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Mohammed Abdulla Surour Shahwan Aldhaheri, Arieff Salleh Bin Rosman,
Nurazmallail Bin Marni, Ahmed Shehab

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Forms of Assault on Public Money in Islamic Sharia

Mohammed Abdulla Surour Shahwan Aldhaheri, Prof. Arieff
Salleh Bin Rosman, Dr. Nurazmallail Bin Marni

Academy of Islamic Civilization, Faculty of Social Sciences and humanities, UTM.

Email: uae.utm.students@hotmail.com, aswar@utm.my, nurazmal@utm.my

Dr. Ahmed Shehab

Faculty of Sharia & Law, Islamic University of Gaza, Palestine.

Email: ashehab@iugaza.edu.ps

Abstract

This study discusses the forms of assault on public money in Islamic sharia. The importance of the study stems from its focus on an issue that up-to-date positive laws are still looking for rules that constitute real guarantees through which public money can be protected. This study is also significant because it reviews the forms of assault on public money from a purely sharia perspective. The objective of this study is to identify the concept of public money and explain the forms of assault on it, according to what is established by the provisions of Islamic Sharia. To achieve the objectives of the study, the researcher adopts the descriptive analytical approach. One of the most important results of the study reached by the researcher is that public money is one of the most important factors supporting the renaissance of societies, and it is the basis through which the process of renaissance of peoples and states begins. The research also reaches the result that Islamic Sharia is concerned with public money, It guarantees its protection from any assault, it criminalizes any attempt to assault it. It considers the assault on public money as one of the biggest sins. The study concludes with a set of recommendations, the most prominent of which is the importance of taking advantage of what is decided by the provisions of Islamic jurisprudence in the context of approving the protection of public money. The researcher also recommends holding educational and religious awareness meetings that show the public the danger of assaulting public money and the consequences thereof.

Keywords: Forms of Assault, Islamic Sharia, Public Money.

Introduction

Islamic Sharia pays attention to the public money, guarantees its protection from any attack and criminalizes any attempt to assault it. It considers the assault on public money as one of the biggest sins that deserves punishment (Ali, 2020). The issue of public money is very essential to Islamic governments that abide by Islamic sharia in their systems (Khan, 2001). Before discussing the forms of assault on public money mentioned by Sharia jurists, we shall

refer to the administrative protection approved by Sharia for public money. The rulings of Islam were not merely theoretical sermons, phrases and rhetoric, but were represented in practical rulings that deal with the problems of reality. Therefore, Sharia prohibits all forms of assault on public money and imposes punishments on those who attempt to do so. In this regard, sharia equalizes between the leader and the soldier. The protection of public money in Islam is one of the broadest methods of enjoining good and forbidding wrong as the almighty Allah commands us, he says: "You are the best nation produced [as an example] for mankind. You enjoin what is right and forbid what is wrong and believe in Allah" (Al Imran, 110).

Our honorable Messenger (may Allah bless him and grant him peace) laid the general foundations for protecting the money of the Islamic state and the caliphs follow in his footsteps. One of the evidences of that is the behavior of the messenger, may Allah's prayers be upon him, with Ibn al-Utbiyyah, whom he appointed to collect the sadaqah. When he returned he said: This is for you and this was given to me as present. So the Prophet (peace be upon him) stood on the pulpit, and after praising and extolling Allah he said: What is the matter with a collector of sadaqah. We send him (to collect sadaqah), and when he return he says: This is for you and this is a present which was given to me. Why did he not sit in his father's or mother's house and see whether it would be given to him or not ? Whoever takes any of it will inevitably bring it on the Day of Resurrection, be it a camel which rumbles, an ox which bellows, or sheep which-bleats. Then raising his arms so that we could see where the hair grow under his armpits, he said: O Allah, have I given full information ? O Allah, have I given full information?"

