

opción

Revista de Antropología, Ciencias de la Comunicación y de la Información, Filosofía,
Linguística y Semiótica, Problemas del Desarrollo, la Ciencia y la Tecnología

Año 36, 2020, Especial N°

27

Revista de Ciencias Humanas y Sociales

ISSN 1012-1587/ ISSNe: 2477-9385

Depósito Legal pp 198402ZU45



Universidad del Zulia
Facultad Experimental de Ciencias
Departamento de Ciencias Humanas
Maracaibo - Venezuela

Tooling role in activating the work of the private sector in Iraq

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Abstract

Iraq is one of the countries demanding today to work to reduce dependence on oil rents and the trend towards economic diversification. Hence the importance of the study in the search for Islamic contracts, which comes in the forefront of tooling and its role in activating the economic movement and private sector development of small and medium enterprises. The study reached a number of conclusions, including the importance of holding tooling, because it is used in several sectors, as well as its importance for small entrepreneurs; as the entry of Islamic banks as financier of these projects.

Keywords: Holding tooling, Iraq, Private sector, Tooling role.

Rol de herramientas en la activación del trabajo del sector privado en Irak

Resumen

Iraq es uno de los países que hoy exige trabajar para reducir la dependencia de los alquileres petroleros y la tendencia hacia la diversificación económica. De ahí la importancia del estudio en la búsqueda de contratos islámicos, que está a la vanguardia de las herramientas y su papel en la activación del movimiento económico y el desarrollo del sector privado de las pequeñas y medianas empresas. El estudio llegó a una serie de conclusiones, incluida la importancia de tener herramientas, ya que se utiliza en varios sectores, así como su importancia para los pequeños empresarios; como la entrada de bancos islámicos como financiadores de estos proyectos.

Palabras clave: Herramientas de ejecución, Iraq, Rol de herramientas, Sector privado.

1. INTRODUCTION

Many of the world's economies have adopted a shift towards the private sector as a necessary tool for transition to a market economy and integration into the global economy and thus benefit from the results and opportunities of that transformation. This is linked to economic reform policies aimed at reducing imbalances in economic activity generally, The performance of the public sector institutions was reflected in the call for the importance of raising the efficiency of economic performance by relying on the market to make economic decisions and thus ensuring optimal distribution of economic resources, by giving the role of the private sector as a main axis to activate economic activity and play an active role in the process of economic development.

Iraq is one of the countries demanding today to reduce the dependence on oil revenues and the trend towards economic diversification by expanding the economic role of the private sector, expanding its contribution to the local economy and ensuring its contribution to the formation of fixed capital and GDP. Because they have an active role in creating new jobs and expanding the market base, which has been proven by the international experience in this field. Hence the importance of the study in the search for Islamic contracts, which comes in the forefront of tooling and its role in activating the economic movement and private sector development of small and medium enterprises.

The problem of research is the many challenges faced by the private sector in Iraq and prevents the exercise of its role in the development of the economy. The hypothesis of the research stems from the fact that the adoption of the Tooling contract in the financing of the private sector is a necessary requirement that is important in ensuring the movement of the economy and its revitalization.

2. METHODOLOGY

The research relied on descriptive analytical methodology with some data and analysis in order to reach the desired results of the research.

3. RESULTS AND DISCUSSION

The first axis dealt with the conceptual framework for the Tooling contract, while the second axis dealt with the reality of the private sector in Iraq and its most important challenges.

Axis I: Conceptual Framework for Tooling Contract

First: the concept of contract tooling in language and terminology.

