



Hoarding goods in the perspective of the Prophet's Hadith, Legal Analysis of a Term *Ihtikār* in Fiqh al-Hadith

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Abstract: This study is a thematic application of the hadith fiqh regarding the law of hoarding goods from the perspective of the hadith of a prophet. The first step is to determine the equivalent meaning or significance of words in Arabic. The hadiths considered good or credible were in accordance with hadith science. Next, conformity with the Koran and other hadiths matches the meaning. We then examine the entire meaning of the hadith and the causes that arise from it (*asbāb al-wurūd*). The results of the hadiths collected show that it is difficult to hoard items related to basic needs because of the crisis, and the emergence of other diseases due to Allah's curse is even greater. However, scholars differ in their opinions regarding the level of hoarding large amounts of goods that last for a long time in a fiqh hadith. The Fiqh-Hadith method was used in this study. Its relevance is as a legal source regarding the terms *Ihtikār* from the perspective of the Prophet's hadith in Islamic legal discourse in the review of fiqh hadith. The *Ihtikār* legal source is essential in the context of Islamic legal discourse and the Prophet's hadith, particularly in the review of fiqh hadith.

Keywords: Hoarding Good; *Ihtikār*; Fiqh Hadith; Legal Discourse.

Abstrak: Penelitian ini merupakan aplikasi tematik fiqh hadits tentang hukum penimbunan barang dari perspektif hadits Nabi. Langkah pertama adalah menentukan padanan makna atau makna kata-kata dalam bahasa Arab. Kemudian hadits-hadits yang dianggap baik atau kredibel sesuai dengan ilmu hadits. Selanjutnya, kesesuaian dengan Alquran dan hadis lainnya yang sesuai makna. Kemudian, melihat keseluruhan makna hadits dan sebab-sebab yang muncul dari hadits tersebut (*asbāb al-wurūd*). Adapun hasil hadits-hadits yang dikumpulkan adalah haramnya menimbun barang-barang yang berkaitan dengan kebutuhan pokok karena akibat krisis dan yang lebih besar adalah timbulnya penyakit lain akibat laknat Allah. Akan tetapi, para ulama berbeda pendapat tentang tingkat penimbunan barang yang dilakukan terhadap barang yang banyak agar dapat bertahan lama dalam hadits fiqh. Metode yang dipakai adalah metode Fiqh Hadis. Adapun relevansinya adalah sebagai sumber hukum tentang terma *Ihtikār* perspektif hadis Nabi dalam wacana hukum Islam dalam tinjauan Fiqh hadis.

Kata kunci: Menimbun Barang; *Ihtikār*; Fiqh Hadith; Sumber Hukum.

1. Introduction

Several years ago, Indonesia was during the COVID-19 pandemic, experiencing a shortage of cooking oil owing to the hoarding of merchandise and shortages of other food commodities. The police handled 18 cases of alleged misappropriation of cooking oils in Indonesia. The modes that cover these variables vary. Apart from stockpiling, another method is to mix cooking oil with yellow water. The police have acted against a series of cases (Liputan6, April 2022). There are shortages in rice, salt, and other resources, all of which have caused problems in the country.

The Indonesian government has enacted regulations with the objective of regulating the hoarding of essential commodities, including rice, grains, sugar, and kerosene. These regulations mandate that traders obtain authorization from the relevant authorities to possess or store quantities exceeding specified limits (Kuntadi, 2024). These regulations are consistent with the stipulations set forth in the Law on the Hoarding of Important Goods, which underscores the necessity for traders to adhere to the prescribed conditions for the storage of these essential commodities (Kuntadi, 2024).

Moreover, the government has established regulatory frameworks governing the importation of feeder cattle and beef in Indonesia, as outlined in specific ministerial regulations (Kuntadi, 2024). These regulations, exemplified by the Regulation of the Minister of Agriculture Number 108 of 2014, provide the framework for the importation of feeder cattle, parent cattle, and cattle ready for slaughter into the country (Kuntadi, 2024). This illustrates the government's commitment to regulating and managing the importation of livestock products to guarantee compliance with established standards and regulations.

In a broader context, Indonesia has been focusing on large-scale infrastructure development to boost economic growth and enhance competitiveness (Hudalah et al., 2021). This strategic approach aligns with the government's initiatives to stimulate economic progress through significant projects and initiatives. Additionally, the country's rich natural and human resources play a vital role in driving prosperity and development for its people (Sari, 2023).

The Indonesian government enacted Law Number 5 of 1999 to address monopolistic practices and unfair business competition, under pressure from the International Monetary Fund (IMF) to eliminate such practices (Böhme & Müller, 2012). This law, effective from March 5, 2000, aims to regulate and prevent monopolies and unhealthy competition in the Indonesian market (Böhme & Müller, 2012).

From an Islamic law perspective, the concept of *Ihtikār*, or hoarding, is scrutinized based on the type of goods and the duration of hoarding. Imam Al-Ghazali differentiated between staple foods, complementary foods, and non-food items, suggesting that hoarding non-staple foods like medicines is permissible (Alam et al., 2020). However, concerns arise when hoarding items that can substitute staple foods,

indicating restrictions on hoarding certain products like ghee, honey, and olive oil (Alam et al., 2020).

