

Marketing in Islam

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Abstract

Marketing in Islam is comparatively a much broader and sensitive concept as compared to conventional commercial theories. The two reputed branches of the Islamic law (*Shari'ah*) related to '*ibadah* (worship) and *ma'amalat* (affairs) approximately are of the same magnitude, caring for spiritual growth, safeguarding individuals worldly benefits and maintaining social mechanism of the community. The collateral existence of a purely worldly action sided by an ethical ideal is indeed a means of convenience in Islamic economic order. Consequently the commercial enterprise demands clarity, honesty, trust and fair means to establish an effective social order to achieve economic maturity. The present paper highlights the concrete basis of the marketing in Islam.

Islamic *Shari'ah* has laid firm and explicit foundations for healthy and prosperous merchandise that promotes the human progress and equips it with strong socio-ethical and ideological stuff. The economic and the commercial themes of the Qur'an such as *bay'ah*¹, *tijarah*², *rahn*³, *riba*⁴, *dayn*⁵, *qarz*⁶, *infaq*⁷, *halal*⁸ and *haram*⁹ are the core concepts which denote and emphasize the economic venture with a highly moral and divine perspective. The just and clean merchandise has been approved by God and his Prophet (SAAS) to inculcate the sense of morality besides the worldly benefits. Lawful merchandise has been sanctioned by *Qur'an* as a sign of moral force to build socio-economic tranquility within the community. Marketing being an ideal illustration of socio-economic interdependence

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has been of prime importance in social process that determines pace of the human progress. Market refers to a group of buyers and sellers of a particular good or service. The buyers as a group determine the demand for the product and the sellers as a group determine the supply of the product.¹⁰

Marketing has been of paramount importance that involves the study of basic components like product, price, promotion and place commonly known as the 4Ps of marketing.¹¹ Islamic commercial theory is in fact a flexible process but ultimately can not approve or accommodate such unethical means that are accommodated for the growth and sustenance of merchandise in the conventional marketing theories. Before the advent of Islam, the Arabs and other business communities around had been involved in unjust, ambiguous and unclean business transactions, resulting in the socio-economic disorder. The most influential tribes of Makkah, the Qureysh, Banu Tamim, Banu Tha'qif and Jewish merchants around Arabia, would love to make heavy profits by hazards, fraud, hoarding, price-fixing and charging interests and similar other unfair means existing that time. Islam tried to abolish the exploiting elements involved in the trade by furnishing an ideal economic theory based on revelation, reason and public good (*istihsan*). The fresh revelations of the *Qur'an* maintained a high commercial standard and pleaded for just and lawful merchandise. It took a critical stand on such commercial practices that smelled any element or form of exploitation or disturbed the socio-economic fabric of the society. Based upon the concept of welfare (*falah*) and economic justice, Islam encouraged a system engulfing the gap between various social classes.

The entire structure of the economic activities in Islam revolves around virtuous ideological foundations that emphasize justice, humanism and social sensibility. Whatever an individual makes property or earns wealth through lawful domains is definitely his/her private possession, which neither the state nor

anybody else can confiscate or claim. In return for his/her private possession he/she has only to fulfill certain obligations to the society and pay certain taxes to the state, which make his/her self and economic enterprises secure and guaranteed.

At the advent of Islam (7th century A.D), the main source of Arab economy had been trade and commerce. The Makkan traders, as is evident, through Qur'anic account, were busy with cargo and caravan trade, rooted and connected to the distant regions of Arabia, Africa and South-Asia through commercial expeditions for months together. Arabs explored Atlantic and Indian Ocean and discovered various sea-channels to reach far off places of then existing world. The Medinan population on the other hand, had been busy with agrarian activities, as a result economic in and out had been their common practice. Muslim traders established great commercial centers and economic spots in and along the coastal strips of Arabia to introduce lawful and just notions of merchandise. In this connection it is to mention that the Prophets companions like Hazrat 'Umar, Abu Hurairah, 'Aisha, 'Abdullah bin 'Abbas and Ibn 'Umar agreed that merchandise must be considered to be a ritually pure substance, therefore any substance which is rigorously and legally unclean can not be object of sale.¹² Islam has developed reputed standards and an exemplary system of marketing to benefit the community. Islam allowed commercial profit and forbade speculation, forward deals, hoarding and black marketing that nourish to cause exploitation and economic imbalance in the society.

