بسم الله الرحمن الرحيم

Series of Questions Addressed to Eminent Scholar Ata Bin Khalil Abu Al-Rashtah Ameer of Hizb ut Tahrir Through His Facebook "Fiqhi" Page

Answer to Question

The Ruling on Taking a Loan from the State

To Hichem Habbesi

(Translated)

Question:

Assalamu Alaikum wa Rahmatullah wa Barakatahu,

I ask Allah (swt) to facilitate victory and empowerment for the Ummah of Islam and to make that soon without delay, and to grant you, our noble Sheikh, continued health, well-being, and safety. To proceed:

The Tunisian government has announced a program to facilitate loans for segments of the population whom it calls vulnerable segments, by granting them loans without interest. Is it permissible for Muslims to apply to obtain such loans, or is dealing with banks impermissible in the first place, even when the loan is at 0% usury?

May Allah bless you, increase you in His knowledge, and grant victory at your hands.

Answer:

Wa Alaikum Assalam wa Rahmatullah wa Barakatahu.

First: Borrowing without riba (interest) is permissible for someone in need. In this case, the lender will receive a reward, by Allah's permission. Among the evidences for this are:

1- As for the reward for the lender, Muslim reported... from Abu Hurairah (may Allah be pleased with him), who said: The Messenger of Allah (saw) said: **«مَنْ نَفَّسَ عَنْ مُؤْمِنٍ كُرْبَةً مِنْ كُرَبِ الدُّنْيَا نَفَّسَ اللَّهُ عَنْهُ كُرْبَةً مِنْ كُرَبِ يَوْمِ الْقِيَامَةِ وَمَنْ يَسَّرَ عَلَى مُعْسِرٍ يَسَّرَ اللَّهُ عَلَيْهِ فِي الدُّنْيَا وَالْآخِرَةِ» "Whoever relieves a believer of one of the hardships of this world, Allah will relieve him of one of the hardships of the Day of Resurrection. And whoever makes things easy for someone in difficulty, Allah will make things easy for him in this world and the Hereafter."**

Likewise, Ibn Majah reported in his Sunan... from Ibn Mas'ud that the Prophet (saw) said: **«مَا مِنْ مُسْلِمٍ يُقْرِضُ مُسْلِماً قَرْضاً مَرَّتَيْنِ إِلَّا كَانَ كَصَدَقَتِهَا مَرَّةً» "There is no Muslim who lends a Muslim a loan twice except that it is like giving it in charity once."**

2- As for the permissibility of a loan for someone in need:

a- Muslim reported... from Abu Rafi' (may Allah be pleased with him): **«أَنَّ رَسُولَ اللهِ ﷺ اسْتَسْلَفَ مِنْ رَجُلٍ بَكْراً فَقَدِمَتْ عَلَيْهِ إِبِلٌ مِنْ إِبِلِ الصَّدَقَةِ فَأَمَرَ أَبَا رَافِعٍ أَنْ يَقْضِيَ الرَّجُلَ بَكْرَهُ فَرَجَعَ إِلَيْهِ أَبُو رَافِعٍ فَقَالَ: لَمْ أَجِدْ فِيهَا إِلَّا خِيَاراً رَبَاعِياً. فَقَالَ: أَعْطِهِ إِيَّاهُ، إِنَّ خِيَارَ النَّاسِ أَحْسَنُهُمْ قَضَاءً» "The Messenger of Allah (saw) borrowed a young camel from a man. Then camels from the charity camels arrived for him, so he instructed Abu Rafi' to repay the man with his young camel. Abu Rafi' returned to him and said: 'I found among them only a choice, six-year-old camel.' He said: 'Give it to him, for the best of people are those who are best in repaying debt.'"**

b- Al-Nasa'i reported... from Isma'il ibn Ibrahim ibn Abdullah ibn Abi Rabi'ah, from his father, from his grandfather, who said: **«اسْتَقْرَضَ مِنِّي النَّبِيُّ ﷺ أَرْبَعِينَ أَلْفاً فَجَاءَهُ مَالٌ فَدَفَعَهُ إِلَيَّ وَقَالَ: بَارَكَ اللَّهُ لَكَ فِي أَهْلِكَ وَمَالِكَ، إِنَّمَا جَزَاءُ السَّلَفِ الْحَمْدُ وَالْأَدَاءُ» "The Prophet (saw) borrowed forty thousand from me. Then some wealth came to him, so he paid it to me and said: 'May Allah bless you in your family and your wealth. The repayment of a loan is only praise and fulfillment.'"**

