Thesis submitted for the Degree of Doctorate
of Philosophy in Islamic Studies

By

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So let them worship the Lord of the House, who has fed them against hunger; and has made them safe from fear. (106:3-4)
The term "Social Security" is newly originated by the United States in the first-half of the 20th Century, but the history of caring for it, is as old as that of mankind. If we scan through the history we will come to know that the men in the cave was more needy of this noble cause than the men of our age. This good deed has always attracted the attention from individuals as well as the community for its preference.

In this age of 'Isms', both the major isms; Socialism (or Communism); the claimer of 'world's paradise' and Capitalism; the claimant of freedom and prosperity have strived for the maintenance of social security for all. No doubt, they have shown a fairly good preference in the materialistic side of life but they have utterly failed in spiritual side; the more important wing of life. Most of their attempts have either gone to one extreme or the other and have lost their true balance. As a matter of fact, the secular systems are unnatural to man; while the need for social security is a natural instinct, hence, it needs a natural system for its establishment. But this natural and genuine demand is lost in the loom of these man made secular 'isms'.

It was 1970, when the Martial-Law Government of Pakistan was going to hold the general election, the writer for the first
time, during the election campaign of different political parties, happened to hear the slogan of 'Roti, Khaatra aur 'Madd' (food, clothing and lodging) as the electoral manifesto. The socialist parties were at the forefront with this slogan. The capitalistic parties were also promising for the same benefits. At that time the writer was a post-graduate student in Education at Multan (Pakistan). He was grieved to hear these slogans because all these political parties in Pakistan are (are) of Muslims who believe in Islam as the complete code of life, then why did they not adopt the Islamic system of social security as the manifesto of their political programme? Is there not any system of social security in Islam, struck the writer's mind? Since then, he made up his mind to do research work and studied a number of books on the "Economic order of Islam". In spite of the fact that the Muslim Scholars have done Yeoman's work on the "Economic values of Islam", but this branch of Islamic Economy needs more attention, and he found only four books i.e. "by Maulana Hifz-ur-Rehman,

 by Maulana Mohammed Shafi Miftah,

 by Syed Iftah and "by Ahmed Ibrahim Ibrahim, who have put in this topic.

Meanwhile the writer did his M. A. in Islamic Studies and met Dr. Prof. Bashir Ahmed Siddiqui, the chairman of Islamic Studies, in 1974, and told him the programme. He appreciated the writer's idea and advised him to apply to the Board of Advance studies and Research, University of the Punjab, Lahore to seek its permission to write a doctoral thesis on this subject.
The Dean of Advanced Studies and Research very kindly approved the topic and permitted him to do the same, provided he did his M.A. in Economics before he start his research work regularly.

With the help of Allah the writer did this and started his work. During our researches we have come to know that:

(i). Islam brought the concept of social security fourteen centuries ago, this was the era when Europe was striving in darkness.

(ii). Islamic system of social security is in accordance with the Nature of man.

(iii). It is based on Freedom, Equality of man, Human Brotherhood, love, peace and justice.

(iv). It does not practice any pressure, threat and terrorism but it convinces the people that its principles ensure happiness in this world and the blessings of Allah in the Hereafter.

(v). This is the only hope of the Ummah future and the Last Messenger of pleasure and peace.

We have divided this thesis into four parts, which are

Part First explains the modern concept of social security, its Nature and scope and its historical evolution.

Part Second deals with the secular systems of social security i.e. Capitalism and Socialism (with its final state communism) and briefly discusses how these systems had failed in maintaining a sound system of social security, and establishing a peaceful and balanced society.
Third part discusses the Islamic system of social security. This is the main and major portion of this dissertation. It consists of Islamic concept of social security, its significance and scope; its aims and objectives; classification of this system into Govt. sector and Private sector; their institutions and their feeders. Further it puts in the outline of the Islamic system of social security in the age of the Holy Prophet (may peace be upon him) and the Rashid Caliphate.

Part Fourth brings home to us the outline of our proposed system of social security which is prepared on the principles of 'Islamic Economic Order' and also incorporate the modern trends of social security.

During the preparation of this monograph, the writer visited twice the Royal Kingdom of Saudi Arabia, where he examined the social insurance of that Islamic state and also profited from the rich library of the Centre of Research and the Revival of Islamic Heritage, where we held discussions with the learned members of the staff.

The writer takes this opportunity of expressing his deep sense of gratitude to the learned scholars under the supervision of whom he worked or from whom he derived benefit during his researches.

Prof. Dr. Bashir Ahmed Sadiqul, Chairman of the Department of Islamic Studies, Punjab University, Lahore.

Dr. Anwar Iqbal Qureshi (S.7.A) Ex. Additional Secretary, Finance and Economic Advisor, Government of Pakistan, Finance Ministry.
Syed Abul Hasan Ali Al-Husni An-Naqvi, Lecturer of Nadwatul-Ulama Lucknow India.

Maulana Mohammad Is.haq Naqvi Naqvi Senegalvi Ex. Prof. of Hadith Nadwatul Ulama Lucknow at present incharge of Research and studies Madrasa Arabia New Town, Karachi No. 5.

Maulana Mohammad Taqi Usmani, Editor of Al-Shagh, Prof. of Hadith, Laru-ul-Uloom Karachi; member of Islamic Advisory Council, Pakistan.

Dr. Nijat Ullah Saddiqi, Department of Economics, Muslim Ali Garh University, India.

Prof. Mohammad Ashraf Khan, Head of the Arabic Department University of Peshawar.

