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Submission date: 25-Sep-2023 07:44PM (UTC-0400)

Submission ID: 2175591213

File name: Analytical_study__Proofread_Pakistan.docx (32.38K)

Word count: 3973

Character count: 20826

Theme of some selected scholars' views regarding Islamic banking (analytical study of YouTube videos)

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Abstract

This paper investigates scholars' views regarding Islamic banking. This paper is different from a general analytical study of printed material. This is because videos on YouTube regarding Islamic banking are briefly analyzed in this. Scholars' Videos show different ways to present their point of view regarding Islamic banking. Some scholars' views are brief, while others have used historical and descriptive styles. Some scholars used comparative methodology to differentiate Islamic banking from conventional banking systems. Some scholars have presented views about the formation and implantation of Islamic banking with the collective formation of rules uniform in all schools of thought of Islam. This means that the past and present of Islamic banking and conventional are discussed while some present uniform acceptable norms to all schools of thought for the future. Furthermore, this paper presents the theme of spoken words by scholars in the shape of written material, which may be seen, read, and preserved for analysis and future reference. In short, this paper presents scholars' views about interest as some opine that there is no vivid difference between conventional and Islamic banking regarding interest rate application and prohibition.

Keywords: Islamic banking, conventional banking, interest, Scholars, trade, permitted.

Introduction

It is a fact that the economy is considered the backbone of every country. While for developing countries, it has more value than the developed ones because of the financial problems of developing countries. At the same time, it is a fact that the banking system has laid its foundations in nearly all the world's countries. There is no country in which banks are not established. The banking system is based on the interest rate, which is not permitted in Islamic teachings. At the same time, the interest rate is being implemented even in Islamic countries. This is so astonishing for the Muslims who are indulged in interest-based activities rather than eschewing from the interest.

Objective of study

There are many objectives of the study. Anyhow, some are presented as under:

- 1-To know about the interest rate and the banking system;
- 2-To know the YouTube videos regarding scholars' views;

- 3-To know about the scholars' views on differentiation;
- 4- To know about the effects of interest rates on the economy;
- 5- To validate the YouTube videos for researchers in the future;

Literature Review

In this article, YouTube videos about the concerned topic have been analyzed rather than written material. This article presents the point of view of different selected scholars regarding Islamic banking.

Discussions & Presentations

Thousands of articles are written about the interest rate and published in research journals. But on YouTube videos, very few scholars' views uploaded their videos regarding interest rates and the banking system. Some selected scholars' views are as follows;

Dr. Zakir Naik's views regarding Islamic banking

In his view, is it permissible to work for an interest-based bank? This is a question asked by Dr. Zakir Naik, a reverted Muslim brother.

Reply: Working in conventional banks is *haram* because they work on interest.

You should join Islamic banks that work on *muzarbat* and *musharkat* based on trade. So, that is permissible and halal because interest is not involved in these Islamic trade-based banks. If under compulsion in non-Muslim countries, keep account permitted by some scholars. But I can't entirely agree with this. Do not be involved in *riba*, by the Holy Quran, because interest is prohibited. So try to keep your account current as a last resort, or it is better to save your money in an Islamic bank based on trade rather than interest. In conventional banks, keeping money means you are part of *riba*/ interest. (Dr.Zakir Naik, 2016; 2017; 2022)

Mufti Tariq Masood's views regarding Islamic banking

In his view, Profit in Islamic banks is without earning interest.

Mezan and Islamic banks trade on *Muzarbat*, *Musharkat*, *Ijarah* and *Baisalm*.

Tariq Masood states that the Islamic bank refused to open my account in a bank. The penalty is imposed after paying the installment on time. Malki Mazhib gives authority to take the penalty. (Mufti T.Masood, 2022; 2017)

These penalty monies are given in charity, which is not based on interest because banks have agreed with clients to do charity through the banks. So, the penalty imposed on payment is accurate. Islamic bank is a way to avoid interest. This is the ideal of the Islamic way so that less sin may be adopted rather than greater sin in case of compulsion.

Dr. Asad Zaman's views regarding Islamic banking.

