118432 - What Is Considered Bribery in Islam?

the question

I work as an accountant in a shipping company. Recently I found out that the company for which I work gives bribes to some workers to clear some shipments (get them released from the customs) and the like. I work as an accountant in this company, and I give this money to the manager, so that he can give it to the workers as bribes, and I have found out about this. Is there any sin on me? What should I do in this case?

Summary of answer

It is not permissible to deal with bribes, either accepting them or giving them. This is a major sin in Islam. Exceptional cases are: 1- taking one’s right, 2- removing or alleviating wrongdoing, and 3- giving money to workers or offices to go to the official bodies and do what is needed.

Detailed answer

Praise be to Allah.

Is bribery prohibited?

It is not permissible to deal with bribes , either accepting them or giving them. This is a major sin, because of the report narrated by Ahmad (6791) and Abu Dawood (3580) (may Allah have mercy on them) from `Abdullah ibn `Amr (may Allah be pleased with him), who said: The Messenger of Allah (blessings and peace of Allah be upon him) cursed the one who gives a bribe and the one who takes it. (Classed as authentic by Al-Albaani in Irwa’ al-Ghalil, 2621)

When is it allowed to give bribes in Islam?

There are exceptions to original ruling, as follows:

- If the person who has a right to something cannot take what is lawfully his except by paying a bribe , then the scholars (may Allah have mercy on them) stated that it is permissible for him to give the bribe in that case , and the prohibition applies to the one who takes it, not the one who gives it.

So if clearing the shipment can only be done by paying money, or if not paying money will result in delay in releasing the shipment and will be detrimental to the one who has the right, it is permissible to pay the money in that case, and the prohibition applies to the one who takes it.

- Paying money to remove or alleviate wrongdoing, there is nothing wrong with that.
- Giving the money to a worker or office to go to the official bodies and do what is needed to clear the transaction. There is nothing wrong with this, and it does not come under the heading of a bribery; rather this comes under the heading of hiring someone to do a task.

Is the accountant blamed for giving the bribe money to the manager?

If what the manager receives comes under the headings mentioned above, there is no blame on you for giving this money to him and recording that, and the like.

But if you have found out that it is a bribe that is given to clear things that are prohibited, or it is paid while it is possible to clear the transactions without it, without any delay that is detrimental to the company's interests, or other matters that do not come under the headings of the things mentioned above that make it permissible, then it is not permissible for you to help in giving that money to him or recording it, because Allah, may He be Exalted, says (interpretation of the meaning):

{And cooperate in righteousness and piety, but do not cooperate in sin and transgression. And fear Allah; indeed, Allah is severe in penalty.} [Al-Ma'idah 5:2]

You should advise your manager and explain to him that bribes are prohibited for the giver and the taker, and that it is prohibited to help in that.

You should understand that whoever fears Allah, may He be Exalted, He will protect him and

suffice him; whoever adheres to His commands, He will grant him more of His bounty. So do not let fear of people prevent you from speaking the truth when you know it.

Imam Ahmad (11030), At-Tirmidhi (2191) and Ibn Majah (4007) (may Allah have mercy on them) narrated from Abu Sa'id Al-Khudri (may Allah be pleased with him) that the Messenger of Allah (blessings and peace of Allah be upon him) stood up to deliver a khutbah (sermon), and one of the things that he said was: "Indeed, fear of people should not prevent a man from speaking the truth, if he knows it." This Hadith was classed as authentic by Al-Albaani in Sahih Ibn Majah.

May Allah help us and you to do that which He loves and is pleased with.

For more details, please see this category: Bribes

And Allah knows best.