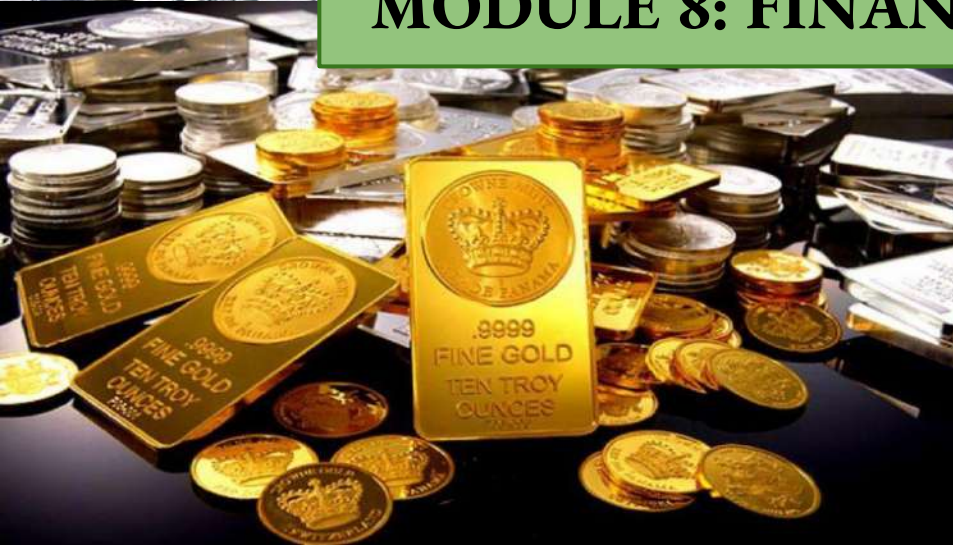


MODULE 8: FINANCIAL TRANSACTIONS



WHAT WE'VE LEARNED

What We've Learned

- The default about sales
- The conditions of a valid sale
- General permissible transactions
- General prohibited transactions
- Riba—its history and types
- Gharar—its meaning and types, old and new

PROHIBITED TRANSACTIONS

- 1] Riba
- 2] Gharar
- 3] Selling prohibited products
- 4] Selling halal items to one who will use them for haram

PROHIBITED TRANSACTIONS

Selling prohibited products (these are haram in essence):

- Wine
- Haram foods
- Statues
- Lewdness
- Lottery tickets

PROHIBITED TRANSACTIONS

Working in a restaurant or grocery store that sells haram items

- “Whoever guards against the doubtful matters, will protect their religious commitment from shortcomings and their honor from slander, but whoever falls into that which is doubtful, will [inevitably] fall into that which is unlawful, like a shepherd who grazes his flock around prohibited land; he will soon graze in it.” [Bukhari and Muslim]
- “Leave that which makes you doubt for that which causes no doubt.” [Tirmidhi, Nasa’i].
- “And whosoever fears Allah, He will make a way out for him and provide him from whence he did not expect. And whosoever puts their trust in Allah, He is sufficient for him.”

(The default is: avoid)

PROHIBITED TRANSACTIONS

Principle: It is unlawful to help anyone in any manner in committing a forbidden act. Allah says:

وَتَعَاوَنُوا عَلَى الْبِرِّ وَالتَّقْوَىٰ وَلَا تَعَاوَنُوا عَلَى الْإِثْمِ وَالْعُدْوَانِ

“And cooperate in righteousness and piety, but do not cooperate in sin and transgression.” [Qur'an 5:2]

PROHIBITED TRANSACTIONS

Types of Assistance in Sin

1. Assist in the actual sin itself – الإعانة على المعصية
2. Be a means to bring about the sin – السبب إلى المعصية

ASSISTING IN THE SIN

- A] The person intends to assist in the sin (e.g., selling grapes with the intention that the buyer will make wine from it).
- B] The sin is clearly mentioned in the transaction (e.g., selling grapes to someone who mentions his intention of making wine from it).
- C] The person sells something which has no other purpose except sin (selling pornography, lottery tickets, etc.)

Ruling

All three categories are haram. Both the buyer and seller are sinful.

BEING A MEANS FOR THE SIN

Even though a person may not assist in the sin itself, he may still be a means for the sin to take place. This is referred to as السبب إلى المعصية, and it also has three categories.

A] Direct means such that if it had not been for this person, the sin would not have been committed (e.g., insulting someone's parents and thus causing them to insult one's parents).

B] Means such that it directly helps the sinner achieve the sinful act (e.g., bringing alcohol to someone who wants to drink it—even though this act itself did not bring about the sin, however, it directly helped the sinner to commit the sin).

C] Distant, indirect means (an Uber driver dropping someone off at a nightclub).

RULINGS

A] Assisting in the sin itself is haram.

B] Being a means for the sin would be haram too (*makruh tahrimi* in the Hanafi school).

C] Being an indirect means of sin—when a person knows that a sin would be committed—would be *makruh* (disliked)

(If the person did not know that a sin would be committed at the time of the transaction, but rather only learned of it later, one will be excused.)

APPLICATIONS

Working as a cashier at a grocery store that sells halal and haram food items.

- The cashier is not really a wakil (agent) of the store owner. They are paid for handling the goods and processing data.
- The cashier is not permitted to sell haram goods on behalf of another according to general agreement of the scholars. To do so would be considered 'assisting in sin.'
- It is permissible to work in a place that sells both haram and halal items, as one's income would come from the halal.
- The issue is: being a means for selling, processing, or carrying things that are haram to customers.

WHAT IF I CAN'T FIND HALAL WORK?

- Take the position of Imam Abu Hanifa. According to Imam Abu Hanifa, the actual form of employment is permissible and one is not responsible for the acts of others. (Zayla'i, Ibn 'Abidin 6:391)
- Look for halal work, ask Allah to facilitate a halal job in the meantime, dislike involvement in dealing with any haram items.

CONCLUDING THOUGHTS

- Muslims are to stay away from what Allah has prohibited and avoid buying it, selling it, consuming it, or assisting others in doing that.
- However, for those who live in a non-Islamic country in which haram products are abundant and widespread, they are to consider the percentage of haram products in the transactions, and if the proportion or percentage is relatively small, meaning it is not the majority, then we would take the fatwa that this is not haram (Abu Hanifa), but one should seek employment that doesn't involve such matters.

FORTHCOMING MODULES

Module 9–Halal and Haram (al-Hazr wa al-Ibaha)

- Eyes
- Ears
- Privates
- Stomach
- Tongue
- Heart

FORTHCOMING MODULES

Module 10–'Aqida 102

Module 11–Contemporary Issues

Comprehensive Review

Test