
USE OF ASSETS FROM A MAQASID SHARIA PERSPECTIVE

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ABSTRACT

Wealth has an important position for humans to fulfill various needs which are primary (dharuriyat), secondary (hajiyyat), and tertiary (takhsiniyat). Various views of ulama place the order of protection of religion, soul, reason, lineage, honor, property, state and security in maqasid sharia. How to prove the use of assets based on a priority scale based on maqasid sharia is an interesting study. This qualitative research with a normative approach uses grounded theory in analyzing al-Quran verses related to wealth. The research results prove that the verses of the Quran command the use of wealth to protect religion, soul, reason, lineage, honor, property, state and security. The findings of this research strengthen the opinion of the ulama in placing priority needs based on maqasid sharia.

Keywords: Assets, Maqasid Sharia, Priority Scale, Verses

INTRODUCTION

The behavior of showing off one's wealth through cyberspace with the aim of seeking attention and recognition from other people (flexing) is quite widespread. Flexing behavior is usually carried out by content creators-vloggers to get a lot of attention and subscribers. The various purposes of flexing include simply showing off one's wealth so that society is considered to have a high social status, getting lots of followers which has an impact on income, and influencing the audience by luring wealth through a method that must be followed. The use of assets that is not in accordance with sharia can be dangerous for the perpetrator and other people. Some perpetrators of flexing result in social sanctions and even punishment because they are seen as causing harm to people and not having empathy when people's economic conditions are experiencing difficulties. This phenomenon shows a person's lack of knowledge in using assets in accordance with the provisions or objectives of sharia (maqasid sharia). In fact, Islam orders its followers to seek and use wealth in a manner justified by Islamic law.

Islamic Sharia guarantees the fulfillment of various types of human needs in accordance with the socio-economic conditions and abilities of each individual. Primary needs (dharuriyyat) must be met to maintain the interests of religion and the world. Failure to fulfill primary needs permanently can result in the loss of world interests and even tend to be damaged. The accumulation of primary needs includes five things, namely maintaining religion, soul, mind, offspring and property. Secondary needs (hajiyyat) are needed to provide space and eliminate narrowness which can lead to non-fulfillment of primary needs. Meanwhile, tertiary needs (takhsiniyyat) are needed to bring about improvement and get rid of conditions that are disgusting according to common sense

Assets occupy an important position in economic and non-economic activities. Various needs of human life can be fulfilled by means of the availability of assets. The activity of buying and selling goods and services can be realized if the parties have assets and agree to exchange them or pay them as service fees that are considered commensurate. Social worship activities such as zakat, infaq, sadaqah, inheritance, grants and waqf can be realized if there are assets that can be released by the owner. Therefore, Islam explains the importance of obtaining, using and developing permitted and prohibited assets. Efforts to acquire wealth in a way that is in accordance with Islamic law will receive a lot of praise. On the other hand, the acquisition and use of property that is contrary to the guidance of the Sharia will receive criticism and even threats (al-Nabhani, 1993).

Islam provides guidelines for property owners to use and distribute their assets for themselves, their families and the surrounding community in need. In the Islamic view, property can only be used by its owner in activities permitted by the Shari'a. For example, to fulfill primary (daruriyyat), secondary (hajiyyat) and tertiary (takhsiniyyat) needs. Assets can also be developed in accordance with the methods permitted by Islamic law. Using property in a way that is not justified will result in criticism and even sanctions for the owner.

The majority of ushul and maqasid scholars categorize five aspects as primary needs, namely the protection and maintenance of religion, soul, mind, lineage and property. There are those who believe that maintaining honor is a substitute for maintaining offspring. However, there are also scholars who differentiate between maintaining honor and protecting offspring, and even add protection to security and the state as part of the primary needs in maqasid sharia (al-Nabhani, 1994). The majority of ulama also agree on the priority order for each primary need. How to prove the order of priority to maintain or maintain primary needs is interesting to research.

Much research has been carried out regarding maqasid al-syariah. For example, research on genetic engineering (Idris et al, 2021), performance evaluation, inheritance rights (Mualim, et al, 2022), poverty, wealth management (Munawer, et al., 2021), sharia compliance, e-money (Fikri, 2022), maqasid misconceptions, maqasid classification (Mukhlisin, 2020), finance (Siddiqi, 2020), transaction value, local economic development (wulandari, et al, 2022), child protection, maqasid index (Ascarya and Masrifah, 2022), and others. As for research on how to position the use of assets in relation to the maintenance of religion, soul, reason, lineage, honor, security and the state according to the maqasid sharia priority scale, researchers have not yet found it. This research is considered important to determine the use of assets to meet urgent needs based on a priority scale according to the meaning of sharia (maqasid sharia). It is hoped that the results of this research will become general guidelines for using assets according to the priority scale based on maqasid al-syariah.

