

## Taqiyuddin An-Nabhani's Islamic Economic Thought On Ownership In Islamic Economics

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### Abstrak

Islam dengan kesempurnaan ajarannya telah menerangkan tentang aturan berekonomi termasuk membolehkan hak individu terhadap harta benda dan membenarkan pemilikan semua jenis harta benda yang mampu diperoleh menurut cara yang halal. Taqiyuddin An-Nabhani memiliki pandangan bahwa semua sistem dan aktivitas ekonomi berkaitan erat dengan konsep kepemilikan. Penelitian ini merupakan studi kepustakaan atau library research dan jenis penelitian kualitatif yang bersifat deskriptif. Hasil penelitian menunjukkan bahwa Pertama, Taqiyuddin an-Nabhani adalah seorang pemikir dari dunia Islam yang mempunyai gagasan tentang persoalan ekonomi yang selama ini masih berkembang dan beliau menulis sebuah buku yang membahas kepemilikan dalam Islam yakni kitab An-Nidzhom Al-Iqtishodi fi Al-Islam. Kedua, kepemilikan dalam sistem ekonomi Islam memiliki konsep yang khas dan unik, yang sangat berbeda dengan semua sistem ekonomi lainnya. Kepemilikan dalam sistem ekonomi Islam terbagi pada tiga, yakni kepemilikan individu, kepemilikan umum, dan kepemilikan negara

**Kata kunci:** *Ekonomi Islam, Taqiyun An-Nabhani, Kepemilikan*

### Abstract

*Islam, with the perfection of its teachings, has explained economic rules, including allowing individual rights to property and justifying the ownership of all types of property that can be obtained according to lawful means. Taqiyuddin An-Nabhani holds the view that all economic systems and activities are closely related to the concept of ownership. This research is a literature study or library research and is a descriptive type of qualitative research. The results of the research show that First, Taqiyuddin an-Nabhani was a thinker from the Islamic world who had ideas about economic issues which were still developing and he wrote a book discussing ownership in Islam, namely the book An-Nidzhom Al-Iqtishodi fi Al-Islam. Second, ownership in the Islamic economic system has a unique and unique concept, which is very different from all other economic systems.*

*Ownership in the Islamic economic system is divided into three, namely individual ownership, public ownership and state ownership.*

**Keyword:** *Islamic Economy, Taqiyuddin An-Nabhani, Ownership*

## **Pendahuluan**

The Koran is a noble holy book and a revelation from Allah SWT to the Prophet Muhammad SAW. The Qur'an was revealed as proof of love so that humans can use it as a guide in living life in this world and in the afterlife. A life based on faith will guide humans along a straight and bright path in life. The basic principles of economic thinking have been established since the appointment of the Prophet Muhammad as the Messenger of Allah. The policies issued by the Apostle regarding social issues include law (fiqh), marriage, politics, and economics or trade. (Salim et al., 2023)

Since the middle of the XII Hijriyah century (18th AD), the Islamic world experienced the worst decline and decline from its glory days very quickly. Even though various efforts have been made to revive it or at least prevent its decline and decline from continuing, none of these efforts have yielded results. Meanwhile, the Islamic world is still in confusion amidst darkness due to its chaos and decline and continues to feel the pain of backwardness and various shocks. (Hasna, 2022)

During Taqiyuddin al-Nabhani's lifetime, he really understood the Shari'a and the political situation and conditions of Muslims, so that his thoughts were born on how to restore the welfare and revival of Muslims regarding ownership. This did not escape his attention, namely the economy. As humans, the instinct to own and control property is seen in Islam. Therefore, it is unfair if there is coercion to avoid ownership. Islam encourages its followers to seek and own property, and then give some of it to those in need.

