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Business Ethics According to Islamic Law

Abstract

Morality is one of the rules that regulate social life. Generally defined, morality refers to a set of rules regarding behaviors that should or should not be performed according to a set of value judgments regarding good and evil within a society. In fact, moral rules, like religious and legal rules, have a very powerful influence in regulating human behavior. Indeed, while compliance with the legal order can only be ensured through state power, moral commandments, unlike law, lack coercion and compulsion; morality embodies duty and a sense of duty. This sense of duty, in its ability to stimulate a person's conscience, is far more effective than any law or legal authority. In the context of business ethics, employees and employers have certain mutual rights and responsibilities to prevent potential conflicts between employees and employers and to minimize their severity. In this context, employees must prioritize their own health, avoid risks, perform their jobs properly, use employer-owned equipment appropriately, and adhere to established working hours. In return, employers must pay their employees the contractually agreed-upon wages on time, treat them with humanity, and provide them with appropriate work uniforms and high-quality tools and equipment. Furthermore, employers must meet their employees' rights, such as health, treatment, meals, rest, and the right to worship. In the context of employer–employee relations, employers must act according to the general principle: “Feed them what you eat! Clothe them what you wear! Do not hold them accountable for what they cannot do.” This research article will explore the topic of “Business Ethics According to Islamic Law,” with supporting evidence.

Keywords: *Islamic law, business, ethics, business ethics*

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İslam hüququna görə iş əxlaqı

Xülasə

Toplumsal həyatı tənzimləyən qaydalardan biri də əxlaqdır. Ümumi bir təriflə əxlaq — bir cəmiyyətdə yaxşılıq və pislik barədə mövcud olan bir sıra dəyər mühakimələrinə əsasən edilməsi və ya edilməməsi gərəkən davranışlara aid qaydalar bütünü deməkdir. Elə ki, əxlaqi qaydalar dini və hüquqi qaydalar kimi insanın davranış formalarını tənzimləyən çox güclü bir təsirə malikdir. Hətta hüquq nizamına riayət yalnız dövlət gücü ilə təmin edilə bildiyi halda, əxlaqi əmr və qadağalarda hüquqda olduğu kimi məcburetmə yoxdur; əxlaqda vəzifə və vəzifə şüuru vardır. Vəzifə şüuru isə insanın vicdanını hərəkətə gətirməsi baxımından bütün hüquqdan və hüquqi otoritədən daha təsirlidir.

İş əxlaqı kontekstində də işçi və işəgötürən arasında meydana çıxan biləcək münaqişələrin qarşısını almaq və ya onların şiddətini minimuma endirmək üçün tərəflərin qarşılıqlı bəzi hüquq və məsuliyyətləri mövcuddur. Bu əsas çərçivədə işçi ilk növbədə öz sağlamlığına diqqət etməli, sağlamlığını riskə atacaq hallardan uzaq durmalı, işini düzgün yerinə yetirməli, işəgötürənə məxsus avadanlıqlardan düzgün istifadə etməli və müəyyən edilmiş iş saatlarına riayət etməlidir.

Bunun müqabilində işəgötürən də müqavilə ilə müəyyən edilmiş əməkhaqqını işçiyə vaxtında ödəməli, ona insani münasibət göstərməli, işçiyə işə uyğun iş geyimi ilə keyfiyyətli iş alətləri təmin etməlidir. Bundan əlavə, işəgötürən işçisinin sağlamlıq, müalicə, yemək, istirahət və ibadət kimi hüquqlarını da qarşılamalıdır. İşçi–işəgötürən münasibətləri çərçivəsində işəgötürən “Onlara yediyinizdən yedin! Geyindiyyinizdən geyindirin!” ümumi prinsipinə uyğun davranmalıdır. Bu araşdırma məqaləsində “İslam Hüququna Görə İş Əxlaqı” mövzusu dəlilləri ilə işlənəcəkdir.

