

A Warning Against Riba (Usury) Transactions

By Shaykh 'Abdul-Aziz bin Baaz

Translated by Jalal Abualrub

All thanks and praises are due to Allaah, Whom we thank and seek for help and forgiveness. Whomsoever Allaah guides, will never be misled and whomsoever He misguides, will never find someone to guide them. I testify that none has the right to be worshipped, except Allaah, Alone without partners, and that Muhammad is Allaah's slave and Messenger.

"O you who believe! Fear Allaah as He should be feared and die not except in a state of Islaam." (3:102)

"O mankind! Be dutiful to your Lord, Who created you from a single person (Adam), and from him (Adam) He created his wife [Hawwaa (Eve)], and from them both He created many men and women; and fear Allaah through Whom you demand (your mutual rights), and (do not cut the relations of) the wombs (kinship). Surely, Allaah is Ever an All-Watcher over you." (4:1)

"O you who believe! Keep your duty to Allaah and fear Him, and speak (always) the truth. He will direct you to do righteous good deeds and will forgive you your sins. And whosoever obeys Allaah and His Messenger (Muhammad), he has indeed achieved a great achievement." (33:71-72)

Verily, the best speech is Allaah's Kalaam (Speech), and the best guidance is that sent with Muhammad (sall-Allaahu 'alayhi wa sallam). Verily, the worst matters are matters of innovation (in religion), and every innovation is a Bid'ah, every Bid'ah is Dhalalah (sin, heresy) and every Dhalalah is in Hellfire.

Foreword

This is a short rebuttal of a research paper written by Dr. Ibrahim ibn 'Abdullaah an-Nasir, in which he tried to assert the permissibility of most types of Riba (usury) transactions that have proliferated in the recent times through the numerous financial institutions that have been established throughout the world. Hence, we thought that English speaking Muslims would benefit from this translated response, written by Shaykh 'Abdul-Azeez ibn 'Abdullaah bin Baaz (rahimahullaah).

Shaykh bin Baaz was the Grand Mufti in Saudi Arabia, one of the noted Scholars of our time and a staunch supporter and defender of the Manhaj (Methodology) of as-Salaf as-Saalih. He spent his life calling to the correct Islaamic Creed, defending the Sunnah and refuting the misguided effort by those who defied the Sunnah and innovated in the religion. He, may Allaah reward him with Paradise, was kind and gentle when refuting misguided people and their ideas. However, he did refute misguided ideas, no matter who issued them. His letters to various kings and rulers, as well as, people of authority and Shaykh's, demonstrate the fact that scholars of the Sunnah are knowledgeable in the current affairs and, unlike others, firmly and with knowledge enjoin righteousness and forbid evil. However, when they enjoin righteousness and forbid evil, they follow the way the companions implemented these major tenets of the Islaamic Law. This is because enjoining good and forbidding evil are acts of worship. And just as one is required to refer to the Sunnah to acquire knowledge in the proper manner of praying, fasting, Zakaah, Hajj, and Jihaad, one is also required to refer to the Sunnah to acquire knowledge in the proper manner of enjoining good and forbidding evil, so as to avoid Fitnah and reach the best results. All Muslims are

required to implement the Sunnah the way the Prophet's companions understood and practiced it, as they learned it from the Prophet (sall-Allaahu 'alayhi wa sallam). Shaykh bin Baaz followed this way in his rebuttal to Dr. Ibrahim an-Nasir as he tried to assert the permissibility of various Riba transactions. I invoke Allaah to reward Shaykh bin Baaz for his efforts and for more than a half a century of teaching and defending the Sunnah.

We should state that the Manhaj (methodology) of as-Salaf as-Saalih, meaning the companions and the following two generations of Islaam, was blessed in our time by the presence of several noted scholars of Hadeeth and Islaamic Jurisprudence. These Scholars combined both vast knowledge in the religion, in addition to having firm adherence to the Qur'aan and the Sunnah, the way the Salaf understood and implemented them. Among them were Shaykh Muhammad Naasir-ud-Deen al-Albaanee, Shaykh 'Abdul-Azeez ibn 'Abdullaah bin Baaz and Shaykh Muhammad ibn Saalih al-'Uthaymeen. These three Scholars died in a matter of a year and a half from each other, thus, bringing grief and a loss to those who love the Sunnah, all over the world. We should remind the Muslim youth and all those who love Muhammad (sall-Allaahu 'alayhi wa sallam), that just because these scholars died, it does not mean that they should forget their teachings and embrace the ideas of some Shaykh's of misguidance, who allow usury transactions using various devious ways and methods.

Among the reasons they use for allowing some types of Riba, is the fact that millions of Muslims live as minorities in western countries. However, when Allaah legislated the Islaamic Creed and Law, He did not allow us to disobey Him and stop from ruling by other than what He has revealed, when we live among Christians, Jews or idol-worshippers.