LITERATURE REVIEW

Treasure

Treasure in Arabic al-maal (المال) or al-amwal (الاموال) means property (Munawwir, 1984) is goods, money, and so on which constitute wealth (Anwar, 2003). Wealth (al-maal) is anything that can become wealth, regardless of its form. Property can be owned by someone provided there is a reason that causes someone to own the property that they did not previously own. Ownership is a sharia law that applies to certain objects or uses, which allows anyone who gets it, to use it and obtain compensation whether its use is taken by someone else or consumed for use. Ownership is a sharia permit that applies to certain objects or uses (al-Nabhani, 1993).

According to az-Zuhaili, property is something that humans actually own and/or control, whether in the form of objects or benefits. Hanafiyah requires that something can be categorized as a treasure if it is controlled, can be held, and can be used. Meanwhile, according to jumhur fuqaha other than Hanafiyyah, property is anything that has value and if someone else damages it, they are required to replace it. Hanafiyyah only limits wealth to everything that is material, so that it can be felt. Meanwhile, benefits or rights do not include assets but include property. Apart from that, the Hanafiyyah view that what is meant by everything is directed at the benefits or use value of an object, not the object's substance aspect. According to az-Zuhaili, the opinions of fuqaha other than Hanafiyyah are considered more correct because they are commonly used in human interactions and are used in law (az-Zuhaili, 2011)

The right to use or manage property owned by a person is a consequence of the owner's ability to take advantage and obtain compensation due to the use. The right to use or manage assets is bound by the permission of the creator of the Shari'a (as-Syari). Because, ownership is essentially permission as-Shari'a to use or take advantage of the substance of the item. When someone has property, the essence is that he has the property only to use it. Even though he already owns the substance, the use and management of the property is bound by Sharia law and is not absolutely free. The proof is that when someone has owned property and then takes advantage of it or manages it not in accordance with Islamic law, such as wasting it or using it for immoral purposes, the state is obliged to guard it, prohibit it from managing it, and take back the authority that the state has given to it (al-Nabhani, 1993). As-Syari has given power to humans over the assets they own to be used in accordance with the objectives explained by the Shari'a (maqasid syariah), both in managing, distributing and developing their assets.

Maqasid Sharia

Etymologically, maqasid al-syariah is a combination of the two words maqasid and syariah. Maqasid is a derivation of the word *qasada yaqsudu* with various meanings such as towards a direction, goal, middle, fair and not exceeding limits, straight path, middle path between excess and deficiency. These meanings can be found in the use of the word qashada and its derivations in the Quran. Such as, means easy, straight and moderate (al-Quran 9:42), middle and balanced (35:32), straight (16:9), midway between two ends (31:19). Meanwhile, the etymological meaning of al-syariah is the path to water, the laws prescribed by Allah for His servants, whether stipulated through the Quran or the sunnah of the prophet in the form of words, actions and decrees. Sharia also means a number of amaliyah laws brought by the Islamic religion, both relating to the concept of faith and legal legislation. In terms of terminology, maqasid sharia has the meaning of developing from the simplest to the most holistic. Among the ulama before al-Syatibi there was no holistic meaning of maqasid al-syariah. Al-Banani interpreted maqasid al-syariah as legal wisdom, al-Asnawi interpreted it as legal goals, al-Samarqandi equated it with legal meanings. Meanwhile, al-Ghazali, al-Amidi, and al-Hajib interpreted maqasid sharia by achieving benefits and avoiding damage (Mawardi, 2010).

According to al-Syatibi, maqasid are the main points of religion, sharia rules, and overall beliefs. The general nature of necessity (daruriyyat), necessity (hajiyyat), and completeness (tahsiniyyat) cannot be defeated by partial laws. Al-Syatibi used an inductive method to prove the certainty of maqasid based on the arguments he used. Al-Syatibi further said that Allah as as-Shariah has a purpose (maqasid al-syariah) in every determination of His law, namely for the benefit of life in this world and the hereafter (al-Syatibi, 2004). Ibn Asyur said that all Sharia laws certainly contain wisdom, benefit and benefits. According to him, the general aim of the Shari'a is to maintain order for the people and the continued benefit of their lives. Maqasid sharia can be general which covers the entire sharia and can be specific such as in the muamalat aspect (Ibn Asyur, 2001). Meanwhile, al-Nabhani explained that maqasid sharia is the intentions of sharia (Islam) as a whole, not what is meant by each law itself. the purpose of enacting a law, namely the results that may be obtained from that law through the preaching of Allah SWT (al-Nabhani, 1994). Jasser Auda uses an Islamic approach as a system making maqasid sharia the main substance that must exist in every provision (Auda, 2015)

Various verses related to maqasid sharia such as; Allah SWT created jinn and humans so that they can worship (adz-Dzaariyat [51]: 56), sent His messenger to be a mercy to the universe (al-Ambiya [21]: 107), sent down the Quran to become a remedy and mercy for those who believe (al-Isra [17]: 72), made Moses the adopted son of the Pharaoh's family so that he would become an enemy and sorrow for them (al-Qashah [28]: 8), revealed the Quran as immediate explanation of things, guidance, mercy and good news for those who surrender (al-Baqarah [2]:97); an-Nahl [16]:89). These various verses show the grace that will be obtained by sending the apostle to mankind, not showing the existence of illat or motivators for as-Sharia. The aim of Islamic law is to bring about

goodness (benefits) and reject damage (fascism) which is realized from the sharia with its nature as one unit (al-Nabhani, 1994)

