



## TRICKS TO ESCAPE FROM USURY AND TRANSACTIONS IN ISLAMIC ECONOMY AND THEIR CRITICISM

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### Abstract

*There are those who are apparently religious and believe in God, but they have strong emotional desires, which they knock on every door to achieve it. They don't want to commit an obvious sin, but in order to achieve their material goals, they are looking for justifications to give their desires shari'i appearance through justifications. One of their signs is that where they have great interests and the Sharia doesn't allow them in appearance, they go for the tricks of the Sharia, they bypass the halal and the haram, in order to find a way to pass, even if it is fake. Usury is prohibited in Islam and other divine religions. However, the existence of the common financial system in the world today, especially in the western world, is based on usury. It is not possible to eliminate usury from the banking system and financial markets of Islamic countries without knowing the method of usury tricks and distinguishing permissible tricks from haram. In this research, using a descriptive-analytical method, tricks to escape from loan and transactional usury and their criticism and analysis are discussed and the results of the research show that finally, by examining and analyzing the opinions of jurists, verses and traditions about the tricks of usury, it can be concluded that the jurists in general accept sharia tricks and all banking transactions can be formed in line with sharia transactions without being contaminated by divine prohibition, provided that these transactions do not have a formal or outward aspect and are honest in the field of action.*

**Key words:** loan usury, commercial usury, Islamic contracts, usury, sharia tricks

### 1. INTRODUCTION

A sick economy is always the basis for the destruction of moral values and the invasion of the black shadow of corruption, prostitution, crime and crime on human life. It is possible that the people who are left can't think about the spiritual exaltation and have a clear and worthy image and drawing of human ideals and moral virtues. This is why the Messenger of God, peace and blessings of God be upon him, considered poverty to be more difficult than murder, and the Commander of the Faithful, Ali, peace be upon him, considered the death to be better than poverty. Usury whether it is in a loan or a transaction, in addition to the sanctity of Sharia, has negative effects on economic and commercial relations and causes disruptions in the financial relations of individuals in a healthy society. By prohibiting usury, Islam has tried to prevent injustice and remove obstacles to moving towards God and perfection. In this way, it is necessary to make the economic atmosphere of the society healthy, it is forbidden to receive or pay any kind of usury or carry out usurious transactions. After the victory of the Islamic revolution, the need to revise the banking system based on the economic principles of the Islamic school was revealed, and it was decided to remove usury from the banking system. Based on this approach, the legislator in Article 595 of the Islamic Penal Code criminalized usury and usurious transactions and stipulated: "Any type of agreement between two or more people under any contract such as sale, loan, peace and the like transact an object with the same type of object or to receive extra than the amount paid". Therefore, research has been done in the field of usury tricks, in which the meaning and concept of tricks and types of tricks have been explained. Therefore, in this research, the opinion of the jurists about the ways to



escape from usury and transactions and their criticism and investigation through verses and narrations has been discussed.

## 2. THEORETICAL LITERATURE

### 2-1 Tricks in word and terminology of jurists

Firouzabadi in his "Dictionary of Al-Logha" has defined trickery as "ingenuity" and "judda al-nazar", that is, trickery is a kind of skill and power in handling. The word of the dictionary is used that in the concept of trick, it is not a condition to be hidden and not that a trick must often have a negative aspect, but the opposite may be used. Trick in the term of jurists, from the sum of the words of jurists in different chapters of jurisprudence, this definition is used for trick: trick is to preserve the appearance of the laws of Sharia, even though the spirit of the law does not exist. For example, when a person intends to lend one million tomans to someone and take a profit from him, he says: "I will lend you one million tomans in good faith; But I will also sell this package of one kilo of vegetables to you for 300 thousand tomans, if you pay me for it at the beginning of the year", in this example, the appearance of the law of sale and loan has been observed, and apparently usury does not apply; But the spirit of the sale law does not prevail (1).

