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LEGITIMATE MEANS OF PRESERVING WEALTH IN ISLAM

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ABSTRACT

Preserving wealth in Islam is one of the essential objectives of Islamic law. It aims to protect money from loss and misappropriation, and to regulate its acquisition, expenditure, and investment according to Islamic legal principles. Islam has prohibited theft, usury, fraud, and unjustly consuming people's wealth, and has mandated the protection of financial rights in a way that achieves justice, mutual support, and economic stability in society.

KEYWORDS: Legitimate-Means-Preserving wealth In Islam.

1. INTRODUCTION

Preserving one's wealth is considered one of the five faculties that has been proven reliable by extrapolating a group of textual evidence from the Qur'an and Sunnah, and what is proven from the imams, and by extrapolating rational evidence, adding to that the urgent necessity. So that it is irreplaceable.

Accordingly, I address this topic in four demands. I talk in the first about the importance of money and its concept, and I highlight in the second requirement: the manifestations of preserving money in Sharia, and I dedicate the third requirement to talk about public money, and I highlight in the fourth requirement the means of maintaining money and its necessary components, necessity and improvement in short, God willing.

A set of innumerable evidence indicates that money is entirely one of the five faculties on which Sharia was built and intended by the Lawgiver.

Hence the concern of Sharia with money; Great care and great interest on several levels, including the ways of earning it, preserving its survival and developing it, investing it and increasing it, asking for its promotion and not accumulating it, protecting it from loss, and protecting it from the forbidden.

What is the concept of money? What are the manifestations of its preservation? What are the ways to develop it? And the means of maintaining it from the forbidden? What are the necessary, needed and improved components to save money altogether?

First: the concept of money:

The concept of money can be defined as a collective name for everything that is right to be owned and capable of delivering and receiving, whether it is movable, real estate, animal, or current specimen, and it is synonymous with sustenance; In a certain sense, which is what it is permissible to benefit from, assault, clothing, housing, vehicle, or whatever was a means for that, whether it is permissible or forbidden, and from here comes the divine trial in the obligation to adhere to what is permissible from it, and to avoid what is forbidden.

A hadith indicates this meaning: "The son of Adam says: My money, my money." He said: "Do you, O son of Adam, own anything but what you ate and finished, or wore and were worn out, or gave in charity and spent?" And the witness is that from the meaning of money, whether worn or eaten, and that from it is what is benefited from in this world, and from it is what is benefited from in the Hereafter, such as charity, zakat and endowment.

And it was said that the concept of money is: "A name for all that a person owns, and its origin is:

what tends to be in nature and can be saved, such as cash, and what can take its place.

And Imam Ibn Ashour made money five descriptions, when they come together, it is called money: "that it be possible to save it, that it be desirable to collect it, that it be negotiable, that it be limited in amount, and that it be acquired" or what was in the rule of acquired such as inheritance

And the gift. And if we want to search for the exact difference between sustenance and money, we find that money is a means of sustenance, that is, the purpose of money is to obtain sustenance with it, whether it be food, clothing, housing, or transportation, or whatever is in the meaning of that. "Man engages in his material environment by investing, so he obtains animal, vegetable or mineral gains from it, which he spends on his benefits as food, clothing, housing and transportation."

Imam Ibn Ashour said: "The nation's money is its wealth, and wealth is what people benefit, individually or collectively, in bringing benefit or repelling harmful in different situations, times and motives."

The agreed-upon principle is that "money is a blessing from God's blessings to His servants, and all of God's blessings deserve our appreciation, respect, care and care. Many interests can only be fulfilled by it, as it is a necessary thing for life in all its aspects and fields, as it is the backbone of life and by it it is established.

Second: Manifestations of saving money in Sharia:

Sharia strongly urges the preservation and investment of money, regardless of its owner, whether it is an individual or a nation, whether its owner is an adult or a fool, and whether it belongs to its owner or an orphan. It is more informative in terms of its precautions, which is why a set of Qur'anic and Prophetic directives came to preserving orphans' money in equity, and giving the weak their right with justice.

