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TREATMENT OF WEALTH ACQUIRED BY UNLAWFUL MEANS: AN ISLAMIC PERSPECTIVE

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Abstract

This study examines how Islamic law deals with wealth acquired by unlawful means. The main issue is the manner in which to treat all types of unlawful wealth, whether such wealth should be returned to its original owner or given away to charity, the poor and needy, or whether it should even be destroyed. In cases where the person repents, a further issue arises as to whether he is allowed to claim ownership of such wealth or to take possession of some portion of it. The discussion is divided into three parts: part one focuses on the meaning and types of wealth acquired through unlawful means; part two explains how Islamic law treats such wealth acquired by unlawful means; and part three extrapolates on the issue of ownership of unlawful wealth after repentance. This study adopts a doctrinal analysis of the Qur'an and Sunnah on issues relating to acquiring wealth through unlawful means. This is followed by a comparative study of the views of Muslim jurists from four well known schools of law as well as those of contemporary Muslim scholars. In addition, reference will be made to legal opinions (fatwa) from selected Muslim countries and renowned contemporary Muslim scholars. It is expected that the study will provide a clear guideline regarding the handling of wealth acquired by unlawful means in Islamic law.

Keywords

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By: Abd al-Salam, Daud al-Abbadi.

al-Milkiyyah fi al-Shari ah al-Islannyyah Tabi'atuha wa Wazifatuha wa Quyuuduha: Dirasah Muqaranah bi al-Qawanin wa al-Nuzum al-Wad'iyyah Volume: 2 Pages: 26

Published: 2000

1421H

Publisher: Mu 'assasah al-Risalah, Beirut
- Title: [not available] Times Cited: 1

By: al-' Abbadi, Abd al-Salam Dawud.

3. Title: [not available] Times Cited: 1
By: al-Alusi, Shihab al -Din al-Sayyid Mahmud.
Ruh al-Ma 'anifi Tafsir al-Qur'an al-Azim Volume: 2 Pages: 641 Published: 2005
1426H
Publisher: Dar al-Hadith, Cairo
4. Title: [not available] Times Cited: 1
By: al-Baz, Abbas Ahmad Muhammad.
Ahkam al-Mal al-Haram Pages: 338 Published: 2004
1424H
Publisher: Dar al-Nafa'is, Amman
5. Title: [not available] Times Cited: 1
By: al-Burnu, Muhammad Sidqi bin Ahmad bin Muhammad.
al-Wajiz fi Idah Qawa 'id al-Fiqh al-Kulliyah Pages: 393 Published: 2002
1422H
Publisher: Mu 'assasah al-Risalah, Beirut
6. Title: [not available] Times Cited: 1
By: al-Burusawi, al-Shaykh Ismail Haqqi.
Tafsir Ruh al-Bayan Volume: 1 Pages: 375 Published: 2000
1421H
Publisher: Dar Ihya' al-Turrath al-`Arabi, Beirut
7. Title: [not available] Times Cited: 1
By: al-Ghazali, Abi Hamid Muhammad bin Muhammad.
Ihya' Ulum al-Din Volume: 2 Pages: 199 Published: 1992
1412H
Publisher: Dar al-Hadith, Cairo
8. Title: [not available] Times Cited: 1
By: al-Jawziyyah, Ibn Qayyim.
Zada al-Ma 'adfi Khayr al-'Ibad Volume: 5 Pages: 671 Published: 2011
1432H
Publisher: Jam'iyyah Ihya' al-Turrath al- Islami, Kuwait
9. Title: [not available] Times Cited: 1
By: al-Junaydal, Hamad al-Abd al-Rahman.
Nazariah al-Tamallukfi al-Islam Pages: 24-42 Published: 1983
1403H
Publisher: Mu'assasah al-Risalah, Beirut
10. Title: [not available] Times Cited: 1
By: Al-Jundi, Samih ` Abd al-Wahab.
Ahammiyyat al-Magasidfi al-Shari`ah al-Islamiyyah Pages: 201-212 Published: 2013
1434H
Publisher: Mu'assasah al-Risalah, Beirut
11. Title: [not available] Times Cited: 1
By: al-Kibbi, Sad al -Din Muhammad.
al-Mu'amalat al-Maliyyah al-Mu'asirahfi Daw' al-Islam Pages: 287 Published: 2002
1423H
Publisher: al-Maktab al- Islami, Beirut
12. Title: [not available] Times Cited: 1
By: al-Mansur, Abd al-Majid Salih.
Abicam al-Maqbfid bi Aqd Fasid wa Tatbiqatuhu Pages: 227-228 Published: 2013
1434H
Publisher: Dar Kunuz Ishshibilia, Riyadh
13. Title: [not available] Times Cited: 1
By: Al-Mardawi, Ala al-Din Abi al-Hasan Ali bin Sulayman bin Ahmad.
al-Insaffi Ma'rifat al-Rajih min al-Khilaf Madhhab al-Imam Ahmad bin Hanbal Volume: 11 Pages: 201 Published: 1997
1418H
Publisher: Dar al-Kutub al-'Ilmiyyah, Beirut
14. Title: [not available] Times Cited: 1
By: al-Mawsali, Abdullah bin Mahmud Ibn al-Maudud.

