

## The objectives of the Islamic sharia law regarding money...and the means of achieving and preserving them

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**Abstract---**The finding of “money” is a blessing from Allah Almighty, with which he has bestowed favor and honor upon mankind. it is one of the five essential necessary faculties in the tolerant Islamic shari'a law. this divine blessing is intended to preserve people's faith, lives, minds, lineage, and wealth. The most gracious has prescribed religious rulings and legal means to preserve these values, both by creating and maintaining them.

**Keywords---**objectives of the Islamic shari'a law “shari'a”, money “funds”, means, achievement, preservation.

### Introduction

Praise be to allah who says in the decisive revelation: {wealth and children are the adornment of the life of this world. but the good righteous deeds (five compulsory prayers, deeds of allah's obedience, good and nice talk, remembrance of allah with glorification, praises and thanks, etc.), that last, are better with your lord for rewards and better in respect of hope}.<sup>1</sup> i bear witness that there is no god but allah alone, without partner. his is the kingdom and his is the praise. he gives life and causes death, and he is alive and never dies. He is over all things competent. he says in his noble book: {believe in allah and his messenger and spend from that over which he has made you differ. so those among you who have believed and spent will have a great reward}.<sup>2</sup> i bear witness that our master and prophet Muhammad is

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<sup>1</sup> - Surah Al-Kahf: [K, 18/46].

<sup>2</sup> - Surah Al-Hadid: [M, 57/29].

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4120

his servant and messenger, his chosen one among his creation, the seal of his prophets, his messenger, the bestowed blessing and the bestowed mercy, sent as a mercy to all the worlds before the doomsday, as a bearer of good tidings and a warner, a guide to allah by his permission and a shining lamp, who said in his fragrant, blessed, and honorable sunnah; as narrated by anas ibn malik (may allah be pleased with him): "seven things for which the servant will continue to be rewarded even after his death in his grave: teaching knowledge, running a river, digging a well, planting a palm tree, building a mosque, bequeathing a copy of the qur'an, or leaving behind a child who seeks forgiveness for him after his death".<sup>3</sup> o allah, send prayers and peace, blessings, mercy and favors, and then increase and be generous, upon him and his good and honorable family and wives, and upon his approved companions, the radiant and distinguished leaders, and upon those who follow them in goodness, and upon us with them until the day of judgment; now then:

Allah almighty has approved islam as a true, valuable and upright religion for humanity, a mercy to the worlds. allah almighty says: {and we have not sent you, [o muhammad], except as a mercy to the worlds}.<sup>4</sup> and the almighty said: {today; i have perfected your religion for you, completed my favor upon you, and have approved for you islam as religion}.<sup>5</sup> he built his upright religion and established his radiant shari'a on comprehensive interests, fundamental rules, and essential objectives, in order to achieve security in people's lives and happiness, and to establish a system for their living, dealings, worship, customs, and manners, out of mercy for them in this life and the next, in the lap of tranquility, calm, happiness, and beautiful manners. allah almighty said: {and if the people of the towns had believed and had the taqwa (piety), certainly; we should have opened for them blessings from the heaven and the earth, but they belied (the messengers). so; we took them (with punishment) for what they used to earn (polytheism and crimes, etc.)}.<sup>6</sup> these essential objectives are the five universal principles by which allah preserves the interests of mankind in this world and the hereafter. they are:

1. preserving religion.
2. preserving life (self-preservation).
3. preserving wealth (save money).
4. preserving the mind (mind conservation).
5. preserving honor (offspring).

Imam Muhammad al-tahir ibn ashour added a sixth necessary objective in his book "shari'a objectives"; preserving freedom.

- **Definition of the islamic shari'a objectives:**

- A. **Definition of the islamic shari'a objectives in language:** objectives in the language: plural of objective, meaning: the straight path, achieving something, and heading towards it. among its meanings are: the goal and the purpose.<sup>7</sup> as for shari'a in the language; it means in the original language: the source of the drink. it also has other meanings: religion and method.<sup>8</sup>
- B. **Definition of the islamic shari'a objectives in terminology:** imam muhammad al-tahir ibn ashour defined them by saying: "they are the meanings and rulings observed by the wise lawgiver, glory be to him, in all or most cases of legislation, such that their observation is not specific to the universe in a special type of shari'a rulings".<sup>9</sup>

- ❖ **The authority of the islamic shari'a objectives:**

<sup>3</sup> - Narrated by Al-Bazzar in Kashf Al-Astar (149).

<sup>4</sup> - Surah Al-Anbiya, the Prophets: [K, 21/107].

<sup>5</sup> - Surah Al-Ma'idah: [M, 5/3].

<sup>6</sup> - Surah Al-A'raf: [K, 7/96].

<sup>7</sup> - Ibn Manzur, **Lisan Al-Arab "The Tongue of Arab"**, Arab Heritage Revival House, Beirut (3/pp. 353-357).

<sup>8</sup> - **Op. Cit.**, (8/176).

<sup>9</sup> - Muhammad Al-Tahir ibn Ashour, **The Objectives of the Islamic Shari'a Law**, Investigation: Muhammad Al-Tahir Al-Maysawi, The Valuables House, Jordan, 2nd ed., 1421 AH/2001 CE, p. 251.

the islamic shari'a, in all its practical legal rulings, aims to bring benefits to humanity and ward off harm, out of mercy for them in life and death. the authority to act in accordance with the objectives of islamic shari'a is derived from such qur'anic and prophetic texts:

- A. From the holy qur'an:** among the jurisprudential issues included in the holy qur'an is the issue of placing the fool under guardianship. allah almighty said: {and do not give the weak-minded your property, which allāh has made a means of sustenance for you, but provide for them with it and clothe them and speak to them words of appropriate kindness}.<sup>10</sup> the noble verse came to achieve a number of objectives, including imposing guardianship on the minor who does not know how to manage the money, due to his lack of maturity and incomplete mind, in order to achieve several interests, including:
- preserving money and enabling it to be traded in a legitimate way.
  - preserving the dignity of the orphaned child who has not reached adulthood, so that his money is handed over to him after he reaches adulthood.
  - obligation to provide for orphans from their own money in a reasonable manner, in terms of feeding, clothing, education and treatment.
  - ending the corrupt behavior that may be caused by the foolish (i.e., the minor who has not yet reached puberty), in order to prevent the harm, they cause to themselves or to society. all of this is part of the noble objectives of islamic shari'a, which was established to bring happiness to all of humanity.
- B. From the prophetic sunnah:** anyone who follows the blessed, fragrant, and honorable prophetic sunnah, whether it is verbal, practical, or explicit, will encounter diverse examples of how it brings benefits and wards off harm from all of humanity. examples of this include what was narrated by the beloved and venerable companion, abdul rahman ibn sakhr al-dawsi, abu hurayrah (may allah be pleased with him), who said that a man who had drunk alcohol was brought to the messenger of allah (peace and blessings be upon him). he said: "hit him". abu hurayrah said, some of us hit him with our hands, some with our sandals, and some with our garments. when he left, some of the people said: 'may allah disgrace you. the messenger of allah (peace and blessings be upon him) said: "do not say such things. do not help satan against him".<sup>11</sup> this noble hadith includes a number of objectives, including:
- explaining the purpose of the punishment, which is to purify the sinner and protect society, not to take revenge on him.
  - helping the sinner to repent, and explaining the nation's responsibility to provide the means for repentance.
  - taking care to say good words when enjoining good and forbidding evil.
  - supplication for guidance, repentance and righteousness for the sinner, may allah fix his situation.
- C. From the companions work:** the companions of the messenger of allah (peace and blessings be upon him and his family) acted in many of the incidents that occurred to them, taking into account the objectives of islamic shari'a in their fatwas and rulings that they issued. an example of this is the story of the group who agreed to kill a muslim man in yemen, during the reign of the rightly-guided caliph omar ibn al-khattab (may allah be pleased with him). he ruled that all of them should be executed in retaliation, taking into account the objectives of the islamic shari'a in establishing security and protecting people from highwaymen. he swore by allah: if all the people of sana'a had conspired to kill this man, he would have killed them all because of him.<sup>12</sup> this industriousness (ijtihād) by caliph omar bin al-khattab (may allah be pleased with him) included shari'a legal objectives, which are:
- blocking the pretext, blocking the way to sedition, cooperation in killing, and spreading corruption on the earth.

