



(Part No : 13, Page No: 393)

Fatwa no. 1803

Q: Many Muslims deposit money which exceeds their needs in bank savings accounts, and at the end of the year they find that the bank has added a sum of money to their account, which is interest on the money for that period. None of us doubt that this interest is prohibited and should not remain with our lawful money. The problem is that we know many poor Muslims, whether American or foreign students, who are in dire need of help and charity. Is it permissible to give this money to them instead of leaving it to the bank? The least that is said about this bank is that it is owned by the enemies of Muslims, and that kind of charity is not a substitute for lawful charity; rather, it is considered its equivalent.

A: It was narrated on the authority of `Ubadah Ibn Al-Samit may Allah be pleased with him that the Prophet (peace be upon him) said: (Gold is to be paid for by gold, silver by silver, wheat by wheat, barley by barley, dates by dates, and salt by salt, like for like and equal for equal, payment being made hand to hand. If these categories differ, then sell as you wish if payment is made hand to hand.) Narrated by Al-Bukhari and Muslim in their two Sahih (authentic) books of Hadith, and on the authority of Abu Sa`id Al-Khudry (may Allah be pleased with him) that he said that the Messenger of Allah (peace be upon him) said: (Do not sell gold for gold, except like for like, and do not increase one part over another ; and do not sell silver for silver except like for like, and do not increase one part over another, and of these, (gold and silver), do not sell something present for something absent.),

(Part No : 13, Page No: 394)

And in another narration: (Gold is to be paid for by gold, silver by silver, wheat by wheat, barley by barley, dates by dates, salt by salt, like by like, payment being made hand to hand. Whoever makes

an addition to it, or asks for one, will surely be dealing with usury. The receiver and the donor are equally guilty.)Narrated by Ahmad and Al-Bukhari.

There is no doubt that the texts of Qur'an and Sunnah (whatever is reported from the Prophet) that indicate the prohibition of both types of Riba; Riba Al-Fadl (usury of excess, selling an item for another of the same type, on the spot, but in excess) and Riba Al-Nasi'ah (usury of delay, conditional excess for delay of payment), have not differentiated between the occurrence of Riba between a Muslim and another Muslim or a Muslim and a Kafir (disbeliever) who is an enemy to Allah, Islam and Muslims, rather it has prescribed the prohibition of all Riba -based contracts, even if the two parties are of different faiths. What has been mentioned regarding the existence of many poor Muslims in America, and their dire need for help and charity does not permit taking Riba from banks or individuals to help them, and to relieve their distress whether they are in America or in any other country. This is not a necessity that permits what Allah has forbidden in the texts of Qur'an and Sunnah, as there are other means of charity upon which they can depend in order to meet their needs and relieve their distress.

Also what has been mentioned that the bank is owned by the enemies of Islam is not a reason to take Riba from this bank, as long as there is a prevailing peaceful dealing in commercial and cultural aspects as well as the existence of mutual exchange of benefits between both parties.

(Part No : 13, Page No: 395)

Those who have hatred to the enemies of Islam, find it hard for them to be a source of earnings for the Kuffar (disbelievers), to support them in their worldly affairs, and help them in plotting against Muslims, should not originally put their money in (Kuffar) banks, so as to use it, benefit from it and depend on it in their lives, rather they should give it to others to trade with it and share the profit or without sharing if possible, but, if this is impossible, they can deposit their money in other than the banks of these enemies, without taking Riba. However, Muslims have started to establish Islamic Banks, and these have become easy for a Muslim to deposit in them, for they include keeping one's money safe and helping them to upgrade the Islamic banks that can suffice for the Riba-based banks, Allah is the grantor of success.

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

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