Scholars of the classical era agreed that the objectives of the Shari'a were covered in five points which were referred to as the five core things (al-kulliyat al-khams). These five things are considered the basis and objectives of the Shari'a which must be maintained. Among them are guarding religion (hifdz al-din), guarding the soul (hifdz al-nafs), guarding reason (hifdz al-aql), guarding offspring (hifdz al-nasl), and guarding property (hifdz al-mal). (Syathibi, 2004). According to Nabhani(al), maintaining honor, maintaining the state, and maintaining security are urgent matters (dharuriyyat) for society (al-Nabhani, 1994). Fiqh and ushul scholars differ in placing priority on safeguarding in every aspect. Despite this, the majority of ulama place the aspect of caring for religion and the soul in first place in fulfilling important needs (dharuriyyat).

Priority Scale In Maqasid

Amiry(al), an early scholar, placed five pillars that must be upheld to achieve benefit. Among them, legal sanctions for killing a soul, legal sanctions for theft, legal sanctions for exposing disgrace, legal sanctions for destroying honor, and legal sanctions for abandoning honor (Amiry(al), 1993). These five points later became the forerunners of dharuriyyat al-khams which became the discussion in subsequent studies of maqasid sharia, such as al-Juwayni, al-Ghazali, and the ulama after him (Mawardi, 2010). Al-Juwayni explained the basics of maqasid al-syariah by dividing benefits into three hierarchical levels, namely dharuriyat, hajiyat, and takhsiniyat (Juwayni(al), 1978). Ghazali(al) was the first to name and describe dharuriyat al-khams in the order of religion, soul, mind, lineage and property as important things protected by Islam (Ghazali(al), 1937). Meanwhile, al-Amidi was the first to test the structure of al-dharuriyyat al-khams by taking a different position from Ghazali(al) by placing heredity before reason (Amidi(al), 1981). Imam Syatibi always begins with the maintenance of religion and soul, while the placement of descendants and reason seems flexible (Syatibi, 2004). Imam al-Zarkasyi places the order of dharuriyyat needs starting from protection of life, property, lineage, religion and reason (Zarkasyi(al), 1993). Imam Amidi(al) places a priority order starting from safeguarding religion, soul, lineage, intellect and property (Amidi(al), 1981). Meanwhile, Imam al-Qarafi places the order starting from the care of the soul, religion, lineage, reason and wealth. He added protection of honor (al-'ird) as a separate part of the five maqasid, citing the fact that the Shari'a has imposed its own limits on accusations of slander (al-qadhf) (Mawardi, 2010). Meanwhile, Imam al-Ghazali places the order of maintenance on religion, soul, mind, lineage and property (al-Ghazali, 1937)

Placing primary needs (dharuriyyat) in maqasid sharia is considered important to prioritize main activities in maintaining the benefit of the world and the hereafter. So it is very reasonable for Islamic jurisprudence and ushul scholars to prioritize each aspect of urgent needs. Several indicators that can help to identify priorities in maqasid sharia include the presence or absence of texts in the Quran, hadith, and ijma friends. Compare the good and bad things obtained and look at the existing legal position (obligatory, haram, sunnah, makruh and permissible). Seeing the threat of behavior that violates the guidance of the Shari'a, as well as the strengths and weaknesses of promises of reward or warnings (al-wa'd wa'l-wa'id) that may be contained in the text (Kamali, 2008)

METHODS

This qualitative research uses a grounded theory approach. The word treasure in the Quran is analyzed and classified using atlas-ti.8 according to the express meaning of the verse. The purpose of using assets in this verse is coded based on the maqasid al-syariah classification. Explanations of related al-Quran verses are used to strengthen priority stratification of property use according to maqasid sharia. From here you will be able to know the priorities for using assets in the verses of the Quran based on maqasid sharia.

RESULTS AND DISCUSSION

Based on a search of the verses in the Quran that mention the word treasure, a total of 36 surah and 78 verses were obtained in the Quran. In the verses of the Quran, wealth is mentioned singularly with the word al-maal (المال) and in the plural as al-amwal (الاموال). The word wealth is mentioned in various letters and verses in the Quran. The various surah and verses in the Quran are: surah al-Baqarah[2]: 155, 177, 186, 247, 262, 264, 265, 274, 279, 155, 177, 186; al-Imran[3]:10, 116; al-Nisa[4]: 2, 5, 6,10, 24, 29, 34, 38, 95, 161; an-An'am[6]:152; al-A'raf[7]:6; al-Anfal[8]:28, 36, 72 ; at-Taubah[9]:20, 24, 34, 41, 44, 55, 69, 81, 85, 88, 103, 111; Yunus[10]:88; Hud[11]:29, 87; al-Isra[17]:6, 64; al-Kahf[18]:34, 39, 46; Maryam[19]:77; al-Mu'minun[23]:55; An-Nur[24]:33; Ash-Syu'ara[26]:88; An-Naml[27]:36; Saba[34]:35, 37; Muhammad[47]:36; al-Fath[48]:11; al-Hujurat[49]:15, Az-Zariyat[51]:19; al-Hadid[57]:20; Mujadilah[58]:17; al-Hasyr[59]:8; As-Saff[61]:11; al-Munafiqun[63]:9; At-Tagabun[64]:15; al-Qalam[68]:14; al-Haqqah[69]:28; Noah[71]:12, 21; al-Mudastir[74]:12; al-Fajr[89]:20; al-Balad[90]:6; al-Lail[92]:11, 18; al-Humazah[104]:2, 3; and surah al-Lahab[111]:2.