<sup>10</sup> - Surah An-Nisa: [M, 4/5].

<sup>11</sup> - Ahmad, *Al-Musnad, The Rest of the Musnad of the Many Narrators, Chapter: Musnad of Abu Hurairah*.

<sup>12</sup> - Malik, *Al-Muwatta, Book of Minds, Chapter: What was Said about Treachery and Magic*.

- maintaining the security, reassurance and unity of the nation.
- preserving the infallible human soul according to the law of allah the most gracious.

**D. From the analogy:** the jurists and mujtahids have recognized the importance of the islamic objectives in ijihad. therefore; we find them favoring one ruling over another, taking into account the attainment of a benefit, the prevention of a harm, or the prevention of a deferred benefit by an immediate harm. this is achieved by considering the outcome of the action and its effects on the individual and society. examples of this include:

- it is permissible to exchange food for its cash value in zakat al-fitr, according to the hanafis and some later malikis, in consideration of the interests of the poor.<sup>13</sup>

❖ **Types of shari'a legal objectives:**

scholars of the islamic shari'a objectives divided the interest into three categories:

- 1) necessary interest.
- 2) a necessary interest that serves the necessity.
- 3) an improvement interest that serves both necessity and need.

**First: the necessary objectives (the five universals):** scholars have defined them with several definitions, including:

- ✓ **Al-baqouri's definition:** he defined it by saying: "doing the obligatory acts and avoiding the forbidden acts".<sup>14</sup>
- ✓ **Al-shatibi's definition:** he defined it by saying: "what is necessary for the interests of religion and the world to be fulfilled".<sup>15</sup>
- ✓ **Muhammad al-tahir ibn ashour's definition:** he defined it by saying: "it is that which the nation, as a whole and as individuals, is in need of, such that the system cannot be straightened out without it. if it is breached, the nation will be led to corruption and disintegration".<sup>16</sup>
- ✓ **Dr. yousef hamed's definition:** he defined it by saying: "it is what is necessary for the establishment and improvement of the world's system, such that the human race cannot remain in a good state without it".<sup>17</sup>

❖ **Types of essential interests:** scholars have limited them to five categories: (religion, life, reason, offspring, and wealth). imam muhammad al-tahir ibn ashour added (the category of freedom).

**Second: necessary objectives:**

- **Linguistically:** necessary is an adjective derived from need and necessity, which in language is need and requirement.<sup>18</sup>
- **Technically:** the necessary interest, in the terminology of scholars of shari'a legal objectives, has been defined by several definitions, including:
- ✓ **Al-baqouri's definition:** he defined it by saying: "the confirmed sunnahs and apparent laws".<sup>19</sup>
- ✓ **Al-shatibi's definition:** he defined it by saying: "as for necessities, their meaning is that they are needed in terms of expansion and the removal of distress that often leads to embarrassment and hardship resulting from the loss of what is desired".<sup>20</sup>
- ✓ **Muhammad al-tahir ibn ashour's definition:** he defined it by saying: "what the nation needs to acquire its interests and organize its affairs in a good manner".<sup>21</sup>

<sup>13</sup> - Al-Zanjani, **Graduation of Branches on Principles**, Investigation: Dr. Muhammad Adeeb Saleh, Al-Ubaikan Library, Riyadh, 1st ed., 1420 AH/1993 CE, p. 52.

<sup>14</sup> - Al-Baqouri, **Arrangement of Differences**, p. 32.

<sup>15</sup> - Al-Shatibi, **Al-Muwafaqat "The Approvals"**, (2/08).

<sup>16</sup> - Ibn Ashour, **The Objectives of the Islamic Shari'a Law**, p. 300.

<sup>17</sup> - Dr. Youssef Hamed, **The General Objectives**, p. 161.

<sup>18</sup> - Al-Razi, **Mukhtar Al-Sihah**, p. 110.

<sup>19</sup> - Al-Baqouri, **Arrangement of Differences**, p. 32.

<sup>20</sup> - Al-Shatibi, **Al-Muwafaqat "Approvals"**, (2/10).

<sup>21</sup> - Ibn Ashour, **The Objectives of Islamic Shari'a Law**, p. 306.

- ✓ **Dr. Youssef Hamed's definition:** he defined it as: "what people need without reaching the level of necessity".<sup>22</sup>
- **Example:** an example of this is the exploitation of some street vendors in major cities, especially by placing their goods in front of their shops for sale. this may lead pedestrians to use the streets as a walking path, making it difficult for people to walk and run errands. it may also lead to injury or death, as well as vehicle accidents. therefore; the mayor must allocate organized shopping areas and prevent shop owners and others from placing their goods on sidewalks. this serves the essential needs of providing food, clothing, and other necessities of life.

### Third: improvement objectives:

- **Linguistically:** improvement in the language comes from the word "beauty", which is the opposite of "ugliness". here, it means decoration.<sup>23</sup>
- **Technically:** scholars have defined the improvement interest with several definitions, including:
  - ✓ **Al-baqouri's definition:** he defined it by saying: "except for the rituals of the recommended acts".<sup>24</sup>
  - ✓ **Al-shatibi's definition:** he defined it by saying: "adopting what is appropriate from good customs, and avoiding the defiling conditions that are abhorred by sound minds, and this includes the category of noble morals".<sup>25</sup> the messenger of allah (peace and blessings be upon him) said: "i was only sent to perfect noble morals".<sup>26</sup>
  - ✓ **Muhammad al-tahir ibn ashour's definition:** he defined it by saying: "it is the state of the nation in its system that allows it to live in peace and security, and to have the joy of seeing society in the sight of other nations".<sup>27</sup>
  - ✓ **Dr. Youssef Hamed's definition:** he defined it by saying: "what is not due to necessity or need, but rather falls within the scope of improvement, embellishment, expansion, and facilitation of advantages and ranks, and the care of the best methods in worship and dealings, and the promotion of noble morals and good customs".<sup>28</sup>
- **Example:** adorning oneself when going to every mosque to pray and worship there. allah almighty said: {o children of adam! take your adornment (by wearing your clean clothes), while praying and going round (the tawaf of) the ka'bah, and eat and drink but waste not by extravagance, certainly he (allah) likes not al-musrifun (those who waste by extravagance) }.<sup>29</sup>

### ❖ The preserving wealth (money) objective in the islamic shari'a law:

**Introductory:** it is an undisputed fact that money is a necessity of life, indispensable for human beings, for sustenance, clothing, shelter, and all their essential, necessary, and beautifying interests. money is mentioned in numerous places in the qur'an and in the prophetic sunnah also. allah almighty said: {wealth and children are the adornment of the life of this world. but the good righteous deeds (five compulsory prayers, deeds of allah's obedience, good and nice talk, remembrance of allah with glorification, praises and thanks, etc.), that last, are better with your lord for rewards and better in respect of hope}.<sup>30</sup> and allah almighty also said: {your wealth and your children are only a trial, whereas allah! with him is a great reward (paradise). so, keep your duty to allah and fear him as much as you can; listen and obey; and spend in charity, that is better for yourselves. and whosoever is saved from his own

<sup>22</sup> - Dr. Youssef Hamed, **The General Objectives**, p. 163.

<sup>23</sup> - Al-Razi, **Mukhtar Al-Sihah**, p. 96.

