45018 - Should he accept his father’s money that was earned from haram sources?

the question

I hope you can advise me about this matter. I am a young man, twenty-one years old. I am studying in business college and my father works in tourism (in the private sector, in one of the resort cities). He is an electrical engineer and works in the village as the director of the engineering department, which means that he is responsible for everything that has to do with electricity, staring with light fixtures and ending with water pumps, and including refrigerators for storing wine, lights for dance halls, televisions, etc. He receives a high salary for this work, four thousand Egyptian pounds.

As well as studying, I was also working in a restaurant – just because I liked the work, not because I needed to. When I wanted to become independent and start a small business of my own, I could not find anyone except my father from whom to take the money I needed. But I was not sure as to whether my father’s money is halal or haram, so I consulted one of the shaykhs who are known to be of Ahl al-Sunnah, and he told me that as his money is mixed, it is not permissible for me to take anything of it except for essential things such as food, drink, clothing and tuition fees. As for what I need as capital to start my own business, it is permissible to take it from him as a loan. But now my father wants to help me as a father, and work alongside me in the store. Sometimes I would leave the store to him and go and take care of the store’s needs and my own needs. In this way my father started to learn about my work and was able to run the store by himself. This is where the first problem arises … I used to keep precise records of what I took from my father, but since he joined me in the store, things have become mixed up. My father sometimes takes money from his own pocket and puts it in the till, or buys goods for the store from his own pocket. This can be kept track of with a great deal of effort, but what I cannot keep track of is the fact that he may buy food for the house, then he finds that the store needs it, so he brings some of what he bought for

the house and puts it in the store, without my knowledge and without consulting me, and without telling me how much it cost so I can repay him.

The second problem is that he is not happy with the idea of my returning the money to him, he regards it as my money and my brothers' money, and he is working and bringing this money for us, so he will never accept the money being returned to him.
The third problem is that he is not convinced that his money is haram – if it is haram. He thinks that it is the kind of "necessity which means that forbidden things are permitted" and his government job pays only 400 Egyptian pounds – not the difference. We are a family of five, two of whom are studying in university. He thinks that the wealth of the state is all haram because the state deals with riba-based loans and imposes taxes and allows trade in alcohol, so everyone who works has some haram element in his income. My question now is:
1- What is the ruling on my father's wealth? Does the principle of "necessity which means that forbidden things are permitted" apply here? If that is the case, is it permissible for us to make use of his haram earnings because he is looking after us?
2- How can I work out how much money my father has contributed to my business, when he himself does not know how much it is?
3- How can I return this money to him – if I have to return it – if he refuses to take it? Is it permissible for me to insist and to pay back the debts I owe to the people to whom it is owed?
4- What is permissible to me of my father's wealth? If he dies, is it permissible for me to inherit his wealth?.

Detailed answer

Praise be to Allah.

Undoubtedly working in the tourist industry as it exists at present, especially in your country, involves a lot of things that go against sharee'ah, such as mixing, tabarruj (wanton display of women), alcohol and other haram things. As this is the case, part of your father's wealth is haram. This is what the scholars call mixed wealth.

The scholars have stated that if a person has mixed wealth that includes both halal and haram, it is permissible to eat from his wealth and it is permissible to deal with him in all ways, but it is better to be cautious.

With regard to your father claiming that this is a necessity, that is not correct, because there are many means of earning a halal living. Allah 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”

[al-Talaaq 65:2-3]

If a person makes this claim, then soon he will claim that he can do all kinds of haram things because of necessity.

You should understand that there are severe consequences to consuming haram wealth, even if that is only that one’s du`as are not answered, as it says in Saheeh Muslim, that the Prophet (peace and blessings of Allah be upon him) said: “Allah is Good and only accepts that which is good…” and he mentioned a man who has been traveling for a long time and is unkempt and covered with dust, and he raises his hands to the heavens (and says), “O Lord, O Lord,” when his food is haram, his drink is haram, his clothes are haram, and he is nourished with haram, so how can he receive any response? Narrated by Muslim, no. 1015.

The wealth that your father has acquired through the haram job is described by the scholars as wealth that is haram because of the way in which it was acquired, i.e., he earned it in a haram manner. Some scholars are of the view that this wealth is haram only for the one who earns it, but for the one who takes it from him in a permissible way, it is not haram for him, such as if your father gives you a gift or spends on you and so on.

Shaykh Ibn ‘Uthaymeen said: Some of the scholars said that in the case of wealth that is haram because of the way in which it was acquired, the sin is only on the one who earned it, not on the

one who takes it in a permissible way from the one who acquired it. This is unlike wealth that is haram in and of itself, such as alcohol, wealth seized by force, and so on. This view has a strong basis, because the Messenger (peace and blessings of Allah be upon him) bought food from the Jews for his family, and he ate from the lamb that the Jewish women gave him in Khaybar, and he accepted the invitation of a Jew, even though it is well known that most of the Jews consume riba and haram wealth. Perhaps this view is further supported by the words of the Prophet (peace and blessings of Allah be upon him) concerning the meat that was given in charity to Bareerah: “It is charity for her and a gift from her to us.” Al-Qawl al-Mufeed ‘ala Kitab al-Tawheed, 3/112.

Shaykh Ibn ‘Uthaymeen said: With regard to that which is haram because of the way in which it is acquired, such as that which is taken by means of deceit, or by means of riba, or by means of lying and so on, this is haram for the one who acquires it, but it is not haram for anyone else if he acquires it from him in a permissible manner. This is indicated by the fact that the Prophet (peace and blessings of Allah be upon him) used to deal with the Jews even though they used to consume haram wealth and riba. This indicates that it is not haram for anyone other than the one who acquired it. Tafseer Soorat al-Baqarah, 1/198.

Based on this, then you can inherit from your father and you do not have to keep track of what he has contributed to your business, or return what he contributed, but if you are cautious about consuming any of his wealth as much as you can, that is better. And Allah knows best.

For more information, see Ahkaam al-Quran by Ibn al-‘Arabi, 1/324; al-Majmoo’, 9/430; al-Fatawa al-Fiqhiyyah al-Kubra by al-Bayhaqi, 2/233; Kashshaaf al-Qinaa’, 3/496, question no. 21701.