

# UQAB

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## Muslims: Victims of Western Colonial Ego and Greed

After spending 12 days in abduction, Prof Hassan Nandwa, a well-known and respected Muslim scholar and Lawyer, was dumped at around 1.A.M on November 9, 2021 in a bush near Mwingi town. Like similar horrified incidents before, he was ordered not to reveal his ordeals or else face further and more regrettable consequence! According to some sources from human rights organizations, more than 133 people have been either killed or subjected to forced disappearance this current year. Since 2007, it is estimated over 1000 people have been killed or whose whereabouts and fate are unknown with little or no assistance for the Government.

Hizb ut Tahrir / Kenya condemns in the strongest terms possible such horrendous and brutal actions undertaken by state security apparatus on weak and defenseless citizens, who are obliged in the first place to protect citizen rights and security. Indeed, these gross human rights violations by security agencies are clear indications of state impunity and violation of the basic law of the land. The perpetrators know for sure no action will be undertaken against them, since they are assured of full protection. We however are certain the Almighty Allah (swt) is not oblivious of what they do.

The subjugation and oppression being witnessed today are just amongst many crimes being committed against Muslims worldwide under the disguise of the 'War on Terror'. The war, which is a Trojan horse created by the West, is aimed at taking control of all security operations in the third world to consolidate and advance neo colonialism. Indeed, the Muslim nation have become victims of colonial ego and greed. The war itself is a clear indication of intellectual and political bankruptcy of Western liberal capitalist ideology.

This humiliation will never cease until Muslims embark on their abandoned obligation to work towards the sole purpose of the resumption the Islamic way of life through the establishment of the Khilafah Rashidah (rightly guided Caliphate) based on the method of the Prophethood. The methodology is none other than through intellectual and political struggle.

**Shabani Mwalimu**  
Media Representative of Hizb ut Tahrir in Kenya

Press Release

## The Khilafah's Gold and Silver Currency Will End the Inflation, Caused by Printing Money to Cover Government Expenditure

In Pakistan, from July 2018 to June 2021, the capital in circulation ballooned by 2,300 billion, whilst bank deposits soared by 6,000 billion. 8,300 billion rupees flooded into the system in just three years, whilst the country's gross domestic product did not rise to match that surge, largely remaining stagnant. The inevitable result was a storm of inflation, as the Rupee's purchasing power plummeted. The prices of all commodities skyrocketed, depriving the poor of the ability to buy basic necessities. The middle class is now drowning in debt, whilst the lower middle class is being forced to beg. Even the benefit of the modest increase in GDP was for a select band, due to the immense concentration of wealth in the capitalist system. So, O People of Power, who will come forwards to bury this rotting corpse of a system?

In Islam, there is no concept of fiat, paper currency, devoid of intrinsic value. The Khilafah's gold dinar and silver dirham constitute the currency of the state. In Shariah law, a dinar is of 4.25 grams of gold, whilst a dirham is of 2.975 grams of silver. The Messenger of Allah (saw) said, «وَالْوَزْنُ وَرَنُ أَهْلِ مَكَّةَ» **“The weight must be that of the people of Makkah.”** (An-Nisai). The currency based on gold and silver currency imposes discipline on government spending, as the government cannot simply print paper currency to cover expenses. Thus, the Khilafah's stable gold and silver based currency protects the people from the generalized inflation that is seen in economies dependent on fiat, paper currency, that loses its purchasing power as more is continuously printed. Only a decrease in the supply or the increase in demand of an individual good can increase its price alone, whilst the state can undertake measured interventions to redress predictable falls in supply, well in advance, as part of its guardianship of the people.