<sup>24</sup> - Al-Baqouri, **Arrangement of Differences**, p. 32.

<sup>25</sup> - Al-Shatibi, **Al-Muwafaqat "Approvals"**, (2/11).

<sup>26</sup> - Narrated by **Ahmad** (8939). And narrated by **Al-Bukhari** in (**Al-Adab Al-Mufrad**): (273).

<sup>27</sup> - Ibn Ashour, **The Objectives of the Islamic Shari'a Law**, p. 307.

<sup>28</sup> - Dr. Youssef Hamed, **The General Objectives**, p. 164.

<sup>29</sup> - Surah Al-A'raf: [K, 7/31].

<sup>30</sup> - Surah Al-Kahf: [K, 18/46].

covetousness, then they are the successful ones. if you lend to allah a goodly loan (i.e. spend in allah's cause) he will double it for you, and will forgive you. and allah is most ready to appreciate and to reward, most forbearing. all-knower of the unseen and seen, the all-mighty, the all-wise).<sup>31</sup> on the authority of amr ibn al-'as (may allah be pleased with him), who said: the messenger of allah (peace and blessings be upon him) said: "o amr, i want to send you in command of an army so that allah may grant you spoils, and i desire for you a righteous desire of wealth". i said: i did not convert to islam out of a desire for wealth; rather, i converted to islam out of a desire for islam, so that i might be with the messenger of allah. he (peace and blessings be upon him) said: "o amr, what good righteous wealth is for a righteous person".<sup>32</sup> on the authority of mutarrif ibn abdullah ibn ash-shakhir (may allah be pleased with him), on the authority of his father, who said: i came to the prophet (peace and blessings of allah be upon him) while he was reciting: {competition in [worldly] increase diverts you}. he said: "the son of adam says: 'my wealth, my wealth'. he said: o son of adam; do you have any wealth other than what you have eaten and used up, or worn out and zorn out, or given in charity and spent?".<sup>33</sup> on the authority of anas ibn malik (may allah be pleased with him), the messenger of allah (may allah bless him and grant him peace) said: "if the son of adam had a valley of gold, he would love to have two valleys. nothing will fill his mouth except dust, and allah accepts the repentance of whoever repents".<sup>34</sup>

#### First: definition of money:

- **Definition of money linguistically:** money in the language is everything that a person owns. we say: a man's money, and he becomes wealthy if he has money.<sup>35</sup> it is what allah bestows upon his servant of goodness, provision, and gifts.
- **Definition of money in terminology:** ibn abidin defined it as: "everything that nature inclines toward and that can be saved for a time of need".<sup>36</sup> money; therefore, is "everything that has a value according to the islamic shari'a and custom". accordingly; its specifications are: (its legal status - its being dealt with in the customary way - its financial status among people).
- **Definition of preserving the totality of wealth in terminology:** it is the set of means approved by the islamic shari'a to create wealth and protect it from aggression, in order to preserve its purposes in life.

#### Second: definition of the means:

- **Definition of means in the language:** it is the cause and pretext. it refers to everything that leads to something.<sup>37</sup>
- **Definition of the means in terminology:** muhammad al-tahir ibn ashour defined it by saying: "the means are the rulings that were legislated to achieve other rulings, or it is the sum of the causes, conditions, and impediments known by the objectives".<sup>38</sup>

#### Third: the objectives of islamic shari'a regarding wealth:

Every legislation has objectives it seeks to achieve, whether those objectives are within the sphere of preserving religion, lives, minds, offspring, and honor, or within the sphere of preserving wealth. imam abu hamid al-ghazali (may allah have mercy on him) said: "the objectives of islamic shari'a regarding wealth are five: to preserve their religion, lives, minds, offspring, and wealth. everything that includes

<sup>31</sup> - Surah At-Taghabun: [M, 64/15-16-17-18].

<sup>32</sup> - It was narrated by **Al-Bukhari** in **Al-Adab Al-Mufrad**, p. 299. It was narrated by Al-Hakim (2130). It was also narrated by Al-Bayhaqi in **Divisions of Faith** (2248).

<sup>33</sup> - It was narrated by **Ahmad** in **His Musnad** (16564). It was also narrated by Abd ibn Hamid (513). It was also narrated by **Muslim**, **Al-Tirmidhi**, and **Al-Nasa'i**.

<sup>34</sup> - Narrated by **Al-Bukhari** (6439). Narrated by **Muslim** (10048).

<sup>35</sup> - Ibn Manzur, **Lisan Al-Arab "The Tongue of Arab"**, (11/636).

<sup>36</sup> - Ibn Abidin, **Commentary on Rad Al-Muhtar "Footnote to the Confused Person's Response"**, (4/501).

<sup>37</sup> - Ibn Manzur, **Lisan Al-Arab "The Tongue of Arab"**, (1/724-725).

<sup>38</sup> - Ibn Ashour, **The Objectives of the Islamic Shari'a Law**, pp. 417-418.

preserving these five fundamentals is a benefit, and everything that neglects them is a source of corruption, and preventing it is a benefit".<sup>39</sup>

The pure islamic sharia has several lofty objectives regarding money, which are:

- A. The guardianship purpose:** it means ensuring that individuals have a secure livelihood and are sufficient to meet their basic needs and requirements, within the framework of sufficiency and chastity. this includes expenses such as food, clothing, medical treatment, education, and housing, because money is the backbone of life and the basis of people's lives. allah almighty says: {and do not give the weak-minded your property, which allāh has made a means of sustenance for you}.<sup>40</sup> and allah almighty said: {wealth and children are the adornment of the life of this world. but the good righteous deeds (five compulsory prayers, deeds of allah's obedience, good and nice talk, remembrance of allah with glorification, praises and thanks, etc.), that last, are better with your lord for rewards and better in respect of hope}.<sup>41</sup>
- B. The trading purpose:** trading in the language means transfer. in islamic terminology; it is the movement of money between people for consumption and investment. just as money is a public right of the nation, it is also a private right of its acquirer and processor. by this standard; the property is of two types:
- property belonging to specific individuals and groups, and by this standard; it acquires the status of **private property**.
  - public property exists to serve the interests of the nation as a whole, and by this standard; it acquires the status of **public property**.

both types must be preserved. almighty allah said: {and what allāh restored to his messenger from the people of the towns - it is for allāh and for the messenger and for [his] near relatives and orphans and the needy and the [stranded] traveler - so that it will not be a perpetual distribution among the rich from among you. and whatever the messenger has given you - take; and what he has forbidden you - refrain from. and fear allāh; indeed, allāh is severe in penalty}.<sup>42</sup>

- C. The clarity purpose:** the purpose of clarity in financial transactions is to ensure that they are kept away from sources of disputes, conflicts, and potential harm. this facilitates their preservation from denial, rejection, and subsequent loss. to achieve this purpose, islam has prescribed documentation in contracts and financial transactions, such as writing, witnessing, mortgages, and the like. allah almighty said: {o you who have believed; fulfill [all] contracts}.<sup>43</sup> and almighty said: {o you who believe! when you contract a debt for a fixed period; write it down. let a scribe write it down in justice between you. let not the scribe refuse to write as allah has taught him, so let him write. let him (the debtor) who incurs the liability dictate, and he must fear allah, his lord, and diminish not anything of what he owes. but if the debtor is of poor understanding, or weak, or is unable himself to dictate, then let his guardian dictate in justice. and get two witnesses out of your own men. and if there are not two men (available), then a man and two women, such as you agree for witnesses, so that if one of them (two women) errs, the other can remind her. and the witnesses should not refuse when they are called on (for evidence). you should not become weary to write it (your contract), whether it be small or big, for its fixed term, that is more just with allah; more solid as evidence, and more convenient to prevent doubts among yourselves, save when it is a present trade which you carry out on the spot among yourselves, then there is no sin on you if you do not write it down. but take witnesses whenever you make a commercial contract. let neither scribe nor witness suffer any harm, but if you do (such harm), it would be wickedness in you. so be afraid of allah; and allah teaches you. and allah is the all-knower of each and everything} and if you

<sup>39</sup> - Al-Ghazali Abu Hamid, **Al-Mustasfa "The Distillation"**, Investigation and Commented on: Muhammad Suleiman Ibn Al-Ashqar, Al-Risala Foundation, 1st ed., 1417 AH/1979 CE, Vol. 2, p. 284.

