

## Inference by Pretexts in Contemporary Industries: 1) Inference in Blocking the Excuses

Ali Ibn Abduh Muhammad Osimi Hakami<sup>1</sup>, Yahya Saleh Hasan Dahami<sup>2</sup>

### **Abstract**

*This study reveals the relationship between stopping the pretexts with rules to contemporary industrial systems in the Kingdom of Saudi Arabia. After introducing the rule of blocking pretexts and the term contemporary industries, the study showed the Saudi regulator's care to consider blocking pretexts in contemporary industry systems. To achieve the goal of preventing and reducing evils and to prevent the resulting damage that threatens the security and stability of societies, causes harm to people, destroys their social and health interests, and other matters of religion and worldly life. The study arrived at results, the most prominent of which is the comprehensiveness of Sharia rules to control all areas of life in a way that achieves the interests of all people and prevents harm from them. This study followed the descriptive, analytical, and inductive approaches, and the researchers sought to describe the idea of reasoning using pretexts. It also expands the vocabulary of industries that represent a positive contributor to society, and through this, it clarifies the controls that control industries from a legal standpoint.*

**Keywords:** Excuses, Hindering, Regulations, Outcome, Rule.

### **INTRODUCTION**

The absorption of developments in Islamic law is an inherent characteristic. This characteristic gave Sharia law a tremendous ability to confront the challenges represented by multiple and diverse calamities at all times and places. The jurists created rulings for each issue in a manner appropriate to the time and place of individuals and groups. The fundamentalists invented ijihad with its clear methodological pillars and conditions that made it an ideal, sophisticated, and disciplined means of confronting developments. What appeared in the fundamentalist lesson was the idea of diligence and consideration of the rules of outcomes, such as inferring the pretexts of the two parts of blocking and opening, and precaution.

It is no secret to any rational person that life, in all its details, is filled with tremendous emotions and is developing at an enormous speed in all fields. One of the most well-established, renewable, and diverse fields is the field of industries. This is the field in which man created things that had never occurred to him. Rather, development occurs hourly, meaning that not an hour of the day or night passes without a person experiencing innovation and renewal.

Because the researchers are interested in scientific research in the Sharia field, he would like to contribute to confronting this issue with some Sharia effort in a way that serves those working in this practical field. In addition, in a way that illuminates the path of researchers and opens horizons for those looking to see the excellence of Islamic Sharia and its ability to fence off developments and hedge against them. Therefore, my choice fell on reasoning utilizing pretexts. We chose a title that we thought might fulfill my purpose and the purpose of the aspirants; this title is "Inference Employing Pretexts in Contemporary Industries," through two comprehensive papers, the first of which is Reasoning by Blocking Pretexts in Contemporary Industries, and the other is reasoning by opening pretexts in contemporary industries.

### **The Importance of the Study**

It is known that various industries serve humans and achieve their interests well, thus achieving well-being for humanity as a whole. Its importance also lies in the fact that it achieves a positive path for contemporary

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<sup>1</sup> Faculty of Sharia and Fundamentals of Religion, Najran University KSA, E-mail: [aahakami@nu.edu.sa](mailto:aahakami@nu.edu.sa), [d7akmi@gmail.com](mailto:d7akmi@gmail.com)

<sup>2</sup> Faculty of Arts and Humanities, Al Baha University KSA, E-mail: [dahami02@gmail.com](mailto:dahami02@gmail.com)

industries and is a means for the manufacturer and consumer to show the positive ways of developing the industry and the negative ways that negatively affect the manufacturer and the consumer.

### **Reasons For Choosing the Topic:**

Reasons prompted me to write about this topic, the most important of which are the following:

1. Not examining previous studies on the research topic.
2. Highlighting the connection between statutory and fundamental rules.
3. A scientific addition to the jurisprudential, fundamentalist, and Islamic library.

### **The Problem of the Study**

The research problem revolves around the following question:

What is the reasoning based on pretexts, and what is the relationship between it and contemporary industries?

The research problem centers on answering the following questions:

1. What is the definition of inference by pretext?
2. What rules can be included under the rule of inference by pretext?
3. What are the contemporary industries in the Kingdom of Saudi Arabia?

