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الأبعاد الشخصية والاجتماعية لمفهوم الأمانة: نظرة مقاصدية

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Personal and Social Dimensions of Trust: A Maqasidic Approach

Homam Altabaa[1]   **Ameelia Husna Samsudin[2]**

<div dir="rtl">

همام الطباع   اميليا حسنى سمس الدين

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ملخص البحث

هذا البحث يتناول موضوع: أثر المقاصد الشرعية على الأحكام المستجدة في الصلاة في ظل جائحة كورونا وهو تلبية لمقتضيات الواقع كأساس من الأسس المهمة بسبب هذه الجائحة التي عمت كل الأرض وتأثيرها على حياة الناس الخاصة والعامة، ويهدف البحث إلى تعريف المقاصد الشرعية والعبادة كما يهدف إلى أحكام تعليق إغلاق المساجد، والأحكام المستجدة في صلاة الجمعة والجماعة وترجيح الأحكام وأسباب الترجيح كما خلص الباحث أن للمقاصد الشرعية دور في تكييف الأحكام المستجدة في الصلاة في ظل جائحة كورونا وترجيح هذه الأحكام بناءً على المقاصد الشرعية، وكذلك أن حكم تعليق إغلاق المساجد يحقق مقصد من مقاصد الشريعة العظيمة ألا وهو الحفاظ على الأنفس وحمايتها ووقايتها من المخاطر، وتبيين إقامة صلاة الجمعة والجماعة في البيوت عوضاً عن المساجد في ظل جائحة كورونا ، وعملاً بالقاعدة الفقهية،(إذا ضاق الأمر اتسع)،وقاعدة (لا ضرر ولا ضرار) واتخذ الباحث المنهج الوصفي التحليلي.

الكلمات المفتاحية: المقاصد الشرعية، الأحكام المستجدة، العبادة، كورونا.

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Abstract:

Maqasid al-Shariah refers to the greater and higher purposes or goals that are embedded in the Shariah or Islamic law to realize and protect the virtues or interests (maslahah) of human beings in all aspects of life. This paper seeks to explore the various dimensions of the concept of trust from an Islamic perspective with a special

[1] PhD, Lecturer at the Department of Fundamental and Inter-Disciplinary Studies, Kulliyyah of Islamic Revealed Knowledge and Human Sciences, International Islamic University Malaysia. drhomam@iium.edu.my

[2] Student, Department of Islamic Law, Ahmad Ibrahim Kulliyyah of Laws, International Islamic University Malaysia. ahshusna@gmail.com

reference to the theory of Maqasid al-Shariah. Trust principally means the belief in the reliability of someone or something to carry out their roles and responsibilities. It is a foundational value in the Islamic system that addresses the lives of individuals and of groups on micro and macro levels. As the implications and effects of trust are important and pervasive, this study serves as a basis to critically realize the value of trust in Islam. Accordingly, the paper presents an overview of Maqasid al-Shariah as a framework that guides Islamic practices before examining the value of trust within this framework. Subsequently, the utility of trust in Islam is further explored and assessed through evidence from the Quran and Sunnah .

Keywords: Maqasid al-Shariah, Dimensions of trust, Daruriyyat, Contemporary maqasid.

The concept of *Maqāṣid al-Shariah* is a very important concept in Islamic law. The *maqāṣid* are the greater and higher purposes or goals that are embedded in the Shariah to realize and protect the virtues and interests (*maṣlahah*) of human beings in all aspects of life. It represents a system of values that could contribute to a sound and thus utilitarian application of the Shariah.[3]

Generally, in the discussion of dynamic evolution of this legal theory, several prominent jurists are cited due to their significant contributions to the development of *Maqāsid al-Shariah*. Muhammad bin Idris al-Shafi'ī (767-820) could arguably be the propounded of *maqāsid* as he referred to this theory in his writings on *usūl al-fiqh* about the underlying wisdom of the Shariah. Renowned jurists who advanced and refined this theory such as al-Juwaynī, al-Ghazali and al-'Izz ibn Abd al-Salam (1181-1262) were disciples of the Shafi'i school of law. Al-Shafi'i famously divided

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[3] Jasser Auda, "A Maqasidi Approach to Contemporary Application of the Shariah," *Intellectual Discourse* 19, no. 2 (2011): 194.

maṣlahah into three levels, namely, the necessities (*ḍaruriyyāt*), the needs (*hajiyyāt*) and the embellishments (*tahsiniyyāt*).[4]

