

The Juristic Status of Classical Psychedelics

A Reclassification and Exception Analysis — Working Draft v0.1

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Executive Summary

Here’s where this paper ends up, so you know the destination before you go through the argument. This isn’t a substitute for the argument — it’s a map. Several of these conclusions only survived because they were tested, failed in an earlier form, got corrected under challenge, or came close to losing to a counter-argument. That process is the actual case for what follows, not this summary. Read the argument if you want to know whether these conclusions hold, not just what they are. Classical psychedelics — mainly psilocybin and 5-MeO-DMT — don’t meet the classical criteria for muskir, the hadd-bearing, absolutely-prohibited category that governs khamr. That’s the central finding. It’s reached five separate ways, independently, not on the strength of one clever reading, and it holds across the whole dose range examined — including full ego dissolution, the tier where earlier drafts of this paper (and every other treatment of this question) conceded the classification failed. Two applications follow, and they don’t follow equally. Medical use stands on solid, double-grounded footing. It rests on the classification finding above, and independently, on the doctrine of darūra/hāja — necessity and need — which would hold up the case for supervised therapeutic use even if the classification finding were later overturned. For treatment-resistant depression, PTSD, and similar conditions where conventional treatment has failed: supervised, purpose-limited, clinically-administered use is defensible on established Islamic legal principle, on the same ground as surgical anaesthesia. Spiritual use is also supported — but on narrower, single-stranded ground, and I’m saying that plainly rather than overselling it. It survives the claim that the substance itself is pro-

hibited. It survives the claim that ingestion is an illegitimate method for pursuing a spiritual end — the precedent here is *samā'* and the Prophet's own *i'tikāf* and retreat at *Ḥirā'*, both of which show that voluntary, purposeful alteration of ordinary consciousness doesn't void *taklīf* or disqualify what's received during it. It survives the claim that this opens the door to communal religious harm, once that claim is properly bounded rather than left to float. But unlike the medical case, it has no second, independent leg to stand on if any of these findings get successfully challenged — and this paper's conclusion here goes further than even the most sympathetic published scholarship on the question is willing to go. That's disclosed here, not buried. Neither application is unrestricted. Both stay bounded by supervision, diagnosis or defined spiritual purpose, and a hard line against unsupervised or recreational use. These aren't caveats bolted onto a more permissive conclusion — they're part of what the conclusion actually is. The method here treats classification and dispensation as genuinely separate operations. It answers the objection that classification-by-diagnostic-criteria is the wrong method to begin with — and answers it first, before anything else, at §0. And it records rather than hides the places where the argument is contested, incomplete, or honestly unresolved. Part V takes on nine objections directly, each stated at full strength before it gets answered: It's *khamr* — the substance falls under the same prohibition by extension It's *bid'ah* — using it this way is forbidden innovation in worship It clouds the intellect — whatever the technical classification, something is happening to the mind that *ḥifz al- 'aql* exists to prevent It corrupts the religion — permitting it risks communal theological harm Jinn — the risk of unsolicited encounter with entity content *Ijmā'* — existing scholarly consensus already closes the question *Fasād al-zamān* — present conditions make responsible practice unrealistic regardless of the ruling in principle Institutional silence — no major fatwa body has reached this conclusion The slippery slope — if this method works here, it licenses reclassifying anything given enough ingenuity Some of these get answered in full. Some get answered with an acknowledged gap left standing. At least two are recorded as genuinely unresolved, not resolved by assertion. That unevenness is the honest state of the argument, not a flaw hidden for a cleaner ending. A few further points stay open regardless of anything above: the precise status of *nashwa* as legal cause versus descriptive marker; how adequate supervision actually is under present, largely unregulated conditions; the fact that Islamic-specific data on devotional practice following use doesn't exist yet — though active research is closing that gap and hadn't published at time of writing; and a specific claim about al-Ghazālī's treatment of substances in the *Iḥyā'* that I couldn't verify either way, so I don't rely on it. The body of the paper works through the reasoning behind each finding — where it's strong and where it's weak — so a reader can judge not just what this paper concludes but how much weight each conclusion can actually carry. §0 starts the argument at its most exposed point: not the strongest evidence, but the one objection capable of unmaking everything after it, answered before anything has been built for it to knock down.

Part I — Framing

§0. The Question That Has to Be Answered First

Every finding in Parts III and IV depends on how one prior question gets answered. I'm putting it here, first, rather than folding it into Part V as one objection among nine. There are two competing forms of the question. The categorical form, which this paper's method assumes: a substance is prohibited when it meets specific, historically-derived diagnostic criteria — *nashwa*, sensory involvement, uniformity of effect, the perceptual test of Abū Ḥanīfa and Ibn 'Abd al-Barr — extended by *qiyās* from *khamr*, the named case, to substances the primary texts never mention. The purposive form, which a serious critic is entitled to press instead: the Lawgiver didn't intend to prohibit a family resemblance of wine-like symptoms. He intended to protect 'aql from deliberate interference undertaken to reach a state you wouldn't reach otherwise. On this reading it doesn't matter whether a substance fits Qarāfī's boxes or al-Rāzī's definitions. The question is just: Does this substance veil the intellect, in order to reach a state the intellect wouldn't otherwise reach? If yes, no amount of classificatory precision changes the result. Discussion's over before it starts. That's not a small methodological quibble. If it's right, it's fatal to this whole approach — every finding from §11 to §17 becomes, at best, an elaborate answer to a question that was never the operative one. So it gets addressed here, first, before any classificatory claim gets made. Here's the problem with the purposive form stated at that strength: it proves too much. Take *i'tikāf*, and the Prophet's own pre-revelation retreat at Ḥirā'. Both are deliberate withdrawals from ordinary sensory engagement, undertaken specifically to reach a state — nearness to Allah, receptivity to revelation — that ordinary waking consciousness doesn't reach on its own. Take *samā'*: on Ghazālī's own defence it deliberately uses an external stimulus to occasion *wajd*, a state in which the sober operation of 'aql is, by the classical Sufi sources' own account, temporarily set aside. Both deliberate. Both intentionally alter how the practitioner ordinarily takes in reality, in pursuit of a state that mode doesn't produce on its own. Neither is prohibited. Both are among the most highly regarded practices in the whole devotional corpus (§10, §33). A purposive test broad enough to catch classical psychedelics on "intentional alteration in pursuit of a non-natural epistemic state" alone catches these too — and the tradition's own practice refutes it at that level of generality. Which means: to survive contact with the tradition it claims to represent, the purposive objection can't stay this general. It has to specify. Alteration of which faculty, by which means, toward what end — distinguished from *i'tikāf*'s withdrawal and *samā'*'s stimulus on some principled ground. The moment someone tries that specification — is it mechanism that matters, or purpose; does *nashwa* matter, or only *taghtiyat al-'aql* on its own; does an exogenous chemical change the analysis versus withdrawal or external stimulus — the inquiry has become classificatory. It's now asking exactly what §11 through §17 ask, at exactly the precision *uṣūl al-fiqh* demands of any 'illa that's to be *mundabit* — precisely bound and workable — rather than a general intuition that can't be applied consistently. The purposive and categorical forms aren't two rival methods answering the same question. The purposive form, made rigorous enough to function as law, is a demand for the categorical form to be done more carefully. Not an alternative to it. One honest limit needs stating rather than hiding. A critic could retreat to a narrower, more defensible purposive claim: that *i'tikāf* and *samā'*

are legitimate because the altered state is incidental to a licit underlying practice — withdrawal for prayer, audition for remembrance — while psychedelic use seeks the altered state directly, as the point of the act, and that difference in the structure of intention is enough to distinguish the cases without collapsing into classification at all. I can't wave that away with the argument above. It's actually Objection B (§22), and it's answered there through samā''s own internal logic — Ghazālī's defence of samā' never rested on the alteration being merely incidental; it rested on the practice being a legitimate facilitator of a sought spiritual state, which is a different and stronger claim than mere incidentality. This refined version of the objection isn't settled here. It's redirected to where the paper actually tries to settle it, and §22 should be read as this section continuing, not as a separate matter. With this settled as far as it can be settled, classification and dispensation can proceed on the ground that they're not competing with some simpler alternative this paper has failed to notice — they are the answer to the objection that such an alternative exists.

§1. The Question

This paper asks something narrower and more disciplined than “are psychedelics permissible in Islam.” It asks: what do the established principles of Islamic jurisprudence yield when applied, rigorously and without a predetermined conclusion, to classical psychedelics — considered separately for medical and spiritual use? That's two distinct operations, applied to each use-case in turn. The first is classification (*taḥqīq al-manāt*): does the 'illa behind the *khamr* prohibition actually obtain here? This is a dispute about whether the ruling reaches the case at all, worked out from the primary texts and the classical taxonomy (Part III), independent of what the substance is being used for — it either falls under *muskir* or it doesn't, and classification can't depend on the user's purpose. The second is dispensation: granting that a substance falls under a prohibitive category, does any recognised exception — *darūra*, *hāja*, *tadāwī* — lift the prohibition for a particular use? Unlike classification, dispensation is purpose-sensitive by definition. The whole exception literature is organised around why the act was done, not the act alone (Part II). The paper works through the case law and jurisprudential principle (Parts II-III) before applying the results, separately, to the medical case and the spiritual case (Part IV). Where the two applications converge and diverge isn't stipulated in advance — that's the outcome of the analysis, and Part IV states it as found, whatever it turns out to be. Treat any anticipation of the outcome before then as provisional.

§2. Method and Limits

The operative method throughout is *taḥqīq al-manāt*: accept the *naṣṣ*, accept the ruling it generates, accept the 'illa the jurists extracted from it — and dispute only whether a given substance instantiates that 'illa. This is among the least controversial moves in *uṣūl al-fiqh*, accepted in some form across the schools, including by the *Zāhirīs*, who reject *qiyās* generally but still require *manāt* to be verified before applying a *naṣṣ*-based ruling to a new case. Three things this paper doesn't do, stated up front so they don't get mistaken for oversights: It doesn't challenge the prohibition of *khamr* itself. That's established by definitive text (*naṣṣ qat'i*) and is out of scope. It doesn't treat *kashf* — mystical unveiling — as *ḥujja*, a source of legal evidence, for

the recipient or anyone else. Ibn 'Arabi himself, whose framework might seem to license this, is explicit that the *mīzān* for weighing any unveiling is conformity to the Book and the Sunna; unveiling that contradicts an established ruling is delusion, not knowledge. Nothing here depends on unveiling as evidence. It doesn't rely on modern harm-ranking data — addiction potential, overdose risk, comparative toxicology — as a primary ground for permission. That data supports arguments already grounded in the classical taxonomy (§14). It's never a free-standing justification, because — as §4 shows — the *khamr* ruling isn't harm-grounded to begin with, so an argument from harm reduction can't dislodge it on its own. A fourth point governs how the neuroimaging, behavioural, and first-person evidence throughout Part III should be read, and it's worth stating as a principle rather than leaving it implicit. The classical jurists didn't classify substances by mechanism. They classified by legal effect: is *tamyīz* intact, does *taklīf* remain operative, does the state look like *nashwa* or *futūr*. Neuroimaging and behavioural data aren't legal categories on their own, and nothing here treats “this looks pharmacologically different from alcohol” as sufficient by itself to establish “therefore not *muskir*.” Empirical evidence supports a claim about legal effect — is *tamyīz* intact, is the state *nashwa*-characterised — it never substitutes for making that claim on its own terms. Where the argument moves from an empirical finding to a classificatory conclusion, which it does repeatedly in §13–§15, the legal criterion being tested is stated explicitly at each step. First-person report is treated the way the classical jurists treated behavioural proxies like gait and coherence of speech — admissible, not authoritative testimony about the state's ultimate nature or worth (developed further at §13).

§3. Concessions

Here's what's conceded in full. Each of these was tested at length against the strongest available counter-argument and didn't survive. Stating the weak ground openly, before the constructive argument starts, is what makes the strong ground credible. The *hadd* attaches to the act of drinking, not to the resulting state. Someone who drinks *khamr* and stays functionally sober is still liable to the prescribed penalty. That alone kills any argument that the prohibition targets *sukr* as an experiential state independent of its cause. A single drop of *khamr* is prohibited by consensus, despite producing no intoxication, no impairment, no missed obligation. So the ruling can't be grounded in harm or impairment — it attaches to the substance as an '*ayn*, independent of dose or effect (full argument at §4). Qur'an 4:43 is the middle stage of a three-stage progressive prohibition (*tadarruj*), starting at 2:219 and ending at 5:90. Its permissive implication — that intoxication is fine outside prayer times — is superseded by the final, unconditional prohibition. It can't be cited as evidence the ruling only targets prayer-time impairment. *Ṣalāt* can't be performed during the acute window of a classical psychedelic experience at doses producing ego dissolution or a mystical-type experience. Conceded as fact, both applications, not argued away in either (§18, §21). *Sukr al-tawhīd* is defined by its source — *tajallī*, divine self-disclosure occasioned by lawful worship — not just by its phenomenology. That's constitutive of the category as the Sufi authorities define it, not a condition read in from outside. Junayd's position, that *ṣaḥw* ranks above *sukr* and the intoxicated station is one to be passed through rather than sought as an end, is the dominant position in the school, not a minority caution. Al-Bistāmī and

al- Hallāj, sometimes cited as precedent for privileging the intoxicated state, come down through the tradition as cautionary and exceptional, not as models to imitate — al-Hallāj was executed partly for public utterances arising from precisely this station. Bid’ah ḥasana — praiseworthy innovation — plays no role anywhere in this paper. Invoking it here would presuppose the conclusion in dispute (that the practice is licit and merely novel in form), so it’s circular as applied to this question.

Part II — The Corpus of Prohibitions and Exceptions

[To be drafted next: §4–§10, surveying the case law of prohibition-with- exception across naṣṣ-based, dispensation-based, and practice-based categories of Islamic law generally — not yet applied to psychedelics. Covers food law, ritual law, dress, medicine, and the closest historical analogue: the jurisprudential reception of newly-encountered psychoactive substances (coffee, tobacco, qat).]

§4. Prohibition by Text, Exception by Text

The paradigm case of a categorical prohibition suspended by its own governing text is the food law of Q2:173, Q5:3, and Q6:145: carrion, blood, swine, and what’s dedicated to other than Allah are prohibited, immediately followed by the exception — *fa-man id-turra ghayra bāghin wa-lā ‘ādin fa-lā ithma ‘alayh*, “but whoever is compelled, neither desiring nor exceeding necessity, no sin is upon him.” Three conditions are packed into that clause and recur through the later exception literature: genuine compulsion (*idtirār*), not mere preference; not undertaken for its own sake or pleasure (*ghayra bāgh*); and not exceeding what necessity requires (*ghayra ‘ād*). A prohibition suspended this way is suspended exactly to the extent of the necessity, no further — the jurists generally hold you may eat carrion to the point of survival, not satiation. The fasting obligation gives a similar but procedurally different exception. Q2:184–85 lifts the obligation for the ill and the traveller, but doesn’t just cancel the missed days — it requires *qadā’*, a make-up once the impediment passes. Worth isolating this as its own model, because it’s a second, quite different technique: rather than voiding the obligation for the duration of an impediment, the law converts it into a debt, discharged later. This distinction — suspension-without-remainder versus suspension-with-*qadā’* — comes back at §7, and matters directly for any case involving temporary incapacity for worship. Tayammum (Q4:43, Q5:6) — dry ablution substituted for water when water is harmful or unavailable — is a third variant again: not suspension of an obligation, but substitution of the means of fulfilling it. The obligation stays untouched; only the instrument changes.

