



### The first question of Fatwa No. ( 14385 )

**Q 1:** I, as well as many Sudanese people working here, sometimes need to send a sum of money to our families. It is well-known that the Saudi riyal is much higher in value than the Sudanese pound. Likewise, the value of other currencies varies against the Sudanese pound. In fact, there is no way to send money to Sudan. However, there is a commonly followed way out; we agree with someone traveling there giving him 1000 Saudi riyals in cash. He,

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in turn, buys some commodities to sell them there which yields much profits and rarely causes losses. There are official merchants who undertake such work and make huge profits from the 1000 riyals. We ask them to give the amount we gave them to our families in Sudanese pounds, a riyal equaling five or ten pounds according to the agreement. Absolutely, this is the only way out. Moreover, one who tries to take riyals to exchange them in banks there exposes himself to penalties ranging perhaps to death penalty in case the amount of money is large. Undoubtedly, many people were sentenced to death, subject to the law there, for doing so. My question is: Is this a usurious transaction? In fact, I once heard a fatwa in the radio program Nur `Ala Al-Darb that currencies exchanged must be handed from hand to hand, which is impossible as there is no Sudanese currency here. Please, inform us, may Allah reward you good, for such an issue has confused me much.

**A:** Such a transaction is impermissible as it falls under exchanging a currency with another without mutual immediate receipt of both parties of the due amounts. It is recorded by [Al-Bukhari](#) that the Prophet (peace be upon him) said: ( The selling of gold for gold is Riba (usury) except if it is handed from hand to hand and equal in amount. Similarly, the selling of wheat for wheat is Riba except if it is handed from hand to hand and equal in amount. Likewise, the selling of barley for barley, is Riba except if it is from hand to hand and equal in amount, and dates for dates is usury except if it is from hand to hand and equal in amount. ) Thus, exchanging a currency with another without mutual immediate receipt of both parties due amounts is a usurious transaction a Muslim has to avoid. There is still another defect in such a transaction, i.e. it is a loan that incurred a profit. However, there is a Shar`y (Islamic legal) way out of such usurious transactions. That is, you should contract with the merchant

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a mudarabah (speculative partnership, giving an amount of money to trade with in return for a share in the profit); you pay its capital and he manages it buying commodities you want to buy and selling them in your country while both of you share in profits as well as losses. The capital is yours, which you may receive there or he may deliver it to your family.

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

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