In Arabic, *Ihtikār* translates to monopoly in English, indicating control over the market to manipulate prices and create scarcity (Jian-jun & Wang, 2023). This control can lead to various market structures such as monopoly, oligopoly, or duopoly, affecting pricing and market dynamics (Jian-jun & Wang, 2023). The practice of *Ihtikār* can distort market mechanisms by limiting supply and influencing prices at the discretion of the hoarder (Jian-jun & Wang, 2023).

Hoarders are characterized by the words *khāṭi* or sinners. This characteristic of *khāṭi* is also what Allah swt labelled *Ṭagūt* who had done injustice like Fir'aun and others (QS. Al-Qaṣaṣ [28]: 8). In fact, in the Islamic social system, it is emphasized that if there is a hoarder in their midst, Allah threatens him with serious illness and bankruptcy. Some scholars have explained that the purpose of hoarding food, specifically several hadiths, is to demonstrate that hoarding food is more dangerous than hoarding other goods.

The COVID-19 pandemic has had a significant impact on food security and the economy in Indonesia, resulting in shortages and price increases for essential commodities such as cooking oil, rice, and salt. Hoarding and market speculation by economic actors have worsened these issues, affecting food accessibility for the population (Simanjuntak & Budiyo, 2023). To address this, the government has implemented regulations and legal actions to combat hoarding, highlighting the importance of state intervention in maintaining food security during crises (Simanjuntak & Budiyo, 2023).

From an Islamic law perspective, hoarding goods, especially essential items, is considered a sinful act that disrupts social harmony. Islamic scholars like Imam Al-Ghazali have emphasized the prohibition of hoarding in Islamic teachings, stressing the ethical implications of such behavior (Arifah & Kim, 2022). This viewpoint underscores the significance of ethical principles in business and economics, particularly within modern market economies.

Research has been conducted to assess the effectiveness of anti-monopoly and unfair business competition laws in Indonesia, specifically Law No. 5/1999, in addressing hoarding practices during the pandemic (Rajkumar, 2021). While these laws have helped mitigate monopolistic and oligopolistic behaviors that harm consumers, there are criticisms regarding certain aspects of their implementation. The study suggests the necessity of policy adjustments to tackle new challenges posed by the pandemic, emphasizing transparency and healthy competition to bolster economic stability and food security (Rajkumar, 2021).

Prior research has examined the efficacy of anti-monopoly legislation and government regulations on essential commodities in Indonesia (Rajkumar, 2021; Kuntadi, 2024). However, these studies have not explicitly linked this legal framework to the principles of Islamic law. Furthermore, Imam Al-Ghazali has classified the types

of goods and provided insights on the practice of hoarding non-essential foodstuffs (Alam et al., 2020). This research will build upon Al-Ghazali's work with a focus on hadith criticism, not just the legal aspects of his output.

While previous research has explored various aspects of hoarding and market regulation in Indonesia, there is a notable absence of studies that integrate Islamic legal perspectives with contemporary legal frameworks. This research aims to address this gap by combining *fiqh al-hadith* and modern Indonesian legislation to provide a comprehensive *fiqh al-hadith* framework for addressing hoarding practices. Furthermore, this research elucidates the ethical dimensions of hoarding in Islamic teachings, which can reinforce the moral foundation of government policies and enhance public compliance. Additionally, the research presents policy recommendations based on the legal and ethical analysis of the hadith, which contribute to more robust and culturally relevant market regulation.

This study employs a qualitative approach, focusing on the methodology of Fiqh al-Hadith to analyze the relevant hadiths on *Ihtikār*. This method includes a textual analysis, which entails a comprehensive examination of relevant hadiths to ascertain their legal and ethical implications regarding hoarding. Furthermore, it involves interpreting the text in the context of its historical and theological development. Furthermore, a comparative analysis will be conducted, juxtaposing Islamic legal principles with contemporary Indonesian legislation on hoarding and monopolistic practices. This will facilitate the identification of similarities and differences between the two. A case study will also be conducted to gain insight into hoarding behavior in Indonesia during the pandemic, thereby providing a practical example and validating the theoretical findings.

Considering the background, this paper will discuss the issue of stockpiling goods from the perspective of Fiqh al-Hadith, with a particular focus on *ihṭikār*, or the accumulation of goods for commercial or everyday purposes. This method is employed to ascertain the legal implications and wisdom embedded within the study of hadith texts. Consequently, the Fiqh al-Hadith methodology does not prioritize research on the chain of narration; rather, it focuses on critiquing the hadith to ascertain the legal provisions and wisdom embedded within. The findings of this study will yield relevant legal conclusions pertaining to the issue of *Ihtikār*, thereby serving as a fundamental legal reference for government policies concerning primary food monopolies.

