The concept of wealth in the view of *maqashid syariah*

**Naerul Edwin Kiky Aprianto**

Master of Sharia Economics, IAIN Purwokerto

Email: [naerul\_edwin@yahoo.com](mailto:naerul_edwin@yahoo.com)

**ABSTRAK**

Fundamentally, Islam is a religion which perfectly encompasses all aspects of human life. Wealth in the Islamic economic system has an important position. In its relation to the economic business activities and the rituals of worship, the wealth is given close attention so that in the *maqashid syariah* makes it into one of the essential points, which is to maintain or protect the wealth. These are Allah’s purpose and aim in order to bring benefits to people and serve as a guide in doing business and transaction in accordance to sharia. The use of wealth in Islamic teaching should always be in dedication to Allah and utilized in order to *taqarrub* (draw yourself closer) to Allah. The personal wealth must be utilized not only for the owners’ private use, but also for social function in order to help fellow human beings. Islam has given special attention to wealth, on how to both get and utilize it, so that the wealth owned has the values of worship on Allah’s side in the pursuit of happier life in the hereafter.

**Keywords:** Maintaining Wealth, *Maqashid Syariah.*

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Introduction

Wealth is the essential necessity in life which people will not separate from. Human beings are motivated to find wealth for the sake of maintaining their existences and adding material and non-material pleasures. However, these motivations are limited to three terms, namely the wealth is collected in a halal way, utilized for halal things, and part of this wealth is taken out for Allah’s right and the people where he lives (Jauhar, 2009, p. 167). Therefore, besides gaining and utilizing the wealth, each individual must also maintain it. Maintaining wealth is related to maintaining the soul, as the wealth will keep the soul away from calamity and strive for the perfection of the soul’s honour.

The concept of wealth in the present Islamic economy is a vital one. This is in line with the rapid growth of sharia industry, financial institutions and sharia banking. Therefore, the discussion of wealth must be under the auspices of *syariah islamiyah* which is not separated from *maqashid syariah,* wherein lies the benefits given by Allah to human beings for the goodness of life both in the world and in the hereafter. This implies that Islam with its sharia sets manages the wealth and how to maintain the wealth as desired by *al-Syāri* (The Lawmaker; Allah SWT).

Wealth in the Islamic view is essentially Allah’s, in which Allah has handed it to the human beings to control so that those people legally have possessions over their wealth. Therefore, wealth in the Islamic view has an important position. In its relation to the activities of business economy and worship rituals, the wealth is so noticed that it becomes one of the important points in *maqashid syariah*, which is to maintain or protect said wealth. This is Allah’s intention and purpose in order to bring benefits to the people for it to be used as a guide in doing business and doing transactions accordingly to sharia (Iswandi, 2014).

Al-Syathibi states that *maslahat* (goodness) means taking the benefits and refusing the *mafsadat* (badness), which is not only based on the common sense, but also in order to maintain the believers’ rights. Al-Syathibi further claims that not all, but only some, worldly benefits can be known by reason (mind), and the others are known through sharia. If the mind can know all the worldly benefits absolutely, sharia only functions as a hereafter guide, whereas the sharia is meant to enforce both worldly life and hereafter (Al-Syathibi, n.d., p. 237).

Islam views wealth as a means for human beings to draw themselves closer to His God. With the existence of the wealth, people are expected to have philanthropic attitude which strengthens their human natures. If this generous attitude develops, it will bring human beings to a glorious level, be it on Allah’s side as well as towards each other (Al-Mushlih & Ash-Shawi, 2004, p. 73).

Based on the description above, this article aims to elaborate the concept of wealth in the levels of definition, classification, Islamic view towards wealth, and the concept of maintaining wealth based on *maqashid syariah.* The discussion of wealth is not separated from the concept of *maqashid syariah* in which contains benefits for human beings for the sake of life goodness in the world as well as in the hereafter.