It is amazing for some Muslims to even consider this idea. Literally, this means that when they are among Muslims, they act like Muslims, but when they are among disbelievers, they act like them and disobey Allaah the Exalted. Do they think that Allaah disallowed adultery, usury, alcohol consumption, lying and cheating while one is living in Muslim lands only? Do they think that Allaah will be pleased with them, when they indulge in Riba, while living in the West, even though He ordered them to fear and obey Him wherever we may be? How can they earn Allaah's blessings and pleasure? If a Muslims ruler uttered this kind of statement, you would find those, who now accept these ideas, because their Shaykh's allow them, accuse the ruler of being a Kaafir, because he is ruling by other than what Allaah revealed.

Indeed, it is a sad situation to see some Muslims bitterly and harshly attack followers of the Sunnah because they disallow usury, while defending those who made what Allaah has disallowed, an allowed matter. Muslims are required to fear and obey Allaah and implement His Law no matter where they are and who they live with. Allaah's law is to be implemented, at least by individual Muslims, no matter where they reside, because it is Allaah's Eternal Law. All success comes from Allaah Alone.

As we stated, this short rebuttal, by Shaykh bin Baaz, asserts the impermissibility of all types of Riba transactions and comes at a time when several so-called scholars are issuing Fatwa's, meaning religious decrees, allowing some and even most types of Riba.

These false, deviant and erroneous Fatwa's were and still are, especially welcomed by some Muslim groups and individuals who live in Kaafir countries, who often end up imitating the ways of the Kuffar (disbelievers) in the societies they live in. Such people quickly embrace the misguided Fatwa's that allow Riba,

because they think that these Fatwa's legalise and justify their indulging in the various types and forms of usury that exist in the present time.

I ask Allaah to benefit these Muslims and all the Muslim Ummah (Nation) from this rebuttal, so that they all refrain from participating in Riba, in particular, and in all what Allaah has prohibited for them, in general, Allaah willing. I invoke Allaah, the Exalted, to bless the efforts of scholars of the Sunnah, who are facing tremendous challenges in recent times. They often defend the religion of Allaah and His stated limits on several fronts at the same time, as well as, against various kinds and types of attacks on the religion by the enemies of Islaam and the innovators in the religion. May Allaah reward them and bless all their efforts.

My Work on This Treatise

I should note here that this book contains a translation of the meanings of the aayaat (versus) from the Qur'aan and the ahaadeeth (sayings) of the Prophet (sall-Allaahu 'alayhi wa sallam) that Shaykh bin Baaz quoted and referred to in his rebuttal.

I should also note that all what is between brackets is an addition that clarifies the meanings of some words and concepts that Shaykh bin Baaz refers to.

Finally, all the subtitles in this book are my work.

I sought to make this translation as easy and clear as possible. If I had succeeded in presenting this translation in the best way and form, it is because Allaah alone has guided and aided me to do so. However, if there is any mistake in this book, it is my fault and also the result of the plots of Satan, and Allaah and His Messenger are free of it. And the end of our speech is: all thanks and praises are due to Allaah, Lord of all that exists.

Jalal Abualrub
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Shaykh Abdul 'Azeez ibn Abdullah ibn Baaz said:

Introduction

I read a research paper written by Dr. Ibrahim ibn 'Abdullaah an-Nasir under the title "Mauqif (The Position of) ash-Sharee'ah al-Islaamiyyah (the Islaamic Law) min (Regarding) al-Masarif (Financial Institutions)." In this research, Dr. Ibrahim tried to render as lawful what Allaah has prohibited, by relying on deviant methods, weak proofs and false doubts. It is my duty, therefore, to expose this misguided research by Dr. Ibrahim and to demonstrate how he defied the Book of Allaah, the Sunnah of the Messenger (sall-Allaahu 'alayhi wa sallam) and the consensus of the scholars of the Ummah (Muslim Nation), all of who entirely disallow any type of Riba (usury) transactions. Further, it is imperative that I refute the so-called proofs that Dr. Ibrahim relied on in his quest to allow Riba al-Fadhl and Riba an-Nasee'ah. Dr. Ibrahim an-Nasir only disallowed the type of usury that was popular before Islaam and which entails the lender demanding those who owe him money to, "Either pay off your debts in cash, or pay later with an interest", when the term for their loan neared its end. Only this form of usury is disallowed to Ibrahim, while all other types of Riba are permitted. In fact, whoever reads through Dr. Ibrahim's research will realise that this is the main assertion in his research. Allaah willing, I will explain the truth in plain and forceful terms, so that the truth becomes apparent and falsehood becomes destroyed and annihilated. Only Allaah, the Exalted, the Most Honoured, is sought

for all types of help. Our reliance and total dependence is on Allaah Alone, and there is neither power nor strength except from Him.

The Rebuttal

In the beginning of his research, Dr. Ibrahim said, "We can state that there will be no Islaamic pre-eminence without first achieving economic pre-eminence. Further, there can be no economic pre-eminence without establishing financial institutions, which cannot operate without relying on Interest (Riba, usury)."

The answer to this false, sweeping statement starts with agreeing that the first part of this statement is correct. Certainly, the Muslim Ummah (Nation) is obliged to establish their economies on strong foundations, relying on and using the permissible means that Allaah has allowed for them. Economic strength will help the Ummah perform what Allaah ordained for them, abandon what He prohibited for them and be aware regarding their enemies' plots against them.

