

Hoarding and Timing Rate of Lives Materials

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Abstract

The phenomenon of (hoarding) is a kind of visible cruelty to the society which has unpleasant results and the statesmen should not go through that indifferently. Therefore, by considering legal aspects a Muslim ruler must make sure that the owners have lien to the right which is based on their domination, and to save the society from bad effects of lucre. In this article, it is being tried to inspect the sutra of rate, hoarding and reasons for preferring the society's right over the owners right while conflicting through the jurist's votes, economical and juridical reasons. And shortage of approval rating as general with keeping the value of government must be presented based on the aspects of economic justice.

Key words: *hoarding* exchange) Rating (increasing lives materials)

Preface

One of the cruelty to the social rights is seeking exchange of gist and needed goods for the public citizens. It is obvious that a hoarder human with buying and needful depositing has brought the people under pressure of economic living situation. It caused harming to the family's incomes even oppressing for citizenships that's why it can bring an irrecoverable damage to the economy of the society. Therefore, avoiding it seems obligatory based on the wisdom and sharia. Definitely, in these cases the right of individuality and his society's ownership which sounds needed comes to conflict and it never be hidden when the individuality right causes harm to the society, the society's right is given priority. And, the right of domination and ownership will be restricted. This is from the series which the rules of owner's domination come to conflict with the famous rule of (لا ضرر ولا ضرارى) (الاسلام). There is no harming and harm receiving in Islam. So, in this situation this rule is preferred over the owner's domination because the philosophy of (لا ضرر ولا ضرار) is restricting owner's dominant in the cases which are harmful to the others.

Therefore, if a person purchases the prime materials such as wheat, rice, oil, flour and etc. then deposit them and the citizens face up with malnutrition meanwhile sell the materials with a high price with no doubt the people will face to recession. In this case, if there isn't any other exhibitor to sell in a suitable rate, the buyers have no choice except buying it in a high price. In this case, the buyers will be faced with challenges, cruelty and their rights will be wasted as well. Therefore, it must be declared that generally (hoarding) is a big catastrophe especially at first aids. It is counted as a big recession in a society and also it will have bad affects. In this study, it will be tried to find out the perceptions of all sects regarding this article's title specially (Hanaf) which has the major followers in our country.

Causes of (EAHTIKHAR)

You can find out the motivations and causes of (hoarding) as following:

1. Seeking benefits
2. Political goals
3. Lack of professional familiarity with rules
4. Economic crisis

➤ *Seeking benefits*

As it's seen that the exchangers are looking for opportunities to make the marketing rare in order to sell their own wares in a high price. And through this, they are looking for depositing wealth. They are only considering to provide their own economic benefits and they are not following any other political goals.

➤ *Political goals*

There are gangs who are making anarchy the economic situation for reaching and accomplishing their inauspicious goals. Obviously the superpower governments and countries which are constantly looking for providing their political and economic benefits. Especially our neighborhood countries bringing transitory challenges in Afghanistan which is caused constantly influences in terms of marketing. So, we can count these tries for economic frustrations, a part of political and economic strategies from obvious region countries in our honored land.

➤ *Lack of professional familiarity with rules*

One of the major and essential problem which constantly was debatable in this country as a result of weakness in organizing castes is lack of awareness from commercial rules. Therefore, most of castes commit the duties which are unlike selling products and rules. As the experience has shown that most of the businessmen only consider the business in marketing and obtaining benefits and by no means they are ready to accommodate the commercial rules. This is the lack of awareness from rules which creates exchanges and black marketing.

➤ *Economic crisis*

The influences of religious believe and relying to spiritual rudiments for avoiding crimes are incredible. Mainly in this field, observing ethical rudiments and Islamic instructions is the important issue for creating the spirituality in the society and increasing the level of believes among the people. As It is obvious, when the people of a society make sure that further than natural world there is another world and do believe that human is and endless creature, that much take a step to the waves of perfections, will be more succeed and receive their rewards. On the contrary, if they go towards cruelty and corruption they will see their rewards. And naturally they will prevent from committing crimes. Furthermore, the Islamic human maker school orders that all the human see each other as brothers and sisters like a soul in a body. It is clear that if all the people love the other Muslims but themselves are non-Muslim they go to the hell. In this case, the happening of crimes will be reduced and nobody sells in high prices, the society will not be harmed and a radiant city will be created.

➤ *The lexical meaning of (hoarding)*

hoarding has been taken from (haker) which means to save meals and eatable thing in order to reach to much benefits. mainly (Hukra) means to collect and keep something, as well it gives another meaning like; cruelty, defects and misusing. (208;5) Also it means something tiny, grouch, seeking exclusiveness and water supplies.