Prophet (SAAS) pleaded and encouraged open and fair marketing. He prohibited purchase by means of (random selection done by) throwing a stone (to select an object to hit as the commodity purchased) and he prohibited all dubious transactions. Similarly he prohibited the sale and purchase of animals not yet born or even conceived by female, conforming that sale or purchase of a thing whose particulars are not known

is not allowed if they (commodities) be known to the buyer, likewise the commodity about which the buyer is in dark¹³. Open marketing which nowadays has been a common practice in the metropolitan cities and open economies of the world, has already been experimented during the reign of Caliph 'Umar (634-644 A.D). Addressing a commercial gathering at Makkah, he said, "whosoever comes to our land with merchandise, can sell it as he wishes. He is our guest till he goes out, he is our example".¹⁴ He is also reported to have said, "whosoever sells (goods) in our market, we are his guarantor".¹⁵ At this outset it is to mention that the guest seller from any area or the local business class has to maintain the *Shari'ah* standards then only the guarantee and security is possible. The sale and purchase of unethical and unclean commodities like intoxicants or the miscellaneous unlawful objects is already prohibited, that way the entry to the market or provision of guarantee is exempted.

Hoarding of foodstuff or other essential commodities were been dealt with strong warning.¹⁶ The defaulters involved in this type of enterprise shall have to undergo severe punishment in the life hereafter. The juristic term *al-ihthikar* implies to storing or withholding a commodity in expectation of a rise in prices.¹⁷ Prophet Muhammad (SAAS) is reported to have said, "No one hoards but the traitors".¹⁸ Safekeeping or maintaining foodstuff or any other commodity for family or community purpose is not considered as hoarding. What Islam forbids is hoarding the necessary commodities with the intention of selling them in time of scarcity in order to make heavy profits and to dictate the price. Creating any sort of artificial crises in the market and taking undue advantage of helplessness of the people is considered to be a grave sin and exploitation of the human sentiment.¹⁹

Islamic economic system as an ethical and moral force always takes into consideration human feelings, circumstances and due care of the community. In this perspective the ejection

and removal of exploiting components becomes obligatory, so that the idea of a just and welfare society could be attained. Muslim jurists and legal experts always stressed for the proper explanations to promote economic progress. The commercial law of Islam has been so flexible that one finds maximum scope and guarantee for entrepreneurship. Muslim Jurists reviewed and analyzed various economic themes and commercial contracts in order to resolve the societal needs.²⁰ To present Islamic economic system as a just and virtuous force, Muslim jurists tried to rediscover valid deductions and techniques that could sustain with the changing circumstances. The economic disequilibrium and commercial meltdown is a giant challenge for the sustenance of human progress. Discussing the business and commercial law, its scope, interpretation and discourses from various schools of Islamic law are evident to the fact that this particular field has always remained a hot debate to discover new dimensions besides the common theoretical explanations.²¹

Market and marketing in Islam is a meaningful and broad concept which covers and maintains the process of social interdependence through economic enterprise and simultaneously it furnishes to us economic maturity of a nation. In pre- Islamic times the market used to be a place of noise, chaos and confusion. The traders used to make noise and would raise voices to attract customers through outbidding, false swearing, lies and hoarding facts in sale, such a bad habit and practice was discouraged by Islam in order to have pure merchandise at these commercial spots.²²

The *Quranic* view of the economic order is based on the concepts of *'adl* and *ehsan* which guarantee security to both individual and society. It emphasized the virtues of commerce (*tijarah*) and placed the honest merchant next to prophets and similar high honoured dignitaries. It severely punishes and condemns those who resort to dishonest marketing/commercial practices in order to gain material benefits unjustly:

Woe unto the defaulters: those who, when they take the measure from mankind, demand it full. But if they measure unto them, or weigh for them, they cause them less. Do such not consider that they will be raised again, unto an awful day, the day when all mankind stands before the Lord of the worlds.²³

The crux of the commercial themes of the *Qur'an* provides ample proof for rigorous honesty while dealing with the sale and purchase of commodities. It establishes the high standards of sincerity, openness and clear demonstration to attain social justice and to give up exploitation, conflict or confusion. The Qur'anic injunctions treat wealth as blessing not a tool to exploit and imbalance the social organization. The consequences of excessive affluence leading to sheer consumerism is clear for leading to what is termed as corroding the moral fibre of the society. Islam has a keen insight into the human nature of *selfishness*, hence it guides his actions with relation to his fellows. The practice of bidding against one another has been prohibited in Islam as it caused disputes and disagreement in the business transactions.²⁴ The practice of offering price over the price, usually caused clash between the parties, when offer was only to raise the price, not to purchase the commodity which has been strongly condemned by Islam.²⁵

Price-fixing for goods, as the traders wish, is also condemned in Islam. In order to make heavy profits, the Arab traders used to fix prices resulting in hardships for the people.²⁶ It implies that, Islam does not allow permanent price-fixing for the articles of trade. Prophet Muhammad (SAAS) had due concern for fluctuation, inflation and depletion processes, hence said, "the cheapness and high level of price is from God and surely I want to meet God with no injustice to anyone on me".²⁷

Marketing principles in Islam manifest that if price has been offered by two prospective buyers the contract should be made with the first one. But if the first bidder is not known, or

absent, then the transacted goods will be given to the one who is holding them. Sale must be always made on the basis of mutual consent which is a healthy sign of transparent marketing. Sale made by another person without authority from the real owner (*negotiorium gestio*) such a transaction is invalid. In this case, when the owner produces evidence against such a sale, the goods have to be returned to the owner by the person who is responsible for such a sale and capital to the buyer by (unauthorized) seller. The practice of outbidding (*al-musawamah*) is also an invalid practice. It caused disputes and disagreement between buyers and the sellers hence it was prohibited. The Prophet (SAAS) is reported to have said, "Do not let any of you bid against each other (outbidding in order to raise the price)".²⁸ Imam Shafi'î (150 A.H), founder of the Shafi'î school of Islamic jurisprudence and the reputed Hanafi jurist, Muhammad bin Hassan Shayybanî (187 A.H) holds the view that *al-najsh* (trickery) mentioned in the *Hadith* means that one offers a high price for something without intending to buy it, but just to cheat another person who really does want it.²⁹ The Prophet (SAAS) discouraged this practice and prohibited it under *al-tanjush*.³⁰ Concealing of defects (*ikhfa al-'ayeb*) has also been prohibited by the prophet who has been reported to have said, "surely, whosoever deceives in business transactions is not among us".³¹ Islamic law did not recognize such transactions that had proven illegitimate or dishonest object or purpose. The elements that carry moral or religious impurity have been categorized under *al-ghirar* (risk), *al-qimar* (gambling/hazard) and *al-riba* (usury), which may result in momentary gain but cause injustice and encourage negative impact on society. Such sales are prohibited for the reason that it amounts to obtaining the property of others by selling in executable or unfulfilled goods.

References

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2. Qur'an, 9: 24.
3. Qur'an, 2:282, 3: 130.
4. Qur'an, 2:274-287.
5. Qur'an, 2:281.
6. Qur'an, 73:18.
7. Qur'an, 2: 198, 261, 266.
8. Qur'an, 2:167.
9. Qur'an, 2: 172.
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18. Al-Saani, *op.cit.* Vol. VIII, p. 204.
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29. Imam Shafi'i, *Kitab al-Um*, Beirut, n.d, Vol. III, p. 91.
30. Malik bin Anas, *op.cit.* p. 275.
31. *Ibid*, p. 276.