Islam pays attention to public money as it is one of the means to ensure welfare of the Islamic nation. Islam states that the government is not free to spend the money wherever, there are regulations that control the whole process (AHMED, 1983). This hadith is clear in the prohibition of profiting from public office. Our Messenger (may Allah bless him and grant him peace) laid down practical rules for supervision and accountability within the scope of public money. The caliphs, may Allah be pleased with them, follow in his footsteps. It is narrated about Abu Bakr Al-Siddiq (may Allah be pleased with him) that he was holding his workers accountable for the incomes and outcomes. When Moath bin Jabal came to him from Yemen after the death of the Messenger (may Allah bless him and grant him peace) he said: give me your account (calculation). Moath said, are there two accountabilities: one with Allah and one with you? Then he calculated the revenues and expenditures (Al-Matari, 2010, p. 61).

As for Al-Farooq Omar (may Allah be pleased with him), he was concerned with supervising public money and followed in the footsteps of our honorable messenger and the first caliph Abu Bakr in supervising and protecting public money. He set a group of rules and laws to preserve public money, which are: the appropriate selection of workers, counting the wealth of his workers before assigning them, applying the system of dividing the rulers' wealth when he doubts that they take it from state's money, activating the system of supervisors on his workers in the regions, and sending inspectors to check, follow up and review (Ibn Al-Qayyim, 1973: 180), and among Omar's commandments to his workers is "Beware of gifts, they are bribery" (Al-Matari, 2010, p. 64).

Othman bin Affan folloed in the footsteps of Omar (may Allah be pleased with them). He sent supervisors to the Islamic regions to monitor his workers, and he relied on the people of trust to choose his assistants (Al-Sallabi, 2002, p. 180). Ali bin Abi Talib (may Allah be pleased with him) used to severaly hold his workers accountable. An example of this is the

story of Ibn Hajjah Al-Mimi, whom he used in Iraq. Al-mimi took thirty thousand of its tax, so Ali summoned him and asked him about the money, he said: I did not take anything, so Ali hit him with a stick on the his face (Ali, p. 102).

Omar bin Abdul Aziz also followed in their footsteps, he always sought to prevent administrative corruption, treason, dishonesty, bribery, extravagance and other forms of violating the state's public money and profiting from public office. He also sought to support workers through increasing their livelihood, he decided to stop himself and his workers and assistants from taking gifts. He also forbade extravagance, and decided to hold his workers accountable for what they take from the state's money (Al-Tabari, 1987, p. 461). The general objective of the study is to identify the concept of public money in the sharia terminology and explain at the most dangerous forms of assault on public money in Islamic sharia. To achieve the objective of the study, the researcher adopts the descriptive analytical approach.

Among the important studies that deal with the subject of the study is the study of Muhammad (2012), entitled: "Preservation of Public Money in Islamic Legislation." It discusses some terms related to this research, such as: Islam, money, and the importance of money in Islam. Then it explains how Islam preserves money through Islamic legislation, where Islam enacted many legislations to protect money (and all types of ownership in cash, real estate, agricultural land, among others) with a set of commands that the researcher highlights the research. Contemporarily, it also can be used neuroscience and physiological tools to study several topics (see Alsharif et al., 2021a; 2021b, 2021c; 2021d; 2021e; 2022; 2022), for example but not limited to the Forms of Assault on Public Money in Islamic Sharia. The researcher reached a set of results and recommendations in this study, the most important of which is that as a result of the importance of money in Islam and the negative and positive impacts of its use on life, Islamic religion includes many legislations aimed at preserving it, including paying Allah's rights in money (zakat), moderation and combating extravagance, prohibiting usury and bribery, preventing theft in all its forms, forbidding gambling and what is equal to it, stopping handing over money to someone who does not manage it properly, the legitimating mortgage and writing the debt, preserving the productive funds, abiding by the rights of inheritances, and raising awareness and caution. The researcher concludes that Islam preceded in commanding people to be careful and cautious to preserve money in its legislation fourteen centuries ago in the era of an illiterate nation. The study concludes that protecting money and preventing any assault on it is a duty even upon the owner of the money himself. Therefore, Islam legislated not to hand over money to someone who does not manage it properly.