In his view, the Islamic banking system is similar to the Western **macrobanking** system regarding global consequences. The purpose and objective of Western banks in a capitalist economy is to help accumulate, preserve, and hoard wealth and fame in the Islamic banking system. In Western banks, they double the money based on interest, while in Islamic banks, they double the money but in a halal way. The idea is not compatible with Islam. The idea is that I have luxuries while others are starved. This idea is also not compatible with the spirit of Islam. **But this is the spirit of the banking system**. They have indeed changed some internal issues and infrastructure regarding the Shariah complex. These types spread agreed in the consumer-oriented society. When you go to the Western bank, they tell you how to double money without considering whether it is halal or haram, but in Islamic banking, they also double the money in a halal way. (Zaman, 2015; 2020; 2022; 2023)

Dr. Khalid Zaheer's views regarding Islamic banking

From his point of view, in our society, an alternative banking system is introduced as Islamic banking. In the Islamic banking system, some Arabic terms are used as authentic, such as **Muzarba, Musharka, Murabeha, Bai Salm, and Ujarah**. **And there is the role of Islamic Intellectuals in Islamic banking**.

In banks, Islamic Intellectuals, tension remains regarding fiqh in banking matters. In deen, riba is prohibited, so it is necessary. Riba-free banking should be given a new name instead of Islamic banking because the word Islamic must only be used in the Quran or Hadith. **In Islamic banking, different terminologies are used by the ulama**. These are just advertisements for earning income and business promotion (Khalid, 2019; 2020).

Dr. Israr Ahmad's views regarding Islamic banking

From his point of view, Premier Islamic banking, regarding **Mezan Bank**, according to my point of view, with period, is attractive. Bai Muajal and Bai Murabiha are both terms used in Islamic banking. In **baimuajjal**, the period is involved, while in **baimurabeha**, both parties are profit-sharing. In **baimurabeha**, there are two types:

- i- Such **murabeha**, based on the involvement of the period, is not permissible.
- ii- Such **murabeha** is permitted and halal based on cash-to-cash transactions. Regarding Justice Taqi Usmani's views, They think they are permissible to bai **muajjal** and bai **murabeha**. **But In Dr. Israr's view, bai murabeha permitted hand-to-hand transactions**. **Mezan Bank does pure leasing because taking the car on rent is correct. But if you buy a car with ten lakh/ one million and after this people have to pay 15 lakh, after a fixed period, this is interest.**(Israr, Dr.,2020;2021)

Dr.Tahir-ul-Qadri's views regarding Islamic banking

In his view, Pakistan is also considered the fastest-growing economy in terms of the Islamic banking system in the world.

The main Problems are as follows:

Lack of harmonized rules in Pakistan;

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Divergence of the opinion of different Muslim Scholars of different schools of thought, Hanfi, Hanbali, Shafi and Maliki;

Universal and standardized rules are not being established without universal and unified Shariah courts, and the acceptability of products in the Islamic banking system will be fragmented;

The fact is that the Islamic banking system is spreading all over the world;

Challenges are multidimensional and of multiple types and diverted;

Non-uniformity of products is in the Islamic banking system of the world;

Scholars are considering the validity and invalidity of products of the Islamic banking system. However, multi-interpretations are being done by different schools of thought;

Countries differ in terms of the Islamic banking system regarding interpretation of difference;

Conventional banking systems are more prominent in the world than Islamic banking systems (Qadri, 2017; 2018; 2020)

Solution to purpose

1-There is strict conformity with one school of thought pre-dominated one region and a second region, a school of thought of law with second opinions.

*The problem lies in one *mazhab* conformity, while the solution lies in all law schools, *taqleedulmuzahib*.

**A global Shariah council and courts must be established instead of the regional council.

2-Permissibility of one school of thought must be adopted for all schools of thought because all schools of thought are rights.

*** *Taqleedul Muzahib* creates expansion rather *taqleedul Mazhib* creates *taqayyed*.

****Imam Hasan Al-Shormbilali al-Hanfi and Imam Roayani's ancient jurisprudence Al-Eqdul Fareed and *taqleedul muzahib* justify shifting one school of thought to another school of thought. That is permissible to shift during shifting. There is no *Ijmdh* (consensus of opinions) where there is a difference. All should adopt the principles rather than exemptions.

It can be quoted from Allama Abdul Hayay Farangi Mahalli Al-Lakhnavi's book *Majmu Al-Fatawa*. This book provides the intellectual basis of:

- I. Methodology of *taqayyed* with one school of law
- II. Methodology of expansion with different schools of thought.

This is why, in jurisprudence, the following terms are used:

Arjaa; Asbata, Azhar, al-ashah, and Awfaqa. In jurisprudence, these terms are used by scholars to mean more preferable/higher degree of acceptability and provide in all *muzahib*.

In every *muzhib*, there is a space to choose one of these opinions.