To this day, almost all gold and silver produced in the world is safe, stable and stabilizing. In the 18th and 19th centuries, despite rapid fluctuations in production, gold and silver currency successfully supported stable prices. Being intrinsically rare and valuable, gold and silver currency retains its stabilizing ability today. It is also this currency that will end the established illegitimate dominance of the dollar in the world. The United States buys from the world's markets with its paper money, whilst the rest of the world must earn dollars to import goods. Pakistan is buffeted by a storm of inflation, as the printing of notes to meet government expenditure weakens the currency before the dollar. Then, the depreciation of the Rupee against the dollar raises the unit cost of every import. To meet the shortfall in dollar reserves, Pakistan's rulers then turn to the IMF, which extends its control of Pakistan's economy, through interest based loans, steeped in oppressive conditions. The IMF then chokes our economy, making Pakistan dependent on the West and subservient to it economically and politically.

Asides from the Khilafah (Caliphate) on the Method of Prophethood, which system can end the global scourge of inflation? Rich in the world's major energy and mineral resources, the Khilafah will use gold dinars and silver dirhams in international trade, walking the economies of the world back to the stable ground of gold and silver currency. The world has suffered under capitalism for too long and is primed for the return of the Khilafah with its Islam, spreading prosperity. The Messenger of Allah (saw) said, «يَكُونُ فِي آخِرِ الزَّمَانِ خَلِيفَةٌ يَفْسِمُ الْمَالَ وَلَا يَعْدُهُ» **“In the last days there will be a Khaleefah who will spend money and not even count it.”** (Muslim). Asides from Hizb ut Tahrir, which leadership can practically rule by Islam? So let the People of Power grant their Nussrah to Hizb ut Tahrir to set the world back on the right course.

Media Office of Hizb ut Tahrir in Wilayah Pakistan

# NEWS & COMMENTS

## Capitalism is for the Wealthy Not Petty Traders



### News:

Tanzanian government on 1/11/2021 started the relocation of petty traders commonly known as “machingas” as directives from the President to regional commissioners and their subordinates.

### Comment:

Issue of reallocating the petty traders to the so-called more convenient areas is not a new one, there have been several similar past operations such as of 2016 to relocate them at new business areas including Kigogo Fresh, Kivule, Ukonga and Tabata Muslim, which had a capacity to accommodate over 6,000 ‘machingas’ but did not materialize.

In most cases upon the excuses of this sort of operation, the Police with collaboration with city militias involving arrests, demolition of business stalls as well as confiscation of their commodities. These inhumane evil actions will affect an estimated four million petty traders in Tanzania mainland only according to the National Bureau of Statistics, upon whom around 50,000 petty traders are in the main trading city, Dar es Salaam. (The East African 15/12/2018)

It is an undeniable fact that the issue of ‘Machinga’ needs better re-organization to avoid many grievances in the cities including access for pedestrian passage and etc. Yet to address it requires a serious willing solution not a political smokescreen move.

Machingas are poor people with tiny capital trying to employ themselves into informal sectors of business after the failure of government to provide employment for them. For the last five years the government has not provided any tangible employment, so the majority of

people including graduates are not employed.

It is clear that in the handling of this issue, the government as any capitalist government has shown irresponsibility, arrogance and disregard of citizen affairs since it is responsible for the preparation of an environment conducive for petty traders similar as currently being done for Western capitalist companies which come to exploit our resources under the name of foreign investments.

The government ought to help Machingas by offering them business friendly places then smoothly resettle them taking into account that the government is estimated to have collected Tsh 80 billion (\$34.7 million) in levies from these petty traders after issuing them with government identity cards during the reign of President John Magufuli. The cards were given to petty traders whose business capital does not exceed Tsh 4 million (\$1,900). Amazingly! after collecting the money, now the government mistreat the hawkers.

In Islam unlike Capitalism, the task of the Khilafah (Caliphate) is taking care of all people thus a huge trust before Allah Taala. The Khalifah will undertake his duties of taking care of all citizens without discrimination in terms of income, religion, colour, etc.

**Written for the Central Media Office of  
Hizb ut Tahrir by**

**Said Bitomwa  
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## NEWS & COMMENTS

# American Regime: New Faces but with the Same Plots



### News:

US Secretary of State Antony Blinken will visit Kenya, Nigeria, and Senegal from November 15-20, underscoring the depth and breadth of our relationships with African partners. (The Star, 12/11/2021).

