

Question 790) - What do you say about a man buying a cloth on condition that the seller cuts it and makes it into a shirt; or a sandal on condition that the seller puts in laces/straps.

A: The transaction is Fasid.130

130 This is according to al-Quduri. The author of al-Bahr states that whilst logic dictates that the sandal transaction is Fasid for having a benefit to the buyer which is not necessary for the implementation of the transaction, the principle of Istihson considers the ways of the people and that breaking that custom will cause difficulty. The cloth condition is however Fasid and is not the custom of people.

~ al-Quduri ~