<sup>40</sup> - Surah An-Nisa: [M, 4/5].

<sup>41</sup> - Surah Al-Kahf: [K, 18/46].

<sup>42</sup> - Surah Al-Hashr: [M, 59/7].

<sup>43</sup> - Surah Al-Ma'idah: [M, 5/1].

are on a journey and cannot find a scribe, then let there be a pledge taken (mortgaging); then if one of you entrust the other, let the one who is entrusted discharge his trust (faithfully), and let him be afraid of allah, his lord. and conceal not the evidence for he, who hides it, surely his heart is sinful. and allah is all-knower of what you do).<sup>44</sup> these two noble verses require writing down debts and having them witnessed. they forbid distress and frustration associated with writing down debts, whether large or small. they also require writing down mortgages and having them witnessed, and they forbid harming scribes and witnesses. they also forbid concealing testimony, making it a sign of sinful hearts. all of these islamic rulings are intended to prove that money belongs to its rightful owner.

- D. The purpose of moderation in wealth:** the goal of moderation in wealth means being moderate in spending and consumption. the islamic shari'a law encourages praiseworthy spending and forbids blameworthy withholding. almighty allah said: {and thus we have made you a just community that you will be witnesses over the people and the messenger will be a witness over you}.<sup>45</sup> and allah almighty said: {and [they are] those who, when they spend, do so not excessively or sparingly but are ever, between that, [justly] moderate}.<sup>46</sup>
- E. The purpose of preserving it:** the islamic shari'a law aims to preserve wealth by legislating means to create, establish, and develop it, and other means to maintain, protect, and preserve it from aggression.

#### **Fourth: means of generating wealth:**

these are the practical legal rulings that have legislated the permissibility of all types of legitimate earnings through which wealth is established, founded, and ownership is acquired, such as various jobs, various trades, agriculture, industry, handicrafts of various types, reading and writing, and other types of earnings that allah has permitted.

1. **Legislation of the lawful earnings:** allah almighty said: {it is he who made the earth tame for you - so walk among its slopes and eat of his provision - and to him is the resurrection}.<sup>47</sup>
2. **Islam urges work:** allah almighty said: {and say (o muhammad peace been upon him) "do deeds! allah will see your deeds, and (so will) his messenger and the believers. and you will be brought back to the all-knower of the unseen and the seen. then he will inform you of what you used to do"}.<sup>48</sup>
3. **Islam permits trading in money:** allah almighty said: {o you who have believed, do not consume one another's wealth unjustly but only [in lawful] business by mutual consent. and do not kill yourselves [or one another]. indeed, allāh is to you ever merciful}.<sup>49</sup> and the messenger of allah (may allah bless him and grant him peace) said: "the honest and trustworthy merchant; will be with the prophets, the truthful, the martyrs, and the righteous".<sup>50</sup>
4. **The permissibility of traveling around the world in order to seek the lawful sustenance:** allah almighty said: {and others traveling throughout the land seeking [something] of the bounty of allāh}.<sup>51</sup> and allah almighty said: {and whoever emigrates for the cause of allāh will find on the earth many [alternative] locations and abundance. and whoever leaves his home as an emigrant to allāh and his messenger and then death overtakes him - his reward has already become incumbent upon allāh. and allāh is ever forgiving and merciful}.<sup>52</sup>
5. **Permissibility of working in legitimate jobs:** such as daily work, government jobs, and others. we have a good example and blessed model in the prophets and messengers of allah

<sup>44</sup> - Surah Al-Baqarah: [M, 2/282-283].

<sup>45</sup> - Surah Al-Baqarah: [M, 2/143].

<sup>46</sup> - Surah Al-Furqan: [K, 25/67].

<sup>47</sup> - Surah Al-Mulk: [K, 67/15].

<sup>48</sup> - Surah At-Tawbah: [M, 9/105].

<sup>49</sup> - Surah An-Nisa: [M, 4/29].

<sup>50</sup> - Narrated by **Al-Tirmidhi**: (1209). And narrated by **Al-Darimi**: (2581). And narrated by **Al-Daraqutni** in **Al-Sunan**: (2813). And narrated by Al-Hakim in **Al-Mustadrak**: (2143).

<sup>51</sup> - Surah Al-Muzzammil: [K, 73/20].

<sup>52</sup> - Surah An-Nisa: [M, 4/100].

(peace and blessings be upon them all), as they lived by the work of their hands and the sweat of their brow. the noble and blessed prophetic sunnah (prophetic tradition) provides evidence that motivates and encourages this. prophet zechariah (peace be upon him) was a carpenter.<sup>53</sup> our master muhammad (peace and blessings be upon him and his family) worked in trade with the wealth of the mother of the believers khadijah (may allah be pleased with her) before marrying her. he also tended sheep for the quraysh in exchange for a few carats.<sup>54</sup> similarly; mooses, the prophet who spoke to allah and his messenger mooses ibn imran (peace be upon him), tended sheep for the righteous servant shu'ayb for ten years, in exchange for the dowry of his daughter whom he married. allah almighty said: {he said, "indeed, i wish to wed you one of these, my two daughters, on [the condition] that you serve me for eight years; but if you complete ten, it will be [as a favor] from you. and i do not wish to put you in difficulty. you will find me, if allāh wills, from among the righteous" ﴿﴾ mooses said, "that is [established] between me and you. whichever of the two terms i complete - there is no injustice to me, and allāh, over what we say, is witness").<sup>55</sup> this is the prophet of allah; david, (peace and blessings be upon him). he was a blacksmith who made military armor. allah softened iron for him, as a favor and honor from him. allah almighty said: {and indeed we bestowed grace on david from us (saying); "o you mountains, glorify (allah) with him! and you birds (also)! and we made the iron soft for him" ﴿﴾ saying; "make you perfect coats of mail, balancing well the rings of chain armour, and work you (men) righteousness. truly; i am all seer of what you do").<sup>56</sup> the messenger of allah (peace and blessings be upon him) said: "whoever goes to bed tired from his work will have his sins forgiven". he also said: "no one has ever eaten better food than that which he eats from the work of his hands, and the prophet of allah, david, used to eat from the work of his hands".<sup>57</sup>

6. **Permissibility of farming, such as sharecropping, irrigation, and sequence:** almighty allah said: {and the cattle, he has created them for you; in them there is warmth (warm clothing), and numerous benefits, and of them you eat ﴿﴾ and wherein is beauty for you, when you bring them home in the evening, and as you lead them forth to pasture in the morning ﴿﴾ and they carry your loads to a land that you could not reach except with great trouble to yourselves. truly; your lord is full of kindness, most merciful ﴿﴾ and (he has created) horses, mules and donkeys, for you to ride and as an adornment. and he creates (other) things of which you have no knowledge).<sup>58</sup> the messenger of allah (peace and blessings be upon him) said: "if the hour -the day of judgment- comes while one of you has a seedling in his hand, and he is able to plant it before the hour comes, let him do so".<sup>59</sup> he also said: "whoever revives dead land without a muslim's right to it, it is his, and an oppressive race has no right to it".<sup>60</sup>
7. **Prohibition of begging:** the messenger of allah (may allah bless him and grant him peace) forbade begging in a definitive and clear prohibition. on the authority of abu bishr qubaysah ibn al-mukhariq (may allah be pleased with him), who said: i undertook a burden, so i came to the messenger of allah (may allah bless him and grant him peace) to ask him about it. he said: "stay until the charity comes to us, then we will order it for you". then he said: "o qubaysah, begging is only permissible for one of three, a man who undertook a burden, so begging is permissible for him until he obtains it, then he stops; a man who is struck by a disaster that has swept away his wealth, so begging is permissible for him; until he attains a livelihood - or he said: a full livelihood - and a man afflicted with poverty until three wise men from his people stand up and say: so-and-so has been afflicted with poverty, so begging has become

<sup>53</sup> - Sahih Imam Muslim, Book of Virtues, Chapter: The Virtues of Zachariah (peace be upon him).

