

THE RIGHTS OF THE WORKER AND THE BEHAVIOR OF THE ENTREPRENEUR

حقوق العامل ورجل الأعمال

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مؤخرة. أستاذ قسم علوم القرآن والتفسير كلية العلوم الإسلامية الجامعة الإسلامية العالمية للدراسات الشرعية والإنسانية

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Abstract

This research is divided into three sections:

The first: deals with the rights of the worker in Islam, such as: choosing the appropriate work for him, and assigning him to the extent of his ability, referring to the duty of the rulers towards their flock in providing them with work and providing them with human and social care while they are alive, and in securing their future and the future of their family in the event of their illness, disability or death, God forbid. The research also indicates the necessity of rehabilitating the worker scientifically, practically, physically, psychologically and religiously to carry out his work.

The second: deals with the duties of the worker, and is represented in the worker endowing with a set of values such as: his belief that work is worship, honesty, honesty, mastery of work, diligence and lack of inaction.

The third: It presents the legal controls for the behavior of businessmen, and it contains a set of faith and moral values that the businessman must characterize in an attempt to urge him to preserve the rights of the worker.

Keywords: worker, businessmen, proficiency, state duty

ملخص البحث

بداية تبرز أهمية البحث (حقوق العامل وسلوكيات رجل الأعمال) في ضرورة معرفة حق العامل عند تكليفه بعمل ما، وحقه عند عجزه، وحق أسرته حال موته، والصفات التي ينبغي على العامل التحلي بها، والقيم الإيمانية التي ينبغي على رجل الأعمال التحلي بها، وهذه هي الإشكالية التي يسعى البحث إلى حلها هي أن يتعرف العامل ما له وما عليه، كما يجب أن يتعرف رجل الأعمال أهم التزاماته تجاه عماله، والهدف من بيان ذلك كله؛ أن تستمر حركة العمل والإنتاج، ولا تتعطل لأي سبب من الأسباب. والبحث ينقسم إلى ثلاثة مطالب:

الأول: يتناول حقوق العامل في الإسلام مثل: اختيار العمل المناسب له، وتكليفه قدر طاقته، مشيراً إلى واجب الولاية تجاه رعيتهم في توفير عمل لهم وتوفير الرعاية الإنسانية والاجتماعية لهم حال حياتهم، وفي تأمين مستقبلهم ومستقبل أسرتهم حال مرضهم أو عجزهم أو موتهم لا قدر الله، كما يشير البحث إلى ضرورة تأهيل العامل علمياً وعملياً وبدنياً ونفسياً ودينياً للقيام بعمله.

الثاني: يتناول واجبات العامل، ويتمثل في تحلي العامل بمجموعة من القيم مثل: إيمانه بأن العهمل عبادة، والأمانة والصدق وإتقان العمل والجد وعدم التقاعس الثالث: يعرض للضوابط الشرعية لسلوكيات رجال الأعمال، وفيه مجموعة من القيم الإيمانية والأخلاقية التي يجب أن يتصف بها رجل الأعمال في محاولة لحثه على الحفاظ على حقوق العامل

وأخيراً، لقد استخدمت في هذا البحث المنهج الاستقرائي القائم على الملاحظة وجمع المعلومات وذلك باستقراء الآيات والأحاديث المتصلة بهذا الموضوع، وكذلك المنهج التحليلي بتفسير هذه الآيات وشرح تلك الأحاديث

INTRODUCTION

Praise be to God, people of praise and glory, and prayers and peace be upon the master of the two universes, Muhammad: Work is one of the very important matters in Islam, and it is necessary to stop in front of the worker's rights and duties in Islam, so that each worker realizes what he has and what he owes, and this is what we seek through this research, trying to answer these questions:

What is the right of the worker when he is assigned to do something?

Is it the duty of the governor to provide work for those who have no work?

What is the right of the worker when he is incapacitated? What is the right of his family in the event of his death?

How is the worker qualified to work?

What qualities should the worker have?

What are the faith values that a businessman should have?

