

Legality of interest termini in Islamic law

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Abstract: One of the most important problems in human life is interest termini. Then sometimes mankind view other people requirements and try to solve them. In this paper I have tried to discuss about legality reasons of interest termini that prove this right. I can mention Quran as a reason there is no special verse about interests termini and residency, usufruct, custody, and devotion. But every thing that implies to charity is a reason of interest termini. I have implied verses of it. The second resource that we can refer to it is tradition that there are narrations about interest termini. The third resource is act of companion that companion view interests termini as a legal subject. The fourth resource is totality of wises that they accept interests termini in each manner (Moslem or not).then we can conclude that interests termini is legal and is acceptable in nowadays societies.

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Introduction

It's not futile that discuss about legality of interests termini before talking conditions and commandments of this night, because reader doesn't deviate of the main topic. There is total reason about legality of interest termini that jurisprudents use it. But there are a lot of similarities of it in our life then everything that implies to goods can counted as reason of interests termini. Reasons and narratives of interest termini are not coordinated but in some cases like Quran that is a very good reference, we must refer to it.

First) Quran

There is no verse about residency, usufruct, devotion and gift in Quran but every thing that implies to charity and good works can be a reason for interest termini, like verses bellow that jurisprudents can refer to them.

1) Possession and children are adornment of universe and good doing is permanent even after death, that it's better to do something pleasant (kahf, verses 46).

Implication mood

In this verse God count good works as best things and alive until the hereafter. So if you abandon your possession it is best thing in God point of view and is a clear reason for interest termini.

2) Donate your possession to required people, but don't dissipate because God loves benefactors (Baghara, verses 195).

Implication mood

This verse is considerable for Imamieh jurisprudents and knows jihad and donation similar to each other. And in this verse advice to donation and is a reason (Al-halabie, 1981).

Even this verse implies to generosity but we can generalize it to interest termini, so this verse is a reason for interest termini.

3) You will not arrive to benefactors altitude unless devote something you have, and God is aware about what you doing (Alemran, verses 92).

Implication mood

This verse involve an obvious reason for generosity and donation that God notice in Quran and God view donors like his friends and generosity is a acceptable work in God point of view, and if every one leave his/her possession for society using, it's so acceptable an God promise reward to them whether this generosity is usufruct, residency, custody or devotion or not. This verse is polestar by means of Imamieh and shafiite jurisprudents (Al-sharbinie Alkhatib, 1958);(Al-sabegh,1971)and malekiah(Ebn anas,1985).

4) There is a way for everyone to arrive right then hurry up to do pleasant works because God will call you after death (Baghara, verses 148).

Implication mood

In verses above, God advices to acceleration in good works and interest termini is one of the good works. Because if you think about other people requirements and try to solve them, society going to be without problem. So if you donate your possession to other people, it is kind of progress in good works and we can prove legality of interest termini.

Allame tabatabaie view charity in verse 48 of surrah Maede as donation and solve other people problems, but he views it just in financial problems (Al-tabatabaie, N.D). Then interest termini is kind of charity and has legality.

In sunny book they view good works as precipitation in Zakat and eliminate other people

problems (Al-zarkeshie, 1956).and it means doing charity before death (Al-razie, 1993).

5) God increases conduction for benefactors, and good doings that have good end is better in Gods mind and have good reward (Maryam, verses76).

Implication mood

As I told, we can include interests termini as good works and engaged to good doing like when a person leave her/his possession for other people that need it. This is a good doing or like a person who we abandon residency of house for usufruct duration. So we can say possession leaving for other people problems is one of the good doing.

Second) Tradition

There is no narration about legality of interest termini, but there are total narrations that we can imply them. But there are narrations about legality of interest termini samples like usufruct, residency and devotion and etc.

There are several narrations in jurisprudence book of Imamieh and four religions that we try to talk about them.

In Imamieh book have written:

1) Profit said: there is no possession that reduces by means of charity, so try to help other people (Al-majlesie, 1983).

Implication mood

So we can understand by means of this narration that if you give money to other people that need money or if you leave your possession for some people, there is no harm in this way, so interest termini is legal.

2) Profit said: Every one who doesn't donate his/her possession to good people, so God get it compulsorily (Al-majlesie, 1983); (rayshahrie, 1995).

Implication mood

We can understand from this narration that people must not with hold their possession form poor people, for example they can devote their possession as residency, usufruct . So we can elicit that interests termini has legality and has positive effects in society.

3) Imam sadeq said: Help other people and be sure that God will help you (Al-arosie, 1991).

Implication mood

This narration also advice you to help other people so interests termini has legality.

