



Borrowing things : Items to be used & given back

Anything you can benefit from whilst it still lasts
you are Allowed to lend it to someone

Condition for it

① It has to last

The benefit must stay / can get it back
= it can't finish

ex: water > : you lent someone to drink
food > you can't get it back => you can't lend it

↳ you just give it away

ex-car: you can get it back
= you can lend it

faidah The person lending out the item

his condition : - he must be someone who is Allowed to give it as تَبَرُّعًا as gift

generally تَبَرُّعًا is Not Allowed to do مَحْجُوزٌ عَلَيْهِ

so he can't lend items to someone else

rather his belongings are sold : so that his bankruptcy to be uplifted

الخَارِئَةُ : is a contract of gifting / charity

- you don't necessarily benefit from it : except from Allah
you do it out your own free will

Sunnah to lend

- It was obligatory in the beginning of Islam
- later this ruling was abrogated

condition for lent item - مِنْ بَرٍّ مَوْتَرٍ

○ Has to be something that is beneficial

- you can benefit from

ex: Broken car : it's Not beneficial
=> can't lend it out

Note => generally Not beneficial
: if you can benefit from it
= Allowed

- You are Allowed to borrow something

مَقْتَبَةً or مَقْتَبَةً
No time limit or limited time

why mention this?

Generally in بَيِّنَات :

Ambiguity : Not Allowed

But here : Ambiguity Allowed

why? : The person who lent the item
can take it back Anytime
قَدْ جَاءَ بِهَا

- Is the مَقْتَبَةُ : عَارِيَّةٌ or Not?

Has specific ruling

Aariyyah : in itself is مَقْتَبَةٌ

Shaficiyyah ->

You Have to pay it back
if it breaks in your possession No matter what
تَقْرِيط - تَعْدِي - even with

Note

condition it : You don't have to pay it
whilst using : doing something you
Allowed to

ex : => you borrowed a car to car
- while driving, it breaks without
you doing anything

= Here you don't have to pay back
ضَلَاةٌ No

But if someone crushed into the car
while it was parked : You didn't do

- تَعْدِي - done something you weren't Allowed to
- تَقْرِيط - neglected it

= You pay it back = You weren't using it

How much to pay back?

it's value the day it was broken

ex: A woman borrowed a gold watch
she borrowed for 10 days
first day watch's value = 500 dollars

7th day it was worth = 700 dollar

broke it on 7th day = you pay back 700 dollar
even if next day
it's value went down to 200 dollars

generally : Anything you took with
the owner's permission or Allah's permission
is تَبَرُّعٌ أَوْ مَقْتَبَةٌ

You don't have to pay back
if it breaks unless you didn't take care of it