The concept of *maqāsid* has been developed gradually by scholars of Islamic law to become a well-formulated theory. It is noteworthy to mention the eminent foundational efforts of Abu al-Ma'ali al-Juwaynī (1028-1085) who introduced a theory about 'levels of necessities' in his book entitled *al-Burhān fī Usūl al-Fiqh*. These five levels are necessities (*ḍarūrāt*), public needs (*al-hājah al-'amah*), moral behaviour (*al-makrumāt*), recommendations (*al-mandubat*) and 'what cannot be attributed to a specific reason.'[5] He suggested that protection (*al-'ismah*) for people's 'faith, souls, minds, private parts and money' is the higher goal (*maqsad*) that the Shariah intends to achieve.[6]

Abu Hamid Al-Ghazali (1058-1111) elaborated the purposes of Shariah in three levels of necessities, namely, necessities (*dharuriyyat*), needs (*hājiyyāt*) and embellishments (*tahsiniyyāt*).[7] In his book entitled *al-Mustasfā*, he further arranged the necessities that al-Juwayni suggested in the order of priority, starting with faith as the most imperative, followed by soul, mind, offspring, and wealth, respectively. He also coined the term 'preservation' (*al-hifz*) of these five necessities. This order of priority implies that a higher-order necessity should have priority over a lower-order one in cases where the two are in conflict.

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[4] Abdullahi Abubakar Lamido, "Maqasid al-Shari'ah as a Framework for Economic Development Theorization," *International Journal of Islamic Economics and Finance Studies* 2, no. 1 (2016): 31-32.

[5] Al-Juwayni, al-Burhan fi Usul al-Fiqh, 4th ed., vol. 2, pp. 621, 622, 747 (as cited in Jasser Auda, 2007, 17).

[6] Ibid.

[7] Ibrahim Abiodun Oladapo & Asmak Ab Rahman, "Maqasid Shari'ah: The Drive for An Inclusive Human Development Policy," *Shariah Journal* 24, no. 2 (2016): 292.

The evolution of the theory of *maqasid* can be said to have reached its peak during the time of Abu Ishaq al-Shatibī (1320-1388) through his book *al-Muwāfaqāt fi Usūl al-Shari'ah*. This book became the standard reference on *Maqāsid al-Shariah* until the twentieth century. Al-Shatibi developed the theory of *maqāsid* in three substantial ways, which are; (1) from 'unrestricted interests' to 'fundamentals of law', (2) from 'wisdoms behind the ruling' to 'bases for the ruling' and (3) from 'uncertainty' (*zanniyah*) to 'certainty' (*qat'iyyah*). [8] He suggested a moderate approach to identify *maqāsid* where one should not be too rigid in interpreting legal texts, but should pay utmost consideration to the objectives and rationales beyond the text. Al-Shatibi's contributions in expanding the concept of *Maqāsid al-Shariah* has paved the way for contemporary scholars to further develop this theory to meet the needs of mankind in the present world. An example of this would be including the basic and most universal human rights such as justice and freedom as a part of *Maqāsid al-Shariah*.[9]

Afterwards, Taqi al-Din ibn Taimiyyah (1263-1328) widened the scope of *maqāsid* to an open-ended list of values. He rejected the approach that confined *maqāsid* to a specific number and stressed significant values such as the fulfilment of contracts, preservation of familial ties, respect for the rights of neighbours, the qualities of sincerity, love to God, trustworthiness and others.[10] He submitted that there are many other higher purposes or goals that the Shariah intended for mankind which can be inferred from the verses of the Quran as well as the *hadith*. For

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[8] Jasser Auda, *Maqasid al-Shariah as Philosophy of Islamic Law. A Systems Approach* (Washington: International Institute of Islamic Thought, 2007), 20.

[9] Ibid., 6.

[10] Mohammad Hashim Kamali, "Maqaṣid al-Sharī'ah: The Objectives of Islamic Law," *Islamic Studies* 38, no. 2 (1999): 200.

instance, ibn Taimiyyah added to the list of *maqāsid* the concept of unity of the Muslim ummah,[11] which he extracted from the Quranic verse:

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وَاعْتَصِمُوا بِحَبْلِ اللَّهِ جَمِيعًا وَلَا تَفَرَّقُوا

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And hold firmly to the rope of Allah all together and do not become divided… [Surah Ali 'Imran: 103] In addition to that, he also incorporated the principles of *da'wah*, *jihad*, struggle against one's desire as well as establishing justice and removing injustice from society to the list of *maqāṣid*.[12] These additions are relevant to modern communities as they can provide solutions to contemporary issues and answer the call for dynamism and flexibility facing the Shariah to suit the needs of a rapidly evolving world.