Discussing the idea of ownership in Islamic economics, one of them is the figure of Taqiyuddin an-Nabhani. Taqiyuddin an-Nabhani stated how the basic principles of Islamic economics which adhere to the basic principles of ownership, utilization and rules for distributing wealth in its implementation are in conflict with capitalist and socialist ones. Capitalist property rights stipulate that individual ownership is the basis for running the economy, while socialist ownership stipulates that collective ownership is the basis for running it. Taqiyuddin An-Nabhani is a prominent religious figure in the political

aspect with a great desire to revive Islamic systems including the economic system which refers to the practices of the Prophet Muhammad SAW and Khulafa 'al-Rasyidin.

## Research Method

This research is entirely a library research, which is a type of qualitative research, and is descriptive in nature. The object of this research is related to Taqiyuddin An-Nabhani's thoughts regarding the concept of ownership in Islam. The author looked for this data in online journal portals and online libraries. Data collection in this research was carried out directly through searching literature reviews related to the concept of ownership in Islamic economics according to Taqiyuddin An-Nabhani, and after collecting the data it was analyzed based on descriptive analysis.

## Discussion

### 1. Biography of Taqiyuddin An-Nabhani

His full name is Muhammad Taqiyuddin bin Ibrahim bin Musthafa bin Ismail bin Yusuf An-Nabhani. It is attributed to the Bani Nabhan tribe, which includes Arab people living in the Sahara Desert in Palestine. His family lineage goes back to the An-Nabhani extended family (trah) from Kabilah al-Hanajirah in Bi'r as-Sab'a. The Banu (descendants) of Nabhan are the confidants of the Bani Samak from the descendants of Lakhm who are spread across the Palestinian territories. Meanwhile, Lakhm is Malik bin Adiy. They have many nations and tribes. At the end of the 2nd century AD a group from the Bani Lakhm arrived in southern Palestine. Bani Lakhm has the greatest pride, and among them the most famous is Tamin ad-Dariy ash-Shahabiy. (Fuad, 2017)

Taqiyuddin an-Nabhani was born in Jordan in 1909. He was a cleric who was the founder of the Islamic political party Hizbut Tahrir and had memorized the Koran before the age of 13. Since he was a teenager, Taqiyuddin has been active in political activities due to the influence of his grandfather, Sheikh Yusuf An Nabhani. In 1953, he founded Hizbut Tahrir in Al Quds (Jerusalem). Taqiyuddin an-Nabhani died in 1398 AH/1977 AD and was buried in the Contribution to Islam Cemetery. He is also known as a prominent poet, Sufi and qadi. Taqiyuddin An-Nabhani was educated by his own father, who was a sheikh who was a faqih fid din (in religion), as well as by his grandfather, Sheikh Yusuf bin Ismail bin Yusuf An Nabhani. He was a leading qodhi (judge), poet, writer and cleric in Ottoman Turkey. (Kompasiana.com, 2022)

After graduating from elementary school and Sharia Tsanawiyah in Haifa, his birthplace, in 1928 Taqiyuddin An-Nabhani, a teenager, went to Al-Azhar to deepen his knowledge of Sharia at the encouragement of his grandfather. Then An-Nabhani continued his studies at Dar Al-'Ulum College which is a branch of Al-Azhar and also studied at Al-Azhar University. In 1932 An-Nabhani graduated from Dar Al-'Ulum College and also completed his education at Al-Azhar As-Sharif. Apart from that, he also actively attended scientific study groups (halaqoh-halaqoh) at Al-Azhar, which were held by the Sheikhs, as suggested by his grandfather, including the study group held by Ash-Sheikh Muhammad al-Hidhir. Husain. This was possible because the old teaching system at Al-Azhar allowed it. Where students can choose several Asy-Sheikhs of Al-Azhar and attend their halaqohs regarding sharia language and sciences, including fiqh, ushul fiqh, hadith, tafsir, tauhid (the science of kalam), and the like.

