

# Is It Necessary To Repay A Loan Borrowed From A Son Or Brother?

Darulifta Ahlesunnat

(Dawateislami)

## Question

What do the Scholars of Islam and the Muftis of the Shari'ah say regarding the issue that if a person has given a loan to his father and brother, will it be necessary for them to return it? His father, who is financially well-off, claims that whatever belongs to the son also belongs to the father. So he is not required to repay the loan.

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

الْجَوَابُ بِعَوْنِ الْمَلِكِ الْوَهَّابِ اللَّهُمَّ هِدَايَةَ الْحَقِّ وَالصَّوَابِ

The statement made by the father is indeed derived from a blessed Hadith and can be seen as a privilege for the son. According to Islamic law, if the father is financially stable and not in need, it is not permissible for him to retain any of his son's belongings without the son's consent. Based on this principle of Shariah, the wealthy father's refusal to repay his son's debt is unjustifiable. It is necessary for him to fulfil his obligation by repaying the entire debt in accordance with Shariah.

When this is the ruling concerning the father, then the brother is more obligated to promptly repay the debt owed to his brother who graciously extended him a favour. A loan is considered a noble virtue and an act of great charity and kindness. In fact, it holds a reward that is eighteen times greater than regular charitable acts. Therefore, it is both morally and religiously commendable to repay the loan in a timely manner and express gratitude towards the lender. Failing to do so would be regarded as a grave act of ungratefulness and ingratitude towards Allah Almighty. Consequently, one would be held accountable in the divine court of Allah Almighty in the afterlife.

Nevertheless, the son who loans money to his father should recognize that his current state, as well as any future success and blessings in this world and the hereafter, are indebted to his parents. It is through the will of Allah Almighty that his parents became the means of his existence and provided him with the upbringing and support to earn a living. Considering these favours, he should treat his father with kindness and find contentment in not seeking repayment of the debt. By doing so, he will undoubtedly witness the rewards bestowed upon him in this life and the hereafter. Showing kindness towards close relatives, particularly parents and siblings, results in a higher level of obedience and goodness. Moreover, Allah Almighty grants numerous blessings in this world to those who exhibit such kindness, including: (1) an extended lifespan, (2) blessings in their offspring, (3) abundance in sustenance, and (4) protection from a bad death.

In a Hadith narrated from Sayyiduna Mu'aaz رَضِيَ اللهُ عَنْهُ in Musnad Imam Ahmad, the Last and Beloved Prophet صَلَّى اللهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ said:

لا تعقن والديك وإن أمراك أن تخرج من أهلك ومالك

**Translation:** Be careful not to disobey your parents, even if they instruct you to leave your spouse, children, wealth, and everything.

Similarly, Imam Tabarani رَحِمَهُ اللهُ عَلَيْهِ has narrated in Mujam al-Awsat:

أطع والديك وإن أخرجاك من مالك ومن كل شئ هو لك

**Translation:** Obey your parents, even if they separate you from your wealth and everything you own.

After citing the aforementioned narrations, Imam A'la Hadrat Shah Imam Ahmad Raza Khan رَحِمَهُ اللهُ عَلَيْهِ explains: "While these narrations emphasize the significance of obedience, it is important to recognize that, according to Shariah law, the wealth of the father and the son are considered distinct entities. If the father finds himself in a position of need, he has the right to access the surplus wealth of his son without explicit permission, but limited to essential provisions such as food, drink, clothing, and housing. If necessary, this may extend to a household servant."

There is a blessed Hadith in Sahih Bukhari:

من أحب أن يبسطه له في رزقه وينسأله في أثره فيصّل رحمه

**Translation:** He who desires an expansion in his sustenance and blessings in his wealth should maintain good relations with his relatives.

Narrated by Sayyiduna Ali al-Murtaza رَضِيَ اللهُ عَنْهُ:

من سرّ أن يبدله في عمرة، ويوسع له في رزقه، ويدفع عنه ميتة السوء، فليتق الله وليصل رحمه رواه عبد الله ابن الإمام في زوائد المسند

والبزار بسند جيّد والحاكم في المستدرّك عن أمير المؤمنين على كرم الله تعالى وجهه

**Translation:** Whoever desires a long and prosperous life, abundant sustenance, and protection from an evil death should fear Allah Almighty, and demonstrate kindness towards their relatives.

It is narrated in Imam Tabarani's Mu'jam al-Awsat:

إن أعجل البر شوأ بالصلة الرحم حتى أن أهل البيت ليكونون فجرة فتنموا أموالهم ويكثر عددهم إذا تواصلوا

**Translation:** Undoubtedly, one of the most swiftly rewarded good deeds is upholding family ties. Even if the family members are transgressors, their wealth will grow and their numbers will increase, provided they maintain strong bonds with one another.

وَاللّٰهُ اَعْلَمُ عَزَّوَجَلَّ وَرَسُوْلُهُ اَعْلَمُ صَلَّى اللهُ تَعَالٰى عَلَيْهِ وَاٰلِهٖ وَسَلَّمَ

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## *Dar-ul-IftaAhlesunnat (Dawat-e-Islami)*



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