In more recent times, Muhammad al-Tahir ibn Ashur (1879-1973) became one of the most renowned scholars in the development of contemporary *maqāsid*. He proposed that the *maqāsid* should be made universal to be able to deal with the problems and issues of the contemporary Islamic world.[13] *Maqāṣid* should be used as a method to revamp the theory of Islamic law which has not undergone drastic developments from the eighth to the fourteenth centuries of Hijrah. For example, ibn Ashur suggested that the universal *maqāṣid* of the Shariah is to maintain 'orderliness, equality, freedom, facilitation and the preservation of pure natural disposition (*fitrah*)'.[14] By upholding the principle that the Shariah is intended to cover all aspects of life, he also expanded the traditional theory of levels of necessities (*dharuriyyāt al-khamsah*) into a more holistic concept, such as

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[11] Gowhar Quadir Wani, "Beyond the Five Essentials: A Study of Ibn Taymiyyah's Extension of Maqasid al-Shari'ah" (conference paper, India International Islamic Academic Conference, India Islamic Cultural Centre, New Delhi, Aligarh Muslim University, UP, India, 2016).

[12] Ibid.

[13] Muhammad al-Tahir ibn Ashur, *Ibn Ashur Treatise on Maqasid al-Shari'ah*, trans. Muhammad el-Tahir el-Mesawi (Washington: International Institute of Islamic Thought, 2006), 71-72.

[14] Ibid., x.

developing the theory of 'preservation of lineage' into 'the preservation of the family system' and the 'protection of true belief' into 'freedom of beliefs.'[15]

Similarly, Yusuf al-Qaraḍāwī (1926) has also adopted a modernizing approach. He included universal *maqāṣid* such as 'preserving true faith, maintaining human dignity and rights, calling people to worship God, purifying the soul, restoring moral values, building good families, treating women fairly, building a strong Islamic nation and calling for a cooperative world.'[16] He criticized al-Ghazali's traditional list of necessities as too rigid and added a sixth necessity, which is the preservation of honour, i.e. keeping one's dignity and good name or reputation.[17] He submitted that Islam is a holistic religion; thus, concepts such as keeping one's dignity, enforcing peace, justice, preserving rights and public freedom and establishing the 'middle *ummah*' should as well be included as *maqāṣid*.[18] It can also be concluded from his writings that there are five main general *maqāṣid*, which are; to prioritize convenience (*taysir*), to uphold justice, to devote oneself to God (*ta'abbud*), to call for Islam (*da'wah*) and to observe *fitrah*.[19] Hence, everything that is attributable to these general *maqāṣid* should be included in the list in order to harmonize and synchronize Islamic principles with the reality of life.

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[15] Ibid., x.

[16] Yusuf al-Qaradawi. *Kayf Nata'amal Ma'a al-Qur'an al-'Azim?* 1st ed. (Cairo: Dar al-Shoruq, 1999) (as cited in Jasser Auda, 2007, 6-8).

[17] Yusuf al-Qaradawi. *Madkhal Li Dirasah al-Shari'ah al-Islamiyyah*. (Cairo: Maktabah Wahbah, 1990). p. 40 (as cited in Basri Ibrahim & Wan Yusuf Wan Chik, 2011, 242).

[18] Yusuf al-Qaradawi. *al-Siyasah al-Shar'iyyah Fi Daw'i Nusus al-Shari'ah Wa Maqasidiha*. 1st ed. (Cairo: Maktabah Wahbah, 1998). pp. 91-92 (as cited in Basri Ibrahim & Wan Yusuf Wan Chik, 2011, 242).

[19] Basri Ibrahim & Wan Yusuf Wan Chik, "Maqasid Shar'iyyah According to al-Qaradawi in the Book *al-Halal wa al-Haram fi al-Islam*," *International Journal of Business and Social Science* 2, no. 1 (2011): 244.