During his university days, among his friends, An-Nabhani was famous for his depth of argumentation in expressing an opinion. Apart from that, he is also serious about pursuing knowledge and utilizing his time. An-Nabhani also received many diplomas as a sign of his brilliance. Some of the diplomas that An-Nabhani achieved include the Al-Azhariyah Tsanawiyah Diploma, the al-Ghuraba' Diploma from al-Azhar, the Arabic Language and Literature Diploma from Dar al Ulum, the Diploma in Justice from Darel Ma'had al-Ali li al-Qadha' (High School of Justice), and in 1932 he received the Sharia Shahadah al-'Alamiyyah (International Diploma) from al-Azhar asy-Syarif University with mumtaz jiddan. After graduating from college, An-Nabhani returned to Palestine and

taught at high school level from 1932-1938. Then he changed professions to the Syariah Court judiciary with the position of Court Secretary in Bissan, then moved to Taberriya, moved again to Haifa with the position of Chief Secretary of the Syariah Court. From 1945-1948 he was appointed judge in Ramalah, then was forced to flee to Syria due to Palestine falling into Jewish hands. However, not long after he was in Syria, An-Nabhani was asked to return to Palestine and returned to serve as judge in Al-Quds (Jerusalem) . Then he occupied the position of the Isti'naf Court as a member. In 1950 he resigned from the Isti'naf Court, then moved to Amman and returned to teaching until 1953 with a book of his own writing. (Aziz et al., 2022).

Most of Shaikh Taqiyuddin an-Nabhani's works are in the form of books, tanzhiriyyah establishing understanding (views) and tahzhiniyyah (establishing regulations), or books intended to invite Muslims to continue Islamic life by establishing the Islamic State. The decline of Muslim thinking is one of the important themes discussed by Taqiyuddin in his books. Apart from that, of course the Islamic Khilafah or Islamic politics is also a concern. Before he died, he wrote two monumental books, Sur'atul Badihah (Fast/Bright Thoughts) and at Tafkir. (Hidayat, 2023)

Therefore, Shaykh Taqiyuddin's books look special because they cover and cover various aspects of human life and problems. These books, which discuss aspects of individual life, politics, state, social and economics, are the ideological and political foundation for Hizbut Tahrir, of which Sheikh Taqiyuddin is the motor. Due to the variety of fields of study in the books written by Sheikh Taqiyuddin, it is not surprising that An-Nabhani's works cover more than 30 books. The works of Sheikh Taqiyuddin an-Nabhani, both relating to politics and thought, are characterized by their existence awareness, precision and clarity, as well as being very systematic, so that he could present Islam as a

perfect and comprehensive ideology that istimbath of the propositions contained in the Koran and Sunnah (Aravik, et.al, 2023). Work It can be said to be the first endeavor of its kind presented by a Muslim thinker in the modern era. The most famous works of Sheikh Taqiyuddin An-Nabhani which contain his thoughts and ijtiḥad include:

- a. *Nizhamul Islam (Rules of Life in Islam)*, contains the path to faith, awakening, qadha qadar, thought leadership in Islam (various ties and ideologies), da'wah, sharia laws, morals, as well as the Draft Constitution of a government).
- b. *At Takattul Al Hizbi (Establishment of Islamic Political Parties)*, contains the meaning and types of movements, the aim of the movement is to awaken Muslims, criticize and provide solutions to Islamic movements.
- c. *Mahafim Hizbut Tahrir (Understanding of Hibur Tahrir)*, contains facts about the Islamic world from the heyday to decline, the causes of decline, how to revive Islam, how to adopt Islamic law (ushul fiqh), carrying out correct and effective da'wah
- d. *An Nizhamul Iqthishadi fil Islam (Building an Alternative Economic System from an Islamic Perspective)*, contains the meaning of economics, the differences between Islamic and secular economic concepts, the basis of Islamic economics, types of assets, methods of acquiring, managing and distributing, and so on.
- e. *An Nizhamul Ijtima'i fil Islam (Society System in Islam)*, contains the definition of society, the differences between typical and non-typical societies, as well as the differences between Islamic societies and other societies.
- f. *Nizhamul Hukm fil Islam (Judicial System in Islam)*, one of the discussions is about the kholifah.
- g. *Ad Dustur (Basic Law)*, this text is the Draft Islamic Basic Law prepared by Sheikh Taqiyuddin al-Nabhani.
- h. *Muqaddimah Dustur (Introduction to the Constitution)*, contains an explanation of the ad-dustur book.
- i. *Ad Daulatul Islamiyah (Islamic State)*, contains history (Hasibuan, n.d.)