<sup>54</sup> - Sahih Al-Bukhari, Book of Rent, Chapter: Grazing Sheep for a Few Carats.

<sup>55</sup> - Surat Al-Qasas: [K, 28/27-28].

<sup>56</sup> - Surat Saba: [K, 34/10-11].

<sup>57</sup> -

<sup>58</sup> - Surat An-Nahl: [K, 16/5-8].

<sup>59</sup> - Narrated by Al-Bukhari in Al-Adab Al-Mufrad: (479). Also narrated by Abd bin Hamid (1214).

<sup>60</sup> - Narrated by Abu Dawud: (3073). Narrated by Al-Tirmidhi: (1378).

permissible for him until he attains a livelihood - or he said: a full livelihood - and everything else of begging - o qubaysah - is ill-gotten gain, and its owner consumes it ill-gotten".<sup>61</sup> he bore a burden: means that he reconciled between two warring factions and bore the blood money for lives and injuries. charity sadaqah: means zakat. we command it for you: meaning; we give you enough zakat to cover your expenses. to hold back: to refrain from asking. the plague: a great calamity and disaster that befalls wealth and destroys it. body or plug: meaning, one achieves a sufficient, moderate, and balanced livelihood. minded: those with sound minds. poverty: extreme destitution and urgent need. anas ibn malik (may allah be pleased with him) reported that a man from the ansar came to the prophet (peace and blessings be upon him) asking him for need. he said: "do you have nothing in your house?" he said; yes, a mat part of which we wear and part of which we spread out, and a cup from which we drink water. he said: "bring them to me". he said; so, he brought them to him, and the messenger of allah (peace and blessings be upon him) took them in his hand and said: "who will buy these two?" a man said; i will buy them for one dirham. he said: "who will offer more than one dirham? two or three times?". a man said; i will buy them for two dirhams. so, he gave them to him, took the two dirhams, gave them to the ansari, and said: "buy food with one of them and give it to your family, and buy an axe with the other and bring it to me". so, he brought it to him, and the messenger of allah (peace and blessings be upon him) tied a stick to it with his hand and then said to him: "go, gather firewood and sell it, and do not see you for fifteen days". the man went to collect firewood and sell, and came back with ten dirhams. with some of them, he bought a garment and food. the messenger of allah (peace and blessings be upon him) said: "this is better for you than for begging to come as a spot on your face on the day of resurrection. the begging is only appropriate for three: one in extreme poverty, one in a terrible debt, or one in a painful blood money".<sup>62</sup> painful blood money: a heavy blood money for premeditated murder. extreme poverty: painful destitution. severe debt: a large and heavy debt that has been cut off from people. on the authority of al-zubayr ibn al-awwam (may allah be pleased with him), on the authority of the prophet (may allah bless him and grant him peace), who said: "it is better for one of you to take his rope, go to the mountain, and bring back a bundle of firewood on his back, and sell it, becoming independent with its price, than to ask people, whether they give him something or refuse him something".<sup>63</sup>

#### **Fifth: means of preserving money:**

Islam has established a set of practical legal rulings to protect, preserve, and safeguard money from aggression. it has also mandated the application of legal limits on those who attack it, including:

1. **Prohibiting highway robbery and establishing its punishment:** highway robbery is the crime of highway robbery, frightening travelers, unjustly and aggressively taking their property, and murdering them. allah almighty says: {the recompense of those who wage war against allah and his messenger and do mischief in the land is only that they shall be killed or crucified or their hands and their feet be cut off on the opposite sides, or be exiled from the land. that is their disgrace in this world, and a great torment is theirs in the hereafter ﴿﴾ except for those who (having fled away and then) came back (as muslims) with repentance before they fall into your power; in that case, know that allah is oft-forgiving, most merciful}.<sup>64</sup> it was reported in the sahihs of al-bukhari and muslim (may allah have mercy on them) that some people from ukl and uraynah tribes came to madinah to the prophet (may allah bless him and grant him peace) and spoke about islam. they said: o prophet of allah; we were people of udder, not people of the countryside. they found the madinah city unpleasant, so the messenger of allah (may allah bless him and grant him peace) ordered them to have a herd and a shepherd, and ordered them to go out and drink their milk and urine. they set out,

<sup>61</sup> - Narrated by **Muslim**, Chapter: **Who is Permitted to Beg** (2/722), No. (10044).

<sup>62</sup> - Narrated by **Abu Dawud** (1641). Narrated by **Al-Tirmidhi** (1218) in an Abbreviated Form. Narrated by **Al-Nasa'i** (7/259).

<sup>63</sup> - Narrated by **Al-Bukhari**.

<sup>64</sup> - Surah Al-Ma'idah: [M, 5/33/34].

and when they reached the harrah lava field, they disbelieved after their conversion to islam, killed the shepherd of the prophet (may allah bless him and grant him peace), and drove away the herd. news of this reached the prophet (peace and blessings be upon him), so; he sent out a search for them. he ordered that their eyes be gouged out, their hands cut off, and they be left in the lava field until they died in their state.<sup>65</sup> then; these two verses were revealed.

2. **Prohibiting theft and establishing its punishment:** theft is the stealing of someone else's money, up to a minimum amount, secretly from a known safe place. allah almighty says: {the thief, the male and the female, amputate their hands in recompense for what they committed as a deterrent [punishment] from allah. and allah is exalted in might and wise ﴿﴾ but whoever repents after his wrongdoing and reforms, indeed, allah will turn to him in forgiveness. indeed, allah is forgiving and merciful}.<sup>66</sup> on the authority of abu hurairah (may allah be pleased with him), on the authority of the prophet (may allah bless him and grant him peace); he said: "allah curses the thief who steals an egg and has his hand cut off, and who steals a rope and has his hand cut off".<sup>67</sup> the "egg" refers to the steel hat worn by a warrior. **the financial penalty for cutting off the thief's hand**, according to imam malik (may allah have mercy on him), is a quarter of a gold dinar.
3. **Prohibiting the drinking and selling of alcohol, and legislating the punishment for those who drink it:** allah almighty said: {o you who believe! intoxicants (all kinds of alcoholic drinks), gambling, al-ansab, and al-azlam (arrows for seeking luck or decision) are an abomination of shaitan's (satan) handiwork. so; avoid (strictly all) that (abomination) in order that you may be successful ﴿﴾ shaitan (satan) wants only to excite enmity and hatred between you with intoxicants (alcoholic drinks) and gambling, and hinder you from the remembrance of allah and from as-salat (the prayer). so; will you not then abstain}.<sup>68</sup> the messenger of allah (peace and blessings be upon him) prescribed eighty lashes for a person who drinks alcohol, based on the punishment for slandering chaste women. anas ibn malik (may allah be pleased with him) reported that the prophet (peace and blessings be upon him) said; "a man who had drunk alcohol was brought to the prophet, and he lashed him with two palm branches for about forty lashes. abu bakr did the same. when omar became caliph; he consulted the people. abdul rahman ibn awf said; 'the lightest punishment is eighty lashes.' so; omar ordered it".<sup>69</sup>
4. **Prohibition of gambling:** islam has prohibited certain activities that are unproductive, such as gambling, because this type of earnings entails a significant loss to the nation's public and private production. it also wastes the productive energies of the individual, disrupting good goals by wasting those energies and efforts. allah almighty says: {they ask you about wine and gambling. say; in them is great sin and [yet, some] benefit for people. but their sin is greater than their benefit}.<sup>70</sup> and allah almighty also said: {satan only wants to cause between you animosity and hatred through intoxicants and gambling and to avert you from the remembrance of allāh and from prayer. so will you not desist}.<sup>71</sup> on the authority of abdullah bin amr bin al-aas (may allah be pleased with him and his father), on the authority of the prophet (may allah bless him and grant him peace); who said: "allah has forbidden wine and gambling to my nation".<sup>72</sup>
5. **Prohibition of usury:** one of the means by which the islamic shari'a achieves the objective of financial transactions is the prohibition of usury. this prohibition erodes feelings of mercy and

