

# Prophet Muhammad's Sunnah's View Of Financial Corruption

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## Abstract

The study aimed to demonstrate the most important bases set by Islam to combat all forms and types of financial corruption. Islamic law has set clear regulations and rules for the collection and spending of money and did not leave a way for corruption. The researcher discussed this topic in an introduction, two chapters, and a conclusion, where he explained the concept of financial injury and its most important manifestations. He also talked about the prophetic rules to prevent financial corruption pre and post-occurrence. The researcher concluded that Islamic law has established perseverance of money according to clear rules and foundations which no one can deviate from unless he follows his whims. Prophetic bibliography has also undoubtedly stated all types of permitted and prohibited financial transactions so that Muslims can be fully aware of them. Prophetic texts are characterized by combating all types of financial corruption using two methods. The first method is a preventative one reflected in restriction and warning of any type of financial corruption, meaning the prevention of any financial injury pre-occurrence. The second method is a remedial one represented in punishment and penalty for any person that commits financial corruption to deal with any financial injury after it occurs to preserve the rights of individuals and societies and achieve justice and security. The researcher recommends establishing an institution that is specialized in combating financial corruption and works on finding suitable solutions since Islamic societies today suffer from the growing phenomenon of financial corruption. He also recommends establishing an easy, juristic e-encyclopedia that includes all matters related to financial transactions so that it is easy for concerned individuals to refer to them when needed.

**Keywords:** corruption, financial corruption, combating.

## Introduction

Praise be to Allah who created the creation, expanded sustenance, bestowed upon the world various kinds of prosperity, and tested them by putting them in unstable conditions to see who will do the best deed. Islamic Sharia paid great attention to money and its sources and was keen to preserve it as one of its overall purposes. Sharia attached great importance to money and made its

violation of great sanctity because it considered it as the wealth of Allah Almighty which He granted to people. Allah Almighty said: “And give them some of Allah’s wealth which He has granted you.<sup>1</sup>” And in it is also considered as the adornment of this worldly life, Allah Almighty said: “Wealth and children are the adornments of this worldly life, but the everlasting good deeds are far better with your Lord in reward and hope.<sup>2</sup>” Allah has made man a successor and

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responsible for the disposal of wealth, as He Almighty said: “Believe in Allah and His Messenger and donate from what He has entrusted you with. So those of you who believe and donate will have a mighty reward.<sup>3</sup>” In the interpretation of this verse, Imam Al-Qurtubi said: “This indicates that it is not in fact your money, and you are only in the status of representatives and agents.<sup>4</sup>”

The love of wealth is a human instinct that is confirmed by the texts of Sharia, Allah Almighty said: “and love wealth fervently.<sup>5</sup>” On the authority of Anas bin Malik, may God be pleased with him, he said: Allah's Messenger (ﷺ) said, “The son of Adam (i.e. man) grows old and so also two (desires) grow old with him, i.e., love for wealth and (a wish for) a long life.<sup>6</sup>” Man's eagerness to increase wealth is one of his attributes confirmed by Sharia, on the authority of Ibn 'Abbas (May Allah be pleased with him) reported: Messenger of Allah (ﷺ) said, “If a son of Adam were to own a valley full of gold, he would desire to have two. Nothing can fill his mouth except the earth (of the grave). Allah turns with mercy to him who turns to Him in repentance<sup>7</sup>”

However, wealth can become a severe trial for the nation, as the Messenger of Allah (ﷺ) said, “Verily, there is a Fitnah (trial) for every nation and the trial for my nation (or Ummah) is wealth.<sup>8</sup>” It may also become the cause of hostility and rivalry between family members, people, and nations as well. Which made the Messenger of Allah (ﷺ), warn of its consequences when he said: “By Allah, it is not poverty that I fear for you, but I fear that this world will be opened up with its wealth for you as it was opened to those before you; and you vie with one another

over it as they did and eventually it will ruin you as it ruined them.<sup>9</sup>” Therefore, Sharia has established precise regulations for the acquisition and use of funds as well as blocked any potential avenues for corruption. The researcher highlighted the cornerstones of Islam's fight against financial corruption in all of its manifestations in the next chapters.

### **Preface:**

Islam has renounced corruption in all of its manifestations and forms, Allah Almighty said: “Eat and drink of Allah's provisions, and do not go about spreading corruption in the land<sup>10</sup>.”

The major types of corruption that have permeated numerous societies over the years are financial corruption. Islam introduced the perfect framework for financial transactions and opposed anything that would be financially harmful to people or societies in general. Sharia also outlined the fundamental rules to prevent it from occurring in the first place. If it occurs, it issued actions to mitigate the impacts and prevent them from taking place again. So, what is meant by financial injury in Islamic sharia?