## 2. The Concept of Ownership in Islamic Economics according to Tqiyuddin An-Nabhani

Ownership is a sharia law that applies to (physical goods) or only benefits. Allah SWT's permission for someone to own wealth also means giving the owner the right to use and manage it according to his wishes as long as it meets the provisions of sharia. Even though the ownership status of property rests with a person, sharia provisions still follow that person in using the property and provide legal implications for violations committed (Aravik, et.al, 2021). All humans have ownership rights, but not actual ownership. They are given power in ownership rights. As for actual ownership for certain individuals, Islam requires permission from Allah SWT. For that individual to own it. Therefore, property is actually owned based on the permission of the creator of the sharia' to own it. According to Taqiyuddin an-Nabhani, ownership is divided into 3, namely individual ownership, general ownership and state ownership. (Fakhlevi & Komarudin, 2018)

### a. Individual Ownership

Islam exists by allowing individual ownership and limiting this ownership using certain mechanisms, not by means of expropriation (expropriation). So that way, this method (mechanism) is in accordance with human nature and is able to regulate interpersonal relationships between them. Islam has also guaranteed that humans can fulfill their needs as a whole. Individual ownership is a sharia law that applies to certain substances or uses. Allows anyone who gets it to use the item, and obtain compensation, either because the item is taken for use by someone else, such as rent, or because it is consumed to use up the substance, such as buying the item.

This ownership is a person's right to utilize their wealth. In determining private ownership, Islam regulates several things. First, Islam regulates goods or services that are permitted (allowed) to be owned and which are not (Aravik, 2018). In this case, Allah has determined something as halal and haram. Second, regulating the procedures for obtaining permitted (allowed) and non-permitted assets such as work (al'amal), inheritance (al-irats), gifts and grants. (Fathurrahman, 2021)

b. General ownership

Public ownership is As-Shari's permission for a community to jointly use objects. Meanwhile, objects that are included in the general ownership category are objects that have been stated by Allah SWT and the Prophet Muhammad that these objects are for a community where each of them needs each other. In connection with this general ownership, Islamic law prohibits these objects from being controlled only by one person or a small group of people (Aravik, et.al, 2022). Based on the above definition, objects which are included in public ownership can be grouped into three groups:

- 1) Objects that are public facilities, which if they are not available in a country or a community, will cause difficulties and people will scatter in search of them. Public facilities are anything that is considered to be of general human interest.
- 2) Very large amounts of mining materials. Mining materials can be classified into two, namely mining materials that are small (limited) in quantity, which are not considered large amounts according to individual measurements, and mining materials that are very large (almost unlimited) in quantity. Mining goods which are small (limited) in quantity are considered private property, and may be owned privately, and the law of rikaz (found goods) is applied to these mining materials, from which khums must be released, namely 1/5 of the portion (20%). As for mining materials that are very large (almost unlimited) in quantity, which cannot possibly be used up by individuals, then these mining materials are considered public property (collective property), and cannot be owned privately (Aravik, et.al, 2022).
- 3) Objects whose nature of formation prevents them from being owned only by individuals. This is because these objects are objects that are covered by public benefits. Included in this group are roads, rivers, mosques and other public facilities.