### **Objectives of the Study**

I hope to achieve a number of goals, the most important of which are:

1. Explaining the meaning of inference using pretexts and their types.
2. Explaining the impact resulting from opening pretexts and facilitating means for the popularity of crafts.
3. Explaining the positive impact of tightening supervision by blocking the pretexts for illicit enrichment.

### **Research Limits**

The limits of the research include defining the rules of reasoning based on pretexts, the rules that fall under them, and the applications of those rules to contemporary industries in the Kingdom of Saudi Arabia.

## **LITERATURE REVIEW**

1. Considering the situation and fate of applying the legal text by Dr. Ahmed Muhammad Hadi Al-Habit, Professor of Fundamentals of Jurisprudence at King Khalid University.

The difference is clear between this study and my study. Dr. Ahmed's study is related to considering the situation and fate of legal texts. My study is related to reasoning, considering pretexts in contemporary industries.

2. Considering the outcome and its impact on jurisprudential choice and preference, an applied theoretical study by Dr. Aisha Laroy, Ahmed Deraya University, Adrar.

The difference between this study and Dr. Aisha's study is that her study is on the effect of considering the outcome in jurisprudential choice and preference. This study is on applying the rule of pretexts in contemporary industries. The difference is in both practical and theoretical aspects. Consequently, the researchers did not find a specific study that served the title of the study.

## **STUDY METHODOLOGY**

We followed the descriptive analytical approach and the inductive approach, and we describe the idea of reasoning using pretexts, expand the vocabulary of industries that represent a positive tributary to society, and explain the controls that control industries from a legal standpoint.

## The Research Plan

It includes an introduction, a preface, and three sections.

Introduction: It is this, and it includes the importance of the topic, the research methodology, and its plan.

Introduction: It includes a definition of the terms of the title and contemporary industries, and it includes requirements:

This paper: reasoning to block pretexts in contemporary industries.

The second paper: will be on reasoning for opening pretexts in contemporary industries.

Definition of inference by pretexts.

## Definition of Inference

Linguistically, an inference is a request for evidence. It is said that so-and-so inferred the thing: he asked for its evidence for it. And he used the thing as evidence for the thing; he took it as evidence for it, and he inferred the matter with such-and-such: he found in it what guides him, so the inference is a request for guidance and guidance to what is desired (Ibn Manthur, 1993, p. 249).

Terminologically, inference has several definitions, the most prominent of which is its definition:

- Seeking the meaning and considering it to reach knowledge of the connotation.
- Reporting evidence to prove the meaning, whether it is from effect to effect or vice versa, or from one effect to the other (Al-Barakti, 2002, p. 17).

What is intended in this study is what the fundamentalists have said, which is seeking absolute evidence from the text, consensus, or anything else.

## Definition of Pretexts

Pretexts linguistically: it is the plural of pretext; the pretext is the means. It is said that a person has requested a means, meaning he begged, and the pretext is the reason for doing the thing (Ibn Manthur, 1993, p. 96); the pretext, in the language, is everything that takes a means to something else.

Pretexts, technically speaking, are what is meant by a means and a path to something, whether it is for benefit or harm (Ibn Al-Gayyim, 1991, p. 109).

**The second requirement** is categories of pretexts: Although most of the fundamentalists' definitions of pretext are a definition of covering the pretexts for corruption, they speak directly about blocking pretexts and define them, including Al-Shawkani's definition. Where he said: The pretext is the issue that appears to be permissible, and through it leads to doing the forbidden (Al-Shawkani, 1999, p. 194). However, there is a group of fundamentalists who pointed out that the pretexts include those used to achieve an interest. This must be opened and facilitated, and some of it leads to what is forbidden and corrupt, and this must be blocked. Accordingly, the pretext is divided into two parts:

The first is blocking the pretexts, which is "resolving the matter of the means of corruption as a ward off, so when the righteous action that avoids corruption is a means to corruption, we are prevented from that action" (Abo Al-Gasim, p. 194).

The second is opening the means: opening means expanding the narrowness in sense and meaning (Al-Manawi, 1990, p. 256). Opening pretexts can be defined as facilitating paths to human interests. Alternatively, authorizing means that it most likely leads to a preponderant interest.

**The third requirement** is the importance of inferring pretexts.

Extrapolating the sources and resources of Sharia law reveals the importance of inferring the pretexts, and that is that the obligatory rulings were established to achieve the interests of the people, perfect them, and prevent and reduce evils.