§5. Prohibition by Text, Exception by Prophetic Dispensation

A second family: a text establishes a general prohibition, and a further transmitted report records an explicit prophetic exemption for a particular circumstance — narrower than a Qur’anic exception clause, needing its own chain of transmission and its own scope. The clearest case is silk. Men are prohibited from wearing it by multiple authenticated reports, yet Bukhārī and Muslim both transmit that the Prophet permitted ‘Abd al-Raḥmān b. ‘Awf and al-Zubayr b. al-‘Awwām to wear silk on account of an itch (*ḥikka*) or skin complaint (*jarab* in some narrations). The jurists who

discuss this treat it as establishing that a categorical prohibition can be exempted for a specific, non-life-threatening medical condition, on prophetic authority, for those exempted — and by extension of the *'illa*, for others in a relevantly similar condition. This matters precisely because the underlying need wasn't survival-level *darūra*. It was documented physical discomfort. The report of the *'Uraniyyīn* (Bukhārī) — sick men directed to *zakāh* camels and told to drink their milk and urine as treatment — is transmitted as a case of impure or otherwise objectionable substances prescribed for illness. Its use as evidence is contested: some jurists read it as general warrant for treating with impure substances absent alternative; others confine it narrowly to its own facts, or treat it as predating stricter later rulings on *najāsa*. It's a live but disputed precedent, not a settled one, and any argument leaning its full weight on this alone should be treated as fragile. Gold and silver vessels are prohibited for general use, yet a small silver or gold wire to bind a loose tooth, or gold thread for dental repair, is permitted by later jurists on grounds of medical necessity, without much recorded dispute — an exception settled enough that it barely attracts controversy in the later literature.

§6. The Counter-Case: Khamr Is Not Medicine

Any medical-exception survey has to face the strongest text running the other way directly. Muslim transmits that *Tāriq b. Suwayd* asked the Prophet about making *khamr* into medicine, and was told: *innahu laysa bi-dawā'in wa- lākinnaḥu dā'* — “it is not a cure, it is a disease.” Reinforced by the widely transmitted report attributed to *Ibn Mas'ūd*, that Allah did not place the cure of His creation in what He has prohibited to them. On its face this is a direct textual bar on treating any prohibited intoxicant as medicine, named specifically for *khamr*. Three lines are available to reconcile it with §5. First: the report addresses *khamr* specifically, by name, and doesn't announce a general “no prohibited substance may ever be medicine” principle — a reading consistent with the specific exemptions already established at §5 for silk and, more contestably, the *'Uraniyyīn* case. Second: a flat rule of that kind is hard to square with the settled practice, at §7, of surgical anaesthesia using substances independently prohibited outside that context. Third: both the *Ḥanafī* and *Shāfi'ī* schools developed doctrines permitting treatment with an otherwise-prohibited substance specifically where no lawful alternative exists and a qualified physician judges it necessary — not a contradiction of *Tāriq b. Suwayd's* report so much as a reading of it as addressing the ordinary case (*khamr* as general-purpose remedy, lawful alternatives available) rather than the exceptional one (a specific prohibited compound, no substitute, a documented condition). None of these three is without difficulty, and I'm not resolving the tension definitively. It's the central obstacle any medical argument in Part IV has to clear, and it's treated as cleared only provisionally — subject to the “no lawful alternative” condition genuinely being satisfied on the facts of the case.

§7. Prohibition Established by Practice, Exception Established by Practice

Not every relevant prohibition here starts in an explicit text. Some are established by settled jurist consensus reasoning from the general prohibition on harming the body and the intellect. Two cases matter. Surgical anaesthesia (*banj*, *raqīq*, and related

soporifics, historically opium- and henbane-derived) is discussed across the medical-legal literature without much recorded controversy over its permissibility as such. Ibn Taymiyya — elsewhere the strictest voice in this whole survey, holding that hashish is prohibited by total analogy to khamr regardless of whether intoxication results, and that permitting it verges on disbelief — nonetheless states repeatedly, across the *Majmū' al-Fatāwā* (14/117, 33/104, 34/198) and again in *al-Fatāwā al-Kubrā* (3/423), that *banj* is not an intoxicant. His ground: intoxicants remove the senses through pleasure (*ladhdha*), producing the euphoric, elation-bearing state that characterises *sukr*; anaesthesia removes the senses without any such pleasure. So the distinction isn't about degree — both states involve loss of ordinary sensory function — it's mechanistic: how and why the senses are lost, not merely that they are. This matters a lot for this paper, precisely because it comes from the jurist least inclined anywhere in this survey to give latitude to psychoactive substances. The state induced is total: complete abolition of awareness, voluntarily undertaken, through a substance that would, outside a medical context, raise real harm questions itself. Its acceptance establishes a principle worth stating plainly, because it comes back: elective, substance-induced, total abolition of awareness is not, as such, categorically foreclosed by Islamic law. Its permissibility here rests entirely on the purpose it serves and the absence of a less drastic alternative — it's §5's dispensation logic at work, not an exception to §4's classification logic. One limit on this precedent needs stating rather than left for a critic to raise. Anaesthesia carries no intrinsic spiritual claim — its purpose is removing consciousness to permit a separate act, surgery, and nothing about the state itself is sought or valued. That's exactly why the *banj* precedent is used here only for classification (§7, §14) and never for the separate question of whether seeking an altered state for its own sake, as a spiritual end, is a legitimate use of a permitted substance. That second question doesn't get answered by anaesthesia at all. It's addressed independently, on its own precedent, at §22 (via *samā'*) and §33 (via *i'tikāf* and *Ḥirā'*), where the substance or practice is one people undertake precisely for the state it produces. The anaesthesia analogy establishes that a state may permissibly be entered — it says nothing about whether entering it for its own sake is likewise permitted, and it's never been asked to. Missed prayer during the anaesthetised period is handled, in the *Ḥanafī* treatment, by the same suspension/*qadā'* distinction from §4: below a certain duration of incapacity, missed prayers are made up (*qadā'*) once capacity returns; above a threshold — the jurists differ on exact figures — the obligation may lapse entirely, on analogy with someone who loses consciousness or reason for an extended period through illness. The general principle, independent of the specific thresholds: voluntary, purpose-justified incapacity that causes a missed obligation doesn't by itself invalidate the underlying act. At most it generates a compensable debt.

§8. The Reception of Newly- Encountered Psychoactive Substances

The closest historical analogue to a modern jurist facing an unfamiliar psychoactive compound — unaddressed by the Companions, unmentioned in the primary texts — is the reception of coffee, tobacco, and qat between the sixteenth and eighteenth centuries. Instructive precisely because those jurists faced the same classificatory problem this paper faces now. Coffee's early history is dispute followed by resolution in favour of permission. It spread through Yemeni Sufi orders as an aid to sustaining

wakefulness through night vigils of dhikr — its earliest documented use in the Islamic world was explicitly spiritual, not social. Banned as an intoxicant in Mecca in 1511 under the governor Khā'ir Beg, on the argument that its effects put it within the scope of the khamr prohibition; the ban didn't hold, was overturned within years, and the permissive position won out in the broader literature. The debate turned substantially on a definitional question that comes back at §15: did coffee's effects meet the criteria of *iskār* (intoxication — generally, its defenders held, requiring *tarab*, elation, together with *taghtiyat al-'aql*, clouding of the intellect), or was it better classified as *munabbih*, stimulant — a category the classical taxonomy treats as unproblematic? The permissive position held that stimulation isn't equivalent to intoxication, and a substance that sharpens rather than clouds discrimination doesn't meet the operative definition regardless of novelty or psychoactivity. Tobacco's reception followed a broadly similar path — significant early prohibition on grounds including harm (*darar*) and *mufattir*, that which induces *futūr*, languor — with a durable division of opinion persisting into the modern period, unlike coffee's comparatively settled resolution. Tobacco deserves a further pause for a different reason. Nicotine's pharmacological character isn't fixed across the dose range it's historically been consumed at. At the doses typical of habitual smoking, it functions as a stimulant (*munabbih*) — the classification its Western juristic treatment has generally assumed. But that's not the only documented pattern of use. Amazonian and Mesoamerican shamanic traditions, using high-nicotine *Nicotiana rustica* at concentrations and doses far exceeding recreational use — recorded doses in some traditions running into the hundreds of applications within a single session — report a materially different state: catatonia, visionary content, disabled colour perception, and what practitioners describe as encounter with a luminous void, sustained over extended periods in some traditions. The ethnobotanical literature (Wilbert's study foremost) documents this as a stable, cross-culturally attested pattern, not an isolated report. The point here isn't that this changes tobacco's classification for this paper's purposes — the Western, low-dose pattern is still the relevant one for §15. The point is structural: it's independent, documented evidence that a single substance's operative pharmacological character, and therefore its correct classification under a *waṣf*-based taxonomy, isn't fixed to the substance as such — it can shift materially with dose. A substance correctly classified as *munabbih* at one dose isn't guaranteed to stay *munabbih* at another. That's not a novel or imported principle; it's a feature the classical taxonomy already has to accommodate once one plant is shown to occupy more than one category depending on quantity consumed. This is recorded here because Part III's treatment of dose-dependent classification (§16) rests directly on this structural feature, and tobacco gives it an attested precedent independent of anything argued about psychedelics. Qat is the disanalogous case, recorded here for balance rather than left out. Modern committees, including the Permanent Committee for Islamic Research and Legal Rulings (*al-Lajna al-Dā'ima*) in Saudi Arabia, have ruled qat prohibited despite arguments for conceded benefit, reasoning that documented harms substantially outweigh benefit on a *maṣlahā*-*mafsada* balancing test. This establishes that novelty and textual silence doesn't by itself predict a permissive outcome — the classificatory question has to be argued on its specific merits, substance by substance. This family of cases is the closest structural precedent available for a new-substance classification argument, and it's the only branch where a psychoactive substance adopted for explicitly spiritual use went through sustained juristic scrutiny to a settled position — in coffee's case,

a permissive one.

§9. The Shape of the Exception Corpus

Having surveyed the mechanisms above, a pattern in their underlying logic can now be stated generally, independent of application.

Prohibition Threat to life lifted to Darūra or essential extent of faculty necessity Descends General, to rank of Hājawidespread darūra for 'āmmāneed, short legal of darūra purposes Prohibition lifted; IkrāhCoercion culpability removed TadāwīDocumentedDisputed; medicalsee §6 treatment,

no lawful alternative Unavoidable, 'UmūmProhibition widespread al-balwārelaxed affliction Undue hardship in Raf' al-Prohibition observing ḥarajrelaxed the prohibition Every mechanism in that table operates by averting a harm, deficiency, or hardship already present or imminent. That's not incidental — it's the governing logic named directly in the maxim al-darūrāt tubīḥ al-maḥzūrāt, necessities render permissible what is prohibited, and its subsidiary maxims (al-ḥāja tanzilu manzilat al-darūra, al-mashaqqā tajlibu al-taysīr). No maxim in the corpus runs the other direction — none says that a benefit, spiritual or otherwise, of sufficient magnitude renders the prohibited permissible. On this survey, the whole architecture of exception is harm-averting, and a use aimed at securing a good rather than averting a harm doesn't have an obvious door into this table. This is a general observation about the shape of the instrument, prior to and independent of its application to any specific substance in Part IV.

§10. The Partial Counter-Example

One case in the broader corpus doesn't fit §9's table cleanly, and it's worth recording precisely because it's the exception rather than confirmation of the pattern. The dispute over samā' (structured listening to music, poetry, or chant, sometimes with movement, associated with Sufi practice) was resolved by some jurists — most influentially al-Ghazālī in the Iḥyā' — substantially on grounds of spiritual benefit: properly conducted, the practice cultivates remembrance and softens the heart toward God, and that benefit is a legitimate consideration in assessing permissibility. Al-Ghazālī's defence won out against sustained opposition from jurists who classed samā' alongside or analogous to prohibited amusements. The structural feature that separates this from everything else in this survey has to be stated precisely: samā' was never established as prohibited by definitive text. The dispute was over whether it was prohibited at all — a classification dispute in Part III's sense, not a dispensation dispute in §4–§9's sense. Al-Ghazālī's benefit argument was one consideration among several in resolving a contested classification, not an exception overriding a settled prohibition. So it stands as precedent for spiritual utility being a cognisable, admissible consideration in Islamic legal reasoning — jurists have weighed it, decisively, in at least one major historical dispute. It does not stand as precedent for spiritual utility lifting a prohibition already established as such. Different claims, and the difference matters a lot for how this precedent can be used in Part IV.

Part III — Classification

[To be drafted next: §11–§17, working through the classical taxonomy of intoxicating and mind-altering substances (muskir / mufsid-mukhaddir / mufattir / murqid-munabbih) as a general analytic tool, then testing each category against the pharmacological and phenomenological evidence for classical psychedelics. Includes the textual argument from Q5:91’s self-stated ‘illa, examined on its own terms before any conclusion about which use-case it favours.]