The first requirement: the rights of the worker in Islam:

The rights of the worker are many, for example:

- a) That the worker be assigned to the extent of his ability. In this regard, the Messenger of God says: -May God's prayers and peace be upon him-: "Take work as much as you can handle; God does not get tired of reward until you get tired of work () and thus it becomes clear that work is a task for man, and that it is within the limits of his ability.
- b) Choosing the appropriate work for the worker and placing him in the appropriate work place according to his capabilities, abilities and energy, and not assigning him money that he cannot bear. Likewise: (If the matter is closed to people who are not qualified, then wait for the Hour). () "Also, Islam has commanded that wages be determined in advance and that they should not be left in absolute terms, because the interest requires that in many jobs. There was no agreement on a wage in the beginning, for the worker is given the wage of the same, and Islam has been keen to give the workers their wages immediately upon completing their work, and warned against delaying or preventing wages. A man gave me and then betrayed me, and a man sold a free man and ate his price, and a man hired a laborer and took it from him and did not give him his wages.
- c) The right to provide work: the rulers must ensure the existence of work and its tools for people who are able to do it, i.e. Islam has obligated the Islamic state to guarantee the existence of work and its tools for citizens directly. A man came to the Messenger of God - may God's prayers and peace be upon him - asking him to He is looking into his matter because he has no work and he is in need, so the Prophet - may God's prayers and peace be upon him - called for an axe to come, with a hand made of wood. After a while to inform him of his condition, the man came after that and thanked him for making him and for what made the situation easier for him (). (And if this honorable hadith indicates anything, it indicates that it is the duty of the state to study the causes of unemployment and to discuss ways to address them and help the unemployed until the doors of work are opened for them or find jobs for them.
- d) Providing humanitarian, social and health care for the worker, as well as avoiding work risks. In his saying: (They are your brothers and your guardians, God has placed them under your hands, so whoever has his brother under his hand, let him feed him from what he eats, and clothe him with what he wears, and do not burden them with what he overpowers them.
- e) Ensuring the worker's needs in the event of disability and protecting his family after his death: Islam has made it clear that the worker has the right to insure himself and his family against work emergencies and security in the future. In addition to his poverty, his life must be secured. This applies to the worker after his death, as Islam recognizes the protection of his family and the insurance of his wife and children if they are unable to work, and the Messenger of God: peace and blessings of God be upon him said: And the Hereafter...) () It is also narrated that Omar Ibn Al-Khattab - may God be pleased with him - passed by an old man of the people of dhimmis, and he was an old blind man asking people, so he struck his arm from behind, and said: Which of the People of the Book are you? He said: A Jew. He said: What do you want me to see? He said: I ask the tribute, the need and the age, so Umar took him by the hand and went to his house and imposed something for him, then he sent to the treasurer of the treasury of money: Look at this and his beatings. Omar Ibn Al-Khattab - may God be pleased with him - used to say about widows: "As for the widows of the people of Iraq, I will not let them need anyone after me."
- f) Qualifying workers, which deals with their qualifications scientifically, practically and religiously

1- Scientific qualification: There is no doubt that any production process, even a simple one, requires a scientific qualification that a person receives in schools, institutes, and universities before entering the field of production. () (), and the Almighty says in explaining the difference between an educated human being and others: He is in the way of God until he returns) () "This is with the need to point out that science in the eyes of Islam expands to include every perception that benefits man (), with the necessity that the intended knowledge is the knowledge that benefits in the fields of life, and this knowledge is the basis of the technological construction that has become necessary for productive science.

2- In terms of practical qualification: what a person acquires from his experience in the field of work, it is sufficient for that to be the saying of the Messenger - may God's prayers and peace be upon him - (Seeking the lawful is jihad, and God loves the professional believer) () "that is, the one who has a trade or profession that he acquired from practicing work for a long period of time. ()

3- Religious rehabilitation: It means the emotional preparation of the person according to the guidance of Islam, so that he has a religious conscience that makes him watch himself, taking care of God Almighty's control over him. The effect of this on production is as follows: ()

- He should not submit to a job that he does not do well, otherwise he will be deceitful and deceitful in his contract to provide a benefit that he cannot deliver.
- Maintaining working time, knowing that God is watching over him, even if human control errs or falls short.
- Not to be slow or lazy in the performance of work, knowing that God will ask him for his life as he spent it.
- Fulfilling the requirements of the work contract in compliance with the order of God Almighty in His Almighty saying () and because any obligation that a person bears, whether its source is a legal contract or an obligation, he becomes religiously responsible for it before God Almighty.
- Work mastery: meaning the tightness of the work and what it requires of taking into account the quality and continuous improvement of performance. Proficiency is not in its minimum or near level, but its upper limit extends to innovation and innovation and presenting the best methods of work, and that is why the expression of the Messenger - may God's prayers and peace be upon him - was in urging perfection by saying: (God loves one of you if he does a job that he masters it) (). And the greater the perfection, the greater the degree of love, the greater the servant's closeness to God Almighty, and therefore the Muslim worker has ample space to give all his energy to work in order to attain the highest degrees of love and closeness to God.

