# Drinks - Muwatta Malik - Sunnah.com - Sayings and Teachings of Prophet Muhammad (صلى الله عليه و سلم)

باب الْحَدِّ فِي الْخَمْرِ

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Yahya related to me from Malik from Ibn Shihab that as-Sa'ib ibn  
Yazid informed him that Umar ibn al-Khattab came out to them. He said,  
"I have found the smell of wine on so-and-so, and he claimed that it  
was the drink of boiled fruit juice, and I am inquiring about what he  
has drunk. If it intoxicates, I will flog him." Umar then flogged him  
with the complete hadd.

وَحَدَّثَنِي عَنْ مَالِكٍ، عَنِ ابْنِ شِهَابٍ، عَنِ السَّائِبِ بْنِ يَزِيدَ، أَنَّهُ أَخْبَرَهُ أَنَّ عُمَرَ بْنَ الْخَطَّابِ خَرَجَ عَلَيْهِمْ فَقَالَ إِنِّي وَجَدْتُ مِنْ فُلاَنٍ رِيحَ شَرَابٍ فَزَعَمَ أَنَّهُ شَرَابُ الطِّلاَءِ وَأَنَا سَائِلٌ عَمَّا شَرِبَ فَإِنْ كَانَ يُسْكِرُ جَلَدْتُهُ ‏.‏ فَجَلَدَهُ عُمَرُ الْحَدَّ تَامًّا ‏.‏

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Yahya related to me from Malik from Thawr ibn Zayd ad-Dili that  
Umar ibn al-Khattab asked advice about a man drinking wine. Ali ibn  
Abi Talib said to him, "We think that you flog him for it with eighty  
lashes. Because when he drinks, he becomes intoxicated, and when he  
becomes intoxicated, he talks confusedly, and when he talks  
confusedly, he lies." (80 lashes is the same amount as for slandering)  
Umar gave eighty lashes for drinking wine.

وَحَدَّثَنِي عَنْ مَالِكٍ، عَنْ ثَوْرِ بْنِ زَيْدٍ الدِّيلِيِّ، أَنَّ عُمَرَ بْنَ الْخَطَّابِ، اسْتَشَارَ فِي الْخَمْرِ يَشْرَبُهَا الرَّجُلُ فَقَالَ لَهُ عَلِيُّ بْنُ أَبِي طَالِبٍ نَرَى أَنْ تَجْلِدَهُ ثَمَانِينَ فَإِنَّهُ إِذَا شَرِبَ سَكِرَ وَإِذَا سَكِرَ هَذَى وَإِذَا هَذَى افْتَرَى ‏.‏ أَوْ كَمَا قَالَ فَجَلَدَ عُمَرُ فِي الْخَمْرِ ثَمَانِينَ ‏.‏

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Yahya related to me from Malik from Ibn Shihab that he was asked  
about the hadd of the slave for wine. He said, "I heard that he has  
half the hadd of a freeman for drinking wine. Umar ibn al-Khattab,  
Uthman ibn Affan, and Abdullah ibn Umar flogged their slaves with half  
of the hadd of a freeman when they drank wine."

وَحَدَّثَنِي عَنِ مَالِكٍ، عَنِ ابْنِ شِهَابٍ، أَنَّهُ سُئِلَ عَنْ حَدِّ الْعَبْدِ، فِي الْخَمْرِ فَقَالَ بَلَغَنِي أَنَّ عَلَيْهِ نِصْفَ حَدِّ الْحُرِّ فِي الْخَمْرِ وَأَنَّ عُمَرَ بْنَ الْخَطَّابِ وَعُثْمَانَ بْنَ عَفَّانَ وَعَبْدَ اللَّهِ بْنَ عُمَرَ قَدْ جَلَدُوا عَبِيدَهُمْ نِصْفَ حَدِّ الْحُرِّ فِي الْخَمْرِ ‏.‏

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Yahya related to me from Malik from Yahya ibn Said that he heard  
Said ibn al-Musayyab say, "There is nothing that Allah does not like  
to be pardoned as long as it is not a hadd."  
  
  
Yahya said that  
Malik said, "The sunna with us is that the hadd is obliged against  
anyone who drinks something intoxicating whether or not he becomes  
drunk."