Islam also came with the call of the individual to work and exert effort to earn money from lawful, and develop it, so God made this an instinct in man, and as the Shariah emphasized with certainty that the nation's money must be preserved, through care, investment, control and accountability.

Preserving orphans' funds in installments:

Among the Sharia's care for the orphan is to preserve his money; A set of Qur'anic directives and rules regulating dealing with orphans' money and its laws; Including His saying, Glory be to Him, "Do not approach the wealth of the orphan except in the way that is best."

The scholar Ibn Ashour said in the interpretation

of the verse: "And he began it by preserving the right of the weak who cannot pay for his right to his money, and he is the orphan. This is the prohibition of disposing of the orphan's money, even if it is through storage and preservation, and that exposes his money to damage." He excluded his saying: "except in the best way."

Exaggerated in threats and intimidation; Warning of the actual torment of God; Almighty said: "The debts unjustly consume the wealth of orphans, but they eat fire in their stomachs, and they will pray a blaze." And he said, exalted be He: "And give the orphans their money, and do not exchange the bad for the good, and do not eat their money into your money, for it was a great grain."

Thus, the Sharia preserved the wealth of a group of the oppressed of the people, so it prevailed with truth, justice and fairness in preserving the funds from robbery and transgression in any way, the Almighty said: "And do not consume your money among yourselves unjustly and refer it to the rulers so that you may consume a group of people's money in sin while you know." It has been proven that looking into the interests of orphans is one of the most important purposes of Sharia in maintaining order.

Manifestations of earning and saving private money:

The Shariah desires the Muslim individual to earn halal money and develop his wealth in all legitimate ways. So that he will be free from humiliation and questioning, and even be one of the people with the upper hand in his human society, taking care of others, generous with his money, and in solidarity with what he has, as in the Prophetic hadith: "The upper hand is better than the lower hand, and start with those you depend, and the best charity is on the back of the rich, And whoever abstains, Allah will pardon him, and whoever seeks dispensation, Allah will enrich him." This is an encouragement for lawful earnings, charitable giving, abstinence, and dispensation from what is in people's hands, to the pursuit of a rich soul. And among the Companions of the body of this sense and abstinence on the day the Prophet, may God bless him and grant him peace, fraternized between the Ansar and the Emigrants." Abd al-Rahman ibn Auf came to Medina, and the Prophet, may God bless him and grant him peace, brotherly with your family and your money, show me the market, so he made some of the cut and fat." And the indication of the market in it is the meaning of abstaining from what is in the hands of the people, as well as the meaning of the desire for lawful gain, and taking reasons through trade, with good reliance

on God, and thus the blessing is obtained in sustenance and profit in trade.

Rather, the Prophet, may God's prayers and peace be upon him, built in his companions the psychology of defiance and abstinence, and trained them to work with hard work and strive, and not to belittle anything from lawful earnings, even if a man cuts wood in a valley and then sells it in the market; He earns a good livelihood with honor and self-esteem. As in the Prophetic hadith: "For one of you to take his rope and bring a bundle of wood on his back and sell it, and God will protect his face with it, is better for him than asking people whether they give him or prevent him."

The Sharia also encouraged people to gain wealth and a lot of money; The one who does not negatively affect the righteousness of man, and does not forget his owner about his Lord, and does not neglect him about the Hereafter, and fulfills God's right in him, so the best of halal money is abundant for the righteous and wise man.

Then the development of money and the demand for increased wealth is lovable; As long as it does not lead to corruption, since the caliphate in the land and its construction is dependent on wealth, and good management is by raising the individual in the hall and not being extravagant. Encouraging them to form partnerships, engaging in private money development contracts, facilitating legal procedures by the state, and providing the necessary guarantees to save people's money from manipulation, robbery, or recklessness in preserving them.