Allaah said:

"Help you one another in al-Birr and at-Taqwa (virtue, righteousness and piety); but do not help one another in sin and transgression." (5:2)

"O you who believe! Fulfil (your) obligations" (5:1)

"O you who believe! When you contract a debt for a fixed period, write it down. Let a scribe write it down in justice between you. Let not the scribe refuse to write as Allaah has taught him, so let him write. Let him (the debtor) who incurs the liability dictate, and he must fear Allaah, his Lord, and diminish not anything of what he owes. But if the debtor is of poor understanding, or weak, or is unable himself to dictate, then let his guardian dictate in justice. And get two witnesses out of your own men. And if there are not two men (available), then a man and two women, such as you agree for witnesses, so that if one of them (two women) errs, the other can remind her. And the witnesses should not refuse when they are called on (for evidence). You should not become weary to write it (your contract), whether it be small or big, for its fixed term, that is more just with Allaah, more solid as evidence, and more convenient to prevent doubts among yourselves, save when it is a present trade which you carry out on the spot among yourselves, then there is no sin on you if you do not write it down. But take witnesses whenever you make a commercial contract. Let neither scribe nor witness suffer any harm." (2:282)

"O you who believe! Eat not up your property among yourselves unjustly except it be a trade amongst you, by mutual consent." (4:29)

"And make ready against them all you can of power." (8:60)

There are many other aayaat (verses) in the Qur'aan on this topic, ordering Allaah's slaves to help one another in what will bring about their material and religious benefit.

Allaah ordered Muslims to help one another in piety and righteousness, including fulfilling the terms of their legal contracts and protecting their mutual rights using permissible means. He also warned them against transgressing each other's rights and properties. Allaah also commanded Muslims to prepare everything possible regarding power and strength to prepare against their enemies.

Strength, cooperation, righteous legislation and careful preparation will allow the Islaamic economy to thrive safely, as well as, help Muslims increase their wealth, and acquire their needs and legal benefits using the methods that Allaah has allowed for them.

Furthermore, Allaah warned His slaves against lying, treachery, Shahadatu az-Zur (false testimony), hiding the truth and illegally acquiring other people's rights:

"And eat up not one another's property unjustly (in any illegal way, stealing, robbing, deceiving, etc.), nor give bribery to the rulers (judges before presenting your cases) that you may knowingly eat up a part of the property of others sinfully." (2:188)

Allaah also emphasized the importance of al-Amanah (preserving the trust), when He said:

"Verily! Allaah commands that you should render back the trusts to those to whom they are due." (4:58)

"Truly, We did offer al-Amanah (the trust or moral responsibility or honesty and all the duties which Allaah has ordained) to the heavens, and the earth, and the mountains, but they declined to bear it and were afraid of it (afraid of Allaah's Torment)." (33:72)

Allaah also warned His slaves against betrayal, when He said:

"O you who believe! Betray not Allaah and His Messenger, nor knowingly betray your Amanat (things entrusted to you and all the duties which Allaah has ordained for you)." (8:27)

In addition, Allaah described His believing slaves in Suraat al-Mu'minun (chapter 23 in the Qur'aan) and Suraat al-Ma'arij (chapter 70) in that they preserve their trusts and fulfil their covenants, when He said:

"Those who are faithfully true to their Amanat (all the duties which Allaah has ordained, honesty, moral responsibility and trusts, etc.) and to their covenants." (23:8)

Allaah Blesses the Muslim Economy As Long As the Muslims Preserve His Law

Whenever Muslims sincerely preserve Allaah's Commandments and recommend one another to preserve the righteous Islaamic Law, then Allaah will make their conditions better and will bless their wealth and work. Allaah will also help them achieve their goals and acquire safety from their enemies.

Allaah, the Exalted, the Most Honoured, asserted all these meanings, when He said:

"O you who believe! Be afraid of Allaah, and be with those who are true (in words and deeds)." (9:119)

"O you who believe! Stand out firmly for justice, as witnesses to Allaah, even though it be against yourselves, or your parents, or your kin, be he rich or poor, Allaah is a Better Protector to both (than you). So follow not the lusts (of your hearts), lest you may avoid justice, and if you distort

your witness or refuse to give it, verily, Allaah is Ever Well-Acquainted with what you do.” (4:135)

“O you who believe! Stand out firmly for Allaah and be just witnesses and let not the enmity and hatred of others make you avoid justice. Be just: that is nearer to piety, and fear Allaah. Verily, Allaah is Well-Acquainted with what you do.” (5:8)

“And make ready against them all you can of power.” (8:60)

“O you who believe! Take your precautions.” (4:71)

There are many other aayaat on this subject.

