

## **Public Ownership in Light of the Verses of the Qur'an and Their Impact on Public Life**

<sup>1</sup>Omer Habes Ahmed Nawafleh, <sup>2</sup>Nuseibah Younis Bsharat

<sup>1</sup>Ministry of Awqaf Islamic Affairs and Holy Places

<sup>2</sup>Faculty of Islamic Contemporary Studies, Universiti Sultan Zainal Abidin

\*Corresponding author: Nuseibah Younis Bsharat

### **I. INTRODUCTION**

Praise be to Allah, He created man, taught him the statement, bestowed upon him his grace, and rewarded him for her gratitude with charity. He made great rights for him. "We have honored the Children of Adam, and carried them on land and sea, and provided them with good things, and greatly favored them over many of those We created". (Surat Al-israa: 70). And from Allah's honor to the human being, he documented these rights in his immortal book until the Day of Judgment, so that these rights remain constant that a person returns to at any time he wants. It is called the general human rights. Allah sent the messengers, and sent books to them that show the rights of people among them, so the Apostles worked to clarify and clarify them, and people stayed safely and for the best of what they adhered to these teachings, and a nation worsened and its conditions worsened except because it departed from these teachings.

The last of these books was the Noble Qur'an, so he documented general rights for man, and the sanctity of the verses of the Holy Qur'an ensured in the hearts of people these rights, as the verses of the Holy Qur'an have their sanctity in the souls of Muslims, and they govern their lives, and obliges them to work with its content, and fulfill their requirements. "It is not for any believer, man or woman, when Allah and His Messenger have decided a matter, to have liberty of choice in their decision. Whoever disobeys Allah and His Messenger has gone far astray." (Surat Al-ahzaab: 36). The Holy Qur'an has worked to clarify these rights completely and in detail, since the first rights to the caliphate, when Allah chose man to be a successor on earth, and he gave him these rights, and all its aspects.

When Almighty Allah's will was for the person to be a successor on earth, he provided him with all the rights that guarantee him to achieve this caliphate.

Then came the legislators and those who made the laws in order to organize the lives of people, and work to preserve their rights and dignity, so these provisions and rights were derived from divine laws, and there is no good except for them, and the understanding of their texts and derived from its spirit, including what is purely ijtihad, and from the minds Humans, and the human mind, no matter how intelligent or intelligent it is, cannot be at the level that came in the law of the Lord of the Worlds, as he is the creator of man, and he knows what works for his religion and worldly affairs,

"Would He not know, He Who created? He is the Refined, the Expert". (Surat Al-mulk:14)

Is there a greater right than the equality that the Holy Quran brought to make people like the teeth of the comb, there is no preference among them except with the fear of Allah and the necessity of obeying him, the Almighty said: "O people! We created you from a male and a female, and made you races and tribes, that you may know one another. The best among you in the sight of Allah is the most righteous. Allah is All-Knowing, Well-Experienced" (Surat Al-hujraat:14).

### **The first topic**

The concept of rights and the concept of generality

First, the meaning of rights: The follower of the verses of the Noble Qur'an, and the hadiths of the Prophet's Sunnah, have several meanings for them.

"Surely Allah is the Evident Reality". (Surat An-Nur:25).

According to Ahmad Al-Sharabasi says: (The truth is one of the most beautiful names of Allah, and a row of his attributes was said, and he is the one who is true, whose existence and divine reality is verified, and he is the one who deserves the truth in his words, and supports his loved ones with his signs. And never) (1)

As the name of the truth appears in the purified prophetic Sunnah in several places in it, it was stated in Sahih Al-Bukhari that Ibn Abbas said: The Prophet, if he rose from the night, would be prostrated, he said: (..... Praise be to you, you are the light of the heavens and the earth, Praise be to you You are the King of the heavens and the earth, and Praise be to you You are the truth, and He promised you the truth and your meeting the truth and your saying the truth) (2).

As for the dictionaries of the language, the owner of the intermediate dictionary said: (The description is described by it, then it is said: a more correct saying, and it is said: the true world, meaning an end in knowledge, which is the due share of the individual and the group, the collection of rights and facts, and the rights of Allah what we must towards it) (3).

Just as it is one of the most beautiful names of Allah, it is one of his attributes. It is the truth, and it is the quality of justice in judgment "He said, "My Lord, judge with justice." (Surat Al-anbiya:112). It is a characteristic that is matched by the character of injustice and injustice, and this is what concerns us in this research.

Ibn Manzur says: (The truth of the matter: He is truly entitled to it: he was certain of it, and it is the opposite of falsehood, and as for their saying this is really Abdullah: i.e. an affirmation of him in the right, which is an increase in the assertion, and the right of the matter is his right, if he is certain, and the right is to collect rights, It is what the individual or group or them have, they have a right and a right over them) (4).

The jurists of our time were interested in reaching an agreed definition of the meaning of the word Haqq, and several definitions of contemporary jurists became famous for this term, although what was on top of it was what Dr. Mustafa Al-Zarqa went to, where he said: (Haqq: it is a specialty that the Shariah recognizes by work or commission) (5).

