

Accepting present of someone whose money is mingled with illicit gains

Shaykh Aboo `Abd-al-Mu`iz `Alee Ferkous al-Qoobee

Article taken and slightly adapted from: ferkous.com

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

In the name of Allaah, the Most Merciful, the Bestower of Mercy

Question: I have a sister who works in a commercial insurance company. I advised her many times but in vain. So, is it permissible for me to accept her gifts? Knowing that she has money that comes from inheritance.

Shaykh Aboo `Abd-al-Mu`iz `Alee Ferkous al-Qoobee: All praise is due to Allaah, the Lord of the Worlds. Peace and blessing be upon whom Allaah sent as a mercy to the Worlds, upon his Family, his Companions and his Brothers till the Day of Resurrection.

Money which comes from sources which are proven to be illicit, like usurious banks and insurance companies, characterised by risk and uncertainty which are prohibited, is not allowed to take as a gift or be spent on one's favour; unless for those who are in dire need of it or are in necessity; these can take of it according to their need, but with disliking and disapproving it in accordance with Allaah's عَزَّ وَجَلَّ saying:

فَلَمَنْ ضُطِرَّ عَزْرَبَاغٍ وَلَا عِافَايْنَ اللَّهُ فَعُوْرٌ رَحِيْمٌ

The meaning of the verse:

[But if one is forced by necessity, without wilful disobedience, and not transgressing, then, Allaah is Oft-Forgiving, Most Merciful]¹

One should also be discontented with things that are forbidden in the Sharee'ah, in order to be innocent of sins as the Prophet صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ said: **"When sin is done in the earth, he who sees it and disapproves of it will be taken like one who was not present, but he who is not present and approves of it will be like him who sees it"**².

If the money she inherited is a real estate or furniture, the ruling remains the same (i.e. permissibility). However, if this inheritance is money and it constitutes the majority [of her global money], and that she used only the money of inheritance to get this gift, it is then permissible to take advantage of it. If it gets mingled with other money in a way in which we

¹ [Soorah An-Nahl (The Bees): 115].

² Reported by Aboo Daawood (hadeeth 4345) from the hadeeth of Al-`Urs Ibn `Umayra Al-Kindi رَضِيَ اللهُ عَنْهُ. This hadeeth is judged Hassan (good) by Al-Albaanee in "Saheeh Al-Jaami" (hadeeth 689) and in "Al-Mishkaat" (hadeeth 5069).

Accepting present of someone whose money is mingled with illicit gains

can distinguish between licit and illicit money, we should act according to this distinction. Otherwise, if the majority of the money is licit, it will be licit to use it, and if the majority of this money is illicit or equal to the licit, he should leave it by way of piety.

The perfect knowledge belongs to Allaah ﷻ Our last prayer is all praise is due to Allaah, the Lord of the Worlds. Peace and blessing be upon our Prophet, his Family, his Companions and his Brothers till the Day of Resurrection.

Algiers, Rabee `Al-Awwal, 7th, 1427 H. Corresponding to: April 6th, 2006.