

STUDY OF THE TRADING IN ISLAM
Tafseer of Holy Qur'an Surah Al-Baqoroh, ayat: 275.

“Those who devour usury will not stand except as stands one whom the Evil One by his touch hath driven to madness. That is because they say: "Trade is like usury," but Allah hath permitted trade and forbidden usury. Those who after receiving direction from their Lord, desist, shall be pardoned for the past; their case is for Allah (to judge); but those who repeat (the offence) are Companions of the Fire; they will abide therein (forever).”

Allah made the property a means to establish the interests of human beings in this *Dunya* (worldly life) and He allowed trading as a way to gain these interests (*Masalih*). It is true to say that what everybody wants is not available in every location and that taking something by force and overpowering is corrupt. Thus, there should be a system that enables everybody to take that which he needs without resorting to force and strength. Trading is that system, and there are rules of selling. Allah says, “*O you who believe! Squander not your wealth among yourselves in vanity, except it may be a trade by mutual consent.*” (An-Nisa: 29).

Trading is of two types; that which is allowed (*Halal*) and is called selling (*Bai'a*) in *Shar'a* and that which is forbidden (*Haram*) and is called usury (*Riba*). Each of these is trading. Allah has informed us about the disbelievers that they rejected rationally the (existence of a) difference between trading and usury. Allah says, “*That is because they say: Selling is just like usury.*” (Al-Baqarah: 275)

He then differentiated between them through *Halal* and *Haram* by saying, “*Whereas Allah permitted selling and prohibited usury.*” (Al-Baqarah: 275) We understood from this that each of them is trading, and the one which is permitted by *Shar'a* is selling. The selling process is concluded by two parties. One of them gives the offer (*Ijab*) and the other accepts (*Qabool*). These are expressed with the word “I sold” and “I bought” or any words or action which hold these meanings. The owner of the commodity has the right to carry out the selling and to deputise somebody as an agent or as a messenger to execute the selling on his behalf. He is allowed also to employ a person to perform the selling on his behalf, on condition that his wage is defined. If he employed someone for part of the profit he would be a silent partner, and the rule of the partner rather than the employee will be applied upon him. He is also allowed to buy the property himself or through his agent, his representative or to hire a person who will buy for him. In summary, trading is allowed. It is a form of increasing the ownership, and it is evident in the laws of selling and company (partnership). Trading came in the Qur'an and the *Hadith*. Allah said, “*Save only in the case when it is actual trading which you transfer among yourselves from hand to hand. In that case it is no sin for you if you write it not.*” (Al-Baqarah: 282).

Rifa'a narrated that he went out with the Messenger of Allah to the prayer place and he saw the people trading. The Messenger of Allah said, “O traders!” They responded to the Messenger of Allah and raised their necks and eyes towards him. He said, “*Traders will be resurrected on the Day of Judgement as fujjar (wrongdoers) except those who were righteous and honest.*” Al-Tirmidhi reported that Abu Sa'id narrated that the Messenger of Allah said, “The honest trustworthy merchant will be resurrected with the prophets, righteous and the martyrs.” Trading is of two types, domestic and foreign. Domestic trading is the selling and buying which occurs among the people over commodities, whether they are of their own products, agricultural or industrial, or of other peoples products, where they are circulated in their own country. Domestic trading is allowed without constraints, except by those rules connected with selling. With regard to the commodities, their types, and their transfer inside the country from place to place, it is left to every merchant to trade within the rules of *shar'a*.

The State has nothing to do with the domestic trading except through supervision only. Regarding foreign trade, it is the purchase of commodities from abroad, whether such commodities were agricultural or industrial. This type of trading is subject to the direct supervision of the state, so it directly supervises the import and export of these commodities and supervises the belligerent and peaceful (those bound by treaties) merchants. *Wallahu a'lam bisshawab.*