Public rights are legitimate common rights for all, and they are fixed and allow everyone to carry out these actions. The Holy Qur'an and the Sunnah of the Prophet have approved them for all, as positive laws have affirmed these rights, and they have ensured their legitimate Islamic protection as well as statutory laws, so everyone can work to exercise these rights within a specific framework, this is called a legal or legal right.

And if we want to come to a definition of the right term legally, we see that the owners of this aspect defined it in several meanings, even if in the end they are due to legal constants that unify this concept. He says: (The right: is an administrative capacity or authority, as recognized by law for an individual, but it is guaranteed by a system in which his will prevails, independent of any other will) (6).

From the context of this legal definition, this right cannot be without the rule of law, which protects it and guarantees its application, otherwise how can the right reach its owner, if not the force that guarantees that, even if you look at the life of the Companions in the life of the Messenger of Allah and after his death, I found that this power was represented in our true law. There is never a statutory Sharia that has been able to protect the symptoms, blood, and money, as protected by Islamic Sharia, by the Messenger of Allah ﷺ: "Your blood, your wealth, and your symptoms against you are forbidden as the sanctity of this day in your month in your country until the day you receive your Lord" (7).

The blood was shed for the most insignificant reasons, and the symptoms are exhausted without regard for them, and the money is permissible, but as soon as the Messenger of Allah ordered them to abide by it, and forbade them to violate them, until they responded to the command of the Messenger of Allah (S.A.W), and the glorification of the Sunnah of the Messenger of Allah (S.A.W) was not absent from the hearts of a nation, otherwise they took advantage of these things As they were in ignorance. This is the biggest violation of public rights, which leads to the destruction of society.

The concept of generality: It came in the tongue of the Arabs (the matter is generalized by them in general: it includes all of them, so it is said that they are generalized by the gift, and the general is different from the private, and the general general is a name for the group, and it is said: a blind man and a minor man, the blind: the general, and the minor: the special, and a generalized: the generalized His goodness, he said : A blind man: People are well known, that is, they bring them together) (8).

And it has been proven in the authentic hadith that he ﷺ said: "And I gave the red and white treasures, and I asked my Lord to my nation that he should not destroy it in a general year" (9). The owner of the blessed commentary said: (In a general year, i.e. a complete drought for all Muslim countries) (10). In the intermediate dictionary: (the general: the universal, which is the difference of the private, and the general among people is different from the special, and it is said: the people came in general: meaning all of them) (11). So, generalism is the things that affect all people, and includes them, including, and if it is limited to a category called privacy, and from here the research will address general matters of ownership, and its impact on the individual and society.

### **Purposes of Sharia and public ownership**

Islam has given people general rights, and freedom differs in its concept from the concepts that were before Islam. Freedom and ownership before Islam were subject to many manifestations of deficiency. Individuals were previously forbidden to believe other than what the king believed, and here is the Pharaoh who addressed the people. It says in the Qur'an that he said: "Pharaoh said, "O nobles, I know of no Allah for you other than me" (Surat Al-Qasas:38). The greatest and foremost of rights, religious belief, was forbidden, and if this is the case, the human soul is cheap, and it is easy to attack it. "Pharaoh said, "Leave me to kill Moses, and let him appeal to his Lord. I fear he may change your religion, or spread disorder in the land." (Surat Ghafir:26)

No civilization before Islam is better than her sister until Islam came, and people in the chaos of a powerful strong assault the weak, nor the dignity of the weak woman, who does not have the right to demand the simplest of her rights Islam came in the midst of these events, so he set general rights and public colleges to which people refer, and among the most important of these colleges that Islam developed are the purposes of public law, because when Allah Almighty created the creation for worship, Allah Almighty wanted to bring interests to them, and ward off evil from them, so the scholars arranged In these general purposes of the law, and the need of the servants for it, is more severe than their need for food and drink, and more than their need for clothing and reproduction, until these purposes were considered necessary. Muslim scholars were concerned with these necessities, and detailed their rulings. They took care of explaining the purposes of Islamic law, and among the most important among those were classified as Imam Al-Shatby, may Allah have mercy on him, Izz bin Abdul Salam, Imam Al-Ghazali and others, as there is an urgent need for a thorough study in this important subject, and clarification of its provisions He also wrote several papers to introduce the purposes of Islamic law, and that the street when he set these purposes, he wanted to establish the interests of people in this world and the hereafter.

## **II. PURPOSES OF ISLAMIC LAW**

### **First: the definition of purposes as a language and a convention.**

Linguistically: Turquoise Abadi says: (I meant the thing on purpose: i.e. I asked for it in particular: that is, I went to him, and she says I meant the thing with his intention: that is, I sculpted towards it) (12). The intermediate dictionary came: (The destination: the place of intent, and it is said: To my destination: which is my destination, and it is said: It is on the intent," It is for Allah to point out the paths, but some of them are flawed. Had He willed, He could have guided you all" (Surat A-nahl :9) (13)

### **Second: The definition of purposes as a convention**

Al-Ghazali said: (By interest, we mean: preserving what is meant by Sharia, and what is meant by Sharia from creation is five, which is: to preserve their religion, soul, mind, offspring, and money for them, so if the benefit is brought and the harmful ones are paid, the goodness of creation is, and the goodness of creation is to collect their purposes) (14). Ibn Ashour defined it: (These are the meanings and rulings observed in the street in all cases of legislation or their preservation, so that its observations are not specific to a special type of Sharia law) (15). Such definitions show the general aspects of the secrets that the wise street puts its interests on the servants, in what the charity of the world and the Hereafter bring to them, by bringing benefits and paying spoilers, so that the purpose of them is the interest of the servants, by obeying Allah and abiding by his law and his approach. He went to the street, and some of it is due to the intended intent.