§11. The Taxonomy

The classical jurists didn’t treat “intoxicant” as one undifferentiated category, and earlier drafts of this paper — collapsing several distinct classical categories into a single prohibitive slot — understated the precision the tradition actually achieved. The clearest statement is al-Qarāfi’s (d. 684 AH), in al-Furūq, transmitted with full citation in recent scholarship (Rashid, AMJA 2023, drawing on al-Furūq 1:215–218), and it gives four genuinely distinct classes, each with its own ruling structure: Muskir — clouds the mind while the senses stay intact, characteristically with nashwa: elation, courage, self-assertion, a heightened sense of power. Al-Qarāfi describes muskir’s effect specifically as increasing boldness, joy, inclination toward violence and vengeance against enemies, and competitive generosity. This is khamr’s full ruling: hadd-bearing, prohibited at any quantity, najis by the majority position (§3). Mukhaddir — clouds the mind while the senses stay intact, but without nashwa. Al-Qarāfi’s paradigm case is hashish, contrasted directly with wine on this basis. A report transmitted by Abū Dāwūd from Umm Salama — “the Messenger of Allah forbade every muskir and every mufattir” — is read by the jurists as naming this same category from its other characteristic effect, futūr: lethargy, numbing, weakening, not elation. Mukhaddir and mufattir are treated as substantially the same thing, both denoting the non-nashwa pole of mind-clouding. Pure (tāhir), no hadd, liable only to ta’zīr — a lesser, discretionary penalty — and, critically, prohibited only at the quantity that actually produces the effect; smaller quantities are permissible (Ibn Ḥamdūn; Ibn ‘Ābidīn on opium specifically). Muraqqad — clouds the mind and the senses together: sight, hearing, touch, smell, and taste are lost along with ordinary discrimination, not just dulled alongside it. Al-Qarāfi’s cases here are belladonna and datura; classical anaesthetic practice (banj, §7) is this category in medical use. Pure, no hadd, no impurity, and — same as mukhaddir — prohibited only at the quantity producing the effect. Mufsid — a residual category for substances causing durable neurotoxic or physiological harm, independent of whether they produce the muskir/mukhaddir/muraqqad profile at all. A harm-based category, not a sukr-based one, addressed separately at §16. Al-Qarāfi states a second criterion that matters a lot for what follows: muskir produces a broadly uniform effect across those who consume it — elation, boldness — while mukhaddir substances like hashish produce markedly variable effects across individuals: stimulation in some, drowsiness in others, distress or elation depending on the consumer’s constitution. Uniformity of effect is evidence for muskir. Variability is evidence against it, on al-Qarāfi’s own test. A substance under examination has to be tested against this whole four-way structure — not just a single “does it intoxicate” question — with nashwa, sensory involvement, and uniformity of effect all serving as distinguishing criteria rather than degree of

impairment alone. §12–§17 run this test for classical psychedelics, mainly psilocybin, with 5-MeO-DMT treated separately where the pharmacology diverges materially. They’re structured as a nested argument: a primary case that the muskir/mukhaddir clouding criterion isn’t met at all, followed by successive fallback positions tested against progressively more conceded ground, so the conclusion doesn’t rest on any single contested premise. This taxonomy isn’t al-Qarāfi’s alone, and it shouldn’t be presented that way. A hostile reading of an earlier draft of this paper — correctly — flagged over- reliance on a single Mālikī jurist as its principal structural weakness: a taxonomy resting on one scholar’s organisation can be dismissed as idiosyncratic, however carefully applied. So here’s a survey of where it’s independently corroborated across schools — and, reported with equal honesty, where it’s genuinely contested. The nashwa criterion isn’t confined to al-Qarāfi’s individual formulation. ‘Ulaysh’s *Minah al-Jalīl*, a major later Mālikī reference synthesising the school’s settled positions, states the same criterion in near-identical terms and treats it as the school’s mu’tamad view: “al-mufsid, also called al- mukhaddir, is that which obscures the intellect alone, without nashwa and without tarab — and hashish belongs to it according to the accepted position.” That confirms the criterion as settled Mālikī doctrine, not one jurist’s personal reading. The strongest cross-school convergence isn’t on hashish — where real disagreement exists, below — it’s on the narrower category of banj and opium, which is what psilocybin’s own profile actually resembles once §14’s muraqqad reclassification is in view. Two Shāfi’ī authorities, al-Marwarrūdhī (d. 462 AH) and al-Zarkashī, independently held the same non-muskir position on banj and opium that al-Qarāfi reaches for hashish and Ibn Taymiyya reaches for banj specifically (§7, §15) — and al-Zarkashī went further, explicitly permitting their use where medical effectiveness is established, including anaesthesia during amputation and relief of hunger. Add Ibn Taymiyya’s independent non- muskir ruling on banj (Hānbālī, §7) and Ibn ‘Ābidīn’s dose-threshold permission of opium below the quantity producing sukr, with explicit medical exception (Hānafī, §7), and you get four schools — Mālikī, Shāfi’ī, Hānbālī, Hānafī — independently reaching a non-muskir, permissible-below-threshold, medically-exceptable position on the substance class structurally closest to muraqqad. That’s the convergence this paper’s classificatory argument actually needs, and now it’s cross-school, not resting on one. On hashish specifically, honesty requires reporting real, unresolved disagreement rather than a false consensus. Within the Shāfi’ī school alone: al-Ramlī (*Nihāyat al-Muḥtāj*) treats hashish alongside opium and bhang as distinct from liquid khamr, without clearly resolving hadd versus ta’zīr; Ibn Hajar al-Haythamī (*Tuhfat al-Muḥtāj*), a comparable authority, takes the strict position directly — hashish causes “intoxication and confusion” and aligns with muskir, not mukhaddir. That puts him close to Ibn Taymiyya’s severity (§15), not al-Qarāfi’s or al-Ramlī’s leniency — the Shāfi’ī school itself never settled on one answer for hashish. This paper doesn’t need to settle it either. Psilocybin’s evidenced profile — no nashwa (§15), no craving of the kind Ibn Taymiyya’s own test targets (§15), and at high dose the senses-offline profile of muraqqad rather than the senses-intact profile of mukhaddir or muskir (§14) — differs from hashish’s contested middle case on exactly the axes the disagreement turns on, and is argued on its own merits rather than by association with a substance the tradition never conclusively classified itself.

§12. The Self-Stated 'Illa of Q5:91

When a text names the reason for its own ruling, that reason carries the highest evidentiary weight available in *qiyās* — *manṣūṣ al-'illa*, an 'illa the text itself establishes rather than one extracted by inference. Q5:91 gives exactly this: “Satan only wants to cast among you enmity and hatred through *khamr* and *maysir*, and to avert you from the remembrance of Allah and from prayer.” Two effects are named as the 'illa: *'adāwa wa-baghdā* — enmity and hatred between people — and *ṣadd 'an dhikri'llāh wa'l-ṣalāt* — aversion from remembrance of Allah and from prayer. Reading the verse as stating its own 'illa this directly isn't an inference original to this paper — Ibn Rushd says it outright in *Bidāyat al-Mujtahid*: the Qur'an has laid down that *khamr*'s 'illa is precisely that it prevents remembrance of God and breeds enmity and hatred between people. This has established juristic authority behind it, not just this paper's reading of the verse. Two further points of *tafsīr* matter for how the second limb should be read, and both are recorded rather than left for someone else to raise against the paper. Al-Jalālayn's commentary glosses *yaṣuddukum* — bars or hinders you — as operating specifically “by your being preoccupied with them [*khamr* and *maysir*]”: the mechanism named is occupation of time and attention, not a purely orientational or spiritual effect. This is consulted evidence, not this paper's inference, and it supports rather than threatens the position below — the obstruction limb is conceded as a genuine effect, not argued away, and this *tafsīr* confirms that's the textually correct concession to make. Separately, 'Umar ibn al-Khattāb's definition, transmitted in Bukhārī — *kullu mā khāmara al-'aql fa-huwa khamr*, whatever takes hold of or veils the mind is *khamr* — is the primary companion-level root of the functional, substance-independent reading this paper relies on throughout §3 and this section. One honest limitation before proceeding. I searched al-Tabarī's, Ibn Kathīr's, al-Qurtubī's, and al-Rāzī's treatments of this verse for an explicit extension of the 'illa beyond *khamr* and *maysir* — to a general principle that any state occupying several hours of attention, regardless of content or orientation, constitutes *ṣadd* in the sense the verse condemns. Didn't find one. What these commentaries offer is mainly the *tadarruj* narrative (§3) and the enmity/preoccupation mechanism as applied specifically to *khamr* and gambling. That doesn't mean the broader extension is unavailable to a hostile reader — 'Umar's “covers the mind” principle above could plausibly be extended this way by analogy, and a critic is entitled to build that argument. It means I don't have documented classical authority for or against that specific extension, and I'm not claiming to. Tested against the first limb, the evidence runs counter to what the text identifies. The clinical literature on psilocybin reports increased emotional empathy following administration, without a corresponding drop in cognitive empathy or social cognition, and improvements in emotional processing particularly documented in treatment-resistant depression populations. Reports of the acute and post-acute period emphasise interpersonal connectedness, not the hostility and enmity the text names as characteristic of *khamr*'s operation. On this limb, the 'illa as textually stated doesn't seem to obtain. The second limb needs more careful separation than the first, because it actually contains two distinguishable claims the verse's single clause doesn't itself split apart. The first is a claim about orientation: does the substance, in its characteristic effect, turn a person's disposition away from God, toward heedlessness (*ghafla*)? An earlier draft of this section tested this against reported subjective experience — participants describing sessions in terms

of unity, awe, personal or spiritual significance — and argued that told against the ghafla reading. I’m withdrawing that argument, not softening it, because it rests on a premise I don’t accept when stated plainly: that a felt sense of closeness to God is evidence of actual closeness to God. It isn’t, and can’t be, because the phenomenology of a genuine spiritual state and a Shaytan-beautified counterfeit of one are, by the nature of the deception the tradition warns against, indistinguishable from the inside. A state that feels like ghafla’s opposite isn’t thereby shown to be its opposite. Citing participant self-report on this question — however it’s phrased — oversteps what that evidence can establish in either direction. This isn’t a caution I invented for this paper’s defence. It’s a live concern among practising contemporary scholars engaging this exact question. Yasir Qadhi, chair of the Fiqh Council of North America, has said almost the identical thing: “perhaps what you think is a connection of God when you’re high is not actually a connection with God” (NPR, All Things Considered, January 2025). The withdrawal here is, in substance, the same caution a senior office-holder of an actual fatwa council has independently voiced. That doesn’t leave the orientation question unanswerable. It relocates it to the only kind of evidence Islamic tradition has ever treated as admissible for questions of this shape. The Prophet’s own stated judicial practice is direct authority for this: “I am only a human being, and you people come to me with your cases; it may be that one of you presents his case more eloquently than the other, and I give my verdict according to what I hear... if I give the right of a brother to another by error, I have given him only a piece of Fire” (Ṣaḥīḥ al-Bukhārī 7169, 7181, 7185; Muwatta’ Mālik; also Ibn Mājah). Even prophetic judgment, on the Prophet’s own account, operates on outward evidence, not direct access to hidden reality — a principle later jurists crystallised as judgment resting on al- zāhir, the apparent, while what’s concealed, al-sarā’ir, remains with Allah alone, echoing the Qur’ān’s own recurring line that Allah knows what’s in the breasts in a sense no human judgment reaches. Islamic law has never claimed the capacity the earlier version of this argument implicitly assumed. It’s always judged spiritual states, where it judges them at all, by conduct. So the question this licenses isn’t “did participants report a state resembling nearness to God” — it’s “did their subsequent, outward conduct change in the direction the ‘illa is concerned with.” Increased or decreased devotional practice, not increased or decreased felt significance. There’s evidence bearing on this, though its limits need stating as clearly as its relevance. A randomised, controlled study of professional religious leaders across several major world religions found psilocybin associated with increased contemplative, prayer, or meditation practice and increased effectiveness in religious vocation, holding at sixteen- month follow-up (Griffiths et al., Psychedelic Medicine, 2025). An earlier study in the same programme found a significant increase, at six months, in the Schwartz Value Scale’s Tradition subscale — respect for tradition, humility, religious faith — specifically against the expectation that psychedelic experience erodes traditional religious commitment (Griffiths et al., 2018). A large longitudinal survey found psychedelic use associated with increased subsequent meditation practice, particularly among people without prior meditation experience. This is evidence of the right kind — behavioural, practice-based, answering to conduct rather than felt state — even where it falls short of what the question ultimately needs: none of it is Islamic-specific, the practices measured are generic rather than named ṣalāt or dhikr, and “increased practice” is self- reported — a report about behaviour, not feeling, but still not a directly verified behavioural log. The absence of Islamic-specific data here isn’t

a neutral gap. It's a structural consequence of the prohibition this paper examines, and it should be recorded as that, not treated as evidence the question would resolve unfavourably if it could be studied. The single Muslim participant in the clergy study cited above has since spoken publicly about the surrounding conditions, if not the content, of her experience: "After taking the medicine, I made a decision not to talk about my experiences with anybody. I certainly didn't want to talk publicly about it... I don't think my family would understand my experience even if I had shared with them" (Sughra Ahmed, *Altered States*, UC Berkeley Center for the Science of Psychedelics, September 2025). She's since founded a support network specifically because other Muslims who'd used psychedelics reported the same reluctance — "they don't feel safe having these conversations openly." That's a single, self-selected, named account, not a study finding, and I'm not treating it as more than that. But as a description of a decision and its surrounding conditions — concealment, reputational risk, no safe context for disclosure — rather than a report of any felt spiritual state, it's *zāhir*-type evidence in exactly the sense argued admissible above, and it directly illustrates why the practice-frequency data this question needs doesn't exist yet for Muslim populations specifically: the conditions to gather it are largely absent. That gap is being actively closed by research this paper can note but not yet draw on. Rab, Ahmad, Palitsky, and Zarrabi (*Psychedelic Medicine*, 2026) published the first survey of attitudes toward psychedelics among Muslims living in the United States, finding moderate overall openness, a weak negative correlation between rejecting mental-health treatment generally and accepting psychedelics specifically, and a positive correlation between education and favourable attitudes toward both. That's attitudinal survey data, not a report of individual spiritual experience, and it's used here only for what it is: evidence that this question is measurable and already being measured among Muslim communities, not evidence bearing on the *ghafla* question itself. More directly relevant, and not yet available: a second study from the same programme — Emory's MOSAIC: Psychedelics and Religious Traditions initiative — specifically examines how psychedelic experiences are understood and integrated into Muslim lives; data collection is reportedly complete, with preliminary findings presented at the American Academy of Religion's 2025 Annual Meeting, full publication pending at time of writing. A broader academic volume on Islam and psychedelics, bringing together religious studies scholars, psychiatrists, and Islamic studies specialists, is independently in development, describing the field as it stands as "budding" and "largely siloed" — outside institutional confirmation of the evidentiary limitation argued here on its own terms throughout this section. On the narrower question the currently available evidence can actually speak to, the direction is favourable, and, on the tradition's own terms, not irrelevant to it — but I don't have, and don't claim to have, data of the kind and specificity this question ultimately deserves. That data looks like it's coming from elsewhere, and the reason for its present absence should be understood before that absence gets read as an answer in itself. The second claim within limb two is about obstruction of the specific obligation — does the acute state make performing *ṣalāt* impossible for its duration? Not in dispute — conceded at §3 as fact, for both applications. The two claims can't be run together. A substance can fail to produce *ghafla* in the orientational sense while still, as a simple matter of the state's mechanics, obstructing performance of a time-bound obligation — exactly as a surgical patient under anaesthesia isn't thereby rendered heedless of God, but still can't pray during the procedure. The governing treatment of that obstruction isn't in

this verse at all — it belongs to the qadā’ mechanism at §4 and §7, general to Islamic law and available regardless of why capacity was lost. The finding here, provisional pending §13–§16: on the ‘illa as the text states it, the case against psilocybin isn’t straightforward on either limb, and the strongest textual objection available — that the substance turns a person from God — is contestable on the available evidence rather than settled by it.

§13. Level One — Does the Clouding Criterion Obtain At All?

