

# Chess in the Light of the Jurist

Hamza Yusuf

**P**LAYED ALL OVER the world by people of all faiths, the game of chess is enjoyed privately and publicly as a pastime as well as a serious competitive endeavor. Most likely, though, few Muslims stop to think about the legal ruling of playing chess in the shariah (Islamic sacred law). According to the juristic community of Muslim scholars, collectively known as the *fuqahā'*, every human action (including playing chess!) falls under one of five categories: obligatory (*wājib*), recommended (*mandūb*), permissible (*mubāh*), discouraged (*makrūh*), and prohibited (*ḥarām*). This paper examines the origins of chess, the varied opinions among the scholars, the benefits and harms of playing the game, and what this signifies to us today.

## The Origins of Chess

According to Ibn Khallikān (d. 681 AH/1282 CE), the notable historian and biographer, chess was invented by the Indi-

an philosopher Sissah, for the Indian ruler Shih-rām (Shah Rām, according to Emir 'Abd al-Qādir).<sup>1</sup> Though Ibn Khallikān did not mention the era of the inventor, according to Western historical sources, the origins of chess date to around 500 CE in India. In addition, historians have identified five distinct periods in the progression of the game that we know today as chess. The first is the Sanskrit period, which extended from 500 to 700 CE, followed by the Persian period, which lasted approximately one hundred years; next followed the Arabic period, which began with the Muslim conquest of Persia in the mid-seventh century and lasted until around 1000 CE, when chess entered Europe through the Moors of Spain; this medieval period lasted from 1000 to 1600, leading to the modern period, which continues until today.

The word “chess” is derived from the Sanskrit word *shāh*, which is retained in the language of chess today. “Checkmate” is

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derived from the Arab remark on defeating an opponent: “*shāh māt*,” meaning, “The king is dead.” It was, in fact, the Arabs who spread chess far and wide. In chess, they found a game that mirrored well real-life strategies used in pre-modern warfare and considered it a useful tool for inculcating calculated and strategic maneuvers in an aspiring military cadet. The Arabs call it *shatranj*, a word derived from the Sanskrit *chaturanga*, which is a compound word consisting of two Sanskrit roots *chatur*, meaning “four,” a cognate of “quarter,” and *ranga*, meaning “arms.” *Ranga* had the same technical meaning of “arms” in English, i.e., armed forces. Ancient Indian armies were composed of four sections or “arms”: chariots, cavalry, elephants, and infantry. *Chaturanga* referred to the whole armed forces, as in the branches of the army. Even today, we talk about the armed forces of a nation consisting of four basic “arms”: air, sea, ground, and amphibious forces.

We still have the four-based “arms” of the military. Sanskrit armies took the very positions of current chess pieces; the rank and file of an Indian army consisted of chariots on the flanks, with cavalry next to them, and then the ministers and sovereigns were positioned in the center.

The Latin *padati*, which Arabs call *baydaq* or “foot soldiers” (*pedonis* in Latin), is the word from which we get our word “pawn.” We still refer to people who walk on their feet as “pedestrians,” a word that, like “pawn,” also carries a related pejorative meaning. For example, “pedestrian prose” means dull and uninspiring, something that needs to get “off its feet.” Wealthy

people in the past, as in the present, rarely walked; they preferred to ride in chariots, carriages, or other forms of transportation. The Spanish word “peon” (a low menial worker who performs the worst types of labor) is a direct cognate of “pawn.”

In early Indian chess, if a pawn made it to the other side of the board, it was promoted to *mantri*, the ancestor of the queen in today’s chess. This promotion is akin to a non-commissioned infantryman being promoted to second lieutenant today. (The *mantri* had the power to move like the king: one square in any direction.) After the spread of chess in Persia, the names of the pieces were adopted into Farsi. The *rājah* became *shāh* (king), the *mantri* became *farzīn* (queen—and later *fīr* in Arabic), the *asva* became *asb* in Persian (horse—and later *faras* in Arabic), the *gaja* became *pīl* (elephant—and later *fil* in Arabic), the *wazīr* became “minister” and then “bishop” in Europe, and the *raka* (boat) became *rukḥ* in

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Persian (chariot). The Arabs retained the Persian *rukḥ*, and the word finally became “rook” in Europe.