2. Result and Discussion

Analysis of the meaning of Al-Ihtikār

Al-Ihtikār in terminology is if someone buys food when the price is high, then he hoards it to sell it at a higher price when the need for the food is urgent. Hoarding in Arabic is *Al-Ihtikār*, from the word *Al-Ihtikār yahtakiru*, which means linguistically that it is

al-habsu (holding), and *aljam'u* (collecting) etymologically is the act of hoarding, collecting (goods), or a place to hoard (Fasiha et Al, 2018).

Al-Ihtikār, a term derived from Islamic jurisprudence, denotes the practice of procuring goods in substantial quantities in the field and subsequently retaining them in storage, thereby creating a scarcity of supply in the market and consequently driving up prices. Subsequently, when the price of the goods in question rises, the hoarder will release them onto the market, thereby generating a substantial profit (Sabiq, 1990). The term “*al-Ihtikār*” is often translated as “monopoly” or “hoarding,” but it is distinct from these concepts. In Islamic doctrine, business activities are permitted regardless of whether an individual is the sole vendor (monopolist) or if there are other vendors, and the storage of goods for inventory purposes is not proscribed. Consequently, legitimate monopolies and the maintenance of inventories are permitted. However, what is prohibited is *Al-Ihtikār*, which involves taking abnormal profits by selling fewer goods at higher prices, akin to monopoly rent-seeking (Adiwarman, 2007).

Ihtikār, which involves reducing the circulation of goods in the community, has the effect of driving up prices and securing significant profits, which ultimately disadvantages the public (Nuraini, 2019). The subject has long been a topic of discussion in Islamic economics. Islamic economic law deems it haram if the hoarded goods are essential to the community, resulting in price hikes (Kamal & Abdullah, 2019). Contemporary Islamic economists offer a range of interpretations of *Ihtikār*. Some view it as a form of monopoly, while others regard it as hoarding (Rosyidi, 2020). Furthermore, practices such as *Ihtikār* and *tas'ir* may be permissible if the market experiences a significant price increase (Zaini, 2018).

Traders are prohibited from doing *Al-Ihtikār*, that is, hoarding goods with the aim of speculation, so that they earn a large profit above the normal profit or sell only a few goods to earn a higher price, so that they earn a profit above the normal profit. In economics, this is called monopoly rent-seeking. The prohibition of *Al-Ihtikār* is contained in the words of the Prophet SAW (Al-Mubarakafuri), From Ma'mar bin Abdullah bin Fadhlah, he said, I heard the Messenger of Allah say, “Do not do *Al-Ihtikār* except those who are guilty (sinful)” Tirmidzi).

Among scholars, there are indeed differences in the prohibited items used as objects in *Al-Ihtikār*. However, there seems to be a common perception of *Al-Ihtikār*'s prohibition of basic needs. Imam Nawawi firmly said that *Al-Ihtikār* or basic needs is unlawful. An-Nawawi's opinion is rational because basic needs involve the livelihoods of many people. However, it must be noted that there have been many shifts in need. In the past, maybe a product was not really needed and did not interfere with social life, but now the product may have become a major need, for example, in oil and medicine. Therefore, we should not be caught up in the classification of goods that cannot be stockpiled, or those that are permissible. However, it should be noted that hoarding with the aim of speculative purposes to disrupt the market and socio-economy is prohibited.

Muslims have experienced rising prices in Medina because of genuine factors. To overcome this, the caliph Umar bin al-Khattab conducted market intervention. Many goods were imported from Egypt to Medina. Therefore, direct intervention was conducted based on the number of goods offered. Market intervention was conducted at the time of Prophet and *Khulafaur Rashidin*. At that time, the price of wheat in Medina rose, and the government imported wheat from Egypt. If the market forces were running voluntarily without any distortion, Rasulullah SAW refused the price intervention (Nuryadi, 2007).

The definition of *Al-Ihtikār* according to fiqhi experts is that what is meant by prohibited hoarding is that there are the following conditions: Excess from the needs that are stockpiled; Storing or holding goods until they are marketed in the hope that prices will rise, thereby becoming an advantage for them; Storing or holding goods when goods are steps that result in difficulty for humans to meet needs (Sabiq, 1990).

Islamic trade is based on the principle of the freedom of exchange transactions. However, these activities were accompanied by the hope of obtaining pleasure from Allah. Islam provides teachings on when a Muslim can make transactions, how the transaction mechanism is, and what goods and service commodities can be traded in the Muslim market. Islam regulates how traders harmonize trading activities with their obligation to worship. In general, efforts and economic benefits that are carried out and obtained to meet one's needs are considered necessary under Islamic law (Siddiqi, 1996) The behavior of justifying all kinds of ways to achieve goals is a deviant behavior (anomie) of humans. This behavior has implications for the destruction of the socio-economic, political, and environmental order, all of which lead to the destruction of the order of human life itself (Muhammad 2007).

In a monopoly, a business actor (stockpiling of goods) sells goods or services at a high price when someone else is in dire need is an act of sin. From an Islamic economic perspective, there are prohibitions in which producers manipulate supply by hoarding goods or services and creating scarcity issues to obtain higher profits through higher pricing. In doing so, an Islamic monopoly is allowed, and the monopoly's rent is prohibited. However, hoarding goods to benefit the population in the context of preparing for the famine season may not be considered a sin. Islam teaches to help is not detrimental to each other for one's own sake (Pulungan, S. 2020).