Hussein Shehata's study (1999), entitled: "the sanctity of public money in light of Islamic Sharia", is one of the most important studies in this regard. Through it, the researcher deals with the nature of public money, he explains the concept of public money and its legitimacy, characteristics and scope. He also discusses the sanctity and protection of public money in light of Islamic sharia, in addition to highlighting the Islamic approach in protecting public money by clarifying the role of jurisprudence, values, ethics and judicial bodies at its various levels in protecting public money.

Then he discusses Islamic commandments to workers on public money represented in the commands of the Noble Quran, the Sunnah of the Prophet, the traces of the Rightly-Guided Caliphs, the aphoristic supplications and the ten commandments. Through his study, the researcher reaches a number of results, the most prominent of which is that among the advantages of the Islamic approach in protecting public money is the reduction of the

possibility of assaulting public money through self-monitoring and accountability imposed by Sharia on the ruler and the people, the obligation of each individual to perform the legitimate rights of the state without procrastination or evasion, the perfection and improvement of deeds and and considering it a worship by which the servant get closer to Allah, which leads to increase production and raise productive efficiency. The current study is limited to deal with the most dangerous forms of assault on public money in Islamic sharia. Through this study, the researcher explains the concept of public money and then reviews the forms of assault on it in accordance with the provisions of Islamic sharia, as follows:

The Concept of Public Money in Sharia Terminology

There are many definitions of money according to the jurists of Sharia, as they are divided into two groups, the first one is the Hanafis, and the other is the majority of the jurists. Here the researcher reviews the definitions of both groups as follows:

- **The Definition of Money by the Hanafis**

The Hanafis define money as: it is what tends to be in kind and can be saved for a difficult time (Ibn Abidin, 1407: 502). Al-Zayli, who is one of the Hanafis, define it as: money is a name for a non-human that is created for the benefit of the human being, so it is possible to obtain and dispose it according to one's choice (Al-Zayli, 256).

- **The Definition of Money by the Majority of Jurists**

There were many aspects of the definition of money among the jurists, with an agreement on its content. The Malikis define it as: everything that can be possessed and used in the usual way (Al-Qurtubi, 5). It is also defined by them as: everything that is legally owned, even if it is small (Al-Nafrawi, 1374 AH: 330).

The Shafi'is define money as: everything that has a value by which it can be sold, and the one who damage it is obligated to guarantee it, even if it is small, and what people do not put away such as the Fils and its likes (Al-Suyuti, 1378 AH, p. 327). It is also defined by them as: the thing that people can benefit from (Al-Zarkashi, 1402 AH, p. 222).

The Hanbalis define money as whatever that has a permissible benefit that is not necessary (Ibn Qudamah, 1400, p. 5). They also define it as: what is absolutely permissible to benefit from and to acquire without need (Al-Matari, 2010, p. 8).

Through the definitions of money by the jurists of the Islamic sharia, the researcher believes that considering the benefits as part of the money according to majority of jurists in their definitions is the most valid and correct opinion, Allah knows best, because it is the most secure of rights and is more protective of rights and interests so that they are not lost. It is also a matter of deter the rulers from using the state's public money. Islam seeks provide security for public properties and its owners in return for their social services (Kuran, 2001). Regarding the sharia definition of public money, the Journal of Justice Judgments, which represents the basis and reference for many Arab legislation, define public money under Article (1235) as: "Public money is that whose benefit go to the public and is not subject to ownership, such as running water under the ground which is not owned by anyone." The magazine confirms, under article (1275), this by saying: "There is no consideration for the passage of time in the cases of money whose benefit go to the public, such as the public road, river and pastures."