Reasoning based on pretexts is concerned with considering the consequences of actions and statements issued by those responsible. Al-Shatibi said that considering the consequences of actions is considered a legitimate purpose, whether the actions agree or disagree. This is because the diligent scholar does not judge an act issued by those responsible for boldness or reluctance except after looking at what that action leads to. It may be legitimate for a benefit to be brought into it or for corruption. It is prevented. Nevertheless, it has an outcome other than what was intended. It may be unlawful due to corruption that arises from it or an interest that is driven by it, but it has an outcome other than that. If the first is said to be legal, then bringing an interest in it may lead to corruption equal to or greater than the interest. This would be an impediment to the statement of legality. Likewise, if the second statement is made of illegality, perhaps calling for corruption will lead to equal or greater corruption, then it is not valid to state the view of illegality, which is a difficult field for the diligent scholar. However, it is sweet in taste, praiseworthy of foolishness, and consistent with the objectives of Sharia. (Al-Shatibi, 1997, p. 178).

Ibn Battal (2003), said that whoever's action leads to something forbidden, even if he did not intend it, then it is like one who intended it and deliberately committed the sin. Do you not see that the prophet, peace be upon him, forbade a man from cursing his parents? The apparent meaning of this was that a son takes charge of the curse or swear himself. Therefore, when the Prophet comments that if the son curses a man's father then the man curses back the son's father and his mother. It is as if the son curses himself, and what resulted in his son's action was like cursing him in meaning, because he was the cause of it p. 193). See more at Jami' al-Bayan fi Tafsir al-Qur'an (Al-Tabari, 1905, p. 207).

#### **Fourth Requirement**

What is meant by contemporary industries in the Kingdom of Saudi Arabia!

Industry is every science or art that a person practices until he becomes proficient in it and it becomes a craft for him, such as sewing, medicine, and others. What industries mean is knowledge of industrial methods and their study scientifically, practically, as well as technologically (Ibn Omar, 2008, p. 1324). Craftsmanship is the special organized method followed in manual or mental work. In addition, the craftsmanship is production. Allah Almighty said: {وَعَلَّمْنَاهُ صَنْعَةَ لَبُوسٍ لَكُمْ لِتُحْصِنَكُمْ مِنْ بَأْسِكُمْ}, "And We taught him the making of metal coats of mail (for battles), to protect you in your fighting" (Al-Hilali et al., 1997, p. 436, verse 80 of Surat Al-Anbiya) meaning the making of the armor that is worn in war. For the Arabs, clothing is the entire weapon, whether it is a protection weapon, a shield, a sword, or a spear.

The definition of industry summarizes that it is the art of extracting raw materials, processing them, and transforming them into materials for use. They are of two types: light, such as foodstuffs, and heavy, such as the manufacture of large, complex machines and tools such as airplanes and ships (Ibn Omar, 2008, p. 1324).

What is meant by contemporary industries in the Kingdom of Saudi Arabia are industries that were developed in the Kingdom and did not exist before. We also mean industries that existed before but were developed, whether at the public or private sector level. These and those are intended to keep pace with contemporary technological development.

The industry began in Saudi Arabia with successive petroleum discoveries in the 1930s. Before that, the industry was limited to traditional crafts and handicrafts (Al-Gahtani, 2017, p. 84).

Then Saudi industry witnessed a new transformation with the launch in January 2019 by Prince Mohammed bin Salman of the National Industry Development and Logistics Services Program within Saudi Vision 2030, which contains 330 initiatives expected to achieve more than a third of the vision's goals. The program focuses on the fourth generation of industry, which includes advanced robotic applications. It offers several initiatives

to attract foreign investments to support specific industries and raise the fund's capital. The number of factories in Saudi Arabia reached 7,630 factories by the end of the first quarter of 2018, employing more than a million workers (SPA, 2019).

We can say that the Kingdom has succeeded over the past four decades in achieving a development and civilizational shift that enabled it to transform from a simple society to a promising industrial society. The industrial sector occupies a strategic position in the Saudi economy, contributing more than half of the gross domestic product. It is considered the first economic sector in Saudi Arabia, thanks to the efforts made in vision, planning, implementation, and facilitation to develop some old industries and create new ones that did not exist before (Al-Gahtani, 2017, p. 84).