The Arab period of chess began with the Muslim invasion of Persia in 20/641; a rapid coalescence of Arab and Persian cultures occurred, in which the Arabs had a religious and linguistic influence on the Persians, and the Persians had an immense scientific, literary, and governmental influence on the Arabs.<sup>2</sup> The Arabs adopted some new rules for the newly acquired game of chess, including the current move of the horse—i.e., leaping two squares even over other pieces and then moving one square to the right or left. An immense lit-

erature developed in the Arabic language on the game and how to play it to win. Chess tactics were seen as a powerful metaphor for the game of life and actual strategies of pre-modern warfare. It was the Arab form of chess that entered into Europe and evolved into the modern game enjoyed today. An interesting linguistic carryover to society was the description of someone who arose from being insignificant to becoming someone important; such a person was said to have “elevated from a *baydaq* to a *firz*” (a pawn to a minister). In the meritocracy of the Muslim world, a person of humble origins could, through merit, rise to the highest levels of social status—a phenomenon unheard of in most pre-modern societies. “Being queened” became an analogy for someone who rose from humble begin-

THE SCHOLARS OF THE PAST,  
MORE THAN OTHERS, UNDERSTOOD  
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lusian Spain, Muslim Sicily and southern Italy, and finally the Balkans and Turkey. Chess, as played in thirteenth-century Europe, was identical to the Arabic version played throughout the Muslim world. By 1600 CE, the Europeans had introduced several innovations to speed up the game and enhance its strategic variations. The most important of these was feminizing the *firz*, who was understood to be a general or minister, liberating her as the queen and making her the most powerful piece on the board, something that probably would have engendered a good deal of consternation among many of the Arabs who bequeathed the game to the Europeans. The other interesting innovation was the added power afforded the queen: while retaining the idea from Indian chess of boosting the value of the pawn by making it a potential queen, the Europeans gave the queen much more power, enabling her to move like a rook *and* a bishop, which made the pawn essential to a strong endgame.

It is of interest to note that two of the most important contributions to civilization that Europeans, and by extension Americans, take pride in are women’s legal equality with men, and the idea of a truly meritocratic state that honors achievement irrespective of race, color, creed, or gender, in which even the lowest person could one day become president. Both ideas have their roots in Islam’s contribution to the world and are profoundly symbolized in the European innovations to the game of chess.



<http://history.chess.free.fr/firz-persian-russian.htm>

IRANIAN CHESS PIECE  
8TH - 11TH CENTURY CE

nings to achieve rank and stature in society. According to *Oxford English Dictionary*, “to queen” is to “convert a pawn into a queen when it reaches the opponent’s side of the board.” In the Muslim world, through effort and skill, a humble pawn could be elevated to aristocracy in the game of life.

Chess entered Europe through three routes, all from the Muslim world: Anda-



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PERSIAN YOUTH PLAYING CHESS WITH TWO SUITORS  
ILLUSTRATION TO THE *HAFT AWRANG* OF JAMI, 16TH CENTURY

### Jurists' Responses to the Game of Chess

In the sacred law of Islam, every human act has a corresponding legal ruling. Many of these acts are simply derived from common sense and do not require learning, such as drinking a glass of water. However, rulings on even simple acts can become more complicated than one may expect. For instance, to drink a glass of water is permissible (*mubāḥ*), but what about drinking it standing up, or drinking it in a cup made of silver or gold? What about drinking from a private well one passes by? It is not as simple as it seems, as each one of these situations has a specific ruling. Often, rulings cannot simply be determined by common sense; hence the need arises for two important human endeavors: first, learning the sacred law, and second, exerting one's utmost intellectual and spiritual energy to derive legal rulings concerning new matters that arise and necessitate a legal ruling.<sup>3</sup> Developing legal rulings has always been the job of the jurists (*fuqahā'*) known as *mujtahidūn* (those jurists qualified to make *ijtihād*, or independent juridi-

cal rulings). Contrary to the Orientalists' claims that the gates of *ijtihād* were closed in the ninth century CE, *ijtihād* has always been an active endeavor of the community of jurists throughout the Muslim world.<sup>4</sup>

When chess first arrived on the scene, scholars had different responses to it (as scholars are wont concerning any new matter), but all agreed that if any gambling was involved (i.e., a player bets another player or those watching bet over the players), then it is prohibited. However, scholars reached three different rulings concerning chess that is played devoid of gambling.