Economic Pre-eminence Does not Require or Depend on Riba

As for the second and third parts of Ibrahim’s statement, “There can be no economic pre-eminence without financial institutions and no financial institutions without Interest (Riba)”, they are utterly false. There are many Texts in the Qur’aan, some of which we have already mentioned, that contradict Ibrahim’s false statement. Further, the established Islaamic economic practices since the time of the Prophet (sall-Allaahu ‘alayhi wa sallam) until the present time when banks are widely established, affirm the falsehood of this statement. The Muslim economy has always been strong during most of the past fourteen centuries, without relying on banks and certainly without relying on Riba. During this long period of time, the Muslims increased their wealth and had their business transactions duly organized [and fulfilled] for them. In addition, and throughout this time period, many Muslims were able to amass great wealth using the permissible Islaamic financial dealings.

Allaah gave victory to early Muslim generations over their enemies, until Muslims and the Islaamic State became masters of the world, for many centuries. During these glorious centuries, Muslims used to refer to what Allaah has revealed for judgment in their rule over Allaah’s slaves. They did not have any need for banks or usury. Rather, if one says that usury and banks were and still are the true causes behind many problems and divisions amongst Muslims and behind the weakness in Muslim economies, the hatred that spread between them and the shattering of the Islaamic unity, one will surely be saying the truth. This is because usury causes hatred and enmity between people, eradicates Allaah’s blessings and warrants His punishment, just as Allaah said:

“Allaah will destroy Riba (usury) and will give increase for Sadaqat (deeds of charity, alms, etc.).” (2:276)

Furthermore, we must state here that because of Riba, debts keep on accumulating and multiplying, leading the indebted individuals and nations to suffer from rising unemployment and recessions. In such conditions, those who have capital prefer to lend their money in return for high interest returns, instead of investing in beneficial projects, such as building factories, construction projects, and so forth.

On the other hand, the various business transactions that Allaah has allowed will surely benefit the Muslim Ummah and mankind on the whole, and will ensure an increase both in wealth and piety for them. Also, what Allaah legislates and allows will certainly provide work for the unemployed and help for the poor, so that they acquire an honourable means of livelihood. Hence, the entire community will

benefit from the absence of Riba and from begging others for help and indulging in the impermissible means of amassing wealth.

Allaah allowed Muslims to establish companies, factories and various productive institutions that benefit the people by producing weapons, clothes, furniture, and so forth. Also, Allaah allowed Muslims to participate in agricultural production, which in turn benefits all Muslims, especially the needy among them.

As compared to all these beneficial methods of economic activity that Allaah permitted for Muslims, Riba harms and works against healthy economies and public interest, often causing severe economic disasters as all those who have a sound mind would concur. Muslims must never forget that relying on usury as a legitimate business transaction eradicates Allaah's blessings, results in being dictated to by the enemies (Kaafir debtor nations) and brings Allaah's wrath. We ask Allaah to save Muslims from such an evil fate and to bestow on them good sense, correct guidance and firmness on the Path of the Truth.

Financial Institutions Can & Do Survive Without Riba

Second, Ibrahim claimed that, "A financial institution to any economy is just like the heart to the human body."

Again, this is not a true statement. A financial institution can always function without the need for usury, just as was the case with Muslim economy in past centuries, especially during the early time of Islaam. During that golden era, the Muslim economy was the purest, the largest and the strongest, without ever needing to rely on Riba. Allaah gave victory to His religion and raised the flag of Islaam high through these early believers, bestowing on them vast provisions; truly, the riches of the earth were uncovered for them. Allaah helped the Ummah with these resources, allowing them to fight their enemies and saving them from using what He prohibited for them. Those who study Islaamic history from the time of the Prophet (sall-Allaahu alayhi wa sallam) until the time when various financial institutions were established in the modern era will realise that what we have stated here is the certain truth. On the other hand, Muslims will suffer economically, and Allaah's blessings will decrease, as a result of deviating from Allaah's Law and abandoning what He ordered and the business transactions He has allowed. In the later case, Muslims will acquire Allaah's Wrath and suffer many trials and calamities, because of their defying what Allaah has ordained on them.

Allaah said:

"And whatever of misfortune befalls you, it is because of what your hands have earned. And He pardons much." (42:30)

"And if the people of the towns had believed and had the Taqwa (piety), certainly, We should have opened for them blessings from the heaven and the earth, but they belied (the Messengers). So We took them (with punishment) for what they used to earn (polytheism and crimes, etc.)." (7:96)

"And if only the people of the Scripture (Jews and Christians) had believed (in Muhammad) and warded off evil (sin, ascribing partners to Allaah) and had become al-Muttaqun (the pious) We would indeed have blotted out their sins and admitted them to Gardens of pleasure (in Paradise). And if only they had acted according to the Taurat (Torah), the Injeel (Gospel), and what has (now) been sent down to them from

their Lord (the Qur'aan), they would surely have gotten provision from above them and from underneath their feet." (5:65-66)

"And whosoever fears Allaah and keeps his duty to Him, He will make a way for him to get out (from every difficulty). And He will provide him from (sources) he never could imagine. And whosoever puts his trust in Allaah, then He will suffice him." (65:2-3)

"And whosoever fears Allaah and keeps his duty to Him, He will make his matter easy for him." (65:4)

They call Riba, Fa'idah (Interest)

Third, Ibrahim also claimed that, "The questions that we have not found answers to until now pertain to how the Faqihs (scholars of Islaamic Jurisprudence) assess the economic significance of al-Fa'idah and why they do not allow loans that incur interest?"

