



Fatwa no. 4850

Q: Is it lawful to call a person who commits Zina (sexual intercourse outside marriage) or drinks intoxicants a "Kafir (disbeliever)"?

A: Whoever drinks intoxicants or commits Zina should not be called a "Kafir" according to Ahl-ul-Sunnah wal-Jama`ah (adherents to the Sunnah and the Muslim mainstream). He is as much of a believer as he has of Iman (faith) and as much of a lecher as he has committed of sin. As to the saying of the Prophet (peace be upon him): **"A committer of Zina (sexual intercourse outside marriage), when he commits Zina, does not commit it while he is a believer; and he does not drink Khamr (intoxicant), when he drinks it, while he is a believer..."** it negates having perfect Iman, yet it does not negate having Iman.

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It is authentically reported that the Prophet (peace be upon him) said on the authority of Abu Dhar as related by Al-Bukhari: **"No servant (of Allah) says, 'La ilaha illa Allah (there is no god but Allah)' then dies in this state, except that he will enter Paradise."** I said, "Even if he committed illegal sexual intercourse, and even if he committed theft?" He replied, "Even if he committed illegal sexual intercourse (Zina), and even if he committed theft." I repeated, "Even if he committed illegal sexual intercourse, and even if he committed theft?" He replied, "Even if he committed illegal sexual intercourse, and even if he committed theft," I repeated again, "Even if he committed illegal sexual intercourse, and even if he committed theft?" He replied, "Even if he committed illegal sexual intercourse, and even if he committed theft, in spite of Abu Dhar." When Abu Dhar narrated this Hadith, he used to say, "In spite of Abu Dhar." Abu `Abdullah said, "This is at the time of death or before it, if one repents and regrets and says: La ilaha illa Allah (there is no god but Allah), his sins will be forgiven." Thus, such a person embraces belief in both: promises of reward and threats of punishment, and acts according to them without denying any of them. On the other hand, anyone who deems it lawful to commit Zina, theft, drink intoxicants, or any other prohibitions, unanimously agreed to be forbidden, is considered a Kafir according to the view of Ahl-ul-Sunnah wal-Jama`ah.

May Allah grant us success. May peace and blessings be upon our Prophet Muhammad, his family, and Companions.

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