Maulana Mohammed Sharif Wattoo, Principal Madrasa Arabia binchinabad, Pakistan.

Maulana Tufail Ahmed, 40 Qari Colony Okara, Pakistan.

Among these nine men the first two were originally appointed as the supervisors of this research programme. From 3rd to 9th taught us the basic principles of the Islamic system of social security. While the fourth and the fifth and the 9th very kindly, studied the synopsis and revised for necessary amendments and corrections. The 9th, Maulana Tufail Ahmed (writer's father in law) very kindly allowed him to have profit from his very rich library. We are highly obliged to all these scholars of Islam and the sincere friends of humanity.
The writer's sincere thanks are also due to Mrs. Rahma A. Islam, Head of Money & Credit Section, Government of Pakistan, Planning Division,Islamabad, who very kindly studied the manuscript and gave very helpful suggestions.

The writer very humbly admits that he could not do whatever he wanted to do or be ought to have done. But he hopes that some one other with greater knowledge and better information on this subject will have the opportunity to work and show its enormous benefits to humanity which he has failed to unfold.

Whatever he has done he had done for the pleasure of his Allah; his Lord, his Benefactor. May Allah forgive his shortcomings.

Rabi-al-Awal 12, 1399 AH. Most humble servant of Islam,

February 10, 1979. (NOOR MOHAMMAD CHIFARI)
PREFACE.

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PART I

SOCIAL SECURITY

CHAPTER 1

SOCIAL SECURITY

The term Social Security, in modern sense denotes programmes and schemes chalked out by law to provide economic security and social welfare for the individual and his family. Social security systems vary from country to country, from time to time, from nation to nation and from economic systems to economic systems, but in general they provide for benefits to the aged, widows and young children, the disabled, the unemployed and some forms of medical care.

The principal means of providing the above mentioned benefits of social security are as follows:

1) Social insurance.
2) Public assistance.
3) Public service.

1) Social Insurance.

It is based on insurance principles, although elements such as the number of dependents may also be taken into consideration. This source is usually financed through contributions made to special funds by employers and employers (and in some cases, governments); the benefits depend upon the individual's earnings or contributions and are described in the statute establishing the system.
Public Assistance.

Public assistance programmes provide cash payments and services to needy individuals (such as widows with dependent children) to help them to meet their basic needs.

Public Service.

Under public service programmes cash payments or services are provided directly by the government to every member of the country, regardless of his economic need or his contribution to an insurance scheme.

HISTORICAL EVALUATION OF MODERN SECURITY LEGISLATION IN EUROPE

The modern concept of social security, that originated in the United States, came into common use throughout the world in the first half of the 20th century. In most countries, until late in the 19th century, the relief of poverty was left to private charity, to churches, to workmen provident associations or to the government acting under so-called "poor law". In 1883-84 Germany, under the leadership of M. Bismarck, became the first European country to introduce a modern form of social security—a contributory health insurance programme (at that time called "Sickness Insurance"), a national compulsory accident insurance programme and old age pensions. Germany's example was soon followed by Austria and Hungary and by the early years of the 20th century public opinion in most European countries had come to favour some means of providing old age pensions.
for the needy and of dealing with some contingencies on sickness and unemployment among workers.¹

**BRITISH SOCIAL LEGISLATION**

In 1908 Britain established a system to provide contributory pension to needy persons who had attained the age of 70 and in 1911 it became the first country to adopt a national system of unemployment insurance. The compulsory health insurance programme adopted by Britain in 1911 was greatly extended in 1920. A system of contributory old age, widows and orphan's pensions began in Britain in 1925 and unemployment insurance was launched on a new basis by the unemployment assistance. In 1939, by the beginning of the world war II, Britain started a fairly comprehensive system of public social welfare, consisting of public medical services, a national health and unemployment insurance system, widows and orphan's pensions, old age pensions, public assistance and provision for the control and subsidisation of housing and supervision of town planning.

After world war II, this programme was extended on the basis of the well-known "Beaveridge Report in 1942" on social Insurance and Allied Services. In the light of this report a true minimum standard of living from cradle to grave of social security was recommended. Accordingly, a series of acts were passed which formed the framework within which this system is still developing.

The family Allowance Act of 1945, the National Insurance Acts of 1946 and 1956, recognised the new Health services. The new Town Act of 1947, made provision for a systematic building and expansion of towns. The National Assistance Act of 1949, provided assistance for anyone in need out of government funds. The amount of grant payable is determined by comparing any resources already available to the applicant with figures of which his needs are assessed according to regulations. By the act of 1949, regarding child welfare services, it becomes the duty of the local authorities to receive in the their care any child under the age of 17 who is guardiansless or whose parents are unable to provide for him temporarily or permanently. Matrimonial proceedings act, enjoins the local authorities to accept children committed to them by juvenile court or by divorce courts. Children in such case, if possible, are boarded with foster parents or may be placed in children's homes managed by a staff officer of each locality in assisted by a staff officer of social workers who undertake inquiries, give help in planning for care and upbringing of the individual the child and supervise them in foster homes.

Besides the governmental agencies, there are private organisations which are working for the social security of the people. These private organisations complement the work of the statutory bodies which are aided with public funds, and in many respects of their social work act as agents of public authorities. Examples of these societies looking after children are Dr. Bernard's Homes, the church of England children's society and the Catholic child
Welfare Council. In addition to these, there are social settlements in the poor districts of the cities. In all large towns and some small ones there are children Advice Bureaus. Besides all these, there are Marriage Guidance, the Order of St. John, St. Andrew's Ambulance Association and the like. In short, Britain has the most comprehensively planned and integrated security system in the world.