Riba is not Permitted, Because Allaah did not Permit it!

The answer to this portion of Dr. Ibrahim's research, is that the Faqihs, i.e., the scholars who have knowledge in the religion, have considered usury Haraam (impermissible) because [various verses of the Qur'aan and] authentic ahaadeeth of the Prophet (sall-Allaahu 'alayhi wa-sallam) rendered it Haraam. Surely, there are several authentic ahaadeeth that clearly state that any loan that incurs interest, even if the interest was minute, is Haraam (impermissible). Yet, this writer, Ibrahim, may Allaah guide him back to the True Path, chose to ignore all these ahaadeeth and only discusses the Texts in the Qur'aan on this subject, which are general in meaning. He tried to restrict the impermissible Riba to only one type that involves lending money to a needy person with interest. As for the other types of Riba, he tried to classify them under the Halaal (allowed) transactions, claiming that people need these types of dealings in the present time! He also claims that in present times, both financial institutions and mankind need Riba transactions to fulfil their needs and to succeed in their businesses.

What Allaah Disallowed does not Benefit Mankind

Dr. Ibrahim also mentioned some general statements by ibn Qudamah, ibn Taymiyyah and ibn al-Qayyim about allowing the practices that benefit Muslims in general, which also do not cause any harm for Muslims.

However, we must stress that these mentioned scholars restricted this ruling, by only allowing the beneficial practices that do not contradict any Text in the Qur'aan or Sunnah. Consequently, we must state that the arguments that Ibrahim mentioned in this part of his research are not relevant to the topic under discussion. The, 'beneficial practices' that these Imaams allowed are matters of Ijtihad (personal opinion) that do not contradict a clear Text in the Qur'aan or the Sunnah.

It is a fact that clear Texts in the Qur'aan and the Sunnah state that both Riba al-Fadhl and Riba an-Nasee'ah are not permissible for Muslims. We should also add that the Scholars stated that prohibiting Riba al-Fadhl also involves prohibiting the methods and means that lead to it.

We should remind the reader that when some of the companions bartered two Sa' of inferior dates for one Sa' (around 3 kilograms) of good dates (i.e., Riba al-Fadhl), the Prophet (sall-Allaahu 'alayhi wa sallam) said:

“This is Riba itself! This is Riba itself! Do not do this.” (Saheeh al-Bukhaaree & Saheeh Muslim)

Furthermore, the Two Saheeh’s (al-Bukhaaree & Muslim) narrated that, Abu Sa’eed al-Khudree said that the Prophet (sall-Allaahu alayhi wa-sallam) said:

“Do not sell gold for gold unless equivalent in weight, and do not sell less amount for greater amount or vice versa; and do not sell silver for silver unless equivalent in weight, and do not sell less amount for greater amount or vice versa; and do not sell gold or silver that is not present at the moment of exchange for gold or silver that is present.”

Also, Saheeh Muslim narrated that ‘Ubadah ibn as-Samit said that the Prophet (sall-Allaahu ‘alayhi wa sallam) said:

“Gold for gold, silver for silver, wheat grain for wheat grain, barley for barley, dates for dates, salt for salt: equal in weight, equal in amount and from hand to hand (the payment is not delayed). When these types are not the same kind, then sell as you like as long as it was from hand to hand.”

There are many other authentic ahaadeeth on this subject in the two Saheeh’s (al-Bukhaaree & Saheeh Muslim), as well as, other books of Hadeeth.

As for the Hadeeth that states:

“Riba involves the Nasee’ah”, the Scholars stated that it only indicates the fact that most Riba transactions are of a Nasee’ah type, not all of them. The previous two ahaadeeth, as well as, several other authentic ahaadeeth clearly demonstrate that there are several other types of Riba. In fact, Riba transactions usually combine both Riba al-Fadhli and Riba an-Nasee’ah! Consequently, those who indulge in Riba with the banks, and the owners of these banks, combine two types of Riba, Riba an-Nasee’ah and the interest itself that is collected, thus, carrying the burden of both illegal transactions.

Riba is a Prohibited Type of Transaction, Even When it Provides a Mutual Benefit

We should state here that Riba is not prohibited only because usury transactions require the needy to pay the incurred interest. Riba is Haraam (prohibited) because of the injustice it exerts on the needy who have to pay the accumulating interest, and also because it is a prohibited type of transactions. Certainly, forcing the needy to pay the Riba on their debts is a great injustice, especially since (Islaamically) the lender is required to be patient with the needy borrower, not illegally increase the principal of his debt.

