

Selling Good Quality Rice In Exchange For Lower Quality Rice

Darulifta Ahlesunnat

(Dawateislami)

Question

What do the scholars of Islam say regarding the following matter: to grow rice, good quality seeds are used. Sometimes the landowner possesses standard quality rice, but they cannot be used as seeds, so he approaches another landowner or shopkeeper and requests they give him good quality rice in exchange for his normal quality rice, so he can use them as seeds. They then exchange the rice disproportionately. For example, if there are 40 kilos of good quality rice, then 60 kilos of standard quality rice are given in exchange for them.

The question is: is this method of trade is considered valid according to Islamic law? If it is not valid, please provide a permissible alternative for this, as this method is commonly utilised among landowners, and they have a need for this too.

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

الْجَوَابُ بِعَوْنِ الْمَلِكِ الْوَهَّابِ اللَّهُمَّ هِدَايَةَ الْحَقِّ وَالصَّوَابِ

Trading rice for rice disproportionately, due to being usurious, is severely impermissible, haram and a sin, even if there is a difference in their quality.

There are two causes for usury:

Qadr (Amount) - the items being sold are *makīlī* or *mawzūnī* (*makīlī* is something sold by volumetric measure, and *mawzūnī* is that which is sold by weight).

Genus (Genus): Being of the same type.

If both causes are found in a transaction, disproportion and deferred payment are both haram. If neither of them is found, then selling the item disproportionately or on credit will both be halal. If one of them is found but the other is not, then disproportion is permitted but credit is haram.

If we look at rice being sold for rice, then both amount and genus are found: genus due to both items being rice, and amount because they are sold by weight. It will be haram to sell them disproportionately in accordance to the method mentioned in the question. Likewise, credit (e.g. when selling rice for rice, one party hands over the rice and the other party defers the rice) is also haram.

It should be noted that the difference in the quality of the rice will not be considered here. This is because when *amwāl ribawīyah* (those items which when sold disproportionately result in usury, such as rice and wheat) are exchanged for one another, as per the hadith, their quality being good or poor will not be taken into consideration, but their weight instead.

Exchanging rice for rice disproportionately is a haram and usurious trade.

Allah's Messenger صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ declared:

الذهب بالذهب مثلاً، والفضة بالفضة مثلاً، والتمر بالتمر مثلاً، والبر بالبر مثلاً، والملح بالملح مثلاً، والشعير
بالشعير مثلاً، فمن زاد أو أزداد فقد أربى

Gold for gold, silver for silver, dates for dates, wheat for wheat, salt for salt, and barley for
barley, should be sold like for like. He who gave or took extra has engaged in usury.¹

Elucidating the legal causes of usury, Imām Aḥmad Razā Khān رَحْمَةُ اللَّهِ عَلَيْهِ explained:

نص علماء ناقطبة أن علة حرمة الربا القدر المعهود بكميل أو وزن مع الجنس، فإن وجد أحرم الفضل والنساء، وإن وجد أحدهما
حل الفضل وحرم النساء، وهذه قاعدة غير منخرمة، وعليها تدور جميع فروع الباب

All our scholars رَحْمَةُ اللَّهِ عَلَيْهِ have openly stated that the legal causes for the impermissibility
of usury are the specified amount i.e. measure or weight, along with oneness in genus. If
these two legal causes (amount and genus) are found, both surplus and credit are haram, and
if neither of them is found then both are lawful. If one of them is found, giving a surplus is
lawful but credit is haram. This is a rule which never breaks, and all rulings pertaining to the
chapter of usury revolve around it.²

It is weight which will be considered in *amwāl ribawiyyah*, not quality. In *Majma' al-
Anhur*:³

(ولا يجوز بيع الجيد بالردىء) إذا قوبل بجنسه مما فيه الربا (إلا متساوياً) لقوله عليه الصلاة والسلام: جيدها ووردئها سواء

Imām Aḥmad Razā Khān رَحْمَةُ اللَّهِ عَلَيْهِ wrote about this: “And Islamic law has disregarded
quality in *amwāl ribawiyyah*, so their being of good quality or poor quality is the same.”⁴

There are various ways in which this can be carried out in a permissible manner, as
mentioned below:

One genus should be purchased for another genus. For example, instead of selling rice for
rice, the rice should be sold for wheat or something else. In this case, due to the genus being
different, it will be permissible to sell it disproportionately. It is still necessary for the
exchange to take place jointly; if one party decides to defer payment, it will become
impermissible.