In the dictionaries of the language, we find that the origin of the word tooling (manufacture) makes it well; it is made, and the work is the craft of the manufacturer who works with his hand, the name of the actor maker and the name of the work is made and the combination of makers and factory work place (The Arab tongue). Al-Sahih said that the word "Tooling 'is the expression of an act of worship. It is said," Ask forgiveness for the request for forgiveness. "Al-Razi said:" Make up the source of your saying to him, make him known and make a good deed for him. His work is made and manufactured, and the industry - breaking the Sad: the craft of the manufacturer, and made it: taken (MUHAMMAD IBN ABI BAKR BIN ABDUL QADIR AL-RAZI, MUKHTAR AL-SAHAH), the Almighty said: "I made you for myself" (SURAH TAHA 41), Ibn Manzur said: He has a ring" (IBN MANZOOR, SAN'A AL-ARAB) and he is satisfied with the thing: He called for his making, so Tooling 'in the language: the request for action (The tongue of the Arabs).

In the term, al-Kasani defined Tooling as "a contract on sale in a condition wherein work is required." (ALAA AL-DIN AL-KASANI, BADA'I AL-SANA'A).He also knew that:

The request for workmanship is to say to the manufacturer of a calf or a cube or a vessel of zero, make me a khafah of such length and capacity, Such a weight as such in the form of such and gives the price named first gives something and the other holds with him (KAMAL AL-DIN IBN AL-HAMMAM AL-SIWASI).

In the Samarqandi it was said to be "a contract on sale and a condition of work on the manufacturer" (ALAA AL-DIN AL-SAMARQANDI), and Tooling said that "a contract with the people of work to do something" (MOHAMMED AL-ZUHAILI). In the case of the modern jurists, Tooling has several definitions, such as that it means seeking the work of the work of the same person, on a particular attribute, at a known price. 9 On the other hand, it is a contract that is bought immediately (ZARQA), or it is a contract of sale on the condition that the work is done on a specific basis at a known price. (MUSTAFA ABDEL. 2009)

It is also known as a contract under which party undertakes either to do something or to perform a work in return for a payment made by the other party. It should be noted that Tooling in terms of terminology came in several definitions, and that the words of the scholars differed in its definition, but it is clear that Tooling is an agreement to manufacture something in the condition that work is required and that the manufactured goods are from the manufacturer. Exploitation of jealousy, injustice, ignorance and conflict at the time of extradition.

On the other hand, in the term tooling means asking for work from the manufacturer in a commodity or something in exchange for a known value. This means that a contract between two or two persons (the manufacturer and the manufacturer) asks the manufacturer to make a certain thing for him, a certain given to him or agree to postpone or installment, for example, what people deal with the

agreement on the manufacture of a commodity, such as wooden items such as furniture. For example, a carpenter says, make me an office of wood with all the descriptions he wants, at a known price and for a period known also. The carpenter will accept this, and the work and the eye, the raw materials, will be from the manufacturer.

Second: The legitimacy of the Tooling contract in the Qur'aan and Sunnah:

The evidence of the legitimacy of the contract of Tooling in the Holy Quran came in many verses, including: What is narrated in the story of the two horns with Gog and Magog say:

They said, O horns that Gog and Magog spoilers in the land, do we make you out to make between us and a dam he said. Support me strongly I make between you and them a backfill. Provide me with iron foils, even if equal between the seashells said bloated, even if made a fire said let me emptied him molten copper. What they were able to show him and what they were able to any penetration. (SURAT AL KAHF, verse: 92-97)

In the interpretation of these verses came from Ibn Abbas, may God be pleased with them, in saying: Shall we give you. He said: "Agra said, 'A great reward means that they wanted to collect from him some of the money they gave him, so that he would make a dam with him. The Qur'an recites this story without denying it, it is proof of its legitimacy, and it is consistent with the definition of Tooling. As we find many verses that dealt with the stories of the prophets mentioned what they are good at, Ford

In the story of Dawood (peace and blessings of Allaah be upon him), he said: "And we taught him the work of bosom for you to protect you from your good deeds. Are you thankful?" (Surah the Prophets, verse 8). This verse shows the importance of taking sinners and causes. He worked his hand, that Adam was a plow and Noah carpenter and a tailor and Talut tanner and was said to be a scapegoat, so the workmanship of the man benefits and stops himself from the people and pay for himself harm and misery.