وَحَدَّثَنِي عَنْ مَالِكٍ، عَنْ يَحْيَى بْنِ سَعِيدٍ، أَنَّهُ سَمِعَ سَعِيدَ بْنَ الْمُسَيَّبِ، يَقُولُ مَا مِنْ شَىْءٍ إِلاَّ اللَّهُ يُحِبُّ أَنْ يُعْفَى عَنْهُ مَا لَمْ يَكُنْ حَدًّا ‏.‏ قَالَ يَحْيَى قَالَ مَالِكٌ وَالسُّنَّةُ عِنْدَنَا أَنَّ كُلَّ مَنْ شَرِبَ شَرَابًا مُسْكِرًا فَسَكِرَ أَوْ لَمْ يَسْكَرْ فَقَدْ وَجَبَ عَلَيْهِ الْحَدُّ ‏.‏

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باب مَا يُنْهَى أَنْ يُنْبَذَ فِيهِ

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Yahya related to me from Malik from Nafi from Abdullah ibn Umar  
that the Messenger of Allah, may Allah bless him and grant him peace,  
addressed the people in one of his raids. Abdullah ibn Umar said, "I  
went towards him, but he finished before I reached him. I asked about  
what he had said. Someone said to me, 'He forbade preparing nabidh in  
a gourd or in a jug smeared with pitch.'"

حَدَّثَنِي يَحْيَى، عَنْ مَالِكٍ، عَنْ نَافِعٍ، عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ، أَنَّ رَسُولَ اللَّهِ صلى الله عليه وسلم خَطَبَ النَّاسَ فِي بَعْضِ مَغَازِيهِ - قَالَ عَبْدُ اللَّهِ بْنُ عُمَرَ - فَأَقْبَلْتُ نَحْوَهُ فَانْصَرَفَ قَبْلَ أَنْ أَبْلُغَهُ فَسَأَلْتُ مَاذَا قَالَ فَقِيلَ لِي نَهَى أَنْ يُنْبَذَ فِي الدُّبَّاءِ وَالْمُزَفَّتِ ‏.‏

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Yahya related to me from Malik from al-Ala ibn Abd ar-Rahman ibn  
Yaqub from his father from Abu Hurayra that the Messenger of Allah,  
may Allah bless him and grant him peace, forbade preparing nabidh in a  
gourd or in a jug smeared with pitch.

وَحَدَّثَنِي عَنْ مَالِكٍ، عَنِ الْعَلاَءِ بْنِ عَبْدِ الرَّحْمَنِ بْنِ يَعْقُوبَ، عَنْ أَبِيهِ، عَنْ أَبِي هُرَيْرَةَ، أَنَّ رَسُولَ اللَّهِ صلى الله عليه وسلم نَهَى أَنْ يُنْبَذَ فِي الدُّبَّاءِ وَالْمُزَفَّتِ ‏.‏

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باب مَا يُكْرَهُ أَنْ يُنْبَذَ جَمِيعًا

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Yahya related to me from Malik from Zayd ibn Aslam from Ata ibn  
Yasar that the Messenger of Allah, may Allah bless him and grant him  
peace, forbade preparing nabidh from nearly ripe dates and fresh dates  
together, and from dates and raisins together.

وَحَدَّثَنِي يَحْيَى، عَنْ مَالِكٍ، عَنْ زَيْدِ بْنِ أَسْلَمَ، عَنْ عَطَاءِ بْنِ يَسَارٍ، ‏.‏ أَنَّ رَسُولَ اللَّهِ صلى الله عليه وسلم نَهَى أَنْ يُنْبَذَ الْبُسْرُ وَالرُّطَبُ جَمِيعًا وَالتَّمْرُ وَالزَّبِيبُ جَمِيعًا ‏.‏

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Yahya related to me from Malik from a reliable source from Bukayr  
ibn Abdullah ibn al-Ashajj from Abd ar-Rahman ibn al-Hubab al-Ansari  
from Abu Qatada al-Ansari that the Messenger of Allah, may Allah bless  
him and grant him peace, forbade making nabidh from dates and raisins  
together, and nearly ripe dates and fresh dates together.  
  
  
Malik said, "That is the way of doing things among us in which the  
people of knowledge in our city continue. It is disapproved of because  
the Messenger of Allah, may Allah bless him and grant him peace,  
forbade it."