<sup>65</sup> - Narrated by **Al-Bukhari** (4192). **Masterpieces of Eloquence in the Interpretation of the Verses of Rulings**, Muhammad Ali Al-Sabuni, Vol. 1, p. 548.

<sup>66</sup> - Surah Al-Ma'idah: [M, 5/38-39].

<sup>67</sup> - Narrated by **Al-Bukhari** (6783). Narrated by **Muslim** (1687).

<sup>68</sup> - Surah Al-Ma'idah: [M, 5/90-91].

<sup>69</sup> - Narrated by **Muslim** (1706), **Al-Tirmidhi** (1443), and **Ahmad** (12305).

<sup>70</sup> - Surah Al-Baqarah: [M, 2/219].

<sup>71</sup> - Surah Al-Ma'idah: [M, 5/91].

<sup>72</sup> - Narrated by **Ahmad** (6547) and this Wording is his. Narrated by **Al-Tabarani** (14711) and **Al-Bayhaqi** (21520).

compassion in the heart of the usurer, who becomes captive to the desire to accumulate wealth, waiting for an opportunity to help those in need. this contradicts the intent of the noble lawgiver to build relationships based on mutual affection, compassion, brotherhood, and altruism. allah almighty has prohibited usury; saying: (and allah has permitted trading and forbidden riba, the usury).<sup>73</sup> and his saying almighty: (o you who have believed, fear allāh and give up what remains [due to you] of interest, the usury, if you should be believers ﴿﴾ and if you do not, then be informed of a war [against you] from allāh and his messenger. but if you repent, you may have your principal - [thus] you do no wrong, nor are you wronged).<sup>74</sup> and jabir ibn abdullah (may allah be pleased with him) said: “the messenger of allah (peace and blessings be upon him) cursed the one who consumes usury, the one who pays it, the one who writes it down, and its two witnesses, and said: ‘they are all the same’”.<sup>75</sup> and he (peace and blessings be upon him) also said: “avoid the seven great destructive sins”. they said: o messenger of allah, what are they? he said: “associating partners with allah, magic, killing the soul which allah has forbidden except by right, consuming usury, consuming the wealth of orphans, fleeing on the day of battle, and slandering chaste, believing women who are unaware”.<sup>76</sup>

- 6. Prohibition of hoarding money:** islam forbids hoarding money, withdrawing it from circulation, and freezing it, because this disrupts the financial, commercial, and economic balance in general, as well as the social balance. this corruption leads to the commission of forbidden acts and transgressions. to prevent this evil; the guardian of muslims and the people of authority and solution for this nation must legislate the prohibition of hoarding and implement the principle of the rightly-guided caliph omar ibn al-khattab (may allah be pleased with him); **where did you get this from?** through legislation and implementation, achieving the goal of circulating money among people.<sup>77</sup> the prohibition of hoarding money is mentioned in the qur'an and prophetic sunnah, as allah the almighty says: (and those who hoard gold and silver and spend it not in the way of allāh - give them tidings of a painful punishment ﴿﴾ the day when it will be heated in the fire of hell and seared therewith will be their foreheads, their flanks, and their backs, [it will be said]; this is what you hoarded for yourselves; so, taste what you used to hoard).<sup>78</sup> and the narrated by abu hurairah (may allah be pleased with him); the messenger of allah (peace and blessings be upon him) said: “there is no owner of a treasure who does not pay its zakat except that it will be heated over him in the fire of hell, and plates will be made into cauterization plates on his sides and forehead until allah judges between his servants on a day the length of which will be fifty thousand years. then he will see his path; either to paradise or to hell”.<sup>79</sup> in malik’s narration in al-muwatta’; on the authority of abu hurairah (may allah be pleased with him), that he (peace and blessings of allah be upon him) used to say: “whoever allah the almighty has given wealth to, and he does not pay its zakat, his wealth will be presented to him on the day of resurrection as a bald huge snake with two raisins sticking out of its mouth. it will seize him by the forelock on the day of resurrection and say; i am your wealth; i am your treasure”.<sup>80</sup>
- 7. Prohibition of monopolization:** the monopolization linguistically means; confinement. in the islamic shari'a law; it means holding back food in anticipation of a price hike. it has also been said that it refers to withholding goods from sale, awaiting a price hike. the prophet (peace and blessings be upon him) said: "whoever monopolizes food is a sinner". in another

<sup>73</sup> - Surah Al-Baqarah: [M, 2/275].

<sup>74</sup> - Surah Al-Baqarah: [M, 2/278-279].

<sup>75</sup> - Narrated by **Muslim**.

<sup>76</sup> - Narrated by **Al-Bukhari** and **Muslim**.

<sup>77</sup> - Ibn Ashour, **The Objectives of the Islamic Shari'a Law**, pp. 182-183.

<sup>78</sup> - Surah At-Tawbah: [M, 34-35].

<sup>79</sup> - Narrated by **Muslim** and **Ahmad**. See: **Nail Al-Awtar “Attaining the Desires”**, Vol. 4, p. 132.

<sup>80</sup> - Narrated by **Malik** in **Al-Muwatta’**, Chapter: **Treasure**, No. (342). Narrated by **Al-Bukhari** in the **Book of Zakat**, No. (3).

narration, he said: "only the sinner has a monopoly on food".<sup>81</sup> he (peace and blessings be upon him) also said: "whoever monopolizes food in order to make it more expensive for muslims is a sinner".<sup>82</sup> he (peace and blessings be upon him) also said: "whoever monopolizes the food of muslims, allah will strike him with bankruptcy or leprosy".<sup>83</sup> he (peace and blessings be upon him) also said: "the bringer is blessed, and the monopolist is cursed".<sup>84</sup> these hadiths indicate the prohibition of monopolization, regardless of whether it is food or goods essential to people's lives, or those essential to their livestock. the explicit mention of food in some narrations is not suitable for restricting the rest of the absolute narrations. rather, this is a specification of an individual from among the individuals to whom the absolute is given. this is because denying the ruling for anything other than food is only due to the concept of the title, and it is not practiced by the majority of scholars. what is like this is not suitable for restriction based on what is established in the principles.