### Comment:

Once again the American regime deploys its top diplomat to Africa in person, after initial visiting Kenya and Nigeria virtually in April 2021. However, this time Senegal is included in the itinerary. It is imperative to engage our minds by asking ourselves the following questions: 1st – what formed the visit? 2nd - why visit the three nations specifically? 3rd – who stands to benefit most in the visit? 4th – the three nations and US are partners in what? The four questions will be equivocally answered if we go by the public statements sent to mainstream media that receive paychecks to parrot state propaganda.

Indeed, the visit is nothing but another neo-colonial shuttle diplomacy that aims to tighten the nooses on the necks of African agent rulers, in order for them to continue adopting the venomous roadmap spearheaded by the new occupant of White House. The roadmap involves shackling the nations to the failed god of democracy, liberal social value system, usury based and exploitative economic system amongst other vices that keep causing inestimable disasters to humanity across

the world. In addition, the American regime is focused on undoing the gains made by the Chinese regime in Africa.

The three nations play vital role in their respective regions and Africa at large. To be specific, Kenya is an economic hub in the East and Central African region with unparalleled competition. Nigeria is the largest economic hub and with the largest population in Africa. Senegal's president is about to ascend to the helm of the African Union (AU) leadership. Furthermore, the three nations remain loyal to their colonial masters namely Britain and France. So, America recognizes the importance of these nations and has dedicated its efforts in dislodging them from its colonial competitors.

The American regime as a global hegemony stands to benefit more from the visit. However, the subservient nations will also benefit from the meager crumbs being dished out by the colonial master. America will benefit via the implementation of the numerous behind the scenes signed pacts that will unanimously favour the American conglomerates at the expense of the local industries. At the same time providing further leeway to American financial institutions e.g. the World Bank and the International Monetary Fund to continue to wreak havoc on the economies of the subordinate nations.

America and the three nations are partners in causing corruption in the world. The pinnacle level of corruption is their fighting of Islam and Muslims. Together they

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have branded Islam as a radical ideology and Muslims as extremists and terrorists. Hence, they have resolved to oppress and massacre Muslims via drafting and executing laws and policies against terrorism and extremism! Together they vilify Islam and consider it barbaric and archaic unable to solve millennial challenges. Alas! The same challenges result from the implementation of the invalid secular capitalist ideology by the same nations!

In conclusion, this visit brings no hope nor prosperity to Africa. Instead it is just another visit undertaken by new faces but with the same plots i.e. colonial visit to assess the colonial farms owned by American competitors. In case of any opportunity, then attempt to tempt the colonial farm managers with little handouts in the name of financial aid amongst other overtures to shift their colonial loyalty. If no opportunity, then at least seek their meager support in carrying out America's venomous agenda in their respective nations and abroad. Part of the agenda involves fighting America's proxy wars.

Africa will continue to suffer under the hands of Western colonialists who rule African nations via their colonial agent rulers. Despicable rulers who steal both private and public properties and send it abroad and leaving the citizens to languish in perpetual poverty. In addition, connive with the so-called Western aid organizations that allege to be helping the citizens; but, exist to protect the status quo and deceive the masses. Africa is engulfed in misery. Only the emergence of an alternative governance system will guarantee the removal of the despondency. The alternative system that emanates from Allah (swt) is the Khilafah (Caliphate) upon the method of the Prophethood. The Khilafah will deliver genuine hope and prosperity not only to Africa but the whole world. It will be capable of doing so via its implementation of the various Islamic systems.

**Written for the Central Media Office of  
Hizb ut Tahrir by**

**Ali Nassoro Ali  
Member of the Central Media Office of Hizb ut Tahrir**

# Summit 26 Drops a Fig Leaf on the Corruption of the World Order and Exposes the Lies of Those in Charge of it

Written for the Central Media Office of Hizb ut Tahrir by

Zeina As-Samit

It's summit number 26! That summit, which was held on January 31, 2021, means that there were 25 other climate summits that preceded it, but it did not produce tangible results. This summit was held and the climatic emergencies continued (record floods, huge fires, global warming, the decline of the natural environment, the spread of desertification, pollution, earthquakes...etc.) to testify to the failure of those multiple and repeated attempts to solve these environmental problems that pervaded the planet, and that the world began to realize the magnitude of the risks that would surround this planet and those on it during the next 30 or 40 years.