### **Injury (ḍarar) in language:**

Injury in the Arabic language is defined as the opposite of benefit (Naf'a). Abu al-Duqaish said: It is every severe situation, poverty, or distress, and it is the opposite of benefit. The Prophetic hadith: “There is no injury nor return of injury” (La ḍarar wala ḍarar). La ḍarara denotes that a person should not harm another person, so reducing some of his rights, and al-dirar means a person should not cause harm to another person to

reciprocate the harm he has caused<sup>11</sup>. In Terminology, On the authority of Al-Baji: “Al-Khashni said: Injury (ḍarar) is that in which you have a benefit, but it causes harm to your neighbour. And (ḍīrar) is that in which you have no benefit and harm to your neighbour, in other words, harm is what a person intends to benefit himself and in which harm is inflicted on others<sup>12</sup>. Al-Zarqani and others said: “Harm (injury) is the absolute infliction of corruption on others.<sup>13</sup>”

### **Injury in Contemporary Civil Law:**

It is every harm inflicted on a person, whether it is in his money, body, honour, or affection.<sup>14</sup>) It includes material harm, such as money damage, and moral harm, such as an insult to human dignity or a bad reputation.

### **Financial injury:**

It is what affects a person in his body or his money, which is represented in the financial loss that results from prejudice to a right (or interest), whether the right is financial, such as rights in kind, personal, intellectual, or industrial property. or material damage if this infringement results in a diminishment of the financial benefits conferred by one of those rights. Or non-financial, such as violating one of the rights related to human beings, such as personal freedom, freedom of work and freedom of opinion, such as imprisoning a person without the right or preventing him from travelling for work, which also results in material harm, provided that the interest is legitimate. It is also defined as “everything that affects a financial liability and causes its owner a financial loss<sup>15</sup>.”

### **Forms and manifestations of financial injuries:**

Among the forms of financial injuries are the following: Forcibly taking or destroying something or reducing its value or benefit, and deprivation of the use or acquisition of a financial right or incurring losses from unfair competition. The basis for that is the saying of Allah Almighty: “Do not consume one another’s wealth unjustly, nor deliberately bribe authorities to devour a portion of others’ property, knowing that it is a sin<sup>16</sup>”. Al-Qurtubi said: that what is meant by this verse includes gambling, deception, taking possession of property by compulsion and denying rights, and what the owner does not wish to give willingly. Or forbidden by Sharia even if an owner gives it up willingly, such as the hire paid to a prostitute, the gift given to a soothsayer in return for his divination, the prices of alcohol and pigs, and so on. Some said: What is meant by this verse is the money spent on amusement, alcohol and unemployment. In Al ijma’ whoever takes someone else’s money, not according to the permission of the Shari’ah, then he has taken it unjustly<sup>17</sup>.

Islamic Sharia has stipulated that everything that would be a reason to unjustly usurp people's wealth is forbidden, as it is a forbidden injury. In this paper, I will mention a number of these matters that are forbidden by Sharia to preserve the financial rights of individuals and society.

## **Chapter One**

### **Islamic rules to avoid and prevent financial injury in advance**

Islamic Sharia has stipulated provisions that consider the interests of people and ward off evils from them, to provide them with a decent life, by preserving the five purposes defined by al-

maqasid scholars namely life, religion, intellect, dignity and property(money). The Prophet warned against indifference in the ways of making money because it is one of the most crucial issues confronting the Islamic nation as it was described as the temptation of the nation. The Prophet (ﷺ) said “Certainly a time will come when people will not bother to know from where they earned the money, by lawful means or unlawful means.<sup>18</sup>” Islamic Legislation enacted basic rules to prevent financial injuries and corruption including the followings:

### Section I: Prohibition of illegal earning

Islam urges striving to earn wealth in a permissible way and obtaining it free from injustice, transgression, and consuming wealth unlawfully. So, it is permissible (halal) to earn money from all the works that are permitted by shari’a. While what has been obtained unlawfully, it is considered unlawful (haram), false and forbidden. The Messenger of Allah, said: “O Ka'b bin Ujrah! There is no flesh raised that sprouts from the unlawful except that the Fire is more appropriate for it.<sup>19</sup>” The Sheikh of Islam Ibn Taymiyyah said: “The generality and the main purpose of what the Qur'an and Sunnah prohibited in terms of transactions were to promote justice and prevent injustice in all of its manifestations, including the unlawful consumption of money and gambling. The underlying idea here is that carrying out transactions is not against the law. Except for what the Qur'an and the Sunnah declare is prohibited. In the same way, Muslims are not required to perform any of the acts of worship that bring them closer to Allah, unless the Qur'an and

the Sunnah make such acts of worship explicitly legal<sup>20</sup>.

