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Ibn Qayyim al-Jawziyyah's Usury Concept

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Abstract

This article uses a literature review approach focusing on explaining how the concept of usury in the view of Ibn al-Qayyim al-jawziyyah. This article asserts that usury is one of the forbidden transactions in Islam because it is recorded in the letter of Al-Baqarah verse 275, In interpreting the verse related usury, Ibn al-Qayyim explains that usury is divided into two namely *riba fadl* and *usury nasiyah*. The usury has become a core in conventional banking in modern times better known as *flowers*.

Keywords: Ibnu Al-Qayyim, Usury, Interest Bank

JEL Classification: A10, B00, B30,

A. PRELIMINARY

The practice of usury already existed before Islam came. When Islam comes, the practice of usury is prohibited in the economic activities of the society. The usury is one type of economic transactions in real terms run and developed before Islam came. This is a phenomenon that characterizes the economic activities of the society.

Al-Quran and al-Hadits strictly practice the usury law is forbidden, but because it is not limited clearly so as to generate a different understanding in interpreting against usury. The legal debate about usury does not have a serious polemic, but the issue that arises when the discussion of usury is associated with interest, meaning perceived that bank interest equals usury.

Economically, the prohibition of usury will ensure the flow of investment to be optimal, the implementation of zakat will increase aggregate demand and encourage property to flow into investment while banning *maisir*, *gharar*, and false things will ensure investment flows

into the real sector for productive purposes.¹ Thought Ibn Qayyim is very large in Islamic scholarship, among others about usury. Ibn Qayyim divides usury into two parts: jali and khafi. The Usury jali is usury nasi'ah, forbidden for bringing a large damage. The perfect usury (usury of al-Kamil) is usury of nasi'ah. This usury runs in the days of ignorance. While usury khafi was forbidden to cover the occurrence of the jali usury (wa al-khafi haramun li annahu zari'atun ila al-jali).²

B. METHODOLOGY

The method used in the concept of Usury According to Ibn al-Qayyim al-Jawziyyah through textual exegesis (text analysis).³ Namely collecting actual data by conducting literature studies of some written literature in the scope of the existing problem, quoting and synchronizing the text and taking into account the context and drawing conclusions. Primary data that the author uses the original work of Ibn al-Qayyim, among others I'lam al-Muwaqqi'in.

C. LITERATURE REVIEW

Research Abdul Azim Islahi (1982) entitled Economic thought of Ibn al-Qayyim (1292-1350). Explains that Ibn Qayyim discusses price control, oversight of economic activities and market mechanisms aimed at social interests, justice enforcement, the abolition of exploitation and the hardships of economic life.

Umer Chapra in *The Future of Islamic Economic*, (2000). All of them criticize and forbid the interest, whether consumptive or productive, whether small or large because the interest has caused a very bad impact on the world economy and various countries.

D. DISCUSSION

Ibn Qayyim whose full name is Sham al-Din ash 'Abdullah Muhammad Ibn Abu Bakr, Born in Damascus 7 safar 691 H (January 29, 1292 AD), precisely when the Mamluk dynasty came to power in Egypt and Syria. In that period in general, Muslims are experiencing a period of decline in both the political, economic and social religious midwives.⁴

¹ Ascarya, *Akad dan Produk Bank Syariah*, Jakarta: RajaGrafindo Persada, 2007. p. 8

² Ahmad Sukarja, *Riba, Bunga Bank, dan Kredit Perumahan*, (Jakarta: Pustaka Firdaus, 1995), p. 35.

³ Marcuzzo, M. C. (2008). Is history of economic thought a "serious" subject?. *Erasmus Journal for Philosophy and Economics*, 1(1),107-123. p. 108.