In this context, the researcher refers to some of the definitions of public money by contemporary jurists, some of whom define it as: "The money that belongs to the public or

to the group in such a way that the it is not owned by individuals but rather by the whole nation, so that the benefit of it is for all of them without being exclusive to any of them" (Al-Musleh, 1982, p. 57). Others define it as: the money owned by the nation or the group as a whole so that it does not belong to an individual or specific individuals. That is because this money is a right for everyone, and the ruler, the prince or the governor has the right to dispose it within the boundaries of Sharia and in order to achieve the public interest (Al-Matari, 2010, p. 18).

Forms of Assault on Public Money from the Sharia Perspective

Islamic Sharia jurists consider several forms of assault on public money. In this part of the study, the researcher reviews the most dangerous of them as follows:

- **The Crime of Betrayal of Trust**

It refers to the payment compliments through the intentional awarding of bids and tenders to a specific person despite the availability of a better and more qualified person than him. This crime is evidenced by what the almighty Allah said: "O you who have believed, do not betray Allah and the Messenger or betray your trusts while you know [the consequence]." (Al-Anfal, 27). The aforementioned verse indicates that one of the most heinous forms of abuse of public money is paying compliments through awarding bids and tenders to a specific person despite the availability and presence of someone who is more competent and capable and better than him among the applicants. This is considered a path of dishonesty, because public money has been entrusted to persons who do not deserve it and do not fulfill its right, and this is a waste of public money.

The Prophet (peace and blessings of Allah be upon him) said: "Some people spend Allah's Wealth (i.e. Muslim's wealth) in an unjust manner; such people will be put in the (Hell) Fire on the Day of Resurrection" (Sahih Al-Bukhari, Hadith No. 2950). The meaning of this hadith is that whoever disposes of the money of Muslims unlawfully will deserve fire on the Day of Resurrection. The prophet (may Allah's prayers and peace be upon him) also said: "Whoever employs a man from a group and among them is he who is more pleasing to Allah than him, then he has betrayed Allah, His Messenger and the believers" (Al-Hakim, Hadith No. 4/87).

The previous hadith indicates the necessity of choosing trustworthy ones, as the Prophet forbade choosing the incompetent. Some may decide to choose the incompetent because he is one of the relatives, or because of some relationships or interests. This is what our Holy Prophet prohibited and considered this a path of betrayal of Allah. Al-Asma'i reported that a son of Omar Ibn Al-Khattab (may Allah be pleased with them), without mentioning his name, asked Omar to give him some of his money, or the money of Muslims, so Omar said: You want me to meet Allah as a traitorous ruler? Would you ask me to give you from my money? Then he gave him something good, which he named, from his money (Ibn Duraid, 1984:88). Through the aforementioned discussion, it is clear that Islam preserves public money from breach of trust.

- **The Crime of Appropriating the Cash Money by Employees and Workers in a Place without a Legal Basis (Embezzlement)**

The noble Sharia prohibits embezzlement of public money and considers it one of the most severe forms of taking money unlawfully, even from private money, as it is a violation

of the right of society and not only the right of an individual. Private money has someone who protects it, but it is the responsibility of society as a whole to protect public money, and what proves the prohibition of embezzlement is what Adi bin Amira al-Kindi said: I heard the Messenger of Allah (may peace be upon him) say: Whoso from you is appointed by us to a position of authority and he conceals from us a needle or something smaller than that, it would be misappropriation (of public funds) and will (have to) produce it on the Day of Judgment. The narrator says: A dark-complexioned man from the Ansar stood up-I can visualise him still-and said: Messenger of Allah, take back from me your assignment. He said: What has happened to you? The man said: I have heard you say so and so. He said: I say that (even) now: Whoso from you is appointed by us to a position of authority, he should bring everything, big or small, and whatever he is given therefrom he should take, and he should restrain himself from taking that which is forbidden.." (Musnad Ahmad, Hadith No. 29/261).

Another evidence for the criminalization and prohibition of embezzlement from public money is what was narrated by Zaid bin Khalid Al-Juhani: " A man from the Companions of the Prophet (peace be upon him) died on the day of Khaybar. They mentioned the matter to the Messenger of Allah. He said: Offer prayer over your companion. When the faces of the people looked perplexed, he said: Your companion misappropriated booty in the path of Allah. We searched his belongings and found some Jewish beads not worth two dirhams.." (Musnad Ahmad, No. 28/258).