There are two types of usury, transactional usury and loan usury. Transactional usury means trading one kind of thing with its similar kind, while one is more than the other in terms of weight. The second type is loan usury, and in this type, there is no difference between usury, balance, and limited, the holy law prohibits usury and the profit derived from it is haram; Any kind of benefit. According to Shiites, usury is to be balanced, so transactional usury is not current among the few (2 and 3). There is a problem, but the consensus of it has been quoted to such an extent that it is very important." (4). This trick is to escape from commercial robbery; Because it is not permissible to sell two identical species if one is more than the other.

#### 2-1-1 Transactional robbery tricks

- The most famous example of usury is selling one dirham and one dinar for two dirhams and two dinars. The jurists consider this sale as permissible; Rather, the owner of Jawaher Quds Sarreh claims consensus for this matter; He says, "Lakhalafa Fih Binna Bel al-Ijma, Baqsniiyyah Alayh Bel al-Muhaki Minh Mustafiz Jeda"; There is no difference between Shia scholars. On the contrary, there is both an established consensus and a transferable consensus on this issue, but the transferable consensus has been quoted to some extent which is very important (4). This trick is to escape from commercial robbery; Because it is not permissible to sell two identical species if one is more than the other. However, it should be noted that the mentioned trick is not actually a trick, because one dirham is compared to two dinars, and one dinar is compared to two dirhams, and in this way, it is not a transaction between two things of the same sex, but a transaction of two heterogeneous things, which more than one is no problem with the transaction.
- To escape from usury, let's do two independent transactions; For example, if we want to sell one men of good wheat for two men of poor quality wheat, first we sell one men of wheat to a customer for a certain amount and take the money from him. Then the two of us will buy his poor quality wheat and pay him the money for it. In this way, we do not suffer usury (4 and 5). This is a way that works for current gold sellers and saves them from some illegal activities. For example, among gold dealers, it is customary to rent gold illegally; In this way, a gold dealer rents one kilo of gold to a person for a period of one year and receives a certain amount monthly, and at the end of the year, he takes back one kilo of gold. This lease is void; Because in the lease, it is a condition that the leased object remains and its benefits are used, while here the leased object is destroyed and at the end of the year, another kilo of gold is given to the lessor. The solution to the above problem of gold sellers is two independent transactions, one is cash and the other is credit; That is, the goldsmith sells one kilo of gold to another in cash for one million two hundred thousand tomans, for example; Then, the buyer sells the same kilo of gold for one million Tomans in cash, provided that he delivers it to the goldsmith in another year, which also fulfills the purpose of the goldsmiths in renting gold. That is, they

will get the desired interest, which in the mentioned example is two hundred thousand tomans, and also that they have not committed any illegal act.

- Another way to avoid commercial usury is to use the issue of donation, that is, I will give you my good wheat for free and without any condition, and you will give me the poor quality wheat for free and without compensation. (4 and 6). Here, the important condition is that both gifts are free, otherwise it is difficult (because some believe that transactional usury is not specific to sales, but it is present in all exchanges.) It is clear that giving and gifting by the second person is a demand and motivation, not a condition. In the same way, if you give someone a loan in the hope that if you need it, they will give it to you, there is no problem. Of course, if there are no conditions, and this happens less often in the case of strangers.

### 2-1-2 Usury trick

A person who wants to give a loan to someone else and get a profit and at the same time not commit usury, one of the tricks that is often used is the attachment. In this sense, for example, he pays a loan of one million tomans without any profit or interest to the applicant, but at the same time, he sells a low-value "thing" like a box of matches to him at an exorbitant price, and the profit intended earns through usury, he earns by this means. Therefore, with a good loan and a formal transaction, he escapes usury! (1). It may be said: What kind of transaction is this in which something of low value is sold for tens or hundreds of times its real price? Is this a serious deal? Or is it just nominal? Answer: First: The seller is free to determine the price of his item. Second: such transactions may have different purposes; For example, you know a needy person who is engaged in selling low-value items. You buy a low-value item and pay him several times its price to help him. Here, too, the buyer of this transaction accepts to get a good loan. The second way to escape usury is to sell a condition. The meaning of conditional sale is that the person applying for a loan sells a part of the house, or a car, or another thing that is his property to the lender, but stipulates that if he returns the money within one year, the transaction will be canceled, then the buyer (lender) of the property rents the purchased property to its previous owner for a specific amount, then at the end of the year, the previous owner pays the buyer and cancels the transaction. This is called condition sale, which is one of the ways to escape from loan usury (1).