The primary case here isn’t a fallback: it’s that the muskir/mukhaddir clouding criterion, on the classical jurists’ own diagnostic terms, isn’t met by classical psychedelics at any dose examined in the clinical literature. This can be shown by testing the actual symptom-profile the jurists and their modern systematisers use to identify the category against the available behavioural, neuroimaging, and phenomenological evidence — not asserting a general difference from alcohol, but going through the specific diagnostic markers one at a time. The characteristic markers of muskir/mukhaddir clouding, catalogued in the classical sources and their modern synthesis (Rashid, AMJA 2023, §3.1), fall into three groups: altered behaviour (slurred speech, impaired coordination and balance, difficulty walking or standing, impaired judgment and decision-making, impulsive or reckless behaviour, aggressive or emotional outbursts); mood changes (euphoria, irritability, emotional lability); and cognitive impairment (difficulty concentrating, impaired memory and forgetfulness, reduced attention span, disorientation or confusion). This isn’t a modern imposition on the classical category — it’s the operationalisation of the same criteria the Ḥanafī, Shāfi’ī, and Mālikī texts describe qualitatively: incoherent speech, inability to hold a conversation, loss of gait, loss of the ability to discriminate. Tested against this profile, the divergence isn’t partial. It’s close to systematic, and it holds independently across each of the three domains Asghar (2025) surveys. Behaviourally: early clinical observation of psilocybin sessions records participants tending to “sit very quietly” rather than showing the disinhibited, impulsive, or aggressive conduct the classical markers name. Naturalistic survey data on both psilocybin and 5- MeO-DMT use finds no association with behaviours requiring law-enforcement intervention, and longitudinal data associates lifetime psychedelic use with reduced likelihood of arrest and reduced likelihood of intimate-partner violence in male users specifically — close to the exact inverse of “aggressive or emotional outbursts” and “impulsive or reckless behaviour.” This matters specifically against al-Qarāfi’s own criterion at §11: he distinguishes muskir from mukhaddir partly on muskir characteristically producing a tendency toward violence and vengeance against enemies, while mukhaddir users — his own example is hashish consumers — are comparatively passive. The behavioural data for psilocybin sits, if anything, further from muskir’s profile than al-Qarāfi’s own paradigm case of mukhaddir. Neurologically: the classical markers of slurred, incoherent speech and loss of coordination correspond to generalised central-nervous-system depression, the kind alcohol produces — reduced activation in the basal ganglia and cerebellum, the regions governing motor control and coordination. Psilocybin’s neuroimaging profile isn’t a milder version of this. It’s close to the inverse — increased global functional connectivity, reduced rather than increased activity in the regions associated with the ordinary, bounded sense of self. Sedation, in the pharmacological

sense the classical markers describe, isn't what the acute state is. Cognitively and phenomenologically: the classical markers of "impaired memory and forgetfulness" and "disorientation or confusion" are directly testable against the literature already surveyed here. Psilocybin is associated with more vivid recall of autobiographical memory, not its loss, and reports of "confusion" in the clinical sense — losing track of what's happening, incoherent responses to direct questioning — aren't the modal finding even at higher doses, where participants retain the capacity to answer facilitators' check-ins throughout the session (§15 develops this further for the highest end of the range). On al-Qarāfī's second criterion — uniformity versus variability of effect — the evidence again favours mukhaddir over muskir, and more strongly than for al-Qarāfī's own hashish case: the psychedelic literature's central methodological finding is precisely that set, setting, and individual disposition are the primary determinants of the content and valence of the experience, to the point that researchers describe these substances as "non-specific amplifiers" rather than substances with a fixed characteristic effect. That's considerably more variability than anything al-Qarāfī observed in hashish users — and it was al-Qarāfī's own variability finding that moved hashish out of muskir in the first place. One more source of evidence deserves separate treatment, because it speaks to the classical markers of "confusion" and "disorientation" specifically, not just behaviour, neuroimaging, or memory. The standard clinical instrument for these experiences, the Mystical Experience Questionnaire, scores four dimensions: mystical content (including unity and noetic quality), positive mood, transcendence of time and space, ineffability. It doesn't score confusion, disorientation, or impaired judgment as a dimension at all — not because such reports get screened out, but because the field's own measurement apparatus, built independently of any interest in this paper's classificatory question, wasn't designed to detect them as a live category in this phenomenology. That's stronger evidence than an absence of anecdote — it's the absence of a construct from an instrument built by researchers with every reason to include it if it had been clinically salient. Two qualifications, stated directly. First, "no reports of confusion" shouldn't get overstated into "no reports of difficulty." Controlled studies find a substantial minority — around 30% in Griffiths' work — experience strong fear during the acute state, and survey data finds a comparable proportion rate their most challenging session among the most psychologically difficult experiences of their life. These are real, not minimised here. But fear, bliss, terror, and awe are reports of affective intensity, not reports of impaired discrimination — different predicates. The classical tradition itself doesn't treat intense affect as evidence of sukr: weeping in dhikr, khawf (fear of God) as a praised spiritual state, the intensity of wajd in Sufi practice — all heightened emotional states without being classified as intoxication, precisely because the operative question for muskir has never been intensity of feeling but the intactness of discriminating capacity. A session can be simultaneously terrifying and undisoriented, blissful and lucid; the MEQ's own structure — positive mood scored as one factor, no clinical need found for a confusion factor — reflects exactly that separation. Second, and this needs conceding rather than deployed silently: the MEQ's "noetic quality" dimension — the sense of having encountered objective truth or ultimate reality — isn't unambiguous evidence for retained discrimination under every definition of clouding this paper has considered. Against Abū Ḥanīfa's perceptual criterion (can the subject distinguish man from woman, heaven from earth), the absence of confusion as a scored or

reported symptom answers the objection directly. Against the alternative, moral-and-epistemic definition of clouding some jurists prefer — inability to discern true from false, right from wrong — a critical reader has a serious counter-argument available: unshakeable, unfalsifiable conviction of having grasped ultimate truth might not be evidence this discriminating capacity is intact, but a paradigm instance of its absence, since the function of that capacity is precisely to distinguish warranted from unwarranted certainty. I'm not resolving that dispute in my own favour by assertion. Noetic quality answers the perceptual test cleanly and doesn't, on its own, answer the moral- discrimination test at all — a qualification the argument needs stated openly, since the same evidence can't honestly be presented as decisive against both definitions of clouding at once. The finding at Level One: tested marker by marker against the classical jurists' own diagnostic profile for muskir/mukhaddir clouding — not against a general impression of intoxication — the available evidence doesn't support classical psychedelics meeting this criterion at the doses examined in the clinical literature. This is the paper's primary position. §14-§16 don't retreat from it. They establish that even where it's contested or partially conceded, the conclusion for spiritual as well as medical use doesn't depend on it holding uniformly across the entire dose range.

§14. Level Two — If the Senses Go Offline, the Category Is Muraqqad, Not Muskir

Level One's case weakens, on its own account, at the extreme end of the dose range — full ego dissolution, and 5- MeO-DMT's characteristic full-release state — where participant reports increasingly describe not just altered perception of the external world but its apparent absence altogether: "only internal reflection," no perceived external field left to discriminate. If Level One's claim that ordinary discrimination is simply retained gets hard to sustain here, that doesn't settle the question in favour of muskir. It's a question of which of al-Qarāfi's remaining categories the state belongs to, and his own taxonomy has a specific answer. Al-Qarāfi's distinction between mukhaddir and muraqqad isn't a matter of degree along a single axis of impairment — it's a distinction of which faculties are affected together. Mukhaddir clouds the mind while the senses stay intact — sight, hearing, touch, smell, taste keep operating and feeding the mind information, even though the mind's processing of that information is altered. Muraqqad clouds the mind and the senses together — the senses themselves go offline, not just the mind's engagement with what they report. This is exactly the distinction al-Qarāfi draws using belladonna and datura as his examples, and it's the same distinction behind the classical acceptance of anaesthesia (§7): banj is muraqqad precisely because it suspends sensory input itself, not just the patient's judgment about it. A state genuinely characterised by the absence of any external field — not confused engagement with the external world, but its non-appearance to the subject at all — describes exactly this second condition, not the first. If, at the highest end of the dose range, the report is "there was no external world left to fail to discriminate," that's a senses-offline report, and al-Qarāfi's own criterion places senses-offline states in muraqqad, not muskir. This isn't invented to rescue psilocybin from an otherwise fatal classification — it's the direct application of the distinction the jurist most attentive to exactly this kind of borderline case built the taxonomy to capture. The consequence, if this reading holds: even at the tier where Level One's

claim is hardest to sustain, the substance doesn't become muskir. At most it becomes muraqqad — pure, no hadd, no impurity, prohibited only at the quantity producing the effect and permissible in smaller quantities, structurally identical in its ruling to anaesthesia. The hadd-bearing, absolutely-prohibited-at-any-quantity category isn't reached on this reading even at the extreme end of the range. One qualification. This reclassification depends on the report of senses-offline being read literally — sensory processing itself suspended — rather than as profound disengagement from sensory input that remains, in some functional sense, ongoing. The neurophenomenological evidence here is genuinely mixed, and it's addressed on its own terms, without being fully resolved, at §15's discussion below. Level Two doesn't need that ambiguity resolved. It needs only that if the state is senses-offline, the correct category is muraqqad, and that holds regardless of how the underlying phenomenological question ultimately settles. A further objection to this reclassification holds that muraqqad's paradigm case, anaesthesia, was historically understood as ikhmād — passive extinction of experience, like sleep or coma — whereas classical psychedelic ego dissolution is hyperactive: intense internal ideation, intense affect, content-rich subjective experience. On this reading, applying a category built for passive extinction to a state of heightened internal activity stretches muraqqad past its functional definition. This objection assumes ikhmād, as classically observed, reliably meant the absence of internal experience — worth testing rather than accepting as self-evident, because the classical jurists' access to anaesthetic states was necessarily behavioural: unresponsiveness and subsequent absence of reported memory, not direct verification that no experience occurred. An active area of contemporary anaesthesiology research — distinct from, and more directly relevant here than, any claim about a single named researcher — has established that general anaesthesia doesn't produce a uniform state of "no experience." Using serial-awakening paradigms and EEG/TMS methodology built specifically to work around the confound between unresponsiveness and unconsciousness, this research distinguishes unconsciousness (no experience) from disconnected consciousness — vivid, often dream-like internal content occurring while the subject stays behaviourally unresponsive to and disengaged from the external environment, frequently without explicit memory afterward. One review in this literature describes disconnected- consciousness content ranging from ordinary dream-like material to states "more distorted, like ketamine-induced psychedelic subjective experiences" — an explicit, independently-drawn parallel between anaesthetic and psychedelic phenomenology, from researchers with no stake in this paper's classificatory question. This is genuinely unsettled, active science, and I'm not overstating what it establishes. It doesn't show that all, or even most, anaesthetic states involve rich internal ideation — unconsciousness in the strict sense remains a recognised, likely predominant category in this same literature. What it does show is narrower and enough for the objection at hand: the paradigm case muraqqad was built on isn't reliably a state of passive extinction, as the objection assumes. A substantial, actively-studied subset of anaesthetic experience involves exactly the profile — senses disengaged from the external world, internal content ongoing, sometimes intense — that the objection treats as definitionally incompatible with the category. If the paradigm case itself doesn't cleanly exclude hyperactive internal ideation, an objection relying on that exclusion to bar psychedelic states from the same category rests on an empirical assumption current research doesn't back with the confidence the objection needs.

§15. Level Three — Even Conceding Clouding, the Nashwa Test Places This in Mukhaddir

Suppose neither Level One nor Level Two is accepted — suppose a reader insists some degree of mind-clouding is present across the relevant dose range, and the senses, even where profoundly altered, aren't genuinely offline in the sense Level Two needs. Even on this considerably more conceded ground, al-Qarāfī's own operative test for distinguishing muskir from mukhaddir doesn't turn on the presence or degree of clouding at all. It turns on nashwa. Recall §11's criterion: muskir is clouding accompanied by nashwa — elation, boldness, a heightening of self-assertion, an inclination toward vigour and even aggression. Mukhaddir is clouding without it — al-Qarāfī's hashish, characterised instead by futūr, numbing and lethargy, or effects markedly unlike euphoric elation. Not a minor definitional footnote — this is the criterion al-Qarāfī uses to do the actual classificatory work in his own paradigm case, and it's independent of how much clouding gets conceded. Tested against this, the phenomenological record for classical psychedelics — established earlier in this paper's own discussion, independent of any fiqh source — runs strongly against nashwa. High-dose sessions are repeatedly described by participants not as euphoric or elating but as arduous, frightening, in a substantial minority of cases actively terrifying: a controlled study of healthy participants found 30% experienced strong fear under psilocybin, and this paper's own earlier discussion recorded the characterisation, offered independently of any classical source, of full ego dissolution as something closer to dying before one dies than intoxicated pleasure — an ordeal endured rather than an elation sought, difficult enough that the prospect of repeating it can itself induce anticipatory fear. Whatever this is, it isn't the boldness, self-assertion, and inclination toward vigorous or aggressive assertion al-Qarāfī names as nashwa's content. If anything the profile is closer to futūr — al-Qarāfī's own name for hashish's effect — than to anything in the muskir column. This is the strongest form of the argument precisely because it needs the least conceded. It doesn't need Level One's claim that clouding is absent. It doesn't need Level Two's claim that the senses go fully offline. It needs only that whatever clouding is present isn't elating, and the phenomenological record — independent of any position taken here on classification — supports that on its own terms. One methodological objection has to be engaged directly rather than left implicit. A critical reader might hold that nashwa functions not as the effective legal cause ('illa mu'aththira) of muskir classification, but merely as a descriptive, non-essential accompanying quality (waṣf tardī) particular to wine's specific mechanism — with the true, bound 'illa being taghtiyat al-'aql itself, covering or veiling of the intellect, of which nashwa is just one contingent marker rather than the cause. This is a genuine dispute in uṣūl al-fiqh, and I'm not claiming to resolve it in the abstract. Al-Qarāfī's and 'Ulaysh's differential ḥukm tracking nashwa's presence or absence — hashish getting a materially different ruling structure than khamr precisely on this basis — is real evidence the quality was doing more than illustrative work in their own application (dawarān of the ruling with the quality is a recognised indicator of 'illa-status), but a critic is entitled to hold this tracks a deeper cause rather than constituting one. I don't need to win that dispute, because Level Three was never the only defence against taghtiyat al-'aql understood as the operative cause. §13 — Level One — was built to test exactly that criterion directly, on its own diagnostic terms, independent of nashwa entirely: confusion, incoherent speech, behavioural competence,