وَحَدَّثَنِي عَنْ مَالِكٍ، عَنِ الثِّقَةِ، عِنْدَهُ عَنْ بُكَيْرِ بْنِ عَبْدِ اللَّهِ بْنِ الأَشَجِّ، عَنْ عَبْدِ الرَّحْمَنِ بْنِ الْحُبَابِ الأَنْصَارِيِّ، عَنْ أَبِي قَتَادَةَ الأَنْصَارِيِّ، أَنَّ رَسُولَ اللَّهِ صلى الله عليه وسلم نَهَى أَنْ يُشْرَبَ التَّمْرُ وَالزَّبِيبُ جَمِيعًا وَالزَّهْوُ وَالرُّطَبُ جَمِيعًا ‏.‏

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باب تَحْرِيمِ الْخَمْرِ

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Yahya related to me from Malik from ibn Shihab from Abu Salama  
ibn Abd ar-Rahman that A'isha, the wife of the Prophet, may Allah  
bless him and grant him peace, said, "The Messenger of Allah, may  
Allah bless him and grant him peace, was asked about mead, and he  
replied, 'Every drink which intoxicates is haram.' "

وَحَدَّثَنِي يَحْيَى، عَنْ مَالِكٍ، عَنِ ابْنِ شِهَابٍ، عَنْ أَبِي سَلَمَةَ بْنِ عَبْدِ الرَّحْمَنِ، عَنْ عَائِشَةَ، زَوْجِ النَّبِيِّ صلى الله عليه وسلم أَنَّهَا قَالَتْ سُئِلَ رَسُولُ اللَّهِ صلى الله عليه وسلم عَنِ الْبِتْعِ فَقَالَ ‏  
"‏ كُلُّ شَرَابٍ أَسْكَرَ فَهُوَ حَرَامٌ ‏"‏ ‏.‏

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Yahya related to me from Malik from Zayd ibn Aslam from Ata ibn  
Yasar that the Messenger of Allah, may Allah bless him and grant him  
peace, was asked about al-Ghubayra. He said, "There is no good in it,"  
and forbade it. Malik said, "I asked Zayd ibn Aslam, 'What is al-  
Ghubayra?' He said, 'It is an intoxicant.' "

وَحَدَّثَنِي عَنْ مَالِكٍ، عَنْ زَيْدِ بْنِ أَسْلَمَ، عَنْ عَطَاءِ بْنِ يَسَارٍ، أَنَّ رَسُولَ اللَّهِ صلى الله عليه وسلم سُئِلَ عَنِ الْغُبَيْرَاءِ فَقَالَ ‏  
"‏ لاَ خَيْرَ فِيهَا ‏"‏ ‏.‏ وَنَهَى عَنْهَا ‏.‏ قَالَ مَالِكٌ فَسَأَلْتُ زَيْدَ بْنَ أَسْلَمَ مَا الْغُبَيْرَاءُ فَقَالَ هِيَ الأُسْكَرْكَةُ ‏.‏

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Yahya related to me from Malik from Nafi from Abdullah ibn Umar  
that the Messenger of Allah, may Allah bless him and grant him peace,  
said "Whoever drinks wine in this world and does not turn from it in  
tawba, it is haram for him in the Next World."

وَحَدَّثَنِي عَنْ مَالِكٍ، عَنْ نَافِعٍ، عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ، أَنَّ رَسُولَ اللَّهِ صلى الله عليه وسلم قَالَ ‏  
"‏ مَنْ شَرِبَ الْخَمْرَ فِي الدُّنْيَا ثُمَّ لَمْ يَتُبْ مِنْهَا حُرِمَهَا فِي الآخِرَةِ ‏"‏ ‏.‏

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باب جَامِعِ تَحْرِيمِ الْخَمْرِ

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Yahya related to me from Malik from Zayd ibn Aslam that Ibn Wala  
al-Misri asked Abdullah ibn Abbas about what is squeezed from the  
grapes. Ibn Abbas replied, "A man gave the Messenger of Allah, may  
Allah bless him and grant him peace, a small water-skin of wine. The  
Messenger of Allah, may Allah bless him and grant him peace, said to  
him, 'Don't you know that Allah has made it haram?' He said, 'No.'  
Then a man at his side whispered to him. The Messenger of Allah, may  
Allah bless him and grant him peace, asked what he had whispered, and  
the man replied, 'I told him to sell it.' The Messenger of Allah, may  
Allah bless him and grant him peace, said, 'The One who made drinking  
it haram has made selling it haram.' The man then opened the water-  
skins and poured out what was in them ."

