

### SO-CALLED 'TAKAFOL' IS

#### BLATANT HARAAM INSURANCE

A new financial venture is being marketed in South Africa for Muslim consumption. The product being offered to the Muslim community has been dubbed 'Takafol' by its sellers, Takafol S.A.Ltd. This company states in its introductory letter of advertisement:

"Takafol S.A., has with the mercy of Allah Ta'ala, been launched in March 2004: aiming at providing an Islamically acceptable alternate to the conventional insurance schemes."

A perusal of the rules and conditions applicable to the new scheme offered by this company, establishes beyond the least shadow of doubt that there is absolutely no difference between 'conventional' insurance and the insurance of Takafol (S.A.) Ltd.

It is the same product with a name having an Islamic hue. It is the same wine in a different bottle. It is plain 'zina' described as nikah.

#### FUNDAMENTALS

The very same two fundamentals which render conventional insurance haraam exist in the 'takafol' scheme. The two fundamentals which make insurance haraam are riba and qimaar. Everyone understands what riba is. It is commonly called interest although interest is just one aspect of riba.

Qimaar means gambling. The suspension of gain on a risk or on an unsure future development in an agreement requiring both parties to tender wealth is qimaar or gambling in the Shariah. Both these elements are found par excellence in the new takafol scheme. In fact there is nothing new in the product which this company is offering. It is the same as conventional insurance. It has only changed the name.

#### SHAMELESS

The aggravating factor here is that the company is shamelessly offering its riba-qimaar product in the name of Islam and as a consequence of "the mercy of Allah Ta'ala" whereas Allah's mercy never offers Muslims something which is glaringly haraam in the Shariah.

Even a layman who browses through the brochure of the company will quickly understand that there is no difference between conventional insurance and takafol insurance. Whether zina is committed by the kuffaar or by Muslims calling it 'nikah', it remains abhorrent and haraam.

It is essential to understand that a haraam scheme does not become halaal merely by a name-change and giving it a title which sounds Islamic to the Muslim ear.

## TAKAAFUL

Takaaful (takafol) is a mutual pledge between two parties. The one pledges to pay money for a possible future gain of an unstipulated amount, the gain being suspended on damage to his property which he insures with the takafol company. If the party does suffer a future loss of the insured assets, the other party (the takafol company) will pay him an amount after exhaustive investigations conducted with the desire to escape payment in exactly the same way as all insurance companies act.

The takafol company after being driven into a tight corner in consequence of the correct manipulation of its plethora and myriad of haraam conditions by the one who has been insured, is forced to reluctantly pay up in consideration for the haraam premiums which the insured person has made over a period of time. There is, therefore, not the slightest doubt in the hurmat (prohibition) of the takafol product which Takafol (S.A.) Ltd is presently marketing in the Muslim community.

## DEVIOUS

In a devious endeavour to convince Muslims of the acceptability of their riba-qimaar takafol product, the company manipulates the names of senior Ulama who have departed from this world some decades ago. Thus, this company states:

"Hazrat Mufti Muhammad Shafee' (rahmatullaahi alahi), has also presented a model for the muslim ummah. He (rah) had chosen a model wherein a Waqf fund is formed....."

"This model has not only been presented by this great luminary of Islam but has been blessed with the approval of other great scholars of that era, like Hazrat Moulana Yusuf Binnori (rah), Hazrat Mufti Wali Hasan (rah), Hazrat Mufti Ashiq Ilaahi (rah), etc."

It is indeed queer how modernists rush into the folds of Taqleed of contemporary Ulama when they find it chagrin to follow even the Aimmah Mujtahideen. Wherever there is a straw to grasp for the presentation of 'evidence' for their baatil, they have no qualms in citing in substantiation the source from whence the straw is acquired.

We say to Takafol (S.A.) Ltd: Just as you have produced in detail the conditions and stipulations of your takafol product, publish in detail the Takaaful schemes of Hadhrat Mufti Muhammad Shafi (rahmatullah alayh) and of the other Ulama you have mentioned.

It is deceptive to mention the names of senior Ulama without presenting in exactitude and in detail their Takaaful concepts and schemes. The manipulation of the names of seniors is

designed to convey to Muslims the idea that the haraam insurance product which the company offers conforms to the Takaaful blueprint which Mufti Shafi Sahib had offered. It is therefore necessary for this company to apprise the community of the product which Hadhrat Mufti Shafi and other Ulama had offered to enable us all to compare the scheme of Takafol (S.A.) Ltd with the Takaaful model of the Ulama.

It is misleading to cite the names of the senior Ulama without presenting their models. In short, the haraam model which the company offers has no resemblance with the model of Hadhrat Mufti Muhammad Shafi (rahmatullah alayh). The model offered by the company is pure riba-qimaar contract which is haraam.

### **REFUTATION**

If a need arises, Insha'Allah, a book of refutation on this issue will be published. The scope of this brief article precludes a detailed discussion and refutation of the baatil conditions and haraam activities of the takafol company.

### **HARAAM**

The Muslim community should understand that to buy insurance from Takafol (S.A.) Ltd is just like obtaining insurance from the conventional insurance companies. It is haraam to indulge in these riba -qimaar schemes. Rasulullah (sallallahu alayhi wasallam) said that riba is a conglomeration of 70 major sins, the lightest of which is like committing adultery with one's own mother.