➤ *The legitimate meaning of (Eahtikar)*

Although if it is considered in deep based on the concept there is not much differences among the sects but rather than everybody has his own interpretation and concepts from (hoarding) which necessitates each one's perceptions to be reflected. Now let's see individual's definitions:

A. Hanafs:

They defined (hoarding) as(2 :398 اشتراء طعام ونحوه وحبسه إلى الغلاء) buying meals and saving as the purpose of selling for a high price to gain more benefits. As, Sahibulbadaie Alsanaie writes, فهو ايشترى طعاما في مصر ويتمتع عن بيعه وذلك يضر الناس. (129:15) "hoarding means to buy the meal from the city and to prevent from its selling and through this harm the people. AS, it is narrating from Emam Abu Yusuf (Rahimaallah) if there is a big city still it's not out of harmful to the public." So it's not admissible.

Likewise, Emam Abu Yusuf says," At whatever material that the people imposed harm is counted as hoarding. But Emam Mohammad believes that hoarding only progresses at meals, whatever is human or animal. He believes that generally the people only impose harm through meals and herbs. Emam Abu Yusuf says," Harm abomination is to the public is not only from meals but also it can be from the other sides.

As, in شرح البدايه المبتدى it has been said that: when Eahtikar occur at human or animals' meal that is harmful is abominable. And if it's harmless that is not abominable. Just because whatever is exist in the city is belongs to the people and avoiding from selling is wasting the people's rights. When it occurs in a small city it's harm is a must that's why it's admissible. And if it's occurs in a big city that the people don't impose harm, is allowed. Because he prevented from selling his owned without harming the others. (377: 16). Saieb-(الاختيار التعليل المختار) harming the people through hoarding is a wager whether it's in a big city or small. And if there is no harm it's no matter whether he sells from the city or out of the city. Therefore, if in the city there are enough materials it's possible to prevent from private or bought materials.

B. Maliki's

They have been said about hoarding's definition, "بأنه رصد الأسواق انتظاراً لارتفاع الأثمان" (196:7). Hoarding means waiting for increasing the prices in the cities.

C. Shafie

They define hoarding as, "وهو أن يشتري قوتاً لا يغرّه في زمن الغلاء بقصد أن يبيعه بأعلى" 231:14.

Hoarding means buying the materials when they are in a high price and selling them to a high price as well.

D: Hanbali: The Hanbali seem to refer to it as: "بأنه اشتراء القوت وحبسه انتظاراً للغلاء" (١٤٧: ٣).

"It is possible to buy food and keep it on target."

In view of the foregoing concepts, one can concisely summarize those definitions, which include: "Reducing or stopping the flow of food or supplies needed in the interim, in order to achieve greater profit".

This is generally done by sellers of all commodities, especially raw materials, given the time demand of buyers to raise prices and earn more.

Summary of the views of jurists

Abu Bhanifa, Mohammed, Shafi'i Mahmoud bin Hanbal (Rahmah Allah) claim that, "Hoarding is only in lives material." Imam Malik and Abu Yusuf (Rahmahmallah) imprisoned and taken care of whatever food people may be victimized by, whether or not food will be considered hoarding.

In another quote Imam Muhammad (rahmullah) said that the only storage and storage of orthopedic materials is considered to be hoarding.

The extent of its timing depends on the market demand of customers, while consumers are anxious and uncertain about the future, and the lack of sex in the market makes them think permanently, buying more and more realistically. In such a situation, other sellers will pursue speculation and join the ranks of the first perpetrators, which will naturally result in disruption of social order and anxieties about the future.

Conditions of hoarding

A: Random Conditions:

- Everyone is okay with the sanctity of sex if it is food.
- Be profited by the purchase.
- to raise prices.
- From the point of view of the people facing the problem.
- The hoarded goods are edible material. (١٠٤: ١٠).

B: Differences:

The republics do not consider the purchase of property to be risky, and they do not expect personal property income to be expeditiously timed. .

The republic holds the view that if the target is to be expected to rise in price, there will be speculation, but Imam Shafi'i (Rahma'llah) says: "If you buy cheap time and you don't have to raise prices, you can't afford it." The republic does not know the exact time and condition of the perpetrator while the Hanafi jurists have forty days or less to commit a criminal offense. The punishment is not conditional on the punishment of any particular time, but they believe that it is self-inflicted.

The Law of Hoarding

All jurists agree on the fulfillment of the conditions which they have foreseen, and have interpreted it in different terms as discussed below:

Republic

The holy jurists, al-Shafi, Maliki and Hanbali have explicitly forbidden it, and in this respect they have argued in part about this tradition. (١٧: ٩١).

A: The Holy Qur'an: Thereupon, the Almighty says: (Al-Hajj: Verse 2).

"And whosoever in the shrine deviates from my duty, we taste the agony of pain."

Qurtabi (RamatuallahAlaie) after interpreting the atheism from perspectives of the companions, killing, hunting, cutting down the trees, entering the shrine without a sanctuary, and sin, has a narration from the Prophet (PBUH): (احتكار الطعام فى الحرم الحاديه). – Shu'ayb al-Nawwat reads it and considers it to be Right (2: 1) (2: 1).

Although Shu'ayb Nawrut knows this hadith, however, since this interpretation is unreasonable, it is still considered to be inappropriate.

B: Prophetic tradition

Whenever the prophetic tradition is scrutinized in this context, there are various cases of carnivorous exploitation, especially of the food items that people desperately need, the following being a sample:

➤ عن معمر قال قال رسول الله صلى الله عليه وسلم (من إحتكر فهو خاطي)(١٣:١٢٢٧).