### **Third: The purposes of general Islamic law**

Al-Shatby says: (And the costs of Sharia are due to the preservation of its purposes in the creation, and these purposes are only three sections: one: that it is necessary, and the second: that it is a necessity, and the third: that it be improvement, .... and the sum of the necessities is five, namely: keeping Religion, self, offspring, money, and mind, and they said it is a consideration in every denomination (16). These five are called necessities, and the purposes of the law have been limited to them because of their importance and the need of people in them in every age, and the previous laws have observed them, and have focused on the foundations on which the lives of people and their interests must be observed, and even all previous laws have been agreed upon, and in this way they have arranged an importance arrangement, though Some of them gave themselves to religion (17).

Al-Salihi says: (The restriction of intentions in these five is fixed in view of reality, and the customs of boredom and canons by extrapolation) (18). Islam has guaranteed these rights to people in general, as the building of the land is established, and a person cannot fully carry out his duty, and the caliphate will not exist for him on the land, as long as these five are threatened. It is well known that the Holy Qur'an is the first to establish these principles, and to plant these purposes, then the purified prophetic Sunnah. If you follow the verses of the Holy Qur'an and the hadiths of the Prophet's Sunnah, you will find that they worked to establish their rulings and clarify all their aspects, then the scholars continued to explain these faculties and clarify all its aspects, and made great efforts. Dr. Yusuf Badawi says: (The Qur'an and Sunnah are the first to inculcate the purposes of the Sharia and create, preserve and preserve them. Industrious, scholars in authorship and expansion of this science (19).

### **Public ownership and purposes of Sharia:**

When Islamic law preserved the purposes of the law, that was for all people, and Allah preserved it for everyone. As for the aspect of religion, the Qur'anic verses, and the hadiths of the side of the faith were rooted in the hearts.

Servants, and Allah sent the messengers, Almighty said:” so that people may have no excuse before Allah after the coming of the messengers. Allah is Powerful and Wise. (Surat An-nisaa:165).

The law also worked to preserve the human soul, and this includes the body and the soul. Just as it is not permissible to take the life out of the soul, it is not permissible to attack the body, and this is a general right for all creation. The Almighty said:” And those who do not implore besides Allah any other Allah, and do not kill the soul which Allah has made sacred—except in the pursuit of justice—and do not commit adultery. Whoever does that will face penalties.” (Surat Al-furqaan:68)

Since the mind is entrusted to assignment, the wise street has given it its proper position, and called for keeping it from everything that corrupts it, so it prohibits alcohol, drugs and other intoxicants, because it absent the mind and disrupts its work. The Almighty said:” Satan wants to provoke strife and hatred among you through intoxicants and gambling, and to prevent you from the remembrance of Allah, and from prayer. Will you not desist?”(Al-maidah:91)

Likewise, the prophetic Sunnah demonstrated the prohibition of these intoxicants, in order to preserve the mind. The Messenger ﷺ said: “All intoxicating is forbidden” (20). On the other hand, the Holy Qur'an called in several places for the realization of the mind, so he invited him to think, and Allah Almighty said, calling for reflection on the Qur'an: “Will they not ponder the Quran? Or are there locks upon their hearts?” (Surat Muhammad:24). And he called to think about the universe, and the wonders in it. The Almighty said:” In the creation of the heavens and the earth, and in the alternation of night and day, are signs for people of understanding.” (Surat Alimraan:190-191) “Those who remember Allah while standing, and sitting, and on their sides; and they reflect upon the creation of the heavens and the earth: "Our Lord, you did not create this in vain, glory to You, so protect us from the punishment of the Fire." (Alimraan:191). There are many noble hadiths that call for the realization of thought and stimulate reflection. The Messenger of Allah said “Thinking an hour is better than standing up for a night” (21). He is stronger, for the Messenger of Allah said ﷺ: “Think about the loyalty of Allah and do not think about Allah” (22).

It is among the public colleges that Islam has generally preserved, and it is a form of the architecture of the universe and the preservation of offspring, and by the continuity of the offspring the universe ages, life continues, and Islam has begun marriage for this purpose, Almighty said:” then marry the women you like—two, or three, or four. But if you fear you will not be fair, then one, or what you already have. That makes it more likely that you avoid bias” (An-nisaa:3)

The Messenger of Allah also urged young men to marry, so he said: “O people of youth, whoever is able to do you evil is allowed to marry” (23). And whoever keeps the street for the offspring will restrict it to marriage, so that the lineage does not mix, and epidemics and diseases spread, and the Holy Qur'an stressed this crime, and made it a deterrent punishment, after he forbade approaching it, the Almighty said:” And do not come near adultery. It is immoral, and an evil way.” (Al-Isra:32). And the Messenger of Allah said “It is not permissible for a person who believes in Allah and the last day to irrigate his water with the transplant of others” (24). The fifth general right, which is the fifth essential, is the preservation of money: Islam worked to preserve this right for all people, and made it a human right, and just as Islam ordered self-maintenance, so is the money, assaulting it in any way is not permissible.