The word treasure in the 36 surah of the Quran is mentioned in 24 singular forms and 54 verses in the plural form. The meaning of verses related to property, both in singular and plural, refers to everything that can become wealth, attached to aspects of ownership, use value and benefits. Researchers agree more with the opinion of the jurists who state that assets are tangible objects that can be physically held or abstract objects that have use value or benefits. Assets include all wealth that can be utilized, sold, rented or exchanged. Utilization is sometimes done by consuming the substance or taking advantage of it while the substance is still intact and not completely consumed. Assets can include everything that can satisfy human needs (Nabhani(al), 1993) or has a use. Benefits and rights according to opinions other than Hanafiyyah include property. Even though both of them are not in the form of real objects, they can be grasped by their origin or source, and the existence of benefits from an object is what makes people try to own it (az-Zuhaili, 2011).

Islamic Sharia does not give someone the freedom to obtain the wealth they want. If freedom is given according to one's heart's wishes, various upheavals, chaos, destruction and sorrow will arise. As is known, humans have different levels of abilities and needs for satisfying them. If the freedom to own property is handed over to humans, it will give rise to efforts to monopolize wealth, weak and sick people will be prevented from owning wealth, leading to destruction. A strong person will not control his will to control other people's wealth. This is the importance of Islamic law in having certain mechanisms that make it possible for someone to obtain wealth and use it. The mechanism for acquiring and using property in Islamic law is in accordance with human nature, is able to regulate interpersonal relationships with society so that it can guarantee the fulfillment of human needs as a whole (al-Nabhani, 1993).

Assets have an important position in realizing maqasid sharia. Assets function as a means so that maqasid sharia can be implemented in the lives of individuals and society. Fulfilling primary (urgent) needs requires the role of property or wealth. Primary needs for personal and communal include the protection or maintenance of religion, soul, reason, lineage, honor, property, state and security. Many verses in the Quran explain the importance of wealth in maintaining primary needs in accordance with the levels mentioned in the maqasid sharia.

In the Quran there is an explanation that placing wealth is related to protecting religion. The Quran also explains that wealth is associated with the protection of the soul, mind, offspring, wealth, honor, state and security. The role of assets cannot be separated from safeguarding various primary needs mentioned in maqasid sharia. Based on the results of the analysis of Al-Quran verses related to the use of assets using atlasti-8, they can be

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grouped according to type and level in maqasid sharia with details as explained in figure 1.

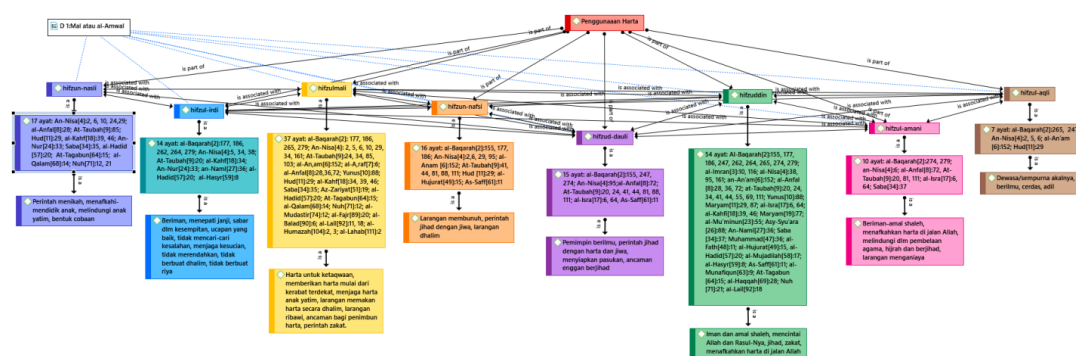


Figure 1. Use of assets based on type and level in maqasid sharia

Assets To Protect or Maintain Religion (Hifz Al-Din)

Religion with the singular word al-din and the plural term adyan is often referred to as al-milah. Based on the search results, there are 54 verses in 27 surah of the Quran which contain orders to spend or spend wealth to protect religion. Identify the verse in the Quran which mentions the word treasure as a form of trial (QS 8:28), (64:15), games and jewelry in the world, and if the owner uses it for good deeds then it will be eternal with Allah (18:39), (57:20), and will receive double the reward (34:37).