### 2-2 Opinions of jurists

**The first theory:** Many of the words of the jurists are used that all the mentioned tricks are permissible, and in fact it is not a trick, but a solution. In the example of "Selling one dirham and one dinar for two dirhams and two dinars", the deceased Saheb Jawaher Quds-Sarre claims consensus (Najafi, 391/23).

**The second theory:** Adhering to the aforementioned tricks is invalid everywhere, and it is permissible only in cases of necessity. For example, if someone is sick and needs money for treatment, which cannot be provided except through usurious loans; It is permissible for such a person to adhere to legal tricks, but if the same person can obtain money through other legitimate means, he has no right to adhere to usury tricks. This saying has been accepted by the late researcher Ardabili and Allama Heli in the Book of Jurisprudence. Saeb of Hadaeq says this, It is necessary to avoid legal tricks as much as possible, but if it is necessary, there is no problem in sticking to said tricks; because one should not look at the appearance of legal tricks that seem permissible; Because the reason for the sanctity of usury exists even with the assumption of legal tricks, it seems that the author of the Book of Jurisprudence also refers to the same matter, where he said: If it is necessary to sell usurious goods with a difference in weight...then the legal tricks has been mentioned (Bahrani, 1984:19/265) it seems that these two people have given the above details; which is permissible in case of necessity and not permissible in non-necessity (1).

**The third theory:** some jurists do not consider any of the tricks mentioned as permissible and they believe that all the ways to escape from usury are illegal. Imam Quds Sarreh accepted this theory. It is necessary to mention that he was in agreement with the famous opinion at the beginning, that's why in the first editions of "Tahrir al-Wasila", we read this in this case: There are different ways to escape from usury, which are detailed in different jurisprudence books, and escaping from the haram towards the halal is a worthy thing, such as adding the other thing to the two sides of

the transaction in the transaction of two types of usury" (3). But later they came back from this theory and issued a fatwa just contrary to the famous one. In the recent editions of "Tahrir al-Wasila", the same opinion has been recorded. The words of Imam Quds-Sarra in the later editions of Tahrir al-Wasila, which tells about his new fatwa on the issue of usury, and is contrary to the previous fatwa and is famous, the jurists have mentioned ways in the jurisprudence books to escape from usury. I reconsidered this issue and after studying it again, I concluded that it is not permissible to use usury (through these tricks) in any way; Yes, it is permissible to avoid similar selling with the weight difference of one of the two; For example, one men of wheat, which is equal in price to two men of barley or low quality wheat, and if they want to trade, they can escape from haram to halal. Of course, this is not the elimination of usury (but it is a change in the form of the transaction), but the elimination of usury is not allowed by any of the tricks that have been mentioned (1).

**The fourth theory:** This theory consists of detailing the tricks that have a rational side and are not actually tricks, and the cases that do not have a good side; In other words, detailing between the cases where there is a serious intention, and the cases where there is no serious intention, and the loan is a formalization; In the first case, tricks will be legitimate and in the second case, illegal. The first form is like renting on the condition of a loan, which has a rational aspect and they do this work rationally; Because although the amount of rent is low, but the condition itself - the loan - also has a real value. And the second form is like selling to, attaching something of low value, like putting a can of matches in exchange for one hundred thousand tomans. Such deals are just forms and there is never any serious intention in it; And in other words, this type of transactions with these types of tricks is void (1). Clarifying that one of the conditions for the validity of transactions is to have a serious intention, and wherever there is a transaction, it is invalid, and in some cases, it is a trick, there really is no serious intention, so the mentioned cases do not solve the problem of usury, but in cases, where a serious intention is possible, in such cases, it is a solution. It seems that the second theory is closer to the truth in the issue of tricks to escape usury.