In addition, Riba is still disallowed even when it brings a mutual benefit for both the lender and the indebted person. Islaam does not take this mutual benefit from Riba into consideration. Rather, Riba is Haraam any way you look at it. The Prophet (sall-Allaahu ‘alayhi wa sallam) clearly stated this fact in many of his ahaadeeth, such as the above stated ahaadeeth. If Islaam considered mutual agreement and benefit from Riba by the lender and the borrower a factor that allows Riba transaction, Allaah would have informed us of this fact in His Glorious Book, or by the words of His Messenger (sall-Allaahu ‘alayhi wa sallam). Allaah said:

“And We have sent down to you the Book (the Qur’aan) as an exposition of everything, a guidance, a mercy, and glad tidings for those who have submitted themselves (to Allaah as Muslims).” (16:89)

Imaam Muslim narrated in his Saheeh that ‘Abdullaah ibn ‘Amr ibn al-‘Aas stated that the Prophet (sall-Allaahu ‘alayhi wa sallam) said:

“Every Prophet whom Allaah sent before me was required to guide his people to what is the best of what he knows for them, and to warn them against the worst of what he knows for them.” It is a fact that our Prophet (sall-Allaahu ‘alayhi wa sallam) is the best of Allaah's prophets and messengers and that he perfectly delivered Allaah's Message.

Consequently, if Islaam had considered the mutual benefit from Riba a factor for allowing it, then the Prophet (sall-Allaahu ‘alayhi wa sallam) would have informed the Muslim Ummah (Nation) of this fact. On the contrary, the fact is that the Prophet (sall-Allaahu ‘alayhi wa sallam) clearly stated in his ahaadeeth that all types of Riba are Haraam (impermissible), and just as Allaah stated in many aayaat, the Sunnah explains the Qur’aan.

Allaah said:

“And We have also sent down unto you (O Muhammad) the reminder and the advice (the Qur’aan), that you may explain clearly to men what is sent down to them, and that they may give thought.” (16:44)

“And We have not sent down the Book (the Qur’aan) to you (O Muhammad), except that you may explain clearly unto them those things in which they differ, and a guidance and a mercy for a folk who believes.” (16:64)

There are many other aayaat in the Qur’aan on this topic.

Qiyas is Only Allowed Where There are no Texts in the Qur’aan or Sunnah

Ibrahim then said that Shaykh Rasheed Ridha allowed savings accounts that gain interest. The opinion that he mentioned is an error in judgment that is based on discredited personal conclusions that clearly contradict the relevant Texts [of the Qur’aan and Sunnah]. The scholars stated that Muslims are not allowed to rely on ijtihaad (personal judgment) where a Text exists. Rather, ijtihaad is only employed where there are no Texts, in which case, only qualified persons are allowed to perform ijtihaad. When a Scholar tries his best in his ijtihaad and issues a correct opinion, he will gain two rewards [one for ijtihaad and one for correctness]. On the other hand, when a scholar performs his best ijtihaad but issues the wrong opinion, he will only gain one reward for his ijtihaad [yet, the erroneous opinion – as in this case - is still invalid]. The Prophet (sall-Allaahu ‘alayhi wa sallam) said:

“When the ruler (or the judge, or the scholar) performs ijtihaad and reaches the correct conclusion, he will gain two rewards. When he performs Ijtihaad but reaches the wrong conclusion, he will gain one reward.” (Saheeh al-Bukhaaree & Saheeh Muslim collected this Hadeeth from ‘Amr ibn Al-‘Aas). Also, Imam Muslim reported a Hadeeth collected from Abu Hurayrah reporting similar words.

Consequently, Muslims are not allowed to perform ijtihaad concerning matters of the religion where there is a clear ruling that Allaah has revealed in the Qur’aan or in the Sunnah of His Prophet (sall-Allaahu ‘alayhi wa sallam). Furthermore, and

according to the consensus of the scholars, all Muslims are required to adhere by the Texts of the Qur'aan and Sunnah and to implement their rulings. Allaah alone is sought for each and every matter, and there is neither power nor strength except from Him.

Fourth, Ibrahim said towards the end of his research, "In summary, and after comparing the Riba that the Qur'aan prohibited to banking transactions, it is clear that banking transactions are quite different from the Riba transactions that the Qur'aan warned against. This is because in the present time, there are new types of transactions and as such, are not entailed in the prohibited Riba mentioned in the clear Texts in the Qur'aan. Hence, we must assess these new types of transactions regarding the benefits they bring for the slaves and their satisfying their legal needs, thus imitating the practice of the Messenger of Allaah (sall-Allaahu 'alayhi wa sallam) when he allowed the selling of the Salam. He did this, even though the Salam entails selling a good that the seller does not yet have. Therefore, the Scholars stated that selling as-Salam was allowed, because people needed it. Likewise, the Scholars relied on the example of allowing as-Salam transactions and other relevant examples to allow many beneficial practices without which people's needs will not be fulfilled or satisfied."

Riba is Haraam Any Way You Look at it

In response to this sweeping claim, we should first state the fact that the current banking transactions are not different from the prohibited Riba transactions. Further, Allaah sent Muhammad as the Final Messenger from Him, and required all mankind, starting with the Prophet's contemporaries up until the Day of Judgment, to implement His Commandments that He revealed to His Messenger (sall-Allaahu 'alayhi wa sallam). Therefore, all new types of dealings should carry the same rulings as old types of dealings, as long as both types are essentially the same. We must also state that having different names does not change the true reality of these dealings. What matters, is the true substance and the true essence of these types of dealings.