It was reported that Omar bin Al-Khattab (may Allah be pleased with him) said: "I do believe that this money can only be rectified through three things, that it be taken with the truth, given with the truth, and be withheld from falsehood, but I and your money are like the guardian of the orphan. If I have money, I will abstain, and if I am poor, I consume reasonably. (Al-Maroudi, 1058: 97). Through the previous evidence, the researcher concludes that the noble Sharia is a forerunner in criminalizing embezzlement of public money before all man-made laws and regulations.

- **The Crime of Transgression Against Roads, Public Facilities, Canals, and State Property**
Islamic Sharia criminalizes assault on public money. Among the forms of assault on public money is the transgression against roads, facilities, and state property. The researcher points out here that Islamic jurists believe that the road is a public utility that does not belong to anyone, and it shall not be monopolized by anyone. Rather, it is a means to achieve necessities, meet needs, and obtain benefits. Since this is the case, Sharia enacted rules and built foundations by which the rules of the road were organized, including; Considering the preservation of the road as a branch of the faith, and that transgressing it is an evil, forbidden, and rejected action. This is evidenced in the hadith of Abu Hurairah, may Allah be pleased with him, who said: "The Messenger of Allah [SAW] said: 'Faith has seventy-odd branches, the most virtuous of which is La ilaha illallah (there is none worthy of worship except Allah) and the least of which is removing something harmful from the road. And modesty (Al-Haya') is a branch of faith" (Sahih Muslim Hadith No. 35/58).

The evidence from this hadith is that Islam approved the preservation of the road and other state properties it includes, and made removing something harmful from it, whatever its kind, as a method of faith in Allah. Another thing that proves the prohibition of transgressing against the highway is that Hudhayfa bin Usayd narrated that the Prophet (peace and blessings of Allah be upon him) said: "Whoever harms Muslims in their ways, their curse shall be upon

him" (Al-Tabarani, Hadith No. 3050). The previous hadith carries a threat to anyone who commits the crime of harming Muslims on their roads. Among the common wrong actions that are considered forms of this crime are placing gas pipes in the roads, balconies, planting trees, pavilions, and putting wood and loads of grain and food on the roads. All of these forms are evil, whether harm is caused or not (Abu Hamid Al-Ghazali, 339).

- **The Crime of Imperfection of Work and Wasting Time**

Islamic Sharia prohibits imperfection in work and wasting the time allotted for it, and considers it a weakness of faith. The messenger of Allah, may Allah's prayers and peace be upon him, said: "Allah will be pleased with those who do their work in a perfect way." (Al-Albani, Hadith No. 1113). The jurists of the Islamic nation consider perfecting the work as one of the fruits of observing the almighty Allah, considering that Allah knows and is aware of what we do of deeds, the almighty Allah says: "[O Mohammed] You do not get into any situation, nor do you recite any Quran, nor do you do anything, but We are watching over you as you undertake it. Not even an atom's weight, on earth or in the sky, evades your Lord, nor is there anything smaller or larger, but is in a clear record" (Yunus, 61). The true Muslim is the one who makes Allah's observance of him in his work higher and more hopeful than the observation of his manager, this is self-monitoring (Murad, 2021).

- **The Crime of Profiting from a Work**

Among the behaviors that represent an assault on public money in Islamic Sharia is that the worker profits from the work or exploits it for his personal purposes, and the jurists of the nation consider this a form of betrayal of trust and a waste of public money (Al-Toukhi, 2011, p.3).