The second requirement: the duties of the worker in Islam:

There is no right without duty, and no gain without effort. Islam links rights and duties with gains and sacrifices, and in light of the obligations and duties defined by Islam, the worker should display a set of faith values while performing work (), including:

First: Belief that work is worship: The worker must believe that his work is worship and obedience to God Almighty and that God Almighty will hold him accountable on the Day of Resurrection for his work. God Almighty said: ()

Second: Trust: Islam calls for honesty, and forbids fraud and lies in dealing and buying stolen money, and this is clear in the Almighty's saying: ()

The Qur'an referred to honesty on the lips of the daughter of our master Shuaib, peace be upon him, when she recommended Moses, peace be upon him, to work for her father: () Righteousness, which is honesty, and authority, which is strength or competence." In Surat Yusuf, the Qur'an explains to us the characteristics of the one who takes over the affairs of people. God says through the tongue of our master Yusuf:

Third: Proficiency: perfecting the work and performing it well according to its technical aspects are religious duties, and when our master Yusuf, peace be upon him, recommended himself to be responsible for the treasuries, he said: () (), and the Messenger of God said: may God's prayers and peace be upon him: () Indeed, God loves if one of you does a deed that he masters it) (), and in this regard the Messenger, may God's prayers and peace be upon him, says: God has decreed kindness for everything, so if you kill, then kill well, and if you slaughter, slaughter well, and let one of you sharpen his blade and let his slaughtered be merciful. The hadith confirms that everything must be performed with perfection, even at the time of slaughter.

Fourth: Seriousness and not inaction: The Messenger of God said: - may God's prayers and peace be upon him- "If the Hour comes and one of you has a seedling in the hand of one of you, and if he is able not to rise until he plants it, let him plant it" (), thus it becomes clear to us the extent of Islam's keenness on earnestness and effort, Provided that the work is legitimate, and that the effort and work is within the scope of the legality of the actions that Islam has permitted, far from the actions and actions that fall under the prohibition and hence the illegality.

It is also clear to us the importance of hard work and action in the words of God Almighty to Lady Mary when labor came to her while she was sitting under the palm tree: () (), "So God commanded her, while she was in a state of fatigue from labor, to work and shake the palm, so that the dates would fall Wet, so she eats and nourishes herself, and this is not an easy thing, and the Lord Almighty was able to send her food without making any effort, for He is capable of everything, but He commanded her to strive and make effort first, and this is an indication that one should strive He is tired of God's grace.

Fifthly: Tolerance: The Messenger of God, may God's prayers and peace be upon him, said: May God have mercy on a man who is tolerant if he sells, buys and if he requires it) () as the Almighty said in his Noble Book: ()

Sixth: Honesty: One of the most important areas in which honesty is mentioned is commerce. There are many texts that encourage honesty and forbid lying, including the saying of the Messenger, may God's prayers and peace be upon him: Merchants will be resurrected on the Day of Resurrection as ungodly, except for those who fear God and are righteous and truthful.) Likewise, the Messenger of God - may God's prayers and peace be upon him - urged honesty in explaining the defects of a commodity and not lying, as the Messenger, may God's prayers and peace be upon him, says) If they speak the truth and make it clear, it is blessed for them to sell them, and if they conceal and lie, the blessing of their sale will be annihilated.