⁴ Harun nasution, *Islam ditinjau dari berbagai Aspeknya* (Jakarta: UI Press, 1985), Jilid I, p. 79

In his childhood, Ibn Qayyim studied with Ibn Taymiyyah until graduating by mastering various sciences. Ibn Qayyim stands out compared to his friends in terms of scholarship and stronger every argument. Sealing it Ibn Qayyim clever in providing explanations and more fluent in communicating. Therefore, this is what causes Ibn Qayyim support himself in writing works in the discipline of science. Then give direction to the layers of society in upholding the truth.⁵

THE CONCEPT OF USURY

In explaining the concept of usury in the view of Ibn Qayyim then we need to explain the first wisdom of the difference between the sale of similar goods and the sale of goods that are not similar. In the context of usury. According to him, the expression is forbidden to exchange one Mud of wheat bran with one mud of the same wheat grain plus a handful, and vice versa allowed to exchange with a bunch of dry grain seeds. From the explanation, Ibn Qayyim divides usury into two kinds, the first Jali usury, (clear) and second, is Riba Khafi, (Samar) Jali usury is usury of nasi'ah, while usury of khafi is usury of fadl. The usury of jali is forbidden because it contains a great damage, while usury of khafi is forbidden because heading to the road usury of jali, or forbidden for being maqs, and forbidden the second as Zari'ah, anticipative steps.⁶

Ibn Qayyim asserts that the ratio and perception of man is limited in revealing the secrets of the law of Allah, the affirmation seen from the confession and the weakness shows the attitude of Ibn Qayyim as a tawadu 'which in the Koranic language is called al-Rasikh fi al-ilmi , The terms Khafi and Jali used by Ibn Qayyim in this regard are new terms of his day and are not found other than He in the use of the Jali and Khafi Terms. In this case, the mention of the new term is Ibn Qayyim's attempt at giving a new nuance.

Ibn Qayyim is very careful in defining usury of Jali, in this view of a scholar Ibn Hambal he uses, in fact, Usury is someone who has debt then told him, whether to pay off or pay more? then if not able to pay off then he must give ziyadah, to the principal property due to the delay of time given, to him.

God makes usury as opposed to Sadaqah. In a hadith of the Prophet: Meaning: from Ibn Abbas, from Usama bin Zaid that the Prophet Muhammad said: "That Usury is only in Nasi'ah". According to Ibn Qayyim, Sigat Hasr ie Innam, on the hadith shows Sigat Hasr

⁵ Muhammad Ali As- Sayyis, Sejarah Fikih Islam (Jakarta: Pustaka Al- Kautsar, 2003), p 187

⁶ Ibnu Qayim al-Jawziyyah, I'lam al-Muwaqqi'in, (Beirut: Dar al-fikr, tt) II, p. 103.

Wea that means perfect usury, only usury of nasi'ah. Meanwhile, when discussing usury of khafi which is actually none other than usury of fadl, then according to Ibn Qayyim its forbidden is through (sadd al-Zari'ah), ie one of Ushul fiqh rule which means to close the road. Or in the cool language is a preventive step, because it will lead to usury of nasi'ah. This is based on Ibn Qayyim by showing the argument presented by Abi Sa'id al-khudri, from the Prophet Muhammad SAW: Meaning: Do not make Transactions of one dirham with two dirhams, in fact I'm afraid you will do al-Rima, so according to Ibn Qayyim banning usury of fadl or usury of khafi is because of the fear of falling into usury of nasi'ah it will happen if one dirham exchanged by two dirhams.⁷

The Prophet forbade the trade, while Ibn Qayyim further explained that there are some commodities in use by using usury of fadl, and fiqh scholars agree on the six commodities if there are advantages, in one kind. But for the six commodities, they differ great opinions. They argue that in fact, the usury of its prohibited methodology based on qiyas is a weak illat methodology, whereas according to Imam Shafi'i and Imam Ahmad, which is unlawful in terms of food alone, according to Ibn Qayyim this opinion is the most powerful.⁸

Thought Ibn Qayyim associated with the concept of jali usury appears in wake and b fiqh rules that are accountable and argumentative. Ibn Qayyim fondly tolerates usury of based on jali with the condition that darurah. As allowed to consume food and drinks are forbidden under the same conditions, this ijtiḥad is a deep effort made by Ibn Qayyim in this aspect of thought about the concept of usury of jali. This thinking is a deep thought in the aspect of the needs and the benefit of the people as a whole.