8. **Prohibition of fraud and grifting:** allah almighty said: {o you who have believed, do not betray allāh and the messenger or betray your trusts while you know, the consequence}.<sup>85</sup> the messenger of allah (peace and blessings be upon him) said, as he narrated from allah his lord, the almighty and majestic: "allah said: o my servants, i have forbidden oppression for myself and have made it forbidden amongst you, so do not oppress one another". he also said (peace and blessings be upon him): "injustice will be darkness on the day of resurrection".<sup>86</sup> he also said (peace and blessings be upon him): "beware of their best wealth, and beware of the supplication of the oppressed, for there is no veil between him and allah".
9. **Prohibition of cheating:** the messenger of allah (may allah bless him and grant him peace) said: "whoever cheats us, is not one of us".<sup>87</sup> and almighty allah said: {and those who annoy believing men and women undeservedly, bear on themselves the crime of slander and plain sin}.<sup>88</sup>
10. **Prohibition of forgery:** allah almighty said: {and those who do not witness falsehood, and if they pass by some evil play or evil talk, they pass by it with dignity}.<sup>89</sup> and allah almighty also said: {so; avoid the uncleanness of idols and avoid false statement}.<sup>90</sup> the messenger of allah (peace and blessings be upon him) said: "shall i not inform you of the greatest of the major sins? three times". they said: yes, o messenger of allah. he said: "associating partners with allah, disobeying parents, he sat up while he was reclining and said: and the false speech". they said: he kept repeating it until we said: we wish he would stop.<sup>91</sup>
11. **Prohibition of deception:** allah almighty said: {so that; they have produced an unjust wrong (thing) and a lie}.<sup>92</sup> on the authority of abu hurairah (may allah be pleased with him), the messenger of allah (peace and blessings be upon him) passed by a pile of food and put his hand into it; his fingers became wet, so he said: "what is this, o owner of the food?". the man replied: it was raining, o messenger of allah. the messenger of allah (peace and blessings be upon him) said: "why didn't you put it on top of the food so the people could see it? whoever cheats is not one of us".<sup>93</sup>

<sup>81</sup> - Narrated by **Muslim** with Both Wordings.

<sup>82</sup> - Narrated by **Ahmad**. Also included by the Author of **Nail Al-Awtar "Attaining the Desires"**, 5/249.

<sup>83</sup> - Narrated by **Ibn Majah**.

<sup>84</sup> - Narrated by **Ibn Majah**: **Trade**: (6). Narrated by **Al-Darimi**: **Sales**: (2).

<sup>85</sup> - Surah Al-Anfal: [M, 8/27].

<sup>86</sup> - **Sahih Al-Bukhari** (2447).

<sup>87</sup> - **Sahih Muslim** (101).

<sup>88</sup> - Surah Al-Ahzab: [M, 33/58].

<sup>89</sup> - Surah Al-Furqan: [K, 25/72].

<sup>90</sup> - Surah Al-Hajj: [M, 22/30].

<sup>91</sup> - It was Narrated by **Al-Bukhari** in his **Sahih** No. (5976). It was Narrated by **Muslim** (87). It was Narrated by **Al-Tirmidhi** (1901). It was Narrated by **Ahmad** (20385) with a slight difference.

<sup>92</sup> - Surah Al-Furqan: [K, 25/4].

<sup>93</sup> - From **the isolation of Muslim on Bukhari** (102).

- 12. Prohibition of extravagance:** allah almighty said: {but spend not wastefully (your wealth) in the manner of a spendthrift ﴿﴾ verily, spendthrifts are brothers of the devils, and the devil is ever ungrateful to his lord}.<sup>94</sup>
- 13. Prohibition of stinginess and miserliness:** allah almighty said: {and do not make your hand [as] chained to your neck or extend it completely and [thereby] become blamed and insolvent}.<sup>95</sup>
- 14. Prohibition of overspending:** allah almighty said: {and [they are] those who, when they spend, do so not excessively or sparingly but are ever, between that, [justly] moderate}.<sup>96</sup>
- 15. Prohibition of the acquisition of money by a special group or specific individuals in society:** this prevents wealth from becoming a state among a small group of people. this means achieving an optimal form of circulation, as concentrating wealth in the hands of a small group leads to harm for the vast majority of people, widespread misery, and increased need among the majority. allah almighty has prohibited this by saying: {and what allāh restored to his messenger from the people of the towns - it is for allāh and for the messenger and for [his] near relatives and orphans and the needy and the [stranded] traveler - so that it will not be a perpetual distribution among the rich from among you}.<sup>97</sup>
- 16. Prohibition of bribery:** the bribery is what is given or offered to invalidate a right or to establish a falsehood. allah almighty said: {and eat up not one another's property unjustly, nor give bribery to the rulers that you may knowingly eat up a part of the property of others sinfully}.<sup>98</sup> the prophet (peace and blessings be upon him) forbade it and strongly warned against it. abu hurairah (may allah be pleased with him) said: "the messenger of allah (peace and blessings be upon him) cursed the briber and the bribed".<sup>99</sup> meaning; the prophet (peace and blessings be upon him) prayed for the expulsion from allah's mercy for those who commit these acts. this indicates that they are among the major sins. the briber; is the one who pays the bribe. the bribed; is the one who takes and receives the bribe. in ruling; that which is taken by rulers and those in authority, to decide and complete a matter in a manner other than what should be.
- 17. The obligation to fulfill the full measure and weight, and the prohibition of cheating in them:** the prophet (peace and blessings be upon him) urged people to treat each other well in buying and selling, and to fulfill each person's due. he (peace and blessings be upon him) warned against cheating, deception, and reducing the weights and measures. allah almighty said: {and give full measure when you measure, and weigh with a balance that is straight. that is good, advantageous, and better in the end}.<sup>100</sup> and allah almighty said: {and to [the people of] madyan [we sent] their brother shu 'ayb. he said, "o my people, worship allāh; you have no deity other than him. there has come to you clear evidence from your lord. so; fulfill the measure and weight and do not deprive people of their due and cause not corruption upon the earth after its reformation. that is better for you, if you should be believers}.<sup>101</sup> and on the authority of ibn abbas (may allah be pleased with him and his father), who said: when the prophet (peace and blessings of allah be upon him) arrived in medina; i.e., migrated to it), they were among the most wicked people in terms of measure. that is; the people of medina and the merchants therein used to cheat in their measures and practice fraud and deception. so; allah, the exalted, revealed his statement: {woe to those who cheat in measures}.<sup>102</sup> in this verse; allah, the almighty; threatens those who cheat in measures with torment and woe;

<sup>94</sup> - Surah Al-Isra: [K, 17/26-27].

<sup>95</sup> - Surah Al-Isra: [K, 17/29].

<sup>96</sup> - Surah Al-Furqan: [K, 25/67].

<sup>97</sup> - Surah Al-Hashr: [M, 59/7].

<sup>98</sup> - Surah Al-Baqarah: [M, 2/188].

<sup>99</sup> - Narrated by **Abu Dawud** (3580). Narrated by **Al-Tirmidhi** (1337) and this Wording is theirs. Narrated by **Ibn Majah** (2313).

<sup>100</sup> - Surah Al-Isra: [K, 17/35].

<sup>101</sup> - Surah Hud: [K, 11/85].

<sup>102</sup> - Surah Al-Mutaffifin: [K, 83/1].

which is destruction and torment. it has also been said that; it refers to the valley at the bottom of hell from which flows the pus of the people of hell. al-mutaffifun, the manipulators in measures, (those who give less than their due) are those who deprive people of their due rights in their measures or balances, less than what is due them. ibn abbas (may allah be pleased with him and his father) said: so; they measured well after that; meaning that the people of medina responded to the command of allah almighty and abandoned that sin.<sup>103</sup>

- 18. Prohibition of the dowry of the prostitute, the price of the dog, the fee of the soothsayer, and the fee of the singer:** the messenger of allah (peace and blessings be upon him) forbade the dowry of the prostitute; meaning the value of adultery, may allah protect us from its hatred and evil. he also forbade taking the price of the dog and the fee of the soothsayer; meaning the price of fortune-telling, may allah protect us from it. abu mas'ud `uqbah ibn `amr (may allah be pleased with him) said: "the messenger of allah (peace and blessings be upon him) forbade the price of the dog, the dowry of the prostitute, and the fee of the soothsayer".<sup>104</sup> allah the almighty said: {they are avid listeners to falsehood, devourers of [what is] unlawful. so; if they come to you, [o muḥammad], judge between them or turn away from them. and; if you turn away from them - never, will they harm you at all. and if you judge; judge between them with justice. indeed, allāh loves those who act justly}.<sup>105</sup> it has been narrated on the authority of omar, othman, ali, ibn abbas, abu hurairah, and mujahid (may allah be pleased with them all) that; ill-gotten gains, the bribery, the wages of the prostitute, the semen of a stallion, the price of wine, the price of the dead animal, the fee of the soothsayer, and hiring someone to commit the sin - they all acknowledged that; these are all despicable forbidden things for which the human is shamed and conceals them.<sup>106</sup>