The Role of Trust in the Framework of M*aqāṣid al-Shariah*

Trust is one of the foundational values of the Islamic worldview as it aims to protect the *maslahah* or the interest of the mankind. *Amanah* (trust) is a virtue that must be observed by those who are entrusted with something and they cannot breach it as it is a sign of hypocrisy, as mentioned in a hadith narrated by Abu Hurairah, "There are three signs of a hypocrite: When he speaks, he lies; when he makes a promise, he breaks it; and when he is trusted, he betrays his trust."[20] If we were to group trust under one of the three traditional classifications of *maqāṣid*, it falls under the class of *daruriyyāt* which means necessity or the essentials without which will cause total disruption and mayhem. Therefore, trust must be incorporated in all aspects of human life and be upheld by all to ensure a successful realization of the Shariah in both worlds, in this world and the Hereafter.

Allah has enjoined the believers to have *amānah* and be trustworthy in all matters. In tandem with that injunction, the concept of trust will be examined on the personal level, microlevel and macrolevel of social interaction. The concept of trust at personal level examines how a person should apply trust in their daily activities to protect and realize the objectives of the Shariah. It shows how acts of worship on the individual level are also *amānah* which are entrusted upon every individual for the betterment of oneself as well as the society at large. Meanwhile, at the social microlevel, the significance of trust among people whom we are closest to will be examined as it will be a foundation of a bigger society. The third level is the social macrolevel in which it is essential to apply trust as it affects the society at large. If

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[20] Sahih al-Bukhari, The Book of Belief, Chapter 24, 33 and Sahih Muslim, The Book of Faith, Chapter 25, 59a.

trust is absent at this level, the *maqāṣid al-Shariah* will not be preserved, a failure of which will cause chaos and turmoil in the society.

Everyone will experience trust in their life, be it having to be trustworthy towards others or being entrusted with something that affects the society at large or even the trust one has towards God. At personal level, trust is essential as it becomes the determinant factor of one's level of faith and dependency to God. The virtue of trust one has in oneself prompts them to perform not only the obligatory (*wājib*) acts of *'ibadah* but also the optional (*mandūb*) ones. This is because one knows that performing *'ibadah* is one of the many commandments which Allah entrusted upon mankind for people are made to worship Him, as mentioned in the Quran,

$$\text{وَمَا خَلَقْتُ الْجِنَّ وَالْإِنْسَ إِلَّا لِيَعْبُدُونِ}$$

And I did not create the jinn and mankind except to worship Me. [Adh-Dhāriyāt: 56] One will perform *'ibadah* even when nobody else is aware of this because one knows that it is an *amānah* from Allah and Allah is *al-Baseer* (The All-Seeing) and *al-'Aleem* (The All-Knowing). One's sense of trustworthiness will trigger their self-consciousnesses, refraining them from doing sinful acts even when one is alone. For example, the quality of being trustworthy can be exemplified through the commandment to fasting during the day in the month of Ramadhan. A trustworthy person will not deliberately break their fast nor will they fake illness because one knows that that it is an act of worship which Allah has entrusted upon them as a vicegerent or *khalifah* on earth.[21] Thus, by having a high sense of trustworthiness,

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[21] Allah mentioned in Surah Al-An'am: 165: "And it is He who has made you successors upon the earth…"

"the protection of al-din at the individual level is achieved through the observance of the different kinds of Ibadah."[22]

In addition to that, trust must also be apparent in all activities in a Muslim's life as they are all considered as '*ibadah*.[23] A trustworthy person will ensure that they discharge their daily duties and obligations in accordance with the principles of Shariah to realize and protect its *maqāṣid*. As an example, the quality of being trustworthy which subsequently protects the wealth of a person can be illustrated by someone working in the business and trade sector. Such an individual must be trustworthy in all financial transactions such as giving full weight and measure:

وَيَا قَوْمِ أَوْفُوا الْمِكْيَالَ وَالْمِيزَانَ بِالْقِسْطِ وَلَا تَبْخَسُوا النَّاسَ أَشْيَاءَهُمْ وَلَا تَعْثَوْا فِي الْأَرْضِ مُفْسِدِينَ

And O my people, give full measure and weight in justice… [Hud: 85] and ensure that ribā' is not involved in the transactions as it is prohibited:

وَأَحَلَّ اللَّهُ الْبَيْعَ وَحَرَّمَ الرِّبَا

 …But Allah has permitted trade and has forbidden interest… [Al-Baqarah: 275] Another instance would be by someone in the education sector. A trustworthy educator or preacher will only teach and preach the truth on all matters to protect the intellect or the mind. Furthermore, as Muslims are also encouraged to practice *ijtihad* (independent reasoning),[24] a trustworthy judge will also be open to differences in

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[22] Muhammad Adil Khan Afridi, "Maqasid Al-Shari'ah and Preservation of Basic Rights. Under the Theme "Islam and Its Perspectives on Global & Local Contemporary Challenges."," *Journal of Education and Social Sciences* 4 (2016): 280.