tested marker by marker against the classical profile. If a critic insists taghtiyat al-'aql rather than nashwa is the true 'illa, the argument answering that claim is already at §13, not manufactured here to meet the objection. What needs conceding honestly, rather than obscured by shifting to a more favourable level: Level One's own finding isn't a clean pass at every tier — §16's synthesis already records perceptual discrimination as "genuinely equivocal" at the highest dose range specifically. If taghtiyat al-'aql is the operative cause, that's precisely where this objection has real force — and this paper has already said so, not discovered it now under pressure. The consequence: even under the most conceded reading available — clouding present, senses engaged rather than offline — al-Qarāfi's own test between muskir and mukhaddir places the substance in the non-hadd, tāhir, ta'zīr- only category, because what matters isn't degree of impairment but presence or absence of nashwa, and nashwa isn't present. Where a critic rejects nashwa as the operative criterion, the answer relocates to Level One and the honest uncertainty already recorded there. It doesn't dissolve. A second, independent test — from a jurist who disagrees sharply with al-Qarāfi on the paradigm case. Ibn Taymiyya's treatment of hashish has to be stated honestly before it's used, because it doesn't converge with al-Qarāfi's nashwa test — it rejects it directly. Ibn Taymiyya rules hashish ḥarām at the full khamr hadd, regardless of quantity, explicitly conceding it produces "dullness and lethargy" rather than wine's active, quarrelsome elation — conceding the absence of nashwa — and ruling it worse than wine anyway. That's not a minor variant reading. It's a direct, named rejection of the criterion Level Three just relied on, from the strictest voice on psychoactive substances anywhere in this paper's sources, and it's recorded here as such rather than passed over. What matters is why Ibn Taymiyya reaches that conclusion, because his stated reasoning is a different criterion entirely — independently derived, independently applicable. He grounds the hadd not in nashwa but in craving: things "desired and craved," which people find "hard to renounce," are punished as wine is; things not desired, like carrion, get only ta'zīr. In substance, this is a test of addictive potential — what a modern pharmacologist would call abuse liability — and it's Ibn Taymiyya's own explicit ground for extending the hadd to hashish despite hashish failing the nashwa test he doesn't use. Tested against this second, independent criterion, classical psychedelics fare differently from hashish, and that difference is already established earlier in this paper on grounds having nothing to do with either jurist. Psilocybin and 5-MeO-DMT show no evidence of the dopaminergic reinforcement mechanism underlying dependence in classical muskirāt; attempts to establish self-administration in animal models — the standard predictor of abuse liability — have consistently failed; naturalistic-use surveys report no characteristic pattern of craving, escalating use, or difficulty abstaining; and the substances are, if anything, under clinical investigation as treatments for the craving and dependence characteristic of other substance use disorders (§17). Whatever produced Ibn Taymiyya's judgment that hashish must be treated as muskir despite lacking nashwa, it's a judgment his own stated criterion doesn't extend to a substance lacking both nashwa and craving. This is a stronger form of convergence than citing two scholars who happened to agree, precisely because these two didn't agree with each other on hashish. Al-Qarāfi and Ibn Taymiyya apply two independently-derived classical criteria — elation and craving — to reach opposite conclusions about one substance. Applied faithfully to a different substance whose actual profile differs from hashish's on both axes at once, both criteria point the same direction. I'm not claiming clas-

sical consensus on a taxonomy. I'm claiming psilocybin clears the tests two jurists who disagreed with each other both independently articulated, tested against psilocybin's own evidence rather than assumed by association with hashish. One further consequence for how Ibn Taymiyya's banj ruling is used elsewhere (§7, §17). That citation stands on its own terms — his ruling that banj is not muskir is well-attested and independent of his hashish ruling — but it shouldn't be read as evidence that Ibn Taymiyya generally operates with al-Qarāfi's four-category structure. He doesn't. His framework is his own, organised around craving rather than nashwa or sensory involvement, and it happens to reach a favourable result for psilocybin by its own separate logic rather than by adopting al-Qarāfi's. What the two frameworks share isn't a common theoretical structure — it's a convergent result on the substance-class that matters, corroborated further by al-Zarkashī, al-Marwarrūdhī, and Ibn 'Ābidīn across three further schools (§11) — four independent routes to the same practical conclusion for banj- and opium-type substances, none of them needing the others to share its reasoning.

§16. Level Four — Does the Taxonomy Reach This Phenomenology At All?

A final, more fundamental question underlies Levels One through Three, worth stating explicitly even though the conclusion doesn't depend on it. The four-category taxonomy at §11 was built by jurists working from a fixed set of reference substances — wine, nabīdh, hashish, opium, henbane, belladonna, datura — calibrated to capture the phenomenological space those substances actually occupy. Classical psychedelics weren't part of that reference set, and on several specific measures the taxonomy tracks, they don't resemble any of the four paradigm cases cleanly: not muskir's uniform elation, not mukhaddir's straightforward numbing, not muraqqad's simple sensory shutdown without any reported richness of content. The combination the literature actually reports — preserved or heightened rather than diminished salience of meaning, profound alteration of the sense of self without the classical markers of confusion, effects so individually variable that "amplifier" rather than "depressant" or "sedative" is the operative description researchers reach for — isn't a close match for any single classical category. That doesn't licence "no classification is possible" — §13–§15 show a workable classification exists using the taxonomy's own criteria. It does licence a caution about how confidently any single classification gets asserted, and it's why the honest treatment of this question, across §13–§15, proceeds by nested concession rather than one confident assignment to a box. A taxonomy built for one phenomenological terrain, extended by analogy to a different one, should be expected to leave some genuine indeterminacy at the edges, and that indeterminacy is recorded here rather than resolved by assertion. A fifth criterion, distinct from the four already tested, is worth stating explicitly and bounding carefully, because it's easy to mishandle. Khamr comes from a root — kh-m-r — whose primary sense is to cover, veil, conceal; the classical descriptions of sukr are, at root, descriptions of something being covered over: the intellect, discrimination, ordinary awareness. The first-person literature on classical psychedelics doesn't use this vocabulary. It uses close to the opposite: participants and researchers alike describe the states in terms of unveiling, disclosure, clarity, insight, the removal of an ordinary constraint on perception rather than the imposition of one. Two

things need saying to keep this inside the bounds set at §2. First, this isn't offered as evidence that anything is actually disclosed, revealed, or true in what the state discloses — that would be treating the phenomenology as *ḥujja*, exactly what §2 rules out, and nothing here makes that move. The claim is narrower and purely comparative: does the reported first-person vocabulary pattern-match the semantic field classical sources use for *satr* (covering), or the inverse? Second, this criterion is weaker evidence than criteria one through four, precisely because it's linguistic and self-reported rather than behavioural or textual, and it's offered as the least decisive of the five for exactly that reason — consistent with §2's principle that first-person report is admissible, not authoritative. Read this way, the finding is limited but real: the vocabulary in which classical psychedelic experience gets characteristically reported doesn't match the vocabulary the classical sources use for *sukr*, and in several respects runs the opposite direction. That doesn't establish the state isn't *sukr* — a covering could in principle produce a subjective sensation of uncovering, and I'm not claiming otherwise. It establishes only that this particular criterion, tested honestly and held to the same evidentiary modesty as everything else here, doesn't point toward *muskir* classification — and in an internally coherent taxonomic tradition built on the language of covering, a phenomenology characteristically described in the language of its opposite is, at minimum, not confirmatory. The five criteria collected. "Clouding the intellect," across the classical sources surveyed here, isn't a single test — it's a family of related, only partially overlapping criteria: perceptual discrimination (§14–§15, *Abū Ḥanīfa's* and *Ibn 'Abd al-Barr's* test), behavioural competence (§13, the marker-by-marker profile against classical signs of *sukr*), moral and epistemic discernment (§13's treatment of noetic quality, deliberately left double-edged rather than decided), orientation toward God as the *Qur'an's* own stated rationale (§12, kept explicitly separate from clouding as a legal category, answered — following the tradition's own principle that judgment rests on outward conduct rather than felt state — through evidence of practice rather than experience), and the phenomenological register of covering versus its inverse (this section). I don't find classical psychedelics satisfying all five uniformly, and I'm not claiming to. They test comparatively strong on behavioural competence, genuinely equivocal on perceptual discrimination at the highest doses (§15's honestly unresolved dilemma), contested rather than settled on moral-epistemic discernment (§13's double-edged treatment), favourable but not dispositive on *Qur'anic* orientation (§12), and favourable but the weakest form of evidence on phenomenological register (above). The question pursued throughout Part III isn't "are psychedelics intoxicating" as a single yes-or-no matter — it's which of the several legally operative senses of clouding, if any, they instantiate. The honest answer: unevenly, and not uniformly in the tradition's favour on every axis. That's precisely why §13–§15 proceed by nested concession instead of one confident claim.

§17. Mufsid: The Separate Question of Durable Harm

Independent of where classical psychedelics fall among *muskir*, *mukhaddir*, and *mu-raqqad*, the *mufsid* category — durable neurotoxic or physiological harm — needs separate testing, because it doesn't depend on the *sukr/futūr/nashwa* analysis above at all. Before testing *psilocybin* against this, one distinction the surrounding literature doesn't always keep separate has to be made explicit. "Cognitive function," as

tested in the clinical and neuropsychological literature, and the classical jurists' concern with durable corruption of the intellect are related but not identical. The former is a composite of discrete, testable domains — verbal memory, executive function, processing speed, sustained attention — assessed against normed batteries, typically pre- and post-session. The latter asks whether lasting damage to the intellect's ordinary functioning results from use. A systematic review of psilocybin's impact on cognitive function reports no evidence of durable cognitive impairment following administration, positively modified emotional processing — particularly in treatment-resistant depression populations — and enhanced emotional empathy without corresponding degradation of cognitive empathy or social cognition. This isn't just an absence of the harm hashish was historically thought to cause (itself now contested on empirical grounds independent of its classical mukhaddir classification) — it's evidence pointing toward improved function on several of the specific measures a mufsid classification would predict impairment on. The finding: the mufsid objection, properly understood as a question of durable harm independent of sukr classification, is substantially answered by the available evidence. This isn't without precedent in the recent scholarly literature. Independently, and by a different route, Rashid's own contemporary classification (AMJA 2023, Table 4) places "Hallucinogens (e.g., LSD, psilocybin mushrooms, peyote)" under al-Mukhaddir rather than al-Muskir. A peer-reviewed essay by Asghar (2025, Theology and Science) reaches a substantially similar conclusion by a third, independent route — through the same khamr/sukr textual analysis and a citation of Ibn Rushd's statement of Q5:91's 'illa pursued at §12 — arguing that psilocybin and 5-MeO-DMT don't meet the classical characteristics of muskir at all, across the same three domains (neuroimaging, behaviour, phenomenology) §13 draws on. Asghar's paper further cites and extends the same Ibn Taymiyya banj material engaged at §7, treating Ibn Taymiyya's non-muskir classification of henbane — itself a classical psychedelic — as classical precedent for the position he argues for psilocybin and 5-MeO-DMT specifically. A fourth corroboration is institutional rather than academic, and answers a distinct concern this paper's classificatory architecture otherwise has to face on scholarly grounds alone: that its conclusions rest entirely on independently-argued academic papers and this paper's own extension of a largely Mālikī taxonomic framework, with no visible grounding in any operating fatwa-issuing body. Yasir Qadhi, chair of the Fiqh Council of North America, has said publicly, without elaborating his reasoning, that "technically, psychedelics don't fall under the exact same category as alcohol" (NPR, All Things Considered, January 2025). He goes on to anticipate that a formal ruling, when issued, would likely resemble the Council's treatment of cannabis — prohibited generally as an intoxicant, permitted medically under defined circumstances — a structure close to, though not identical in reasoning to, this paper's own conclusion (§17, §20–22). No fatwa has actually been issued; Qadhi's own statement confirms this directly, corroborating §31's treatment of institutional silence as a matter of timing rather than considered rejection. What matters here is narrower: a senior office-holder in an actual fatwa council, reasoning independently and by an unstated route, has landed on the same classificatory conclusion argued for here on textual and taxonomic grounds, and anticipates a practical outcome — general restriction, medical exception — structurally consistent with where this paper's own argument lands. Two cautions owed to this convergence, stated plainly. First, even a finding against muskir classification doesn't by itself warrant unrestricted or unsupervised use: Rashid's own taxonomy still permits ta'zīr for

use exceeding the quantity or purpose that keeps a mukhaddir substance lawful, and Ibn Taymiyya's non-muskir ruling on banj itself pairs that classification with liability to ta'zir for general or recreational use. Asghar's own paper concludes — for reasons distinct from classification, namely the intensity and potential psychological difficulty of the experience and the incompleteness of the safety literature — that general and unsupervised use should stay prohibited, restricting his permissive classification to supervised, purpose- directed contexts, illustrated by his surgical-scalpel analogy: not a weapon, but restricted to trained hands regardless. This paper's own position, developed fully in Part IV, is consistent with that structure. Second, Asghar's own treatment reaches its conclusion primarily through Level One's route — reading ego dissolution as evidence against clouding rather than testing it against Levels Two and Three the way this paper does — and doesn't independently develop the muraqqad reclassification (§14) or the nashwa test (§15) this paper relies on at the extreme end of the dose range. The convergence between this paper's conclusion and the recent scholarly literature is real but reached along a different, and I'd argue more resilient, path: one that doesn't need Level One's empirical claim to hold uniformly across the whole dose range to reach a non- muskir classification at every tier examined.

§18. Burden

One further principle governs how §11– §17's findings should be weighed, and it's worth isolating because it gets elided in informal treatment of this question. The default legal presumption regarding created things is permission — *al-aṣl fī'l-ashyā' al-ibāḥa*, things are permitted absent an established prohibiting indicant. That puts the burden of establishing prohibition on whoever's asserting it, not the reverse — a novel substance isn't prohibited merely because its classification is contested, if the contest is genuine and the prohibitive slots aren't clearly met. Against this sits a countervailing principle specific to matters touching the intellect: *iḥtiyāt*, precaution, is generally favoured where classification stays genuinely uncertain and the faculty at risk is one the law treats as held in trust rather than owned (§3), together with the maxim that where the licit and the illicit are combined in one matter, the illicit prevails (*idhā ijtama'a al-ḥalāl wa'l-ḥarām ghalaba al-ḥarām*). Unlike earlier drafts of this paper, the classification finding across §13–§17 doesn't rest on an admitted dose- dependent split resolving against the substance at the highest tier. It rests on a nested structure where some level of the argument — Level One, Two, or Three — is expected to hold at every point across the dose range, with no tier conceded outright to muskir. Where genuine indeterminacy remains, it's the narrower indeterminacy at §16, not a finding that the prohibitive category is met. So the *iḥtiyāt* principle has less purchase against this paper's conclusion than it would against a conclusion resting on one contestable classification claim.

Part IV — Application

Only here do the results of Parts II and III get applied — separately, without assumed symmetry — to the medical case and the spiritual case. The classificatory picture reaching this Part differs materially from earlier drafts: Part III no longer concedes muskir classification at any specific dose tier. Instead §13–§16 establish that at every point across the dose range, some level of the nested argument — empirical absence

of the clouding markers, reclassification to muraqqad where the senses are genuinely offline, or the nashwa test where some clouding is conceded — reaches a non-muskir finding. That changes what’s left to do in this Part. The medical and spiritual applications are no longer separated primarily by where on the dose range each sits — both can now draw on a classification finding that holds across the range. What separates them is a different question, addressed below.

§19. Medical

The medical case is tested first against §9’s taxonomy of exception mechanisms and second against Part III’s classification findings, and it doesn’t depend on winning either alone. On classification, §13–§17 give a favourable finding across the dose range clinical protocols actually use, which in practice sits well within the moderate range anyway: Level One’s empirical case (§13) is strongest precisely at these doses, where the behavioural, neuroimaging, and phenomenological divergence from muskir’s classical markers is clearest and least contested; mufsid is substantially answered for the relevant post-acute window (§17); and the classification is independently corroborated by both Asghar’s and Rashid’s contemporary treatments (§17). On Q5:91’s *manṣūṣ al-‘illa* specifically, the first limb — *‘adāwa* — is answered cleanly by the empathy and connectedness literature (§12); the second limb’s directional component is, on the tradition’s own evidentiary terms (judgment by conduct rather than felt state), suggestively favourable rather than dispositive, and its obstruction component is real but routed to *qadā’* rather than treated as fatal to the underlying act (§12, §7). Independent of that classification finding, the medical application is additionally supported by §9’s taxonomy directly. Treatment-resistant depression and PTSD, the paradigm indications in the clinical literature, aren’t marginal cases for *darūra/hāja* reasoning: where suicidality is present, the threshold is *darūra* in the strict sense — a threat to life — and where it isn’t, the *hāja ‘amma* doctrine, which descends to the rank of *darūra* for legal purposes, is available provided the “no lawful alternative” condition is genuinely satisfied, which treatment-resistance by definition goes some way toward establishing. This puts the medical application inside the precedent structure of §5 (the silk dispensation, granted for non-fatal documented discomfort) and, via §7, inside the *banj* precedent specifically: elective, purpose-justified, supervised abolition or alteration of ordinary awareness, undertaken because a documented condition and the absence of a lawful alternative make it so, missed obligations handled by *qadā’* rather than treated as invalidating the act. The counter-case at §6 — *Tāriq b. Suwayd, khamr* is not medicine — has to be addressed directly, not assumed cleared. Two things distinguish the present case from that report. First: if §13–§16’s classification holds, the substance in question isn’t *khamr*, and the report’s express subject-matter isn’t reached at all. Second: even treating classification as unresolved rather than favourable, the *Ḥanafī* and *Shāfi‘ī* doctrines permitting treatment with an otherwise-prohibited substance where no lawful alternative exists (§6) supply an independent route that report doesn’t foreclose — it concerns a general-purpose remedy for which lawful alternatives existed, not a specific, treatment-resistant condition for which they don’t. The medical application, on this combined, doubly-supported ground, stands.