Islamic law has clarified in detail the types of unlawful earnings and their fields that come under three main sections namely riba, Gharar, and fraud. Which Ibn al-'Arabi described in detail in his book Ahkam al Qur'an. These unlawful earnings may include Bai Mozabana, Mu'awama, Bai' al-Gharar, Bai' al-'Uryan, Bai' al-Mudtar, Bai' al-Hast, ale of unripe fruit and unripe corn, Bai' al mufaḍah<sup>21</sup>.

#### 1. Forbidden sales in Islam

Islamic law forbids several types of sales, including the sale of Gharar. Literally in Arabic, it means deceit<sup>22</sup>, risk<sup>23</sup>, fraud, uncertainty or hazard that might lead to destruction or loss. Al-Qadi Ayyad said: “The origin of Gharar linguistically is what has an externally loved and hated interior, and that is why the world is called the enjoyment of vanity...and it may be from the gharar, which is deception<sup>24</sup>. The jurists differed in the definition of Gharar, as they described it by saying: “What its consequences are hidden<sup>25</sup>”. The origin of the prohibition of this type of sale is what was narrated by Abu Huraira, may Allah be pleased with him, who said: “Abu Huraira said that the Messenger of Allah (ﷺ) forbade a transaction determined by throwing stones, and Bai' al-gharar<sup>26</sup>”. Imam Al-Nawawi said that the prohibition on the sale of gharar is a great principle which includes many basic rules such as existence, ownership and possession. Some examples of these are the purchase of the unborn animal in the mother’s womb, the sale of milk in the udder without measurement, selling fish that are in

the water, selling a slave that has escaped, selling birds that are in the sky, and similar type of sales. However, all of these sales are void because it is deceived and uncertain.<sup>27</sup> Many types of sales that are prohibited are included in the sale of gharar, because they were common and recognized in the pre-Islamic era, so special texts from the Sunnah came to explain their invalidity, including:

- The prohibition of *bia Al hasāt*, (a transaction determined by throwing stones). The evidence for it is what was mentioned in the previous hadith, and there was a difference in the interpretation of *bia Al hasāt*. For example, someone may say: Throw this pebble, for whatever garment it falls on, it is yours for a dirham. Someone sells his land as much as the pebble has reached... or sells him a commodity and takes a handful of pebbles and says to me every pebble is a dirham. However, all of these actions include deception due to ignorance of the actual price<sup>28</sup>.
  - The prohibition of selling *al-Muhaqalah*: Among them is what was narrated by Anas bin Malik, who said: “The Messenger of Allah (ﷺ) forbade *Muhaqalah*, *Mukhadra*, *Mulamasa*, *Munabthah*, and *Muzabana*<sup>29</sup>”

Ibn Battal said: “In the interpretation of *al-Mahqalah* there are three sayings: Some of them said: It is the sale of the crops in its ears for wheat, the leasing of the land for wheat or Sharecropping by a third or a quarter and so on. This definition is the most appropriate in terms of language because the *al-Mahqalah* is taken from the word “*haqel*” field. *Mukhadhara* is the sale of fruits, which are vegetables that have not shown their

goodness. Because the mutualists pledged allegiance to something green. The scholars unanimously agreed that it is not permissible to sell fruits, crops, and legumes before they are ripe, and it is not permissible to sell green crops except for the herders and the food of animals.<sup>30</sup>” *Muzabanah* is a transaction in which the owner of fruit trees agrees to sell his fruit for an estimated equivalent amount of the dried fruit, such as palm fruit for dates or grapes for raisins. It is prohibited ostensibly because of the strong element of *gharar* present in such a transaction<sup>31</sup>. And it may eventually lead to a dispute between the parties to the sale contract. Concerning *Mulamasa* and *Munabdhah*, it was explained in the narration of Muslim from the hadith of Abu Hurayra that “the Messenger of Allah (ﷺ) forbade *mulamasa* and *munabadha*.” *Mulamasa* is when a man can feel a garment but is not allowed to unfold it or examine what is in it, or he buys by night and does not know what is in it. *Munabadha* is when a man throws his garment to another, and the other throws his garment without either of them making any inspection<sup>32</sup>.

- Selling what is in the wombs of domestic animals:
 

Abu Sa'id al-Khudri (RA) reported that the Prophet (ﷺ) forbade buying what is in the wombs of domestic animals till they give birth; selling what is in their udders; buying a runaway slave; buying (something from) the spoils of war until they are divided; buying *Sadaqat* before they are received; and the unknown catch (find) of a diver<sup>33</sup>.”

