

128884 - Is the partnership affected by the sins of a partner?

the question

I have a partner who commits major sins, but I did not come to know about that until after forming the partnership. There have been many disputes about how to end this partnership, but it has continued. What is the ruling on mixing his wealth and mine? And what is the ruling on giving zakah? What sort of partnership is this considered to be, as I need to do this type of business?

Detailed answer

The fact that the partner commits major sins or some other sins does not mean that the partnership is invalid, but if he does other things that could undermine the company, such as dealing in riba or dealing with bribes in the way he runs the company, or he engages in dealings that make the company's income partially haram, then this is a different matter. In that case you should separate from him and end this partnership, so that you will not consume haram wealth or approve of anything that is haram.

But if his sins have nothing to do with the company, such as if you are accusing him of sins outside of work, such as zina, drinking alcohol, and the like, that has nothing to do with the company or partnership, then this does not affect you and it does not affect the partnership, so long as the business is run in accordance with shar'i rulings. That does not affect anything, and you have the choice after that as to whether to end the partnership or not, but ending a partnership with this type of person is better, so that you will not be harmed by being close to him. Ending a partnership with this type of person is more appropriate or more prudent, but if it continues for some time, that will not affect the validity of the partnership, because his sins affect him only. Rather what affects the partnership is when the sin has to do with riba, financial cheating or introducing something that Allah has forbidden into the partnership, such as selling or buying haram things, and

engaging in different types of bribery and treachery, or dealing in any type of riba and so on. These are the things that affect and undermine a partnership. End quote.

Shaykh 'Abd al-'Azeez ibn Baz (may Allah have mercy on him)

Fatawa Noor 'ala ad-Darb, 3/1459.