Islam prohibited the assault of other people's property by theft. Almighty said:” As for the thief, whether male or female, cut their hands as a penalty for what they have reaped—a deterrent from Allah. Allah is Mighty and Wise.” (Al-maidah:38). The attack on the money of others and the public money is prohibited in any other form of the attack. The Almighty said: “And do not consume one another's wealth by unjust means, nor offer it as bribes to the officials in order to consume part of other people's wealth illicitly, while you know.”(Al-baqarah:188). Any aggression is forbidden, and Islam forbade fraud, prohibited monopoly, and stressed the crime of usury, abhorred bribery and gambling, nullified corrupt contracts, and contracts that harmed others. Islam has imposed a general right on this money, to pay zakat on their money, and zakat is a generalization for the benefit of the money, so it is not in the hands of a specific group, and so that it is not” so that it may not circulate solely between the wealthy among you.” (Al-Hashr:7).

Allah has imposed this right, and he has made money not good except for him, and it is beneficial to the whole society, so that the same rich man will be greedy of greed and greed, and the soul of the poor will be polite out of yield and envy. The strong promise came on the one who does not pay zakat, so Allah Almighty said:” Those who hoard gold and silver, and do not spend them in Allah's cause, inform them of a painful punishment.” (At-taubah:34)

So the money is fine with zakat, and then he has the right to individual possession, as Islam's laws do not clash with human instinct, so he does not prevent individual property and never abolish it. Zakat has occurred, because it expects familiarity with society and love among all its members. Al-Shatby says: (Preserving it - that is, these five preceding - is done with two things: one of them: what assesses its pillars and establishes its rules, and this is a consideration for them from the side of existence, and the second is what is avoided by the actual or expected imbalance in them, and this is about their consideration of the non-part (25).



**General rights mentioned in the Qur'an and Sunnah:**

The will of Allah Almighty has come that man is a successor on earth, and he has made the task of reconstructing the universe and establishing the caliphate on earth. Therefore, Allah Almighty has guaranteed him rights in which he honors,” We have honored the Children of Adam, and carried them on land and sea, and provided them with good things, and greatly favored them over many of those We created.” (Al-Isra:70)

**First: the right to dignity**

Allah created man and made him honorable, and preferred him over all his creatures, and Allah (SWT) made fun of him for everything in the universe “Do you not see how Allah placed at your service everything in the heavens and the earth? How He showered you with His blessings, both outward and inward? Yet among the people is he who argues about Allah without knowledge, without guidance, and without an enlightening Scripture.”(Luqmaan:20).

And Allah Almighty commanded the angels to receive Him with prostration, salutation and honor “Your Lord said to the angels, "I am creating a human being from clay".(Surat Assad:71) (Surat Assad:72) Dr. Omar Nawafleh says: (And among the most important needs of a person after eating and drinking, there are important important basic needs, did not you see that he needed to be important in society, and this is the right to dignity, and this comes in several things, including: perfecting his work, so it is important and respect in His society, and this matter comes from his belief in his Lord, and from his request for knowledge) (26).

The right to dignity is a divine grant to everyone that Allah created, and it is linked to him as a human being, and this honor is mentioned in the Almighty saying:” We have honored the Children of Adam,” (Al-Isra:70)

Islam prohibited assaulting it with any type of abuse. The Almighty said:” Because of that We ordained for the Children of Israel: that whoever kills a person—unless it is for murder or corruption on earth—it is as if he killed the whole of mankind; and whoever saves it, it is as if he saved the whole of mankind. Our messengers came to them with clarifications, but even after that, many of them continue to commit excesses in the land.” (Al-maidah:32). Indeed, Islam observed the dignity of a person even after his death. The Messenger of Allah ordered If you attend the funeral, you should do it, and he said: “If you see the funeral, do so until you fall behind.” (27) For this dead person is a human being that requires respecting his dignity, and showing interest in his funeral. This was for all people, not for a group without a category, as honoring all the children of Adam,” We have honored the Children of Adam,” (Al-Isra:70). Islam preceded one of the recognition of the right to dignity of the human soul. Islam gave the human psyche the home of honor. He found for man a rank among all creatures on this simple basis. “Whoever harms a dhimmi has hurt me” (28).

**Second: The right to freedom**

Freedom is a right that Allah gives to every person, and this right is linked to it from birth, linked to his human creation, without distinction between race, color or status, and this is from Allah's honor to man” We have honored the Children of Adam,” (Al-Isra:70). Islam has observed this right for everyone, even if it is not against Islam. These rights are absolute and not relative, they are not according to class or race, so they are not canceled in front of the greed, greed and injustice of man to man, and the message of our master Muhammad ﷺ condemned oppression and tyranny, which is the first universal declaration of the right to human freedom, and the greatest historical movement called for freedom, and rejecting injustice and enslavement of people The fight against the law of slavery and injustice was manifested in several aspects, the most important of which are:

✓ **Induces the Liberation of Slavery:**

Wars were old before Islam, injustice and aggression, and they are a source of slavery and slaves, and the tribes change over each other, so men slave and women are insulted, and they become slaves and slaves, until Islam came;” Then, either release them by grace, or by ransom, until war lays down its burdens.” (Muhammad:4). The Messenger of Allah has urged emancipation, saying: “Which man emancipates a Muslim woman who has been saved by each member of Allah from the fire” (29), and if you look at the penance, you find that the Messenger of Allah first orders the release of a neck. Islam has rendered the emancipation of the neck in the expiation, and in some of it is the first expiation.” The atonement for it is by feeding ten needy people from the average of what you feed your families, or by clothing them, or by freeing a slave. Anyone who lacks the means shall fast for three days.

