



## The first question of Fatwa no. 17321

### Q 1: What is the ruling on purchasing pure gold on credit as well as purchasing it in cash?

**A:** The ruling on Riba (usury/interest) is as follows: 1) Al-Fadl (selling an item for another of the same type, on the spot, but in excess) as well as Al-Nasi'ah (conditional excess for delay of payment) are forbidden when dealing in items that are subject to Riba and which are of the same kind and have the same `Illah (effective cause). An example is the prohibition of Al-Fadl and Al-Nasi'ah when selling gold for gold and silver for silver even if one item of gold or silver is of higher quality than the other gold or silver item. 2) It is impermissible to sell gold and silver jewelry for jewelry of the same kind that is of more weight in return for the price of goldsmithing. 3) When dealing in the items that are liable to Riba and which are of different kinds and have the same `Illah, Al-Nasi'ah is forbidden, however Al-Fadl is permitted, such as in selling gold for silver. It is permissible to sell an item for the other in excess provided that the payment is made in the same session where the agreement is conducted and before each party depart.

### ( Part No : 13, Page No: 501)

4) Al-Fadl as well as Al-Nasi'ah are permitted when dealing in items that are subject to Riba and which are of different kinds and `Illah, such as selling gold for wheat and silver for barley. 5) It is impermissible to sell an item which is subject to Riba for another of the same kind along with an item of different kind. One example is selling one Mudd (A standard measure that equals 543 grams) of pressed dates and a Dirham for the same price or for two Mudds and two Dirhams, or selling one dinar and one dirham for one dinar. 6) Each derivative from the same kind is considered to be a separate kind in itself. For instance, the flour obtained from barley is a kind and the bread made from it is regarded as another kind. 7) It is impermissible to sell the items that are subject to Riba except when using the lawful measurement. The equal measurement must be adhered to, so when selling a commodity that can be measured, it should be sold by measure, and when selling one that can be weighed, it should be sold by weight. 8) Parity must be observed when it appears as a condition in the sale, and doubting this parity constitutes Riba Al-Fadl (selling an item for another of the same type, on the spot, but in excess). 9) The forbidden Riba occurs in other items besides the six items that are mentioned in the hadith of the Prophet (peace be upon him) and anything related to Riba items is considered to be usurious.

There are many evidences that support the previous rulings including the hadith related by `Ibadah ibn Al-Samit (may Allah be pleased with him) that the Messenger of Allah (peace be upon him) said: ﴿Gold for gold, silver for silver, wheat for wheat, barley for barley, dates for dates, salt for salt, each

kind for each kind, in hand. If these classes differ, then sell as you wish if payment is made hand to hand. ﴾

( Part No : 13, Page No: 502)

(Related by Muslim and Ahmad)

Furthermore, it was authentically reported that the Prophet (peace be upon him) stated:﴿ gold is to be paid for gold, weight for weight, silver by silver, weight for weight, barley for barley, measure for measure, measure for measure. ﴾(Related by Al-Athram and Al-Tahawy) Muslim and others narrated on the authority of Fadalah ibn `Ubayd who said:﴿ On the day of Khaybar I bought a necklace that contained gold and pearls for twelve Dinars. I had its price estimated and I found that it was more than twelve dinars. I told the Prophet (peace be upon him) of this and he said, 'It should not be sold until its price is estimated.' ﴾Additionally, Muslim and others narrated on the authority of Jabir (may Allah be pleased with him) that he said:﴿ "The Messenger of Allah (peace be upon him) forbade the sale of a heap of dates, the measure of which is unknown, for a specified measure of dates." ﴾

Accordingly, you should not do what you mentioned in the question. This is because selling gold for gold in excess and on credit involves 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). Whereas selling gold on credit involves Riba Al-Nasi'ah.

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

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