[23] Muhammad Syukri Salleh, "Religiosity in Development: A Theoretical Construct of an Islamic-Based Development," *International Journal of Humanities and Social Science* 2, no. 14 (2012): 266-274 (as cited in Nik Ahmad Hisham Ismail et al., "Students' Islamic Personality," 756).

[24] Narrated by `Amr bin Al-`As: That he heard Allah's Messenger saying, "If a judge gives a verdict according to the best of his knowledge and his verdict is correct (i.e. agrees with Allah and His Apostle's verdict) he will receive a double reward, and if he gives a verdict according to the best of his knowledge and his verdict is wrong, (i.e. against

views and opinions and will decide on the best view to secure the greater good for all. Moreover, when a person has a sound understanding of the Shariah, they will put their absolute trust in Allah because they know that Allah is *Al-'Azeez* (The All Mighty). They will worship and pray to Allah alone and none other and leave their affairs to Allah (*tawakkal*) because they know that Allah will reward them for their efforts, grant their wishes[25] and Allah loves those who rely upon Him.[26] Therefore, by putting absolute trust in Allah, the objectives of the Shariah, specifically the religion, life, intellect and wealth of a person are preserved and protected.

Next, the social microlevel consists of people whom we know well, such as parents, siblings and family relatives. They are usually the people whom we are closest to. On this level, trust is very significant because it will be the foundation of a bigger society and this foundation will be the determining factor of whether the society that is to be built will grow into a healthy and harmonious society or an ill and hostile one. All members of a microlevel group, i.e. in a family, must uphold the principle of trust to preserve, *inter alia*, the honour or lineage and wealth of the family.

Trust in a family institution can be exemplified when Allah commands that a man should be responsible as the leader of the family, which includes the responsibility to maintain his wife and children, provide sufficient education for his family and guide them to strive for the best place in the Hereafter. The Quranic verse:

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that of Allah and His Apostle) even then he will get a reward ." (Sahih al-Bukhari, Book of Holding Fast to the Qur'an and Sunnah, Chapter 21, 7352 and Sahih Muslim, The Book of Judicial Decisions, Chapter 6, 1716a).

[25] In Surah Ghafir: 60: "And your Lord says, "Call upon Me; I will respond to you."…"

[26] Allah mentioned in Surah Ali 'Imran: 159: "… And when you have decided, then rely upon Allah. Indeed, Allah loves those who rely [upon Him]."

الرّجَالُ قَوَّامُونَ عَلَى النِّسَاءِ بِمَا فَضَّلَ اللَّهُ بَعْضَهُمْ عَلَى بَعْضٍ وَبِمَا أَنْفَقُوا مِنْ أَمْوَالِهِمْ

Men are in charge of women by [right of] what Allah has given one over the other and what they spend [for maintenance] from their wealth … [An-Nisa': 34] stipulates that men, or in the context of a family; a husband and father, is entrusted to maintain his family members in all aspects. A husband is entrusted not only by the Shariah, but also by his father-in-law to maintain his wife by providing her with *nafaqah,* shelter, food, clothing, medical treatment, and other necessities as much as to maintain her social standard before marriage. It is a well-known injunction that women are to stay at home: **And abide in your houses…** [Al-Ahzab: 33] This verse affirms that a husband should be the one working to maintain the family while the wife is entrusted with managing the house and children. However, if need be, women are also allowed to get out of their houses with strict observation of the Shariah injunctions such as wearing the *hijab*,[27] not wearing excessive perfume,[28] not showing off their physical charms[29] and avoiding speaking with soft voice with a non-mahram man.[30] When the husband discharges the trust put upon him, the honour of the husband and wife will be preserved.