That is the atonement for breaking your oaths when you have sworn them. So keep your oaths. Thus Allah makes clear His Revelations to you, that you may be grateful.”(Al-maidah:89). And if you look at the atonement for zihar, then the neck is freed from the first penance, as well as the atonement for a man's sexual intercourse for his wife during the day in Ramadan, and if that indicates something, then it indicates Islam's interest in emancipating the necks, freeing slaves, as well as many atonement.

✓ **The likes of Shura and freedom of opinion and belief**

**III. DEFINITION OF SHURA**

**Linguistically:** (It is the source of the word shura, from the char of the milk, if he made it milk after the milk, and the honey char: that is, extract it from the cell, and consult the pure stallion: He disbelieved it and looked at it to know it, is it blatant or not?)

And its knowledge (30). Shura is a convention: it is the issue of matters to the people of advice and jurisdiction, and to postpone consideration of it until the righteousness appears and the truth is revealed (31). Islam has focused on the method of Shura in managing the affairs of the state, in all its issues of peace and war, and the Messenger of Allah consulted his companions, respected their opinions, took the best and most valuable, it was if something happened to collect his companions, and ask their opinion, until Abu Hurairah said: (I saw no one more advice to his companions than the Messenger of Allah (32). The Holy Qur'an urged in more than one place the principle of Shura, the Almighty said: "And consult them in the conduct of affairs." (Al-imra:159). Allah Almighty praised the counseling among them, and he said: "And those who respond to their Lord, and pray regularly, and conduct their affairs by mutual consultation, and give of what We have provided them." (Ash-shura:38). The adherence to the principle of Shura is an affirmation of the freedom of opinion and expression, and so the companions of the Messenger of Allah were expressing each opinion without fear or reservation, and the Messenger of Allah did not suppress anyone with an opinion, and he did not treat anyone violently, and the Messenger of Allah would not seize an opinion by force. Muhammad Saeed Ramadan Al-Bouti says: (The Islamic Shura system is a pride of Islam, and one of the greatest contributions of the Islamic religion to the advancement of human civilization. It overshadowed the nature of the dictatorship of the world's systems of government. (33)

**Third: The right to work**

The researcher in the verses of the Noble Qur'an and the hadiths of the Messenger of Allah finds that the Noble Qur'an reveals an integrated system of human rights, and Islam has recognized these rights and made them a right for all. And since man, by the will of Allah, is the master of this universe, Allah made a mockery of what this right achieves for him, in order to do a work that fulfills his honor, Allah Almighty said: Do you not see how Allah placed at your service everything in the heavens and the earth? (Luqman:20). And Allah Almighty made all people equal in this right, because the earth is harnessed for all people, so everyone is equal in benefiting from the right to work on its back. Almighty said: "And the earth; He set up for the creatures." (Ar-Rahman:10).

The Noble Qur'an has determined that all people are involved in extracting the benefits of nature and making use of its resources, so that all people benefit from the use of the wealth that Allah has entrusted to nature. The Almighty said: Allah is He Who created the heavens and the earth, and sends down water from the sky, and with it produces fruits for your sustenance. And He committed the ships to your service, sailing through the sea by His command, and He committed the rivers to your service. (Ibrahim:32-33). Al-Tabari says: (Allah, who created the heavens and the earth, "O people, and sent down from the sky as a place to live trees and planting, so I brought to you a shelf that you eat and he gave you with his grace upon you from these things that he made fun of for you, the livelihood that provided you from the plant of the earth and planted it (34). Islam has magnified the matter of work, and that is why Allah humiliated the earth for man, so that he could do it from it. The Almighty said: "He is the one who made the earth for you to be humiliated. (Al-mulk:15). He said: "Muslims are partners in three: in water, pasture and fire." (35)

These three are a general right for everyone, so it is not permissible for anyone to monopolize one of them, because the people have an urgent need for it, and if they are absent from people, they perish, so the right for everyone to participate in it, and it is not permissible to prevent, and the hadith confirmed Ibn Hajar Al-Asqalani that the Messenger of Allah said: "People are partners in three grains, water and fire "(36). Dr. Omar Nawafleh says: (Just as Islam has magnified the matter of work, the prophets who are the best of Allah's creation have worked, that is the Messenger of Allah who is caring for the sheep, and our master David works with blacksmithing, and Moses is caring for the sheep, and he mentions agriculture, and so are all the prophets, so it is not permissible for a Muslim to leave work In the name of devotion to worship, even if he worked in the least of works, it is better than asking people, and extending his hand, because by his work he is a productive element that does not depend on others, and it is known in our religion that the product is better than the one who sits to worship without work) (37).