This summit, or as it was called, the Glasgow Conference, is an opportunity for world leaders to discuss what has been accomplished since the historic Paris Conference in 2015 until now. This conference was considered the most important in terms of obligating countries around the world to take measures to limit global warming.

Delegates from nearly 200 countries gathered in Glasgow to search for a way to achieve the goals of the Paris Climate Agreement, which is to limit the temperature rise to between 1.5 and 2 degrees Celsius, which requires reducing emissions that increase every year. Twenty countries, including the United States and Canada, who are among the top funders of the sector, have pledged to stop funding fossil fuel-based projects abroad by the end of 2022. Yes, these countries have pledged, but the details of these pledges are ambiguous and no timetable has been provided.

More than 40 countries have committed to "declaring the transition from coal - the most polluting type of fossil fuel - to clean energy" in an initiative promoted by the British government, and many of them have made similar commitments such as Poland and France, but large countries are involved in this sector, such as Australia, China, India, the United States, Japan and Russia, were not among the signatories. What is the reason for these countries objecting to signing up to abide by this procedure? Isn't the main reason for that to be preserving its interests and scrambling to make profits, even if it is in that danger to all of humanity?!

At the opening of the climate conference, at a time when environmental experts are sounding the alarm,

United Nations Secretary-General Antonio Guterres called for the act to "save humanity," saying: "It is time to say 'Enough'." And he continued, "Enough violating biodiversity. Enough killing ourselves with carbon. Enough treating nature as a rubbish dump. Enough of burning and digging and extracting at greater depths. We are digging our own graves."

To whom does he cry out? To the poor countries that are waiting for aid, assistance and loans from this country, that bank, or that union? Or to the great countries that run the world and contribute the most to these environmental disasters, then evade responsibility and do not commit to signing and only pledge, and keep that pledge as ink on paper? Who will save humanity from this danger and its leader is a capitalist system that is incapable of finding solutions, accustomed to procrastinating, evading and scattering ashes so that its flaws are not exposed and its corruption is revealed? How does humanity anticipate solutions from those who create problems in it? How can you wait for a good life and survival from a regime that is filled with corruption and spreads death and annihilation?!

They express their concern, as it is the "last chance" as described by British Prime Minister Boris Johnson, who stressed that "we must act now" and spoke of an outburst of popular anger that "cannot be contained" if the summit fails to achieve the desired goal! Failures are looming, and failure is a broad title for this summit, like its predecessors. There have been many summits, and with each summit held, the question remains: Were the problems of the environment resolved or did they become more and more complex? And why?!

It is not strange for capitalist countries that their commitments are mercurial and vague. These countries are like chameleons that change color according to their place, so they appear in such summits, seeking solutions, expressing their concerns, helping poor countries to save them. In fact, they are a bloodsucker of the peoples, a robber and violator of wealth and capabilities, an exploiting colony, whose only concern is to achieve interests and collect profits.

With every climate summit held, promises abound and pledges become numerous - but after this summit has passed and the agreements remain ink on paper and

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the date of another summit arrives - the participants stand criticizing and demanding the implementation of the promises of the previous summit to plant false hopes for their implementation in their new summit, according to the French Foreign Minister Laurent Vasos, who led the Paris conference so the Glasgow Conference is the "working conference in which we implement the Paris Agreement." Words, decisions and pledges must be transformed into actions. António Guterres, Secretary-General of the United Nations, described what is happening as a red alert for humanity, calling on world leaders to provide answers when the next World Climate Change Summit takes place.