The Definition of Wealth

Wealth (*mal*) in terms of language (etymologically) is called as *al-mal,* which comes from the word *maala-yamiilu-mailan* (مَالَ – يَمِيْلُ – مَيْلاً) that means inclined, tend and slant (Suhendi, 2008, p. 9). Terminologically, wealth is everything that pleases human beings, and they maintain it in material form as well as in benefits (Hasan, 2003, p. 55). Wealth is also defined as something needed and gained by human beings in the forms of both visible things such as gold, silver, animals, plants and invisible one, namely benefits such as vehicles, clothes, and dwellings. Therefore, something uncontrolled by human beings are not named as wealth, for instance, birds in the air, fish in the ocean, trees in the forest, and minerals on earth (Syafei, 2000, p. 21).

The fuqaha’ define wealth as something desired by human nature and may be kept for the required time or something which can be controlled, kept and utilized (Abidin, 1966, p. 501). Al-Syarbaini contends that wealth is something with value, and someone who breaks it is required to recompense (Asy-Syarbini, 1978, p. 246). Meanwhile, according to Hanafiyah, wealth is essentially something that has worth and can be kept, so something that cannot be kept cannot be categorized as wealth. According to him, benefits and possessions cannot be referred as wealth. He differentiates between wealth and possession. According to the theologian Hanafiyah, possession (al-milk) is something that can be used specifically and the use is not mixed with others. On the other hand, wealth (al-mal) is something that can be kept and is used when needed. In its use, wealth can be mixed with others (Nazir & Muhammad, 2004, p. 368). In this case, he suggests that it does not include wealth that cannot be owned but can be taken advantage of, such as the light and heat of the sun. Nor does it include wealth that cannot be taken advantage of but can be owned concretely, for instance a handful of soil, a drop of water, a grain of rice, and so forth.

According to Hasbi ash-Shiddieqy, wealth is everything that has the following categories:

1. Wealth *(mal)* is a name for things other than human beings, which are set for their benefits and can be maintained in a place;
2. Something that can be owned by every human being, be it by all or some of them;
3. Something that is legal to trade;
4. Something that can be owned and has worth (value), can be taken advantage of, and can be kept;
5. Something tangible, so that anything intangible though it can be taken advantage of is not included in wealth; and
6. Something that can be kept for a long time or temporary and can be taken advantage of when needed (Ash-Shiddieqy, 1997, pp. 154–155).

Based on the Sharia Economic Law Compilation Clause 1 Verse (9), it is said that wealth is objects that can be owned, controlled, cultivated and diverted, including tangible and intangible things, listed and unlisted things, moving and stationary things, and right which has economical value (Mardani, 2013, p. 60). Therefore, the definition of wealth in the Sharia Economic Law Compilation is wider and more complete.

Based on the definition above, it is understood that wealth is basically everything that has value and concrete form, commonly liked by human nature, can be owned, can be kept and utilized in legal case according to *syara’* (Islamic law), for example as business capital, loan, consumption, grant, and so on.

The Classification of Wealth

The fiqh teachers divide wealth from some aspects. The wealth consists of some parts, in which each part has special characteristic and its own law. The divisions of wealth are:

1. In terms of its ability of being utilized according to *syara’*:
2. *mutaqawwim* wealth, which is the wealth that can be utilized according to *syara’*. This *syara’* recognition will only apply with the following conditions: (1) the wealth is owned by said owner legally; (2) the wealth may be utilized according to *syara’* law (Ismail, 1995, p. 65). For example, halal beef eaten by the Moslems. However, if the cow is slaughtered not based on *syara’* (for instance, beaten), the beef cannot be utilized because its slaughtering way is not approved (not legal) according to *syara’*.
3. *ghairu mutaqawwim* wealth, which is the wealth that may not be utilized based on the conditions from *syara’*, be it its type, the way it is gained, as well as how it is used. For example, pig and liquor fall under the *ghairu mutaqawwim* wealth because of its type. Shoes obtained from stealing are in the *ghairu mutaqawwim* wealth because of its haram way of gaining. The money donated to build a brothel falls under the *ghairu mutaqawwim* because of its use.
4. In terms of its type:
5. *manqul* wealth, which is the wealth that can be moved from one place to another, either still in the initial form and condition or in different form and condition along with its shift/change. The wealth in this category includes money, goods, animals, vehicles, and so on.
6. *ghairu manqul* wealth, which is the wealth that cannot be moved and brought from one place to another. For example, land and the building on it (Huda, 2011, pp. 18–19).
7. In terms of its utilization:
8. *isti’mali* wealth, which is the wealth that remains intact when used or utilized, although its benefits have been used multiple times, such as garden, bed, house, shoes and so forth.
9. *istihlaki* wealth, which is the wealth in which its utilization results in its being used up, such as soap, food, and so forth (Mardani, 2013, p. 63).
10. In terms of the presence or absence of similar kinds of wealth on the market:
11. *mitsli* wealth, which is the kind of wealth easily gained on the market (exactly in terms of shape or value). The *mitsli* wealth is divided into four parts, including: (1) measured wealth, such as wheat; (2) weighed wealth, such as iron; (3) countable wealth, such as eggs; and (4) wealth sold by metres, such as cloth, board, and so on.
12. *qimi* wealth, which is the wealth with no similar kind in its unit on the market, or there is its kind but each unit is different in quality, such as units of trees, precious metals, and household appliances (Djuwaini, 2008, p. 19).
13. In terms of the status of wealth:
14. *mamluk* wealth, which is the wealth already owned, belonging to either individual or corporation or the state. The *mamluk* wealth is divided into two types, namely: (1) individual wealth which is not linked with non-owner’s right, such as leased house; and (2) partnership of wealth between two owners that is related to non-owner’s right, such as two people share partnership in a factory and five cars, and one of these cars is rented to another person.
15. *mubah* wealth, which is the wealth in which its origin does not belong to someone, such as water springs, hunted animals, trees in the forest, and so on. This kind of wealth can be utilized on the condition that it does not damage the preservation of nature.
16. *mahjur* wealth, which is the wealth that has *syara’* prohibition to own, because that wealth is either turned into charitable wealth or reserved for the public interest. This wealth cannot be traded, inherited, granted or transferred (Huda, 2011, pp. 20–21).
17. In terms of whether the wealth can be divided or not:
18. Wealth that can be divided *(mal qabil li al-qismah)*, which is the wealth that does not cause a loss or damage if it is divided, and its benefits are not lost, such as rice, flour, grapes and so forth. This wealth is not damaged and its benefits are not lost.
19. Wealth that cannot be divided *(mal ghair qabil li al-qismah)*, which is the wealth that causes a loss or lose its benefits if it is divided. For example, glass, chair, table, machine, and so forth (Ash-Shiddieqy, 1997, pp. 176–180).
20. In terms of the development of wealth, whether its result is through human effort or by itself based on Allah’s creation:
21. *ashl* wealth (primary wealth), which is the wealth that produces or results in other wealth. This wealth can be referred as capital, such as house, trees as well as animals.
22. *al-samar* wealth (yield wealth), which is the fruit of a wealth, such as leasing house, fruits from trees, and goat milk or cow milk (Mardani, 2013, p. 64).
23. In terms of its owner:
24. *khas* wealth, which is private wealth that does not aligned with the others. This wealth’s benefits should not be taken or used unless by the owner’s will or permission.
25. *‘am* wealth, which is common (joint) wealth that can be taken advantage of. For example, river, road, mosque, and so forth. This wealth is referred as public facility (Haroen, 2007, p. 81).
26. In terms of the wealth in the form of object as well as amenability:
27. *‘ain* wealth, which is the wealth in the form of object, such as house, car, and so forth. The *‘ain* wealth is divided into two, namely: (1) *‘ain dzati qimah* wealth, that is object with a form that is viewed as wealth because it has value; and (2) *‘ain ghair dzati qimah* wealth, that is the object that cannot be viewed as wealth because it has no value, such as a grain of rice.
28. *dayn* wealth, which is an ownership of a wealth in which it is still in someone’s responsibility. That is to say, the owner only possesses that wealth, but he/she does not have its form because it is in the responsibility of others. Theologian Hanafiyah contends that wealth cannot be divided into *‘ain* and *dayn* wealth, because wealth in his view is something tangible, so something without form (intangible) is not wealth, for instance debt is not viewed as wealth, but debt according to him is the nature of responsibility *(washf fi al-dzimmah)*(Suhendi, 2008, p. 22).