Imam al-San'ani said: "The hadith included six forbidden types of a trade by the consensus of scholars, and they are: The first: selling what is in the wombs of animals. The second: is milk in the udders. And the third: the runaway slave, because it is not possible to give him. And the fourth: buying spoils before dividing them, due to lack of ownership. And the fifth: the Sadaqat before they are received, because the possession of the giver of charity does not exist except when they are taken Sixth: unknown catch (find) of a diver, which is to say: I dive into the sea, and what comes out is yours, the reason for prohibition in these situations is deception<sup>34</sup>."

Evidence from the Sunnah has been provided for the invalidity of each of the prohibited sorts of sales, which were mentioned at the beginning of the section. For the sake of brevity, I will only briefly describe a few of them here. To ensure that financial transactions are defined by clarity and reliability and do not hurt others, this prohibition has tremendous and obvious wisdom, which is demonstrated in preventing disputes and fraud that cause rivalries between people.

## **2. Earning from what is forbidden to benefit from:**

And it is everything that is forbidden for its own sake, such as selling dogs, selling alcohol, selling pigs, selling dead animals, and selling impurities. The reason for the prohibition is its physical impurity that cannot be purified. Abu Mas'ud al-Ansari said that the Messenger of Allah (ﷺ) forbade the price paid for a dog, the hire paid to a prostitute, and the gift given to a soothsayer<sup>35</sup>." It was also narrated by Abu Hurairah that: "The Messenger of Allah (ﷺ) said: Allah forbade wine and the price paid for it and forbade dead meat and the price paid for it, and forbade swine and the price paid for it.<sup>36</sup>" Ibn al-Mundhir said: "

People of Knowledge (scholars) unanimously agreed on that. They unanimously agreed that dead meat and alcohol are forbidden and that selling and buying pork is forbidden<sup>37</sup>."

## **3. Earning from forbidden professions:**

Abu Mas'ud al-Ansari said that God's Messenger forbade the price paid for a dog, the hire paid to a prostitute, and the gift given to a soothsayer.<sup>38</sup> The hire paid to a prostitute is what the adulteress takes for fornication. The origin of prostitution is demand, but it is mostly used in corruption. the gift given to a soothsayer is unanimously forbidden because it involves taking money for an unlawful act, and its astrology, using pebbles and other things that Seeking fortune-tellers suffer from reconnaissance of the unseen. And it is similar to a bribe<sup>39</sup>. These gains were denied because of the harmful and corrupting that they cause to religion and the world.

## **4. Prohibition of earning by transgressing the wealth of others:**

### **A. Theft:**

The texts of Sharia prohibit theft and punish the thief, preserve the nation's wealth, and establish the rules of security and tranquillity in society. Shariah rules also forbade Muslims to buy something knowing that it was taken from its owner without right, because taking it without a right transfers ownership from its owner to another illegally, and it is considered as cooperation in sin and aggression. On the authority of a man, from the people of Medina, he said: The Messenger of Allah said: "Whoever buys something stolen while knowing that it is

stolen, then he has indeed shared in its shame and sin<sup>40</sup>.”

### **B. By obligation:**

Sa'id b. Zaid reported God's Messenger as saying, "If anyone takes a span of land unjustly, its extent taken from seven earths will be tied round his neck on the day of resurrection."<sup>41</sup> The texts of the Sunnah forbade seizing land because it violates the rights of others. Whether it is owned by individuals or a public benefit, everyone who seizes something from others is bound by sin for that, and he will be punished.

### **C. Al- Ghulul (Dishonesty in taking a part of the spoil)**

The origin of the Ghulul is treason in the booty. Abu Huraira told that God's Messenger stood up among them one day and mentioned dishonesty regarding spoil, treating it and everything connected with it as a serious matter. He then said, "Let me not find any of you coming on the day of resurrection with a camel rumbling on his neck and asking me to rescue him,\* for I shall say that I can do nothing for him as I have given him full instruction. Let me not find any of you coming on the day of resurrection with a horse whinnying on his neck and asking me to rescue him, for I shall say that I can do nothing for him as I have given him full instruction. Let me not find any of you coming on the day of resurrection with a sheep bleating on his neck and asking me to rescue him, for I shall say that I can do nothing for him as I have given him full instruction. Let me not find any of you coming on the day of resurrection with a soul shouting on his neck asking me to rescue him, for I shall say that I can do nothing for him as I have given him full instruction. Let me not find any of you coming on the day of resurrection with patches flapping on

his neck and asking me to rescue him, for I shall say that I can do nothing for him as I have given him full instruction. Let me not find any of you coming on the day of resurrection with gold and silver on his neck asking me to rescue him, for I shall say that I can do nothing for him as I have given him full instruction."<sup>42</sup> This statement strengthens the prohibition of dishonesty, and upon it the consensus of the Muslims, as narrated by Imam Al-Nawawi<sup>43</sup>.

