

[The Majlis Volume 25 Number 10](#)

MAUT

Rasulullah (Sallallahu alayhi wasallam) said: "When Allah decrees that a person should die in a certain land, then He creates the circumstances (for that person to go to that place)."

PARENTS

Rasulullah (Sallallahu alayhi wasallam) said that looking at the face of parents with affection is the equivalent in reward of one Hajj. Therefore look at the face of your mother and father many times and make dua for them to have sukoon (peace) and a Maut with Imaan. If you look at their faces ten times daily, you will, Insha-Allah, receive the thawaab of ten Hajj daily.

SIX ACCURSED PERSONS

Rasulullah (sallallahu alayhi wasallam) said: "I have cursed six persons and Allah has cursed them. The dua of every Nabi is accepted. (The six are): The one who adds to the Kitaab of Allah. The one who denies Qadr (the Belief of Taqdeer). The tyrannical oppressor who honours the one whom Allah has disgraced, and disgraces the one whom Allah has elevated. The one who desanctifies the Haram (Ka'bah) of Allah. The one who violates the honour of my Family. The one who abandons my Sunnah."

Q&A.

Q.[] If wudhu breaks whilst making wudhu, should it be repeated from the beginning?

A. If wudhu breaks during the process of making wudhu, it should be repeated from the beginning.

Q.[] On his return journey when does a musaafir no longer remain a musaafir? When does he stop performing Qasr Salaat?

A. The person remains a musaafir right until the boundary of his home town. He may perform Qasar Salaat as long as he has not entered the boundary of his hometown. The moment the musaafir enters the boundary of his hometown, he ceases being a musaafir.

Q.[] Can Durood be recited in Sajdah?

A. It is not permissible to recite Durood in Sajdah. Only Tasbeeh may be recited in Sajdah.

Q.[] How many holes may a lady pierce in her ears?

A. A lady may pierce her ears only with one hole in each ear. More than one is the style of the kuffaar.



"VOICE of ISLAM"



Roses have thorns!
The Haqq too has thorns!
"We strike baatil with the Haqq. Then it crushes the brains of baatil." (Qur'aan)

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The Grave: Rasulullah (Sallallahu al-wasallam) said: "Verily, the Grave is the first stage of the stages of the Akhirah."

MUDHAARABAH PARTNERSHIP

Question:

We are two partners in a business. I am the investor and my partner runs the business. He has not made any monetary investment. I am the sole investor. His share of the profits is 75% and my share is 25%. I invested R150'000 with a partner to buy 500kg of a product.

I am the silent partner putting in the money, while he is putting in the marketing and sales, etc. I have a number of queries regarding this partnership. Please answer each question as they are all queries that have a bearing.

The current position of the business is: Cash at bank currently after selling 400kg and paying expenses related to marketing etc. is about R240'000. Of the stock, approximately 100kg remain.

1. If I want to get out, do I get the R150'000 paid back and cease to be involved?
2. Am I entitled to 25% of the remaining cash as well as 25% of the remaining stock?
3. Can the other partner decide to pay me out, or must the decision to terminate and dissolve be mutually agreed upon?
4. If I want to remain, but since I paid in the initial cash, can I or do I have the right to insist and demand that all monies are controlled by myself or my appointed accountant?
5. Can the other partner refuse such request? Since I put in the finance I simply want to now be able to control inflows and outflows of all sales and expenses revenues?
6. Do I need a reason to re-

7. Can the partner use, disburse, loan any amount from the capital of R150'000, and or any part of the profits generated that has yet to be paid out as per our partnership, to venture into other business investments, or to loan to family, or to do anything else besides what was initially agreed as the basis of investment, i.e. buy the product and resell at a profit and anything directly related to its marketing or sales or other related expenses for purposes of buying and or selling product?

8. If I wanted to remain in the partnership, and not take my R150'000 out now, and remain a part of the venture and retain my 25% ownership and profit share by not withdrawing it, but by simply taking administrative and financial control, is that in order?

9. Can the partner simply decide on what to pay me out and disburse that amount and remove me after paying me and or giving me stock?

10. Can the partner decide to

pay me the R150'000 and pay me 25% of all cash profits and pay me value of 25% of the stock if I prefer to have my share of actual stock instead of a cash equivalent?

11. Can the other partner make unilateral decisions on any aspect of the business, or do I have a right to expect to be consulted on any and all business or product related matters?

12. Can the other party decide the course from here on his own - i.e. the other partner has any right to decide to maintain or dissolve the arrangement or does it have to be mutually agreed?

ANSWER

The partnership you have entered into, in terms of the Shariah is called Mudhaarabah.

1) You are entitled to your initial capital investment of R150,000 plus 25% of the net profit. According to the figures provided by you, the present net profit is R90,000 cash plus the 100 kg stock. Thus, your

entitlement is 25% of the R90,000, plus 25% of the stock, plus your initial investment of R150,000.

Once you withdraw your capital investment, the partnership ends. Each partner then takes his respective share of the profit.

2) The above answers your second question. You are entitled to 25% of the cash as well as of the stock.

3) If when the partnership agreement was made, a time for the duration of the partnership was not stipulated, then you may unilaterally terminate the partnership. However, in view of there still being stock remaining, the partnership will subsist until the stock has been cleared if the other partner insists on this.

Nevertheless, the partnership can be mutually terminated immediately. A mutual agreement could be made pertaining to the remaining stock. If the other partner insists on the continuation of the partnership until the remaining stock has been sold, then he does have this right. In that case, you may withdraw your capital investment, plus your 25% of the cash. He can then continue selling the 100 kg stock and give you your 25% thereof upon having sold it.

The other partner can decide to pay you out in order to dissolve the partnership. If he decides on this route, he has to pay you the R150,000, plus 25% of the R90,000 cash profit, plus 25% of the remaining product.

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4) Yes, you have every right to stipulate that the money be invested for a specific kind

CLASSES - ALLAH'S CREATION

The concept of class equality or a classless society is a stupid myth. Allah Ta'ala says in the Qur'aan Majeed:

"We distribute their livelihood among them in this worldly life, and We elevate the ranks of some over others so that some will take others as workers."

(Az-Zukhruf, Aayat 32)

Even the Ambiya (Alayhinna salaam) are not equal in status as the Qur'aan Majeed confirms. However,

lofty status in the Akhirah and for Proximity to Allah Ta'ala. The criterion for Closeness to Allah Ta'ala is Taqwa. Allah's Proximity is proportionate to the degree of Taqwa. The Qur'aan Majeed states:

"Verily, the noblest among you by Allah are those whose Taqwa is the most."

Closeness to Allah Ta'ala is not related to worldly status.

Taqwa is the treasure and consequence of total obedience to Allah Ta'ala - obedience to the Shariah and the Sunnah of