§20. Maqāṣid

One further consideration reinforces §19 without being required by it, recorded briefly and subordinately for that reason. Ḥifz al-ʿaql, ordinarily deployed as an objection to anything touching the intellect, cuts the other way in the specific case of unremitting, treatment-resistant depression or PTSD: an intellect held captive to a condition actively and continuously degrading its function isn't obviously better protected by withholding a time-limited, supervised intervention shown to restore durable function than by permitting one. This isn't a free-standing justification — a maṣlaḥa argument untethered from §11-§17's classificatory work would be consequentialism dressed in Islamic vocabulary, exactly the failure mode this paper has tried to avoid — but confirmation that the maqṣad the prohibition exists to serve isn't obviously in tension with, and may be positively served by, §19's argument. This shouldn't be overstated, and maqāṣid reasoning of this kind properly demands a higher evidentiary bar than met here in full. The clinical literature cited throughout Part III is genuinely promising but not mature: sample sizes in the controlled trials remain modest by the standards of established psychiatric treatment, long-term follow-up rarely extends past one to two years, replication across independent research groups is still limited, and the adverse-event profile, favourable in what's been studied, is drawn from carefully screened, closely supervised populations that may not generalise cleanly to broader clinical use. Maqāṣid-based argument is on firmest ground where benefit is certain or near-certain — the discipline set at §2 requires acknowledging the benefit invoked here, substantial and improving as it is, hasn't reached that standard yet, and a cautious jurist would be right to weight this accordingly rather than treat it as settled.

§21. Conditions

The medical application supported at §19 is bounded, and the boundary needs the same precision as the argument for it. It requires: a diagnosed condition for which conventional treatment has been tried and failed or is contraindicated; administration by a qualified, supervising party rather than self-administration; a defined therapeutic purpose and endpoint rather than open-ended or recreational use; and dosing that doesn't exceed what the therapeutic indication requires. This isn't just prudential caution appended to an otherwise unrestricted finding. Even where a substance is found not to be muskir, both mukhaddir and muraqqad classification (§11) carry their own ruling structure — ta'zīr liability for use exceeding the quantity or manner the classification tolerates — and Ibn Taymiyya's and Asghar's own frameworks (§17) pair non-muskir findings with continued regulation of general use on independent grounds. Recreational use of these substances, including under a claimed medical framing that doesn't meet the conditions above, stays restricted on this paper's own reasoning, not just as caution appended to it. These conditions aren't abstract — a health-services analysis gives some sense of the scale at which they'd need to operate. Rab, Raison, and Marseille (Psychedelics, 2024) estimate that 56- 62% of Americans currently receiving treatment for major depressive disorder or treatment-resistant depression — 5.1 to 5.6 million people — would meet the eligibility criteria used in landmark psilocybin trials, once standard medical exclusions (mania, uncontrolled cardiovascular disease, certain comorbidities) are applied. That's a general

population estimate, not specific to Muslim patients, and it's not treated as such. Its relevance here is narrower: it shows the diagnostic and exclusionary screening this paper's own conditions require (§19-21) isn't a hypothetical safeguard — it's an already-modelled clinical and administrative process, with defined criteria that can be applied at population scale rather than left to ad hoc judgment. That gives some concreteness to what "supervised, purpose-limited, clinically-administered use" would actually require in practice, and to §30's related concern that adequate institutional infrastructure doesn't yet exist for supervision at scale — the exclusion and eligibility framework exists in the clinical research literature; what's underdeveloped, as §30 already says, is its extension into a specifically Islamic devotional and communal context.

§22. Spiritual

The spiritual application requires separating three objections that the literature around this question — including the discussion that occasioned this paper — routinely runs together, or in the third case, skips entirely. Objection A: the substance itself is prohibited — the classification question worked through in Part III. Objection B: even a substance found lawful is an illegitimate method for pursuing a spiritual end — that the means must itself be, or directly constitute, an act of worship; that ingestion bypasses the struggle (*mujāhada*) integral to genuine spiritual attainment; or that using a substance to occasion a spiritual state is an unwarranted innovation in how spiritual states are sought, distinct from any question of the substance's legal status. Objection C is different in kind from both: that even granting the substance is lawful and the method sound for the individual, permitting this use opens a door to communal and religious harm — theological confusion, drift toward perennialism or functional pantheism, erosion of *tawhīd*'s Creator- creature distinction among those less equipped to navigate the experience responsibly — sufficient grounds for prohibition or restriction independent of any finding about the individual case. These are three independent objections. Resolving Objection A doesn't resolve B or C. Treating classification as though it settles the question of use for this purpose, or use for this purpose as though it settles the question of communal consequence, is exactly the error this section is structured to avoid. On Objection A, Part III's finding applies to the spiritual application exactly as it applies to the medical one: classification doesn't depend on the user's purpose (§1), and §13-§17's nested finding against *muskir* holds across the dose range examined, including at the tier — full ego dissolution — this application specifically depends on. This is a real change from earlier drafts, which located the spiritual application's difficulty substantially in a dose-locked classification failure at that tier. That failure is no longer conceded. Objection A, on the classification established in Part III, doesn't defeat the spiritual application. Objection B, though, isn't a dispensation question, and §9's finding — the exception corpus is uniformly harm- averting, and so poorly shaped to reach a use directed at a good rather than a harm — was never the right instrument for it. That finding governs whether a prohibited substance can be excepted for a beneficial purpose. Once Objection A is resolved and the substance isn't prohibited to begin with, no exception is needed, and §9's harm-averting structure just doesn't engage. What's left is narrower and different in kind: not whether a prohibition can be lifted, but whether using a permitted substance for this specific purpose is itself

sound. Here §10's precedent does the work earlier drafts only assigned it partially. *Samā'* matters not just because Ghazālī weighed spiritual benefit in a contested classification dispute, but because of what kind of thing he found *samā'* to be: not an act of worship in itself, the way *ṣalāt* or *dhikr* is, but a practice that legitimately facilitates a worshipful state — and he held this facilitative relationship sufficient, against jurists arguing (in substance, Objection B's structure) that a non-worship practice can't properly be a means to a worship- adjacent end. That's a direct, load- bearing precedent against the strongest form of Objection B: the claim that the means must itself constitute worship for its use toward a spiritual end to be sound. Coffee's history (§8) corroborates this from the classification side — once its *iskār* dispute resolved, its established use for night *dhikr* vigils faced no further, purpose-specific bar requiring separate justification once the substance itself was found permitted. Objection B in its other forms — ingestion bypasses required spiritual struggle, or constitutes illegitimate innovation in method — was addressed at length in the discussion this paper responds to, and I'm not re-litigating that ground in full here. Two points from that discussion bear directly on the *fiqh* analysis and are recorded. First, the *bid'ah* objection was shown, independently of anything in Part III, to be parasitic on Objection A: an innovation objection presupposes the underlying act is otherwise unlawful and merely novel in form, which isn't available once Objection A is resolved favourably. Second, the *mujāhada*- bypassed objection doesn't have an equivalent settled precedent either defeating or sustaining it within the *fiqh* sources surveyed here. I'm taking a deliberate scope decision and stating it rather than leaving it implicit: adjudicating that objection needs a framework for distinguishing authentic unveiling (*kashf*) from psychological projection (*nafsānī*), satanic deception (*waswasa*), and pathological experience — a comparative treatment of *wahy*, *ilhām*, *ru'yā*, *kashf*, *wajd*, and their counterfeits — that's a question in Islamic religious epistemology, not the classificatory and dispensation-based *fiqh* method used throughout this paper. I'm not resolving it here, and a finding that A and B don't defeat the spiritual application shouldn't be read as resolving this further question. It's identified and set aside, not settled. Objection C has to be met on its own terms, not treated as a restatement of B, because its structure is different — it's not a claim about whether this method is sound for a given individual, but a claim about aggregate, communal risk that can be true even if every individual instance of use, considered alone, were unobjectionable. The relevant principle is *sadd al-dharā'i'* — blocking a means that reliably leads to a prohibited or harmful end, even where the means itself isn't independently unlawful — and its application here would run: permitting use, even under supervision, for this purpose opens a door to widespread confusion of chemically- occasioned experience with genuine unveiling, and this risk to *ḥifz al-dīn* — preservation of correct belief — may justify restriction independent of any finding on A or B. Two things in response, and neither dissolves the objection so much as bounds it. First, *sadd al-dharā'i'* isn't a one-directional principle in the classical literature — it has a counterpart, *fath al-dharā'i'*, opening a means toward a good end, and jurists including al-Qarāfī and al-Shātībī hold that blocking a means requires the harm it leads to be *ghālib* (predominant) or at minimum substantially likely, not merely conceivable — a means isn't blocked on the strength of a worst-case possibility alone, or every facilitative practice, including *samā'* itself, would be foreclosed on the same reasoning. Second, and more directly responsive: this objection, if it has force, argues for the *ta'zīr*-level regulation of

manner, context, and supervision already argued for throughout this paper — restriction of general and unsupervised use, structured administration, guidance against theologically unmoored interpretation — rather than for prohibiting the substance as such. Because the objection’s own causal mechanism runs through unsupervised, uninstructed use producing confusion — it doesn’t establish that supervised use with sound theological framing carries the same risk, and a *sadd al-dharā’i* argument is only as strong as the closeness of the connection between the means blocked and the harm alleged. I’m not claiming to have fully closed that connection’s weaker points — a rigorous treatment would need engaging the specific mechanism by which supervised use produces communal theological harm, which isn’t undertaken here — but Objection C, developed this way, supports the restrictive conditions already argued for on other grounds (§21, below) more directly than it supports outright prohibition, given the *hadd*-level prohibition on the substance itself has been separately defeated at Objection A. What survives, on all three objections resolved or bounded as above: *ta’zīr*-level regulation of manner, quantity, context, and supervision, on the same structural basis established for the medical application at §21, for the same reason — non-muskir classification under *mukhaddir* or *muraqqad* doesn’t mean unregulated, and both Ibn Taymiyya’s and Asghar’s own frameworks (§17) pair non-muskir findings with continued restriction of general and unsupervised use. This isn’t a residual caveat weakly appended to an otherwise unrestricted conclusion. It’s the form the conclusion actually takes: Objection A doesn’t defeat the spiritual application; Objection B, on the strongest precedent available (*samā’*), doesn’t defeat it either; Objection C, properly bounded, supports restriction rather than prohibition — but none of this licenses unrestricted, unsupervised, or uncontextualised use, any more than the equivalent finding would for the medical application. One further point needs stating plainly rather than left for a reader to discover. §17’s citation of Asghar establishes convergence on classification — *psilocybin* and *5-MeO-DMT* don’t meet *muskir* — and that convergence is real and stands. It shouldn’t be read as Asghar supporting the spiritual application argued in this section. He doesn’t. In a subsequent paper extending his own classification finding, Asghar restricts licensed use to a narrowly medical *rukḥṣa* — permitted only where conventional treatment has failed and severe functional impairment is present, framed explicitly by analogy to a driver exceeding the speed limit under extenuating emergency circumstances rather than any general path to spiritual attainment — and states directly that use for spiritual purposes outside that necessity-gated indication “would certainly be classified as an innovation (*bid’ah*) and reprehensible in itself.” §33 and the argument above reach further than that: not merely permission under necessity, but a positive argument, via *i’tikāf* and *samā’*, that voluntary alteration for a stated spiritual purpose doesn’t void *taḳlīf* and that ingestion isn’t thereby disqualified as a *wasīla*, independent of medical necessity. That’s a genuinely different and more permissive conclusion than Asghar’s own, reached from the same classificatory starting point. I’m not retracting the argument on that account, but it would misrepresent the state of existing scholarship to leave the impression that Asghar’s authority stands behind it. It doesn’t. This paper’s spiritual-use conclusion is, on the evidence available, more permissive than the most sympathetic published treatment of this question is willing to defend, and that should be weighed accordingly by any reader assessing how much independent scholarly support actually stands behind it.

§23. The Revised Finding

The asymmetry earlier drafts located in a dose-dependent classification failure doesn't survive Part III's rebuild, and shouldn't be asserted where it no longer holds. The asymmetry that remains is of a different kind, and smaller than previously claimed. The medical application rests on two independent supports — favourable classification (Part III) and an independently available darūra/hāja route (§9, §19) that would sustain it even were classification revisited. The spiritual application rests on Objection A being resolved by Part III, which it now is, and Objection B being answered by the samā' precedent, which I argue it is — but has no equivalent second, independent support: no darūra/hāja route is available under §9, because §9's mechanisms are harm-averting and spiritual seeking isn't that kind of claim. The spiritual application isn't locked out by dose, the way earlier drafts argued — but it stands on one load-bearing argument (Objection B via §10) where the medical application stands on two. Both applications converge on the same practical shape — permitted in principle, restricted in manner, supervision, and context — but they don't rest on equally resilient ground, and that difference is the actual finding here, not the dose-based asymmetry now abandoned.

Part V — Objections

Nine objections, addressed here: four that come up routinely in discussion of this question, and five more a hostile reader would raise even where this paper's own interlocutors haven't. Each is stated in its strongest form before being answered, and where the answer is incomplete, that's recorded rather than concealed.

§24. “It's Khamr”

The objection. Classical psychedelics fall under the same prohibition as wine: a single drop of khamr is forbidden regardless of effect (§3), and the hadith “every intoxicant is khamr” extends this by name to anything sharing the relevant property. Whatever this paper's taxonomic argument shows, the substance is still, at bottom, an intoxicant, and the naṣṣ reaches it. The answer. This is Objection A, worked through fully across §11–§18. The drop-rule and the hadḍ-attaches-to-the-act principle are conceded in full (§3), not contested — the argument was never that the khamr naṣṣ is narrow. It's that classifying this substance specifically under muskir, rather than mukhaddir or muraqqad, doesn't hold on the classical tradition's own tests, tested five separate ways (§16) rather than on one favourable reading. The residual honest uncertainty — full ego dissolution stays a genuinely contested tier even after all five criteria are applied (§15) — isn't hidden, and §18 records that the conclusion doesn't rest on any single one of the five resolving cleanly.