The use of wealth has a very important relationship with a person's faith or disbelief. People who spend their wealth to defend religion are aligned with one's faith and occupy a high position in the sight of Allah SWT. The wealth used to fight to defend Allah's religion can identify how much one's love and devotion to Allah is (QS 9:44). Allah forbids his servant to love wealth and offspring more than he loves Allah. Especially if you exchange faith for disbelief (9:85).

Believers will prioritize using their wealth to fight for jihad to defend Allah's religion (4:95), (8:72), (9:20), (9:24), (9:41), (9:81), (9:88), (49:15). People who strive for jihad with their wealth are compared to the Messenger with those who believe in defending His religion. (9:88). On the other hand, even if a person has abundant wealth but does not believe in Allah, does not use it to defend His religion, and spends his wealth by hurting the feelings of those who receive it (2:64, 2:155), then he is a disgraceful person and will even receive punishment. . Likewise, if wealth is abundant but obtained in a way that is contrary to the Shari'a (batil) and is used to obstruct the path of goodness, then it is threatened with painful punishment (QS 9:34). In the course of history, many people were given the gift of wealth but they actually became hypocrites and idolaters (QS 9:69), spending their wealth to hinder Allah's path (8:36), and even became disbelievers. Then that person will receive a painful torment in the afterlife (10:88)

These various verses show the importance of prioritizing the use of assets for the protection or defense of religion. Allah can test and determine a person's faith in defending his religion through the sacrifice of his possessions. Various ways are used to protect religion, including carrying out activities that do not conflict with religion, implementing Islamic law, carrying out da'wah calling for Islam, carrying out jihad to exalt the word of Allah, opposing people who speak and act contrary to Islamic law, implementing the law of kharaj, and sanctions for citizens, as well as making these various matters an important concern for ulama (intellectuals) and the authorities.

A total of 54 verses of the Quran contain the command that wealth be used to maintain or protect religion. The content of the various verses can be concluded that there is an order to use wealth as a means to believe and do good deeds, love Allah and His Messenger,

finance preaching in the way of Allah and jihad, and use it for the purposes of worship in the form of paying zakat on one's wealth. The command to defend religion does not only require sacrifice of property, but also the highest sacrifice, namely the sacrifice of the soul through jihad fi sabilillah. This shows that protecting religion is a top priority in the use of property.

Assets To Protect Or Maintain The Soul (Hifz Al-Nafs)

The word soul (nafs) with the plural anfas and nufus means soul, spirit, or blood (al-dam), body, body, body (al-jasad), person (al-Syahsh), person's self (syahsh al-insan), oneself (al-dzat, al-ain) (Munawwir, 1984). Islam establishes sharia that can maintain human survival as noble creatures since their creation (al-Isra, 70; al-Haj, 18). In fact, human glory is used as a test of obedience for other creatures to Allah's command to bow down to Adam AS (al-Baqarah; 34). Humans are given the gift of reason and various other advantages so that they are able to subdue land and sea (Ibrahim [14]; 32).

To maintain the existence of noble creatures on this earth, Islamic law provides various guidelines in the form of commands and prohibitions for humans. Among other things, Islamic law dictates that humans who have sufficient requirements for marriage can subdue their desires, continue generations of offspring until human existence is maintained from extinction. Islamic Sharia also orders the head of the family (husband) to provide support to his wife, children and dependents so that their needs can be met.

Islamic Sharia also prohibits various activities that can cause the loss of human existence. Among them, the prohibition on committing dangerous acts (al-Baqarah: 195), the prohibition on killing souls (al-Isra: 33), the threat of hellish punishment and painful punishment for killing human souls (an-Nisa: 93). To save human lives, Islamic law also allows (mubah law) for things that are forbidden to be consumed within reasonable limits in emergency situations (al-Baqarah: 172)

Islamic law honors humans so much that it gives a degree of piety to people who save lives by giving wealth to those who really need it for their survival. People who provide a living in these conditions are equated with people who believe in Allah, angels, books, messengers and the last day, and are classified as people who are pious (al-Baqarah[2]: 177).

To maintain human survival, Islamic law also prohibits cruelty towards others and killing souls with the threat of hell (4:29). Acting arbitrarily (dhalim) against humans can be a way for the loss of the human soul (life). The harsh threat from Allah SWT to the perpetrators of wrongdoing is a painful punishment in the afterlife. The qishas sanction for murder is also prescribed as a form of protection for the human soul (2:179). By enforcing qishah for murderers of souls, it will be a strong threat to the perpetrators of murder and the next murder victim will be avoided so that the human soul will be preserved.

وَلَكُمْ فِي الْقِصَاصِ حَيَوةٌ يَا أُولِي الْأَلْبَابِ لَعَلَّكُمْ تَتَّقُونَ

Meaning : And in the qishash there is (guarantee of) life for you, O people of understanding, so that you may be pious (al-Quran [2]: 179).

Many verses in the Quran explain the sacrifice of property and life in connection with jihad activities which have meanings related to war (al-Quran 2:155;177); [4]:95, [9]:41;44;81;111). This verse praises people who sacrifice their wealth for jihad activities with a reward from heaven. Warfare activities (defensive or offensive jihad) can be a way for one of the parties to lose their soul (life). Even though people who die in the field of jihad, in the Islamic view, remain alive and are even given sustenance by Allah SWT. For people who have wealth and then use it for jihad to defend Allah's religion, it is equal to the reward of people who sacrifice their lives in jihad to save the souls of other humans (al-Quran [4]:49; [9]:88, 111);[49] :15).