### **The fifth requirement: The most prominent contemporary industries in the Kingdom of Saudi Arabia**

Among the most prominent contemporary industries in the Kingdom of Saudi Arabia are the following:

**Petrochemical industry:** These are industries that depend on oil (petroleum), including the manufacture of plastics, steel, fertilizers, pesticides, and others. Such industries are undertaken by the Saudi Basic Industries Corporation (SABIC), which was established in 1396 AH. It also produces the chemicals methanol and ethylene.

**Military industries** are represented by the arms and ammunition industry, and these industries are supervised by the Ministry of Defense and Aviation.

**Petroleum refining industry:** The largest oil refining plant in the Kingdom was established in Ras Tanura in 1945 AD, and then other plants were established. The annual capacity of refineries in the Kingdom is 34 million tons. This industry is undertaken by the General Corporation for Petroleum and Minerals (Petromin).

**Cement industry:** The cement industry is considered one of the mining projects aimed at providing a basic consumer material that competes with its imported counterparts, and this industry is considered the second largest industry in the Kingdom.

**Manufacturing industries:** The number of manufacturing factories exceeded 4,000, employing nearly half a million workers, creating about 90,000 job opportunities, and contributing approximately 9% of the gross domestic product.

Soap and washing powder manufacturing is one of the most important industries in the Kingdom of Saudi Arabia, which is located in Jeddah (Mahran, 2021).

By mentioning these examples of some industries, it became clear that these industries are a double-edged sword. It is an important source of local production, economic growth, job opportunities, and youth development, raising the Kingdom's status and placing it on the list of distinguished countries globally in production and export. However, these industries, on the other hand, maybe a source of concern and danger if they are used for purposes other than their intended purpose or concerning the effects and waste that result from them. Therefore, the first aspect needs to be strengthened and facilitated, and this is what is known among fundamentalists as opening pretexts. The other side needs to limit, rationalize, and place restrictions, and this is what is known among fundamentalists as blocking pretexts. Therefore, the instrumental treatment of these contemporary industries is of great importance. To demonstrate the Kingdom's implementation and observance—especially during Vision 2030—of the principle of opening and closing pretexts. This is because of the consequences of using consumers to produce it or those working to produce it. To achieve the maximum possible industrial renaissance. While closing the door on any risks that may arise and taking precautions in this regard, which affects the individual and society.

### **The sixth requirement: Models of inference about industries in advanced times**

Inferring the use of pretexts, both open and closed, concerning what the type of industry indicates. It has many forms in ancient industries, and scholars have established jurisprudential rulings for it, prohibiting and allowing it, whether blocking or opening, considering the outcome. Among these forms are the following:

1- Selling the skin of a dead animal after tanning is forbidden, given the condition of the dead animal. If it is manufactured by tanning, it is permissible to sell it. This is taking into account what it became after tanning, as there was no fate in it before tanning. Fate occurs in the skin of dead animals through an acquired craft, which is tanning.

2- Selling grapes to those who squeeze them and make wine from them:

Considering the situation, it is permissible to sell grapes. If the seller knows that the purchaser is taking it as wine, it is forbidden to sell it to him, considering the forbidden outcome. Means have the same rulings as objectives.

3- Manufacture of weapons, such as swords and shields, and the manufacture of ships and the like:

It is a double-edged sword, and the Sharia has permitted making weapons, preparing to fight the enemy, and preparing the force. Allah Almighty said:

(وَأَعِدُّوا لَهُمْ مَا اسْتَطَعْتُمْ مِنْ قُوَّةٍ وَمِنْ رِبَاطِ الْخَيْلِ تُرْهِبُونَ بِهِ عَدُوَّ اللَّهِ وَعَدُوَّكُمْ)

"And make ready against them all you can of power, including steeds of war (tanks, planes, missiles, artillery, etc.) to threaten the enemy of Allah and your enemy, and others besides whom, you may not know but whom Allah does know. And whatever you shall spend in the Cause of Allah shall be repaid unto you, and you shall not be treated unjustly" (Al-Hilali et al., 1997, p. 239, verse 60 of Surat Al-Anfal). The jurists forbade manufacturing it in large quantities and selling it in the event of strife among Muslims. Because selling weapons then encourages fighting, which leads to the opposite of the intent of the law.