### 2-3 Reasons for theories about usury

After clarifying the opinions and fatwas of jurists about the ways to escape from usury, we should go to their reason so that it becomes clear which reason is stronger and which is the problem of the rest (1).

#### 2-3-1 Evidence of the first sentence

Proponents of the first theory, which is the famous theory of jurists and observes the permissibility of all tricks to escape usury, have mainly cited two reasons for this belief. Adhering to the rules, generalities and applications of evidence of transactions when we look at tricks, the appearances of Sharia laws have been preserved in it, so what is the obstacle for a Muslim man to escape from haram to halal? It's like God has ordered us to escape from adultery by marriage, by means of a simple and brief marriage contract. In other words, in all cases of fraud, an apparent transaction that is subject to the generality has been done; Therefore, we cannot judge the sanctity of ways to escape from usury (1). In our opinion, this reason is worthy of consideration, because we believe that there are three types of tricks to escape usury:

- The first type is tricks that the parties do not have serious intentions, but there are signs and clues that their serious intention was profit or interest, or the transaction of two same genders with a difference in weight. For example, if a person sells his house worth several million tomans for one million and gives himself the option of cancellation for one year, there is no serious intention, and the reason is that he is never willing to give up his house for this amount. Therefore, in cases where there is no serious intention, and the contract has not been executed according to the serious intention, and the rule of "contracts subject to intention" has not been fulfilled. So the transaction is not correct, although apparently it is subject to generalizations.
- The second type of usury tricks are tricks that have serious intentions, but are not rational; Like supplements that are sold for ten or hundreds of times. It is clear that if the transaction is not rational, it is not legitimate; Because the meaning of "Ofuwa Beloghud" is conventional

rational contracts, just as the meaning of sale in "Ahlallah al-Ba'i" is conventional rational transactions. Therefore, in the second type of tricks, if there is a serious intention, but because it is not rational, it will not be allowed, and it is clear that in this case, generality has not been allocated, but this type of trick is also outside of specialization. It seems that the second type of tricks, which do not have a rational aspect, even if we assume a serious intention in it, is also not allowed.

- The third category is the tricks in which both a serious intention can be imagined, and it has a rational aspect, only such tricks are legitimate and subject to the aforementioned generalities and applications; Of course, this type is in the minority compared to the first and second types, and the majority of usury tricks are inside the first and second types, which are illegal. For example, muzarabah is one of the ways to escape from usury, which has both a serious intention and a rational aspect. A person who intends to use his capital and at the same time not be affected by usury, engages in muzarabah, which has a rational aspect and the purpose of investing is to collect profit by means of trading with capital, for this reason, in profit and The capital belongs to both partners, and if it is only in the partner's profit, Muzarabah is not valid (1).

### 2-3-2 The second reason for the famous saying: Special narrations

The second reason for those who believe that the tricks of usury are permissible and legitimate are the special narrations and hadiths, which have been mentioned about escaping from commercial usury, and have explained the way to escape from loan usury.

#### 2-3-2-1 Narratives that show the way to escape from usury.

1. Ali bin Hadid narrates from Muhammad bin Ishaq bin Ammar that he said: "I said to Abi al-Hasan, may peace be upon him, that the salsabil talabt of me is a thousand dirhams, but it is ten thousand dirhams, so the borrowers are ninety-nine alphas, and the abiha's clothing is a thousand dirhams." With ten thousand dirhams, Qal: Labas said to Imam Kazim, peace be upon him: Mrs. Salsabil has asked me for a loan of one hundred thousand dirhams, in order to give me interest in return for ten thousand dirhams, and It is forbidden, to avoid riba) I sell him ninety thousand dirhams and a striped shirt that costs one thousand dirhams for ten thousand dirhams, is this permissible? Imam said: There is no problem" (7).