### First Opinion

According to the first opinion, playing chess is prohibited; this is the majority opinion of the Ḥanbalī scholars and the stronger opinion among the Ḥanafī scholars; also, Imam Mālik (d. 179/795) has a narration stating its prohibition. According to Ibn Qudāmah (d. 620/1223), Ḥanbalī scholars say, "As for chess, its ruling is similar to the prohibition of games of dice; however, [the ruling against] games of dice

is stronger given the explicit prophetic text prohibiting them. Nevertheless, in reality, chess is identical to games of dice—such as backgammon—and its ruling is arrived at through analogical reasoning.”<sup>5</sup> However, in his brilliant work *Nayl al-awṭār*, Imam al-Shawkānī (d. 1250/1834) considered playing chess as a matter that lies in the grey area (among the *mutashābihāt*) and only recommended avoiding it.<sup>6</sup>

The Ḥanafī position stated that playing chess was prohibited, but of a lesser category of prohibition than outright prescription. Ḥanafī scholars termed the ruling of playing chess “highly discouraged” (*karāhiyyah taḥrīmiyyah*), if the game was free of gambling, not habitual, and did not preoccupy its players from any obligation; if it did not fulfill any of these conditions, the game was deemed completely prohibited. Ḥanafī scholars felt that playing chess should be avoided for two reasons: preoccupation with chess would cause people to forget about their worldly concerns, which would result in serious problems in the next life; secondly, deeming it permissible would help Satan fight Islam and the Muslims, as it would provide him a means to preoccupy them with the frivolous game to the dereliction of duty in momentous matters.<sup>7</sup>

As for the Mālikī scholars, Imam al-Qurṭubī (d. 671/1273) mentioned that Yūnus (d. 227/842) related from Ashḥab

(d. 204/819) that when Mālik was once asked about chess, he replied,

There is no good in it. It is nothing. In fact, it is meaningless, and such diversions are all meaningless. Indeed, an intelligent and rational person’s beard and grey hairs should constrain him from such meaningless pursuits.<sup>8</sup>

Once, Imam Saḥnūn (d. 240/854) asked Ibn al-Qāsim (d. 191/806), Mālik’s primary and most esteemed student of jurisprudence, “What do you think about chess and checkers players? Is their legal testimony valid in Mālik’s opinion?”

Ibn al-Qāsim replied, “Mālik said that the testimony of one who is addicted to chess should not be accepted. But if he plays it every once in a while, then I think that his testimony is valid, if he is considered an upright and just person.”

Furthermore, Imam Saḥnūn said, “Mālik disliked chess and considered it worse than backgammon, whether one played a little or a lot.” Imam al-Ḥaṭṭāb (d. 954/1547) considered Mālik’s words to indicate discouragement and not prohibition, but most of Mālik’s followers deemed chess impermissible.<sup>9</sup>

The most authoritative of the later Mālikī books of jurisprudence is *Mukhtaṣar Khalīl* (*The Abridgement of Khalīl*), which is a book of Mālikī legal statutes based upon the *Mudawwanah* of Imam Saḥnūn. In Khalīl’s *The Book of Testimony*, playing chess is, in fact, mentioned as a factor that renders one an unsound witness in legal cases. Khalīl (d. 767/1366) states,

[One’s testimony is not valid in cases of] habitual foolishness; checker playing [and backgammon, even without gambling involved]; a virtuous person who abandons public comportment [by playing games of chance, even if there

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IMAM AL-TARTŪSHĪ

is no gambling involved] or listens to music [due to it leading to a loss of comportment, although it is considered discouraged as long as no inappropriate behavior is associated with it, such as foul lyrics or incitement to inappropriate behavior, and it was free of stringed instruments, in which case it is deemed prohibited];<sup>10</sup> [occupations of] tanning and weaving by choice;<sup>11</sup> and constant chess [playing, which means more than once a year].<sup>12</sup>

Commenting on the statement pertaining to chess, Imam al-Dasūqī (d. 1230/1815) says,

The literal text would imply that playing chess is not prohibited, given that he [Khalīl] mentions it among matters that are inappropriate behavior for virtuous people and stipulates that the game is not played constantly. Imam al-Qarāfi's educated opinion is that it is discouraged [and not prohibited], but the [Mālikī] school considers playing chess prohibited, and Imam al-Ḥaṭṭāb says, "An opinion states that if one plays it with a peer in private and not with hoi polloi, [it is not prohibited]. However, whether one considers it discouraged

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or prohibited, in both cases, testimony is not accepted from a chess player who plays it on a continual basis." Ibn Rushd states, "There is no disagreement among Mālik and his companions that habitual playing is a character flaw, and a weak opinion has it that habituation entails playing more than once a year. Scholars have stipulated that habitual playing (*idmān*) applies to chess alone as opposed to dice, i.e. backgammon, palm-fronds [an early Arabian game of chance played with palm leaves], checkers, and mancala, due to the sound difference of opinion regarding its permissibility. Indeed, narrations have been transmitted mentioning that a group among the *tābiʿīn*<sup>13</sup> used to play chess."<sup>14</sup>

