85353 - The bank offered to freeze part of his account in return for interest

the question

My husband has a current account in a foreign bank. His account is very active due to his work. Therefore the bank offered to freeze a part of his account in return for 40.000 Dirham monthly. Is this considered Riba (interest)? My husband does not believe that it is Riba. He believes that Riba – from his viewpoint- is exploiting people's difficult circumstances (be it sickness or need) by overburdening them by Riba. He says: "the bank is not in need of my money". What is the ruling in this case? If this is Riba then how shall I convince him of refusing it? Please bear in mind that he is an Alawi Muslim. He does not trust scholars' opinions and he says that the Quran prohibited interested but not in such cases as his case. He also says that most of the fatawa given by scholars are personal and unconvincing.

Detailed answer

Praise be to Allah.

Firstly:

Before we give advice to your husband with regard to riba, we think that it is essential for us to offer him advice on something that is more important, which is the 'Alawi madhhab. The 'Alawi madhhab has many beliefs that are contrary to the beliefs of the Muslims. Hence we hope that your husband will examine those beliefs and reject those that are contrary to Islam, and believe that which is indicated by the Book of Allaah and the Sunnah of His Messenger (blessings and peace of Allaah be upon him). In the answer to question number 109264 we have given a brief description of the 'Alawi sect; please refer to it.

Secondly:

Freezing the bank account in return for getting 40,000 dirhams is the essence of riba, because in

fact this transaction is a loan with interest. It makes no difference whether the bank is in need or not. Every loan that brings benefit is riba according to scholarly consensus. What a loan means is taking money and paying it back; if there is an agreement that it will be returned with something extra, even if it is one dirham, this is undoubtedly riba.

There is nothing in the Qur'aan or Sunnah to suggest that riba is only that which is taken from the needy, sick or desperate. Rather there are many types of riba, including loans with interest. There is also the riba of sales, such as exchanging gold for gold with an additional amount, or silver for silver with an additional amount, or date or dates with an additional amount. The Prophet (blessings and peace of Allaah be upon him) said: "There are seventy-two types of riba, the least of which is equivalent to a man committing incest with his mother." Narrated by al-Tabaraani in al-Awsat; classed as saheeh by al-Albaani in Saheeh al-Jaami', no. 3537.

And the Prophet (blessings and peace to Allaah be upon him) said: "A dirham of riba that a man consumed knowingly is worse before Allaah then thirty-six acts of zina." Narrated by Ahmad and al-Tabaraani; classed as saheeh by al-Albaani in Saheeh al-Jaami, no. 3375.

This stern warning shakes the heart of every believing man and woman, and prevents him or her from falling into this grave sin. Allaah has threatened the one who consumes riba with war, as He says (interpretation of the meaning):

"O you who believe! Fear Allaah and give up what remains (due to you) from Ribaa (from now onward) if you are (really) believers.

279. And if you do not do it, then take a notice of war from Allaah and His Messenger but if you repent, you shall have your capital sums. Deal not unjustly (by asking more than your capital sums), and you shall not be dealt with unjustly (by receiving less than your capital sums)"

[al-Baqarah 2:278-279]

Who would want that for himself, who is able for that?!

Allaah tells us that riba erases blessing and leads to bad consequences. He says (interpretation of

the meaning):

“Allaah will destroy Riba and will give increase for Sadaqaat (deeds of charity, alms). And Allaah likes not the disbelievers, sinners.

[al-Baqarah 2:276]

The Prophet (blessings and peace of Allaah the upon him) told us that curses descend upon the one who consumes riba, the one who pays it, the two who witness it and the one who writes it down. Muslim (1598) narrated that Jaabir (may Allaah be pleased with him) said: The Messenger of Allaah (peace and blessings of Allaah be upon him) cursed the one who consumes riba and the one who pays it, the one who writes it down and the two who witness it, and he said: they are all the same.

What is the value of money if Allaah does not bless it and if curses descend upon its owner?!

Hence we see many of those who consume riba losing their wealth without benefitting from it, because there is no blessing in it, as well as the feelings of worry, distress and anxiety that they feel. This is one of the effects of sin, and the punishment of the Hereafter is more severe and longer lasting. We ask Allaah to keep us safe and sound.

A wise person must be content with that which is halaal and not to keep running after what is haraam, because he will never get anything from it except loss and doom.

May Allaah help us all to do that which He loves and which pleases Him.

And Allaah knows best.