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- **The document of narration:** The narration in terms of document is weak because of "Ali Ibn Hadid".
- **Meaning of Hadith:** In terms of meaning, the meaning of the narration is clear and explicit and it explains one of the ways to escape from the usury of a loan. The only problem that has been raised. (This problem has also been raised by Motahri in the book "Issue of Usury" on page 230) is that it is possible that Selsabil is the daughter or wife of the narrator - for this reason, the narrator talks about her in such a way as if the Imam, peace be upon him, knows her - and it is clear that usury is between the father and child or husband and wife, in this case the above narration has nothing to do with our discussion. But this possibility seems very unlikely, because if it were so, there would be no need for a legal trick anymore, because usury without a trick is also unimpeded between a father and a child, or a husband and wife, and it was appropriate for the Imam, peace be upon him, to say that there is no need for a trick here; Because you are father and son or husband and wife. It seems that the above narration is weak in terms of chain of transmission, but its meaning is clear, and it shows one of the ways to escape from usury (1).
- 2. And the narrator, al-Kalini An Muhammad bin Yahya An Ahmad bin Muhammad; I said to Imam Kazim, peace be upon him: A person owes me some money and says to delay his demand, is it permissible for me to sell him a dress whose price is one thousand dirhams for ten thousand dirhams or twenty thousand dirhams and delay his debt? Imam said: There is no problem" (7).





- **Document of narration:** This narration has two documents; The first document was narrated by Sheikh Tusi, and this document is weak; Because the shaykh's document to (Ahmed bin Muhammad) is shared between correct and unknown (8). But the above narration is authentic according to the document of the late Kalini in Kafi. Of course, Allama Majlesi authenticated both documents (9). Although Muhammad ibn Ishaq ibn Ammar is reliable, but is not Waqif. Waqfiyah is said to those who are seven imams and have stopped on the seventh imam, Hazrat Imam Kazim (peace be upon him) and have not accepted the next Imam.) But the fairness is that being a Waqfi does not affect the narrator's credibility, therefore, being a Waqfi of Muhammad ibn Ishaq does not make him weak, in addition to the fact that the principle of being a Waqfi is not certain, there is a difference between the scholars in this regard.
  - **Meaning of Hadith:** The hadith does not have a special problem in terms of its meaning, and its meaning is clear about the usurer's trick, unless we consider the narration to refer to the debtor's "emergency" property, that is, we say that the narration prescribes the mentioned trick, provided that the debtor has no other choice but the said trick, in which case the meaning of the narration becomes difficult (1).
3. A person wrote a letter to Imam Kazim (peace be upon him) and raised a question like this: I have business with a tribe and I sell flour to them in any qafiz (qafiz is a unit of weight, which has changed in different ages and times). I sell on credit, I get two dirhams from them, they asked me to give them money (as a loan) instead of half of the said flour (and they are willing to pay the interest on the money). Is it legal to do this? In his answer, the 7th Imam, peace be upon him, wrote: pay them the requested amount in the form of a loan and whatever amount of profit you get from the sale of all the flours; Add to the remaining price of the flour they buy from you (7). This narration is weak in terms of the document; Because it is a message, because the person who was the intermediary between Suleiman Dilami and the 7th Imam, peace be upon him, is unknown. But the implication in the hadith is clear and explicit (1).
  4. In Nahj al-Balaghah, quoting Ali, peace be upon him, Seyed Razi cites a word from the Messenger of God, peace and blessings of God be upon him: O Ali, Muslims will be tested in the future by means of their wealth... They make what is forbidden by God lawful with false doubts and whims without studying (in this regard, they do three things), they consider drinking wine as lawful by expressing its name as "Nabiz", and they prescribe bribery under the pretext of a gift, and (finally) they practice usury in the form of sale and transaction (1).
  5. Saleh bin Uqbah narrates from Yunes Shaibani: Yunes says: I said to Imam Sadiq, peace be upon him: A person makes a transaction (such as credit and cash transactions where, for example, a usurer buys these goods for one hundred thousand tomans in cash, then sells them to him on a one-year loan for one hundred and two hundred thousand tomans). The seller and the buyer know that the price of the goods sold is not this amount, but they know that the seller will buy it again (and in this purchase and sale, the main meaning of usury is this transaction. Is it permissible?) Imam Sadiq (peace be upon him) said: O Yunes, the Holy Prophet, God bless him and grant him peace, said to Jaber bin Abdullah Ansari: How are you doing, when oppression spreads among Muslims and this oppression causes the humiliation of Muslims? Jaber said: May God not leave me alive until that time, my parents are redeemed, how will usury become popular among Muslims at that time. Then Imam Sadiq (peace be upon him) said to Yunes: The transaction you mentioned is usury (and its sign is that) if the second transaction is not completed, the buyer will destroy the first transaction, isn't that the case? Yunes said: Yes, it is. Hazrat said again: Don't get close to such a deal at all (7). Of course, this hadith is weak in terms of document; Because first of all, Sael himself, Yunes Shaibani, is unknown from the point of view of the science of men, and his justice and trustworthiness are not fixed for us. And secondly, Saleh bin Uqbah, which is found in the document of hadith, is common, and all of them are anonymous, so the above narration is weak. However, it is good from the point of view of the implication and it is right against the permissibility of the Shariah tricks of usury and negates it, but in any case, this narration supports our argument, not the main reason. Anyway, these two narrations conflict with the narrations of the tricks of riba,