The citizen has the right to the state to provide him with the work, with which he will live a decent life, so people will not be satisfied, and provide him with the requirements of living, which Allah Almighty has created in the earth for the livelihood of all creatures, Almighty said: "We spread the earth, and placed stabilizers in it, and in it We grew all things in proper measure" And in it We created livelihoods for you, and for those for whom you are not the providers. "(Al-hijr:19-20) It is from Allah's honor to man that Allah

facilitates his means of livelihood, so that he can live with dignity in his community and among his people, otherwise he will not be honored and dear, and from here our lawful obligation imposed on the state to provide its citizens with the work, which provides him with livelihoods.

If the state secures work for its citizens, then this will have repercussions for the whole society, because if a person is unemployed, he will think about stealing in order to obtain money, and if he can secure what he wants, he thinks the evil of the means for money, he may resort to To cut off the road for people, and attack their money and their lives, so the person turns into a murderer and a criminal, taking away the money and blood that Allah and His Messenger forbidden, when the Messenger of Allah said: "Your money, your blood, and your symptoms against you are forbidden, as the sanctity of this day in this month of yours in this country" (38).

Islam has never preceded a system with this wonderful thought, but it provided social justice, in providing job opportunities for market unemployed and craftsmen, as the Islamic state was interested in achieving economic progress, and achieving social and state security, by providing job opportunities. Muhammad al-Ghazali says: (Umar ibn al-Khattab bid farewell to one of his workers in some provinces, and Umar ibn al-Khattab says to him: What do you do if a thief comes to you? Then he said: Cut off his hand, O Commander of the Faithful, Umar said: So if you come to me from them hungry or unemployed, he will cut the age of your hand Allah made us fall behind on His servants, to fill their hunger and cover their shame, and to provide them with their craft, so if we give them these blessings, we will give them thanks, oh this: Allah created hands to work. With transgression) (39).

Look at the depth of this wonderful commandment, which shows that security will never be achieved by societies, and there will be no social stability unless the state provides work for its citizens. For a living, and for the state to distance its citizens from these disasters, the state must be responsible towards the issue of employment and how to secure it for the citizen, because it is one of the most important tasks of the state and its duties towards the citizen.

Definition of ownership: Dr. Wahba Al-Zuhaili says: (property or property: a relationship between man and money, approved by the Sharia, that makes him special in it, and disposes of it in all behaviors, unless there is no objection to the behavior, and the king, as it is called this relationship, is also called the owned property, it says : This thing is mine: that is owned by me, and this meaning is intended in the definition of the king: that what is owned by a human being, whether notables or benefits, and in this sense he understands the saying of the Hanafi that benefits and rights are property and not money.

And the king in language: is the possession of money by man, and tyranny by it, i.e. alone in disposing of it, and the jurists have defined it with definitions of one's content, and perhaps the best of them is: the king: specialization in something that prevents others from it, and it can be the owner of it to dispose of it initially, except for a legitimate impediment) (40).

This is what the Messenger of Allah told him ﷺ, explaining the human right to own money, and this right is not violated when he said: "Your money, your blood, and your symptoms against you are forbidden, as this day is forbidden in this month of yours in your country." (41)

This is the right to preserve the money recognized by our Islamic law, just as assault on blood or supply is prohibited, so is the assault on the ownership of the money is prohibited, this right is infallible, and it is not permissible to attack it by any means. The Holy Qur'an has emphasized in denial those who attack the people's money. The Almighty said: "And do not consume one another's wealth by unjust means, nor offer it as bribes to the officials in order to consume part of other people's wealth illicitly, while you know." (Surat Baqarah:188).

This verse and other noble verses direct us to respect private property and public property, so it is not permissible for a person or party to wander over people's money, nor is it permissible to attack public funds, as the verse calls for the preservation of an individual's money, it also calls for the preservation of Public funds, so that it is not permissible for the needy to assault this property of the individual, or public funds, in order to prevent corruption on the ground, and so that chaos does not resolve among people, as attacking money facilitates attacks on blood and soul.

The beholder in this right finds a close connection between him and the previous right, which is the right to work, so long as it is the human right to work, then this leads to the right to own property, because work requires production, and the person has the right to own property in what is produced. by legitimate means, so keeping money means full responsibility On his authority, this goes beyond responsibility to earning and investing, so that the two rights mentioned are: the right to work, and the right to own property is complementary to each other. The foregoing of Islam is a civilization in protecting and preserving private or public property. Islam has legislated from the provisions that made this right guaranteed and protected. If you looked at the books of Islamic jurisprudence, I would have seen a number of provisions that make this right protected. The age of cutting off a thief's hand, which made the money public or private, respected, and the provisions of strabism in Islamic jurisprudence, which punish those who cross the road.

Ibn Rushd says: (As for the harpoon, they agreed that it is to declare arms, and cut the path outside the crossing .... As for what the warrior must, they agreed that he must have a right to Allah and a right for the human beings, and they agreed However, Allah's right is to kill, cut off the hands, cut off the legs from disagreement, and deny what Allah Almighty has stated in the verse of Hirba (42).

