297787 - Is It Permissible to Design T-Shirts and Sell Them via Amazon?

the question

I have a question about making money through Amazon, using the service called “Merch by Amazon.” I registered on the site for free, and they asked me for my personal information and bank account details – which is an account in a European online bank. The way to make money through this site is that I send them a design, such as a drawing or an image or simply some words, which are usually in English, and they put this design on T-shirts, which are shirts with short sleeves. After that, I can specify the colours in which these T-shirts will be available, and write a description of them, and set the price. I already know how much my royalties on each sale will be, for example: the price will be nineteen dollars, and my royalties will be five dollars; the other fourteen dollars will go to the website to cover costs. I can decide to whom the T-shirts will be sold: to men, or to women, or to youths, or to all of them. Then the website will show a picture of the T-shirt, with the description that I have mentioned, to those who visit the site. If someone likes what is on my T-shirts, he will pay the price to the website, then the website will print my design on a T-shirt that they are responsible for preparing and storing, then they will ship it to the purchaser, giving him the right to return it if he does not like it. Thus they will send this month’s royalties to my bank account in the following month. My question is: Is there anything wrong with the way of making money through this website? If a woman or girl buys this T-shirt of mine, which is short-sleeved, and I do not know whether she will wear it outside the house or at home, is there any problem with that?

Summary of answer

There is nothing wrong with you designing a drawing or writing to be put on a T-shirt, so that if the T-shirt is sold via Amazon, you will get a share of its price, and if it is not sold you will not get anything.

Detailed answer

Praise be to Allah.

There is nothing wrong with you designing a drawing or writing to be put on a T-shirt, so that if the T-shirt is sold, you will get a share of its price, and if it is not sold you will not get anything. This comes under the heading of a partnership; you contribute by providing the design, and Amazon contributes by providing and marketing the shirts. Hence it must be stipulated that your share will be a percentage of the price, not a fixed amount.

Ibn Qudamah (may Allah have mercy on him) said:

“It is not permissible for any member of a partnership to stipulate that any surplus will be his, meaning that if the share of one of the partners is a fixed amount of money, or a fixed amount in addition to his share – such as stipulating that he gets a percentage plus ten Dirhams, then the partnership becomes invalid.

Ibn Al-Mundhir said: All of the scholars from whom we acquired knowledge unanimously agreed that a profit-sharing partnership [Mudarabah] becomes invalid if one or both partners stipulate that they should receive a fixed amount of money.” (Al-Mughni , 5(/2)

If the price of the T-shirt for which it is actually sold is a set amount, such as twenty dollars, and you stipulate that you should get five dollars, then there is nothing wrong with that either, because it is akin to the percentage mentioned.

Rather what is forbidden is if one of the two partners stipulates that he should get a set amount when he does not know the price for which the item will be sold, or when it is not possible to actually sell the item for the price stated.

Nonetheless, if the agreement is that you should receive payment for the design, whether the T-shirt is sold or not,then this is selling the design, and the price for the design should be known when selling it to Amazon, and you have nothing to do with what happens after that; the company

may or may not make money from the design.

With regard to entering into a partnership with the design or selling the design , the drawings or writing should be permissible , and should not be something that could be used for sinful purposes. So you should keep away from T-shirts for women or girls, because in most cases they are used for dressing in an immodest manner, which is prohibited.

If you design T-shirts for men or boys, then there is no sin on you if they are bought by a woman who uses them to dress in an immodest manner .

For more details, please see the following answers: 406946 , 289386 , and 352155

And Allah knows best.