Islam entrusts the worker with the money under his hands, considering it the money of the state. Therefore, it is the money of the nation. It is forbidden to transgress against it or profit and benefit from it personally. This is evidenced in the hadith narrated by Abu Humaid As-Sa`idi: "Allah's messenger appointed a man called Ibn Al-Lutabiyya to collect the Zakat from Bani Sulaim's tribe. When he returned, the Prophet called him to account. He said (to the Prophet, 'This is your money, and this has been given to me as a gift.' On that, Allah's messenger said, "Why didn't you stay in your father's and mother's house to see whether you will be given gifts or not if you are telling the truth?" Then the Prophet addressed us, and after praising and glorifying Allah, he said: "Amma Ba'du", I employ a man from among you to manage some affair of what Allah has put under my custody, and then he comes to me and says, 'This is your money and this has been given to me as a gift. Why didn't he stay in his father's and mother's home to see whether he will be given gifts or not? By Allah, not anyone of you takes a thing unlawfully but he will meet Allah on the Day of Resurrection, carrying that thing. I do not want to see any of you carrying a grunting camel or a mooing cow or a bleating sheep on meeting Allah." Then the Prophet raised both his hands till the whiteness of his armpits became visible, and he said, "O Allah! Haven't I conveyed (Your Message)?" The narrator added: My eyes witnessed and my ears heard (that Hadith)." (Bukhari, Hadith No. 6979).

- **The Crime of Squandering and Indifference Towards Public Money**

Islam forbids assaulting, wasting, and squandering public money. Preserving public money is a noble characteristic that combines trust and observation, it is also one of the most glorious

values that a Muslim shall possess in compliance with the what the almighty Allah said: "O you who have believed, do not betray Allah and the Messenger or betray your trusts while you know [the consequence]" (Al-Anfal, 27).

One of the evidences of the necessity of preserving public money and prohibiting squandering it is what narrated about Ali Bin Abi Talib, may Allah be pleased with him, he said: I saw Omar bin Al-Khattab, may Allah be pleased with him, running, so I said: O Commander of the Faithful, where are you going? He said: one of the camels of charity ran away. Ali said: you have humiliated the caliphs after you. He said: O Abu al-Hasan, do not blame me, for by the one who sent Muhammad with prophethood, if a lost sheep under my care were to die on the banks of the Euphrates, I would expect the almighty Allah to question me about it on the Day of Resurrection (Al-Jawziyya, 1409, p. 161).

- **Concealment and Evasion from Paying Tax and Zakat, and Assaulting its Collectors**

This crime was widespread in the early ages of Islam, especially after the death of the Prophet, may Allah bless him and grant him peace. After the death of the Prophet (may Allah bless him and grant him peace), Muslims were exposed to a great test represented in the apostasy of a large group of Arabs from Islam. Many of them withheld the zakat that they used to pay to the Prophet, may Allah's prayers and peace be upon him, but the successor of the Messenger of Allah, Abu Bakr al-Siddiq, may Allah be pleased with him, confronted them. Abu Hurairah said: "When the Messenger of Allah died and Abu Bakr was appointed as Khalifah, and some of the Arab's disbelieved, Umar said: 'O Abu Bakr! How can you fight the people when the Messenger of Allah said: I have been commanded to fight the people until they say La ilaha illallah (there is none worthy of worship except Allah). Whoever says La ilaha illallah, his life and his property are safe from me, except for its right, and his reckoning will be with Allah?' Abu Bakr, may Allah be pleased with him, said: 'By Allah, I will surely fight those who separate prayer and Zakah, for Zakah is what is due on wealth. By Allah, if they withhold from me a small she-goat that they used to give to the Messenger of Allah I will fight them for withholding it.' (Umar said) 'By Allah, when I realized that Allah, the Mighty and Sublime, had opened the chest of Abu Bakr to fighting, then I knew that it was the truth." (Al-Bukhari, Hadith No. 1399).

Through the previous hadith, it is clear that Islam criminalizes and forbids concealment and evasion from paying of zakat, and consider it a violation of one of the rights protected and guaranteed in the state, which is public money.

- **The Crime of Theft, Damage and Sabotage**

It was previously explained that Islam forbids everything that may endanger public interests, or may harm them. Stealing public money and destroying and sabotaging public property are crimes that are forbidden in Islam. There are a group of forms in our contemporary reality that fall under this type of crimes represented in stealing water and electricity, stealing and damaging street lights, stealing and destroying garbage containers on the roads, among other forms.