### **D. Devouring the property of an orphan**

**It was narrated from Abu Hurairah that the Messenger of Allah said:**

"Avoid the seven sins that doom one to Hell." It was said: "O Messenger of Allah, what are they?" He said: "Associating others with Allah (Shirk), magic, killing a soul whom Allah has forbidden killing, except in cases dictated by Islamic law, consuming Riba, consuming the property of orphans, fleeing on the day of the march (to the battlefield), and slandering chaste women who never even think of anything touching their chastity and are good believers."<sup>44</sup> What is meant by consuming an orphan's wealth is all kinds of damage, and this unjust act is great unanimously.

### **E. Loans "Al-Da'īn"**

Abu Huraira (RA) reported that: The Prophet (ﷺ) said, "Whoever takes the money of the people to repay it, Allah will repay it on his behalf, and whoever takes it to spoil it, then Allah will spoil him."<sup>45</sup> Ibn Hajar said: "It appears that the damage will happen to him in this world, and that is in his livelihood or himself. And it is one of the signs of prophecy when we see by witnessing those who engage in something of the two things, and it was said what is meant by damage is the punishment of the Hereafter. Ibn Battāl said: It encourages not

to waste people's money, and to repay it when it is due, for one reaps what he has sown<sup>46</sup>."

## 5. Earning money by harming society:

### A. Usury

Jabir said that God's Messenger cursed the one who accepted usury, the one who paid it, the one who recorded it, and the two witnesses to it, saying they were all alike<sup>47</sup>. The Qur'anic verses came with a severe threat to the one who consumes usury, and the hadiths prohibiting it are many and well-known, and Muslims unanimously agreed on that. It is one of the major sins, and specifically one of the seven sins, in which there was a threat to declare war from God and His Messenger. The purpose of its prohibition is not hidden from anyone, because of the harms and evils that it entails on individuals and societies.

### B. Bribe

Abdullah bin 'Amr bin al-Aas (RA) said: "Allah's Messenger (ﷺ) cursed the one who bribes and the one who takes bribes<sup>48</sup>." Ibn Hajar said, explaining: "A bribe is what is taken without compensation and it is wrong to take it, and Ibn al-Arabi said: Bribery is every money that is paid to be bought from a person of prestige, helping in what is not permissible, and the "Murtashy" bribee is the one who takes it, the briber "Rāshy" is the giver of the bribe, and the "Rāsha" is the intermediary.<sup>49</sup>" Bribery is a malicious gain, consuming people's money unjustly, aiding injustice and aggression, and a waste of human dignity, due to the consequent loss of rights and corruption of societies.

### C. Acquiring the property of others unlawfully

Khaula al-Ansariya reported God's Messenger as saying, "Men will unjustly acquire for themselves property which belongs to God, and on the day of resurrection they will go to hell.<sup>50</sup>" Al-Qastalani said: "The basin is walking in the water and moving it, then it was used to dispose of the thing. That is, they dispose of the money of God, which He made for the interests of the Muslims, without rightly apportioning, but rather by falsehood... it deters the rulers from disposing of the Muslims' treasury unjustly."() . It is forbidden for the one who does not deserve anything of God's money to take it and possess it, as this is one of the sins that lead to hell.<sup>51</sup>"

### D. Abuse of power:

Abu Humaid bin Sa'd As-Sa'idi (May Allah be pleased with him) reported: The Prophet (ﷺ) employed a man from the tribe of Al-Azd named Ibn Lutbiyyah as the collector of Zakat. When the employee returned (with the collections) he said: "(O Prophet (ﷺ)!) This is for you and this is mine because it was presented to me as a gift." Messenger of Allah (ﷺ) rose to the pulpit and praised Allah and extolled Him. Then he said, "I employ a man to do a job and he comes and says: 'This is for you and this has been presented to me as a gift? Why did he not remain in the house of his father or the house of his mother and see whether gifts will be given to him or not? By Allah in Whose Hand is the life of Muhammad, if any one of you took anything wrongfully, he will bring it on the Day of Resurrection, carrying it on (his back), I will not recognize anyone of you, on the Day of Resurrection with a grunting camel, or a bellowing cow, or a bleating ewe." Then he raised his hands till we could see the whiteness of his armpits. Then he said thrice, "O Allah ! have I conveyed (Your Commandments)<sup>52</sup>". The hadith

indicates the prohibition of what is given to employees as a gift for performing a service or work because it falls under usury.