Açar sözlər: İslam hüququ, iş, əxlaq, iş əxlaqı

Introduction

People have a wide range of needs for survival, including food, clothing, shelter, and health. These basic needs are met through various professional groups. In this context, every Muslim, while striving to earn a living, must obtain their sustenance and subsistence through legitimate means and in accordance with the law, and must never neglect their worldly responsibilities. Within this framework, it is imperative for a person to act in accordance with moral principles when providing for themselves and their dependents. Illegal gains, unjust enrichment, and other unlawful actions must be carefully avoided. Those engaged in trade should conduct their business only in areas permitted by law and in a lawful manner. Similarly, those who earn their living through craftsmanship must conduct their business honestly, reliably, with good faith, and in accordance with professional ethics (Committee, 1986, pp. 424–425; Demirci, 2013, p. 256; Kiraz, 2007, pp. 365–388). Indeed, the Quran states: “Allah loves those who excel in their work.” (Baqara 2:195; Âl-i İmrân 3:148). The Prophet Muhammad (peace be upon him) also encouraged work ethics, saying: “Allah loves the worker who does his work well.” (Hâşimî, 1981, Hadith No. 1383).

Research

Islam never encouraged withdrawal from worldly life. On the contrary, such idleness and self-sacrifice were left to others, such as Buddhists (Balaban, n.d.: 30). Instead, it adopted the following principle: “He who does not strive to secure his future ultimately destroys the essence of his freedom” (Bilmen, 1964, p. 97). For example, after the Battle of Tabuk (9 AH / 630 AD), the people of Medina went out to welcome the Prophet and his army. Among them was Muâz b. Cebel, who was unable to participate in the battle due to illness. When the Prophet shook hands with him, he noticed the roughness of his hands and asked, “O Muâz, why are your hands so rough and calloused?” Muâz replied, “O Messenger of God, I work to provide for my family. My hands never stray from the saw, the adze, the pickaxe, the shovel, or the hammer.” Upon hearing this, the Prophet kissed his hands and said, “Fire will never touch these hands” (Öğüt, 1962, p. 111). In another narration, a strong and healthy man passed by the Prophet. His appearance attracted the attention of the Companions, and some of them said, “If only this man had used his strength in the path of God.” The Prophet (pbuh) replied: “If he works to provide for his young children, he is in the way of Allah. If he works to provide for his elderly parents, he is in the way of Allah. If he works to protect his honor, he is in the way of Allah. If he works to provide for his family, he is in the way of Allah. If he works only out of pride and arrogance, he is in the way of Satan” (Canan, 1980, pp. 45–46).

Significance

The role of business ethics is crucial in preventing disputes between employers and employees and minimizing their severity when they arise. Islam emphasizes the establishment and implementation of a fair and appropriate business ethics system for both employers and employees. Without a strong foundation in business ethics, working life and labor law become vulnerable to practices that disregard justice and hard-earned wages, leading to unfair and exploitative forms of profit. This risk exists not only in capitalist systems but also in communist systems (Committee, 1986, p. 59 ff.; İzveren, 1974, pp. 1–27). Islam's general commandment to slave owners and servants—“Feed them what you eat, clothe them what you wear, and do not impose on them work beyond their capacity” (Buhârî, 1981: Itk, 15)—constitutes the most comprehensive and fundamental principle of business ethics (Committee, 1986, p. 60). A famous narration known in hadith literature as the “Hadith of the Cave” partially exemplifies the moral dimension of this study. The incident is as follows: Three

men took shelter in a cave for the night. A large boulder rolled down from a mountain, blocking the entrance to the cave and trapping them inside. They decided to pray to God, and each performed a deed they sincerely believed God would accept, hoping the boulder would move. The first prayed for his parents for their good deeds. The second, at a time when sin was inevitable, prayed for God's protection from committing a major sin out of sheer fear of God. With each of these prayers, the boulder shifted slightly, but not enough to allow them to escape. The third prayed, "Lord, I hired a worker. I paid all the workers. But he thought the wage I offered was too low, so he refused and left. We had agreed on a sheep as payment. While he was gone, I cared for the sheep and allowed it to multiply. As the years passed, that one sheep grew into a large flock. Finally, the worker returned and demanded his share. I pointed to the flock and said, 'This is your right.' He thought I was mocking him and said, 'Don't mock me, for I am poor.' I swore to him, 'I am not mocking you. That sheep you rejected has become a part of this flock. Now take it and go.' He joyfully took the whole flock and left. Lord, if it is for Your sake, save us from this rock." After this prayer, the rock slid completely aside, and the three men emerged safely from the cave (Buhârî, 1981: Enbiyâ, 50; Müslim, 1981: Zikr, 100; Ebû Dâvûd, 1981: Buyû', 29; Zebidî, 1981: 7/37–41; Döndüren, 2010, pp. 655–656).