UNITED STATES SOCIAL LEGISLATION

The development of social security legislation in U.S.A. was slow. In the first three decades of 20th century, many states of America made arrangements for granting public assistance to certain categories of population, but this type of assistance was extremely limited in its coverage. Workers' compensation which had its beginning in 1923, was the first type of social insurance to be developed in the United States of America, and with the single exception of an unemployment insurance bill passed by Wisconsin in 1937, it was the only form of social insurance in effect in U.S.A. in 1935, when a broad national programme was recommended.²

The New Deal of President Roosevelt in 1933, The Agriculture Adjustment Act attempted to help the farmers by raising farm prices. The Works Progress Administration Acts of 1935 and 1939 were enacted to provide work relief rather than cash doles. This, together with

Encyclopedia Britannica, Inc.
the National Labour Relations Act of 1935 (commonly known as the Wagner Act) also aimed at promoting collective bargaining between labour and management were some of the measures designed to meet the crisis. These measures brought back economic prosperity as the following statement in the Encyclopedia Americana has shown:

"Thus without altering the basic form of government or way of life, the welfare state in the United States, Britain and other nations has strengthened democracy by enhancing the security, self respect and freedom of citizens. In the face of world conflict and severe economic crisis, the welfare state has weathered the tension and strain without civil wars, concentration camps, gas chambers, fratricidal hatred, such as have characterised regimes of totalitarian fascism and communism."

SCANDINAVIAN SOCIAL LEGISLATION

From the early 1930's onward, the Scandinavian countries (Norway, Sweden and Denmark) have been the socialist states and they have got a remarkable record of social reforms. It may be noted that in their policies more emphasis has been laid on economic development and social security than nationalism, and their economic policies are based on fiscal measures (such as cheap money) and taxation rather than on reform of ownership. In Britain approach to


New Yorker, 1957
social and economic change engendered the tendency to substitute state ownership and management for private ownership. In Scandinavian countries, the form of social ownership has been used in place of state ownership. The co-operative movement instead of the government acts as the agent of reform. Thus a co-operative system has been used for slum clearance, health insurance, and in industrial production and distribution. Sweden has tried to avoid, in this way the evils of capitalism and too much state control, and among the nations of the world devoting large proportions of their resources to social welfare, Sweden holds a prominent position. In 1950, for example, it spent 2,682 million kroner (§ 505,200,000) on social services, industrial injuries, insurance, unemployment measures, unemployment insurance old age and disability benefits, family and child welfare and public assistance. This expenditure represented about 13% of national income.4

This is the brief history of the modern concept of social security, which was originated in Europe after the World War II and gained ground year by year. According to the statement in the Encyclopedia of Britannica, each year after 1945 saw the introduction of social security measures into one country for the first time; by the mid 1960, they were in operation in more than 100 countries.5


CHAPTER 2

WELFARE STATE.

The discussion of welfare state, after that of social security, is a logical corollary because social security and welfare state are interrelated. Welfare state is the consequence of social security while social security is the first and foremost feature of welfare state. Moreover, the history of their origin and cause of their origin are the same and one i.e. both originated after World War II for the social welfare of the community.

A welfare state now considered the ideal by all the countries in the world, whether they are the highly advanced countries of the west or the less advanced or even backward countries of Asia and Africa. The principle is that because he is a human being every member of the community is entitled to a minimum standard of living and to be provided with full employment; this principle is put at the top of social gains and made a state policy. In these days, it is being done in two different ways—by nationalization of economy in communist countries and by a combination of private ownership and a properly designed system of taxation in other countries. Not only a welfare state now an accepted ideal of all the governments in the world, no matter in what stage of development they are, but internal social welfare programmes have increased and expanded with the growing realization that the development of human resources is the real key to better way of life of the peoples of all the countries, and that relieving poverty, ill health and misery
is an important task of maintaining peace. The focus of such activities is in the United Nations, where the Department of Economic and Social Affairs of U.N. Secretariate administers a world-wide programme of research, technical assistance, community development and information. The principal organ of the U.N. in social field is the Economic and Social Council. Policy recommendations for the groups are developed by the U.N. Social Commission and carried out by the Bureau of Social Affairs and Advisory Welfare Services. Other social welfare activities are carried on by specialised agencies which have been established by inter-governmental agreement and are conducted by the U.N. Economic and Social Council. The World Health Organization (WHO) helps to combat diseases and epidemics throughout the world. The United Nations Educational, Scientific and Cultural Organization (UNESCO) assists governments to eradicate illiteracy. The Food and Agriculture Organization (FAO) seeks, among other things, to overcome chronic food shortages. The U.N. High Commission for Refugees supervises the application of international conventions relating to the status of refugees. The oldest of the specialised agencies is the International Labour Organization (I.L.O.) which gives special attention to the problem of income, security and labour legislation.

Today, England and Scandinavian countries have become welfare states, by undertaking huge expenditures on social, medical security, while other states of Europe, Asia and Africa are trying to achieve this cherished goal. As regards the expenditures of the welfare

states, we can say that as human knowledge progresses and new inventions are coming into existence, it goes without saying that the expenditure on social security will go on increasing.\(^2\)

**THE FALLACES OF MODERN WELFARE STATE**

A welfare state in itself is undoubtedly an appreciable ideal and a coveted goal to achieve because it alleviates poverty and distress, enhances security, self respect and freedom of thought; maintain peace and solidarity through social security and insurance of the basic necessities of life and creates fellow feelings in society. Hence the countries prosper economically and strengthen politically. But let us think impartially, have these welfare states attained the real purpose of a welfare state i.e. maintenance of basic necessities of life with peace of mind for every individual in the state?

