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Chapter on sharecropping and shared-tenancy

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Fatwa No. (5955)

Q: It is a custom in Jordan that land is owned by a person while other partners cultivate it. Although incurring no expenses such as plowing or seeds, the land owner receives one-third of the crops. Is it permissible? What is the Islamic ruling on this, bearing in mind that partners sometimes incur many expenses that outweigh the land's revenue. Moreover, sometimes the land produces only some canvases, some of which the landowner takes, or the like.

A: A sharecropping contract between a landowner and a farmer is a valid contract provided that they share the revenue. The farmer may receive one-fourth, one-third or half for example, and the landowner receives the remainder. This is regardless of whether such expenses as seeds, fertilizers, plowing, irrigation and other services are incurred entirely or partially by the farmer. This is based on the Hadith related by [Al-Bukhari](#), [Muslim](#) and the compilers of Sunan (Hadith compilations classified by jurisprudential themes) on the authority of [Ibn `Umar](#) (may Allah be pleased with both of them) (that the Prophet made a deal with the people of Khaybar that they would have half the fruits and vegetation of the land they cultivated.) Ibn `Umar is also reported to

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have said: (When Allah's Messenger (peace be upon him) had conquered Khaybar, the Jews requested him to let them stay there on the condition that they would do the labor and get half of the fruits. Allah's Messenger told them: We will let you stay on this condition, as long as we wish.) (Related by [Al-Bukhari](#) and [Muslim](#)). Moreover, [Muslim](#), [Abu Dawud](#) and [Al-Nasa'i](#) reported that: (Allah's Messenger (peace be upon him) returned to the Jews of Khaybar the date-palms of Khaybar and its land on the condition that they should work upon them with their own wealth (seeds, implements), and give half of the yield to Allah's Messenger (peace be upon him).) The above-mentioned Hadith clearly indicate that farming and its expenses was undertaken by the farmer - the Jews in such a case. They also indicate that when the farmer's share is assigned, the landowner's share becomes intuitively known.

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May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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