### Second Opinion

The second opinion about the matter is that playing chess is discouraged but not



prohibited, and this is the position of the school of Imam al-Shāfi‘ī (d. 204/820). Imam al-Nawawī (d. 676/1277), the most authoritative later voice in the Shāfi‘ī school states, “Our school’s opinion is that [playing chess] is discouraged but not prohibited.”<sup>15</sup> Imam al-Ghazzālī (d. 505/1111) conferred with Imam al-Nawawī and added in his *al-Wajīz* that its discouragement was contingent upon habituation.<sup>16</sup> Imam al-Subkī (d. 756/1355) added, “We consider it [the opinion of permissibility of playing chess] to be like clear and evident truth ... and an impartial person, who has removed bias from his ego and examined the textual proofs of the two positions, would have to agree [with the Shāfi‘ī school].”<sup>17</sup> The most likely reason for Imam al-Subkī’s insistence on this position is that the great scholars of Islam detested that anything be prohibited without absolute and unequivocal proof. For example, Imam Mālik rarely used the word “haram” (prohibited); instead, he preferred to say, “I don’t like that.”

### Third Opinion

Lastly, a group of scholars deemed playing chess permissible (*mubāḥ*). Among this group are some of the greatest scholars of the early period, including Imam al-Sha‘bī (d. 105/723), who was known to play the game. According to Imam al-Baghawī (d. 510/1117), an authoritative scholar of hadith and *tafsīr* (Qur’anic exegesis), the devout and pious *tābi‘ī*,<sup>18</sup> Sa‘īd b. Jubayr (d. 95/714), used to play chess with his back turned toward the board, a feat Arab chess masters prided themselves on. In fact, Harūn al-Rashīd’s (d. 193/809) court was known to welcome chess masters who could play blindfolded, since that demanded a high level of skill and a powerful memory. According to Imam al-Bayhaqī (d. 458/1066) in the *Sunan al-kubrā*, both Imam Ibn Sīrīn (d. 110/728) and Hishām



<http://history.chess.free.fr/first-european.htm>

MEDIEVAL CHESS SET  
11TH CENTURY ITALY

b. ‘Urwah (d. 146/763) played the game together with their backs turned from the board, like Sa‘īd. Imam al-Bayhaqī also mentions that al-Sha‘bī used to play it as well, but he did so out of sight of religious pilgrims.<sup>19</sup> Playing chess is permissible according to the opinion of some of the major scholars of the first generation among the *tābi‘īn*; furthermore, great scholars within the four canonical schools hold the same position, including Abū Yūsuf al-Ḥanafī (d. 182/798), Emir ‘Abd al-Qādir al-Jazā’irī al-Mālikī (d. 1300/1883), Imam al-Ghazzālī al-Shāfi‘ī, and others; however, all of them placed the caveats that one’s playing chess not be habitual and that it not cause one to neglect his or her duties, especially that of the obligatory prayer in its proper time.

Qadi Abū Bakr al-Mālikī (d. 543/1148) mentions in his *Rihlah* that he had learned the game and played it well; he relates a story in which he plays with a wealthy man on a boat. However, that incident took place before he met the staunch Mālikī scholar Imam al-Ṭarṭūshī (d. 520/1126) whose rigidity on such matters is well-known and reflected quite a different view than what the young Andalusian would have learned in his native Seville, a city so notorious for its music and gaiety that one Andalusian scholar remarked, “If a musician in Cordoba died, his instruments were sent to Seville to find buyers; and if a scholar in Seville

died, his books were sent to Cordoba to find buyers!” In a later, more serious book, Qadi Abū Bakr mentions,

Imam al-Shāfi‘ī held that the game was permissible, and some scholars even claimed it was recommended (*mandūb*) and practiced it in religious seminaries. Thus, if one of the students tired of his studies and recitation, he would play a little chess, even in the mosque. Some claimed that some of the companions of the Prophet ﷺ played the game, but that definitely never happened. I swear by God! A pious person’s hand never touched the game of chess. They even claim it sharpens the intellect, but our own experience denies that. No man of intellect ever wasted his time plumbing its depths. I heard Imam Abū al-Faḍl ‘Atā’ al-Maqdisī mention in the Furthest Mosque Sanctuary of Jerusalem that the game taught one the tactics of war. Imam al-Tartūshī immediately refuted him saying, “On the contrary; it corrupts one’s martial instincts! Look, the whole point of war is to capture the king or kill him, and when playing chess, one politely says, ‘Watch out shah! Now move your king out of my way!’”<sup>20</sup> He made everyone present laugh at his remark.<sup>21</sup>