Among the controls for individuals' financial behavior is that they serve the public interest, strengthen public money, and contribute to the collective economy of the nation, because "most of the rules of financial legislation are related to the preservation of individuals' money and are intended to preserve the nation's money, because the benefit of private money is due to the public benefit of the nation's wealth, The money circulating in the hands of individuals brings benefit to its owners and to the entire nation."

Third: Preserving the nation's public money:

What is undoubtedly true is that there is no community that does not have a public money shared by all its members to manage their public affairs and maintain their security, which is called the "Bayt al-Mal" which the state votes for and ensures its protection, multiplication, investment, preservation and fortification.

Imam Ibn Ashour said: "The most important goal is to preserve the nation's money and provide it for it, and that the nation's money is a whole, so its

preservation is achieved by controlling the methods of managing it in general, and by controlling the preservation of individuals' money and the methods of its management.

Public money levies:

The state works to levy public money and collect it from commercial and industrial taxes...etc, and from silver, gold, iron, copper, phosphate, gas, and petroleum in general. It includes quarries, land and marine resources, all industrial and agricultural agreements, vital sectors, zakat, prisons, donations and gifts.

The state works to take care of public money by investing it clearly and transparently, with serious control, and strict accountability, to eliminate corruption, embezzlement and waste, rationalize public money expenditures in public interests, build and maintain social facilities, and ensure their proper management.

This includes not monopolizing public money, and it is not attributed to a person no matter how high his status, and whatever his position in the state, public money remains for the general citizens, so no person, family or tribe should dispose of it, nor be inherited or donated, and its collection is not taken for the benefit of anyone, nor He disposes of it unless he is held accountable, and the state is the watcher of it and the disposer of it by spending it in the public interest.

The money that circulates among the nation (..) is, in general, the right of the nation, and it accrues to it by the wealth of others. It is up to Sharia to control the system of its management in a manner that preserves it; Distributed among the nation as much as possible, and help in its growth in itself or with its benefits."

From public money banks:

It is from the banks of public money; Among them, we mention the preservation of the external and internal security of the state; By providing the army and alimony for soldiers, military equipment, land, sea and air, and providing a sufficient number of military intelligence, electronic and multiple trustworthy intelligences, and everything that achieves the defense of the estate, achieves the prestige of the state, and contributes to preserving the security of the nation with justice and equity within the framework of common interests between Islamic Nation.

Among the public funds: maintaining international security, under the auspices of common interests between states, such as combating terrorism in all its forms and colors: Religious terrorism: whether it is in the name of Islam, Judaism,

Christianity, or any religion, and racist national terrorism: whether it is ethnic, linguistic, or Sexually, and colonial terrorism: whether it is military, cultural or economic in order to spread security and stability in the whole world.

Among the public money banks: combating drugs, sexually transmitted diseases, air and food, combating livestock diseases, maintaining food security, global health, and combating environmental pollution.

In all of this, the state disposes of public money through quotas among all countries according to the ratio of its public wealth to the wealth of other countries in order to preserve the interests necessary for its survival and sovereignty without extravagance or stinginess, so that it does not make its hand tied to its neck and does not simplify it completely.

Among the public money banks: Maintaining internal security: by providing security men who are watchful for this, preventing abuse, injustice, robbery and theft, by providing a sophisticated, just and impartial judiciary, and providing alternative penalties to rationalize state expenditures on prison facilities, especially with the availability of smart monitoring mechanisms and electronic development, so it is possible to imprison the offender in his home, for example, or in a space at the lowest cost; As long as his dignity is preserved.

Among the public money banks: building social facilities and ensuring their functioning, starting with the necessary ones, then the Hajji, then the good ones, such as schools, hospitals, markets and mosques, within the limits of generalizing the necessary from all regions of the country.

Among the public money banks: Improving and maintaining the infrastructure: roads, land, sea and air transportation, electricity and drinking water, improving public utilities, and reforming the administration.

It was previously said that zakat is one of the collections of public money, provided that it is spent on what it has been legislated for first: that a special fund be set up for it to be spent on the eight categories in particular. So that a group of the poor in society can get rid of poverty and become self-reliant, and progress to middle-income families, then rich, productive families who give zakat.