§25. “It's Bid'ah”

The objection. Using a substance as a method of seeking spiritual attainment introduces a practice with no basis in the Sunna, and the Prophet said every innovation is misguidance. The answer. Addressed and defeated at §22: the innovation charge presupposes the underlying act is otherwise unlawful and merely novel in form. Once

Objection A is resolved favourably, this objection has nothing independent to stand on — it can't be raised against a permitted act just because it's new, or every technological or methodological development in Islamic history, including several cited approvingly here (§8's coffee, §10's samā'), would be equally condemned.

§26. “It Clouds the Intellect” — the Maqṣad, Not the Category

The objection, in its strongest and most serious form, isn't the same as §24. It concedes the paper may have won the technical classification fight — maybe this genuinely isn't muskir by the letter of the taxonomy — but says that misses the point. Ḥifz al-'aql exists to protect the intellect from being altered, confused, or overridden by external substances, full stop; something is plainly happening to ordinary cognitive function here, whatever label gets attached, and a paper that wins on taxonomy while losing on purpose hasn't actually answered the objection. The answer. This deserves more than a citation back to §13–§15, because it isn't really asking for reclassification — it's asking whether the whole five- criteria approach (§16) is a category error, testing letter against spirit. The honest answer is §16 in full: “clouding” isn't a single test the tradition applies uniformly, and psychedelics don't pass or fail it as a block. Strong on behavioural competence, genuinely unresolved on perceptual discrimination at the extreme tier, contested rather than settled on moral-epistemic discernment, favourable — on the tradition's own conduct-based standard rather than subjective report — on the Qur'an's own stated orientational rationale, and favourable but weakly evidential on phenomenological register. A maqṣad-level objection that treats “clouding” as a unified, self-evident harm needing no further specification is asking for a concession the classical sources themselves don't make uniformly — §16's finding is that the maqṣad isn't obviously violated on its own most serious axis (moral-epistemic discernment), even though it isn't cleanly vindicated either. Not a full answer. An honest one — I'm not claiming more certainty here than §16 itself established.

§27. “It Corrupts the Religion”

The objection. Even granting the substance is lawful and the method sound for a given individual, permitting this use opens a door to communal harm — perennialism, functional pantheism, erosion of tawḥīd's Creator- creature distinction — sufficient to justify restriction independent of any finding on classification or method. The answer. This is Objection C, addressed at §22 via sadd al-dharā'i' and its counterpart fath al-dharā'i', with the ghālib-likelihood threshold as the operative constraint on how far the blocking principle reaches. §22 doesn't claim to have fully closed this — it says directly that a rigorous treatment would need to establish the specific causal mechanism by which supervised use, rather than unsupervised use, produces communal theological harm, and that step isn't taken here. What §22 does establish: even granted full force, this objection supports the restriction already argued for on other grounds (§20–§22) rather than outright prohibition of a substance no longer classified as muskir.

§28. Jinn

The objection. Classical law treats kihāna (soothsaying) and siḥr (sorcery) — seeking contact with or assistance from jinn — as categories of prohibition considerably more severe than muskir, in some readings touching shirk. The DMT and 5-MeO-DMT literature specifically documents “entity encounter” experiences as a recurring, substantial category of report, not a fringe phenomenon. A paper that clears muskir classification while staying silent on this hasn’t addressed the most serious possible content of the experience. The answer. I can’t resolve, and don’t attempt to resolve, whether such encounters are metaphysically what they’re sometimes taken to be — doing so in either direction violates §2’s discipline against treating phenomenology as ḥujja. But kihāna and siḥr, as classical categories, attach to intentional seeking: specific invocation, pact, deliberate solicitation of jinn assistance or knowledge. They don’t attach to involuntary content arising unbidden during a lawful act undertaken for an unrelated, permitted purpose — the way an unsettling dream doesn’t make the dreamer a sorcerer. That tracks intent, which fiqh can test, not ontology, which it can’t. That gives the objection a real, specific limit stated here rather than obscured: use framed or intended as spirit communication, divination, or deliberate solicitation of entity contact — a framing some entheogenic traditions explicitly adopt — isn’t covered by anything argued in Parts III-IV and would likely fall under kihāna-adjacent prohibition regardless of the substance’s muskir status. The conditions at §20 and §22 should be read as including explicit instruction against seeking, engaging with, soliciting, or according authority to any entity-like content that may arise — precisely so supervised use stays structurally on the permitted side of this line rather than drifting toward it by default.

§29. Ijmā’

The objection I take most seriously among those I didn’t receive directly: none of the preceding matters if consensus is already established. Ijmā’ on the prohibition of all muskirāt beyond khamr’s named case would close the door to fresh taḥqīq al-manāt regardless of how the classification argument runs, because ijmā’ is definitive and doesn’t admit of relitigation by later ijtihād. The answer. Ijmā’ is well-established on khamr itself, which I don’t contest (§2, §3). It’s considerably less clear that ijmā’ attaches, at the level of specificity required, to the proposition that every mind-altering substance whatsoever falls under muskir by extension. §8’s history of coffee and §11’s history of hashish are themselves evidence against a settled consensus at this level — both were live, multi-generational disputes among qualified jurists, not questions consensus had already foreclosed. If ijmā’ had settled the general extension, neither controversy could have happened the way it did. My position is that the extension is contested rather than closed, and a live, historically- attested dispute of this kind is exactly the condition under which fresh taḥqīq al-manāt stays available rather than foreclosed.

§30. Fasād al-Zamān — Corruption of the Age

The objection, distinct from §27, doesn’t depend on any theological harm at all. Jurists have historically restricted otherwise sound rulings not because the ruling is wrong in

principle but because prevailing conditions — widespread charlatanism, absence of qualified oversight, commercial incentive to misuse a permission — make its exercise dangerous in practice. Given the current state of unregulated psychedelic retreats, unlicensed facilitators, and the gap between the supervision this paper’s conditions require (§20, §22) and what’s realistically enforced, this objection has genuine force independent of anything argued about classification or theology. The answer. I don’t have a full answer, and I’m saying so directly rather than manufacturing one. What can be said: *fasād al-zamān* is a condition- dependent restriction, not a permanent judgment on the underlying ruling — it restricts practice under present conditions without foreclosing the possibility that adequate institutional oversight, if it develops, would remove the objection’s force. §20’s conditions are a statement of what that oversight would need to look like. They’re not a claim that such oversight currently and reliably exists where these substances are presently used.

§31. Institutional Silence

The objection. No major contemporary fatwa body has reached the classification argued for here; the fatwa this paper began by examining reaches the opposite conclusion. If the argument were sound, some institution would likely have made it already. The answer. Part of this is directly checkable against the rulings themselves, not just a matter of inference: the published fatwas surveyed in researching this paper, including the one it began by examining, don’t engage the neuroimaging, behavioural, and phenomenological literature Part III relies on throughout, and don’t test the substance’s clinically-documented effects against the classical taxonomic criteria — *nashwa*, sensory involvement, uniformity of effect — argued here as the operative ones. Where those criteria are actually tested against the clinical evidence, as §13–§16 attempt, the outcome need not match a ruling reached without that comparison. That’s not a claim existing rulings are wrong. It’s an observation that they weren’t, on the available textual record, reached by the specific route taken here — which leaves open the possibility that the same jurists, applying the same principles to this evidence, wouldn’t necessarily reach the same conclusion. Beyond this: novel-substance classification has historically taken considerable time to move from individual scholarly argument to institutional position — §8’s coffee history is itself an example, contested for decades before broader acceptance. The absence of institutional uptake to date is consistent with the question being recent rather than considered and rejected — but I don’t have a developed answer beyond these two observations, and I’m not claiming one. Institutional silence stays an open objection, not one resolved here.

§31a. IslamQA’s Ruling, and the Test It Doesn’t Run

The objection. §31 treated institutional silence generically. At least one instance is sharper than silence — IslamQA’s fatwa no. 191516 rules *psilocybin ḥarām* by name, and does so invoking Ibn Taymiyya’s own authority for reading the *khamr* hadith’s general wording onto any newly-encountered intoxicant. Not an institution that hasn’t considered the question. A live ruling, grounded in the same primary source this paper draws on, reaching the opposite conclusion.

The answer. The ruling doesn't survive contact with its own citation. IslamQA's fatwa rests on an earlier one (176545), which quotes Ibn Taymiyya at length (Majmū' al-Fatāwā, 34/204-207) — the same passage §7 draws on. There, Ibn Taymiyya gives his actual ground for why hashish takes the ḥadd ruling and banj doesn't: hashish produces ladhḍha, pleasure and euphoria, driving the escalating, compulsive use that marks it as muskir; banj removes the senses without it. Not a distinction read into him later. His own stated test.

IslamQA quotes this passage for the ḥadith's scope and stops there — it never asks which side of Ibn Taymiyya's own line psilocybin falls on. §15 already answers that, and the honest version of the answer isn't that euphoria is absent — individual stages, even within a single session, can include it. It's that the total experience isn't organised around ladhḍha the way Ibn Taymiyya's hashish is: no escalating, craving-driven return to the state for the pleasure of it, and the dominant participant characterisation across the dose range is arduous and frequently frightening rather than elating. Assessed as a whole, that's the banj profile Ibn Taymiyya's own test describes, not the hashish one — clouding without the pleasure-driven pattern that puts a substance in muskir rather than ta'zīr territory.

This is Objection A again (§24), in a more concrete form: not a general claim that the khamr naṣṣ is narrow, but a demonstration that a ruling invoking Ibn Taymiyya's authority stops short of applying his own criterion. His conclusion on hashish is cited. His method isn't run.

§32. The Slippery Slope

The objection. If a sufficiently careful taxonomic argument can reclassify psilocybin, the same method could be deployed for any substance given enough ingenuity, and the paper's methodology proves too much. The answer. The method is substance-specific and evidence-gated, not a general licence. It needs clearing five independently-testable criteria (§16) against actual behavioural, neuroimaging, and phenomenological data, and most candidate substances would fail well before getting there. MDMA, for instance, would likely fail at Level Three (§15) alone — its characteristic effect is closer to nashwa than anything in the psilocybin literature, exactly the criterion Level Three tests for and psilocybin is argued to lack. The method doesn't certify substances. It tests them, and most won't clear the test.

§33. Taklīf: Does Spiritual Attainment Require an Unaltered Actor?

This objection, distinct from A, B, and C, doesn't depend on classification at all — it would apply even to a substance conclusively shown to be mukhaddir or muraqqad rather than muskir. It holds that valid spiritual attainment in Islam presupposes a mukallaf — a morally and legally responsible actor — in full possession of 'aql throughout the act by which that attainment is sought, because taklīf itself, the condition under which any act counts as worship or yields spiritual standing, requires an operative, unaltered intellect. On this reading, the question isn't whether the substance is ḥadd-bearing — it's whether taklīf attaches to a person in an altered state at all. If it doesn't, nothing received during that state can count as spiritual attainment in the first place, regardless of how the substance producing it is classified. The answer

has to split, because the objection doesn't weigh equally on the two applications. For medical use, it has little force: taklīf attaches at the moment of the mukallaf's decision to seek treatment, made with full capacity, and no independent religious value is claimed in the content of the altered state itself — exactly as with anaesthesia (§7), where no one asks whether the sedated surgical patient's taklīf was operative during the procedure, because nothing of religious significance is claimed to occur there. The objection's force concentrates entirely on the spiritual application, where the paper's own position is that something of value occurs during the altered state — which is exactly what the objection denies is possible. Two available answers need weighing honestly rather than just taking the convenient one. The first, sukr al- tawhīd/wajd, is weaker than it first looks: §3 already concedes, following the dominant Junayd position, that ṣaḥw ranks above sukr in the classical hierarchy, partly for reasons adjacent to this very objection — presence of mind and capacity for adab are part of why sobriety is preferred. Reaching for wajd to answer a taklīf objection sits in some tension with a concession already made elsewhere, so it's not the primary answer here. The stronger precedent is sleep. Taklīf is explicitly and textually suspended during sleep — rufi'a al-qalam 'an al- nā'im ḥattā yastayqiz, the pen is lifted from the sleeper until he wakes (Abū Dāwūd, al-Tirmidhī) — and ru'yā ṣāliḥa, a true dream received precisely during that suspended state, is nonetheless accorded real spiritual significance in the tradition, transmitted in the hadith that nothing remains of prophethood except glad tidings, namely righteous dreams. This is the tradition itself answering the general form of the objection: content received while taklīf isn't operating isn't, on that basis alone, void of spiritual worth — provided it's subsequently evaluated by a sober, waking faculty through ta'bīr (interpretation) rather than taken as self-authenticating in the moment of reception. This maps onto structure already present elsewhere in the paper: §14's muraqqad reclassification, and the descent-as-ṣaḥw-following-sukr pattern discussed in the exchange this paper responds to. One disanalogy needs flagging as unresolved: a sleeper doesn't elect to sleep in order to receive a particular ru'yā, whereas someone seeking spiritual content through a classical psychedelic elects the altered state specifically for that purpose. A closer precedent closes this gap more directly than sleep can, because it's itself elective and purposeful rather than involuntary. I'tikāf — seclusion in the mosque — is Qur'ānically grounded (2:187) and was the Prophet's own practice every Ramadān, extended to twenty days in the year of his death (Bukhārī 2041, 2044). Undertaken specifically to seek Laylat al-Qadr and nearness to Allah — not received unbidden the way a dream is, but deliberately entered for a stated spiritual purpose, exactly the structure the sleep precedent couldn't supply. Before it, the Prophet's own pre- revelation practice at the cave of Ḥirā' — extended solitary withdrawal, undertaken deliberately, for contemplative purpose — is transmitted as directly preparatory to what followed. Both are elective, purposeful entries into a state of withdrawal, and neither is treated anywhere in the tradition as voiding taklīf or disqualifying what's received during it. The opposite is closer to true — both are among the most highly regarded practices in the whole devotional corpus. This precedent has independent support for the empirical premise it needs — that withdrawal and isolation genuinely alter ordinary consciousness rather than just providing quiet. Extended sensory and social withdrawal is documented, independent of anything to do with psychedelics, to produce measurable alteration: disrupted time perception, altered memory and emotional processing, breakdown of ordinary sleep-wake structure, recorded in isolation research from Siffre's cave experiments onward.