## **Section 2: Prohibition of spending money on illegal purposes**

Al-Mughirah bin Shu'bah (RAA) narrated that the Messenger of Allah (ﷺ) said: “Allah has made it prohibited for you to be disrespectful (showing undutiful behaviour) to your mothers, to bury your daughters alive, to refuse others (their dues), and to demand things from others (which are not worth demanding), and He hates that you engage in gossip, asking many questions about people’s affairs and wasting wealth<sup>53</sup>.” Al-Nawawi explained it by saying: As for wasting money, it is spending it in a way other than the legitimate ones and exposing it to damage. The reason for the prohibition is that it is corruption, and God does not accept the corruptors and because if he wastes his money, he will be exposed to a demand for what is in the hands of the people of prosperity<sup>54</sup>”

Al-San’ani said: “Wasting money” is that which is spent in ways other than what is legally authorized, whether religious or worldly. Because God Almighty made the money upholding the interests of worship, and in squandering, those interests are missed either in the right of the owner of the money or in the right of others. He said: The point is that there are three aspects of spending too much: The first is spending on reprehensible aspects of the Shariah, and there is no doubt that it is forbidden. The second is to spend in respectful ways according to shari’ah, and there is no doubt that it is required, as long as it does not lead to the loss of someone else’s right. The third is spending in permissible ways, and it is divided into two parts. One of them is that it

should be in a manner befitting the situation of the spender and the amount of his money. This is neither addition nor an extravagance. The second is that repelling some evil, either present or expected, is not extravagance, and if it is not, then the majority of scholars consider it an extravagance<sup>55</sup>.”

### **Forms of unauthorized spending**

#### **1. Qimār and Maisir (gambling & speculation)**

Gambling “Qimar” is taken from deception<sup>56</sup>. Ibn Qudamah defined it as: “Each one of them should not be free from gaining spoils or being fined<sup>57</sup>” It refers to betting and wagering.

As for Al-Maisir, Al-Jassas defined it by saying: “al maisir in the origin of the language is for fragmentation, pre-Islam They used to slaughter camels and make them into portions, gambling over them with insults, according to their custom of doing so. Everyone who has a mug will look at it for a mark, and they will judge him according to the names of the mug<sup>58</sup>. It is known as betting between players on something in return for a sum of money received by one of the bettors who wins that game, whatever it is. It was forbidden in the Qur’an and al-Sunnah, Abu Huraira reported the Prophet as saying that “if anyone swears an oath in the course of which he says, “By al-Lat and al-‘Uzza”, he should say, “There is no god but God”; and that if anyone says to his friend, “Come and let me play for money with you”, he should pay sadaqah.<sup>59</sup>” Ibn Hajar said: “And gambling is forbidden by agreement, so supplication to do it is forbidden.<sup>60</sup>” It includes eating the money of others unjustly, it is not permissible. The Sheikh of Islam Ibn Taymiyyah said: “The evil of gambling is greater than the evil of usury, because it includes two evils: the evil of consuming money

with unlawful things, and the evil of unlawful entertainment, as it prevents the remembrance of God and prayer and causes enmity and hatred, and for this reason, the gambling was forbidden before the prohibition of usury.<sup>61</sup>

## 2. Extravagance

Extravagance: It is going beyond the limit in spending and other things<sup>62</sup>. It is going beyond the intention in consuming what God has permitted". Disliked extravagance with regard to worldly matters is extravagance in matters that are permissible by Sharia, and in a manner that exceeds the reasonable and natural limit<sup>63</sup>. It is disapproved of "makruh" in Islam because it leads to severe harm, whether physical or psychological. And the Prophet, PBUH, warned against it. On the authority of Abdullah bin Amr: The Prophet, may God's prayers and peace be upon him, said: "Eat, give charity and clothe yourselves, without being extravagant, and without showing off."<sup>64</sup>

Ibn Hajar said: "Extravagance is going beyond the limit in every act or saying. Exceeding the limit involves violating what is stated in the Shariah, so it becomes forbidden. Extravagance may lead to arrogance and showing off. Al-Muwaffaq Abd al-Latif al-Baghdadi said, "This hadith is inclusive of the virtues of man's self-management, and it includes the management of the interests of the soul and the body in this world and the hereafter, Being extravagant in everything harms the body and harms the livelihood, leading to destruction, and harms the soul, as it belongs to the body in most cases<sup>65</sup>."

## 3. Spendthrift

The texts of the Sunnah confirmed what was mentioned in the Holy Qur'an regarding the prohibition of Spendthrift. Abdullah bin Amr said: "a man came to the Prophet (ﷺ) and said: I am poor, I have nothing (with me), and I have an orphan. He said: Use the property of your orphan without spending it lavishly, hurrying and taking it as your own property<sup>66</sup>."

