

Beware...Green Collar Criminals on the Prowl

By

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Criminals don't look like criminals anymore. They have mastered the art of disguise. Before, you could spot a thief by the type of clothes he wore and by his suspicious manner or walking. But nowadays criminals drive expensive cars, dress elegantly and can even speak better English than most of us. Many criminals are not poor either, nor do they need the money they steal. Furthermore, many of them are known to us, they are either trusted family or community members, but with a slight modification – they could not resist the devilish temptation of greed.

I'm not referring to bandits, burglars or computer hackers who are often strangers to us, nor to white collar criminals who commit sophisticated acts of fraud by manipulating the figures of their company's books. It doesn't also refer to the Robin-Hood type of criminal who steals from the government and gives to the poor. No, this is a more sinister type of criminal which I prefer calling "Green Collar" criminals. These criminals are all Muslim, pious and trusted community and family members who either misuse our charities for personal gain, exploit the piety of Muslims in the *halaal* and *hajj* industry, launder their hot money via the religious institutes that they control, and more disgustingly – steal the inheritance share of their own helpless family members.

All of the above people often use the principles of accounting, the loopholes of law, their glib tongues, and of course, the helplessness of their victims to get away with their crimes. They all merit a discussion of their own, but this article will discuss the issue of inheritance fraud committed in the name of Islam by trusted family members.

Crimes on the Rise

Haleema is a sweet girl who was the favourite of her brothers. As a child, she was spoilt by all to such an extent that her father would not allow his precious little daughter to even eat the hard crust of the bread. On Eid day, all her brothers would pool their spending money and buy her a pretty gift. Alas, Haleema's fairytale life didn't last forever, because soon after her marriage, her father passed away leaving behind a fortune, but 20 years thereafter, she still awaits her share.

In that time, her husband also passed away, and her children had to drop out of school to help run the household. Today, Haleema sells samoosas and pies for a living, she lives in an outbuilding, and her brothers pretend not to have a sister anymore because their wives are more important than her. Had she received her rightful share on time, Haleema would've still had her dignity which God had allotted for her, but which her criminal and greedy brothers had stolen.

There are thousands of cases of pious fraud in our community today. Many produce *fatwas* from backdoor Aalims – in reality

Zaalims

(oppressors) – who simply issue a certificate without proper verification. The wealthier hide the money in complicated family and business trusts and stipulate such clauses therein that to crush a stone to obtain water will be easier. Some abuse their authority of executorship because of being “big brother,” the “favourite son” or the respectable “uncle of the Masjid,” whilst others simply forge signatures on a fake will. The able victims may stand up for their rights, but more than often, it's the females and the helpless who do not have the means to defend themselves who suffer the consequences and end up as wealth beggars of our society.

Today, many fraudulent inheritance issues have torn families apart to the extent that members do not attend each other's funerals and functions anymore, when they cross paths in malls, they look the other side which has resulted in our children growing up knowing Uncle Ben from the Supermarket, but not their own uncles and aunts.

Importance of Fair Distribution

In the Qur'an, God did not leave the laws of inheritance vague or upon the discretion of mankind. When it came to prayers, fasting, charity and pilgrimage, God told us to simply fulfil these obligations, but when it came to the laws of inheritance, God *spelt out in detail* as to who should receive what and in which proportion. Nothing was left to chance in chapter 4: 11-12 - the verses many Huffaz are terrified of due to it being so tongue-twisting. Yet, after such clear-cut instructions, people still think they know better than God and distribute their estate in a clearly un-Islamic manner designed to deprive some and benefit some.

The problem of inheritance fraud lies within two facts. The first fact is that mankind mistakenly thinks that his wealth belongs to him. If your wealth doesn't belong to you in your lifetime, how can it still be yours after your death? In Islam, we hope that every Muslim will be forgiven after their death, but there can be no hope of forgiveness for a person who deprives others of their share after their death. In fact, there is *certainty* that such a person will be roasted on the fire (Qur'an 4:14), until his heirs do not come to their senses and correct his affairs in the world (Qur'an 2:182). At this juncture, many people would say : "There goes that man-eating dragon of a Maulana threatening us with the fire again," but before saying this, pick up your dusty Qur'an and check out the above Qur'anic reference and first accuse God Himself with using the fire as a warning!

Imagine this scenario: your father toiled in this world to provide a comfortable life for you and your family, but after his death, the same money he worked for becomes a source of punishment for him. His senseless children for whom their father slogged, actually don't mind their parent's roasting in the fire due to the misdistribution of his money, as long as they merrily enjoy themselves in this world, until they too, join him in the fire. Is this a fair bargain?

The second reason of the prevalence of inheritance fraud or "Green Collar Theft" is that in Islam, besides mankind not granted ownership of his money, he further has no choice as to how to spend it. During your life, you were restricted from spending your money in avenues of sin, and when you die too, you are further restricted. It's not yours anymore. You have no choice as to how this money should be distributed. Your duty is simply to leave an Islamic will, with full disclosure of what is owed to God in way of missed prayers and fasting and what to people in way of debts. Leave the rest to God and hope for salvation. No one can control the world from their grave !!

God has decided that if you have children, than your wife will inherit an eighth of your estate, and if you have no children, she will get a quarter. There is no point in leaving the entire estate

to your wife as is done according to Common Law, as she can easily remarry tomorrow. Someone else will then be sleeping in the bed you bought for her in the bedroom you furnished for her, and supporting step-children she didn't give birth to with your money. Rather give everyone their rightful due, and let destiny takes its course.

When we flip the coin, we find that a husband will inherit half of his wife's estate if there are no children, but only a quarter if there are. The reason for inheriting more is that he fully supported her in his lifetime, so he is entitled to more. If she was a career woman, he tolerated her absence, so he is still entitled to his share. In this regard, a woman once asked her husband: "Darling, did you marry me knowing that my father will leave me a fortune?" The husband replied: "Never, I'll be happy if *anyone* leaves you a fortune!" A word of caution here: greedy people who murdered their partners to cash in on their life policies always got caught.

Furthermore, a son will inherit double that of a daughter. You can not deprive a daughter of her share because she married in a wealthy family as you do not know her future condition, and you cannot disown your druggie son because tomorrow he may reform and become better than the rest of your children. Also, amongst your sons, you cannot give one more because "he helped in establishing the business" and the others less because they were given an education. All must be given equal. Let us not apply our own logic to the laws of inheritance because man's logic cannot comprehend it.

Some other rules of inheritance are that your grandparents will not inherit if your parents are alive, a father's share is never less than a sixth and your mother will most of the time also inherit a sixth of your estate, unless if you have no children whence she inherits a third. In the absence of sons, daughters will share two thirds of the estate. Nephews and nieces seldom inherit, and brothers and sisters of the deceased only inherit as secondary heirs. The laws of inheritance are complicated, but every instance is very clear and cast in stone. Our noble Prophet Muhammad (Peace be upon him) told us that the science of the laws of inheritance is half of knowledge, and everyone should learn their intricacies as it is a knowledge that will be soon neglected.

Lastly, it is my appeal to all those *Green Collars* out there who have left their own family members out in the cold: please have mercy on yourself and do justice. Maybe God wants to unlock a greater treasure for you, but you are depriving yourself of this treasure by cheating others. If you do not do justice before your death, then those deprived will survive in the world, but it is extreme short-sightedness on your part. You have just bartered away the pleasures of a few seconds in this world for a long time of roasting and toasting in the hereafter. Can there be any boasting about that?