Islamic View towards Wealth

The position of human as Allah’s caliph in wealth, in essence shows that humans are the representatives or officers who work for Allah. For this reason, it is human responsibility as Allah’s caliph to feel bound by Allah’s commands and teachings about wealth. This is the foundation of sharia that regulates wealth, right and ownership. All of these have to be in accordance to the rules of the wealth’s owner, namely Allah (Al-Assal, 1999, p. 44).

The Islamic view towards wealth is a firm and wise view, as Allah makes wealth as His right, then this wealth is given to people desired by Him to be spent in Allah’s way. Therefore, Islam has a definite view of wealth. The view can be described as follows:

1. That the absolute ownership of wealth and everything on this earth belongs to Allah. The ownership by humans is only relative, limited to running the mandate of managing and utilizing according to His conditions (Mardani, 2013, p. 61). Allah’s commandment in QS. Toha verse 6:*“To Him belong all those in the sky, all on earth, all in between the two, and all under the ground.”* (QS. Toha [20]: 6)
2. The status of wealth owned by humans is:
3. Wealth is the mandate (deposit) from Allah. Human beings are only the trustee as they cannot manifest wealth from nothing. In *Einstein* language, the humans are not able to create energy, but what they can do is change it from one form to another form of energy. The initial creation of any energy is Allah. As Allah’s commandment in QS. al-Maidah verse 18:*“... And to Allah belongs the kingdom in between the two. And to Allah everything returns.”* (QS. al-Maidah [5]: 18)
4. Wealth as live ornament that allows humans to enjoy it well and not excessively. Human beings have a strong tendency to own, control, and enjoy wealth. Allah’s commandment in QS. Ali Imran verse 14: *“It is made beautiful on (the view of) humans the love towards what is desired, namely women, children, a lot of wealth from the types of gold, silver, selected horse, cattle and rice fields. Those are the pleasures of life in the world, and on Allah’s side is the best returning place (heaven).”* (QS. Ali Imran [3]: 14)

However, in association to the function of wealth as the ornament in human’s life, humans often forget that the position of wealth is only to draw themselves closer to Allah. As a result, this wealth often makes people become arrogant and pride themselves, so that they forget about Allah as the giver of said wealth.

1. Wealth as a test of faith (Antonio, 2015, p. 9). This is especially concerned with the way to obtain and gain it, whether it is in accordance with the Islamic teaching or not. This is as Allah’s commandment in QS. al-Anfal verse 28:*“And know that your wealth and children are only as test (trial), and indeed on Allah’s side is the greatest reward.”* (QS. al-Anfal [8]: 28)
2. Wealth as a provision of worship, namely to carry out His command and perform transaction in accordance to sharia among fellow human beings, through the activities of zakat, infaq and alms. This is in line with Allah’s commandment in QS. Ali Imran verse 134:*“That is people who spend (their wealth), in spare time or not, and people who hold their temper and forgive others (mistakes). Allah likes people who do good.”* (QS. Ali Imran [3]: 134)
3. The way to obtain wealth is also arranged in such a way that there are some ethics and law that are noteworthy when earning a living or working. The ownership of wealth can be done in some ways, such as through effort *(amal)* or livelihood *(ma’isyah)* which is halal and in accordance with the regulations of Allah (Djamil, 2013, pp. 183–184). As Allah’s commandment in QS. al-Mulk verse 15: *“He is the one who makes the earth easy for you, therefore walk in all His directions and consume part of His fortune. And only to Him are you (returning after) raised.”* (QS. al-Mulk [67]: 15)

From the description above, the wealth should be obtained through halal ways which have been arranged clearly in various verses in the al-Quran. Similarly, using or expend the wealth must also in a good way in order to earn the pleasures from Allah as well as the fair distribution of wealth in the community. The use or expenditure of wealth must be limited to something halal and based on sharia. Therefore, that wealth must not be used for gambling, buying liquor and prohibited (deemed as haram) things, or anything forbidden by sharia.