Spendthrift denotes spoiling money and spending it lavishly, Allah Almighty said: "And do not waste wastefully". And some believe that it indicates spending money on sins<sup>67</sup>. Malik said: "Wasting money indicates depriving it of being spent on the right way and putting it in a wrong way and that is forbidden by Allah saying: <sup>68</sup>"Surely the wasteful are 'like' brothers to the devils. And the Devil is ever ungrateful to his Lord<sup>69</sup>." Abu Hayyan said: "Allah almighty forbade wastage, and the Jahiliyyah used to sacrifice its camels and gambling on them, and wasted their money in pride and reputation, and this was mentioned in their poems. So Allah Almighty forbade spending on other than righteousness purposes, and what brings it close to Him Almighty<sup>70</sup>" (). Al-Qurtubi said: "Whoever spends a dirham on something forbidden is considered extravagant<sup>71</sup>." Islamic Sharia has been keen to clarify everything that would corrupt money in terms of earning and spending, to preserve the rights of individuals and societies.

## Chapter Two

### Islamic rules in eliminating financial injury after it has occurred

Eliminating harm after it has occurred is one of the noblest purposes of Islamic law, because it achieves justice on earth among people, and removes injustice and corruption. However, its spread leads to the great destruction of nations. The maxim of “*‘aḍ-ḍarar yuzāl*” meaning “Harm should be eliminated” is one of the great rules stipulated by Sharia. al-Shāṭibī says that this maxim embodies all kinds of harm “*ḍarar*” that are prohibited in Islam<sup>72</sup>. And its evidence from the Sunnah is what was narrated by Ubadah bin Samit that the Messenger of Allah (ﷺ) ruled: “There should be neither harming nor reciprocating harm<sup>73</sup>.” The denial of harm in this text includes its removal after it has occurred, and its most prominent form includes the following:

### **Section I: Guarantee and compensation for financial damages**

Al-‘Awaḍ: In the Arabic language means the substitute, i.e. giving compensation for what was damaged<sup>74</sup>. Al Ḍaman: means to guarantee, and Al Ḍamīn means the sponsor who guaranteed the thing<sup>75</sup>. And to be guaranteed something, means to be fined, and committed to paying it<sup>76</sup>. Linguistically it means the fine compensation, which is what will be discussed here.

The jurists usually use the term guarantee when talking about the obligation to the right or reimbursement. As for the term compensation, it is used by civil law jurists. The definitions of jurists differed for financial damage. In short, a guarantee donates an obligation to compensate financially for damage to others.<sup>77</sup> And Al-Sharia decided the principle of compensation to preserve the sanctity of others’ money,

reimbursement for damage, suppression of aggression and rebuke the aggressors.<sup>78</sup>”

The Sunnah came with the practical application of this maxim to emphasize its necessity. On the authority of Anas (RA), he said: “The Prophet (ﷺ) was with one of his wives when one of the Mothers of the Believers (another of his wives) sent a bowl containing food with a servant of hers. Then, she (in whose house he was) struck it with her hand and the bowl was broken. He collected the pieces of the bowl and began to collect the follow in it and said, “You eat,” and gave an unbroken bowl to the messenger (servant) and kept the broken one<sup>79</sup>”. In the narration of Al-Tirmidhi: “One of the wives of the Prophet (ﷺ) gave the Prophet (ﷺ) some food in a bowl. Then 'Aishah broke the bowl with her hand and discarded what was in it. So the Prophet (ﷺ) said: “Food for food and vessel for the vessel.<sup>80</sup>” This is evidence of the necessity of compensating the money that was damaged. Al-Bara' had a she-camel which was accustomed to graze the standing crop belonging to the people. She entered a garden and did damage to it. The Messenger of Allah (ﷺ) was informed about it. So he considered the owners of gardens are responsible for guarding them by day, and the owners of the animals are responsible for guarding them by night. Any damage done by animals during the night is the responsibility of lying to their owners<sup>81</sup>.

Imam Al-Baghawi said: “The scholars agreed that what the livestock spoiled at night, its owner compensated for it because, in custom, the owners of walls and orchards preserve them during the day, and the owners of livestock preserve them at night. It is contrary to this custom violated

custom. This is in the case that the owner of the animal is not with it, and if he is with it, he must guarantee what it spoiled<sup>82</sup>.”

Regardless of whether it was done on purpose or by error, a guarantee is required. Ibn al-Qayyim said: “Even if their motivations for sinning were different, mistake and purposeful damage both contributed to the harm that is the root of the guarantee, The guarantee or the reimbursement is linked to the damage in terms of linking the rulings to their causes, and it is a requirement of justice, without which the interest is not fulfilled. As when Sharia obligated the murderer to pay the blood money for the murdered person. Therefore, the maxim of al taklīf “imposition of obligations” is not applicable here, so the boy, the insane, and the sleeping person should reimburse for the damages they caused. This is one of the general laws that only the interests of the nation can be fulfilled by it, and if they did not compensate for the crimes they committed, some of them would destroy each other’s wealth and claim error and not intended<sup>83</sup>.”