## Conclusion

money is allah's money, and the human beings are the trustees. if they do good, they will have the best and more, but if they do evil, they will be recompensed for every evil deed with an evil deed like it. allah almighty said: {whoever brings a good deed shall have ten times the like thereof to his credit, and whoever brings an evil deed shall have only the recompense of the like thereof, and they will not be wronged}.<sup>107</sup> it is one of the five essential principles upon which the islamic shari'a law builds the foundation of the human life, and it is a divine blessing from the creator, the provider. allah almighty says: {then; let mankind look at his food ☉ how we poured down water in torrents ☉ then we broke open the earth, splitting ☉ and caused to grow within it grain ☉ and grapes and herbage ☉ and olive and palm trees ☉ and gardens of dense shrubbery ☉ and fruit and grass ☉ as enjoyment for you and your grazing livestock}.<sup>108</sup> the noble islamic shari'a law has safeguarded objectives for this essential, universal interest, including creation, establishment, protection, and maintenance, as well as legitimate means for achieving and preserving them. imam al-ghazali (may allah have mercy on him) said: "the islamic sharia's objectives for wealth are five: to preserve their religion, their lives, their minds, their offspring, and their wealth. everything that includes preserving these five fundamentals is an interest, and everything that undermines them is corruption, and preventing them is an interest".<sup>109</sup> allah almighty said: {and he gave you of all that you asked for, and if you count the blessings of allah; never will you be able to count them. verily! the human is indeed an extreme wrong-doer, - a disbeliever}.<sup>110</sup>

<sup>103</sup> - It was Narrated by **Al-Nasa'i** in **Al-Sunan Al-Kubra** (11654). It was also Narrated by **Ibn Majah** (2223).

<sup>104</sup> - Narrated by **Muslim** (1567).

<sup>105</sup> - Surah Al-Ma'idah: [M, 5/42].

<sup>106</sup> - See: **Interpretation of the Verses of Rulings** by His Eminence Mr. Sheikh Muhammad Ali Al-Sayis, Muhammad Ali Subaih Press, Egypt, p. 193.

<sup>107</sup> - Surah Al-An'am: [K, 6/160].

<sup>108</sup> - Surah Abasa: [K, 80/24-32].

<sup>109</sup> - Al-Ghazali Abu Hamid, **Al-Mustasfa "The Distillation"**, Investigation and Commented on: Muhammad Suleiman Ibn Al-Ashqar, Al-Risala Foundation, 1st ed., 1417 AH/1979 CE, Vol. 2, p. 284.

<sup>110</sup> - Surah Ibrahim: [K, 14/34].

and allah the almighty said: {allah is he who created you, then provided food for you, then will cause you to die, then he will give you life. is there any of your partners of allah that do anything of that? glory be to him! and exalted be; he above all that evil they associate with him}.<sup>111</sup> allah created the human in the best stature, fashioned him in the most beautiful form, honored him with reason, and favored him over many of his creations, making him the jewel of this existence. allah tested him with obligations as a test, provided him with provisions as a favor and gratitude, bestowed blessings upon him as a favor and benevolence, and bestowed money upon him to honor him and increase his gratitude and appreciation for him, and his belief and faith in allah's religion. allah gave human money to preserve his self-esteem, achieve a dignified life, protect his dignity, and preserve his sanctity from the humiliation of begging from others. allah obligated human to earn his earnings from clearly lawful sources and permissible, good sources, such as legitimate jobs, trade and industry, agriculture, and handicrafts. allah obligated human to spend it on charitable, righteous, and pious causes, for himself, his family, and those for whom he is responsible. it is also spent in various branches of faith, such as; giving charity to orphans and widows, the poor and needy, the sick, the oppressed, the wronged, and the defrauded, as well as to those who strive in the cause of allah, seekers of knowledge, memorizers of the holy qur'an, and students of the noble prophetic sunnah. it is also spent in building mosques, qur'anic schools, scientific corners, religious institutes, colleges and universities, hospitals, orphanages and homes for the elderly, and border crossings and ribats for the sake of allah.

Allah has preserved the private property for the individual, just as he has preserved the public property for the nation. both properties are protected by allah, the most gracious, through legislation prohibiting aggression against them. allah has imposed the application of prescribed punishments and penalties on anyone who dares to tamper with them, such as: the prohibition of highway robbery, theft, drinking alcohol, gambling, usury, bribery, forgery, cheating, fraud, and fraudulent measurement and weights. allah has set limits for these crimes and prescribed punishments for them, whether prescribed punishments or discretionary punishments. allah has made it obligatory for those in authority and those with solution and power, the influential people, in this blessed nation to implement them against the aggressors. allah almighty also commanded the wealthy person to be moderate and balanced in spending from it, and to rationalize consumption. allah also forbade people from extravagance and waste, and prohibited them from spending money on forbidden things, just as he prohibited them from earning it from unlawful and false sources.

Allah's purpose in bestowing wealth upon mankind is to make it a means of attaining the good of this world and the hereafter, spent in worshipping allah, achieving chivalry, protecting one's honor, and securing employment. the wealth serves a multitude of purposes, fulfilling one's immediate aspirations, such as; liberation from the humiliation of poverty, attaining honor and glory among people, increasing one's brothers and friends, and gaining dignity and respect in people's hearts. abu kabshah al-anmari (may allah be pleased with him) reported that; the messenger of allah (peace and blessings be upon him) said: "there are three things upon which i swear, and i will tell you a hadith, so memorize it. he said; a servant's wealth is not diminished by charity, and no servant is wronged and endures patiently, except that allah increases his honor. so; forgive, and allah will honor you. and no servant opens the door of begging, except that allah opens for him the door of poverty".<sup>112</sup>

Thus, the lawful and pure wealth is a means for a righteous servant to seek allah's pleasure. allah almighty said: {o you who believe! do your duty to allah and fear him. seek the means of approach to him, and strive hard in his cause as much as you can. so that you may be successful}.<sup>113</sup> and allah almighty said: {never will you attain the good [reward] until you spend [in the way of allāh] from that which you love. and whatever you spend - indeed, allāh is knowing of it}.<sup>114</sup> and allah, the almighty, also

<sup>111</sup> - Surah Ar-Rum: [K, 30/40].

<sup>112</sup> - **Al-Targhib wa Al-Tarhib "Encouragement and Intimidation"**. Narrated by **Al-Tirmidhi** (2325). And **Ahmad** (18060).

<sup>113</sup> - Surah Al-Ma'idah: [M, 5/35].

<sup>114</sup> - Surah Al Imran: [M, 3/92].

said: (as for he who gives and fears allāh ﷻ and believes in the best [reward] ﷻ we will ease him toward ease).<sup>115</sup> sa'id ibn yasar (may allah be pleased with him) narrated that he heard abu hurairah (may allah be pleased with him) say: the messenger of allah (peace and blessings be upon him) said: "no one gives charity from something good - and allah does not accept anything except that which is good - except that the most merciful takes it in his right hand, even if it is a date. it grows in the hand of the most merciful until it becomes greater than a mountain, just as one of you raises his foal or young camel".<sup>116</sup> the foal is a young horse, which we call the colt. the young camel is a small camel, which we call the makhlool.

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