The Concept of Maintaining Wealth Based on *Maqashid Syariah*

*Maqashid syariah* consists of two words, namely مقاصد and الشریعة. In terms of language, *maqashid* means bringing in something, demand, deliberation, and purpose. Whereas *syariah* means the path to the water source, which can also be interpreted as the way to the main source of justice direction (Al-Qardhawi, 2007, p. 12).

By term, Wahbah al-Zuhaili contends that *maqashid syariah* is the values and target of law implied in the entire or the biggest part of its laws. Those values and targets are viewed as the aim and secret of sharia, which is set by the lawmaker (*al-syaari*) in each rule of law (Al-Zuhaili, 1986, p. 225). Meanwhile, al-Syatibi explains that *maqashid syariah* aims to realise human beings’ benefits in the world and hereafter (Al-Syathibi, n.d., p. 324; Karim, 2014, p. 381). In this case, benefits are interpreted as al that is concerned with humans’ fortune and life fulfilment. The benefits which will be realized are dharuriyat, hajiyat, and tahsiniyat.

The benefits of *syariah islamiyah* in enforcing the aim of sharia (*maqashid syariah*) consist of different levels and are not on a single level. *First*, dharuriyat is the main and important subject, for instance in protecting wealth (حفظ المال) that Islam makes it the main and important thing on the subject of the duty of earning a living and the subject of the halal-ness of it. *Second*, hajiyat is the subject needed to support the main subject namely dharuriyat, for instance the agreement or contract in business activities to support the main subject in earning a living is something in which its existence is needed (hajiyat). *Third*, tahsiniyat is the subject that complement the first and second levels, for instance to support the main subject in earning a living and the second subject in business agreement and transaction, so the complementing subject for the two levels is good business ethics and behaviour (Al-Qardhawi, 1999, pp. 25–28).

As for the formula offered by Islam in maintaining or protecting wealth in accordance with *maqashid syariah* is prioritizing the primary subject and keep the primary wholeness with the other supporting subjects. In this case, *maqashid syariah* consists of maintaining the religion (حفظ الدین), maintaining the soul (النفسحفظ), maintaining the mind (حفظ العقـل), maintaining the heir (حفظ النسل), and maintaining the wealth (حفظ المال)(Al-Zuhaili, 1997, pp. 44–55).

The formula of *maqashid syariah* in maintaining or protecting wealth is to keep prioritizing the primary subject, which is to maintain the religion (حفظ الدین) and keep the primary wholeness with the other subjects, included among others is maintaining the wealth (حفظ المال). The ushul theologians agree that the primary subject namely maintaining the religion (حفظ الدین) holds irreplaceable position. Whereas the subject of maintaining the wealth (حفظ المال) cannot occupy the primary position or shift the position of maintaining the religion (حفظ الدین). Nevertheless, the subject of maintaining the wealth (حفظ المال) is important to keep the wholeness of the religion (حفظ الدین) so that it is said that the damaged wealth can influence the purity of the religion. As an example, in the activity of muamalah (transaction according to sharia), that Friday prayer (حفظ الدین) is a primary and main subject to do compared to the muamalah activity of trading (حفظ المال) refers to QS. al-Jumu’ah [62] verse 9. Another example is the material of wealth that is damaged can influence the primary subject, such as doing prayer (shalat) using stolen sarong.

Al-Syathibi describes how to protect and maintain wealth according to the regulations of *maqashid syariah*, which is there are provisions of law legalized by Allah about the prohibition of stealing and the sanctions on it, the prohibition of cheating and betraying in business, the prohibition of usury, the prohibition of taking others’ wealth in a false way, and it is required to replace the things that he/she has damaged, so that in doing so the wealth is protected or maintained (Al-Syathibi, n.d., pp. 6–7). In addition, the role of *maqashid syariah* in protecting/maintaining the wealth is by the forbiddance of wasting wealth from the needed things, the forbiddance of wealth stacking by the rich people, and the requirement of infaq and alms for the equity of wealth in order to give benefits (goodness) for the entire humans beings.