- () Narrated by Al-Bukhari, Book of Knowledge, Chapter: Who was asked two scholars, part 1, p. 21, p. 59.
- () Narrated by Al-Bukhari, Book of Sales, Chapter: The Sin of the One Who Sold for Free, Volume 3, pg. 82, p. 2227.
- () Ibn Hajar al-Asqalani, Fath al-Bari, Sharh Sahih al-Bukhari, d., 198.
- () Reported by Al-Bukhari, Book of Literature, Chapter on What Forbids Cursing and Cursing, Vol. 8, p. 16, p. 6050.
- () Narrated by Al-Bukhari, Book of Interpretation, Surat Al-Ahzab, Chapter: The Prophet is more worthy of the believers than their own selves, Vol. 6, p. 116, p. 4781.
- () Ibn Asaker, Dictionary of Al-Shuyoukh, Dr
- () Abi Youssef Yaqoub bin Ibrahim, Kitab Al-Kharaj, Dr
- () Surat Al-Mujadila, Verse: 11
- () Surat Az-Zumar, Verse: 9.
- () Narrated by Al-Tirmidhi in his Sunan Part 6, pg. 147, and he said a good hadith, except that Al-Albani mentioned it in Al-Silsilah Al-Da'ifah No. 2037.
- () Sheikh Mahmoud Shaltout, from the guidance of Islam, d., p. 136.
- () The hadith was classed as weak by al-Albani in al-Silsilah al-Da'eefah vol.3, pg. 466, hadith no. 1301.
- () Al-Manawi, Al-Tayseer to explain the Great Mosque, d.T, Vol. 1, p. 270.
- () Muhammad Abdul Halim Omar, Control of Money in Islamic Thought - Ph.D. thesis, p. 281 and beyond
- () Surat Al-Ma'idah, verse: 1
- () Al-Albani mentioned it in Al-Silsilah As-Sahihah, Volume 3, Pg. 106. Already corrected
- () Muhammad Abdul Halim Omar, part of the Islamic curriculum in production - preparation,. The free encyclopedia.
- () Abdullah bin Muhammad bin Abi Shaybah, Dar Al-Fikr Al-Musannaf, 1994
- () Surat At-Tawbah, Verse: 105.
- () Surat Al-Baqarah, Verse: 188.
- () Surat Al-Nisa, Verse: 58.
- () Surat Al-Qasas, Verse: 26.
- () Surat Yusuf, verse: 54.
- () Surat Yusuf, verse: 55.
- () Al-Albani mentioned it in Al-Silsilah As-Sahihah, Volume 3, Pg. 106. Already corrected
- () See Sahih al-Jami': Part 1, p. 369, No. 1795.
- () See Sahih al-Jami': Volume 1, pg. 300, No. 1424.
- () Surat Maryam, verse: 25.
- () Narrated by Al-Bukhari, Book of Sales, Chapter of Ease and Grace in Buying and Selling, Volume 3, Pg. 57, H 2076.
- () Surat Al-Jathiya, Verse: 14.
- () Reported by Al-Bukhari, Book of Sales, Chapter: "God Destroys Usury and Promotes Charities", vol. 3, p. 60, p. 287.
- () It was included by Ibn Majah, Kitab Al-Jaraj, Volume 3, Pg. 514, H2146, and the hadith was classed as weak by Al-Albani.
- () Reported by Al-Bukhari, Book of Sales, Chapter: If the two sales are between and not concealed, part 3, p. 58, h 2079.
- () Al-Bukhari, Sahih Al-Bukhari, Dar Ibn Kathir, Damascus 1993. Volume 2, p. 112. Hadith No. 1472
- () Al-Isfahani, The Pretext for Makarim Al-Sharia, Dr
- () Surat Al-Ra'd, Verse: 17
- () Sahih al-Bukhari (previous reference), the book of sales, the chapter on ease and tolerance in buying and selling, vol. 3, p. 57.
- () Surat Al-Hajj, Verse: 41.
- () Narrated by Muslim, Book of Faith, Chapter Whoever cheats us is not one of us, vol. 1, p. 69, p. 102. Previously graduated
- () Surat Al Imran, verse: 104.

Sources and References

- [1]. The Holy Quran
- [2]. Bukhari
- [3]. Musnad of Imam Ahmad
- [4]. Al-Tirmidhi
- [5]. Ibn Hajar al-Asqalani, Fath al-Bari, Sharh Sahih al-Bukhari, d., 198.
- [6]. Ibn Asaker, Dictionary of Al-Shuyoukh, Dr
- [7]. Abi Youssef Yaqoub bin Ibrahim, Kitab Al-Kharaj, d
- [8]. Sheikh Mahmoud Shaltout, from the directives of Islam, d
- [9]. Al-Manawi, facilitation to explain the Great Mosque, d.
- [10]. Muhammad Abdel Halim Omar, Control of Money in Islamic Thought - Ph.D. thesis.
- [11]. Al-Albani, As-Silsilah As-Sahihah
- [12]. Muhammad Abdel Halim Omar, part of the Islamic curriculum in production - preparation,. The free encyclopedia.
- [13]. Abdullah bin Muhammad bin Abi Shaybah, Dar Al-Fikr Al-Musannaf, 1994
- [14]. Sahih Al-Jami by Al-Albani
- [15]. The Musnad of Ibn Majah
- [16]. Al-Isfahani, The Pretext for Makarim Al-Sharia,