175812 - Is it permissible to make use of money acquired by haraam means to relieve his financial hardship?

the question

My question is that before I started practicing Islam, my father put me in a fraud accident case to lie which in turn made me receive money. At that time I was younger, I was not practicing, however I was ordered by my father to carry lie. However now I am married and I am facing a lot of financial problems currently and I am unemployed and really need this money, and I am meant to receive the accident money soon. I acknowledge that the money is haram earned due to lie, but it was done when I was younger, not practicing, was forced by my father, and did not realise the sin due to ignorance. And I also acknowledge Islam is a mercy from Allah and in certain situations things become permissible i.e ribba to save someones life etc. So can I use this money since I am really in need of this money for my wife and my self?

Detailed answer

Praise be to Allah.

It is not permissible to obey any created being – even if he is one of the closest of people – in disobeying the Creator, may He be glorified; rather obedience is only with regard to that which is right and proper. Please see the answer to question no. 162423

If you have repented from this sin, then you have done well, but it is essential to note that repentance does not waive duties owed to people; rather you have no choice but to return to them that which is rightfully theirs.

In al-Mawsoo'ah al-Fiqhiyyah (14/129) it says:

Repentance in the sense of giving up what you have done in the past and resolving not to go back to it is not sufficient to waive that which you owe to other people. The one who steals or takes by force the property of another, or harms him in some other way, cannot discharge his responsibility

merely by regretting it, giving up the sin and resolving not to do it again; rather it is essential to right any wrongs that have been committed. This is the basic principle upon which there is consensus among the fuqaha'. End quote.

The basic principle, "Necessity makes permissible that which has been forbidden" is one that people often repeat, then if a person falls into some troubles because of his sin or he has a need that is not desperate, he permits for himself that which his Lord has forbidden to him, on the basis of this principle.

The scholars of the Standing Committee were asked:

There are some people who deal in riba, and they also include riba in the principle that "Necessity makes permissible that which has been forbidden". What is the ruling on that? There is someone who has a debt and he must either pay it or go to court, so he decided to get involved in riba.

The committee replied: It is not permissible to deal in riba at all. End quote.

Fataawa al-Lajnah ad-Daa'imah, 13/294

It should be noted that what has happened to you of hardship and difficulty has only befallen you because of your sin. In fact this is by the kindness and mercy of Allah, so that one of us will check himself and return to his Lord. Allah, may He be exalted, says (interpretation of the meaning):

"And whatever of misfortune befalls you, it is because of what your hands have earned. And He pardons much"

[ash-Shoora 42:30]

"And We tried them with good (blessings) and evil (calamities) in order that they might turn (to Allah's Obedience)."

[al-A'raaf 7:168].

What you must do is pay attention to this basic principle and act accordingly. Whatever befalls you

of trials and need is only because of the sin, so that you will repent from it in the hope that Allah will accept it from you. But now you want to make this need a legitimate reason to persist and indulge in sin. This is something that it is not appropriate for you to do, and it indicates that your repentance and steadfastness therein are not as they should be.

One of the conditions that is required in the case of repentance is to return property or money to its rightful owners; repentance cannot be valid, in cases where the sin has to do with the rights of other people, unless it is returned to them – as stated above – or pardon is obtained from them.

Al-Bukhaari (2449) narrated that Abu Hurayrah (may Allah be pleased with him) said: The Messenger of Allah (blessings and peace of Allah be upon him) said: “Whoever has wronged his brother with regard to his honour or anything else, let him seek his pardon today, before there will be no dinar or dirham (i.e., on the Day of Resurrection).”

The scholars of the Standing Committee said

The one who has taken the property of another person without his permission must return it to him, even if he was a child at the time when he took it, and he should ask him to forgive him, because the Prophet (blessings and peace of Allah be upon him) said: “It is not permissible to take the property of a Muslim unless he gives it willingly.” He (blessings and peace of Allah be upon him) also said: “Whoever has wronged his brother, let him seek his pardon today, before there will be no dinar or dirham (i.e., on the Day of Resurrection).”

End quote. Fataawa al-Lajnah ad-Daa’imah, 15/373

Shaykh Ibn Baaz (may Allah have mercy on him) said:

The true meaning of repentance is to give up sins, regret what one has done in the past and resolve not to go back to it. If he has wronged people with regard to themselves, their property or their honour, he must restore it to him or seek their pardon.

End quote. Majmoo‘ Fataawa Ibn Baaz, 16/33

If you do not know who it belongs to, or it was public wealth, then you must give it in charity in general terms or give it to the poor and needy.

Shaykh al-Islam (may Allah have mercy on him) said: If it is not possible to return wealth to its owners because it is not known who they are, for example, it may be spent on the public interests of the Muslims according to most of the scholars. The same applies if a person has wealth but does not know who its owner is, such as those who took it by force or betrayed others or dealt in riba and so on, who have now repented but have in their possession wealth that does not belong to them and they do not know who its owner is. In that case it should be given to those who are in need or spent on the public interests of the Muslims.

End quote. Majmoo‘ al-Fataawa, 28/568

It is not permissible for you to take this haraam money and use it to relieve your hardship and solve your problem, especially when you have not yet taken possession of this money that you want to use. Cheating and tricking people are sins, and taking this money that you have not received yet is contrary to your repentance which is conditional upon giving up the sin and regretting it, yet here you are, planning to fall into sin again?

So return the money to its owners, ask Allah for forgiveness, repent to Him and put your trust in Him; He will grant you after hardship ease and after difficulty relief and a way out. Allah, may He be exalted, says (interpretation of the meaning):

“And whosoever fears Allah and keeps his duty to Him, He will make a way for him to get out (from every difficulty).

3. And He will provide him from (sources) he never could imagine. And whosoever puts his trust in Allah, then He will suffice him. Verily, Allah will accomplish his purpose. Indeed Allah has set a measure for all things”

[al-Talaaq 65:2-3].

You must also advise your father and guide him to repent, and tell him to do what Allah has

enjoined upon you of giving up evil and persisting in it.

It should be noted that the one who acquires wealth by haraam means will never become independent of means; rather it is negligence based on illusions.

See the answer to question no. 65649 and 169424

And Allah knows best.