Islam allows for government intervention in the market to ensure the normal circulation of people's needs Taufiq & Razali (2020). *Ihtikar* and *tas'ir* practices are permissible in Islam when the market experiences price surges (Zaini, 2018). However, the Prophet Muhammad (peace be upon him) condemned those who engage in *ihthikar* as sinners (Rosyidi, 2020). The aim of prohibiting monopolistic practices and unfair business competition in Indonesia is to encourage the purchase of non-subsidized goods by initially reducing their volume and increasing their price (Mahendrawati, 2021). *Al-Ihtikār* and monopoly have something in common, namely jointly forming prices in the market unnaturally and having a profit motive. Monopoly actors and *Al-Ihtikār* have

the option of offering goods to the market. A monopoly and *Al-Iftakar* can lead to polemics and societal dissatisfaction. Monopoly and *Al-Ihtikār* are a way for the rich to exploit the poor (Putra, M.D., Amelia, F., & Putri, D. (2019).

This definition leads to the understanding that monopoly and *Al-Ihtikār* are the same but have the following differences:

Difference Between Monopoly And Ikhtikar

Monopoly	Ihtikar
Affected by high costs Both production and Operational	<i>Al-Ihtikār</i> is carried out by owners of relatively small capital
Monopoly is carried out by the owners of capital at large costs for society	The practice of <i>Al-Ihtikār</i> is more likely to be accidental What anyone can do without rules
Monopoly actors carry out regulations according to the rules of the central government	<i>Al-Ihtikār</i> has no legal rules and even violates the law.
Monopoly has the power of law and regulation	<i>Al-Ihtikār</i> leads to scarcity of goods and inflation

Critical Analysis of The Quoted Hadith

There are 12 hadith information regarding the prohibition of hoarding goods, which are scattered in various hadith books. In Sahih Muslim 2 hadiths, Sunan Abu Daud 1 hadith, Sunan al-Tirmidzy 1 hadith, Sunan Ibn Majah 1 hadith, Musnad Ahmad bin Hambal 5 hadith, Muwaththa ‘Malik 1 hadith, and Sunan ad-Darimy 1 hadith.

The hadiths about *al-Ihtikār* law that will be the target of research in writing this thematic hadith are four traditions contained in the Sahih Muslim, Tirmizi, Abu Daud hadith books and one hadith in Ahmad.

The four hadiths that the author explains can probably represent the hadiths about hoarding things, because the core discussion of the 12 main hadiths continues to have the same meaning. So, these four hadiths seem to represent the main points of discussion. These four hadiths are in the quality category of *Ṣaḥīḥ* and *Ḥasan* from which the conclusion of the *Hasan* hadith is raised in rank to *ṣaḥīḥ li gairihi*. As in the hadith below:

حَدَّثَنَا عَبْدُ اللَّهِ بْنُ مَسْلَمَةَ بْنِ قَعْنَبٍ حَدَّثَنَا سُلَيْمَانُ يَعْنِي ابْنَ بِلَالٍ عَنْ يَحْيَى وَهُوَ ابْنُ سَعِيدٍ قَالَ كَانَ سَعِيدُ بْنُ الْمُسَيَّبِ يُحَدِّثُ أَنَّ مَعْمَرًا قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ مَنْ اخْتَكَّرَ فَهُوَ خَاطِئٌ فَقِيلَ لِسَعِيدٍ فَإِنَّكَ تَحْتَكِرُ قَالَ سَعِيدٌ إِنَّ مَعْمَرًا الَّذِي كَانَ يُحَدِّثُ هَذَا الْحَدِيثَ كَانَ يَحْتَكِرُ (رواه مسلم ٣٠١٢)

Has told us Abdullah bin Maslamah bin Qa'nab has told us Sulaiman - namely Ibnu Bilal - from Yahya - namely Ibn Sa'id - he said, "Sa'id bin Musayyab narrated that Ma'mar said, "Rasulullah shallallahu' Alaihi Wasallam said: "Whoever hoards things, he is sinning"