If you look at the thinking and comparison of what the property was before Islam, and what it attained in the shadow of Islam, you would see the vast difference, and that Islam preceded all civilizations in preserving the right to ownership, but rather gave Islam to the individual the right to own property with legal controls, and what Islam permitted tyranny or defiance On the rights of others.

Dr. Muhammad Salim Ghazwi said: (Egypt, as some see, did not know the individual property. As for the benefit, the rulers directed it for a year or a few years, and the right to benefit began to be restricted, in which it is not permissible to inherit or donate, but Greece was property The land has one of the most important types of ownership, and it was initially a large-scale collective property, then it developed and became family, and finally it ended up as individualism, and among the Arabs before Islam, collective ownership was individual, and collective ownership did not have a field ....., and the view of Islam is summed up Property has two principles:

1 - Money is owned by Allah, and man is left behind.

“And spend from what He made you inherit” (Surat Al-hadid:7)

- He called on Islam to prevent exploitation, as in the Almighty saying:” And do not consume one another's wealth by unjust means,” (Surat Al-baqarah:188)

### **Protection of public rights in Islam:**

Islam has been keen to preserve public ownership, just as it has been keen to preserve private ownership, as public ownership is subject to many attacks, and people neglect it on the pretext that it is public ownership, and they are in their view far from the provisions of private ownership, and from this it was necessary to activate censorship; In order to preserve these rights, and to limit their.

Abuse, Islam prohibited by the strict legal texts, that these rights may be violated, whether by rape or theft, so enact legislation that prevents and punish the violation of these rights.

Muhammad al-Daghmi says: (The Islamic Sharia has worked to build a virtuous society in which the human being is honored, and in which all the rights of individuals and groups are preserved, and the purpose of the Sharia is to be a happy and generous person, He exercises his legitimate rights with complete freedom, and enjoys all means of his comfort, with full awareness, without infringing on the freedom of others. Islamic law protected the private life of the individual, the group, and the authority, and gave the right to dispose of money and housing to those who have the right to do so (44). The building of a virtuous society is based on the protection of public and private rights alike, and this was confirmed by the Messenger of Allah (S.A.W) in the sermon of farewell one thousand four hundred years ago, where the people were glorified in their ignorance, to attack the money of others, and to seize their purposes, and the exploitation of the rights of others, to come Islam, and the Messenger of Allah decides fundamentally to protect society from all that undermines its pillars, so the Messenger of Allah (S.A.W) says in his farewell sermon: “Your blood, your wealth, and your honorable offerings to you are forbidden, as the sanctity of your day in this month of yours in this country” (45).

Islam has dealt with all human issues, and its rights are private and public, and for this purpose, the general purposes in Islam were developed to protect these rights. These rules were valid in every time and place, even though these rights are many and varied, so all Islam has guaranteed them, and he has ordered them to be applied to all people. People in them, no matter how different their beliefs, so that everyone recognizes Islam as a system in which the lives of all people are good.

### **The effect of protecting public rights on real life:**

The Sharia has established principles to preserve public rights and pay attention to human needs. Islam called for bloodshed and immunity from killing. The Almighty said: “And do not kill the soul which Allah has made sacred, except in the course of justice. If someone is killed unjustly, We have given his next of kin certain authority. But he should not be excessive in killing, for he will be supported.”(Surat Al-isra:33)

He also called on Islam to protect the symptoms from everything that offends them, so he said: “Allah has raised usury in extending the Muslim's offer unlawfully” (46), and he denounced exposure to other people's money, and this resulted in two important effects on public life, namely the security impact, The economic impact:

### **First: The security impact of protecting public rights**

The human being is the most important axis in the universe, and when Allah Almighty created him, he ensured what fulfills his dignity, and preserves his life, as the greatest right,” I did not create the jinn and the humans except to worship Me.” (Surat Adharyat:56). And until all this has been achieved, Allah Almighty has forbidden him from corruption, so that he can do so and live in security and tranquility. Dr. Omar Nawafleh



says: (Corruption is an abominable adjective and hated by Allah Almighty. He says:” Allah does not like corruption.” (Surat Al-baqara:205) Corruption is a reason for the descent of penalties on the ground, and there is no punishment imposed on the earth except by the corruption and corruption of people in it, and Allah has destroyed a nation except by its corruption. (47).

And if a person complied with the command of his Lord and avoided corruption, he lived with reassurance, so Allah (S.W.T) forbade him from bloodshed, which is the head of corruption, and the Qur'an considered that killing is corruption, the Almighty said: “Because of that We ordained for the Children of Israel: that whoever kills a person—unless it is for murder or corruption on earth—it is as if he killed the whole of mankind;” (Surat Al-maidah:32)

Killing the soul and bloodshed, as in this noble verse, is corruption itself, and it was considered a verse. If any person, regardless of religion or ethnicity, is killed by corruption, and a person is not entitled to assault himself with death, the Almighty said:” And do not kill yourselves” (Surat An-nisaa:29)

Then our law called for the preservation of symptoms and their maintenance of everything that defiles them, so Islam ensured that a person preserved and preserved the offer as he preserved the soul, so it was forbidden to delve into the symptoms of people (48). Islam has established these and other rights, such as the right to save money and the legal way of earning money. The Almighty said:” O you who believe! When the call is made for prayer on Congregation Day, hasten to the remembrance of Allah, and drop all business. That is better for you, if you only knew.” (Surat Jumaah:9) Then, when the prayer is concluded, disperse through the land, and seek Allah's bounty, and remember Allah much, so that you may prosper. (Surat jumaat:10).