Obviously, the answer will be in the negative. No doubt the modern welfare state of Britain and Scandinavian countries have met the first necessity i.e. the maintenance of the bare necessities of life, but the second i.e. peace of mind, the coveted need of every one, has not been achieved. Why? Unlike Islam, the modern doctrine of secular social welfare has placed undue if not sole stress on "Material Welfare" and pay little attention to spiritual and psychological needs of the people. This non-recognition both by the individual and the community, of the fact that there are other things besides "Material Welfare" to be pursued and that there are loyalties which go beyond

this state, has produced some strange results.

In the following pages, we are going to discuss, very importantly, some outstanding shortcomings of the modern welfare state, as are seen in the affluent western world.

A. Constant Increase of Crime

In all welfare states today, the ratio of literacy in maximum light of modern knowledge is at full swing and standard of living has attained a high water mark ever since it is strange to say there is a rapid increase of crime. America is the richest country on the globe. Her national income and per capita income both are the highest in the world as the following table shows:

<table>
<thead>
<tr>
<th>Name of Country</th>
<th>Per Capita Income according to 1974-75 Statistics (In American Dollars)</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. America</td>
<td>$4300</td>
</tr>
<tr>
<td>2. Canada</td>
<td>$3700</td>
</tr>
<tr>
<td>3. Britain</td>
<td>$2000</td>
</tr>
<tr>
<td>4. France</td>
<td>$1900</td>
</tr>
<tr>
<td>5. Italy</td>
<td>$1200</td>
</tr>
<tr>
<td>6. Japan</td>
<td>$800</td>
</tr>
<tr>
<td>7. Iran</td>
<td>$400</td>
</tr>
<tr>
<td>8. Pakistan</td>
<td>$119</td>
</tr>
</tbody>
</table>

The standard of living is so high as cannot be imagined by us, the poor of the East. But crime is increasing so rapidly that their speed is an astonishing one. According to recent statistics at least a million indictable offences known to the police were committed. That is incidents of theft in the busiest commercial centre of New York is the open secret of the failure of the modern welfare state; originating in secular doctrines, when the system of electricity of the city was cut off and the cultured thieves of this richest welfare state got the advantage of darkness and robbed hundreds of shops. In fact, America has a society which sets great store for economic affluence and social ascent. Yet there are many individuals who cannot get these ends by legitimate means. Thus the solution is to innovate and where material wealth is involved that means fraud, embezzlement, blackmail and theft.3

England, by undertaking huge expenditure on social, medical and other utility services, has become welfare state and her system of social security is the best in the world, but ratio of crime is constantly high. Recent statistics shows that at least million indictable offences known to the police were committed while lot of other property offences which were not reported. A survey suggests that employers increasingly condone theft to avoid unpleasants, adverse publicity and unemployment. There is difficulty of filling vacancies. Some aspect of the affluent society seems to be responsible for this increasing tendency to commit crime.

The intensive advertising of consumer goods, the use of hire-purchase schemes to sell them are obvious examples. Mass media of news and entertainment and increasing mobility of wage earners all together give the wage earners a close acquaintance with more expensive ways of life, and thus stimulate in them a desire to have these things. If they cannot be obtained by honest means then obviously unfair and dishonest means are adopted.  

In feudal social order the status of man is visualised in society by his wealth and influence he possesses. But in modern societies which boast of no social frontiers, no barrier of advancement, every individual is not satisfied and tries to improve his present status. If he fails to "get ahead" then he is regarded as a failure. And if he cannot achieve his goal by legal means, he adopts the illegal ways.

In short, the modern secular trend of the welfare state has made the man impatient, wealth hungry and tempting. He is always in search of his higher ideals and a goal, whereas he is going from bad to worse. The modern society is generating the strains that lead to crime among the lowest, the poorest and the weakest. They foster the "rat race" the more tempting it becomes for little rats to cut the corners. Every spring sparrow wants to have a cap on his head. This is the melancholy prospect of the modern societies dedicated to growth, expansion and yet a higher standard of living without religious teaching. The people of these welfare states are at the horn of dilemma, they

must know where to go and where to stand and where is their destination.

Their moral sense of right or wrong is either dulled or lost unless such acquisition is based on religious upbringing.


The modern secular doctrines of welfare state has made the man self-centred. In this welfare state so much stress is laid on individualism that every one sees in the direction of his own nose, thinks for his own benefits walks for his own desires and works for his own sake. He is selfish and acts to satisfy his selfishness. He is deprived of the good sense of fellow feelings. He don cares whether any other is happy or unhappy, hungry or with full belly, naked or with dress, ill or healthy. He does not know who is his neighbour, what are his needs and what can he do for him? In short, he is interested in his own advantage to the exclusion of regards for others and all his activities are actuated by this and only.

Self interest is a disease without symptoms, but it is itself a symptom of something more terrible. It is making people forget how to form and communicate relationship.