In the Islamic economy, wealth is made as wasilah (means of approaching Allah) to support religious activities as well as muamalah (transaction based on sharia). In this case, Allah makes wealth as wasilah to support the instrument of zakat, infaq and alms. This is included in Allah’s commandment in QS. Ali Imran verse 134:

*“(That is) the people who spend (their wealth), in spare times as well as in adversity, and people who hold their temper and forgive (the mistakes of) others. Allah likes people who do good.”* (QS. Ali Imran [3]: 134)

Therefore, in the Islamic economy, wealth has the function that keeps being utilized by human beings, so that humans’ tendency to keep dominating and owning wealth never recedes. In this case, sharia limits the function and role of wealth, namely: *First*, to support worship activities, such as using sarong cloth to support the worship prayer (shalat). *Second*, to maintain and increase faith as an effort to get closer to Allah, such as doing alms with wealth. *Third*, for survival and life relay. *Fourth*, to harmonize life in the world and hereafter (Suhendi, 2008, pp. 28–30).

There are three important points to note in protecting/maintaining wealth in muamalah activity, namely: 1) recording; 2) testimony; and 3) documentation inclusion. As Allah’s commandment in QS. al-Baqarah verse 282:

*“O people who have faith, if you perform muamalah (transaction in accordance to sharia) not in cash for a specified time, you should write it down. And should a writer among you write it correctly. And the writer should not be reluctant to write it down as Allah teaches him, so should he writes, and should that person in debt dictate (what will be written), and should he be cautious towards his God Allah, and do not decrease any of his debt. If the one in debt is someone weak-minded or weak (condition) or he himself is not able to dictate, so his representative should dictate honestly. And testify with two witnesses from the males (among you). If there are no two males, then (it is allowed that) a male and two females from the witnesses that you approve, so that if someone forgets, the others can remind him. Those witnesses should not be reluctant (to give information) if they are called; And you should not be surfeited to write the debt, whether great or little until the time limit to pay it. That way, it is more just on Allah’s side and strengthen the testimony more and closer to not (causing) doubt. (Write your mu'amalah down), unless if the mu'amalah is a cash trading that you run among yourselves, then there is no sin for you, (if) you do not write it. And testify it if you trade; And the writer and witness should not complicate each other. If you do (so), then indeed that is wickedness towards yourself. And be cautious to Allah; Allah teaches you; And Allah is All-knowing.”* (QS. al-Baqarah [2]: 282)

By keeping record, what is meant by maintaining wealth in the Islamic economy is erasing the doubt among the parties doing transaction, giving real explanation if there is dispute, protecting wealth or transaction object from the things that reduce or eliminate it, avoiding negligence and fraud, and binding the parties doing transaction for their rights and obligations. By doing testimony, maintaining wealth in the Islamic economy means keeping the transaction activities from fraud, eliminating doubt from rights reduction over transaction activities, and functioning to strengthen information among the parties doing transaction. While by including documentation, what is meant by maintaining wealth in the Islamic economy is making it as amplifier or legal evidence, maintaining the long-passed transaction case, and being a guide for the parties doing transaction to keep them from wickedness and deception.

The benefits of maintaining wealth in Islam is truly noticed. This is for human beings so that one another does not take others wealth falsely, so that rights and obligations over wealth of each who does transaction is protected and saved from wickedness, and so that peace for the parties doing transaction is realized. These are the conceptions as well as applicative theory given by Allah to His believers in maintaining/protecting wealth.

Conclusion

Based on the discussion above, it is comprehended that essentially wealth is all that has value and concrete in form, liked by human nature commonly, can be owned, can be kept and utilized in legal case based on *syara’*, for instance as business capital, loan, consumption, grant, and so forth.

Indeed Allah as the true owner of wealth has given guidance which contains benefit (goodness) destined for mankind. This benefit is *maqashid syariah* (the maintenance of five basic purposes) which in essence must be comprehended and understood by human beings in maintaining/protecting wealth. By maintaining/protecting wealth, human life will be saved in the world as well as in the hereafter, human rights and obligations over wealth are protected properly, and there is no wickedness feared for the parties doing transaction.

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