Qadi Abū Bakr’s remark, “He made everyone present laugh,” wonderfully illustrates his wry tongue-in-cheek humor, as he made the statement. The sense of humor these men had drastically differs from the dry puritans who cannot see the humor and

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ABŪ AL-DARDĀ’ ﷺ

folly in human behavior. Ibn Abī al-Dunyā (d. 281/894), one of the greatest of the early imams and a stern critic of frivolous activities was, nonetheless, known for his humor and reportedly joked one day with the Caliph al-Muwaffaq (d. 278/891), causing him to laugh so hard that he fell off his chair.

The soundest and most compelling position is that of the great Andalusian scholar Imam Ibn ‘Abd al-Barr, who stated,

The final say in the matter in Mālik’s school, as well as the majority of jurists, is that as long as one is not gambling when playing [chess] and plays the game in the privacy of his own house, perhaps once a month or once in a year, and does not advertise this fact nor let others see him, then it is overlooked and not prohibited for him or even discouraged. However, if he openly plays chess and becomes habituated to its practice, his dignity is lost as well as his legal status of uprightness, and his testimony is rejected. All of this indicates that playing chess is not prohibited in and of itself. If that was the case, it wouldn’t matter whether one played a little chess or a lot. However, this [ruling of permissibility] is only if the person does not feel compelled to play nor plays all the time. A little play is overlooked.<sup>22</sup>

In the same compendium, he mentions,

As for chess, the difference concerning it is of a different nature than that concerning backgammon, since many scholars have permitted playing chess that is free of gambling. Those scholars who gave a license (*rukḥṣah*) permitting playing chess that is free of gambling include, Sa‘īd b. Musayyab, Sa‘īd b. Jubayr, Muḥammad b. Sīrīn,



Muḥammad b. al-Mukandar, ʿUrwah b. Zubayr and his son Hishām, Sulaymān b. Yasār, Abū Wāʿil, al-Shaʿbī, al-Ḥasan al-Baṣrī, ʿAlī b. al-Ḥasan b. ʿAlī, Jaʿfar b. Muḥammad, Ibn Shihāb, Rabīʿah, and ʿAtāʾ.<sup>23</sup>

### The Proofs of Those who Prohibited Chess

Juristic methodology follows a process of legal reasoning used to arrive at a judgment concerning any human belief, word, or action. First, the jurist looks into the Qurʾan to see if there is any mention of the matter, either explicitly or implied. Second, he or she looks into the hadith collections to determine whether the Prophet ﷺ made mention of the matter, then looks to the *ṣaḥābah* (the Prophet’s companions), and then to the early scholars to see what they



PHOTOGRAPHER: AARON HAROON SELLARS

said, checking to see if there was a consensus on the matter. Finally, the jurist turns to analogical reasoning to see if there is some precedent that is similar in its rationale in any of several ways that may cause it to share the same legal ruling.<sup>24</sup> Other ancillary considerations exist within the principles of *uṣūl*, but it is not within the scope of this paper to explore the methodologies of *uṣūlī* scholars.

There is no mention of chess in either the Qurʾan or the Sunnah. In fact, Ibn

“IT IS NOT THAT WE HAVE A SHORT TIME TO LIVE, BUT THAT WE WASTE A LOT OF IT. LIFE IS LONG ENOUGH ... FOR THE HIGHEST ACHIEVEMENTS IF IT WERE ALL WELL INVESTED.”

SENECA

Ḥajar (d. 974/1567) states, “Nothing whatsoever from the Prophet ﷺ concerning chess has been established.”<sup>25</sup> However, Ibn Abī Shaybah (d. 235/849) relates a statement of Imam ʿAlī (d. 40/661) in which he says, “Backgammon and chess are both types of *maysir* (gambling).” The statement is a clear reference to a verse from the Qurʾan, which clearly prohibits *maysir*: “Believers, wine and gambling (*maysir*) and idolatry and divination are nothing but abomination from the works of Satan, so avoid them that you may thrive.”<sup>26</sup> *Maysir* was a specific game of chance in pre-Islamic Arabia that involved using arrows for winning slaughtered camels. This tradition, which is not considered sound by several hadith scholars, is nonetheless the soundest statement regarding the matter at hand that we have from a companion of the Prophet ﷺ. Moreover, it does not indicate the prohibition of playing chess in and of itself but only if it is associated with gambling, which is the condition that the scholars who permitted it placed upon its prohibition. Several statements (*āthār*) of some *ṣaḥābah* and early scholars, such as Mālik, are mentioned in the arguments prohibiting chess, but none have any definitive proof.