4- It is permissible to sell and manufacture medicines that contain poison, which most likely does not kill, because if the legislator forbids something, that inevitably requires that it prevent its pretexts and bear its motives, so the legislator's goal is to bring benefit and ward off corruption.

5- Manufacturing sale: It is the sale of what the manufacturer makes in kind, so the manufacturer is asked to do both the work and the thing. On the other hand, selling something described in the contract is manufactured by the seller or someone else. This is permissible since the contract is based on it; even if it does not exist, it is permissible to do so for the benefit of the need, considering the outcome of this contract.

### **Reasoning to Block Pretexts in Contemporary Industries**

In it, some legal articles, strategic plans, and practical measures taken by the Kingdom to prevent any obstacle to industrial projects and their prosperity, and the relationship of this to blocking pretexts, will be explained:

One of the established rules in mind and reality is that a person's planning for success must revolve around two main axes, the first of which is exploiting every opportunity and energy that can serve his project. The second is to block every door through which any obstacle to his path of success and launch might enter. If we look at our noble Sharia, we will find that for every value that Sharia wanted to establish, incentives were set for it, and procedures were put in place to block all pretexts that might harm this value. Such as the value of chastity, for example. The Sharia encouraged marriage, desired it, and exalted its importance. On the other hand, there were deterrent punishments for those who violated this value, such as stoning or flogging the adulterer, finding the perpetrator, etc., to fill any gap that might affect the establishment of this value.

There is a lot of this in Sharia law, and it is hardly limited to it. Rather, this is an example to clarify what is meant. This view was not hidden from the decision-makers in the Kingdom in enacting and adopting any plans, laws, or regulations regarding the industry in the Kingdom to prosper and advance it by blocking every path that might be an excuse to hinder this industrial renaissance. On the other hand, opening the doors to industry does not mean leaving it as a pretext for evil in society by manufacturing what is purely corrupt or whose evil is greater than its benefit. Therefore, laws and regulations were put in place to control this based on the rule of blocking pretexts and the related fundamentalist and jurisprudential rules. In keeping with the comprehensive Sharia rule that scholars such as Sheikh Al-Islam Ibn Taymiyyah have outlined in more than one place in his

speech, which is Sharia brought about achieving and perfecting interests and warding off and minimizing evils (Al-Badawi, 1999, p. 360; Ibn Taymiyyah, 1995, p. 512).

Imam Izz Ad-Din ibn Abd As-Salam says: If interests and evils come together, then if it is possible to achieve the interests and prevent the evils, we do so in compliance with the command of Allah Almighty regarding them, according to the Almighty's saying:

﴿فَاتَّقُوا اللَّهَ مَا اسْتَطَعْتُمْ﴾

“So keep your duty to Allah and fear Him as much as you can” (Al-Hilali et al., 1997, p. 769, verse 16 of Surat At-Taghabun). If it is not possible to ward off and achieve it, then if the harm is greater than the benefit, we will ward off the harm and do not care if the benefit is lost. Allah Almighty said:

﴿يَسْأَلُونَكَ عَنِ الْخَمْرِ وَالْمَيْسِرِ قُلْ فِيهِمَا إِثْمٌ كَبِيرٌ وَمَنْفَعٌ لِلنَّاسِ وَإِثْمُهُمَا أَكْبَرُ مِنْ نَفْعِهِمَا﴾

“They ask you (O Muhammad SAW) concerning alcoholic drink and gambling. Say: 'In them is a great sin, and (some) benefit for men, but the sin of them is greater than their benefit'” (Al-Hilali et al., 1997, pp. 46-47, verse 219 of Surat Al-Baqarah).

He forbade them because their harm is greater than their benefit. If the benefit is greater than the harm, we obtain the benefit while abiding by the harm. If the interests and harms are equal, he may choose between them, or he may stop at one or both of them. In addition, the difference may occur in the varying harms (Ibn Abdul Salam, 1994, p. 98). In this section, the researchers attempt to explain some of these laws, regulations, and articles, and their relationship to the rule of blocking pretexts and the rules that flow from it, by mentioning the rule and the controls and laws that fall under it:

#### 1- Without which an obligation cannot be completed, it is obligatory

Abandoning what is forbidden cannot be accomplished without doing it, so abandoning it is obligatory. One of the rules closely related to the rule of blocking pretexts is what fundamentalists call the premise of duty, and that without which a duty cannot be fulfilled is a duty. Judge Abu Y'ala says: If Allah Almighty commands His servant to do an action and makes it obligatory for him to do it, and the one commanded cannot achieve it except by the action of something else, then he must do every action by which he cannot achieve the obligatory act. This is like the fact that he must purify himself for prayer, and he cannot purify himself except by buying bribes and drawing water. He must buy and draw water. Because he is obligated to do what is obligatory for him if he has a way to do it. It is not permissible for him to leave it if he is able, and he is currently able to do so in this way, so that is why he is obligated to do so” (Ahmed, 2018; Abo Y'ala, 2002, p. 419).

