71303 - Can he open a store to do cupping in return for payment?

the question

Is it permissible to open a store to do cupping and take payment from people for that?.

Detailed answer

Praise be to Allah.

The scholars differed concerning the earnings of a cupper – is that makrooh or permissible without being makrooh? The reason why they differed is that they differed in their understanding of the ahaadeeth that have been narrated concerning that.

Among the ahaadeeth which describe the earnings of a cupper as makrooh are the following:

1 – The Prophet (peace and blessings of Allaah be upon him) said: “The earnings of a cupper are khabeeth (evil).” Narrated by Muslim (1568)

2 – The Prophet (peace and blessings of Allaah be upon him) said: “The worst of earnings are the wages of a prostitute, the price of a dog and the fee of a cupper.” Narrated by Muslim (1568).

3 – It was narrated that Abu Hurayrah (may Allaah be pleased with him) said: The Messenger of Allaah (peace and blessings of Allaah be upon him) forbade the earnings of a cupper. Narrated by Ahmad (7635), al-Nasaa’i (4673), Ibn Maajah (2165); classed as saheeh by al-Albaani in Saheeh al-Nasaa’i.

Among the ahaadeeth which mention a concession allowing that are the following:

1 – The report narrated by al-Bukhaari (2102) and Muslim (1577) from Anas ibn Maalik (may Allaah be pleased with him) who said: Abu Taybah treated the Messenger of Allaah (peace and blessings of Allaah be upon him) with cupping and he ordered that he given a saa’ of dates.

2 – The report narrated by al-Bukhaari (2103) and Muslim from Ibn ‘Abbaas (may Allaah be

pleased with him) who said: “The Prophet (peace and blessings of Allaah be upon him) was treated with cupping and he gave something to the one who treated him. If it had been haraam he would not have given him anything.” This is the wording of al-Bukhaari. He also narrated another version (2278) which says: “And he gave the cupper his wages; if he knew that it was makrooh he would not have given him anything.” And Muslim (1202) narrated: “If it were haraam the Prophet (peace and blessings of Allaah be upon him) would not have given him anything.

The majority of scholars are of the view that when all of these ahaadeeth are taken together, the prohibition may be understood as meaning that it is makrooh.

Ibn Qudaamah (may Allaah have mercy on him) said: It is permissible to hire a cupper to treat one with cupping, and his earnings are permissible. This is the view favoured by Abu’l-Khattaab and it is the opinion of Ibn 'Abbaas. It is also the view of Maalik, al-Shaafa’i and as-haab al-ra’y. Al-Qaadi (i.e., Abu Ya’la, who was a Hanbali) said: The wages of a cupper are not permissible, and he mentioned that Ahmad stated that in several places and said: If he is given something without a (formal) contract or stipulating that, he may take it and dispose of it in feeding his animals or feeding his slaves or on the tools of his trade, but it is not permissible for him to consume it. Among those who regarded the earnings of a cupper as makrooh were ‘Uthmaan, Abu Hurayrah, al-Hasan and al-Nakha’i, because the Prophet (peace and blessings of Allaah be upon him) said: “The earnings of a cupper are khabeeth (evil)” (narrated by Muslim) and he said of the earnings of a cupper: “Feed it to your camel and your slaves” (narrated by Ahmad and al-Tirmidhi (1277), classed as saheeh by al-Albaani in Saheeh al-Tirmidhi.

The fact that this is permissible and not haraam is also indicated by the report narrated by Ibn ‘Abbaas who said: The Prophet (peace and blessings of Allaah be upon him) was treated with cupping and he gave the cupper his wages; if he knew it was haraam he would not have given it to him.” Agreed upon. According to another version: “if he knew it was khabeeth (evil) he would not have given it to him.” The words of the Prophet (peace and blessings of Allaah be upon him) regarding the earnings of a cupper, “Feed it to your slaves,” indicates that his earnings are permissible, because it is not permissible for him to feed his slaves with food that is haraam to eat,

for slaves are human and the things that Allaah has forbidden are forbidden to them just as they are forbidden to those who are free. Calling it khabeeth (evil) earnings does not necessarily mean that it is haraam, because the Prophet (peace and blessings of Allaah be upon him) called garlic and onions khabeeth even though they are permissible.

Rather the Prophet (peace and blessings of Allaah be upon him) disliked that for one who is free because this type of work is not befitting for a free man. The fact that the Prophet (peace and blessings of Allaah be upon him) told him to give it to his slave indicates that it is permissible. The prohibition on eating it is to be understood as meaning that it is makrooh, not haraam. End quote from al-Mughni (6/133).

Based on this, there is no sin on you if you open this shop, and the fees that you take from people for that are not haraam.

And Allaah knows best.