Although environmental problems concern the human being as a person to live in appropriate environmental conditions, the objection of the United States to the commitment to work on addressing these problems, especially global warming, exposes its corrupt policy. Whether these factories are their own factories or were they in other places through globalization, which will lead to the closure or transformation of some industries, which will have a bad effect and reduce the material profit of the manufacturers, which contradicts the material value that is on the ladder of all values for them... America refuses to abide by what was decided at the conference, even if people suffocate and perish, or if pollution increases and becomes rampant, all of that is of no value as long as the material benefit is achieved. It has dealt with such situations before, as it - which is the superpower - gave (the fight against terrorism) a special explanation and a specific and distinct concept, and here it is giving the same kind of explanation to the pollution of the environment. As long as this pollution revives its industry and serves its interests, it is acceptable and commendable, but if it is other than what it sees and what it wants, it is reprehensible, rejected, and harmful to the environment, harmful to humans.

It is a summit that will once again expose the false promises and false vows of the world leaders to limit climate change and its effects; from rising sea levels, bad weather, and so on. It is a summit that will not be better than the summits that preceded it, and the emergence of thousands of activists and the invitation of the organizers of the global movement "Fridays for Future" - in the Scottish city where the conference is being held - only to pressure the leaders and protest their slowness in taking appropriate measures to limit climate change, they promise that they meet. They do not believe and make promises and do not fulfill, and to emphasize that this summit, like its predecessors, will not bear fruit.

The environmental problem, like other problems in which humanity is floundering; it worsens and increases, and the global system is unable to solve it, so it promises and does not fulfill and presents covenants and does not implement, and the terms of agreements and obligations remain ink on paper that has no reality, and

humanity continues to suffer as a result of the greed of a corrupt, bankrupt capitalist system that is only able to take measures that achieve benefits, even if that leads to eradicating more of humankind. A corrupt, causing corruption, murderous regime that spreads the stench of death everywhere, spreads corruption on land and sea and inflicts destruction on humans, trees and even stones.

ظَهَرَ الْفَسَادُ فِي الْبَرِّ وَالْبَحْرِ بِمَا كَسَبَتْ أَيْدِي النَّاسِ لِيُذِيقَهُمْ بَعْضَ الَّذِي  
عَمِلُوا وَعَلَّهُمْ يَرْجِعُونَ

**“Corruption has spread on land and sea as a result of what people’s hands have done, so that Allah may cause them to taste ‘the consequences of’ some of their deeds and perhaps they might return to the Right Path” [TMQ Ar-Rum: 41]**

#أزمة\_البيئة #EnvironmentalCrisis

# Is New Green Technology the Solution for the Environmental Crisis, or Just More of the Same?

When American President Joe Biden was on the campaign trail in 2020, he said, "Climate change is the existential threat to humanity. Unchecked, it is going to actually bake this planet. This is not hyperbole. It's real. And we have a moral obligation." After being elected, he has continued to push the idea of expanding the use of green technology by endorsing his Build Back Better Act, a \$2 trillion plan that invests in clean energy in the transportation, electricity and building industry, cuts fossil fuel emissions and improves infrastructure.

After decades of being promised that the governments of the first world will work together to reduce greenhouse gas emissions, create cleaner energy, cleaner water, etc., will it be as Greta Thunberg recently stated, more, "Blah, blah, blah," coming from powerful world leaders? The truth of the matter is that the current world system is based upon Capitalism and the capitalist system is not designed to work for the greater good of human life, let alone work to protect the environment. Capitalism looks not at what is beneficial to humanity and the environment, but what provides the most financial benefit to governments, companies and to the CEO's and the politicians who are paid to make laws that are in their best interests.

Capitalism's environmental policies have created a striking imbalance in the world; on one side there is overconsumption and waste and on the other side there is deprivation and exploitation. The overconsumption is fueled by producing low priced goods underpinned by the exploitation of natural resources and cheap labor in the developing world. Exploitation which lives off subjugating the developing world to the vicious cycle of conflict and chaos. Man-made famines, poverty, displacement, destruction of life and property in the developing world is the dark underbelly of the Capitalist system. It steals resources from the lands, including, of course, the Muslim world. It leaves people in abject poverty with not so much as a grain of rice to eat, a private toilet to use, clean water to drink, sends endless amounts of old clothing and textiles as, "charity" undercutting their own textile industries because of the lower cost, but also creates tons of waste and pollution.

