1203 - Taking an orphan’s property is stealing

the question

I made a vow and I have orphans under my care. Can I fulfil this vow from the property of these orphans?

Detailed answer

Praise be to Allah.

It is not permissible to fulfil the vow from the property of the orphans. Allah says (interpretation of the meaning):

“And come not near to the orphan’s property, except to improve it” [al-An’aam 6:152]

If we pay this from the orphan’s property, there is no benefit to the orphan, rather taking it is counted as stealing. Everyone who is in charge of orphans’ property has to dispose of it in the manner which he thinks is in the orphans’ best interests. With regard to that which is not in their interests, or which serves some interest but there is some doubt as to whether it is in their best interests, then it is not permissible to dispose of it in that manner, because of the quotation mentioned (interpretation of the meaning):

“And come not near to the orphan’s property, except to improve it” [al-An’aam 6:152]

So it is not permissible dispose of it, even if they are her children.