In addition to that, parents must also be trustworthy towards their children. Raising children is also a form of protection of lineage.[31] Trustworthiness is one of the most important virtues as a parent. Parents must be trustworthy in caring for their children's welfare, managing their finance, providing them with the best possible

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[27] Surah An-Nur: 31 and Al-Ahzab: 59.
[28] It was narrated that Al-Ash'ari said: "The Messenger of Allah [SAW] said: 'Any woman who puts on perfume then passes by people so that they can smell her fragrance then she is an adulteress.'" (Sunan an-Nasa'i, The Book of Adornment, Chapter 35, 5126).
[29] Surah An-Nur: 31 and Al-Ahzab: 33.
[30] Surah Al-Ahzab: 32.
[31] Ahmad Muhammad Husni et al., "Family Problems - Wife's Work - and Its Solution in the Light of Maqasid Shariah," *Asian Social Science* 11, no. 18 (2015): 171.

education and nurturing them with Islamic values and ethics. For example, it is a common tradition to give 'duit raya' during Eid to family members, especially children. The children will usually give the money they got to their parents to be kept safely. In this situation, the parents cannot abuse the money because it belongs to their children and in essence, they are responsible to provide maintenance for their children. As their guardians, the parents are entrusted to manage their children's property until they are capable to manage the property themselves.[32] Parents also have no right to act on any of their children's property[33] for everyone has the right to acquire property and those who transgress and acquire the property of another without legitimate reasons will be punished severely.[34] This way, the wealth of the children is preserved.

A similar example would be in the case of managing the property of an orphan. An orphan's property will usually be managed by those who are entrusted by the orphan's father, or in the case that the father did not specifically appoint someone to do so, the property of the orphan will be managed by his grandfather. If the grandfather is unable to do so, the power to manage the orphan's property will fall to the hands of the mother or the next of kin.[35] In this situation, the one who is given the power to manage the orphan's property can be referred to as a trustee, and

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[32] Mochammad Arif Budiman et al., "Measuring Maqasid Al-Shari'ah at a Micro Level with Special Reference to the Preservation of Wealth," (conference paper, *The First International Conference on Shari'ah Oriented Public Policy in Islamic Economic System*, Ar-Raniry State Islamic University, Banda Aceh, Indonesia 2015).

[33] Ahmad Muhammad Husni et al., "Family Problems," 166.

[34] Surah Al-Baqarah: 188 and An-Nisa': 10.

[35] According to ibn Taimiyyah: "The guardianship (wilayah) on small children, the crazy ones, the safih (stupid and of weak mind) lies on all relatives." See *al-Fatawa al-Kubra, Ibn Taimiyyah (5/397).* In addition to that, he also said: "It is not permissible to manage the property of orphans except by a strong person, someone who has expertise in what he is entrusted with, amanah in managing it, and if the guardian (wali) does not have the above-mentioned characteristics, it is obligatory switch him with another trustee who is more qualified than him." See *Majmu' al-Fatawa, Ibn Taimiyyah (30/44).* From Zulkifli Mohamad al-Bakri, "72nd Series of Bayan Linnas: Orphans: Be Courteous and Pious," Official Website Mufti of Federal Territory, October 24, 2016, https://muftiwp.gov.my/en/artikel/bayan-linnas/1135-bayan-linnas-siri-72-anak-yatim-ihsanilah-dan-bertaqwalah.

as the title suggests, the trustee must be trustworthy and have *amanah* in managing the orphan's wealth. Allah has laid down several guidelines in the Quran in relation to this matter to ensure fair and just management of the orphan's wealth to not deprive the orphan of their rights to their own property. For instance, Allah mentioned:

وَلَا تَقْرَبُوا مَالَ الْيَتِيمِ إِلَّا بِالَّتِي هِيَ أَحْسَنُ حَتَّى يَبْلُغَ أَشُدَّهُ وَأَوْفُوا بِالْعَهْدِ إِنَّ الْعَهْدَ كَانَ مَسْئُولًا

And do not approach the property of an orphan, except in the way that is best, until he reaches maturity. And fulfil [every] commitment. Indeed, the commitment is ever [that about which one will be] questioned. [Al-Isra': 34] Those who misuse the orphan's wealth are considered to have done one of the seven great destructive sins[36] and will definitely be punished in the Hereafter:

إِنَّ الَّذِينَ يَأْكُلُونَ أَمْوَالَ الْيَتَامَى ظُلْمًا إِنَّمَا يَأْكُلُونَ فِي بُطُونِهِمْ نَارًا وَسَيَصْلَوْنَ سَعِيرًا

Indeed, those who devour the property of orphans unjustly are only consuming into their bellies fire. And they will be burned in a Blaze. [An-Nisa': 10] These verses suggest that trust is crucial in the management of an orphan's wealth and the principle of trust must be upheld by the trustee to effectuate the Shariah's higher objectives and purpose to preserve and protect one's wealth.