Further, it is a well-known fact that the aims and goals of those who indulged in Riba in the past are similar to the aims of those who indulge in Riba in the present time, even though they changed the names of the transactions they use. Hence, differentiating between the old types of business transactions and the new ones, because of the different names and styles, while disregarding the aims and goals behind such transactions, is indeed a misguided method. For example, the Prophet (sall-Allaahu 'alayhi wa sallam) considered the request of those who said, during the battle of Hunayn: **"Make for us a Dhat-Anwat as they (disbelievers) have Dhat-Anwat,"** similar to what the Children of Israel said to Prophet Moosaa ('alayhi sallam):

"Make for us an ilahan (a god) as they have aliha (gods)." (7:138). The Prophet (sall-Allaahu 'alayhi wa sallam) did not consider the difference in the words whereas the true essence was still the same. For instance, Allaah, the Exalted, punished the Jews when they set up their nets on Fridays so that the nets catch fish on Saturdays, during which they were prohibited to fish. Allaah did not excuse the Jews for this deviant behaviour, even though the Jews collected the fish on Sundays. The aims were the same, even though the means and methods to reach these aims varied. There are many other similar examples in the Qur'aan and Sunnah.

Allaah permitted the Salam Transaction

We should add by stating that the writer gains no benefit from allowing the current types of Riba transactions by comparing them to as-Salam transactions. As-Salam type of transactions was allowed because Allaah allowed it, a fact that demonstrates the greatness of the Islaamic legislation that aims to benefit the Muslim Ummah at large. Further, Allaah restricted the Salam type of transactions in a way that made it different from the disallowed types of business transactions. As-Salam entails the promise of delivering a certain good with known characteristics on a certain future date, but the profit is paid on the spot. Both the seller and the buyer share in the benefit of as-Salam: the seller benefits from the price to spend on his current needs, and the buyer benefits from the Salam when he receives it since he bought it for a lesser price. Hence, both parties to the Salam transaction gain a benefit, none of them is harmed in any way, as there is no Riba (usury, addition, or interest) in this case, and finally, no goods with an unknown quality are being sold. As for the Riba transactions, they involve a certain addition to the principal with the payment differed, or bartering goods for a larger amount of the same type of good. Allaah, the Most Wise, Who legislates what brings all types of benefits to Muslims, made Riba transactions a major sin. Consequently, the needy will be saved from incurring huge interests, while encouraging the wealthy not to rely on Riba. Also, Riba leads to abandoning establishing various beneficial projects and industries.

Afterwards, the writer uttered a baseless; false claim that, "People need banks and various banking transactions, as their livelihood depends on them..."

Muslim Economy does not Need Riba Transactions

In response, we state that Muslims benefited from the Islaamic economic system for the past fourteen centuries, long before banks ever existed. During this long period of time, the projects and industries that existed in the Muslim World did not rely on prohibited types of dealings. Further, we state the fact that in modern times, people do not need to deal in Riba to sustain their livelihood. We should note here that all types of mistakes and injustices result from indulging in the prohibited types of dealings. This is especially true when the society is not fulfilling its obligations towards its members, such as being sincere, trustworthy and truthful with other people, while shunning all types of illegal dealings that entail Riba, Gharar [hidden inability to deliver promised goods and services], deceit and cheating.

Muslim Economy Needs to Implement Allaah's Law to Survive & Flourish

Providing for people's needs, helping them acquire their benefit and ensuring meaningful cooperation between them will only be achieved through abiding by Islaamic Law. It requires truthfulness and Amanah (honesty) and prohibits lying, deceit and all the types of dealings that Allaah does not permit.

Allaah said:

"Help you one another in al-Birr and at-Taqwa (virtue, righteousness and piety); but do not help one another in sin and transgression." (5: 2)

"Verily! Allaah commands that you should render back the trusts to those to whom they are due; and that when you judge between men, you judge with justice." (4:58)

"O you who believe! Betray not Allaah and His Messenger, nor betray knowingly your Amanat (things entrusted to you and all the duties which Allaah has ordained for you)." (8: 27)

Also, Allaah said,

"O you who believe! When you contract a debt for a fixed period, write it down. Let a scribe write it down in justice between you. Let not the scribe refuse to write as Allaah has taught him, so let him write. Let him (the debtor) who incurs the liability dictate, and he must fear Allaah, his Lord, and diminish not anything of what he owes." (2:282) & (33:70-71)

"O you who believe! Keep your duty to Allaah and fear Him, and speak (always) the truth. He will direct you to do righteous good deeds and will forgive you your sins. And whosoever obeys Allaah and His Messenger (Muhammad), he has indeed achieved a great achievement." (33:71-72)

Further, the Messenger of Allaah (sall-Allaahu 'alayhi wa sallam) said:

"The seller and the buyer have the right to keep or return goods as long as they have not parted or until they part; if both parties spoke the truth and duly described the defects and qualities (of the goods), then they would be blessed in their transaction; if they told lies or hid something, then the blessings of their transaction would be lost." (Saheeh al-Bukhaaree & Saheeh Muslim)