Jihad is part of Islamic law, as a method of removing physical obstacles, to spread goodness (Islamic da'wah). Jihad can be defensive or offensive. Defensive jihad was carried out to repel colonialism which sacrificed many human lives in the colonized countries. Meanwhile, offensive jihad is carried out in areas where people live in misery due to the lack of justice because Islamic law is not present. Jihad is the highest form of sacrifice to save religion. Allah gives praise to people who sacrifice their wealth and souls to defend His religion with a reward from heaven (al-Quran [9]:41). For those who die in the field of jihad, in the sight of Allah, they do not actually die, but even they are given sustenance (al-Quran [2]: 155). In this way, souls can be sacrificed to save their religion (Islam). Likewise with property.

Many verses in the Quran link wealth with jihad which carries the risk of losing lives. For people who have wealth and then use it for jihad to defend Allah's religion, it is equal to the reward of people who sacrifice their lives in jihad to save the souls of other humans (al-Quran [4]:49; [9]:88, 111);[49] :15). The soul takes precedence over aqal, the use of drugs for surgical/medical purposes, eradicating infectious diseases (Kasdi, 2014).

Assets To Protect Or Maintain The Aql (Hifz Al-Aql)

Reason has a very important position so that humans can know God, understand what is commanded and prohibited, what laws must be applied. Reason also makes a difference between someone who is given a legal burden or not. With reason too, humans can worship, remember, and stay away from acts of shirk. This is what can differentiate humans from animals (al-Araf[7]: 179).

To maintain the function of reason, Islam commands to have knowledge, accustom reason to be used to think, reason to be used to call to goodness, issue laws (ijtihad), oblige every Muslim to seek knowledge, enjoy knowledge, glorify knowledge and scholars, make people knowledgeable. to occupy an honorable position (al-Mujadilah[58]: 11), ordered to think about humans, life and the universe so that their minds can be maintained (al-Baqarah[2]: 170, 171). Various types of actions are strictly prohibited because they can cause loss and damage the working process of the mind, including drinking alcoholic beverages (hamr). Actions that damage the work of the mind can become a path to destruction, disobedience, and departure from the path ordered by the Shari'a (al-Maidah[5]: 90, 91).

Islam glorifies the position of humans above other creatures because they are given reason which can be used to think to differentiate between right and wrong. Through a rational thinking process, humans can also solve various problems through ijtihad. Islam gives a high level of appreciation to people who have knowledge. As explained in the Quran

وَإِذَا قِيلَ ائْتِزُّوْا فَانْتَشِرُوْا يَرْفَعِ اللهُ الَّذِيْنَ ءَامَنُوْا مِنْكُمْ وَالَّذِيْنَ اٰتَوْا الْعِلْمَ دَرَجٰتٍ وَاللهُ بِمَا تَعْمَلُوْنَ خَبِيْرٌ

Meaning: And when it is said: "Stand up", then stand up, surely Allah will raise those who among you and those who have been given knowledge by several degrees. And Allah is All-Knowing of what you do (al-Mujadilah[58]:11).

The Prophet also gave an honorable position to people who have intelligent knowledge to stand in the front row in the congregational prayer line. As explained in the authentic Muslim hadith;

قَالَ رَسُوْلُ اللهِ صَلَّى اللهُ عَلَيْهِ وَسَلَّمَ لِيْنِيْ مِنْكُمْ اَوَّلُوْا الْاَخْلَامَ وَالنُّهْيَ ثُمَّ الَّذِيْنَ يَلُوْنَهُمْ ثَلَاثًا

Meaning: Rasulullah shallallahu 'alaihi wa sallam said, 'Let those who are right behind my prayer be mature people who have intelligence and people who have sense among you, then those who are after them three times... (Saheeh Muslim number 655).

The position of reason is prioritized over wealth, demonstrated by the choice of Thalut as king for the Children of Israel as mentioned in the Quran [2]: 247

قَالَ إِنَّ اللَّهَ اصْطَفَاهُ عَلَيْكُمْ وَزَادَهُ بَسْطَةً فِي الْعِلْمِ وَالْجِسْمِ وَاللَّهُ يُؤْتِي مَلَكُهُ مَن يَشَاءُ وَاللَّهُ وَاسِعٌ عَلِيمٌ

Meaning: Indeed, Allah has chosen your king and granted him vast knowledge and a mighty body. Allah gives government to whom He wills. And Allah is All-Encompassing in His Gifts, All-Knowing.

King Thalut did not come from a royal lineage, and was even included in the category of poor people who did not have the wealth to establish a state. However, Thalut had intelligence (knowledge), was physically strong, had a great mentality and was patient in facing war, so that Allah chose him to be king for the Children of Israel (ar-Riifai, 1989). This verse shows that the position of knowledge (reason) takes precedence over wealth.