If one wishes to buy something of a particular genus with something of the same genus,
such as rice for rice, then the one who has less rice should offer another thing alongside the
rice, like wheat or cash, even if it is a small amount. For example, if 40 kilos of rice are being
sold for 60 kilos of rice, then the 40 kilos of rice will be in exchange for the other 40 kilos of
rice, and the extra 20 kilos of rice given by one party will be in exchange for the wheat or cash
offered by the other.

Another method is to utilise money. For example, he who has good quality rice should first
purchase 60 kilos of the lower quality rice for a specific amount, taking possession of the rice
and handing over the cash to the other person. Once this initial transaction has taken place,
the other individual should then purchase 40 kilos of the higher quality rice with that money.

¹ *Jāmi' al-Tirmidhi*, vol. 3, p. 533, Published in Egypt

² *Fatāwā al-Razawiyyah*, vol. 17, p. 446, Raza Foundation, Lahore

³ *Majmu' al-Anhur*, vol. 2, p. 89, published by Dār Ihyā' al-Turāth

⁴ *Fatāwā Razawiyyah*, vol. 17, p. 324, Raza Foundation, Lahore

By doing this, both of their objectives will be achieved and there will be no usury involved either.

Proof for the permissibility of the first case: The final Prophet of Allah صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ said:

الذهب بالذهب والفضة بالفضة والبر بالبر والشعير بالشعير والتمر بالتمر والملح بالملح مثلاً بمثل سواء بسواء يدا بيد، فاذا اختلفت هذه الاصناف، فبيعوا كيف شئتم اذا كان يدا بيد

Gold for gold, silver for silver, wheat for wheat, barley for barley, dates for dates, and salt for salt, should be bought and sold in the same amounts and at the same price. If these differ, then buy and sell as you wish, provided that the exchange is hand-to-hand.⁵

Proof for the permissibility of the second case: In *Al-Hidāyah*, the renowned work of Hanafi jurisprudence:⁶

ولا يجوز بيع الزيتون بالزيت والسمسم بالشعير حتى يكون الزيت والشعير اكثر مما فى الزيتون والسمسم، فيكون الدهن بمثله والزيادة بالشعير، لان عند ذلك يعرى عن الربو

Proof for the permissibility of the third case: The Companions Abū Sa‘īd al-Khudrī and Abū Hurayrah رَضِيَ اللهُ عَنْهُمَا narrate:

ان رسول الله صلى الله عليه وسلم استعمل رجلا على خيبر، فجاءه بتمر جنيب، فقال رسول الله صلى الله عليه وسلم: أكل تمر خيبر هكذا؟ قال: لا، والله يا رسول الله! اننا نأخذ الصاع من هذا بالصاعين والصاعين بالثلاثة، فقال رسول الله صلى الله عليه وسلم: لا تفعل، بع الجمع بالدرهم، ثم ابتع بالدرهم جنيبا

Translation: Indeed, the Messenger of Allah صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ appointed a man as governor of Khaybar and sent him there. He returned with some good quality dates. The Prophet صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ asked, “Are all the dates of Khaybar like this?” He replied, “O Messenger of Allah! By Allah, this is not the case! We purchase one ṣā‘ of these for two ṣā‘, and two ṣā‘ for three ṣā‘.” The Prophet صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ declared, “Do not do this! First sell the lower quality dates for dirhams, then purchase good quality dates with those dirhams.”⁷

After citing hadith like this, Muftī Amjad ‘Alī al-A‘ẓamī رَحِمَهُ اللهُ عَلَيْهِ said: These two hadiths make it clear that the matter is the same; they wished to purchase good quality dates, but they did so by handing over more of their own dates, which is usury. If they sell their dates for money and then purchase the good quality dates (with that money), this is permissible.⁸

وَاللَّهُ أَعْلَمُ عَزَّوَجَلَّ وَرَسُولُهُ أَعْلَمُ صَلَّى اللهُ تَعَالَى عَلَيْهِ وَآلِهِ وَسَلَّمَ

Answered By: Mufti Muhammad Qasim Attari

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⁵ *Ṣaḥīḥ Muslim*, vol. 3, p. 1211, *Dār Iḥyā’ al-Turāth*, Beirut

⁶ *Al-Hidāyah*, vol. 3, p. 89, Published in Lahore

⁷ *Ṣaḥīḥ al-Bukhārī*, vol. 1, p. 293, Published in Karachi

⁸ *Bahār-i-Sharī‘at*, vol. 2, pp. 777, 778, *Maktabat al-Madina*, Karachi



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