Finally, the third category is the macrolevel, which refers to people we trust in general, such as community leaders and neighbours. We do not personally know them as well as we know the microlevel group, yet we still invest and put our trust

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[36] Abu Huraira narrated: The Prophet said, "Avoid the seven great destructive sins." They (the people) asked, "O Allah's Apostle! What are they?" He said, "To join partners in worship with Allah; to practice sorcery; to kill the life which Allah has forbidden except for a just cause (according to Islamic law); to eat up usury (Riba), to eat up the property of an orphan; to give one's back to the enemy and fleeing from the battle-field at the time of fighting and to accuse chaste women who never even think of anything touching chastity and are good believers." (Sahih al-Bukhari, Book of Wills and Testaments, Chapter 23, 2766).

in them because it can be generally understood that a person is put in a higher position because they have the characteristic of, *inter alia*, trustworthiness. Trust is an essential trait of a leader because they are entrusted to deal with matters that can affect others' lives, whether in a positive or a negative way, depending on their actions. It can also be considered as a social contract between the leader and their followers, in that the former is entrusted to treat, guide, and protect the latter.[37]

For example, religious leaders are entrusted with the religious matters in the state while community leaders are those who are entrusted with managing the general welfare of the people. Leadership in Islam is declared as a trust (*amanah*), for a leader will be asked about those under their care, as mentioned in the well-known hadith narrated by 'Abdullah Ibn 'Umar: "Beware. Every one of you is a shepherd and everyone is answerable about his flock…"[38] The ideal leadership example in the Islamic world can be seen in Prophet Muhammad (peace be upon him)[39] who was sent as a "trustworthy messenger."[40] One of the four most noble characters of the Prophet is *as-sidq* (honesty) and for that he is known as al-Amin, which means the trustworthy one. The Prophet's trustworthiness is acknowledged by his followers as reported in a hadith by Ibn 'Abbas: "After the verse 'and warn your tribe of near kindred' (26:214) was revealed, Allah's Messenger (pbuh) went out, and when he had ascended As-Safa mountain, he shouted, "O Sabahah!" The people said, "Who is that?" Then they gathered around him, whereupon he said, "Do you see me? If I inform you that cavalrymen are proceeding up the side of this mountain, will you believe me?" They said, "We have never heard you telling a

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[37] Mustafa Monjur, "Characteristics of Leadership: Islamic Perspective," *Journal of Dr Serajul Haque Islamic Research Centre* 1 & 2 (2010): 225.

[38] Sahih al-Bukhari, The Book of Judgements, Chapter 1, 7138 and Sahih Muslim, The Book on Government, Chapter 5, 1829a.

[39] Allah said in Surah Al-Ahzab: 21: "There has certainly been for you in the Messenger of Allah and excellent pattern for anyone whose hope is in Allah and the Last Day and [who] remembers Allah often."

[40] This is mentioned several times in the Quran, e.g., in Surah Ash-Shu'ara': 125, 143, 162, 178 and 193.

lie."[41] Hence, based on the Prophet's distinguished leadership quality, the concept of trust should be nurtured in the macrolevel to ensure an orderly living and realisation of the higher objectives of the Islamic law.

Other groups within the macrolevel include civil service, companies, and mass media. The public at large trust these groups of people to discharge their functions without being affected by any political influences. For example, the civil service which includes public schools, the military, the police, and the legal and judiciary service[42] should be neutral institutions because their powers do not cease with the change of the government. The civil service sets the norms of providing services to citizens and ensuring their sustained welfare. Their success in this role impacts the trust of the citizens[43] who habitually trust the civil service to discharge their functions for the benefit of the society. In Islam, one of the major ethical ingredients of a civil servant is trustworthiness to maximize and implement the Shariah in its fullest sense. Loss of trust and confidence from the citizens may lead to the downfall of a society.[44] Islam urges the citizens to maintain their trust in the people with authority if they obey God and execute the functions that they are entrusted with.[45]

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[41] Sahih al-Bukhari, The Book of Tafseer, Chapter 1, 4971.