Also Muslim and Ahmad narrated that Abu Sa'eed al-Khudree said that the Prophet (sall-Allaahu 'alayhi wa sallam) said:

"Gold for gold, silver for silver, wheat grain for wheat grain, barley for barley, dates for dates, salt for salt: equal in amount and from hand to hand (meaning the payment is not delayed). Those who give more or ask for more, then both who take the increase and those who give it are the same, and both will have committed Riba." Also, Jabir [ibn 'Abdullaah al-Ansari] said: "The Messenger of Allaah (sall-Allaahu 'alayhi wa sallam) cursed those who take Riba and those who give it, write it and witness it, then said that, 'They all are the same!" (Saheeh Muslim)

In addition, 'Umar ibn al-Khattab narrated that the Messenger of Allaah (sall-Allaahu 'alayhi wa sallam) said:

"The bartering of gold for gold entails Riba, except if it is from hand to hand and equal in amount; wheat grain for wheat grain entails Riba, except if it is from hand to hand and equal in amount; dates for dates entails Riba, except if it is from hand to hand and equal in amount; and barley for barley entails Riba, except if it is from hand to hand and equal in amount." (Saheeh al-Bukhaaree & Saheeh Muslim)

He (sall-Allaahu 'alayhi wa sallam) also said:

"Those who cheat us are not some of us." (Saheeh Muslim, without a chain of narration, Ahmad, ibn Maajah and ad-Darimi). The correct words for this Hadeeth are: "Those who cheat are not some of us."

Also, the Prophet (sall-Allaahu 'alayhi wa sallam) said:

"Should I inform you about the greatest of the great sins?" They said: "Yes, O Allaah's Apostle!" He said: "To join others in worship with Allaah and to be undutiful to one's parents." The Prophet (sall-Allaahu 'alayhi wa sallam) then sat up after he had been reclining (on a pillow) and said: "And I

warn you against giving a false statement or a false testimony." (Saheeh al-Bukhaaree & Saheeh Muslim)

There are many other ahaadeeth on this topic.

Comparing the Haraam to the Halaal to justify the Haraam is Disallowed

No Muslim is allowed to render permissible what Allaah has rendered Haraam, by comparing the disallowed matter to another matter that Allaah has allowed. Indeed, whoever does this will have committed a major sin and will be saying about Allaah what he has no knowledge of. Also, such a person will have opened a door of Fitnah (mischief) and sinning for the people.

The Scholars who use Qiyas state that Qiyas is only allowed [and pertains to] when a minor aspect of the religion does not have a definite ruling in the Qur'aan or Sunnah. In this case, the scholars apply a general ruling [through ijtihaad] that includes the matter under discussion and derives a ruling for it, whereas before, it did not have a specific ruling.

Allaah disallowed mankind to say about Him what they have no knowledge of, and made this act bigger than Shirk (ascribing partners to Allaah) itself. He also stated that Satan calls upon his followers and commands them to go on this deviant path, just as he calls them into sin and immoral acts.

Allaah said:

"Say (O Muhammad): '(But) the things that my Lord has indeed forbidden are al-Fawa'hish (great sins, unlawful sexual behaviour, etc.) whether committed openly or secretly, sins (of all kinds), unrighteous oppression, joining partners (in worship) with Allaah for which He has given no authority, and saying things about Allaah of which you have no knowledge'."

"O mankind! Eat of that which is lawful and good on the earth, and follow not the footsteps of Shaytaan (Satan). Verily, he is to you an open enemy. [Shaytaan (Satan)] commands you only what is evil and Fa'hsha (sinful), and that you should say against Allaah what you know not."
(2:168-169)

We ask Allaah to improve the general situation of Muslims and to bestow on them the Fiqh (knowledge and understanding) in the religion. We also ask Allaah to guide Muslim Scholars to call the people to Allaah and to explain Allaah's Commandments to them, while warning them against defying His Law. We ask Allaah to save Muslims from the evil of their own selves and the evil of those who call to all types of misguidance. We ask Allaah to guide Ibrahim back to the True Path, so that he publicly repent, from what he has written, may that Allaah forgive him.

Allaah said:

"And all of you beg Allaah to forgive you all, O believers, that you may be successful." (24:31)

"Verily, those who conceal the clear proofs, evidences and the guidance, which We have sent down, after We have made it clear for the people in the Book, they are the ones cursed by Allaah and cursed by the cursers. Except those who repent and do righteous deeds, and openly declare

(the truth which they concealed). These, I will accept their repentance. And I am the One Who accepts repentance, the Most Merciful.” (2: 159-160)

There is no doubt that Ibrahim’s article needs a more detailed rebuttal, but I hope that what I have stated in this rebuttal is clear enough for those who seek the truth. Allaah is sought for every type of help, and He is Sufficient for us as a Helper. May Allaah bestow His prayer and peace on Muhammad, our Prophet, and on his family, companions and those who followed them with excellence, until the Day of Judgement.