

302495 - She took aid coupons because she needed them, but she gave false information about her father's salary

the question

I want to know about the following. My sister used to take coupons from a charity foundation to buy and stationery from some shops, and she used to give them a paper saying that her father was working for a salary in some other place, for a lower salary, i.e., she told them something other than the truth. In fact we are entitled to that according to the law, but the paper is not true; it is false and there is some deceit involved.

Now I want to return the cost of the coupons that I benefitted from to the foundation. My question now is: who is required to return the money, if it was haraam? Is it me, as I am the one who bought things with these coupons and benefitted from them, or is it my sister in whose name the coupons were issued, but she did not benefit from them and did not buy anything with them; she only gave them to me? Who is liable in this case?

Detailed answer

Firstly:

Giving false information about the salary is lying and is haraam. If wealth was consumed on the basis of that, then it comes under the heading of consuming wealth unlawfully, unless you were in a situation of dire necessity, which would make it permissible for you to lie in order to obtain clothing and the like, because Allah, may He be exalted, says (interpretation of the meaning): “He has explained in detail to you what He has forbidden you, excepting that to which you are compelled” [al-An‘aam 6:119].

If someone is compelled by necessity, it is permissible for him to lie, so that he may receive some of this wealth that is set aside for the poor and needy. However, it is preferable for him to use double entendres.

Secondly:

If you were not compelled by necessity, then it was not permissible for you to take the wealth, even if you were entitled to it, if the foundation stipulated that the salary should not be above a certain limit, and the one whose salary was above that limit had no right to take anything, because the Muslims are bound by their conditions, as was narrated by Abu Dawood (3594); classed as saheeh by al-Albaani in Saheeh Abi Dawood.

With regard to the liability for this wealth, it is subject to further discussion:

1. If the foundation gave it to help people whose salary was at the level of your father's real salary, and you were entitled to receive help, according to the law, as mentioned in the question, then it seems that you are not liable for the wealth, but you must repent from having lied and deceived people.
2. If the foundation would not give help to people whose salary was at the level of your father's real salary, then you are liable and liability is to be borne by those who benefitted from it. Therefore you have to return the money to the foundation by any means, even if it is in the form of donations to the foundation, and the like, without their knowing.

And Allah knows best.