

34674 - Selling things that we are not permitted to wear

the question

I heard some people say that it is permissible to sell and to sew women's dresses that do not cover the woman properly – i.e., short dresses – because the Prophet (peace and blessings of Allaah be upon him) gave to Umar ibn al-Khattaab (may Allaah be pleased with him) a red silk garment, and when 'Umar wore it and the Messenger of Allaah (peace and blessings of Allaah be upon him) saw him, he said, "I gave it to you so that you could give it as a gift, not so that you could wear it." So 'Umar gave it to someone who had been one of his friends during the Jaahiliyyah.

Is this view correct?

If it is correct, then can we draw the analogy from this that it is permissible to sell cigarettes, tobacco, women's pants and revealing swimsuits for men and women, even though Allaah says (interpretation of the meaning):

"Help you one another in Al-Birr and At-Taqwa (virtue, righteousness and piety); but do not help one another in sin and transgression"

[al-Maa'idah 5:2] ?

I hope you can explain. May Allaah bless you and keep you.

Detailed answer

This hadeeth was narrated by al-Bukhaari (2104) and Muslim (2068) and others, in several places and via several isnaads. For example, al-Bukhaari narrated it under the heading Baab al-Tijaarah fima yukrah libsuhu li'l-rijaali wa'l-nisa' (Chapter on dealing in things that are makrooh for men and women), via Saalim ibn 'Abd-Allaah ibn 'Umar from his father, who said: The Prophet (peace and blessings of Allaah be upon him) sent a hullah (garment) of silk and he saw him wearing it and said, "I did not send it to you for you to wear it, for the one who wears it is one who has no share (in the Hereafter). Rather I sent it to you so that you could make use of it," i.e., sell it.

This hadeeth indicates that it is permissible to deal in clothes that may be used in one way but not in another, and it is permissible to give them to others, and the one who buys such a thing or to whom it is given has to use it in ways that are permissible, not in ways that are forbidden. Examples of that include gold jewellery, weapons, knives, grapes and other things that may be used for halaal or haraam purposes. It is permissible to deal in them and to give them to others.

The one who buys or is given such things must use them in ways that are permissible, such as selling them, giving them as gifts, etc; he should not use them in any way that is forbidden.

But if the thing is something that is forbidden to use in any way, then it is not permissible to deal in it or to give it as a gift, such as pigs, lions and wolves. There is nothing in the hadeeth to suggest that it is permissible to sell the things mentioned in the question, so it is not valid to draw an analogy between selling cigarettes, tobacco and revealing swimsuits for men and woman and selling things that may be used in one way but not another, or under some circumstances but not others, because it is haraam to use them in all circumstances.

And Allaah is the Source of strength.