حَدَّثَنَا إِسْحَاقُ بْنُ مَنْصُورٍ أَخْبَرَنَا يَزِيدُ بْنُ هَارُونَ أَخْبَرَنَا مُحَمَّدُ بْنُ إِسْحَاقَ عَنْ مُحَمَّدِ بْنِ إِبْرَاهِيمَ عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ عَنْ مَعْمَرِ بْنِ عَبْدِ اللَّهِ بْنِ نَضْلَةَ قَالَ سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ لَا يَحْتَكِرُ إِلَّا خَاطِئٌ قُلْتُ لِسَعِيدِ يَا أَبَا مُحَمَّدٍ إِنَّكَ تَحْتَكِرُ قَالَ وَمَعْمَرٌ قَدْ كَانَ يَحْتَكِرُ قَالَ أَبُو عَيْسَى وَإِنَّمَا رُوِيَ عَنْ سَعِيدِ بْنِ الْمُسَيَّبِ أَنَّهُ كَانَ يَحْتَكِرُ الزَّيْتَ وَالْجِنَطَةَ وَنَحْوَ هَذَا قَالَ أَبُو عَيْسَى وَفِي الْبَابِ عَنْ عُمَرَ وَعَلِيِّ وَأَبِي أُمَامَةَ وَابْنِ عُمَرَ وَحَدِيثُ مَعْمَرٍ حَدِيثٌ حَسَنٌ صَحِيحٌ وَالْعَمَلُ عَلَى هَذَا عِنْدَ أَهْلِ الْعِلْمِ كَرَهُوا احْتِكَارَ الطَّعَامِ وَرَخَّصَ بَعْضُهُمْ فِي الْإِحْتِكَارِ فِي غَيْرِ الطَّعَامِ وَقَالَ ابْنُ الْمُبَارَكِ لَا بَأْسَ بِالْإِحْتِكَارِ فِي الْقُطْنِ وَالسِّخْتِيَانِ وَنَحْوِ ذَلِكَ (رواه الترمذي ١١٨٨)

Has told us Ishaq bin Manshur has told us Yazid bin Harun has told us Muhammad bin Ishaq from Muhammad bin Ibrahim from Sa'id bin Al Musayyib from Ma'mar bin Abdullah bin Nadhlah he said, I heard the Prophet sallallaahu 'alaihi wasallam say: "No one hoards unless he has done something wrong." I asked Sa'id; O Abu Muhammad, indeed you are hoarding. He said, Meanwhile, Ma'mar has been stockpiling. Abu Isa said, in fact, it has been narrated from Sa'id bin Al Musayyib that he once hoarded oil, wheat seeds or something similar. Abu Isa said, in this case there are similar hadiths from Umar, Ali, Abu Umamah and Ibn Umar. And the Ma'mar hadith is an authentic Hasan hadith. This hadith is a guideline for charity according to ulama; They discourage the hoarding of food, but some of them allow hoarding other than food. And Ibn Al Mubarak said, it's okay to stockpile cotton, tanned leather or something similar.

حَدَّثَنَا الْحَسَنُ بْنُ عَلِيٍّ حَدَّثَنَا أَبُو عَاصِمٍ عَنْ جَعْفَرِ بْنِ يَحْيَى بْنِ ثَوْبَانَ أَخْبَرَنِي عِمَارَةُ بْنُ ثَوْبَانَ حَدَّثَنِي مُوسَى بْنُ بَادَانَ قَالَ أَتَيْتُ يَعْلىَ بْنَ أُمَيَّةَ فَقَالَ إِنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ احْتِكَارُ الطَّعَامِ فِي الْحَرَمِ إِحْدَادٌ فِيهِ (رواه أبو داود ١٧٢٧)

Has told us al-Hasan bin Alī has told us Abū 'Ashim from Ja'far bin Yahya bin Tsauban, has told us 'Imarah bin Tsauban, has told me Musa bin Badza]; he said; I have come to Ya'la bin Umayyah, and he said; In fact, Rasulullah shallallahu 'alaihi wasallam said: "Hoarding food on Haram land is an act of kufr committed therein.

حَدَّثَنَا أَبُو سَعِيدٍ مَوْلَى بَنِي هَاشِمٍ حَدَّثَنَا الْهَيْثَمُ بْنُ رَافِعٍ الطَّاطِرِيُّ بَصْرِيٌّ حَدَّثَنِي أَبُو يَحْيَى رَجُلٌ مِنْ أَهْلِ مَكَّةَ عَنْ فَرُوحِ مَوْلَى عُثْمَانَ أَنَّ عُمَرَ رَضِيَ اللَّهُ عَنْهُ وَهُوَ يَوْمئِذٍ أَمِيرُ الْمُؤْمِنِينَ خَرَجَ إِلَى الْمَسْجِدِ فَرَأَى طَعَامًا مَنُثُورًا فَقَالَ مَا هَذَا الطَّعَامُ فَقَالُوا طَعَامٌ جُلِبَ إِلَيْنَا قَالَ بَارَكَ اللَّهُ فِيهِ وَفِيَمَنْ جَلَبَهُ قِيلَ يَا أَمِيرَ الْمُؤْمِنِينَ فَإِنَّهُ قَدْ احْتَكِرَ قَالَ وَمَنْ احْتَكِرَهُ قَالُوا فَرُوحُ مَوْلَى عُثْمَانَ وَقُلَانِ مَوْلَى عُمَرَ فَأَرْسَلَ إِلَيْهِمَا فَدَعَاهُمَا فَقَالَ مَا حَمَلَكُمَا عَلَى احْتِكَارِ طَعَامِ الْمُسْلِمِينَ قَالَا يَا أَمِيرَ الْمُؤْمِنِينَ نَشْتَرِي بِأَمْوَالِنَا وَنَبِيعُ فَقَالَ عُمَرُ سَمِعْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ يَقُولُ مَنْ احْتَكِرَ عَلَى الْمُسْلِمِينَ