4) Imam sadeq said: There is no thing as heavy as charity for devil and it benefits arrives to God before mankind (Al-tosie, 1986); (Al-nory Altabarsie, 1988).

Implication mood

In this narration, charity is heavy for devil then charity for Moslems using is so acceptable and God advice people to donate money to poor people

because by means of this act, poor people can solve their own problems so interests termini has legality.

5) In sunny books, there is a narrative that Banie najar devote his possessions to profit and profit build a mosque by means of his money (Al-bokharie, 1980).

Implication mood

In this narration we can understand that Banie najar devotes all of his possession without any substituent and it's one of the best doing after that profit tried to build a public place for society. So, we can understand that interest termini have legality.

Third) Interests termini in companions act

Profit adjuncts act is one of the reasons of sunny four religions, so we imply some of them:

1) The last narration is a good example for it.

2) Also sunny have documented to Omar Ebn khatab act who is one of the nearest adjuncts of profit. He forgive all of his money to poor people (Al-Qazvinie, n.d).

Implication mood

In this narration Omar Ebn khatab decides to donate his possession to poor people. We can elicit from this narration that profit adjuncts abandon.

There possession to other people, so interest termini has legality.

Fourth) Totality of wises

Totality of wises can't be a reason unless it makes us sure (Mozafar, 2006).

Wises of world in each manner or each religion (Moslem or not), accepts interests termini, because it is acceptable in all societies as a good doing. It is like a person who donates his/her possession (garden, farm, etc) for public using permanently or temporary as usufruct, or like a person who devote his possession for satisfying God. So if these acts weren't acceptable in wises point of view, they don't agree with them so, interest termini is legal.

Discussion

By means of researches that have done about interests termini we considered reasons of legality of this right and conclusions of this research have written beneath:

There is question that if interest termini have legality or not?

We can say reasons of legality of interest termini are not coordinated. About this right, jurisprudents haven't offered classic theories but we can find that interest termini have legality by contracting concepts among their ideas. The first resource that have noted in this research is Quran. And there are a lot of verses that imply to legality like Surrah kahf verse46, Surrah bagharah verse 195 and surrah Alemran verse92 that they persuade people to do good acts.

The second resource is tradition that includes narrations and narratives that profit and Imams have said. Other reasons involve adjuncts act and totality of wises, all of them legality of interests termini.

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References

1. Al-bokharie, Mo. A. 1980. *Sahih Al-bokarie*. Publisher: Dae alfekr, Beyroot, p197. v3.
2. Al-halabie, Ab. A. 1981. *Al-kafie fie Al-fegh*. Publisher: Maktaba amir almomenin, Eesfaham, p175.
3. Al-razie Al-hasas, Ab. A. 1993. *Ahkam alquraan*. Publisher: Dar Al-ketab Al-elmieh, Beyroot, p553. v2.
4. Al-sabegh, S. 1971. *fegh Al-sunnah*. Publisher: Dar alketab alarabi, Beyroot, p519. v3.
5. Al-sharbini ealkhatib, m. 1958. *Moghnie Al-mohtaj*. Publisher: Dar ehia Al-tarath Al-arabie, Egypt, p37.v2.
6. Al-tosie, j. Ma. 1986. *Tahzibalihakam*. Publisher: Dar Al-kotob Al-eslamia, Tehran, p112. v4.
7. Al-arosie,A.h.1991. *Tafsir nor Al-saghaleyn*. Publisher:Moasesa Ismaeilian,Qom,p340.v4.
8. Al-qazvinie. M. Ey. (n.d). *Sonan ebn maja*. Beyroot, p801. v2.
9. Al-majlesie, M. b. 1983. *Behar Al-anvar*. Publisher: Moasesa Al-vafa, Beyroot, p131. v93.
10. Al-nory Al-tabarsie, H. 1988. *Mostaadrak Al-vasaael wa mostanbat Al-masael*. Publisher: Moasesa Ahle beyt Al-ehia Al-torath, Beyroot, p159. v7.
11. Al-zarkeshie,B. M.1956. *Al-borhan fie oloum Al-Quran*. Publisher: Dar ehia Al-arath Al-arabie, Egypt, P84. V4.
12. Al-zarkeshie,B. M.1956. *Al-borhan fie oloum Al-Quran*. Publisher: Dar ehia Al-arath Al-arabie, Egypt, P84. V4.
13. Ebn anas, m. 1985. *Al-mota*. publisher: Dar ehia Al-tarath alarabie, Beyroot, p995. v2.
14. Rayshahrie, M. 1956. *Mizan Al-hekme*. Publisher: Dar Al-hadis, Qom, p1995 .v4.
15. Mozafar,M.R. 2006. *Osol fegh*. Publisher: Dar alfekr, Qom, p342. v2.

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