The thought of Ibn Qayyim is an advanced thought in his day and as a contemporary banking discourse, on the other hand, when we hold on to emergency rule in some excluded circumstances to allow forbidden, indicating that Islam is concerned with human reality and weaknesses and needs and the demands of life he faces. But as we see the opinion of Al-Zuhaili, the permissibility in Ibn Qayyim's intentions is an Ijmali, the abolition of sin and the punishment of the ukhrawi in the sight of Allah. Not the skill of the essence.⁹

Hence, Ibn Qayyim indirectly shows the difference between al-Hajjah and al-Darurah. From the beginning, between usury al-Khafi with riba al-Jali, riba al-Khafi is forbidden because as an anticipation (Sadd az-Zari'ah). While Al-Jali is allowed under emergency

⁷ Ibnu Qayim al-Jawziyyah, *I'lam al-Muwaqqi'in*, (Beirut: Dar al-fikr, tt) II, p. 104.

⁸ Ibnu Qayim al-Jawziyyah, *I'lam al-Muwaqqi'in*, (Beirut: Dar al-fikr, tt) II, p. 104

⁹ Wahbah Zuhaili, *al-Fiqh al-Islami wa Adillatuhu*, Beirut: Daar al-Fikr, 2004. p 247

conditions.¹⁰ Al-Darurah is stronger than al-Hajjah, while al-Hajjah is awakened in a state of spaciousness and convenience which man can abandon, besides, the provisions of the exceptions law of emergency, generally a temporary permissibility of something that has been forbidden clearly, whereas the provisions of the law built on the principle of al-Hajjah are generally not contradictory to the sash, but contrary to qiyas or general Rules.

E. CONCLUSIONS

Based on the view of Ibn Qayyim Jauziyyah that usury becomes two kinds, first, usury of jali, and second, usury of khafi, usury jali is riba which contains great damage, while usury of khafi is usury containing or if done bring the practice to usury of jali. The jali Usury can be tolerated in an emergency and usury of khafi in need condition as well as the view that interest-free transactions are transactions that promote justice values, avoid exploitation, and stay away from monopolies. The implications of this thought are first, to reinforce the argumentation of Islamic banking that has been running. Second, it neutralizes extreme opinions that express the pretexts to conventional Banks. Third, look at some criticisms on the performance of Islamic banking which is still in the weak value and not fully hold the principle of profit and loss sharing and free of interest

BIBLIOGRAPHY

- Ali As- Sayyis.(2003) Sejarah Fikih Islam. Jakarta: Pustaka Al- Kautsar.
- Ascarya. (2007). Akad dan Produk Bank Syariah. Jakarta: Raja Grafindo Persada.
- Economic Thought Of Ibn Al-Qayyim (1292–1350 A.D.). King Abdul Aziz University, Jeddah (1984).
- Ibnu Qayim al-Jawziyyah, I'lam al-Muwaqqi'in, (Beirut: Dar al-fikr, tt) II.
- Islahi, Abdul Azim. (1982): *Economic thought of Ibn al-Qayyim (1292–1350)*
- Marcuzzo, M. C. (2008). Is history of economic thought a " serious" subject?. Erasmus Journal for Philosophy and Economics, 1(1),107-123.
- Nasution, Harun (1985). Islam ditinjau dari berbagai Aspeknya, Jakarta: UI Press.
- Sukarja, Ahmad. (1995)Riba, Bunga Bank, dan Kredit Perumahan. Jakarta: Pustaka Firdaus.
- Zuhaili, Wahbah. (2004) al-Fiqh al-Islami wa Adillatuhu, Beirut: Daar al-Fikr.

¹⁰ Nazariyah, Jurnal Syari'ah Vol. II, No. II, Oktober 2014 al-Muji'ah, p. 247.-256

