



The obligation of rendering trusts back between partners

Fatwa no. 8325

Q: My brothers and I made a commitment to be loyal to one another and to work for the best interest of all of us. We committed ourselves not to listen to informers, hypocrites, a son or a wife and no one should give his family and children money except with the knowledge of the other. I made an agreement with my brother that we would give our wives equal amounts of money and goods but they did not observe what they committed themselves to. Therefore, some of their children started to tease and curse me in the presence of their fathers and one of my brothers' wives harbored enmity toward me. Another nephew insulted me despite my kindness to him by visiting his father or asking about him by telephone. He is satisfied and does not try to remove harm or even observe our brotherhood. Because I do not know about the future, I made the commitment with them by making an oath on a copy of the Qur'an. As a result of what I noticed about them, I took some gold jewelry - some with their knowledge and others without. I also took a few more shares such as shares in Sabik Company and the Agricultural Company in Tabuk for my wife and children. It is worth mentioning that sometimes I tell them to assign some money for their children.

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Could you kindly advise me because I am confused and in distress because of the commitment that we made on the Book of Allah and that I was not able to equate between our wives. It is important to mention that I am still equal between them in terms of purchasing and I consider the money I save is for the benefit of us all. I am really worried about this covenant and I do not sleep at night because of the distress I feel. Could you kindly advise me in writing.

A: The covenant that you made with your brothers concerning the money you gain is like a company between you and its dissolution is up to you if you all agree. Also, any discrepancy that might emerge should be referred to the court. Anything that was taken without consent is not permissible and should be rendered back to the company. May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family and Companions!

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