For example, a water well may be owned by an individual, but if the water well is needed by a community then the individual is prohibited from owning it. This is different from roads, mosques, rivers and others which cannot be owned by individuals. (Sobarna, 2021).

c. State Ownership

State ownership is property that is the right of all Muslims or people and its management is under the authority of the caliph or state, where the caliph or state has the right to give or specialize it to several Muslims or people according to their *ijtihad*. For this reason, assets that can be categorized into types of state property can be the responsibility of the state represented by officials or the government to care for, manage and use them for the benefit of its people, such as for war purposes, paying the government. employees, providing education, providing public facilities, enforcing the law. and justice, helping the poor, and other matters related to the interests and benefits of the people. (Fajrin, 2022).

### 3. Analysis of Taqiyuddin An-Nabhani's Thought

Taqiyuddin an-Nabhani emphasized the importance of economics as an integral part of the Islamic system which covers all aspects of life. For him, the economy must be regulated based on Islamic moral and ethical values. The principles of Islamic economics that he adheres to involve the concepts of fair distribution of wealth, social justice, and the elimination of exploitation. One of the main aspects of his economic thinking is the concept of ownership. An-Nabhani rejected capitalism and socialism as legitimate economic systems, replacing them with Islamic concepts of property. In his view, all natural resources, including land, water and energy, are the collective property of

Muslims. Individual ownership of private property is permitted, but ownership of strategic natural resources is considered the collective property of the people.

In the context of wealth distribution, An-Nabhani emphasized the need to avoid unfair accumulation of wealth. He rejected the interest system and financial speculation, states that profits must come from productive efforts and provide benefits to society. Islamic economic principles encourage equal distribution of wealth to overcome social inequality. An-Nabhani also advocates for a fair and progressive tax system. Taxes in his vision should be used to finance public services, including education, health and infrastructure. His thinking emphasizes the need for taxation that imposes a reasonable burden on each individual, according to their abilities, and avoids excessive burdens on the poor.

In terms of the trading system, an-Nabhani condemned the practice of usury and speculation in the market. He advocates a transparent and fair trading system, which encourages the exchange of goods and services that benefit society. His thinking supports the concept of economic cooperation between individuals and countries, with the aim of creating shared prosperity. In his political thinking, an-Nabhani voiced the need for a strong state to oversee the implementation of Islamic economic principles. He sees that the state has an active role in regulating and ensuring the implementation of Islamic values in all levels of society, including the economy (Aravik, et.al, 2021).

Taqiyuddin an-Nabhani's economic thinking reflects a holistic and integral Islamic view of life. By rejecting capitalism and socialism, an-Nabhani offers an Islamic economic concept based on justice, equal distribution of wealth, and development of shared prosperity. Even though his thoughts may be controversial and still debated, his contributions remain an important part of the discussion about economic models that are in accordance with Islamic values.

## **Conclusion**

Taqiyuddin An-Nabhani's full name is Muhammad Taqiyuddin bin Ibrahim bin Musthafa bin Ismail bin Yusuf An-Nabhani. It is attributed to the Bani Nabhan tribe, which includes Arab people living in the Sahara Desert in Palestine. Taqiyuddin an-Nabhani was born in Jordan in 1909. He was a cleric who was the founder of the Islamic political

party Hizbut Tahrir and had memorized the Koran before the age of 13. After graduating from elementary school and Sharia Tsanawiyah in Haifa, his birthplace, in 1928 Taqiyuddin An-Nabhani, a teenager, went to Al-Azhar to deepen his knowledge of Sharia at the encouragement of his grandfather. Then An-Nabhani continued his studies at Dar Al-'Ulum College which is a branch of Al-Azhar and also studied at Al-Ahzar University.

According to Taqiyuddin an-Nabhani, ownership is divided into 3, namely individual ownership, public ownership and state ownership. Taqiyuddin an-Nabhani emphasized the importance of economics as an integral part of the Islamic system which covers all aspects of life. In the context of wealth distribution, he emphasized the need to avoid unfair accumulation of wealth. An-Nabhani rejected capitalism and socialism as legitimate economic systems, replacing them with Islamic concepts of ownership.

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