Considering that we are here, we are dealing with several duties that must be taken into account: Such as the necessity of protecting society from corruption, protecting people's money, etc. There is no way to do this except by taking certain measures, such as imposing penalties and the like, to enforce what is obligatory and abandon what is forbidden (Ibn Salamah, n.d., p. 65). This must be given the status of an imperative duty since what is not done without it is a duty. Several controls and laws have been introduced by government agencies, especially within the framework of the Kingdom's Vision 2030, by imposing penalties and requiring procedures to maintain legal duties. These punishments and obligations revolve around the rule of giving priority to duty to cover the pretext of falling into forbidden things or being negligent in performing duties. This included the following:

It was stated in the Anti-Commercial Fraud Law: (Anti-Commercial Fraud System, 2008), that some articles that require things and impose penalties for violations use the rule. Whatever is not done without doing what is obligatory is obligatory (Thahab, 2022). What is forbidden is not done without doing it; it is obligatory. It includes:

Article Nine: It is prohibited to prevent judicial enforcement officers from performing their duties of inspection and seizure, entering factories, warehouses, stores, or other places, or obtaining samples of suspicious products. Judicial enforcement officers must provide evidence proving that they are law enforcement

officers. They also have the right to close the store until the merchant, the store owner, visits the authorities concerned and enables him to enter).

This article is required to provide inspection personnel with the opportunity to enter factories to carry out the function of inspection and monitoring, to warn against preventing them, and to give them the right to take samples. Forbidden things can only be prevented through that, and the industry must be maintained. It is necessary to ensure the authenticity and quality of what is manufactured. On the other hand, employees must provide proof of their identity. The factory owner is not obligated to give them the opportunity to practice their jobs, except by doing so.

Article 16: Anyone who violates any of the violations specified in Article (2) of this law shall be punished with a fine of not more than five hundred thousand riyals, imprisonment for not more than two years, or both.

Article 2 stipulates that any individual who manufactures, produces, possesses, sells, or displays products violating the approved standard specifications is deemed to have violated the regulation's provisions, and those who do so face fines and jail time.

It is stated in the Weapons and Ammunition Law (Weapons and Ammunition Law, 2005):

(Article 35: Whoever is proven to have committed any of the following:

B - Manufacture of military weapons, ammunition, or spare parts for the purpose of trade.

In this article, a penalty is imposed on those who manufacture what they are permitted to manufacture because of the widespread corruption that affects society as a whole.

It was stated in the Regulations for the Protection and Encouragement of National Industries (System for the Protection and Encouragement of National Industries, (1961) regarding some articles that block the obstacles to the evolution and development of industry within the Kingdom. They include:

Article 3: Granting the privileges stipulated in this protocol depends on the approval of the Ministry of Trade and Industry for the project. The decision to approve or reject it shall be issued with reasons by the Minister of Trade and Industry based on the recommendation of the Industrial Technical Office of the Ministry of Trade and Industry.

Article 10: The owner of the industrial establishment must commit to the following:

A - Providing complete and correct data required by this regulation, or any other regulation, about the industrial project.

B - Use of devices and machines and their replacement parts covered by customs exemption in factories licensed to do so and using them for the purpose for which they are exempt.

C - Allow authorized employees of the Ministry of Commerce and Industry to enter throughout the industrial project, for industrial technical inspection for the purpose of ensuring the use or storage of exempted materials in accordance with the articles of this regulation.

D - Employing Saudi workers and technicians, and she must seek permission from the Ministry of Labour, Labor, and Social Affairs if she is forced to employ others.