In the Holy Quran, we find that his worshipers to be entrusted to fulfill the covenant, in the verse, "O you who believe, fulfill the contracts" (SURAT AL-MAIDA 1). Among the evidences of the legitimacy of the Tooling contract in the Sunnah is the narration of Anas (AHMED BIN ALI BIN HAJAR.1992), may God be pleased with him, that the Prophet of God (peace and blessings of God be upon him) wanted to write to non-Arabs. He was told that the Non Arabs would only accept a book with a seal on it. In his hand (Narrated by Imam Muslim in his Saheeh). It was narrated that Abu Dharr (may God be pleased with him) said: "I said, O Messenger of God (peace and blessings of God be upon him). He said: "I said, O Messenger of God, I saw that if you are weak from some work, you say that shirk will stop for people. (Peace and blessings of God be upon him) appointed a manufacturer or manufacture to make a breach of the legality of the contract of Tooling' (HAMDI ABDEL MONEIM SHALABY).

Therefore, we find in the previous hadiths a clear and explicit indication of the legitimacy of Tooling as in (Peace and blessings of God be upon him) and the Tooling of the pulpit, as well as making the

subsidy of the manufacturer and helping him good as a good business, which confirms that Tooling contract legitimate and confirmed by the Prophet's Sunnah, as it was known during the era of the Prophet peace be upon him and treated by the Companions To deny them that.

Third: The economic importance of the Tooling contract

The importance of holding Tooling in the form of a picture of cooperation between members of society, and harnessing humans to each other for saying, "We divided among them living in this life and raised some of them on some degrees to take each other and the mercy of God is better than what they collect", And through this is clear the importance of Tooling according to the following:

1) With regard to the offer of goods (the maker of the commodity), he will work with a guarantee such that his goods will be found and taken and marketed, and that he will make a profit known as the sum so that he can meet the requirements of the living, otherwise, Tooling it may cause losses is indispensable for the absence of marketing his goods will remain As a recession and may not survive for long periods of time, which is reflected in other losses to the community pension.

2 - As for the request of the commodity (the manufacturer): the seller of the commodity will get what suits him and meet his desires and ambitions, to get a ready commodity does not have to buy and demand goods that do not suit the desires of the goods available in the

market, and psychologically may be satisfied and comfortable for this decade to follow the process of manufacture By himself and prevents the deceit or fraud in the manufacture.

3 For the community economy: Tooling has a great role in reviving the economic movement and supporting the process of economic diversification of the country and diversifying the sources of income, as well as benefiting from the expertise and competencies existing in the country rather than relying on outside in meeting the requirements of the community. If the world wanted to build a house the manufacturer finds that it is a great harm to the community by employing this world to build the house, which deprives the society of its knowledge and benefit, such as the doctor, thinker and others.

On the other hand, even though the contract of Tooling represents the sale of something non-existent, yet God Almighty has decreed to facilitate the people's things in earning their pensions and collecting their livelihood, and then to practice the financing process by financing each other and thus investing their money and developing them by legitimate means Islam allowed it. There are several areas through which the Tooling contract can be used and benefit from it now (AHMED BELKHEIR.2008).

1. Petrochemical Industries: Includes the oil and gas industry and their derivatives. Industries of strategic importance to Arab oil and gas producing countries.

2. Infrastructure projects: These include roads and railways projects, dams and ports, electricity sector, water and sanitation networks, etc.

3. Large real estate projects: Durrat al-Bahrain, a tourism and real estate project on an industrial island.

4. Tooling instrument: It is one of the latest developments in the field of Islamic finance and constitutes one of the basic financing tools in the Islamic financial markets.