4. Loneliness.

The self interest and self centralization has given birth to loneliness. Now home is not a place where a family members dwell with the pure passions of fellow feelings and noble sense of responsibilities for one another. But it is just a place where a member of people eat one meal a day, sleep and spend some hours when
they think of nothing better to do. Man in his struggle of living self interested and individualistic, is trying to break up home life in the welfare society of West. He is trying to forget the reality that individual cannot do without community of which man is an integral part. P. E. Maurice says: "Many writers begin with considering mankind as a multitude of units. They ask, how did a member of these units form themselves into a society? I cannot adopt that method. At my birth I am already in a society. I am related at all events to a father and mother. This relation is the primary fact of my existence. I can contemplate no other facts apart from it....and if you determine not to take notice of this fact, not to give it precedence over every other, the effect is that, instead of considering the world at large, you will contemplate yourself. You will be the unit about which events and persons resolve. Each man will regard himself as the centre of the universe. You will come at last to an undertaking, a very imperfect understanding, that each occupy this place in his own estimation. You will be forced to construct a society on that hypothesis.\[5\]

If, on the other hand, you start from the indubitable common place, 'we are sonic', such a way of considering the universe is from the first impossible. I cannot be the centre of the circle in which I find myself, small as it may be. I refer myself to another. There is another of my existence, we shall find the explanations of social existence, we shall find the explanation lying at

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at our feet.  

This was written in 1957, but it is remarkable how far he foresaw in which the society of these modern welfare states was making.

This desire for individualism has destroyed the family life as well. There as, the institution of family is of supreme importance because this institution is the breeding factor of all the large forms of social life, the nation, the village, the city, the country and ultimately the world. No other form of social organization can produce sound and healthy life unless it is based on family. It is only in it all kinds of human relationships are found in their simplest form.

First there is the relationship of authority as every family must have a head, who is specially entrusted with the welfare of something larger than himself. He has to look after the happiness and welfare of all the members of the family living in his charge. At times he will require all his ingenuity and tact to bring about settlement and reconciliation in case of dispute and quarrels.

Secondly, there is the relationship of obedience, which in a well ordered family does not imply blind submission. It is the recognition of the fact that the individual is a part of a larger whole and cannot claim absolute liberty of self assertion as it would break up the whole family.

Thirdly, there is a relationship of cooperation between those with different degrees of responsibility, as between parents and children, and between those of more or less equal responsibility, as between children and children.

6. Ibid, P. 140.
Fourthly, it is the forum where one learns the art of mutual respect and forbearance. It is also the place where every member has an opportunity to appreciate the value of the various contributions made by everyone in the interest of the whole, carefully where they happen to clash with those of the individuals.

All these are elements of life in a political life of nations. If they have been well and truly learnt in the small state of family, they will find natural expression in the life of larger whole. It is only in a family that those can be learnt thoroughly and naturally. 7

This negative attitude towards the family life has also thwarted the growth of intellect and minimised all chances of the emergence of an exceptional genius. Bertrand Russell says:-

"But as long as children continue to live with their parents' examples and early education must have great influence in developing their character, even if we leave heredity entirely out of account whatever may be thought of genius, there can be no doubt that intelligence, whether through heredity or through education, tends to run in families, and that the decay of families in which it is common must lower the mental standard of the population." (Principles of Social Reconstruction)

The abolition of the family institution is to destroy the moral and spiritual values of a human society. Churches are a poor substitute for home with its salutary, spiritual atmosphere in which the

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personality of men grows to its full stature. Public nurseries, whether run by state or privately, mainly look after material side. They turn out, 'Hass Hen' more skin to machine than to real human beings.

In a striking passage Mr. Oldham in his book says—

"In the home persons are valued for what they are in themselves rather than for what they do work and busi-ness engage only a part of the personality but in the love of the family the man can find his satisfaction. The family is a school of character, providing an education in sympathy and understanding, in self-control and cooperation. It is a training ground in responsibility and mutual obligation and builds the disposition which fits its members to participate in the wider life of the community."

As a consequence of the attitude of loneliness, frustration and mental upset is developing day by day in the Western society. In Britain, mental patients occupy a third of all hospital beds, and hundreds out on their existence unable to hear the strains of life in solitude. The number of such lonely people in England, ranking the highest position in the modern welfare state and other European countries and even in America, the richest country on the globe, steadily rising for the last twenty years and is posing a very hard problem for medical doctors and social workers as a serious malaise in these countries, which are becoming steadily more impersonal, as their mobility grows. These unfortunate persons, both young

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and old, men and women, rich and poor may be seen even in the busiest cities sitting in the sun in the day and under the moon at night. That are they suffering, that are they thinking and for whom are they waiting? Only the few are concerned and especially the ones who know what are their feelings. The Social Welfare states have provided them the basic necessities of life but they have totally failed to give them a sincere life partner, husband or nearest son, a faithful and devoted or a beloved friend who can sooth his heart in a little.

The young students, girls or older women try to find a place where they can use their leisure in the company of some sincere hearts; mother, father, brother or sister, but failing this, they again rush to the cities in search of a new corner. While the other lonely young seek new contact by changing their jobs frequently but it does not help in search of sincere feelings and it brings only worse feelings of restlessness. Whereas those who remain in one job often find themselves stuck in one corner with the years rolling empty by.

The National Council of Social Service of Britain has pointed out that what most of the young people want after their work is social clubs, which are not enough. Meeting places already founded for young professional people, like coffee-club, have long waiting lists, for the rest there is no place to go. This is the tragic result of the break up of the family life in an affluent society. Living alone, for those who are not solitary by nature, can be a dangerous state. One has to depend on oneself—eating alone, sleeping alone, never using one's voice unless to talk to oneself. Thus one becomes intolerant and selfish.
To avoid loneliness many people are joining evening clubs, but very often they find that even now there is no better answer to loneliness than during the day. Middle and secretaries, civil servants, teachers, nurses, police officers, estate agents, shop managers, even doctors, are all of loneliness. In short, loneliness is a disease without cause, but it is itself a symptom of something more terrible. It is making people forget how to communicate and form relations.

