



Fatwa no. 20021:

Q: I bought thirty sheep each one for one after a respite of seven years with an addition of one hundred riyals that I paid immediately. I then doubted the validity of what I did. I hope for Allah's help then I ask your Eminence to

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provide me with your beneficial answer please. May Allah safeguard you.

A: According to the view of the Jumhur (dominant majority of scholars), it is permissible to sell weightless and measureless items, such as clothes or animals, and the like for its type or other types equally or in Nasi'ah (conditional excess for delay of payment). This involves delaying one of the two returns or some of it and receiving the other on the spot to avoid selling a debt for a debt which is forbidden according to Shari'ah (Islamic law). However, it is a condition that the type of the delayed return, its number, and distinguishing characteristic are known. A certain date should also be specified for the delivery of such return to fend off uncertainty. A proof for the permissibility of the foregoing is what is narrated by `Abdullah ibn `Amr ibn Al-`As (may Allah be pleased with them both) who said, [\(The Messenger of Allah \(peace be upon him\) equipped an army with the camels of Zakah \(obligatory charity\) until there were no more left; some people remained without a camel. The Prophet \(peace be upon him\) said to me, "Buy camels for us \(in return\) for the camels of Sadaqah when they are brought, so that we can give these camels to them." Upon his saying that, I bought a camel in return for two or three camels of Sadaqah until I finished \(equipping the army with camels\). The Prophet \(peace be upon him\) later paid back the price of camels from the camels of Zakah. \)](#) (Related by Imam Ahmad in his Musnad (Hadith compilation) in the wording quoted above vol. 2, p. 171, [Abu Dawud](#), and [Al-Daraqutny](#) who declared it as Sahih (authentic) Hadith). Moreover, Al-Hafizh Ibn Hajar commented on the same saying, "Its narrators are Thiqah (trustworthy)". Another proof is that which is mentioned by [Al-Bukhari](#) in his Sahih Book of Hadith vol. 3, p. 41; chapter of selling slaves and animals for animals in Nasi'ah. Besides, [Ibn `Umar](#) (may Allah be pleased with them both) bought a riding animal for four camels that he would pay later and their owner had to provide their saddles.

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[Ibn `Abbas](#) said, "One camel may be better than two". In addition, [Rafi` ibn Khadij](#) (may Allah be pleased with him) bought one camel for two but he gave the seller only one camel and said, "I will bring the other to you tomorrow leisurely In sha'a-Allah (if Allah wills)".

On the other hand, there are some Hadith that forbid selling animals for animals in Nasi'ah such as the Hadith which is related by [Al-Tirmidhy](#) in his Jami` (Book of Hadith compilation) from the Messenger of Allah (peace be upon him) on the authority of Samurah (may Allah be pleased with

him) that, ([The Prophet \(peace be upon him\) forbade selling animals for animals when payment was to be made at a later date.](#)) However, Imam Ahmad considered these prohibiting Hadith as Hadith Ma`lulah (Hadith that appear to be sound, but thorough research reveals a disparaging factor in the chain of narrators or the text) and said, "None of these Hadith can be relied on". In addition, [Abu Dawud](#) commented that in case there is a contradiction between the Hadith which are narrated from the Prophet (peace be upon him), we have to consider the practice of the Sahabah (Companions) of the Prophet after the latter's death. There is a Tawatur (a significant number of narrators whose agreement upon a lie is impossible) of Sahabah and those who followed them to the effect that such a sale is permissible (i.e. sale of weightless and measureless items for its type or other types) equally or in Nasi'ah. Moreover, the Prophet (peace be upon him) enjoined it as mentioned above which ascertains the authenticity of the permissive narrations. Prohibiting narrations can not then oppose this. Consequently, it is permissible to sell thirty sheep each one of them for one sheep or more plus about one hundred riyal while providing receiving the one hundred immediately or when the thirty delayed sheep are received. The foregoing is permissible under the condition that the type of the delayed sheep, their distinguishing characteristics, their number, and the date of their delivery are known.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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