The reality on the ground does not match all the promises made by Western politicians no matter what laws and acts they have passed in the past, or plan to pass in the future because they do not fit in with the fundamental feature of Capitalism; to make a profit for a few at the expense of the many. There is no incentive for Western governments to tackle this global problem and it is evident because they cannot even address it

domestically except introducing a patchwork solution. A patchwork solution that mostly involves placing the burden on the individual. For example, in the United States, they raise the cost of utilities in order to fund the infrastructure changes the private company's need to make, raise taxes, encourage purchasing high-cost solar panels, buying an electric car, buying energy efficient appliances, or taking public transportation, which is really disingenuous since the public transportation infrastructure is lackluster aside from a few major cities. Now, if these changes cannot happen without placing it on the shoulders of the people in the West, how would it work for those living in the developing world? What good are solar panels, wind turbines, and electric cars to people who do not have their basic needs met and have no security? What good will it do for our sisters across the world who cannot feed their children, or send them to school? What good will they do for their children who become ill with preventable diseases because of the sewage that seeps into the waterways, or die of starvation?

The environmental crisis can only be solved through the implementation of the Islamic system. A system that solves problems in consideration of the spiritual, humanitarian, moral, and material values. Therefore, the material principle is not prioritized over the other values and none are ignored in favor of another. It is a system that is based on the laws given by the Creator of the heavens and earth. A system that will ensure that all needs are being met without placing the financial burden on the shoulders of the people, or causing damage to the environment.

وَمَا أَرْسَلْنَاكَ إِلَّا رَحْمَةً لِّلْعَالَمِينَ

**"We sent you, only as a mercy for all creatures."**

[Al-Anbiyaa': 107]

#أزمة\_البيئة #EnvironmentalCrisis

Written for the Central Media Office of  
Hizb ut Tahrir by

**Sarah Mohammed – America**

# ANSWER 2 QUESTION

## Dealing with Islamic Banks



### Question:

Assalamu Alaikum wa Rahmatullahi wa Barakatuh,

Are Islamic banks working according to Islamic law in Tulkarm and the governorates of the West Bank? Is it permissible to deposit money in them, or are they just names to cover the usurious business? How do we make sure of that?

### Answer:

**Wa Alaikum Assalam wa Rahmatu Allahi wa Barakatuh,**

**First:** We have already answered to this type of question more than once. On 20/08/2010, 05/03/2011... I repeat to you from the aforementioned answers what is relevant to your question:

[Contracts in Islam are not complicated and not unknown, rather they are easy, known, and are clearly detailed by Shari'ah.

1- The seller of any commodity must be the owner of that commodity, then he presents it for selling, where the buyer sees it, and the contract is conducted if the buyer accepts it, otherwise the commodity remains with the owner. The sale of a product that does not belong to the seller is not permissible in Islam, and the evidences on this subject include:

On the authority of Hakeem Ibn Hizam, he said:

قُلْتُ: يَا رَسُولَ اللَّهِ يَا تَائِبِي الرَّجُلُ يَسْأَلُنِي الْبَيْعَ لَيْسَ عِنْدِي مَا أْبِيعُهُ مِنْهُ، ثُمَّ  
«أْبِيعُهُ مِنَ السُّوقِ»

«فَقَالَ» لَا تَبِيعْ مَا لَيْسَ عِنْدَكَ

I said: "O Messenger of Allah, a man comes to me to buy (a product), but I do not have what he asks for, I sell it to him later from the market". He (saw) said: "Do not sell that which you do not own". [Narrated by Ahmad]

On the authority of Amr ibn Shoab, he narrated from his father from his grandfather, he said, the Prophet (saw) said:

لَا يَجِلُّ سَلْفٌ وَبَيْعٌ، وَلَا شَرْطَانٌ فِي بَيْعٍ، وَلَا رِبْحٌ مَا لَمْ تَضْمَنْ، وَلَا بَيْعٌ مَا لَيْسَ  
عِنْدَكَ

**"The provision of a loan combined with a sale is not allowable, nor two conditions relating to one transaction, nor profit arising from something which is not in one's charge, nor selling what is not in your possession".** [Narrated by Abu Dawood].

