131611 - The government gave them land and their brother paid their fees and took it and some of them agreed to it reluctantly

the question

We were given a piece of land by the government in the name of our father and four brothers. The government fees were paid by one of our brothers, then there was an agreement to give up ownership of the land to this brother, but one of the brothers agreed to this reluctantly. Is this transaction permissible?.

Detailed answer

Praise be to Allah.

If this land was given in all your names, and that was for a price that was lower than the market price and everyone gave it up to this brother who paid the fees, there is nothing wrong with that if you are adults of sound mind. If it is known that anyone refused that or accepted it because of shyness, then he must be compensated for his share. This share may be worked out with the help of experienced people. Or he may keep his share of the land and pay his share of the fees.

That is because the wealth of a Muslim is not permissible unless he gives it willingly. That which is taken by means of shyness is haraam.

The Prophet (blessings and peace of Allah be upon him) said: “The wealth of a Muslim is not permissible unless he gives it willingly.” Narrated by Ahmad, 20172. Classed as saheeh by al-Albaani in Saheeh al-Jaami’, 7662.

For information on the prohibition of that which is taken by means of embarrassment, please see Tuhfat al-Muhtaaj, 6/217

And Allah knows best.