طَعَامَهُمْ ضَرَبَهُ اللَّهُ بِالْإِفْلَاسِ أَوْ بِجُدَامٍ فَقَالَ فَرُوْحٌ عِنْدَ ذَلِكَ يَا أَمِيرَ الْمُؤْمِنِينَ أَعَاهِدُ اللَّهَ وَأَعَاهِدُكَ
 أَنْ لَا أَعُودَ فِي طَعَامٍ أَبَدًا وَأَمَّا مَوْلَى عُمَرَ فَقَالَ إِنَّمَا نَشْتَرِي بِأَمْوَالِنَا وَنَبِيعُ قَالَ أَبُو يَحْيَى فَلَقَدْ رَأَيْتُ
 مَوْلَى عُمَرَ مَجْدُومًا (رواه أحمد ١٣٥)

Has told us Abu Sa'id, a slave of the Bani Hashim Has told us Al Haitsam bin Rafi' Ath Thathari of Basra Has told me Abu Yahya, a man from Makkah from Farrukh, a servant of Uthman, that Umar when he became Amirul Mukminin, he went out to the mosque and saw food scattered around, so he asked; "What food is this?" They answered, "The food that was brought to us," he said; "May Allah bless this food and the person who brought it," then someone said; "O Amirul Mukminin, the food has been hoarded," Umar asked; "Who hoarded it?" They answered, "Farrukh is Uthman's servant and Fulan is Umar's servant," so Umar sent a messenger to summon the two of them, then he said; "What prompted you two to hoard Muslim food?" Both answered, "O Amirul Mukminin, we buy with our wealth and sell." So, Umar answered, "I heard Rasulullah SAW say: "Whoever hoards the wealth of the Muslims, Allah will afflict him with bankruptcy or leprosy," then Farrukh said at that time: "O Amirul Mu'minin, I promise to Allah and you not to repeat hoarding food forever." As for Umar's servant, he said, "We only buy with our wealth and sell." Abu Yahya said, "So I saw that Umar's servant was affected by leprosy.

Regarding the criticism of this hadith from the assessment of the validity of the sanad and matan as stated in the hadith stated above, first, scholars consider the hadith narrated by Muslims to be valid. Second, Ahmad's hadith regarding scholars' judgment is valid. Third, the assessment of the hadith narrated by Ibn Majah was assessed by scholars as having the value of Hasan narrated by 'Umar (al-Bājī, al-Muntaqā, Kitāb Buyū' Bāb Ḥukrah wa Tarabbus:1339-1352), while Ibn Ḥajar al-'Asqalānī (al-'Asqalānī, Faḥ al-Bāri Kitāb Buyū' Bāb *Al-Iḥtikār*: II/408) and Nasiruddin al-Albani assesses ḍā'if (Silsilah aḍ-Da'īfah). Fourth, the hadith narrated by Abū Dāud in the assessment of scholars is worth ṣaḥīḥ, judged from the sanad of the hadith, as well as al-Albānī (Silsilah aḍ-Da'īfah, n.d).

In Muslim history, the language of hadith is used "*man Iḥtakar khāṭi*". Meanwhile, in the hadith narrated by Tirmizī, additional words are used "*khāṭi li at-Ṭa'ām*," This shows that there is a change in the law when hoarding other than food is because it is dimakruh. In the hadith of Muslim history there is also no reply or response as a threat to hoard goods, except only using words "khāṭi" What is different from the hadith narrated by Tirmizī is that there are differences between hoarding food items that are wrong and others that are not. Abū Dāud's hadith is "*Al-Iḥtikār at-Ṭa'ām fī al-ḥarām il ḥād fihī*", shows that even hoarding food in haram land in Mecca and Medina is punishable by kufr. While the hadith is narrated by Aḥmad that the punishment for hoarding food is bankruptcy and leprosy is characterized by the words "*ḍarabahu Allah bi al-Iflās aw bi jizām*" So, from these four hadiths it can be concluded that there has

been no change in the law but there is a legal correlation, with it being haram to hoard food, especially on haram land, and that you will be punished by "bankruptcy" or "leprosy."

Regarding its compatibility with the Qur'an, judging from the content of the hadith, it does not conflict with the Qur'an, even the hadith is in line with the verse of Q.S At-Taubah: 34-35 which reads: "(34) O you who believe! Indeed, many pious people and their monks falsely eat people's wealth and (they) hinder (people) from the path of Allah. And those who keep gold and silver and do not spend them in the way of Allah, then give them good news, (that they will have) a painful punishment. (35) (remember) the day when gold and silver will be heated in the Hellfire, then their foreheads, sides and backs will be ironed (as it is said) to them, "This is your treasure that you have kept for yourself, so taste it (the consequences of) what do you keep it."