In the final analysis, the strongest proofs for the prohibition of playing chess come from analogical reasoning (*qiyās*). A clear and sound hadith found in the *Muwattaʾa* states, “Whoever plays backgammon has disobeyed God and His Messenger.” In Imam

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COLLECTIVE HUMAN CONDITION.

Muslim's version, the hadith is, "Whoever plays backgammon has dipped his hand into the flesh and blood of a pig." Commenting on this, Qadi Abū Bakr states,

The resemblance lies in that backgammon is a prohibited pleasure of the ego, and pork is a prohibited pleasure of the stomach. Moreover [a proof by analogy exists for the prohibition of playing chess as] chess is the brother of backgammon, weaned from the same breast, and is identical in its ability to preoccupy people, waste their time, and cause them to forget God and the prayer.<sup>27</sup>

Scholars have argued, however, that this reasoning is faulty due to a clear disparity (*fāriq*). Backgammon is clearly a game of chance that is closely related to the Arabian *maysir*; it also very often involved gambling. Chess, on the other hand, is a game of skill that demands deep thought and strategy. Also, there is a clear military benefit in the game of chess, as it involves situations that mimic real battlefield conditions, according to Emir ʿAbd al-Qādir, who was both a Mālikī scholar and a successful battlefield commander adept at chess.

### Conclusion

Islam is a religion based on revelation that deems the human being nothing less than the vicegerent of God. The work of the world never ends, and one's obligations are greater than the time allotted to

fulfill them. For this reason, Muslim jurists hesitated to condone anything that wasted one's time without benefit, other than acts that the Prophet ﷺ had clearly said are useful: playing with one's spouse, spending time with one's children and family, and engaging in sports that displayed martial valor and character, such as horsemanship, archery, swimming, and swordplay.

Nevertheless, the Prophet ﷺ enjoyed life and encouraged others to do so. During festive times, such as holidays and wedding ceremonies, he encouraged entertainment, including singing and dignified manly dancing (*ḥajal*) that could be performed in front of the women. (He did not permit women to dance in front of men other than their husbands to avoid other men being aroused and to deter lustful gazes from other men that degrade a woman's stature and dignity.) According to Imam al-Bukhārī in his *al-Tārīkh*, the Prophet's companions once had a food-fight with the leftover rinds of watermelon. The Prophet ﷺ also witnessed a food-fight among the womenfolk of his household and laughed heartily. He listened to his companions talk about their silliness before Islam and to their stories about the foolish things they did without reason and would laugh until his molars showed. He joked but always told the truth. He was not a prude, nor was he a puritan who did not appreciate human weakness and folly. Far from fanaticism, he despised extremism and zealotry, and loved gentleness and compassion, even with his enemies. He was a lion on

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RECREATION AND RENEWAL.

the battlefield, but once the battle was over and the day won, he showed immense magnanimity that overwhelmed even his worst enemies. He took life seriously and warned us not to spend our lives in vain pursuits. He reminded us that while laughter has its place, it should not become such a central part of our lives that we fail to recognize the gravity of life and the misery in which many less fortunate people live. He smiled much of the time and hence was called “the smiling one” (*al-dahhāk*). He said, “To smile in the face of your brother is charity.”

The Prophet’s statements about such things as playing backgammon reflect his seriousness and concern for his community. He reminded us that, “Most of humanity cheat themselves of two precious things: good health and leisure.” Leisure in Arabic is *farāgh*, which means “emptiness.” It is the time one is free of preoccupation. Most of us fill that time with trivial pursuits, such as watching television, listening to music, playing games, and



engaging in empty chatter. Before we know it, our lives are gone. Our seconds become minutes, our minutes hours, our hours days, and our days years, until suddenly we find that our lives are over, and what have we accomplished? “*By time, surely humanity is in loss except those who believe and do good works, and enjoin each other to the truth and to patience.*”<sup>28</sup> This surah reminds us that time is our capital—each minute is irreplaceable, and either we invest it in the next life or squander it here in an inevitable progression toward spiritual bankruptcy.