This article requires the owner of the industrial establishment to undertake several duties to ensure the safety and quality of what is manufactured. In addition to obligating him to employ Saudi workers and technicians in order to ensure the return of benefits in terms of financial gain. And also to gain experience for the people of the country, which in turn will contribute to the development of the industrial renaissance in the Kingdom. All of this is to prevent the excuse of poor quality of the product or other evils resulting from violating the above.

Article 11: Any institution that violates the provisions of this regulation will be deprived of the benefits stipulated in it. The deprivation shall be determined by a decision of the Council of Ministers based on a proposal from the Minister of Trade and Industry.



This article explains the necessity of punishing the person causing corruption, depriving him of the privileges granted to others to block the way for him, and not tempting others to do the same.

## 2- Considering the Outcomes

The rule of considering outcomes is a branch of blocking pretexts and another aspect of this important rule in Sharia law. Both of them fall under the same heading, which is to prevent the occurrence of something that contradicts the Sharia or even reduce an interest considered by the Sharia (Al-Shatibi, 1997, p. 182). Among the evidence contained in Sharia that confirms the necessity of considering outcomes, and similar to it is the Almighty's saying:

قوله تعالى: (وَلَا تَسُبُّوا الَّذِينَ يَدْعُونَ مِن دُونِ اللَّهِ فَيَسُبُّوا اللَّهَ عَدْوًا بِغَيْرِ عِلْمٍ)، [الأَنْعَام:108]

"And insult not those whom they (disbelievers) worship besides Allah, lest they insult Allah wrongfully without knowledge" (Al-Hilali et al., 1997, p. 187, verse 182 of Surat Al-An'am).

This is one of the verses about cutting off pretexts in the Book of Allah Almighty. The Weapons and Ammunition Regulations (Weapons and Ammunition Law, 2005) and other regulations have included warnings against several industries that lead to corruption in society, spreading chaos, disrupting security, perhaps causing explosions that kill innocent people, and spreading murders and intimidation. It includes:

(Article Four of the Weapons and Ammunition Law: It is prohibited for anyone other than competent government agencies to do the following:

- A - Manufacturing, importing, possessing, trading, acquiring, or repairing military weapons, ammunition, supplies, or spare parts.
- B - Manufacturing individual firearms, their accessories, spare parts, and ammunition, or making any modification to them.
- D - Manufacture of training weapons, air rifles, their spare parts, ammunition, and supplies, or import any of that except with a license from the Minister.

## 3- Blockading Fraud Loopholes

It is agreed upon that Sharia law came to prohibit fraud of all kinds and in all fields. As in the hadith of Abu Hurairah, may Allah be pleased with him, that the Prophet, peace and blessings be upon him, said: Whoever bears weapons against us is not one of us, and whoever deceives us is not one of us (Muslim, 1873, p. 40). See how the Prophet, peace and blessings of Allah be upon him, combined the prohibition of carrying weapons with deception, as one is no less dangerous than the other. Ibn Hajar Al-Haytami says: That is, we mean, what has been mentioned about the forms of this deception that are done by merchants, perfumers, butchers, goldsmiths, money changers, tailors, and all other owners of goods, shops, crafts, and crafts. All of them are strictly forbidden, declaring that the person who does them is a sinner, a cheater, or a traitor. He consumes people's wealth unjustly and deceives Allah and His Messenger, and he deceives no one but himself because the punishment for that is only upon him (Ibn Hajar, 1987, p. 400). Therefore, cheating is forbidden in all sales and crafts, and the craftsman should not be negligent about his work in a way that if someone else did it to him, he would not be satisfied with it himself. Rather, he should improve the workmanship, perfect it, and then point out its faults if there are any faults in them (Jamili, 2006, p. 261).

The Kingdom's regulations and laws have come to give the utmost warning and close every door to fraud in the field of industry. Among these is what was stated in the Executive Regulations of the Foreign Investment Law (20), within the framework of the Kingdom's Vision 2030, with articles that confirm this meaning, including:

Article 18:

- 1- The Governor shall issue a decision appointing the Commission's observers authorized to follow up on the implementation of the provisions of the law and its regulations and shall determine their competencies, provided that they include the following:

2- Follow up on the implementation of the provisions of the law and its regulations and visit facilities licensed by the authority.

3- View all records, files, and documents at the facility licensed by the authority and obtain copies of them. The facility may not withhold any information under the pretext of confidentiality or for any other reason.