It is clear from the above the importance of the sectors that enter the contract Tooling ; it is practiced in several areas and may be used by companies and economic institutions such as Islamic banks and others, as well as entering several areas in industrial sectors or agricultural or even pour into the tourism sector and education to other sectors. It is necessary for people to wear clothes and canning food, and Tooling household needs of wood, electrical appliances and household, along with the printing of books and newspapers, and decorations, and Tooling industrial and agricultural equipment and cars, as well as attention to infrastructure and paving roads, Housing complexes, hospitals, educational institutions and schools to other projects that develop the country's economy.

Fourth: The terms and conditions of the Tooling contract

The Islam began the contract Tooling, on the other hand has been set by conditions and controls to prevent differences and conflict between dealers among themselves, and thus the most important pillars of Tooling are:

- 1 Formula: Which is said to her: the positive and acceptance.
- 2 The contract: ie, the buyer is the buyer of the commodity, and the manufacturer is the seller who offers the item.
- 3 Shop: Any: the goods convinced, and the price paid for them.

The following highlight the conditions of the Tooling contract:
(YOUSEF AL-SHABAILI)

- 1- The product must be defined: The specifications of the product shall be determined according to the specifications required to manufacture them and in a manner, which prevents the conflict upon receipt.
- 2 - The product that is manufactured by the industry shall be not valid in pulses, grains, and so on.
- 3.- It is not valid in what is not treated in it, and this is different according to the prevailing customs in every place and time, so there is no measured place on a place or time in time

4 - The materials used in the object manufactured by the manufacturer. If it is from the manufacturer, it is a lease contract, not a Tooling contract.

5 The price is should be known.

6. Indication of delivery and place of delivery of the sale if required.

It is clear to us the flexibility and validity of the provisions of the Sharia and its validity for all time and place, through our study of the Tooling contract, where Islam surrounded the conditions and guarantees that safeguard the rights of all parties involved in order to satisfy human needs and facilitate the affairs of people and ensure the development of their money and the public benefit of the economy of the country.

Fifth: Contemporary applications of Tooling contract in activating the private sector

In this context, the role of Islamic banks in the use of Tooling contracts and the possibility to finance the needs of these projects and serve the interests of society can be explored.

Tooling contracts are of particular importance to small entrepreneurs, such as large or medium industrial companies can request the manufacture of certain goods and specifications and

finance their operations without problems or difficulties, but it is different for small enterprises, as they face obstacles to access to sources. Islamic banks use Tooling in three ways (DUNIA, SHAWQI AHMAD.1990).

When the bank is satisfied, industrial goods are required to meet certain specifications. In this case, the industrial goods may be exercised, financed by their own funds, or through funds deposited with them, or they may be assigned to a commission.

2 - When the bank is a manufacturer: It performs the task of manufacturing some companies or institutions and produces them according to certain specifications depending on the holdings of companies and factories, and may contract with some parties to make those liabilities. This is what is known as the parallel Tooling , where a specific party to the bank request industry, the bank will in turn search for who is making this request, the contract here the bank two contracts regarding the single commodity, in the first contract manufactured, and in the second decade Proven.

As such, Tooling 'a's importance in using it as a financing alternative stimulates the role of the private sector in the economy and contributes to the support, promotion and development of SMEs.

The second axis: The private sector: its concept, its successes and its reality in Iraq

First: the concept of the private sector and its importance

The Encyclopedia of Economic and Statistical Terms defines the private sector as the part of economic activity that is not directly subordinate to government administration, in addition to the economic activities of private enterprises. The private sector also includes the economic activities of individuals and organizations that aim to profit, sometimes referred to as the personal sector (MASSOUD SAMEH .1997). The economic encyclopedia defines it: "The private sector is part of the national economy, which is managed or owned by companies of persons, money companies and individuals.

Its importance lies in the following:

1. Absorption of unemployment from the economy and absorption of labor, which contributes to raising the responsibility of the state to provide job opportunities for all researchers.