The scholars of the past, more than others, understood the precious value of time. One of the early scholars said that when he

walked in the marketplace and saw people playing backgammon, he wished he could buy with gold the time they were wasting so that he could use it wisely. Islam is not a harsh religion, nor a religion that deprives people of enjoyment, but it is a religion that demands a level of seriousness, commitment, and concern with the human condition. We should use our time to better ourselves and improve conditions for others, and this does not exclude utilizing our time for recreation and renewal. A companion of the Prophet ﷺ, Abū al-Dardā’ رضي الله عنه said, “I sometimes use purposeless things to reinvigorate myself for purposeful things,” and

that is the essence of recreation. We all need “downtime” to relax and restore ourselves for the challenges of life and the preparation for the next life. Games, recreation, fun, folly, silliness, and vacations all have their place in our lives, but the tragedy occurs when those activities become the purpose of our lives, and the true purpose of life is entirely missed. Our efforts

are directed towards recreation: we work to play, believing that the week is only an excuse for the weekend. The world is filled with people who are “killing time,” completely unaware that time is actually killing us. One day, we will wake up and have to face our lives in their entirety. According to Imam al-Awzā’ī (d. 157/774), everyone will watch their lives from start to finish on the Day of Judgment. No one will be allowed to interrupt to edit or to explain. What we watch will simply be a rerun of our entire lives, yet this time around, we will be painfully aware of the meaning that eluded us the first time because we were not paying attention. The Stoic philosopher Seneca

(d. 575 BH/65 CE) said, “It is not that we have a short time to live, but that we waste a lot of it. Life is long enough, and a sufficiently generous amount has been given to us for the highest achievements if it were all well invested.”<sup>29</sup>

If playing chess once concerned the scholars of Islam, what would they say to us today about our habits of watching television and films and playing videogames, about our endless conversations on cell phones and on-line chatting, or about the hours that we spend surfing the net and reading empty blogs written by people with little to say and less to do? Our scholars’ concern was our salvation and well-being, and while Muslims today may see them as zealous or fanatics, on the Day the Debts fall due and we are taken to account for every moment of our lives, those scholars will be seen for the giants they were, and their counsel to us will be a bitter taste of remorse in our mouths.

#### NOTES

- 1 Ibn Khallikān, *Wafayāt al-a’yān* (Beirut: Dār Ṣādir, 1977), 4:357.
- 2 There is, however, a subtle and significant spiritual influence that the Persians had on their newly adopted religion, and the ripples of that influence continue to emanate today.
- 3 For instance, water is pure unless contaminated by an impure substance, such as urine. What do we consider the state of water that was once contaminated with impurities, rendering it unusable according to sacred law (for matters sacred or secular), and then purified in machines and recycled? According to sacred law, is such water now considered pure? This was not an issue even a hundred years ago, let alone 1,400 years ago. Yet we now have whole cities that use water that was contaminated and then purified not through the hydrological cycle of nature but through the ingenuity of man.

4 The only closure—if there was one—was on what is known as “absolute *ijtihād*” that historically was achieved by a handful of scholars in the early part of Islam and later considered impossible to achieve. However, although many consider this door closed and locked, it has always been viewed as a door that is possible for one to enter, if one has the key.

5 Ibn Qudāmāh, *al-Mughnī li Ibn Qudāmāh* (Cairo: Dār al-Ḥadīth, 1996), 9:170.

6 Imam Shawkānī, *Nayl al-awṭār* (Cairo: Muṣṭafā al-Bābī, al-Ḥalabī, 1952), 7:96.

7 Muḥammad Amīn b. ‘Umar, *Ḥāshiyāt radd al-muḥtār ‘alā al-durr al-mukhtār Ibn ‘Ābidīn* (Cairo: al-Bābī al-Ḥalabī, 1386/1966), 6:394.

8 Imam al-Qurṭubī, *Tafsīr al-Qurṭubī* (Cairo: Dār wa Matābī‘ al-Sha‘b, 1961), 8:237.

9 Khalīl b. Ishāq al-Jundī, *Ḥāshiyat al-Dasūqī ‘alā Khalīl* (Beirut: Dār al-Fikr, n.d.), 2:167.

10 Stringed instruments are considered prohibited according to the dominant view of the four Sunni canonical schools of thought. However, there are strong voices of disagreement among all of the schools. In the Mālikī school, Qadī Abū Bakr b. al-‘Arabī and Imam al-Wazzānī considered stringed instruments permissible. Both Andalusian and Moroccan Islam have long-standing traditions of orchestral music and singing that many of the local scholars have permitted with conditions of propriety and the absence of neglect concerning one’s obligations. The soundest position in the four schools is prohibition, but it is important to note that the prohibition is not of the music itself; rather, it is of the ensuing consequences. This type of prohibition is known in *uṣūl* as *tahrīm al-waṣā’il* or “the prohibition of means.” Because the matter is not agreed upon, and the official Azharī fatwa issued in their journal *Bayān al-ḥaqq* is that music is only prohibited if it entails the prohibited but not in and of itself, Muslims must be vigilant and not condemn those