*Rule should be applied within the rule of a particular **muzhib**, so it should be applied to all other **mazahib** within the region and other regions.

The jurisprudence method of expansion can be seen from the following principles:

- a. Principle of elimination of pain;
- b. Principle of relief;
- c. Principle of declining pain;
- d. Principle of expansion.

As concerned types of **mujtahids**, these may be considered as:

- I. Mujtahid fi -Al-Sharah
- II. Mujtahid Fi Al-Taqleed
- III. Mujtahid Fi-Al-Masaeyl
- IV. Muqalledeen

Besides these rules mentioned above, there is **continuous** space remaining to interpret and re-interpret the things from the past evidence-based.

Almir Colan's views regarding Islamic banking.

In his view, Banks make money for money. Their exchange is to earn money for money. And in these exchanges, there is no risk. Banks are chasing people who could get loans or house loans. And they are getting more and more people to give loans. But by these compounds interest of loans, all economy is triggered down. When the economy goes down, you are benefiting in case of "g", disaster. This interest is like cancer. Due to its harmful effects, Riba/ Interest declared war against Allah and the Prophet (P.B.U.H.).

Through banking interest, 50 million of insurance may be 1 billion. How quickly they are making money billions of dollars. These bankers and rich people make double the amount in a couple of years without risk or doing anything. Interestgivers are clever persons, and they do insurance, too. The economy goes down because they are giving money for their benefits, but you benefit through interest, earning interest, and earning amount in case of interest (A.Colan, 2016; 2019)

You exploit those who must be protected when earning profit through riba/ interest. We appreciate all the beautiful things of Islam. Wealthy people are cleverer because they give money on interest to banks or those who require money for help and protection. This means that they are exploiting the poor people who must be protected. This is why this is declared a war against Allah & Prophet (S.A.W.).

Abdullah Sameer's views regarding Islamic banking

In his view, Islamic finance is a scam. In Abdullah Sameer's point of view, Interest is forbidden in Islam. As concerned conventional mortgage it is done both for the banks and for the persons. Islam has completely forbidden interest. The question arises as to why interest is forbidden. The reason is that interest is a bad thing. Its lots of harmful effects are bad for practical Muslims.

Regarding the conventional mortgage and an Islamic mortgage, it is not permissible for Muslims to be involved in interest-based transactions. House mortgage in the west is standard. But in a

mortgage, who takes more than is riba/ interest? Dealing with interest is not permissible according to the Quran, Sunnah, and the consensus of Muslims. Muslims should think that Allah is watching everything at every time. So, avoid these types of interest transactions (Abdullah Sameer, 2022).

Mufti Rafi Usmani's Views regarding Islamic banking

In his view, the Islamic system is different from capitalism and communism. Now, shariah boards are being established, and this has its history. As far as the history of Interest-free banking, it started with the establishment of Pakistan. The Islamic economy must be based on justice in equilibrium.

It is history that our finance minister, Chaudhry Rehmat Ali, considers Islamic principles in budget formation. Many recommendations were given to the finance minister by Mufti Shafi on demand of the finance minister. However, the entire budget cannot be formulated on an Islamic basis. Quran has declared an interest as prohibited to eliminate the cruelty system.

When Imam Muhammad asked it that you have written on jurisprudence, but you have not written on Sufism/ mysticism? Imam Muhammad replied that the Kitab al-buyout had been written as the basis of Sufism.

There was continuous interest in trade in the present banking system in ancient times. Mufti Shafi Usmani wrote the book "Sood," and Maulana Madoodi also wrote a book on interest titled "Sood" (Rafi Usmani, 2018; 2022).

The maximum interest/ riba was of Abbas on the conquest of Makkah. The prophet eliminated that. There are so many ways to reach Allah Almighty as breathes of all creatures by famous hadith sciences. Two conditions are necessary for the formulation of every system. These are as follows:

- i- These must be under Shariah rules and regulations;
- ii- These must be pure for Allah Almighty.

If these conditions are included in any assignment, world matters will become religious. The famous periodical 'Deen ki Dunya' is worth reading, which throws light that everything becomes part of deen if done under the Shariah commandments.

Upon returning, a Saudi Scholar about Pakistani people replied that in Pakistan, I found every person is half mufti and half doctor or Hakeem. All the people who have listened since morning and know about scholars' views regarding Islamic banking, you have guessed that Islamic banking is not an easy assignment. There are many complexities in the implementation of Islamic banking. Mufti Shafi has established Dar Al-Aftaw in Karachi for this purpose. It is a famous proverb, "who does not know of his recent time, so he is ignorant."