and when they are attached to each other, it is enough to prove the intention. It seems that the first family of narrations indicating the legality of usury tricks is not acceptable for three reasons, the most important of which was the second reason (1).

### **2-3-2-2 Narratives that are stronger in terms of documents and evidence in proving the way to escape from usury.**

1. Abd al-Rahman bin Al-Hajjaj quotes Imam Sadiq (peace be upon him) as follows: (Imam Sadiq (peace be upon him) says: Muhammad Ibn Mankader (8) used to say to my father, Imam Baqir (peace be upon him): O Abu Jafar, if you take one dinar, while its price is 18 dirhams, and go around the entire city of Madinah, where someone buys it for 20 dirhams, you will not find a buyer, so this is nothing but escaping usury. My father always answered: You are telling the truth, this is an escape from falsehood towards truth (7).
  - **Narrative document:** This narration has no problems in terms of the document and is valid.
  - **Implication of the narration:** The above narration is also okay in terms of its implication, but the following one is used, which does not refer to the issuance of the hadith, as if Imam Baqir, peace be upon him, had said something about the addition, which caused Muhammad bin Mankader to be surprised, and he raised the above question. However, this narration indicates that the addition solves the problem of usury in the transaction of two similar things, not of equal weight (1).
2. Abidullah Halabi, who is one of the high-ranking narrators and one of the Companions of Imam Sadiq, peace be upon him, narrates as follows: Imam Sadiq, peace be upon him, said: There is no problem with a transaction of one thousand and one dirhams, with one thousand dirhams and two dinars, that is, with an attachment of two dinars or less or more. This narration is both valid in terms of the document and in terms of the explicit implication. In addition, this hadith is also used that the amount of the attachment is not important whether it is small or large, but the fact that it exists is important (1 and 7).
3. Qasim Ibn Muhammad, of Ali, of Abi Basir, of Imam Sadiq, peace be upon him, narrates the following: I asked Imam Sadiq (peace be upon him) about trading dirhams for dirhams if they have a difference in weight? The Imam said: "If gold or copper is added to it, there is no problem". This narration is good in terms of evidence, but it has a problem in terms of its document, because first of all, Qasim bin Muhammad, who is included in this narration, is an unreliable person, and secondly, what is meant by "Ali" is Ali bin Abi Khamra Bataini, who was the guide of the blind Abu Basir, and he usually took Abu Basir to different places, and he is also an unreliable person.