Descent or emergence of the hadith, the author cites information from *al-Bayān wa at-Ta'rīf fī Asbāb al-Wurūd al-Ḥadīs ash-Syarīf Ibn Ḥamzah*:

The verses that can explain this problem are QS. Al-Taubah verses 34-35: "And those who save gold and silver and do not spend it in the way of Allah, so tell them (that they will have) a painful torment. On the day that gold and silver are heated in the Hellfire, their foreheads, sides, and backs are burned with it (then it is said to them): "This is your treasure that you have kept for yourself, so feel now (the result of) what you have saved. That".

Asbabul Nuzul this verse is narrated from Ibn Abbas that the beginning of this verse was revealed to please the priests from the People of the Book who took bribes from their followers. The end of this verse came down to please the people of the book and Muslims who often hoard property. The essence of this verse is the habit of Jews, both their scholars and monks, to commit falsehood, namely, to seek property in an improper way and prevent those who will believe or those who have believed to worship. To Allah. Both threats and punishments make up, as well as spreading fear. They also always keep gold, silver, and so on and are reluctant to spend some of these treasures in the way of Allah. Therefore, it is inappropriate for believers to follow their actions. If they do, it would be the same as that of Jews. If so, later on the last day, they will enter hell. They are tortured by pain (Ministry of Religion of the Republic of Indonesia, 2009).

Various opinions of scholars about the law of origin of al-Iḥtikār

Among Islamic scholars, there is a consensus that hoarding, known as Al-Iḥtikār, is prohibited not only for basic food items but also for goods that, if scarce, could lead to widespread hardship Nuraini (2019). Scholars from various schools of thought, including Shafi'i, Hanbali, Maliki, Zaidi, and Zahiri, unanimously consider *Al-Iḥtikār* as illegal due to its detrimental impact on society and the economy (Puthenpeddikayil, 2015). Maliki scholars specifically emphasize the need for government intervention to

prevent *Al-Iḥtikār*, as it poses significant harm to people's lives and economic stability (Puthenpeedikayil, 2015).

The primary concern of scholars regarding *Al-Iḥtikār* is the protection of consumers' rights, as hoarding essential goods can adversely affect many individuals (Puthenpeedikayil, 2015). The Shafi'i scholars view the act of *Al-Iḥtikār* as a violation of Islamic teachings, equating intentional mistakes in this regard to a denial of Sharia principles, which is strictly forbidden (Puthenpeedikayil, 2015). The severity of engaging in *Al-Iḥtikār* is highlighted in hadiths where.

Yusuf Al-Qaradawi, a prominent contemporary Islamic scholar, has made significant contributions to Islamic discourse in the modern world. He is recognized for his expertise in fiqh, particularly in the area of zakat management (Risnandar, 2019). Additionally, Al-Qaradawi, as the president of the International Union of Muslim Scholars, is known for upholding the majoritarian medieval tradition on apostasy ("An introduction to the constitutional law of Afghanistan / authors Rose Leda Ehler, Daniel Lewis, Elizabeth Espinosa, Jane Farrington, Gabe Ledeen ; editors Stephanie Ahmad, Ingrid Price, Sam Jacobson, Catherine Baylin, Jane Farrington, Jay Minga, Jason Fischbein.", 2015). His unique perspective on legal differences within Islamic jurisprudence has been detailed in various articles (Sirajulhuda, 2018; Matien, 2021). Furthermore, his influential role in shaping opinions within the Islamic community, such as his stance on boycotting pro-Israel brands, highlights his impact (Pratama, 2023).

The second opinion is The second opinion on *Al-Iḥtikār* is held by Hanafi scholars, who consider it as *makruh tahrim* (forbidden) based on the *dzanni* (relative) proposition within Hanafi *usul al-fiqh*. According to this perspective, the prohibition of *Al-Iḥtikār* arises from *ahad* hadith, which is considered *dzanni* (relative) proof. Hanafi scholars emphasize that individuals have the right to buy and sell goods freely without external interference, as it is a personal matter. While there are conflicting arguments within the Hanafi school regarding *Al-Iḥtikār*, the scholars prioritize the prevention of harm to others over personal interests to maintain societal well-being (Rahayu, 2023).

The scholars disagreed regarding the legal status of *al-Iḥtikār*, with the following details: (1) *Al-Iḥtikār* is forbidden because there is a hadith which reads, Whoever If you do *Al-Iḥtikār* then the law is a sin. (Muslim Kitab al-Buyu' chapter Tahrim *Al-Iḥtikār fil Aqwat* 1605); (2) The *makruh* of *Al-Iḥtikār* because it is only limited to the law of *makruh* because the hadith prohibiting *Al-Iḥtikār* is only a reminder or warning; (3) *Al-Iḥtikār* is forbidden because it involves basic ingredients such as staple food, but other than staples it is permissible (Muslims in the book al-Buyu' chapter Tahrim *Al-Iḥtikār fil Aqwat* 1605); (4) *Al-Iḥtikār* is forbidden if it affects the economy in an area, including the increase in the price of a commodity; (5) *Al-Iḥtikār* is permissible if the practice is only temporary in nature without the purpose of gaining profit, such

as only storing in warehouses as a process of distributing goods (Bukhāri 2131, and Muslim 5, 8).