Or by providing them with a social enabler worthy of human dignity, to suffice them with the rent provisions, or to establish the burdens of homelessness, by ownership or at a symbolic price, according to the state and degree of poverty, and to support the vulnerable groups in society, including

the needy, the disabled, and abandoned children, the elderly, and the poor among them, especially those who have no home or helper, To achieve their social dignity, and to carry out their duties towards them.

The intent is to eliminate most aspects of fragility in society, to contain poverty in it, and to reduce the poor, with income-generating investments to ensure a minimum standard of decent living for all people.

Fourth: Means of maintaining money and its components: In this topic, I address the most important means urged by Sharia to preserve money and preserve it from everything that damages it or disrupts its growth or enters into it prohibited.

First: Means of Conservation of Money:

The Sharia generally came to preserve its purposes by bringing what achieves them and strengthens their consideration and popularity, and the scholars called this their preservation and existence.

I have previously addressed the preservation of the totality of money from the point of view of existence, but from the point of view of non-existence, it is what is expressed in the preservation of money from the forbidden, and I mention examples of this by way of example but not limited to.

Safeguarding money from usury:

And usury "is when the debtor gives money to his creditor in excess of the amount of the debt for the sake of attention. If the term is due and he has not paid an increase in the debt, they say: Either you spend or you raise." The Holy Qur'an stressed the denial of this treatment and harshly threatened the perpetrator, because of the dire social, economic and religious harms in this world and the hereafter.

Usury is one of the biggest pests that destroys money and threatens the economy, as it is the germ (virus) that kills its activity and vitality, and a group of economic experts in the world witnessed this, especially with the global economic crisis, of which usury was one of the biggest factors and causes. I will not dwell on anything known, known and understood, but I will confine myself to some verses of the Noble Qur'an and some prophetic warnings. Which indicates that usury is one of the greatest evils, both religious and worldly.

God, glory be to Him, and Exalted be His Law, said: "Those who eat Lord do not stand up except as what the Satan is wrong So whoever comes to him as an admonition from his Lord and it ends, he will have what has gone before, and his affair is with God. and nurtures alms, and God does not love all sinful infidels". Until God said: "O you who have believed, fear God and forsake what remains of usury, if you

are believers, then if you do not do it then do so. And if you repent, then you shall have the capital of your wealth. You shall not be wronged, nor shall you be wronged." Imam Ibn Ashour said in the context of the interpretation of this verse: "The sympathy of speech to nullify a means that was one of the reasons for extorting the rich from the money of those in need, which is the treatment of usury".

And in the hadith of the Prophet: "May God curse the one who consumes usury, the one who pays it, the two who witness it, and the one who writes it down." And in a more horrific and blasphemous hadeeth about usury, it came in which: "Usury is seventy grains, the easiest of which is for a man to marry his mother." And in another hadith: "No one is more than usury, except that the consequence of his affair is few." For usury is more forbidden than adultery, as in the previous hadith, "usury is more forbidden than gambling and gambling, because God Almighty said: "You shall not be wronged, nor shall you be wronged," and he called it unjust, and he called gambling hatred, and wine is hatred, but injustice was used only in usury. Injustice is a form of polytheism with God and his companion, as in the Almighty's saying: "Sincerity is a great injustice." The truth is that the ugliness of usury, its ugliness, and its economic, social and religious evils are too many to enumerate in reality.

The economic crisis is caused by the inflation of capital and the circulating of money to each other without material production of wealth, and this is more of the effects of usury. If money is a commodity and a price at the same time, it leads to economic suffocation, and selling money for money differentially is the same as usury.

Maintaining it from theft:

The Sharia has striven by all means to preserve the ownership of money for its owners, whether it is private money that is kept for its owners, or public money, it has necessitated its preservation for the public. Or eat people's money unjustly. Proof of this month to be mentioned.