D. Scarcity of Peace of Mind.

In the affluent societies of the modern welfare state where the basic necessities of life are available in abundance there, the loveliest necessity of every one, the peace of mind has become from dearer to the dearest rather scarce. This scarcity of the peace of mind has created sense of deprivation. Every person is in search of a "door in the wall" that may ease him in an illusory world where he may get peace and shelter from the tyranny of machines and self centred society. He is becoming a mental patient day by day.

These has been a vertical increase in the number of mental patient in Britain. In Feb. 1965, Mr. Robinson, the minister of Health in the then labour Government said:

"In the past five years, expenditure by local authorities on the mental health services has risen from four million pounds to £ 250,000. It would exceed to 10 millions in the present year. The total number of mentally disordered people receiving care from local health authorities increased from 115,000 at the end of 1960.

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to 140,000 at the end of 1963, a rise of more than 2%. The number of mentally ill people included in this total rose from 32,000 to more than 55,000, i.e., 70%.

What a sad paradox! But why is that so? The modern welfare states are making maximum possible effort to provide pensions, medical treatment and old people's homes. No doubt, care rooms cannot compensate for cold hearts, but these welfare states have done much mental entertainment i.e., permission to open youth clubs, old clubs, children's parks, theatres, cinemas, brothels etc. but the mentally ill society is at the same place from where it started. Why? According to the secular doctrines of modern welfare state, the responsibilities of the government and the local authorities begin and end on the material level. This is the very reason of the failure of the modern welfare state. A French writer, Henry Moéde writes:

"Modern civilization is the worst evil in that it makes the material well being the end of life and it breeds sham success and corrupts Oriental, that makes them slaves of money, incapable of peace and inner peace."

"That makes them slave of money" is the striking point of this statement which leaves out the secret of the failure of the modern welfare state. Money motive and slavery of money cannot give peace of mind and a spiritual life. Let us study Lord Keynes, the famous economist of these ages, in his book "A short view of Russia" says:

"At any rate to me it seems clear every day that the moral problem of our age is concerned with the love of money, with the habitual..."

apossé to the Money Motives in nine-tents of activities of life with the universal striving for the individual economic activity, the social approbation of money as the measure of constructive success and with the real social appeal to the hoarding instinct on the foundation for the necessary provision for the family and for failure. 11

This is the evil effect of money economy on man's mind, and this in the failure of the modern man of the modern welfare state, whose need of the day is "the peace of mind", but as he wants to achieve it by money and materialistic success. But it is far and impossible.

2. Increase in Rate of Suicide.

Another failure of the modern welfare state is the increase in suicide rate among its inhabitants. This is the result of unsteady peace of mind. When anything happens which causes shock or disappointment or failure people, both the rich and the poor try to end their lives. This increase in suicide rate is due to improper religious upbringing and training in the modern affluent society of the modern welfare state.

From a study based on facts and figures, it has been proved that in these so called civilized communities of Western Europe and America, whose religious and secular strings have either been relaxed or abandoned, the rate of suicide is much higher than in places where religious and secular controls still hold sway. Addressing a conference in London in 1951, Dr. A. Torrie, Medical Director of the British Nations

Association for Medical Health said that more than half of the students at Oxford University who were absent from lectures owing to sickness suffered from psychological disorders. The suicide rate among the under-graduates in Oxford in 1946, has been seven times more than that of young men outside Oxford.

It is a sad paradox. The modern man of the welfare state, despite the light of knowledge, marvelous inventions of science, high per capita income and numerous comforts rather luxuries of life, is up set and uneasy, rash, short tempered, selfish and intolerant. He may be likened to a sufferer less boat which is incapable of facing storms and vicissitudes of life. Then ever a thing happens which causes shock, he is ready to leave even his loveliest thing, the life. The rate of suicide today is vertically increasing and it has been for more than ever before. Modern man is losing his unified religious outlook on the world; this loss means intellectual and moral disquiet as anarchy as it is more or less a violent rejection of the old values; it is a struggle between the incomplete and inconsistent.

Today, an unknown sense of deprivation is prevailing in the affluent society of the modern welfare state. Every one looks tired, wearied, nervous irritable, fed up, bored from life—hence he is lost of weak spiritually.

These were the spiritual and psychological reasons of the mental illness (of the modern man of the modern welfare state) which leads to suicide. But this mental illness has its economic factors as well, which have a considerable influence on social and spiritual conditions of the community man is not a soul without a body. But neither he is

body with out soul. The manner and methods of production of wealth and its distribution have a considerable influence on mentality of the members of a society. How can a society remain peaceful, faith-fall and sincere, whose economy is based on unnatural inequality and usury. The modern man who has become money hungry and discontent, when he faces this wrong and unjustified economic system, becomes mentally ill and uneasy. What will you think of a man whose aim of life is money making and buy more and more comforts of this life, but he cannot fulfill his ambition because of this wrong economic system where every one has not the equal chances to prosper.

CONCLUSION.

The modern welfare state, organized on secular doctrines which advocates individualism, self interest, loneliness, profit motive money making as the aim of life; which creates hot blood, uncertainty, uneasy and unsteady peace of mind. Which results in suicide—is a failure. Its prominent shortcomings are the development of its atheistical civilization and material well-being which are the very reasons of its failure.