2. Reducing the size of the private sector by selling unprofitable government companies and enterprises contributes to the provision of state revenues and good amounts for this sale.

- 3 - Reduce the depletion of the currency and its exit abroad by relying on the private sector in the production of local goods and services, rather than import from abroad in large amounts.

4 - Increasing the efficiency of the use of resources in light of the role of the private sector in the production process at the expense of reducing the role of the state.

Second: the establishment of the private sector in Iraq

Private sector activity in Iraq has expanded and its role in the development of the economy increased in the second decade of the last century, when the Iraqi government issued many laws and regulations that support the private sector and contribute to motivating investors and encouraging private industry through the manufacture of agricultural raw materials, as well as the establishment of many industries such as the manufacture of vegetable oil, leather, cement and brick industry to other industries, thus enhancing the role of the private sector in the development process to reach about 80% of the output. In 1950.

However, after the nationalization processes witnessed in Iraq in the seventies of the last century, the private sector has witnessed a significant decline, and is limited to small enterprises, which prompted the state to try to revitalize its role and the privatization of some projects in the eighties and thus increase its contribution to the process of development and access to economic activities, Commercial activity and crowding the public sector in this area after 1991 period of economic siege on Iraq, the majority of projects have become commercial nature of non-investment aims to meet the necessary needs of goods that the state prevented the import under the economic

boycott Especially with regard to the requirements of the ration card. The contribution of the private sector to the local product was effective in 2000, reaching 100% in the agricultural sector, 100% in the transport and communications sector, 95.6% in the wholesale and retail trade, 82.3% (77.5%). Otherwise, its contribution was very weak in the banking and insurance sector (9%). We also find no contribution in the crude oil, electricity and water sector for that period.

4. CONCLUSION

The main conclusions of the following research:

1. The research shows the importance of holding Tooling 'a. It is practiced in several fields. It may be used by companies and economic institutions such as Islamic banks and others. Food and clothing, and Tooling household needs of wood, electrical appliances and household, in addition to the printing of books and newspapers, and decorations, and Tooling industrial and agricultural equipment and cars, as well as attention to infrastructure and paving roads, and the establishment of residential complexes, Hospitals, educational institutions and schools to other projects that are developing the country's economy.
2. It is also shown that Tooling contracts are especially important for small entrepreneurs, such as large or medium

industrial companies can request the manufacture of certain goods and specifications and finance their operations without problems or difficulties, but it is different for small enterprises, Without access to the sources of funding necessary for their projects either from their own sources or from commercial banks, so the entry of Islamic banks as financier of these projects and a medium between them and the large economic companies or institutions that require the manufacture of goods, can contribute to the creation of opportunities Offspring to work check them suitable income and an opportunity for growth, which calls for Islamic banks to the importance of expansion in this area and the granting of possible facilities and increase the number of delayed and premium payment to facilitate the deal in accordance with the contract Tooling 'a.

3. The research shows that the contribution of the private sector to generating GDP and the formation of fixed capital is still low. This confirms the modest role of the private sector in the development of the economy, while emphasizing the absence of an encouraging environment.

RECOMMENDATIONS

1- Importance of emphasizing the role of Islamic financial and social banks and the importance of enhancing the confidence of its clients.

2- Interest in low contracts and Islamic financing formulas, including Tooling, as it is an ideal way to finance economic activities.

3. Calling for mobilizing all the potential of the society, including the private sector's expertise and resources, and contributing to the promotion of its growth and role in light of the transformation of the market economy, which plays a role in correcting the course of development and diversifying sources of income for the economy.

4. Dissemination of the culture of financing with the Tooling contract in the development projects for all the economic sectors in which the contract can operate.

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Revista de Ciencias Humanas y Sociales

Año 36, Especial N° 27 (2020)

Esta revista fue editada en formato digital por el personal de la Oficina de Publicaciones Científicas de la Facultad Experimental de Ciencias, Universidad del Zulia.

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