- who do not follow the dominant position, as the matter is one of difference of opinion, and the juristic principle states, “That in which difference of opinion exists is not to be condemned.”
- 11 In the Muslim world, tanners and weavers held an extremely low social status, and if one chose one of these jobs, it was viewed as in indication of a lack in breeding. Three conditions are given by Imam Dasūqī in order for this ruling to be applicable: one did not do it out of necessity, as a livelihood; it only applied in a land in which these jobs degraded one’s status; and on condition that one’s family was not associated with the profession. In Morocco, for instance, the ruling did not apply because working in the textile field was actually a respected practice. This is an example of the contextual nature of some of the pre-modern Islamic rulings that must be understood within the social context.
- 12 Muḥammad b. Muḥammad Ḥaṭṭāb, *Mawāhib al-Jalīl li-sharḥ mukhtaṣar Khalīl* (Beirut: Dār al-Kutub al-ʿIlmiyyah, 1995).
- 13 *tābīʿīn*: the second generation of Muslims; their generation follows the companions of the Prophet ﷺ.
- 14 Muḥammad b. Aḥmad b. ʿArafah al-Dasūqī, *Ḥashiyat al-Dasūqī ʿalā al-sharḥ al-kabīr li al-Imām Abī al-Barakāt al-Dardīr* (Beirut: Dār al-Fikr, n.d.), 4:256–7.
- 15 Imam al-Nawawī, *Sharḥ al-Nawawī ʿala Ṣaḥīḥ Muslim* (Beirut: Dār al-Qalam, 1987), 15:15.
- 16 Imam al-Ghazzālī, *al-Wajīz fī fiqh al-Imām al-Shāfiʿī* (Beirut: Dār al-Arḥam b. Abī al-Arḥam, 1997), 8:166.
- 17 Imam al-Subkī is quoted in Ibn Ḥajar al-Haytamī, *Kaff al-raʿāʿ ʿan muḥarramāt al-lah wa al-samʿ: ḥukm al-Islām fī al-ghināʿ wa al-mūsīqah wa al-shaṭranj* (Cairo: Maktab al-Qurān, 1989), 110.
- 18 A *tābīʿī* is a person among the second generation of Muslims (*tābīʿīn*): see endnote 13.
- 19 Qabas, *Sharḥ muwaṭṭaʿ Mālik li al-Qādī Abī Bakr b. al-ʿArabī* (Beirut: Dār Gharb al-Islāmī, 1992), 3:1140.
- 20 According to Henry Davidson, *A Short History of Chess* (New York: Greenberg, 1949), 12, “The Persians required (what was only a courtesy during the Sanskrit period) that the attacking player call out “*shāh*” (king) when the shah was attacked. By forbidding the player to remain in check, they prevented an accidental and premature termination of the game.” The Imam’s point was that in Arabic chess rules, one warned the opponent’s king before he attacked in order to allow the opponent to get his king out of harm’s way early on in the game so as to prolong the game. In doing this, one defeats the purpose of real warfare, which is to defeat the opposing general or king as soon as possible. This anecdote is particularly quaint, as the scholar was using wit to drive his point home, still maintaining a level of erudition and courtesy that is often lacking in modern Muslim discussions of similar issues.
- 21 Qabas, *Sharḥ al-muwaṭṭaʿ*, 3:1140.
- 22 Al-Ḥāfiẓ b. ʿAbd al-Barr, *al-Tamhīd bi mā fī al-muwaṭṭaʿ min al-asānīd* (al-Muḥammadiyyah: al-Matbaʿah al-Faḍliyyah, 1988), 13:183.
- 23 *Ibid.*, 13:181. These men are some of the greatest scholars among the first generation of followers, and among them the great jurists of the Prophet’s city, peace and security upon him and its inhabitants.
- 24 There are eight primary ways in which a legal rationale for any ruling is reached. See *Sharḥ al-waraqāt li al-Ḥaṭṭāb*.
- 25 Ibn Ḥajar al-Haytamī, *Kaff al-raʿāʿ*, 105.
- 26 Qur’an: 5:90.
- 27 Qabas, *Sharḥ al-muwaṭṭaʿ*, 3:1139.
- 28 Qur’an: 103.
- 29 Lusus Annaeus Seneca, *On the Shortness of Life*, trans. C. D. N. Costa (New York: Penguin Books, 2005), 1.