The prohibition of theft by the sunnah is evidenced in what the almighty Allah said: "As for male and female thieves, cut off their hands for what they have done—a deterrent from Allah. And Allah is Almighty, All-Wise" (Al-Ma'idah, 38). The evidences from the sunnah is what Abu Hurairah, may Allah be pleased with him, reported: "The Messenger of Allah said; 'Allah curses the thief who steals an egg and had his hand cut off, and who steals a rope and has his hand cut off" (Al-Bukhari, Hadith No. 6783).

Islam, in general, considers theft as one of the things that weaken faith, as it contradicts the nature of faith. This is evidenced by what Ibn Abbas “may Allah be pleased with him” reported, that the Prophet (peace and blessings of God be upon him) said: “When an adulterer commits illegal sexual intercourse, then he is not a believer at the time, and when a thief steals, then he is not a believer at the time of stealing” (Al-Bukhari, Hadith No. 2475). By reviewing the above-mentioned forms, it is concluded that at a time when the whole world is searching for foundations and theories to protect public money, we find that Islamic Sharia includes all measures that provide and guarantee protection for public money. This calls for all positive legislators to employ them. Islam prohibits any assault on public money, guarantees its protection from being violated, and establishes worldly and hereafter punishments according to the will of the almighty Allah.

Discussion and Conclusion

The study concludes that public money is one of the most important factors supporting the renaissance of societies, and it is the basis on which the process of renaissance of peoples and states is built. The study also concludes that Islamic Sharia considers public facilities as part of public money, according to the opinion of the majority of jurists regarding the concept of public money. The study concludes that Islamic Sharia pays attention to public money, guarantees its protection from any assault, criminalizes any attempt to violate it, and considers assaulting public money as one of the biggest sins. The study concludes that the jurists of the noble sharia consider the protection of public money as one of the broadest doors of enjoining good and forbidding evil as the almighty Allah has commanded us to do so. The study also concludes that our Noble Messenger (may Allah bless him and grant him peace) was the first to lay the general foundations for protecting the money of the Islamic state, and the caliphs follow in his footsteps. The study concludes by presenting a set of forms of abuse of public money according to what is indicated by the eminent jurists of sharia, based on the Quran, the Sunnah of the Messenger, and the actions of the Companions. The study concludes that the most serious forms of assault on public money mentioned by the jurists are: the crime of betrayal of trust, embezzlement, assault on roads, public facilities, canals and state's properties, imperfection of work, wasting time, profiting from the job, indifference to public money, and evasion for paying zakat. At the conclusion of his study, the researcher recommends:

1. Taking advantage of what is approved by the provisions of Islamic jurisprudence in the context of enacting the protection of public money.
2. Amending man-made laws in Islamic countries to comply with what is approved by Islamic Sharia within the framework of protecting public funds.
3. Holding educational and religious awareness meetings that show the public the danger of assaulting public money and the consequences thereof.

References

- Abidin, M. (1407). A footnote to the response of Al-Mukhtar to Al-Durr Al-Mukhtar. The Arab Heritage Revival House Press. Beirut, Lebanon.
- Alsharif, A. H., Salleh, N. Z. M., & Baharun, R. (2021a). The neural correlates of emotion in decision-making. *International Journal of Academic Research in Business and Social Sciences*, 11(7), 64-77.
- Jarir, M. (1987). History of Nations and Kings. Dar Al-Fikr, Beirut, Lebanon.
- Al-Jawziyah, I. (1409). The virtues of Imam Ahmad ibn Hanbal. 2nd floor. 71-74.