[42] Article 132 of the Federal Constitution.

[43] Muhammad Arif Sadeq, "Citizens' Trust in Civil Service in South Asia: Does It Follow A Common Pattern?" (Master's thesis, North South University, 2018), 41.

[44] Islam calls official unworthiness as the downfall of civilization as said in the tradition of the Prophet narrated by Abu Hurairah: "If the offices were assigned to unworthy people, which would mean the end of this world." (Sahih al-Bukhari, Book of Knowledge, Chapter 2, 59).

[45] On this point, Caliph Abu Bakar, while accepting his duty as the leader of Ummah said: "O people, I have been elected a leader, but I am no better than you. If I do good then help me with that, but if I do bad then straighten me. Sincerity is a trust, while deception is a betrayal. Obey me as long as I obey God and His Messenger; but if I should disobey God and His Messenger, then you are not bound to obey me." (as cited in Abdul Rahim Chandio et al., "Administrative Ethics," 919).

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Personal and Social Dimensions of Trust: A Maqasidic Approach
Homam Altabaa - Ameelia Husna Samsudin

Accordingly, trust must be a key quality of civil servants to ensure that they will give their full efforts at the highest standards while carrying out their work. In this context, trust (*amānah*) will be considered as an act of worship (*ibadah*) when they utilise Shariah policies and teachings while discharging their duties. Perceiving work as an *amānah* can lead them to observe the rules or fundamental values of Islam such as promoting good and forbidding evil, exterminating unfairness, dispensing social justice, and offering the best service.[46] Consequently, they will also abide by and achieve the other *maqāsid* of the Shariah such as promoting religion, life, wealth and so on.

Trust must also be present in legislative and political institutions such as parliaments and parties that govern and issue the laws of a particular state. Such institutions and laws need to be dynamic and flexible to suit the changing needs of the world. This explains why Islam did not specifically lay down exclusive methods to govern a country. Yet, as the principles of Shariah cannot be alienated from the administration of a country, the Quran provides general guidelines on how an Islamic administration should be formed. For example, Allah said:

إِنَّ اللَّهَ يَأْمُرُكُمْ أَنْ تُؤَدُّوا الْأَمَانَاتِ إِلَى أَهْلِهَا وَإِذَا حَكَمْتُمْ بَيْنَ النَّاسِ أَنْ تَحْكُمُوا بِالْعَدْلِ إِنَّ اللَّهَ نِعِمَّا يَعِظُكُمْ بِهِ إِنَّ اللَّهَ كَانَ سَمِيعًا بَصِيرًا

Indeed, Allah commands you to render trusts to whom they are due and when you judge between people to judge with justice. Excellent is that which Allah instructs you. Indeed, Allah is ever Hearing and Seeing. [An-Nisa': 58] When in positions of power, leaders and legislators must exercise their power with wisdom

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[46] Abdul Rahim Chandio et al., "Administrative Ethics with Special Reference to Islam" *Global Scientific Journals* 7, no. 7 (2019): 921.

and they must have the fullest understanding of their power and function as it is a form of trust put in them by others. Additionally, this is also a trust bestowed by Allah in them which makes them accountable to Allah for their actions. For example, any policy or regulation that is introduced by the Parliament must abide by the Shariah, for it always safeguards the interest of citizens. Members of the Parliament and leaders who understand that they are entrusted to govern the country in accordance with the Shariah principles that revolve around public interest (*maslahah*) should exert all efforts to fulfil their trust. By having a deep understanding of the concept of trust, such institutions will be able to realize the *maqāsid* of the Shariah and the *maslahah* while maintaining order and ensuring development.

Conclusion

In conclusion, this paper highlights the importance of having the quality of trust and incorporating it in our daily lives to protect the *Maqāsid al-Shariah*. Trust is a vital element to be embedded in oneself as it is one of the foundational values in the Shariah that addresses the lives of an individual at the personal, micro and macro levels of human interactions. Trust at personal level can be reflected through one's acts of worship and daily activities which serves as a yardstick of one's level of faith and dependency towards Allah. At the social microlevel, trust is significant as a factor underpinning the expansion of the society. Meanwhile, trust is also vital at the social macrolevel because it affects the society in general. Thus, it is evident from the discussion above that trust is one of the contemporary *maqāsid* which falls under the category of *daruriyyāt* i.e. necessities or essentials for the welfare and subsistence of the individual and society.

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