Findings

The main findings on "Business Ethics According to Islamic Law" are as follows:

- Both the Quran (see Nahl 16/90; Nisâ 4/58; A'râf 7/85; Zuhuruf 43/32) and the Sunnah (see Nesâî, 1981: Eymân, 44; İbn Mâce, 1981: Rehn, 4) contain a number of regulatory provisions regarding business ethics (see İbn Rüşd, 1425/2004: 4/5-19; Mevsilî, 2016, pp. 166-175, 269-281; Committee, 2006: 2/333; Kiraz, 2007, pp. 365–373; Döndüren, 2010, pp. 655–659). In Islamic law, the duties of the worker within the framework of employee-employer relations are as follows: The worker must personally carry out the work assigned to him (Committee, 1986, p. 39; Döndüren, 2010, p. 657). The worker must be busy throughout working hours (Committee, 1986, p. 40; Döndüren, 2010: 657). The worker must carry out the work assigned to him diligently and safely (Committee, 1986, p. 42, 423–424; Committee, 2006, p. 2/337; Döndüren, 2010: 657). The worker must carefully protect the goods and tools entrusted to him (Committee, 1986, pp. 43, 427–428; Committee, 2006, 2/337). And the worker must compensate the employer for any damage caused to his property (Committee, 1986, p. 45). In contrast, workers have the right to wages, rest, worship, and leave (Committee, 1986, pp. 49–58).
- Anyone who employs a worker and does not pay his wages will appear before the Prophet himself as an adversary and creditor on the Day of Judgment (Ahmed b. Hanbel, 1982: 2/292).
- The most virtuous earnings are those earned by an honest worker (Hâşimî, 1981: Hadith No. 593). Therefore, sustenance should be sought diligently, even in the deepest reaches of the earth (Hâşimî, 1981: Hadith No. 180).
- The worker's wage should be determined at the outset of the contract, in a manner that avoids dispute (Kudûrî, 1398/1977, 69-70; Sâbık, n.d.: 3/200-201; Ğamrâvî, n.d.: 288; Döndüren, 2010: 658; Bardakoğlu, 2000: 21/385) and paid before the sweat on his brow dries (İbn Mâce, 1981: Rühûn, 4; Nesâî, 1981: Eymân ve'n-Nüzûr, 44; Bardakoğlu, 2000: 21/386).
- Workers are the brothers of their employers, entrusted to them by God. The employer should feed his worker what he eats and clothe him what he wears. Employers should not burden their employees with tasks beyond their capacity and should assist them when given such a task (Müslim, 1981: İmân, pp. 38-40).
- Every favor an employer provides to an employee will be recorded on his scale of reward on the Day of Judgment (Hâşimî, 1981: Hadith No. 1043). On the other hand, the enemy of anyone who hires an employee and does not pay his wages will be the Prophet Muhammad (Buhârî, 1981: Buyû', 106; İbn Mâce, 1981: Rühûn, 4).
- People with a high sense of duty and work ethic will be among the prophets and good people in the hereafter (Tirmizî, 1981: Buyû', 4).

- God loves a worker who performs the work assigned to him with loyalty and skill (Hâşimî, 1981: Hadith No. 1383; Committee, 1986, pp. 424–425; Committee, 2006: 2/337; Döndüren, 2010: 657).

- The hardship and fatigue suffered by a worker who fulfills his duties duly atones for his minor sins (Hâşimî, 1981: Hadith No. 1162), and the efforts he makes to earn his living are recorded as alms (Hâşimî, 1981: Hadith No. 1031).