Mufti Taqi Usmani's views regarding Islamic banking

In Mufti Taqi Usmani's views, it cannot be said that Islamic banks are 80 percent permitted while 20 percent are haram or prohibited. But, the problem is that there may be a shortage or weakness in implementation.

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Regarding the product of Islamic banks, this is purely Shariah-based, but weakness may be possible in implementation. Products are one hundred percent correct, but there may be weaknesses in the implementation of policies of Shariah. Overall, Islamic banks are one hundred percent pure and accurate. If there are some weaknesses, these may be possible implementations that may be improved (Mufti Usmani, 2016; 2020; 2022).

Regarding the difference between Islamic and conventional banks, Islamic banks are better than conventional banks. The reason is that the product of Islamic banks has been prepared after solid considerations. Therefore, it is one hundred percent true. So, as a whole, Islamic banks are accurate. Anyhow, in it, every transaction cannot be accurate or factual. If any mistake is pointed out, the income from banks, 60 percent or 80 percent, is kept rather than the whole income, and then it is the most suitable thing in my point of view.

Dr. Zubair Ashraf's views regarding Islamic banking

In his views, he states that In the Holy Quran, Allah has declared that trade while interest is prohibited. In contrast, the Holy Prophet (S.A.W) cursed those who take interest, give interest, and write the matters of interest and its witnesses.

In riba's definition, every excess loan or debt is called riba. The types of riba are as follows: Riba Al-Nasiah and Riba Al-Fazdhal. In barter sales, six things are discussed mainly by mentioning. In barter sale, there are three things mentioned that may be explored:

i-Sale of the same gender of the product;

ii-Sale of one thing with the other things;

iii-Sale of those things that are not mentioned in the Holy Quran. All these points are worth describing for Islamic banking.

Presently, the interest is used in banks, or the ulama called riba. This is the first type of riba that was familiar centuries ago. Regarding the description of interest, the Quran presents principles, while descriptions may be seen from the hadith sciences of the Holy Prophet (P.B.U.H.). Where the commandment is not apparent, the doors of qiyas and ijtihad open.

Banks' interest is not today's new interest but since ancient times. Therefore, ulamas call it interest. Because all the banks provide facilities to their clients, these are loan-based. This means that for every disease, the cure is the same. The reason is that if you want a house, car, or any other equipment, a loan is given to all, and a fixed return is received on this loan. This is against the sayings of the Holy Prophet (P.B.U.H.), so muftis and ulama declare their interest. And this is interest also in reality.

Banks do not take responsibility for anything. Banks do not deal with assets. But they deal in loans and paper. Islamic banking and conventional banking are pretty different from the verse of the holy Quran that trade is permitted while interest is prohibited. Therefore, sale and purchase are permitted while interest is prohibited. Now, it is questionable that that interest is prohibited; what is that interest?

The definition of sale is “exchanging goods with goods.” Therefore, profit or loss occurs when you sell the goods with money; in this, there is a responsibility, so this is the sale. While in Riba, the loan is given, and a fixed return is received. In this, there is no responsibility and risk. Islamic banking works with assets, sale/purchase, and risk responsibility. In conventional banking, the loan is given, interest is received, and it has no relation with assets and risk. This is a famous sentence: "What is the difference between Islamic and conventional banking?". The fundamental problem is not a percentage of interest or percentage of return. If 10 percent is permitted and 11 percent is prohibited. (Dr. Zubair, 2015; 2022)

Shariah does not discuss the percentage of profit. The matter of shariah is of principle. This is the principle of Shariah that if you are involved with a sale and purchase transaction, and you are fulfilling Shariah text, then it is permitted, and if the sale and purchase is prohibited, then it is haram. If it is based on a loan, then it is interest. The difference in method makes halal or haram.

For methodology, an example of mobile can be presented to understand riba/ interest and trade, e.g., one person comes to me and says that he wants to purchase a mobile, so give me ten thousand rupees. I will return eleven thousand to you after one or three months. I gave him ten thousand for the purchase of a mobile. He buys mobile from the market. And in this purchase, I have no relation or risk because I will receive eleven thousand after a fixed period.

But Islamic methodology tells him I will give you a mobile after purchasing it from Bazar, then sell it to you. So I go to the bazaar and buy a mobile then sell him for eleven thousand by taking one thousand profits on purchase of ten thousand. This methodology involves sale and purchase, so it is trade and permitted. But if sale and purchase are not involved, you earn interest on the loan money.