He has the right to choose his permissible way of work, and he has the right to preserve his money, which he gained from his work after he fulfills the right of Allah in it, so Islam forbids assaulting the wealth of others, and considers whoever defends his money a martyr if he is killed, "a man came to a Messenger Allah He said: Messenger of Allah, I saw if a man came to take my money, he said: Do not give it. He said: Did you see if he fought me? He said: Kill him. He said: Did you see if he killed me? He said: You are a martyr. (49)

Hence the researcher says: The attack on the three, mentioned in the hadith of the Messenger of Allah, when he said: (Your blood, your wealth, and your symptoms against you are forbidden, as the sanctity of your day in this month of yours in this country) (50), is considered one of the greatest threats to social security. In order for social security to remain prevalent, the Messenger of Allah warned against assaulting it, as well as stressing the attack on the public right in it, such as public money that tightened our religion from attacking it or neglecting it, because that leads to another corruption, and more dangerous than social corruption, which is political corruption. Which undermines the pillars of the state, destroys its institutions, and leads to its demise.

## **Second: The economic impact on protecting public rights:**

One of the general rights that the researcher mentioned is the right of ownership. Islam permitted possession, however great it was, and the Holy Qur'an referred to this, by the Almighty saying:” If you wish to replace one wife with another, and you have given one of them a fortune, take nothing back from it.” (Surat An-nisaa:20). He referred to the ownership of Qantar, and this is a very large amount, and this was an indication of its permissibility, and if it was acquired by legitimate methods such as work, trade and others.

And if the possession of public resources is usurping and assaulting, by any illegal means, such as bribery, monopoly and others, then this is not what the Shariah would want, because this leads to an attack on the rights of the weak from the people, and the principle is that people are equal in the public domain, so that the class is not Abominable, which is not approved by our true religion. Zaidan Qaadan says: (It is assumed that some properties remain guaranteed to everyone, which is what the state of Islam adhered to from the day it originated. Within the public domain. The good things of the earth and its treasures of water, rivers, seas, and what they contain inside it - all of this remains a public property; for all people to benefit from it; Silver, copper, tin .... etc., all of this falls within the public domain, for all people to benefit as well. (51).

Preserving public property, ensuring that it is not plundered, and assaulting it by a few people, ensures that all members of the state remain loyal to their country, and have a sincere love for their homelands, and that everyone remains in constant giving; which increases the state's economy and increases its strength, thus resting souls, and if souls rest, increase its giving and mark its achievement.

Dr. Abd al-Salam al-Abadi says: (Islam has organized everything related to property, in a way that ensures that a large property in the Islamic community creates for the good of its owners, their relatives, and the rest of the community, and this is not a word to say, but rather it will and will remain the property of large properties in Islamic societies. Beginning with Abu Bakr, Abdul Rahman bin Auf and others, and ending with the rich people who live in our societies these days (52).

Hence, public property must be protected, as it is the right of all, and it is the so-called public rights, as by protecting and fairly distributing it, poverty is eliminated, and society becomes safe from injustice, as the Islamic economic system is based on a wide range of public ownership. The situation is in private property, so

that it is an integrated economic system, in which wealth is not held in the hands of a group that controls the slaves of the slaves.

Public wealth in these days has become many, and if distributed fairly and transparently, this will be enough to eliminate poverty and unemployment, which haunt all societies these days. Unemployment has spread among the ranks of our youth, and the poor class has increased, and the fair distribution of these wealth prevents These two serious signs. Zaidan Qaadan says: (Oil and gas wealth and other riches enter between public properties, spend and invest, and reach their fruits for all, these are the main items of public ownership, and can take other forms such as airports, railway stations, electricity, and all public utilities, which The state created it from public money, and for the common good) (53).

#### **IV. CONCLUSION**

Allah Almighty's will was for the person to be the master of the universe, and the caliph is on earth. Allah prepared all what works for it, and this is one of the requirements of the caliphate, and Allah sent the messengers to show people the way of guidance, Allah Almighty said: "Messengers delivering good news, and bringing warnings;" (Surat An-nisa:166) So the apostles showed what humans should be, and what they need to follow in order for their lives to be happy, even though what the messengers of Allah have shown, what human beings and their private and public rights alike have, so that their message is clear milestones in the happiness of humanity. So the subject of research on general human rights was to explain these rights and their types, and what a person should have in relation to these rights, then the researcher explained the effect of these rights on people's lives in general, and that the human being originally is positive, exceeding his benefit to other people, so the Muslim is to be Allah possessed it and gave him the money, but he is left behind in it. The street permitted him to dispose of it in accordance with the legal controls, so that his benefit exceeds others. The researcher has shown in his research the ways that Allah has established for man to take in the way of ownership, and Allah obliged the human being to deal with public ownership within the legal controls, including what is for the sake of duty, and some that are for the sake of delegation, in order to preserve public ownership and not to defect and attack on her.

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*\*Corresponding author: Nuseibah Younis Bsharat*  
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