3- If borrowing is for a need and is permissible according to the Shariah, then Allah (swt) will help the borrower repay it by making the matter easy for him:

a- Al-Bukhari reported... from Abu al-Ghayth, from Abu Hurairah (may Allah be pleased with him), from the Prophet (saw), who said: «مَنْ أَخَذَ أَمْوَالَ النَّاسِ يُرِيدُ أَدَاءَهَا أَدَّى اللَّهُ عَنْهُ، وَمَنْ أَخَذَ يُرِيدُ إِتْلَافَهَا أَتْلَفَهُ اللَّهُ» **"Whoever takes people's wealth intending to repay it, Allah will repay it on his behalf; and whoever takes it intending to destroy it, Allah will destroy him."**

b- Ahmad reported in his Musnad... from a man, from Maymunah bint al-Harith, who said: I heard the Messenger of Allah (saw) say: «مَنِ اسْتَدَانَ دَيْناً يَعْلَمُ اللَّهُ عَزَّ وَجَلَّ مِنْهُ أَنَّهُ يُرِيدُ أَدَاءَهُ أَدَّاهُ اللَّهُ عَنْهُ» **"Whoever incurs a debt, and Allah, the Mighty and Majestic, knows that he intends to repay it, Allah will repay it on his behalf."**

That is, Allah will help him in repaying it.

Second: As for riba (usury), it is forbidden with a severe prohibition:

a- The Almighty said: ﴿الَّذِينَ يَأْكُلُونَ الرِّبَا لَا يَقُومُونَ إِلَّا كَمَا يَقُومُ الَّذِي يَتَخَبَّطُهُ الشَّيْطَانُ مِنَ الْمَسِّ ذَلِكَ بِأَنَّهُمْ قَالُوا إِنَّمَا الْبَيْعُ مِثْلُ الرِّبَا وَأَحَلَّ اللَّهُ الْبَيْعَ وَحَرَّمَ الرِّبَا﴾ **"Those who consume usury will not stand except as one stands who is being beaten by Satan into madness. That is because they say, 'Trade is [just] like usury.' But Allah has permitted trade and has forbidden usury."** [Surah Al-Baqarah: 275].

b- The Almighty said: ﴿يَا أَيُّهَا الَّذِينَ آمَنُوا اتَّقُوا اللَّهَ وَذَرُوا مَا بَقِيَ مِنَ الرِّبَا إِنْ كُنْتُمْ مُؤْمِنِينَ * فَإِنْ لَمْ تَفْعَلُوا فَأْذَنُوا بِحَرْبٍ مِنَ اللَّهِ وَرَسُولِهِ وَإِنْ تُبْتُمْ فَلَكُمْ رُءُوسُ أَمْوَالِكُمْ لَا تَظْلِمُونَ وَلَا تُظْلَمُونَ﴾ **"O you who have believed, fear Allah and give up what remains [due to you] of usury, if you should be believers. * And if you do not, then be informed of a war from Allah and His Messenger. But if you repent, you may have your principal—[thus] you do no wrong, nor are you wronged."** [Surah Al-Baqarah: 278–279].

Third: Taking and repaying the loan:

a- If the loan is from the government—for example, from the Ministry of Finance or its departments, you submit an application for the loan, approval is granted, and you receive the loan on the condition that you repay it to the state departments within a specified period, without any increase (usury). If this is the case, it is permissible.

b- If the loan is from the government's bank and you repay it to the government's bank without any increase (usury), it is permissible.

c- If the state gives you the loan through a private bank, meaning one that is not a joint-stock company, and you repay it through that bank without any increase (usury), it is permissible.

d- However, if the loan is given to you by the state through a bank that is a joint-stock company and you repay the loan to this bank, it is not permissible, because the joint-stock company's contract is invalid, and therefore dealing with it is not valid.

In conclusion, I ask Allah, Glorified and Exalted, to provide you with halal (lawful) and wholesome provision: ﴿إِنَّ اللَّهَ هُوَ الرَّزَّاقُ ذُو الْقُوَّةِ الْمَتِينُ﴾ **"Indeed, it is Allah who is the Provider, the Possessor of Power, the Firm."** [Surah Adh-Dhariyat: 58].

Your brother,

Ata Bin Khalil Abu al-Rashtah

13 Jumada al-Awwal 1448 AH

Corresponding to 24 October 2026 CE

The Link to the Answer from the Ameer's Facebook Page:
https://www.facebook.com/AtaAboAlrashtah/posts/122157585087129051