2- Likewise, if the Caliph wanted to distribute public ownership to the people, or distribute food to them from the ownership of the state, and each one knew his share, then it is not permissible for him to sell his share in

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advance before receiving it from the state.

This is what the companions of the Messenger of Allah (saw) followed:

- Malik extracted on the authority of Nafi that Hakeem Ibn Hizam traded in food for people as Umar ibn al-Khattab had ordered him to do. Hakim re-sold the food before he had taken delivery of it. That reached Umar ibn al-Khattab and he revoked the sale and said, "Do not sell food which you have purchased until you take delivery of it."

- Malik narrated that he had heard that receipts were given to people in the time of Marwan ibn al-Hakam for the produce of the market at al-Jar. People bought and sold the receipts among themselves before they took delivery of the goods. Zayd ibn Thabit and one of the Companions of the Messenger of Allah (saw), went to Marwan ibn al-Hakam and said, "Marwan! Do you make riba (usury) halal?" He said, "I seek refuge with Allah! What is that?" He said, "These receipts which people buy and sell before they take delivery of the goods." Marwan therefore sent a guard to follow them and to take them from people's hands and return them to their owners.

3- However, there have appeared in Muslim countries institutions that circumvent Sharia and call themselves "Islamic" like the so-called "Islamic" banks. They deal with forbidden transactions, but not in a usurious way as other banks do, rather they follow another forbidden way:

a- If you go to an ordinary bank and want a loan, it will give you a certain usurious (riba-based) interest. And if you go to a bank called "Islamic," and you want a loan, it does not give you this without an increase, because it is a bank and not an institution that helps people for the sake of Allah, so it wants an increase, but not explicitly as a normal bank does, because the bank is called an Islamic! So, it does not want to deal with the forbidden usury (riba) in the forbidden way which is known even to the general public, but it says to you: Why do you want a loan? You will say: I want to buy a car or a specific commodity... and I do not have the price for it. So, it says to you: Well, we purchase it and pay for it in cash, and we sell it to you in installments with an increase of certain amount. Thus, the deal is conducted with you before the bank purchases the commodity; meaning that the sale in installments between you and the bank has taken place and the contract is concluded and it became binding before the bank purchases the commodity, and therefore you are obligated to take it after the bank purchases it, meaning that the sales contract was concluded before the bank owns it. You did not buy it after the bank owned it and offered it to you, so that you can accept it or not, rather here you cannot back down from buying it because originally it was bought for you and not for the bank, thus, it is selling what is not owned, and it is not permissible according to Shariah...

If the bank had a showroom of cars owned by it and showcases them to people, and sells them to whom it wants in installments, then the sale is valid. However, the bank is not a merchant in the well-known sense, rather it is a bank that wants a profit on the money it pays, so, instead of taking a usurious increase that does not agree with its "Islamic" name, it gets it and more than it through an illegal (not Shari) transaction, which is selling what it does not own that is forbidden in Islam!

b- They call it "Murabaha" and it is not so, as Murabaha sale according to Sharia is that you own the commodity and offer it for sale. The buyer comes and negotiate the price with you, and you tell him to give you a profit on top of the cost price that you paid when you bought the product, and he accepts after you have made him aware of the price you paid to buy the product, and he becomes content by that. So, he pays you the cost price and the profit that you both agreed upon. And as you can see, the commodity is owned by the seller when it is presented to the buyer. It is clear that this is not what the so named Islamic bank or similar institutions deal with.

c- Sometimes they call it a "promise" and not a "sale" and this is a fallacy! It is an incorrect statement, because a unilateral promise (Wa'ad) or a bilateral promise (Muwadah) is not binding, but it is binding in the bank's transaction, as the agreement was concluded before the bank possesses the commodity. Therefore, a person cannot tell the bank after the bank possesses the car, saying to it, "I do not want to buy." This cannot be in the bank's transaction, because the contract was made before purchasing it, and it is binding and not a promise. As for the promise to sell or buy, it is of course not binding.