The position of reason (knowledge) is also used as a measure of whether a person is considered capable of managing his or her assets or not. Islamic Sharia orders someone who is entrusted with looking after the assets of orphans (not yet adults) to test their intelligence in managing assets, before handing over their assets (belonging to orphans). Intelligence in managing assets that can show maturity as the main priority is an indication that assets may be handed over. Intelligence in managing assets can be used as a legal tool in handing over assets to their owners. This applies to small children to adults or crazy people until they recover. This condition shows that maintaining one's wits is a higher priority than managing one's property ownership. As explained in various verses of the Quran [4]: 2,5,6; [6]:152; and [11]:29. Maintaining reason through the educational process is an important priority for humans. It is hoped that the knowledge gained will become a provision and be able to solve various problems faced in life. Education certainly requires sacrifice of wealth. Wealth is used to finance education to maintain reason.

Maintaining reason must receive primary attention for humans. Even though there are activities that will damage the ability to think rationally, they are permitted to save human lives. The use of substances/drugs to eliminate human consciousness in medical activities is permitted so that human souls can be saved.

Assets To Protect Or Maintain Offspring (Hifz Al-Nasl)

Humans are created to have a natural characteristic, namely the tendency to like the opposite sex. Allah created humans in pairs so that they could maintain their preservation through marriage according to the law. Humans can maintain their existence in the world through marriage so that they can continue their offspring (ar-Ra, d: 38; an-Nisa: 3). Allah prescribes marriage, lowers views that are accompanied by lust, and prohibits the act of adultery, gives harsh sanctions to the perpetrators of adultery, gives strict sanctions to accusers of adultery who are not proven with a strong basis. The prohibition of various acts that lead to adultery aims to protect human honor and offspring.

The command to give wealth to relatives, orphans (2:177), the prohibition against killing oneself (4:29), the difference between those who strive in the way of Allah with their wealth and their souls and those who do not take part in fighting who have no age (4: 95), (9:45), prohibition on approaching an orphan's property except in a beneficial way until he reaches adulthood (11:29). People who eat the wealth of orphans in an unjust manner will actually swallow their whole stomachs of fire and will go to hell (4:10), which is a form of the law for protecting offspring.

For people who are not yet able to marry, they are ordered to maintain their purity until Allah enables them (24:33). Meanwhile, for those who are married, their wife must give her dowry (4:24). To protect the assets of orphans, before the assets are handed over, they are ordered to test the ability to manage their assets, so that the existence of the orphans is maintained (QS: 4; 6). However, the position of wealth and children is as

jewelry in the world and pious deeds are more eternal before Allah (QS:18:46). The existence of orders to marry, provide for one's wife and children, and look after the assets of orphans shows that the use of assets is used to look after offspring

Assets To Protect Or Maintain Honor (Hifz Al-Irdi)

Various forms of maintaining honor include keeping promises (2:177), patience and piety in trials (2:186), prohibition of mentioning alms recipients that will hurt the recipient's feelings (2:264), (2:262), not persecuting others by taking usury (2:279), speaking good words to those under his protection (4:5), not seeking ways that trouble good people (4:34), believing and making hijarah in the way of Allah more high status in the sight of Allah (9:20), people who are not yet able to marry are ordered to maintain their chastity (24:33), it is forbidden to boast and be proud of their wealth (57:20), and those who commit wealth are considered to be friends with Satan. (4:38). This shows that maintaining honor must take priority over protecting property.

Assets To Protect Or Maintain Assets (Hifz Al-Maal)

Humans need wealth to live their lives and fulfill their various needs. For humans to be able to continue their offspring through marriage, they need property. Maintaining descendants and honor requires wealth. To seek knowledge and be able to keep your wits, you need wealth. To maintain religion in the form of worship, zakat, hajj, sadaqah, jihad, and various other forms of worship requires wealth. Mutual cooperation with other parties to fulfill various needs through buying and selling, debts, currency exchange, buying medicine, educational activities, etc. requires assets.

To maintain the strength of the State, it is necessary to have assets that can be taken through zakat obligations, jizyah payments, ushr levies, assets obtained through ghanimah, and so on. Building military strength for state security also requires wealth (al-Anfal: 60). Islam prescribes procedures for obtaining permitted property without causing loss or damage to other parties. Islam commands people to seek wealth to fulfill their various needs. Wealth can be obtained through agricultural activities, trade, industry, etc. (al-Jumah: 10; al-Mulk: 15). Islam also prohibits consuming other people's property in an ungodly manner (al-Baqarah: 188). Eating an orphan's property in a way that is not prescribed by the law is threatened with the torment of hell (an-Nisa: 10). Islam also prohibits taking other people's property (stealing) with strong threats (al-Maidah: 38). The prohibition on taking other people's property through usury activities is threatened with the punishment of hell (al-Baqarah: 275).