- Mutual respect for each other's rights between employers and employees is a fundamental requirement of business ethics. Any violation of these rights constitutes a prayer against the violator. In this context, Avni Bey of Yenişehir (1826-1883) said, "May God deprive those who deprive others of their sustenance!" This statement encompasses the mutual rights and responsibilities of both employers and employees.

- Since law represents the minimum limit of morality (Bilge, 2019, p. 11), all principles of law are inherently present and functional within business ethics. In fact, the concept of "business ethics" encompasses a meaning that extends beyond the rules and principles of business law. As stated: "Not everything permitted by law may always be compatible with morality" (Ansay, 1958, p. 49).

- In a sense, since the basis of Islamic morality is to respect the rights of Allah and people, complying with the principles of business ethics in order to ensure social order is one of the indispensable principles of being a civilized and moral individual (see Çağrıç, 1989: 2/1-9; Karaman, 1991: 1/7-11; Şener, 1992: 3-5; Committee, 2010: 13-14; Yaran, 2010: 125-191; Köse, 2013: 47-60; Ergün, 2019: 1337; Erturhan, 2018: 20-21; Hamidullah, n.d.: 135-148).

- In Islam, acts of worship are not limited to prayer, fasting, almsgiving, etc. All words, actions, and behaviors that please and are approved by Almighty God are considered acts of worship in a broad sense. In this context, just as removing a stone from the road or repairing a pothole, supporting someone who cannot carry their burden, or assisting the sick, elderly, or disabled who cannot drive are all acts of worship, so too are earning one's living lawfully, engaging in commercial and economic behavior in accordance with Islamic principles, and engaging in business and trade in a broader sense. Therefore, Islam grants people the right to participate in all economic activities that align with Islamic principles. However, it has also established certain rules regarding these activities to ensure that commercial activities are conducted honestly, beneficially, and securely. If these are adopted and implemented by businesspeople and traders, many of the irregularities and disruptions observed in the market will automatically disappear. This is because trade in Islam is intertwined with ethical values. If these values, which enable an individual to elevate and transform into a more civilized person, are set aside, it will be impossible to prevent the evils and ugliness witnessed in the market, such as bribery, corruption, unjust enrichment, default on debt, and so on, solely through legal measures and penalties. Commercial immorality and injustice, which the Quran lists as among the causes of the collapse of past nations, must be avoided, and ethical principles must be observed in business. It must not be forgotten that actions that distance the perpetrator from God's will, such as disrupting economic balances, profiteering from unjust gain, fraudulent use of weights and measures, deceiving consumers, and abusing economic power, are commercial and economic problems of every age and are among the causes that lead nations to decline and collapse. While it is undoubtedly a Muslim businessman's most natural right to consider and protect his personal interests, he must also avoid harming others while exercising his legal and natural rights. Furthermore, they should not aspire to earn more than they deserve, pay their workers fully and promptly, and sell goods to their customers at reasonable prices. They should be honest in their business dealings, avoid misleading and deceptive advertising campaigns, and keep their promises. They should not use their economic power as a tool of pressure. In short, a Muslim businessman should be a person of trust in every aspect.

Conclusion

When the Islamic view of humanity, life, and the universe, as well as the principles it establishes in human relations and the order it lays down for life, are taken into consideration, it becomes immediately evident that worker–employer relations in Islam are addressed thoroughly and comprehensively, with practical resolutions. Worker–employer relations cannot be separated from broader human relations, just as workers’ rights cannot be regarded as distinct from fundamental human rights. Unless social order and human relations are improved, unless human rights, compassion for humanity, and the ideal of human dignity are advanced, and unless the principles prescribed by Islam for the peace and happiness of human societies are reflected in the attitudes, behaviors, and actions of individuals, the tranquility and harmony required for both labor law and business ethics cannot be achieved. For this reason, we consider the issue of “*Business Ethics According to Islamic Law*” to be a significant topic worthy of examination, as it embodies principles that bring well-being to both individuals and society. The findings obtained indicate that business ethics substantially overlaps with, and largely encompasses, labor law. In other words, a conception of labor law that is devoid of business ethics will always remain ineffective and insufficient.

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