- Alsharif, A. H., Salleh, N. Z. M., & Baharun, R. (2021c). Neuromarketing: The popularity of the brain-imaging and physiological tools. *Neuroscience Research Notes*, 3(5), 13-22.
- Alsharif, A. H., Salleh, N. Z. M., & Baharun, R. (2021b). Neuromarketing: Marketing research in the new millennium. *Neuroscience Research Notes*, 4(3), 27-35.
- Al-Suyuti, J. (1378). *Parallels and isotopes*. Mustafa Babi Al-Halabi Press.
- Alsharif, A. H., Salleh, N. Z. M., & Baharun, R. (2021d). To better understand the role of emotional processes in decision-making. *International Journal of Academic Research in Economics and Management Sciences*, 10(2), 49-67.
- Al-Zarkashi, M. (1981). *scattered in the rules*. Investigated by Tayseer Mahmoud. Gulf Foundation Press. Ministry of Awqaf, Kuwait.
- Alsharif, A. H., Salleh, N. Z. M., Baharun, R., Abuhassna, H., & Alsharif, Y. H. (2022). Neuromarketing in Malaysia: Challenges, limitations, and solutions. *International Conference on Decision Aid Sciences and Applications (DASA)*, Chiangrai, Thailand. 740-745.
- Alsharif, A. H., Salleh, N. Z. M., Baharun, R., Abuhassna, H., & Hashem, A. R. E. (2022). A global research trends of neuromarketing: 2015-2020. *Revista de Comunicación*, 21(1), 15-32.
- Alsharif, A. H., Salleh, N. Z. M., Baharun, R., & Alharthi, R. H. E. (2021e). Neuromarketing research in the last five years: a bibliometric analysis. *Cogent Business & Management*, 8(1), 1978620.
- Al-Tus, M. (505 AH). *Revival of religious sciences*. Knowledge House. Beirut, Lebanon.
- Al-Musleh, A. (1982). *Private property in Islamic law*. Publications of the World Federation of Islamic Banks.
- Al-Nafrawi, A. (1374 AH). *Al-Fawakh Al-Dawani on the letter of Ibn Abi Zaid Al-Qayrawani*. 3rd Edition. Mustafa Babi Al-Halabi Press. Egypt.
- Al-Matari, M. (2010). *Measures to protect public money*. Master Thesis. Omdurman Islamic University. Sudan.
- Al-Sallabi, A. (2002). *The chapter of the speech in the biography of Omar bin Al-Khattab*. Dar Al-Iman, Alexandria. Alexandria, Egypt.
- Ahmed, Z. (1983). FISCAL POLICY AND RESOURCE ALLOCATION IN ISLAM . In *International Centre for Research in Islamic Economics*. pp.93-97.
https://iei.kau.edu.sa/Files/121/Files/152672_17-FiscalPolicy.pdf
- Ali, A. (2020). Punishment of Stealing from Public Money: A Contrastive Jurisdical Study. *International Journal of Psychosocial Rehabilitation*, 24(1), 12187–12194.
<https://doi.org/10.37200/IJPR/V24I1/PR200714>
- Khan, M. (2001). *Public Finance in Islam*. *Islamic Studies*.
<https://www.jstor.org/stable/20837096>
- Kuran, T. (2001). The Provision of Public Goods under Islamic Law: Origins, Impact, and Limitations of the Waqf System. *Law & Society Review*, 35(4), 841.
<https://doi.org/10.2307/3185418>
- Rushdi, M. (1986). *Embezzlement in Money Crimes*. Cairo University, 2nd floor. Cairo, Egypt.
 (Sahih Al-Bukhari, Hadith No. 6260).
 (Sahih Al-Bukhari, Hadith No. 2950).
 (Sahih Al-Bukhari, Hadith No. 6979).
 (Sahih Al-Bukhari, Hadith No. 6783).
 (Sahih Al-Bukhari, Hadith No. 1399).
 (Sahih Al-Bukhari, Hadith No. 2475).
 (Sahih Muslim Hadith No. 35/58)

(Musnad Ahmad, Hadith No. 29/261).

(Musnad Ahmad, No. 28/258).

(Al-Hakim, Hadith No. 4/87).

(Al-Tabarani, Hadith No. 3050).