In both cases, one thousand rupees are earned, but on loan money, the excess amount is interest, while on purchase and sale, the earned amount is permitted and halal due to trade in which risk is involved.

Concluding Remarks

In Zakir Naik's view, working with conventional banking and being an account holder in interest-based banks is like supporting the interest system, so avoiding these banks is better. In Tariq Masood's views, in Islamic banking, interest is not involved as in conventional banking; anyhow, in the situation of two sins, less may be chosen in compulsion. In Asad's view, there is no difference between Islamic and conventional Western banking. In Khalid Zaheer's views, Islamic banking must not be used because it is just like exploitation. In Tahir-ul-Qadri's views, Muslims are still divided into indifferent schools of thought, while all have the exact origin. However, there is a need to formulate universal rules acceptable for all schools of thought for universal validity. In Dr. Israel's views, *bai-murabaha* involved in hand-to-hand transactions is allowed while others may not. In Almir colon's views, interest bearing is just like exploitation, so it is better to avoid such exploitation. In Abdullah Sameer's view, it is better to avoid interest-based matters. In Mufti Rafi Usmani's views, the history of Islamic banking relates to Pakistan's history, but implementation is still required as it is not easy. In Mufti Taqi Usmani's views, Islamic banks are based on a trading system under shariah principles; if there is a weakness, it may be in implementation. In Rafi Usmani's views, it may be stated as “without purity for Allah and application of shariah rules, the financial system may not be corrected”. In Taqi Usmani's

view, the problem lies in Islamic banking in its implementation of policies rather than its theoretical framework. In Zubair Ashraf's view, those things are forbidden in the Holy Quran and hadith. Therefore, forbidden is necessary while those things are not mentioned as forbidden or permitted, and ijtihad and qiyas solution may be found if in ijma there is no evidence about the status of a particular thing. Besides this, the fact is that in the name of the word Islamic or Islami, interest has been being used in all conventional and Islamic banks because the economies of concerned Islamic developing countries are collapsing daily.

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Missing ", " Review the rules for using punctuation marks.



Sp. This word is misspelled. Use a dictionary or spellchecker when you proofread your work.



Coord. Conjunction Review the rules for combining sentences.



Wrong Article You may have used the wrong article or pronoun. Proofread the sentence to make sure that the article or pronoun agrees with the word it describes.



Sp. This word is misspelled. Use a dictionary or spellchecker when you proofread your work.



Article Error You may need to remove this article.



Sp. This word is misspelled. Use a dictionary or spellchecker when you proofread your work.



Sp. This word is misspelled. Use a dictionary or spellchecker when you proofread your work.



Article Error You may need to remove this article.



Confused You have used either an imprecise word or an incorrect word.



Article Error You may need to use an article before this word.



Coord. Conjunction Review the rules for combining sentences.



Prep. You may be using the wrong preposition.



Wrong Form You may have used the wrong form of this word.



Sp. This word is misspelled. Use a dictionary or spellchecker when you proofread your work.



Sp. This word is misspelled. Use a dictionary or spellchecker when you proofread your work.



P/V You have used the passive voice in this sentence. You may want to revise it using the active voice.



Sp. This word is misspelled. Use a dictionary or spellchecker when you proofread your work.



Wrong Form You may have used the wrong form of this word.



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Wrong Form You may have used the wrong form of this word.



Article Error You may need to use an article before this word. Consider using the article **a**.



Wrong Form You may have used the wrong form of this word.



Sp. This word is misspelled. Use a dictionary or spellchecker when you proofread your work.



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Article Error You may need to remove this article.



Prep. You may be using the wrong preposition.



Sp. This word is misspelled. Use a dictionary or spellchecker when you proofread your work.



Run-on This sentence may be a run-on sentence.



Article Error You may need to remove this article.



P/V You have used the passive voice in this sentence. You may want to revise it using the active voice.



Article Error You may need to use an article before this word.



Sp. This word is misspelled. Use a dictionary or spellchecker when you proofread your work.



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Article Error You may need to use an article before this word. Consider using the article **a**.



Coord. Conjunction Review the rules for combining sentences.



Coord. Conjunction Review the rules for combining sentences.



Article Error You may need to use an article before this word. Consider using the article **the**.



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Verb This verb may be incorrect. Proofread the sentence to make sure you have used the correct form of the verb.