4- Detecting violations, issuing a written notification, preparing an arrest report, attaching documents proving the violation's persistence, and submitting the necessary reports thereon to the governor or his delegate.

5- The Authority's observers maintain the confidentiality of the information and records they obtain from establishments during follow-up visits, and they may not hand them over to any other party except with the approval of the Governor.

This article includes a report on the control system, a statement of its powers, and a warning to the industrial facility against attempting to withhold any data from the control body to cover the pretext of fraud in manufacturing.

Article 19:

1- The Authority notifies the foreign investor in writing when he violates the provisions of the law and its regulations to remove the violation within an appropriate period of time determined by the authority.

2- Without prejudice to any more severe penalty, the foreign investor shall be punished if the violation continues with any of the penalties stipulated in Article Twelve of the Law.

3- The penalty decision shall be issued by the Board of Directors with the signature of its Chairman or his authorized representative.

4- It is permissible to appeal the decision imposing a penalty on the Board of Directors. If the Board of Directors confirms the decision, its decision shall be issued with the signature of its president or his authorized representative. The concerned party has the right to file a grievance against it before the Board of Grievances following its rules.

This article describes the issuance of penalties for any violation detected by the foreign investor's industrial facility, which may lead to the cancellation of his license with the imposition of other penalties and fines.

Article 20: It is considered a violation of the provisions of the law, the regulations, and the conditions and controls of the license, including, but not limited to, the following:

14- Poor organization of industrial operations within the factory under industrial standards applicable in the industrial sector.

21- Non-compliance with the production of all licensed products or reducing production capacity.

42- The absence of a licensed factory location within the factories' organizational chart.

This article describes the violations related to industrial facilities that result in the owner being subject to penalties or having his license revoked, all of which are to prevent the pretext of fraud in manufacturing and ensure the quality of the industrial product.

The Anti-Commercial Fraud Law (Anti-Commercial Fraud System, 2008) contains some articles that warn and impose penalties regarding fraud in manufacturing as follows:

Article Two: Anyone who:

6- Manufacturing, producing, possessing, selling, or displaying products that violate the approved standard specifications.

## **Results of the Study**

The study reached various results, the most important of which are the following:

The comprehensiveness of Sharia rules in various areas of life to achieve people's interests and prevent harm to them.

The flexibility of Sharia rules and their adaptation to industrial developments at all times, and their control of all variables according to what achieves the interests of the people.

The Saudi regulator is keen to enact laws and precautionary measures that close the doors to corruption and block illegal outlets.

The Saudi regulator's awareness of reading the data and means present in industries that cause future damage, so beware of them and cut off their paths with tight systems that prevent expected damage and preserve interests, present and future.

## **CONCLUSION**

Most notable results:

- 1- Opening up pretexts by facilitating administrative and legal procedures contributes to the prosperity of industries and stokes the competitive spirit in which those involved seek to provide the best.
- 2- The precautionary measures that limit illicit enrichment include enacting laws to close the doors and pretexts through which illicit funds enter.
- 3- Sharia rules cover various areas of life.
- 4- The flexibility of Islamic law and its adaptation to the developments of every era.
- 5- The ability of Sharia rules to control all variables and developments per what achieves interests and prevents harm.

It is known that the Kingdom of Saudi Arabia established its basic system of governance based on the Qur'an and Sunnah. It made Islamic Sharia and the systems it included considered the basic constitution of the state and the starting point for any regulation. Since the rule of blocking pretexts is one of the most important rules of Islamic law that brings benefits to people and protects them from harm, this study has shown the link between this important rule and contemporary industrial regulations in Saudi Arabia, especially since the Saudi state has witnessed industrial development since its founding since the discovery of oil. The industrial sector is now an important pillar of the Saudi economy. Saudi Arabia even made this sector one of the goals of Vision 2030. The Kingdom aims to reach 33% in the year of the industrial sector's contribution to the gross domestic product.

This is why this study is important for the Saudi regulator in general and in the industrial sector in particular, to take into account what achieves people's immediate and future interests in contemporary industries and protects them from the harms of these immediate and future industries as well. The importance of this study is also evident, as confirmed by the breadth and flexibility of the legal rules in regulating worldly matters in every place and time.

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## **Ethical approval**

Ethical approval was not required as the study did not involve human participants.

## **Informed consent**

Informed consent was not required as the study did not involve human participants.

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