## **Section 2: Elimination of the damage caused by the debtor’s procrastination**

Al-Maṭāl (delay): in Arabic means to extend. According to Al-Azhari is Al-mudaf’a which means remit. Al-Qadi Iyadh said: “Al-Maṭāl: means preventing the fulfilment of what is due<sup>84</sup>” Sharia forbids delaying the payment of debts. Abu Hurairah (RA) said: The Messenger of Allah (ﷺ) said, “It is an act of oppression on the part of a person to procrastinate in fulfilling his obligation; if the repayment of a debt due to any of you is undertaken by a rich person, you should agree to the substitution.<sup>85</sup>” Imam Al-Nawawi said: “Al-Maṭāl is to prevent the fulfilment of what is due,

so the rich man’s procrastination is injustice and forbidden.<sup>86</sup>”

Al-Qurtubi said: “The affluent who can pay if he is called upon to compensate for what is due and he temporizes payment unfairly, people can allege that he is a man who delays the people's money and withholds their rights, which allows the imam to reprimand and discipline him till he is deterred from that<sup>87</sup>.”

The jurists agreed that the ruler has the right to sell the money of the procrastinating debtor by the compulsion to pay off his debt. Wahba Al-Zuhaili said: The judge may compel the debtor to pay his debt by one of the following means: imprisonment, confinement, and forced sale. As for imprisonment, it is lawful if the debtor refrains from paying his debt, as Allah's Messenger (ﷺ) said: “Delay in payment on the part of one who possesses the means, makes it lawful to dishonour and punish him.” That is, the procrastination of the rich allows the ruler to challenge him and punished him, but it does not prohibit him. The judge can order him to sell his money by force, and to pay his debts out of their price.<sup>88</sup>”

Section 3: Fighting aggressor (al Ṣā’il) to preserve wealth

In Arabic, the word “Ṣa’ūl” means the one who abuses people aggressively, whereas Uṣawel means to rob and conquer<sup>89</sup>, and the word ṣa’īl means to take over the rights of others unjustly. Islamic law has authorized Muslims to defend their money from every unlawful attack. The texts of the Sunnah necessitate fighting the aggressor to protect the wealth and to remove this danger by appropriate means. On the authority of Mukhareq, he said: He said: 'A man came to the Prophet [SAW] and said: “What if a man comes to me and

wants to take my wealth?" He said: "Remind him of Allah." He said: "What if he pays no heed?" He said: "Seek the help of the Muslims around you against him." He said: "What if there are no Muslims around me?" He said: "Seek the help of the ruler against him." He said: "What if the ruler is far away from me?" He said: "Fight to defend your wealth until you either become one of the martyrs of the Hereafter, or you protect your wealth (successfully).<sup>90</sup> From the above, we can deduce a set of rules enacted by Islamic Sharia to combat any financial corruption. The texts of the Sunnah have also come to clarify its rulings, to ward off every behaviour that leads to injustice against a Muslim in terms of his money, or to remove the injustice after it has occurred.

### Conclusion:

The most important findings are:

- The Islamic Sharia has established clear and solid maxims for the preservation of wealth, and only those who follow their whims and desires can deviate from them. Indeed, the texts of Sharia, specifies evidently all types of permissible and prohibited financial transactions, leaving no room for any ambiguity, so that the Muslim becomes aware of his rights in this issue.
- The texts of the Sunnah in combating types of financial corruption were characterized by two distinct methods:
  - 1- The first: is a preventive method that is manifested in reprimand and warning against falling into any financial corruption, removing any financial harm before it occurs, with an explanation of the reasons for the evils of illegal financial transactions, and their consequences for the individual and society.

- 2- The second: is a remedial method represented in the punishment and reprimand for each person involved in financial corruption, to eliminate any financial harm after its occurrence, to preserve the rights of individuals and societies, and to achieve security and justice, because they are the critical basis of Islamic Sharia.

### Recommendations:

Based on the findings, the researcher recommends the following:

- Creating a facility dedicated to fighting financial corruption, with Sharia scholars, economists, sociologists, and jurists striving to find solutions to the problems Islamic communities are currently facing due to the spread of the financial corruption phenomena.
- Assembling everything related to financial transactions into a searchable electronic jurisprudence encyclopedia to make it simpler for individuals who are interested to consult it.
- Exchanging experiences among the countries of the Islamic world about combating financial corruption.
- Create comprehensive educational initiatives warning young people of the risks of financial corruption for both the individual and society, proportionate to their cognitive capacity.

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