The scholars also disagree with regard to goods that are forbidden to be hoarded, there are two well-known opinions in this regard; Such as Imam Hanafi, Sufyan ats-Tsauri, and Imam Malik argue that only goods that are really needed by humans because of the prohibition of *Al-Iḥtikār* is general. However, Imam Shafi'ī and Imam Ahmad stated that the forbidden *Al-Iḥtikār* are only basic food ingredients, with the evidence of several muqayyad narrations (which specifically mention food ingredients) corroborated by what the Messenger of Allah did. He once kept his family food for one day. A full year (Bukhorī 5357, and Muslim 1757), at the time of the Messenger of Allah, there were several companions who hoarded like Ma'mar hoarding oil. From some of the opinions above, there is a strong opinion that the hoarding of goods needed by the community is categorized as haram and prohibited, which is due to an urgent case.

Rasulullah once did *Al-Iḥtikār* by saving food for a whole year for his family, in the statement of ibn Hajar, he said: "It is possible" (as explained by Imam Bukhārī who allowed *Al-Iḥtikār*), because from the hadith narrated by Ma'mar issued by Imam Muslim is invalid" (ibn Hajar, 4:40). He also said, "Just keeping things at home doesn't mean hoarding/forbidden *Al-Iḥtikār*, because forbidden *Al-Iḥtikār* is holding back food (not selling it), even though he doesn't need it, while humans really need it, and then sell it when the price soars." So, the prohibited *Al-Iḥtikār* is with the conditions mentioned above, as for just storing human necessities like what the Prophet did, it is not a prohibited *Al-Iḥtikār*.

It is forbidden to *Al-Iḥtikār* in some places, such as in the cities of Makkah and Madinah, while in other places, *Al-Iḥtikār* is allowed in it, this is because Makkah and Madinah are two cities which are limited in scope, so if there is any do *Al-Iḥtikār* one of the goods of human needs, then their economy will be disrupted and they will have difficulty getting the goods they need, while in other large places, if someone hoards their merchandise, it usually does not affect the human economy, so it does not forbidden *Al-Iḥtikār* in it (al-Mubrākūrī, 404).

Food security rules were also permitted. Al-Baihaqī explains that hoarding goods in Mecca is a rule that applies to trade. Al-Baihaqī narrated from 'Aṭā' that Ibn 'Umar asked someone to go buy food then that person asked him whether he needed it in terms of buying, for house use or reselling it, then the person related that he heard from the Messenger of Allah, hadith about hoarding goods by reading the hadith to the end (Ibn Ḥamzah, n.d).

Iḥtikār is absolutely permissible as in the hadith of the Prophet, which instructs people who buy groceries to bring them to their homes first before selling them back as by *Iḥtikār* on the grounds that *Iḥtikār* is permissible, as in the hadith: Ishaq ibn Ibrahim told us al-Walīd ibn Muslim from al-Awzā'ī from al-Zuhrī from Salīm from his father ra said: "I saw people who bought groceries without being weighed at the time

of the Messenger of Allah, they were prohibited from selling it unless they must first transport it to their place of residence” (al-Bukhārī, II/2024).

Thematically, hadith clearly describes the prohibition of hoarding goods, whose work results in sin being neglected by Allah in life and causes disease. However, in other circumstances, it is allowed on the condition that it is not for personal gain in business; hoarding household goods is allowed as living stock for less than one year. In addition, hoarding of commercial goods was allowed in the cities of Mecca and Medina in preparation for the adequacy of the Haramain community with established rules.

Scholars have different opinions regarding the law of hoarding goods, with a note that basic ingredients, such as wheat, corn, rice, and other foodstuffs, are not allowed. In addition, it is permissible, provided that it must be brought back to the previous house and has been scattered throughout people’s homes; therefore, there is no shortage of goods that causes chaos.

3. Conclusion

Understanding hadith, or *hadith fiqh*, is the effort to comprehend the teachings of the Prophet Muhammad. This practice began during the Prophet's time and continued with his companions, although initially in a simpler form due to the less complex nature of contemporary issues. For generations following the Prophet, understanding hadith has remained crucial. Several methods exist in the process of *hadith fiqh*, including interpreting hadith in accordance with the Quran, considering the context of the hadith’s revelation (*asbab al-wurud*), distinguishing between changing methodologies and fixed goals, and discerning the true meaning.

According to the Prophet's hadith, hoarding basic commodities is prohibited as it disrupts social order, causes crises, disease, and invites divine retribution. While scholars differ in their opinions depending on the goods being hoarded, they universally agree that hoarding food commodities is unlawful due to its potential to trigger global crises and negatively impact the economy, potentially leading to social unrest. From an Islamic perspective, *Ihtikār*, or hoarding, is a trading tactic aimed at increasing profits but carries significant disadvantages for society. The findings of this study are intended to serve as an initial reference for *hadith fiqh* research, encouraging further studies using this concept. It is hoped that these studies will inform new policies, laws, and government regulations in Indonesia, enhancing economic policy analysis and fostering national progress. This research also aims to stimulate more comprehensive and competent studies in both academia and government, advancing Indonesia's economy in the global society.

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