Spengler, in his book "The Decline of the West" predicts the end of the present civilization. And H.G. Wells in his autobiographical novel "The World of William Clissold", writes that the present social system is on the edge of artigo. In Aesopus, Bertrand Russell maintains that the future of man and science is dismal and Cline Wychman Lewis in his "Art of Being Ruled" reiterates the same
criticism. He asserts:

"Science in his recent vulgariser condition simply the principles of destruction it is more deadly than a thousand plagues, and every day, we perfect it or our popularly industrially applied version of it."

In America, Salto Frank, aghast at this spectacle of human chaos calamity and worldly decline, says:

"We are decaying because the experimental assumptions that hold our culture are on the wane......our spiritual body is breaking up."

These statements are of those scholars who are born and brought up in the lap of these so-called modern welfare states. They open their eyes in the light of their modern civilisation, enlightened themselves with its knowledge and picked up teachings from its books, received inspiration from its scholars. But light is light and darkness is darkness. These modern welfare states, based on secular doctrines and atheistical trends, gave nothing but uncease impatience, selfishness, money motive, loneliness; took peace of mind, fellow feelings and fear of Allah; built brothels, hotels, clubs, cinemas, theatres and destroyed homes, institution of family and human relations.
PART II
SOCIAL SCIENCE OF SOCIAL SECURITY.

1. Introduction.

2. Capitalistic System

CHAPTER 2

INTRODUCTION TO SOCIAL SYSTEM OF MODERN SOCIETY.

(Commotion doth appear on land and on sea because of (the evil) which man's hands have done, that he may make them taste a part of that which they have done, in order that they may return). (30: 41)

"Let him who expects one class of society to prosper in the highest degree, while the other is in distress, try whether one side of his face can smile while the other is pinched." (POLICE)

"One capitalist can kill many." (K A L E N)

"I do not want to divide poverty in my country through socialism".

"The situation of the rich and the poor, like the algebraic terms of plus and minus, are in direct opposition to end destructive each other." (CHARLES HALL)

"Dynamic change is the keynote of our time. We apparently stand at the threshold of one of these momentous crises in human history when mankind moves into a new age. Such crucial periods are of supreme importance, because their outcome may determine man's course for many generation for centuries."

"Challenge spells struggle. This is certainly true of today. The outstanding feature of modern life is the vast flood of new knowledge and power which is sweeping in upon the established tradition of the post-venerated beliefs, cherished customs, settled details of everyday life portentously alter before our startled eyes. Across our modern world strange winds are blowing. Forged by new problems and aware of coming
trials, as we confront a formidable future." (LIT. It. ALL, Scientific Humanism).

I. SYSTEMS OF SOCIAL SECURITY

Although the term social security in its modern sense is newly created, yet its history regarding its need is as old as that of man. It has always attracted the attention of individuals as well as the communities to establish a good system of social security. Many attempts towards this crying need have been made, while some other attempts are being exercised in this respect; but they have either utterly failed and if otherwise succeeded partially, only in finding an equitable and balanced situation of this long-standing need. These attempts were/are both religious as well as secular. On side of Religious attempts there were Hinduism, Judaism, Christianity, and (is) Islam. But all these attempts except Islam, in their new shape, neither have any social security system nor they claim it. Thus, on this side there is only Islam which has an equitable and balanced system of social security. So, here we discuss Islamic system of social security.

On the other side, there are secular systems of social security; which have gone to one extreme or the other and have lost their true balance. They have either gone too far in protecting the rights of individuals and have completely ignored the greater common good of society or have totally undermined the rights of the individual.

There is long list of secular systems of social security i.e. Feudalism, Era Capitalism, Socialism, Marxism or Communism, National Socialism etc, but out of these there are only two i.e. Capitalism and Socialism, which are in practice, while the other have theoretically lost their theory even. Hence in secular systems of social security, we shall discuss these two.
CHAPTER 4

CAPITALISM

There is no such thing as democracy in the abstract. Great Britain, France and America are capitalist democracies as opposed to capitalist dictatorships. But they are democracies for the ruling classes of those countries. They are most effective dictatorships of the property-owning classes, and the moment the democracy form of Government endangers the dictatorship, the real power of the property-owning class, these form are scrapped. John Strachy 

Capitalism, a term used to denote the economic system that has been dominant in the western world since the break-up of feudalism. Fundamental to any system called capitalist are the relations between private owners of non-personal means of production (land) mines, Industrial plants etc; collectively known as capital and free but capital less workers, who sell their labour services to employers.

Under capitalism, decisions concerning production are made by private businessmen operating for private profit. Labourers are free in the sense that they cannot legally be compelled to work for the owners of means of production. However since labourers do not possess the means of production, required for self employment, they must, of economic necessity offer their services on some terms to employers who do not control the means of production. The resulting wage bargain determines the production in which the total product of society will be shared between the
class of labourers and the class of capitalist. (Encyclopedia Britannica, Vol. 4, P. 339.)

Capitalism is that economic system in which capital plays the major role. Capital is necessary for setting up factories, for installing up machines, for paying up the wages of the employees, for the payment etc. Capitalism possesses the following salient features.

1. Right of Private Ownership.

The capitalistic state recognises the right of private ownership of individual. Every individual has the right to acquire and dispose of his property. He has full control over his property and all the benefits accruing from it. He also accepts rather monopolises, the economic resources.