حَدَّثَنِي يَحْيَى، عَنْ مَالِكٍ، عَنْ زَيْدِ بْنِ أَسْلَمَ، عَنِ ابْنِ وَعْلَةَ الْمِصْرِيِّ، ‏.‏ أَنَّهُ سَأَلَ عَبْدَ اللَّهِ بْنَ عَبَّاسٍ عَمَّا يُعْصَرُ مِنَ الْعِنَبِ فَقَالَ ابْنُ عَبَّاسٍ أَهْدَى رَجُلٌ لِرَسُولِ اللَّهِ صلى الله عليه وسلم رَاوِيَةَ خَمْرٍ فَقَالَ لَهُ رَسُولُ اللَّهِ صلى الله عليه وسلم ‏"‏ أَمَا عَلِمْتَ أَنَّ اللَّهَ حَرَّمَهَا ‏"‏ ‏.‏ قَالَ لاَ ‏.‏ فَسَارَّهُ رَجُلٌ إِلَى جَنْبِهِ ‏.‏ فَقَالَ لَهُ صلى الله عليه وسلم ‏"‏ بِمَ سَارَرْتَهُ ‏"‏ ‏.‏ فَقَالَ أَمَرْتُهُ أَنْ يَبِيعَهَا ‏.‏ فَقَالَ لَهُ رَسُولُ اللَّهِ صلى الله عليه وسلم ‏"‏ إِنَّ الَّذِي حَرَّمَ شُرْبَهَا حَرَّمَ بَيْعَهَا ‏"‏ ‏.‏ فَفَتَحَ الرَّجُلُ الْمَزَادَتَيْنِ حَتَّى ذَهَبَ مَا فِيهِمَا ‏.‏

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Yahya related to me from Malik from Ishaq ibn Abdullah ibn Abi  
Talha that Anas ibn Malik said, "I was serving wine to Abu Ubayda ibn  
al-Jarrah and Abu Talha al-Ansari and Umayy ibn Kab. The wine had been  
prepared from crushed ripe dates and dried dates. Someone came to them  
and said, 'Wine has been made haram.' Abu Talha ordered me to go and  
take the jugs and break them. I stood up and went to a mortar of ours  
and I struck them with the bottom of it until they broke."

وَحَدَّثَنِي عَنْ مَالِكٍ، عَنْ إِسْحَاقَ بْنِ عَبْدِ اللَّهِ بْنِ أَبِي طَلْحَةَ، عَنْ أَنَسِ بْنِ مَالِكٍ، أَنَّهُ قَالَ كُنْتُ أَسْقِي أَبَا عُبَيْدَةَ بْنَ الْجَرَّاحِ وَأَبَا طَلْحَةَ الأَنْصَارِيَّ وَأُبَىَّ بْنَ كَعْبٍ شَرَابًا مِنْ فَضِيخٍ وَتَمْرٍ - قَالَ - فَجَاءَهُمْ آتٍ فَقَالَ إِنَّ الْخَمْرَ قَدْ حُرِّمَتْ ‏.‏ فَقَالَ أَبُو طَلْحَةَ يَا أَنَسُ قُمْ إِلَى هَذِهِ الْجِرَارِ فَاكْسِرْهَا ‏.‏ قَالَ فَقُمْتُ إِلَى مِهْرَاسٍ لَنَا فَضَرَبْتُهَا بِأَسْفَلِهِ حَتَّى تَكَسَّرَتْ ‏.‏

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Yahya related to me from Malik from Da'ud ibn al-Husayn that  
Waqid ibn Amr ibn Sad ibn Muadh informed him from Mahmud ibn Labid al-  
Ansari that when Umar ibn al-Khattab went to ash-Sham, the people of  
ash-Sham complained to him about the bad air of their land and its  
heaviness. They said, "Only this drink helps." Umar said, "Drink this  
honey preparation." They said, "Honey does not help us." A man from  
the people of that land said, "Can we give you something of this drink  
which does not intoxicate?" He said, "Yes." They cooked it until two-  
thirds of it evaporated and one-third of it remained. Then they  
brought it to Umar. Umar put his finger in it and then lifted his head  
and extended it. He said, "This is fruit juice concentrated by  
boiling. This is like the distillation with which you smear the  
camel's scabs." Umar ordered them to drink it. Ubada ibn as-Samit said  
to him, "You have made it halal, by Allah!" Umar said, "No, by Allah!  
O Allah! I will not make anything halal for them which You have made  
haram for them! I will not make anything haram for them which You have  
made halal for them."