Maintaining it from waste:

What completes the preservation of money, establishes its pillars, ensures its continued existence, and rationalizes its expenditures. It is to protect it from waste and extravagance in its use, so came a set of religious directives, legal rulings, and organized laws, which direct people to save money from waste, as God Almighty says: And do not waste wastefully, that the wasteful were brothers of the devils, and Satan was ungrateful to his Lord.

This verse combines a verse about the necessity of preserving money and not wasting it, and "Wasteful:

dividing money in what is not appropriate, and spending it in a way of extravagance.

And imam al-Qurtubi said: "And not wasteful," i.e., do not go overboard in spending without a right; (..) And wastefulness is spending money in a way that is not right, and not wasteful in doing good deeds; (..) - and it was said - waste is taking money from what is rightfully it and putting it in something other than what is rightfully it. It is his right, which is extravagance, and it is forbidden." Wastefulness and extravagance are among the greatest evils of money and business, and among the most dangerous of them, for waste is the ruin of money. Hence Sharia dealt with fools in a special way and their behaviors surrounded by special provisions, in "A foolishness in money is wasting it, being indifferent to it and poorly developing it." So, I confined him to his own money and prevented people from dealing with him financially, as the Most High of His praise said: "And do not give away your money to the foolish, which God has made for you, and give them to them with it, and fear them, and speak to them a kind word."

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These are examples, for example, but not limited to, preserving the whole of money by paying what spoils it, or spoils its ornament, or squanders it, or hoards it until it becomes solid money that does not produce, especially since rigid money that does not produce and does not grow is in constant decline and erosion.

Second: Examples of the elements of preserving the totality of money, including the necessary, the Hajj and the improvement.

From the above it appears clearly that the Faculty of Finance has pillars and components necessary for its preservation, and other things such as necessities in its preservation, and a third rank, which is the Al-Tahsini component in preserving the faculty of finance.

What can be considered necessary in the preservation of the totality of money, as proposed models, including the provision of the minimum means of money production and mechanisms for its development, and protection from theft, looting and embezzlement. Whether it is public or private money, providing the minimum amount of its promotion and preserving its value, and making the necessary effort in developing it, and it is necessary to prevent double-fold usury.

What is possible with him in need of preserving the totality of money: avoiding accumulating it and monopolizing its value and seeking to develop its mechanisms for its development and investment, and preventing all usury and waste, whether it is in

public or private money. The obscenity of wasting public money is more ugliness and corrupts it, and the prohibition of usury unless it is multiplied in view of the preservation of money Haji, but in view of the sin of the hereafter may rise to the necessary. Among the needs of preserving the totality of money is the revival of economic solidarity among people by enacting laws that frame the good loan, encouraging people to do so by ensuring the preservation of their capital, and bringing the mutual guarantee into existence, instead of the interest-based guarantee.

Among the urgent needs to preserve the totality of money is the provision of participatory banks and the facilitation of good financial transactions based on the binding law to preserve the funds of partners and the funds of creditors; And not to exploit religious sentiment to eat people's money falsely.

Among the things that can be improved in the preservation of the totality of money are examples, including: the continuous control of prices, the reduction of inflation, and the rationalization of donations and gifts from non-compensatory contracts, whether in private money or public money that the state spends with reasonable justice and equity. in it or exaggerate it.

One of the improvements in preserving the totality of money is the establishment of solidarity banks for good assumptions framed by a strict law that preserves the funds of its shareholders, and codifies the characteristics of its beneficiaries with known guarantees.

Among the improvements in preserving the totality of money is the multiplication of financial transaction formulas in the participatory banks and their control by independent bodies of experts in Islamic jurisprudence and economics.

In any case, the state, with its institutions and bodies, is obligated to take care of public money and protect it from haraam, tampering or wasting it. It must also hold the agents accountable for public money with known laws, and strictly monitor their wealth, financial transactions, school contracts, and monitor the wealth of their relatives, families and acquaintances.

Civil society organizations must also contribute effectively and reasonably to the control of public money, push towards activating the laws in force in monitoring and accountability, and return public money to its people and its place from the state treasury.