It seems that the quoted narrations are used that in order to escape from commercial usury, in the sale of two non-equivalent similar things, adding an attachment is a suitable way, even if the attachment is a small thing. This group of narrations is stronger in terms of evidence and more explicit in terms of meaning (1).

The same problems of the first group can be seen here, because firstly, in many cases, the attachment and selling it at a high price is not serious, that is, no one ever buys a piece of copper for 500 dinars and does not have a serious intention in this transaction. Secondly, none of the evils of usury will be removed by doing this (appendix). Therefore, the aforementioned traditions are against the verses of the Qur'an and the traditions that mention the aforementioned evils for usury. It seems that we cannot follow the traditions of the second group and we are forced to either ignore them or go for an interpretation that does not have the above problems (1).

### **2-3-2-3 Narratives that explain the solution in two separate transactions.**

1. Saeed Ibn Yasar quotes from Imam Sadiq, peace be upon him: My father, Imam Baqir, peace be upon him, sent me with a bag containing a thousand dirhams to a money-changer from Iraq and ordered me to tell him: sell our dirhams, and when he has sold them and received their money, use their money to buy us dirhams in Madinah." This narration is authentic in terms of the document and in terms of its explicit meaning, it seems that both transactions were in cash (1).



2. and 3. Abdullah bin Jafar in his book, *Qarb al-Asnaad* from Abdullah bin al-Hasan and from his grandfather Ali bin Jafar and he from his respected brother Hazrat Musa bin Jafar, peace be upon him, narrates the following: I asked the seventh Imam about a person who sold a dress for ten dirhams and then bought it for five dirhams, is such a transaction haram? The Imam said, if you do not condition (and the two transactions are independent) and both parties are satisfied, there is no problem (7). The meaning of the narration is clear, but from the point of view of the document: the narrations of *Qarb al-Asnad* are not reliable according to many elders; However, regarding this narration which is directly quoted from the book of Ali bin Jafar, considering the fact that the book of Ali bin Jafar was with Saheb Vasa'el (Sheikh Har Amoli), and he narrated the hadith directly from the book of Ali bin Jafar, this narration is authentic according to this document provided that both transactions are independent and separate from each other and there is no special condition, and using the word trick here means a solution, not its negative meaning, and it indicates the independence of the two transactions. Therefore, we accept this group of narrations and allow action according to it (1).

### 3. CONCLUSION

According to the mentioned materials, it can be concluded that the opinions of jurists are different about the tricks of usury. It is well-known that all loan and trading tricks are permissible and in fact, it is not a trick but a solution. The second group of jurists consider the aforementioned tricks to be invalid everywhere and permissible only in necessary cases, and the other group do not consider any of the mentioned tricks to be permissible and believe that all ways to escape usury are illegitimate, and the late Imam Quds Sarrah accepted this opinion, and the fourth opinion is that the description of the tricks that have a rational aspect and the cases that do not have a noble aspect means that the detail is between the cases between serious intention and no serious intention, and it seems that the second opinion is close to the truth. There are many types of tricks to escape from usury, not all of them are the same, some of them are permissible and correct, and some of them are also impermissible and incorrect, and those types are tricks that do not have a serious intention; Like attaching a can of matches to a loan or trading or selling it to hundreds of times the price, these kinds of tricks are not legitimate, and the things that are seriously assumed and intent are not rational, and rational is considered to be a casual act, so it is also false. It is invalid and there are also cases that have a rational form and are not formal; Like two independent transactions that have nothing to do with each other. This type of trick and everything similar to it is permissible. In fact, trick does not have a negative meaning, but it is a kind of solution.

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