The promise to buy is not binding, but the contract of offer and acceptance is, and this was done between the bank and the man before the car became the possession of the bank, and what took place between them is a binding contract of sale for the man. The sale has actually and practically taken place between the Bank and the man before the bank took possession of the car, as evidenced by the fact that when the bank owns the car, the man cannot refuse to buy it, and this is contrary to the Shari' rulings that have clarified and explained the sale in Islam.

d - And sometimes they call it a purchase and not a sale, and that the man is the one who ordered the purchase, so he tells the bank to buy him a car... This is also a wrong saying, because this transaction in this capacity is an agency, meaning that the man has authorized the bank to buy him a car for certain amount, in return for a certain fee for the bank which acts as a buying agent... what is happening is not like this, because the car is registered in the name of the bank, as it is the buyer for it from the car showroom, and it sells it in installments to the man, and it remains registered in the name of the

*Cont... page 12*

bank until the man pays its declared price in installments, so it is not registered in the name of the man, and the bank is his agent in the purchase in return for a certain fee, rather it is completely different... so, it is not an agency in all respects, and if the man was financially able, and he wanted to delegate the bank to buy him a car for a specified fee, if he was financially able to do so, he would not have resorted to the bank, but rather to what has better experience in purchasing and cheaper fee than it...

**Therefore, what they call it selling in this way is not permissible.**

In conclusion, this transaction is not permissible according to Shariah.

I liked someone's comment about Islamic banks, where he said that ordinary banks attract the money of people who are not interested in dealing with riba (usury), so the religious people who do not deal in riba remain, and their money remains outside the ordinary banks. Thus, the so-called "Islamic" banks were the trap for the money of the religious people, where these banks use the money in a way other than the riba, which the common people know is forbidden. So, they use them in illegal transactions, which are easy to convince simple people that they are from Shariah, such as finding a name for them from Shariah, such as Murabaha, for example, which is not as obvious as riba, and many religious people may not know it and think that it is permissible.] End.

Second: As for your question about putting money in trust with these banks... We answered a similar question on 14/10/2012 and this is the text of it:

[The means to what is forbidden is forbidden. Yes, it is applied to every act, whether it is an individual act that a person performs unilaterally, or it is an act of two parties, i.e. a contract... The difference is that when you use the means that leads to the forbidden, you are responsible for this forbidden act, and when you are a party to a contract, then the forbidden will fall on the party who took the means that leads to the forbidden act, and if the two parties took this path, then the sin is on them both.

As of you placing a trust, i.e. as a current account without interest in a bank, then, if you think that it is most likely that the bank will use your current account in riba, then it is not permissible to place this trust as a "current account" with the bank, except that the bank differentiates between trusts with usurious interest and a current account without interest. As for the first type where the trust is placed with interest, it is used for riba, and there is no doubt about that. And as for the current account, it may use riba, and it may be from your current account or from someone else's account, because the current account is subject to withdrawal at any time the owner wants ... Therefore, **it is more like placing a trust**

**with a disobedient person**, so, if you are compelled to do so, you do not have to do anything, and the sin is upon him if he uses the trust in a different way as long as you do not know about it or not approve it. The same applies to the bank, and if you know that it is using your current account for interest, then it is not permissible.

Of course, it is better not to place it in the bank or with a disobedient person.

**However, this is if the bank contract is valid, such as if it was an individual ownership or state ownership, or an Islamic company, or a joint stock company concluded with its owners... and not a joint stock company with a void contract, otherwise dealing with it is not permissible in all cases.] End.)**

Your brother,

**Ata Bin Khalil Abu Al-Rashtah**

**01st Muharram 1443 AH  
09/08/2021 CE**