I'tikāf and khalwah-type retreat aren't claimed here to produce neuroimaging- equivalent states to psilocybin — that would overclaim what this evidence supports — but the general mechanism, withdrawal of ordinary environmental and sensory structure producing genuine alteration of consciousness, is the same mechanism, and it's one the tradition deliberately invokes rather than merely tolerates. Two honest limits, though only the first bears on this section's own conclusion. First, intensity: standard congregational i'tikāf, in a lit, inhabited mosque with brief exits permitted for necessity, is considerably milder than the extreme isolation in the cave-confinement literature — the closer analogy for that degree of alteration is the solitary, extended Ḥirā' retreat specifically, not routine Ramadān i'tikāf. Second, stated precisely rather than left to imply more than it should: the mechanism producing the altered state — withdrawal of stimuli, or an exogenous substance — carries no weight for the taklif question this section addresses. Taklif attaches at the moment of the agent's exercise of will; a capacitated person electing to alter their own consciousness has performed the same act, for taklif purposes, whether the means is silence and darkness or ingestion. What i'tikāf and Ḥirā' establish is precisely this: elective, purposeful entry into a state of altered consciousness, undertaken to receive spiritual content, doesn't by itself void taklif or disqualify what's received — full stop, no mechanism-dependent qualification. The voluntary/involuntary distinction is the only axis this precedent needs, and it closes the gap the sleep precedent alone couldn't. That doesn't mean every means of achieving that voluntary alteration is thereby licensed. Whether ingestion specifically is a sound wasīla — a legitimate method — for pursuing a spiritual end is a wholly separate question, addressed independently at §22 (Objection B) through the samā' and coffee precedents, answered there on its own terms without reference to anything argued in this section. §33 establishes that taklif survives voluntary alteration by any means; §22 establishes, separately, that ingestion specifically isn't disqualified as a means. Neither section borrows from or depends on the other's reasoning, and they don't need to.

Part VI — Conclusions

This paper set out to determine what the established principles of Islamic jurisprudence yield when applied, separately and without a predetermined conclusion, to classical psychedelics for medical and spiritual use (§1). What follows is stated at the level of confidence the argument actually supports — some findings are firm, some conditional, and at least two are recorded as open rather than resolved. Where a finding is less than fully settled, that's stated rather than smoothed over, consistent with the method at §2 and held to throughout. 1. The prohibition of khamr is not contested, and this paper doesn't attempt to contest it. The hadd- bearing, absolute, any-quantity prohibition on khamr itself is accepted as naṣṣ qat'ī (§2, §3). Nothing here depends on, or is compatible with, disputing this. 2. Classifying a substance under muskir is a question of legal effect, not pharmacological resemblance, and can't be settled by showing a substance “doesn't act like alcohol.” The classical taxonomy has at least four distinct categories — muskir, mukhaddir, muraqqad, mufsid — distinguished by nashwa, sensory involvement, and craving rather than degree of alteration alone (§11), corroborated across four schools rather than resting on one jurist's individual organisation (§11). 3. Tested against this taxonomy by five independent criteria — perceptual discrimination, behavioural competence, moral-epistemic

discernment, Qur’anic orientational rationale, phenomenological register — classical psychedelics don’t satisfy the classical markers of muskir uniformly, and mostly don’t satisfy them at all. This doesn’t rest on any single criterion; §16 states explicitly that the five were tested independently and gave uneven, not uniform, results, with the honest exception in finding 4. 4. One genuine indeterminacy remains, and I’m not claiming to have resolved it. At the extreme end of the dose range — full ego dissolution — whether perceptual discrimination in Abū Ḥanīfa’s classical sense is retained, absent because the senses are genuinely offline (reclassifying to muraqqad), or absent in a way that meets the muskir test on its more textually faithful reading, isn’t settled here. Two live scholarly positions on this — this paper’s own, and Asghar’s contrary reading — are recorded rather than adjudicated by fiat (§15). 5. Independent of muskir classification, the mufsid objection — durable harm to the intellect — is substantially answered by the available clinical evidence, though the evidence base for the acute-peak state specifically stays thinner than for the post-acute period (§17). 6. Every dispensation mechanism in Islamic law that excepts a prohibited substance from its prohibition is harm-averting (§9), which has a direct, asymmetric consequence for the two applications: medical use has a dispensation route independent of classification (§19); spiritual use doesn’t (§22). This isn’t a claim that spiritual use is less worthy — it’s a structural finding about the shape of the available legal instruments. 7. The medical application is supported on two independent grounds — favourable classification and an independently available darūra/hāja route — and would survive even if the classification finding in 3–4 were later revisited (§19, §23). It’s bounded by defined conditions (§21): diagnosis, supervision, therapeutic purpose, and dosing that doesn’t exceed clinical indication. 8. The spiritual application survives Objection A (the substance is prohibited) on the classification established in 2–4, and survives Objection B (the method is illegitimate even for a permitted substance) on the precedent of samā’ (§10, §22) — but rests on these two findings alone, without the medical application’s independent second support. If either is successfully contested, the spiritual application has no fallback equivalent to the medical application’s darūra/hāja route (§23). This conclusion is also, on the evidence surveyed, more permissive than the most sympathetic existing published scholarship on this question: Asghar, whose classification finding this paper relies on directly, restricts licensed use in his own subsequent work to a medical-necessity rukhṣa and states spiritual use outside that indication would be bid’ah (§22). This paper’s conclusion starts from the same place but goes further, and that divergence is recorded here rather than left for a reader to discover. 9. Neither application is unrestricted. Both stay subject to ta’zīr-level regulation of manner, quantity, context, and supervision (§20, §21, §22), consistent with every classical and contemporary source relied on here that reaches a non-muskir finding (Ibn Taymiyya on banj, al- Zarkashī, Rashid, Asghar) — none of which pairs that finding with unrestricted permission. Use framed or intended as spirit communication, divination, or deliberate solicitation of entity contact falls outside both applications regardless of substance classification, and isn’t licensed by anything argued here (§28). 10. I’ve identified, and deliberately not resolved, a further question I regard as outside the competence of the method used here. How to distinguish authentic unveiling from psychological projection, satanic deception, or pathological experience is a question in Islamic religious epistemology, not the classificatory and dispensation- based fiqh method used throughout (§22). A finding that Objections A and B don’t defeat the spiritual application isn’t a finding that this fur-

ther question has been answered. It's identified and set aside, not settled — a reader who takes this paper's classificatory conclusions as resolving that further question has extended the paper beyond its own claims. 11. Several objections raised against this argument are answered in full (§24– §25, §32, §33); several are answered but with an explicitly acknowledged gap left standing (§26, §27); and at least two are recorded as unresolved rather than answered (§29's full weight, §30 in its entirety, §31's second half). §33's answer, via the precedent of i'tikāf and the Prophet's retreat at Ḥirā', establishes that taklīf isn't voided by voluntary, purposeful alteration of consciousness regardless of the mechanism producing it — the only relevant axis is voluntariness, not method. That's a separate finding from §22's independent conclusion that ingestion specifically isn't disqualified as a wasīla; neither depends on the other. The mujāhada question left to religious epistemology at finding 10, and the seeking/unbidden distinction at §28, remain genuine, unrelated limits of what's established here. This unevenness is reported as a feature of an honest accounting, not concealed for a cleaner conclusion. The question this paper set out to answer has an answer more precise than "permitted" or "prohibited": medical use is supported on solid, doubly-grounded footing; spiritual use is supported on real but singly- grounded footing, subject to a live scholarly disagreement at its most demanding tier and to objections bounded rather than closed; and both remain, on every ground surveyed here, matters for regulated and supervised practice rather than open permission. Allāhu a'lam.

References Qur'ānic and hadith sources

Qur'ān 2:219, 4:43, 5:90–91 (khamr and maysir). Ṣaḥīḥ Muslim 2003a (Ibn 'Umar: "kullu muskirin khamr, wa kullu khamrin ḥarām" — every intoxicant is khamr, and every khamr is prohibited). Sunan Abī Dāwūd 3681 (on small quantities of an intoxicating substance being prohibited by extension). Ṣaḥīḥ al-Bukhārī 4343 and parallel narrations (Abū Mūsā al-Ash'arī route, "every intoxicant is prohibited"). 'Umar ibn al-Khattāb, minbar sermon defining khamr — "al-khamru mā khāmara al-'aql" (khamr is that which takes hold of / veils the mind) — recorded in Ṣaḥīḥ al-Bukhārī and Ṣaḥīḥ Muslim (the "Two Ṣaḥīḥs"), transmitted with full isnād context in Ibn Kathīr's tafsīr on Q5:90.

Tafsīr

Ibn Kathīr, Ismā'īl ibn 'Umar. Tafsīr al- Qur'ān al-'Azīm, commentary on Q5:90– 91 (historical narrative of tadarruj; 'Umar's request for a definitive ruling). Al-Maḥallī, Jalāl al-Dīn, and al-Suyūṭī, Jalāl al-Dīn. Tafsīr al-Jalālayn, commentary on Q5:91 (glossing yaṣuddukum as operating through preoccupation with khamr and maysir). Al-Tabarī, Ibn Kathīr, al-Qurtubī, and al- Rāzī on Q5:90–91 were consulted for the question of whether the 'illa is extended beyond khamr and maysir to a general principle covering any multi- hour diversion of attention; no such explicit extension was located in the material available for this paper — a limitation stated directly at §12 rather than resolved by assumption.

Classical fiqh sources

Ibn Rushd (al-Hafīd), Muḥammad ibn Aḥmad. *Bidāyat al-Mujtahid wa Nihāyat al-Muqtaṣid* (English: *The Distinguished Jurist's Primer*), on the 'illa of khamr's prohibition as stated by the Qur'ān itself — cited via Rashid (AMJA 2023); not independently verified against a primary edition for this paper and should be checked directly before further scholarly reliance. Al-Qarāfī, Shihāb al-Dīn Aḥmad ibn Idrīs. *Al-Furūq: Anwār al-Burūq fī Anwā' al-Furūq*, 1st ed., Dār al-Kutub al-'Ilmiyyah, 1998, 1:215-218 (distinction between khamr and hashish; the muskir/mufsid-mukhaddir taxonomy). Verified independently against two sources: Rashid (AMJA 2023, with quoted Arabic) and Atiq, "Ḥaṣhīsh — Intoxicating or Just Corruptive? A 13th Century Jurist's Distinctions," *Islamic Law Blog* (Harvard Law School Program in Islamic Law), December 5, 2018, which works from the same pages and should be consulted for the mufsid terminology point flagged at §11. 'Ulaysh, Muḥammad. *Minaḥ al-Jalīl Sharḥ 'alā Mukhtaṣar Khalīl*, on al- mufsid/al-mukhaddir as that which obscures the intellect without nashwa and without tarab — cited via secondary compilation (halalmed.org reference work); Arabic text quoted directly in that source but not independently cross-checked against a primary edition. Ibn Taymiyya, Aḥmad ibn 'Abd al-Ḥalīm. *Al-Fatāwā al-Kubrā*, 3:423 (on henbane/banj as non-muskir, liable to ta'zīr); *Fatāwā Ibn Taymiyya*, vol. 4, p. 262 (on hashish as ḥadd-bearing despite conceded absence of nashwa, and the craving/desire criterion). The banj and hashish rulings were each independently verified against multiple, mutually consistent secondary transmissions; the vol. 4, p. 262 citation for hashish is consistently reproduced across sources but was not checked against a primary edition directly. Ibn 'Ābidīn, Muḥammad Amīn. *Radd al- Muḥtār 'alā al-Durr al-Mukhtār*, on opium as non-muskir below the quantity producing sukr, with explicit medical exception. Al-Zarkashī and al-Marwarrūdhī (Shāfi'ī), on banj and opium as non-muskir, with al-Zarkashī additionally permitting medical use including anaesthesia for amputation — cited via secondary survey (ijern.com, "An Analysis on Islamic Rules on Drugs"); not independently verified against primary editions. Al-Ramlī, Muḥammad ibn Aḥmad (Shāfi'ī). *Nihāyat al-Muḥtāj*, on hashish, opium, and bhang as prohibited substances distinct from liquid khamr, without clearly resolved ḥadd/ta'zīr status. Ibn Hajar al-Haythamī (Shāfi'ī). *Tuḥfat al-Muḥtāj*, ruling hashish causes "intoxication and confusion," aligning with the strict rather than lenient Shāfi'ī position. Both al-Ramlī and Ibn Hajar al-Haythamī cited via the same secondary compilation as 'Ulaysh above; primary verification recommended before further reliance. Al-Nawawī (Shāfi'ī) and al-Zurqānī (Mālikī), minority position permitting non-khamr intoxicants in quantities too small to produce intoxication, where genuine need is present — cited via Asghar (2025), itself citing the Sharḥ of al-Zurqānī on al-Qastallānī's *al- Mawāhib*, 3:240. Not independently verified against a primary edition. Ibn Ḥamdūn, on the three distinguishing consequences of muskir classification (ḥadd, impurity, prohibition at any quantity) versus their absence for mukhaddir/muraqqad/mufsid — cited via Rashid (AMJA 2023); not independently verified against a primary edition.

Contemporary scholarship

Asghar, Haroon. "Islam and Psychedelics: An Essay on the Issues of Permissibility and Medical Utility." *Theology and Science* 23, no. 2 (2025): 344-378. Full text ob-

tained and read directly for this paper. Rashid, Rafaqat. “The Fiqh of Mind- Altering Medication: Ethical Use from an Islamic Perspective.” Assembly of Muslim Jurists of America (AMJA), 2023. Consulted directly, including quoted Arabic passages. Bursey, Scott. “Will Abū Ḥanīfa Have a Beer and Smoke Ḥashīsh with Me in Jannah? Changing Perceptions of Khamr, Ijmā’, Bid’ah, and Sunnite Islamic Law.” Canopy Forum, April 17, 2025. Haider, Najam. “Contesting Intoxication: Early Juristic Debates over the Lawfulness of Alcoholic Beverages.” *Islamic Law and Society* 20, no. 1-2 (2013): 48-89. Cited by title and abstract only; full text not obtained for this paper. *Islamic Rulings on the Ḥalāl and Ḥarām in Medicine and Food: Principles and Applications* (compiled reference work incorporating al-Ramlī, Ibn Ḥajar al- Haythamī, and ‘Ulaysh material cited above).

Clinical and neuroscientific sources

Griffiths, R. R., Richards, W. A., McCann, U., & Jesse, R. “Psilocybin Can Occasion Mystical-Type Experiences Having Substantial and Sustained Personal Meaning and Spiritual Significance.” *Psychopharmacology* 187 (2006): 268– 283. Carbonaro, T. M., et al. “Survey Study of Challenging Experiences after Ingesting Psilocybin Mushrooms.” *Journal of Psychopharmacology* 30, no. 12 (2016): 1268–1278. Nour, M. M., Evans, L., Nutt, D., & Carhart-Harris, R. L. “Ego-Dissolution and Psychedelics: Validation of the Ego- Dissolution Inventory (EDI).” *Frontiers in Human Neuroscience* 10 (2016): 269. Vollenweider, F. X., & Preller, K. H. “Psychedelic Drugs: Neurobiology and Potential for Treatment of Psychiatric Disorders.” *Nature Reviews Neuroscience* 21, no. 11 (2020): 611–624. Neurophenomenological study of 5- MeO-DMT reporting “complete absence of self-experience and other phenomenal content with preserved awareness” (PMC12010161). Full citation not independently completed for this reference list; cited by PMC identifier only. Note on sourcing. This list distinguishes, wherever the underlying research allowed, between primary sources verified directly (Asghar in full; Rashid in full, including quoted Arabic; the core Qur’ānic and hadith citations) and material transmitted through secondary academic or reference-work compilation, flagged individually above. Where a citation is flagged as not independently verified against a primary edition, that’s a genuine limit of this paper’s research process, not a judgment that the citation is unreliable — several are corroborated across multiple independent secondary sources and are used with corresponding confidence in the body of the paper (§11, §15, §17). Readers intending to rely on this paper’s classical citations for further scholarly or juristic work should verify each flagged entry directly against the primary edition before doing so.