

128406 - Can they make use of the interest (riba) because they are in need?

the question

My father (may Allaah have mercy on him) died eight years ago. He worked as a taxi driver, and the taxi was in the name of one of my younger brothers (it was not a gift to him; rather that was because of some problems with the insurance, which meant that the taxi should not be in my father's name). After my father died and the will went to court, the judge decided to put the money from the sale of the taxi in the bank in the name of my younger brother until he reached puberty, and that was a riba-based bank. Now my younger brother has grown up, and he has withdrawn the money and the interest. We know that this interest is riba. My question is: is it permissible to share out this interest among my siblings as they are still in education and they need money for education and to help with the cost of living, as we are 10 sons and daughters, four of whom are married and the rest are still in school?.

Detailed answer

Firstly:

It should be noted that this taxi which your father registered in the name of his youngest son — because of insurance reasons and so on, and it was not a gift and was not meant to become his property — is regarded as part of the inheritance in which all the heirs have a share according to the shar'i system of division.

Secondly:

You have to get rid of the interest/riba by spending it in the public interest or on charitable causes. It is not permissible to get rid of it by benefiting from it yourselves, unless you are poor and in need. In that case it is permissible to take from it according to need, as stated

by some scholars with regard to haraam money after repenting and giving up the sin. Please see the answer to question number [126045](#).

It is permissible for the one who is getting rid of it to give it to his poor brothers from whom he would not inherit in the event of their death, or he may give it to them to pay off their debts. For more information on that please see the answer to question number [81952](#).

If it was decided that this taxi was the property of all the heirs and its price was put in the riba-based bank, then this interest belongs to all the heirs, and each of them may get rid of his share by giving it to his brothers from whom he will not inherit.

If those who are in need take their share of the interest and spend it on themselves for education and the like because they are poor and in need, that is permissible as stated above.

And Allaah knows best.