in that situation.

The question is:

Is it Halal to play this game with my friends without any money?

Is it Halal to play this game in a tournament where each player must pay a small entry fee and compete for prizes at the end?

And what if I pay the entry fee then if I do win the prize, if I give the prize to someone else is this any different?

JazakAllah Khair Uncle,

Shamir

My Answer:

Bismillah al Rahman al Rahim

Alhamdu Lillahi Rabb al Alamin, wa al Salatu wa al Salam ala Sayyidina Muhammad, wa ala Aalihi wa Sahbihi Ajma'in

Dear Br. Shamir

Assalamu Alaykum wa Rahmatu Allahi wa Barakatuh

This game is not permissible when played for money or any material gain (e.g., in kind). This includes paying entry fees if the prize comes out of these fees. If a third party absolutely independent from all payers when the prize is contributed as a donation from the third party, playing it becomes permissible. Playing it for entry fees and giving the prize to charity is also Haram, which is exactly the description of the Maysir game that was before Islam regarding it the prohibition came.

Playing it without any money just for fun is permissible provided it does not become addictive. If it is the kind they may become addictive, it is then Haram to play it even for persons who think of themselves to avoid becoming addictive.

Wa Allahu A'lam

Wa Alhamdu Lillahi Rabb al Alamin

Wassalam

Prof. Dr. Monzer Kahf