وَحَدَّثَنِي عَنْ مَالِكٍ، عَنْ دَاوُدَ بْنِ الْحُصَيْنِ، عَنْ وَاقِدِ بْنِ عَمْرِو بْنِ سَعْدِ بْنِ مُعَاذٍ، أَنَّهُ أَخْبَرَهُ عَنْ مَحْمُودِ بْنِ لَبِيدٍ الأَنْصَارِيِّ، أَنَّ عُمَرَ بْنَ الْخَطَّابِ، حِينَ قَدِمَ الشَّامَ شَكَا إِلَيْهِ أَهْلُ الشَّامِ وَبَاءَ الأَرْضِ وَثِقَلَهَا وَقَالُوا لاَ يُصْلِحُنَا إِلاَّ هَذَا الشَّرَابُ ‏.‏ فَقَالَ عُمَرُ اشْرَبُوا هَذَا الْعَسَلَ ‏.‏ قَالُوا لاَ يُصْلِحُنَا الْعَسَلُ ‏.‏ فَقَالَ رَجُلٌ مِنْ أَهْلِ الأَرْضِ هَلْ لَكَ أَنْ نَجْعَلَ لَكَ مِنْ هَذَا الشَّرَابِ شَيْئًا لاَ يُسْكِرُ قَالَ نَعَمْ ‏.‏ فَطَبَخُوهُ حَتَّى ذَهَبَ مِنْهُ الثُّلُثَانِ وَبَقِيَ الثُّلُثُ فَأَتَوْا بِهِ عُمَرَ فَأَدْخَلَ فِيهِ عُمَرُ إِصْبَعَهُ ثُمَّ رَفَعَ يَدَهُ فَتَبِعَهَا يَتَمَطَّطُ فَقَالَ هَذَا الطِّلاَءُ هَذَا مِثْلُ طِلاَءِ الإِبِلِ ‏.‏ فَأَمَرَهُمْ عُمَرُ أَنْ يَشْرَبُوهُ فَقَالَ لَهُ عُبَادَةُ بْنُ الصَّامِتِ أَحْلَلْتَهَا وَاللَّهِ ‏.‏ فَقَالَ عُمَرُ كَلاَّ وَاللَّهِ اللَّهُمَّ إِنِّي لاَ أُحِلُّ لَهُمْ شَيْئًا حَرَّمْتَهُ عَلَيْهِمْ وَلاَ أُحَرِّمُ عَلَيْهِمْ شَيْئًا أَحْلَلْتَهُ لَهُمْ ‏.‏

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Yahya related to me from Malik from Nafi from Abdullah ibn Umar  
that some men from Iraq said to him, "Abu Abd ar-Rahman, we buy the  
fruit of the palm and grapes and we squeeze them into wine and we sell  
it." Abdullah ibn Umar said, "I call on Allah and His angels and  
whoever hears of jinn and men to testify to you that I order you not  
to buy it nor sell it nor to press it nor to drink it nor to give it  
to people to drink. It is something impure from the work of Shaytan."

وَحَدَّثَنِي عَنْ مَالِكٍ، عَنْ نَافِعٍ، عَنْ عَبْدِ اللَّهِ بْنِ عُمَرَ، أَنَّ رِجَالاً، مِنْ أَهْلِ الْعِرَاقِ قَالُوا لَهُ يَا أَبَا عَبْدِ الرَّحْمَنِ إِنَّا نَبْتَاعُ مِنْ ثَمَرِ النَّخْلِ وَالْعِنَبِ فَنَعْصِرُهُ خَمْرًا فَنَبِيعُهَا ‏.‏ فَقَالَ عَبْدُ اللَّهِ بْنُ عُمَرَ إِنِّي أُشْهِدُ اللَّهَ عَلَيْكُمْ وَمَلاَئِكَتَهُ وَمَنْ سَمِعَ مِنَ الْجِنِّ وَالإِنْسِ أَنِّي لاَ آمُرُكُمْ أَنْ تَبِيعُوهَا وَلاَ تَبْتَاعُوهَا وَلاَ تَعْصِرُوهَا وَلاَ تَشْرَبُوهَا وَلاَ تَسْقُوهَا فَإِنَّهَا رِجْسٌ مِنْ عَمَلِ الشَّيْطَانِ ‏.‏

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