Safeguarding of assets can be done through the use of assets to provide for those who are entitled to receive them (relatives, orphans, poor people, travelers, beggars, servants (2:177). The command to provide for one's wife (4:177). 34). Property is given to its owner after he is an adult and is able to manage his property (4:2), (4:5), (4:10), (6:152), (11:29), prohibition of ribawi (4:161), (2:279), prohibition of committing falsehood (9:34), prohibition of loving excessive wealth (9:85), commandment to give zakat (9:103). (10:88), pride (18:34), wealth and children are the adornments of life in the world (18:46) and it is forbidden to be proud of wealth (57:20). produces twice as much fruit (2:265).

Assets To Protect Or Maintain The State (Hifz Al-Dauli)

Allah prioritizes people who have knowledge and strength to hold responsibility as heads of government or state compared to people who have wealth but do not have knowledge and strength (QS: 2: 274). This is proven by the appointment of Thalut as leader of the country compared to other people even though he has abundant wealth. Allah also exalts the position of those who strive with their wealth and soul to defend their country with the reward of heaven (4:95; 9:20), obtain victory (9:20), and buy their property and soul with heaven (9:111).

On the other hand, Allah threatens those who love wealth more and abandon jihad (9:24), let alone feel happy if they are left behind in jihad to save their country (9:81). The commandment for jihad in light or heavy circumstances (9:41) applies to people who

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believe in Allah, the Messenger, and the Last Day (9:44; 61:11). Those who love their family and wealth more are classified as wicked (QS: 9; 24). Defense of the state (jihad) can be defensive or offensive. The existence of the State is very important to ensure the implementation of various goods for the citizens of the State. The presence of the state will be a fortress of protection for citizens so that it can guarantee the implementation of various laws or regulations for the benefit of its citizens. The absence of a State can eliminate various types of protection in the aspects of religion, reason, soul, ancestry and property) for its residents. The existence of the state is a primary need for the public to guarantee the implementation of laws (sharia) that protect its citizens.

Assets To Protect Or Maintain Security (Hifz Al-Amani)

Security is a primary need. Without security, humans will not be able to carry out any activity properly. Activities related to worship and muamalah can only be carried out in safe conditions. Various activities in the aspects of religion, economics, education, politics, social, cooperation between countries, etc. can only be carried out in safe conditions. Security is a guarantee for the preservation of religion, soul, human reason, honor, lineage, property and the state. Security is so important that Allah ordered us to prepare resources so that the State's security is strong and protected from the danger of enemy attacks (al-Anfal: 60). Security became the main need until Rasullulah moved from Makkah to Medina so he could carry out various activities ordered by Allah SWT (34:37). Allah will give a sense of security to people who spend their wealth secretly or openly (al-Baqarah[2]:274). Security is a primary public need so that various community activities can run well.

Based on indications of orders and praise for using assets according to sharia, as well as criticism and threats regarding their misuse, they can be grouped based on a priority scale. The first priority for the use of assets is to fulfill primary needs (dharuriyat) based on the sequence starting from safeguarding religion, soul, reason, descent, honor, property, state and security. After these primary needs have been fulfilled perfectly, assets can be used to fulfill secondary needs (hajjiyyat). Fulfillment of secondary needs begins with the maintenance of religion, soul, reason, lineage, honor, property, state and security. Likewise, when assets are used to meet tertiary needs. An illustration of the use of assets to meet various needs according to maqasid sharia can be explained in Figure 2.

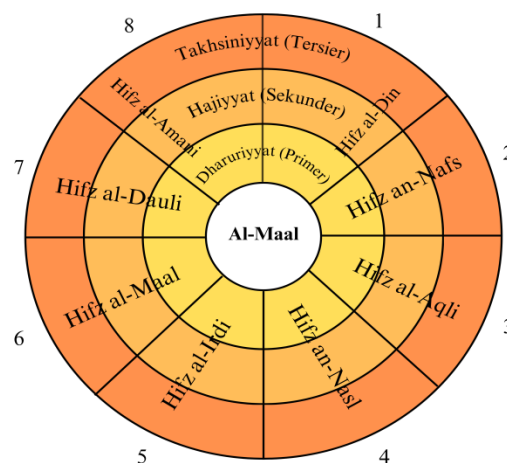


Figure 2. Priority for the use of assets in maqasid sharia

CONCLUSION

Various maintenance or protection of religion, soul, reason, lineage, honor, property, state and security can be primary, secondary and tertiary. Maintaining primary needs (dharuriyyat) certainly takes priority over secondary (hajiyyat) and tertiary needs (takhsiniyyat). Based on an inductive study (istiqlal) of various verses related to property, the priority order for fulfilling various needs in maqasid sharia is the maintenance or safeguarding of property, soul, mind, lineage, honor, assets, the state and security.

Researchers can describe this sequence in the form of a circle diagram consisting of primary, secondary and tertiary needs. Priority placement is based on the number sequence for each need. The number with the smallest sequence has priority over the next number. If all primary needs (dharuriyyat) have been fulfilled, then the fulfillment of secondary needs (hajiyyat) continues and increases to the fulfillment of tertiary needs (takhsiniyyat). This research strengthens the priority scale in maqasid sharia chosen by various ulama or ushul groups such as al-Amiri, al-Juwaini, al-Ghazali, al-Syatibi, and al-Nabhani.

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