

70272 - Can a gift not be given away or sold?

the question

Is it permissible to sell a gift? There is an idea that a gift cannot be given away or sold?.

Detailed answer

Praise be to Allah.

The idea that is common among people, that a gift cannot be given away or sold, is not correct and is contrary to sharee'ah. The person who takes possession of a gift in a manner that is acceptable according to sharee'ah has the right to dispose of it by selling it, renting it out, giving it away or donating it as a waqf, and there is nothing wrong with doing that. Whoever regards any of that as not allowed is not right. There is evidence to that effect in the saheeh Sunnah of the Prophet (peace and blessings of Allaah be upon him).

1 - It was narrated from 'Ali (may Allaah be pleased with him) that Ukaydar of Dawmah gave a silk garment to the Prophet (peace and blessings of Allaah be upon him) as a gift. He gave it to 'Ali and said: " Share it out among the Faatimahs for head covers"

Narrated by al-Bukhaari, 2472; Muslim, 2071.

Ukaydir of Dawmah: This was Ukaydir ibn 'Abd al-Malik al-Kindi; there was some scholarly dispute as to whether he became a Muslim, but the majority are of the view that he did not become Muslim.

The Faatimahs: there were three of them: Faatimah the daughter of the Messenger of Allaah (peace and blessings of Allaah be upon him), Faatimah bint Asad, who was the mother of 'Ali ibn Abi Taalib, and Faatimah bint Hamzah bint 'Abd al-Muttalib.

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This hadeeth shows that the Prophet (peace and blessings of Allaah be upon him) gave away something that had been given to him as a gift. This shows that the view of those who believe that a gift cannot be given away is wrong.

2 - It was narrated that 'Abd-Allaah ibn 'Umar said: 'Umar took a jubbah of silk that was being sold in the market place and brought it to the Messenger of Allaah (peace and blessings of Allaah be upon him) and said: "O Messenger of Allaah, buy this and adorn yourself with it for Eid and when the delegations come." The Messenger of Allaah (peace and blessings of Allaah be upon him) said to him: "This is the clothing of one who has no share in the Hereafter." As much time passed as Allaah willed, then the Messenger of Allaah (peace and blessings of Allaah be upon him) sent to 'Umar a jubbah made of silk brocade. 'Umar took it and brought it to the Messenger of Allaah (peace and blessings of Allaah be upon him) and said, "O Messenger of Allaah, you said that this is the clothing of one who has no share in the Hereafter, then you sent this jubbah to me!" The Messenger of Allaah (peace and blessings of Allaah be upon him) said to him: "Sell it or make some use of it."

Narrated by al-Bukhaari, 906; Muslim, 2068.

This hadeeth shows that it is permissible to sell a gift, as the Prophet (peace and blessings of Allaah be upon him) said to 'Umar concerning the gift that he had given him: "Sell it."

3 - It was narrated that Ibn 'Umar (may Allaah be pleased with him) said: We were with the Prophet (peace and blessings of Allaah be upon him) on a journey, and I was riding a difficult camel that belonged to 'Umar. It got the better of me and went ahead of the people, and 'Umar rebuked it and sent it back. Then it went ahead again, and 'Umar rebuked it and sent it back. The Prophet (peace and blessings of Allaah be upon him) said to 'Umar, "Sell it to me." He said: "It is yours, O Messenger of Allaah." He said, "Sell it to me." So he sold it to the Messenger of Allaah (peace and blessings of Allaah be upon him) and the Prophet (peace and blessings of Allaah be

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upon him) said: "It is yours, O 'Abd-Allaah ibn 'Umar; do with it what you wish." Narrated by al-Bukhaari, 2010.

The Messenger of Allaah (peace and blessings of Allaah be upon him) said to 'Abd-Allaah ibn 'Umar: "It is yours, do with it what you wish." This indicates that whoever is given something becomes its owner and he may dispose of it however he wishes, by selling it, giving it away, or otherwise.

And Allaah knows best.