"It is narrated from Muamir that the Prophet (peace be upon him) said:" Whoever hoards the people's need, he is thought of as the guilty. "

➤ عن ابى هريرة رضى الله عنه قال قال رسول الله صلى الله عليه وسلم (لا يبيع حاضر لباد)(١٣:١١٥٧).

"It is a narration of Abu Huraira from the Prophet (peace be upon him) that the Prophet (PBUH) said," the urban people should not sell the non-urban people."

This hadith also implies that if sex is acquired by the merchant, it will try to sell it at a high price, which in turn leads to a monopoly on the market and an increased price.

Al Hanafi

From their research and research about their perspective on hypocrisy, they have not considered hypocrisy. But when it comes to absolute criminality, they are shipped with sanctioned prerogatives; therefore, there is no disagreement on its merits between the genuine Republican, especially the people who have explicitly mentioned it. (٨: ٢٦٩٠).

The wisdom of banning hoarding

All scholars agree that wisdom is in the guise of hoarding to prevent harm to the wizards, which is inflicted on the general public, because it is incumbent upon the jurisprudents that whenever a human is able to find something that is not easy to obtain elsewhere, it is impossible for the guilty. They will be forced to sell it. (1: 1)

Timing rate

(Tasir) is the sale of sexually explicit material, not to the point of oppression by the man, and not to the customer.

What is it like to be human or animal-related when it comes to the pricing of food in the non-food market? Various opinions have been quoted from religious denominations, the following being compact.

A: It is not allowed:

A number of religions, such as Shafi'i, Ahmad ibn Hanbal, and most scholars, believe that the valuation of goods does not, in any case, be of any value or concern.

4. It is narrated that the people demanded about the rising of rate in medina the Prophet (PBUH) prevent it. In response they said:

عَنْ أَنَسٍ، قَالَ: النَّاسُ يَا رَسُولَ اللَّهِ، غَلَا السَّبْعُ فَسَعَرَ لَنَا، فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: «إِنَّ اللَّهَ هُوَ الْمُسَعِّرُ الْقَابِضُ الْبَاسِطُ الرَّازِقُ، وَإِنِّي لَأَرْجُو أَنْ أَلْقَى اللَّهَ وَلَيْسَ أَحَدٌ مِنْكُمْ يُطَالِبُنِي بِمَظْلَمَةٍ فِي دَمٍ وَلَا مَالٍ».

"God is the transitional, the narrower, the broader, the more prosperous. And I wish I could face any one of you demanding oppression in my own blood."

Scholars have inferred from this hadith that interfering with the trades of the people means denying them freedom. Customer interest expense cannot be taken into account with due diligence. Whenever the parties' interests are at stake, it should be tried as far as possible.

2. On the other hand, it is incumbent upon the seller to sell goods at a price which he is not interested in, however, contradicting the promise of Allah Almighty that he says: *الآن تكون تجارة عن تراضٍ منكم* (Al-Anisa: Verse 2).

4. Another consequence of this rating would be that it would disguise its own trades and avoid market exposure, which would then raise prices and become more favorable to each other.

B: on the needs time That's right

A number of Islamic scholars and scholars such as Abu Hanifa, Shafi'i, Imam Malik, Sayeed Ibn Masib, Rabia bin Abdul Rahman, and Yahya bin Sayeed Ansari believe that when the leader feels that the oppression has come from the outside world, some other traders have come out of it. The public has the right to exercise control over the market and to educate the public in relation to the expert.. (٤٣٦ :٦) . (١٠٤ :١٠)

Rate terms

From a careful study of the theories of the Qur'an jurists, especially Ibn Taymiyyah, we conclude that these conditions are considered to be necessary for market pricing and control:

1. Violation of the businessmen's oppression
2. People's need to goods
3. Handling to hoarding
4. Selling to individuals
5. Dealers and Buyers on the Break Rate

Therefore, whenever the above conditions are acknowledged that the market can no longer be observed without control and interference in the market, system administrators are required to act in a fair manner where fair and reasonable expediency is considered, and the market will feel fair and competitive at times. While he is passing, he must necessarily avoid taking over the market. (. (٢٠٦ :٤)

Conclusion

Finally, it should be noted that what can be summarized as a result of a careful discussion of hoarding and revelation in light of the liturgical scriptures and the doctrines of the jurists can be summarized as following:

1. The principle of the employee is unpopular and you should not do so at any time - not in the abundance of the goods and not the lack thereof.
2. Some believes in the sanctity of inhumane materialism and do not view the market as a hoarding of other goods.
3. Some people only respect the presumption of necessity in times of emergency in the absence of the necessary materials in the market, not in all cases.
4. Others have argued that whatever was lacking would put people in trouble.
5. Rate is also forbidden without the need for ordinary questions.
6. The system administrators recognize that the current situation is not beneficial and that people will become increasingly anxious and distressed by the increasing number of traders, who can then rate with expert advisors and smallholders.

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