93031 - Is It Prohibited in Islam to Buy Stolen Goods?

the question

My father bought machines from a non-Muslim, knowing that they were stolen. What is the Islamic point of view concerning that? And what is the ruling on the money that I took from him and used for business?

Summary of answer

1- It is not permissible to buy stolen goods even if they were stolen from non-Muslims. The one who buys something knowing that it is stolen is sinning, and part of his repentance is returning it to its owner and returning its price to the one to whom he sold it.
2- If the wealth that you take from your father is the actual stolen property that he bought, then it is not permissible for your father or for you.

Detailed answer

Table Of Contents

- Is it permissible to buy stolen goods?
- Scholars' Fatwa on the prohibition of buying stolen goods
- Ruling on taking wealth from the father who used to buy stolen goods

Is it permissible to buy stolen goods?

It is not permissible to buy stolen goods – even if they were stolen from non-Muslims. This is property that is prohibited in and of itself, because it is not permissible for anyone to take possession of it, even if that is by a legitimate means such as buying it, being given it as a gift or inheriting it.

The person who is aware that the item they intend to purchase is stolen should denounce the thief and encourage them to repent from stealing, and to return the goods to their owner. He

should try to return the goods to their owner if possible and if he knows who they are, or he should tell them where the stolen goods are, or tell the authorities about that.

The one who buys something knowing that it is stolen is sinning, and part of his repentance is returning it to its owner and returning its price to the one to whom he sold it.

Buying from the thief is helping him in sin and transgression, and is encouraging the thief to carry on with what he is doing as well as failing to denounce evil. One of the conditions of a sale being valid is that the seller should be the owner of what he is selling. If he is a thief then he is not the owner, which implies that the transaction is not valid.

Scholars' Fatwa on the prohibition of buying stolen goods

There follow some fatwas of scholars on what we have stated above:

- Shaykh Al-Islam Ibn Taymiyyah (may Allah have mercy on him) said:

"With regard to property that has been stolen or seized by illegitimate means and then sold in a proper manner, it does not become permissible for the one who bought it. If the Muslim knows about it then he should avoid it. If I know that a person stole some property, or he betrayed a trust or usurped it and took it from someone by force and unlawfully, then it is not permissible for me to take it from him, whether as a gift or in payment when buying or as payment of wages or as payment of a debt. This wealth is the property of the one who has been wronged ." (Majmu` Al-Fatawa 29/323)

- Shaykh Al-Islam Ibn Taymiyyah (may Allah have mercy on him) also said:

"If the one who is with them – the Tatars – or with anyone else has property that he knows they seized unlawfully from one whose wealth is protected in Shari`ah, then it is not permissible to buy it, but if it is bought in order to salvage it from them, then it should be returned to its owners if possible, otherwise it should be spent in the Muslims' interests, and that is permissible." (Majmu` Al-Fatawa 29/276)

- The scholars of the Standing Committee for Issuing Fatwas said:

“If a person is certain that a product offered for sale is stolen or seized by force, or that the one who is offering it for sale is not the legitimate owner, and is not authorized to sell it, then it is prohibited for him to buy it, because buying it is cooperating in sin and transgression. And that is also wronging people and approving of evil, and taking part in the sin. Allah says (interpretation of the meaning):

“Help you one another in virtue, righteousness and piety; but do not help one another in sin and transgression.” [Al-Ma’idah 5:2]

Based on that, the one who knows that this product is stolen or seized by force should advise the one who stole it , kindly and gently and with wisdom, to stop stealing. If he does not give it up and he persists in his crimes, then he should inform the authorities about that so that the wrongdoer may be punished and the property restored to its owners. That is cooperating in righteousness and piety, as well as deterring wrongdoers from doing wrong, and being sincere to him by stopping him and being supportive to those who have been wronged.

Hence it is proven in the Hadith which Anas (may Allah be pleased with him) narrated that the Messenger of Allah (peace and blessings of Allah be upon him) said: “Support your brother whether he is a wrongdoer or the one who is wronged.” They said: O Messenger of Allah, we can support him if he is wronged, but how can we support him if he is the wrongdoer? He said: “By stopping him.” (Narrated by Al-Bukhari)

A similar report was narrated by Imam Ahmad in his Musnad. According to another report a man said: O Messenger of Allah, I can support him if he is wronged, but if he is a wrongdoer, how can I support him? He said: “Deter him from doing wrong, for that is supporting him.”

In light of that, supporting the wrongdoer means deterring him from his wrong deeds and transgressions, and supporting the one who has been wronged means striving to restore his rights. Preventing the wrongdoer from being able to do harm is a communal obligation. If there is no one who can do that in an official capacity or who is stronger than him and can stop the wrongdoers and sinners and deter them from their wrongdoing and crimes, then it becomes an individual responsibility, depending on one’s strength and ability, to be done with kindness and

gentleness, and one will be rewarded for that in Sha Allah." (Shaykh 'Abd Al-'Aziz ibn Baz, Shaykh 'Abd Al-'Aziz Al Ash-Shaykh, Shaykh Salih Al-Fawzan, Shaykh Bakr Abu Zayd, Fatawa Al-Lajnah Ad-Da'imah, 13/82, 83)

- Shaykh `Abd Al-`Aziz ibn Baz (may Allah have mercy on him) was asked:

I was offered something for sale and it was clear to me that it was stolen, but the one who offered it to me was not the thief, rather he had bought it from someone else who had bought it from the thief. If I bought it even though I knew that, would I be sinning, even though I do not know who the owner is from whom it was stolen?

He replied:

"It seems from the Shar`i evidence that it is not permissible for you to buy it if it is clear to you or you think that most likely it is stolen, because Allah says (interpretation of the meaning):

"but do not help one another in sin and transgression" [Al-Ma'idah 5:2] and because you know or think that most likely the seller is not the legitimate owner and does not have permission to sell it. So how can you help him in his wrongdoing and take the property of someone else unlawfully? Yes, if you can buy it in order to save it and return it to its owner , there is nothing wrong with that, if it is not possible to seize it by force and punish the wrongdoer. However, if it is possible to take it by force and punish the wrongdoer in accordance with Shari'ah, this is what must be done, because of the well known evidence in the Hadith: "Support your brother whether he is a wrongdoer or has been wronged…" (Fatawa Ash-Shaykh Ibn Baz, 19/91-92)

Ruling on taking wealth from the father who used to buy stolen goods

As for you taking wealth from your father , there is nothing wrong with that, because if a person's wealth is mixed and includes both prohibited and permissible wealth, there is nothing wrong with interacting with him by buying, selling, exchanging gifts, loans and so on. The Prophet (peace and blessings of Allah be upon him) dealt with the Jews who consumed Riba and prohibited wealth.

But if the wealth that you take from your father is the actual stolen property , then it is not permissible for your father or for you.

Finally, you should advise your father to seek that which is permissible and avoid that which is prohibited, for every body that is nourished with something prohibited, the Fire is more befitting for it.

We ask Allah to make you independent of means by that which He has permitted so that you will have no need of that which He has forbidden, by His bounty.

And Allah knows best.