- al-Ikhtiyar li Ta al-Mukhtar Volume: 3 Pages: 70 Published: 1998
1419H
Publisher: Dar al-Kutub al-'Ilmiyyah, Beirut
15. Title: [not available] **Times Cited: 1**
By: al-Nawawi.
al-Majmu' Sharh al-Muhadhdhab Volume: 10 Pages: 381 Published: 2007
1428H
Publisher: Dar al-Kutub al-'Ilmiyyah, Beirut
16. Title: [not available] **Times Cited: 1**
By: Al- Qardawi, Yusuf.
al-Halal wa al-Haram fi al-Islam Pages: 15 Published: 2007
Publisher: Maktabah Wahbah, Cairo
17. Title: [not available] **Times Cited: 1**
By: al-Qardawi, Yusuf.
Fatawa Mu'asirah Volume: 2 Pages: 409-410 Published: 2001
1422H
Publisher: Dar al-Qalam, Kuwait
18. Title: [not available] **Times Cited: 1**
By: al-Qardawi, Yusuf.
Fatawa Mu'asirah Volume: 1 Pages: 727-728 Published: 2001
1422H
Publisher: Dar al-Qalam, Kuwait
19. Title: [not available] **Times Cited: 1**
By: Al-Qurtubi, Abi Abdullah Muhammad bin Ahmad al-Ansari.
al-Jami' li Ahkam al-Qur'an Volume: 2 Pages: 338 Published: 1995
1416H
Publisher: Dar Ihya' al-Turrath al -Arabi, Beirut
20. Title: [not available] **Times Cited: 1**
By: al-Razi, Fakhr al -Din Muhammad bin Umar bin al-Husayn bin al-Hasan bin Ali al-Tamimi al-Bakri.
Mafatih al-Ghayb (al-Tafsir al-Kabir) Volume: 5 Pages: 101 Published: 2000
1421H
Publisher: Dar al-Kutub ah'Ilmiyyah, Beirut
21. Title: [not available] **Times Cited: 1**
By: al-Sawi, al-Shaykh Ahmad.
Bulghat al-Salik li-Agrab al-Masalik Volume: 3 Pages: 231 Published: 1995
1415H
Publisher: Dar al-Kutub al-`Ilmiyyah, Beirut
22. Title: [not available] **Times Cited: 1**
By: al-Shaykh, Ghazan Muhammad.
Ikhtilat al-Halal bi al-Haram fi Ta'amulat al-Masarif al-Islamiyyah Pages: 47-49 Published: 2014
1435H
Publisher: Dar al-Qalam, Damascus
23. Title: [not available] **Times Cited: 1**
By: al-Tabari, Abi Jafar Muhammad bin Jarir.
Jami' al-Bayanfi Ta'wil Aye al-Qur'an Volume: 2 Pages: 189 Published: 1420
Publisher: Dar al-Kutub al-'Ilmiyyah, Beirut
24. Title: [not available] **Times Cited: 1**
By: al-Zarqa, al-Shaykh Ahmad bin Shyakh Muhammad.
Sharh 'id al-Fiqhiyyah Pages: 185 Published: 2009
1430H
Publisher: Dar al- Qalam, Damascus
25. Title: [not available] **Times Cited: 1**
By: Al-Zaybari, Amir Said.
Ajwibah 'an As Watikafi al-Mu'amalat al-Maliyyah Pages: 24 Published: 1999
1420H
Publisher: Dar Ibn Hazm, Beirut
26. Title: [not available] **Times Cited: 1**
By: al-Zuhayli, Wahbah.
Fatawa Mu'asirah Pages: 124-125 Published: 2010
1431H

Publisher: Dar al-Fikr, Damascus

27. Title: [not available] Times Cited: 1
By: [Anonymous].
al-Duran al-Bahiyyah min al-Fatawa al-Kuwaitiyyah Volume: 5 Pages: 287-295 Published: 2015
1436
Publisher: Idarah al-Ifta', Wazarat al-Awqaf wa al-Shu'un al-Islamiyyah, Kuwait
28. Title: [not available] Times Cited: 1
By: [Anonymous].
al-Durar al-Bahiyyah min al-Fatawa al-Kuwaitiyyah Volume: 5 Pages: 257 Published: 2015
1436
Publisher: Idarah al-Ifta' Wazarat al-Awqaf wa al-Shu'un al-Islamiyyah, Kuwait
29. Title: [not available] Times Cited: 1
By: [Anonymous].
Al-Fatawa al-Shar'iyyah Volume: 4 Pages: 429-430 Published: 2011
1432H
Publisher: Idarah al-Ifta', Da'rah al-Shu'un al-Islamiyyah wa al-' Amal al-Khayri, Dubai
30. Title: [not available] Times Cited: 1
By: [Anonymous].
Al-Fatawa al-Shar'iyyah Volume: 17 Pages: 236 Published: 2012
1433H
Publisher: Idarah al-Ifta', Da'irah al-Shu'un al-Islamiyyah wa al-' Amal al-Khayri, Dubai

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