Every workman is free to work where ever he like; and on the wage of his own choice.


Every one has got the right of freedom of business. Every one is free to choose his own means of production. He is free to organise and establish any enterprise he likes; and has got the right to earn as much profit as he can (and by any means). The right of agreement is also guaranteed.

4. Freedom to Spend.

Every individual is at liberty to spend his wealth wherever and in any way he wishes. He can save as much as he can and invest it in any enterprise;
he seems fit. The state does not interfere in the economic activities of the individuals.

The capitalist system was based on the general theory of free economy. Then the capitalist system strengthened its authority, its outstanding feature was an economic system which allowed full liberty to the people who had their own enterprise to acquire. The forces which promote the cause of capitalism are profit motive, self interest and competition.

**SOCIAL SECURITY IN CAPITALIST SYSTEM**

After this brief introduction, we discuss briefly the system of social security in Capitalism.

In capitalist system, social security is maintained by the state and role of society in this respect is limited only to some organization (as we stated in chapter 1 on page (5) while the home, the family and the neighbourhood which are the basic stones of any social system are redundant/passive. The basic principles on which capitalism is founded (as we have stated above) don't prepare the society for this noble cause, rather they create bad blood among the society and render this futile.

1. The capitalistic system is based on profit earning, interest, boarding and accumulation of wealth into a few hands. Hence the interest of the workmen are not secured and this is the main cause of tussle between capital and labour in this age.

2. It leads to the concentration of wealth in few hands as a result of which it creates two opposite classes in the society—the Have's and the Have-nots. This concentration of wealth checks the circulation of wealth in the society, thus every person cannot get his
natural right form it. This trend spoils the system of social security in society and grievances increase among the people.

3. Unrestricted and free competition breeds many evils in society which ultimately disrupt the integrity and the working capacity of the social security in private sector. It develops a spirit of rivalry between the individual good and common good of society which proves harmful and dangerous for society.

4. Freedom of business leads to profit earning, black marketing and unhealthy competition. When the individual is free to choose his own means of production, and is free to establish any enterprise he likes, and is free to get profit as much he pleases. What will the weak and selfish man—do? Will he build an orphan house for their social security or will he build a cinema where hundreds of film fans will rush and pay his thousands of dollars daily? Obviously, he will not hesitate to sacrifice the greater good of the society to satisfy his profit-making instinct; and this rivalry between the individual and common good will gradually but surely disturb the part of society into total economic chaos. Moreover, the motive and right of freedom of business will encourage individual to black marketing and hoarding. Thus a major section of society will suffer for a little group of capitalists.

5. In a capitalistic society, the high moral values like mutual help and love, cooperation, fraternity, generosity, benevolence lose all their charm and are often replaced by low qualities like self-mutual and personal rivalries.¹ That can be expected from a society

which permits interest and usury and take it for profit?

According to Syed Qutb, "A person who lends me 9 dinars only that he may receive two dinars of it from me, is in reality my enemy. I cannot have soft corner for him in my heart I can never love him."

This is a true picture of a capitalistic society with a deprived of peace of mind and mutual love, where the persons live in water-tight compartments who very often do not know even the names of their neighbour.

6. This system of social security is characterized by a marked degree of unemployment, the antisocial aspect of monopoly. The division of the producers in this system of economic to restrict out put at times, creates serious unemployment. Thus one group benefits at the expense of a weaker group and these are powerful and high vigilant minority. This therefore, goes against the larger interest of the masses and runs counter to the objective of social security.

7. Freedom to spend scarce resources ostentatious and luxurious living. When one has the freedom to spend his income in any way he pleases one may become spend thrift and will be free to spend his income on drinking or dance and music, on making merry, on prostitution or in brothel. While on the other side, there may be the poor and the needy deprived of even his basic necessities of life. Such trend of rich distorts the harmony and integrity of the society, thus even the efforts made by the state are rendered fruitless.

A society which turns deaf ear to the demands of social security of its citizens and turns an blind eye to the problem poverty among nine-tenth's of its citizens sits on the thin crust of a labouring volcano.
To sum up, in a capitalistic society, social security in private sector is futile. Family life, neighbourhood, friendly relations are absent and profiteering and reckless freedom are blocking the roads that lead to this cherished goal.

Hence in such society, only that system of social security can work which is launched by the state.

ROLE OF STATE:

In capitalist system, the state makes necessary arrangements for the social security of its people. System of social security running in ruling capitalism i.e. U.S.A. Great Britain, Common wealth etc. consists of the following:

1. Old age, survivors and disability insurance.
2. Unemployment insurance.
3. Public assistance.
5. Workmen's Compensation.
6. Social insurance for social group.
7. Health insurance ( Medicare)

It includes:
A. Unemployment benefit.
B. Sickness benefit.
C. Maternity benefit.
D. Widow's Benefit
10. Death grant.

FINANCING.

As regards the financing for the above-mentioned programmes of social security, it is the state which spends major part of it and the individuals are asked to make some contribution for this purpose. The Government employees have to make some necessary contribution as G.P. fund, Welfare fund, Benevolent fund, group insurance deductions from income tax. The person working in the semi government or private institutions, firms or companies are given these benefits from their respective departments and such deductions are also made from their pay.

For detail see chapter 2 of our thesis.
CHAPTER 5

SOCIALISM

ALDOUS HUXLEY has defined socialism in these words:

"Collective ownership of the means of production is perfectly compatible, as we see in contemporary Russia, with authoritarian management of factories and farms with militarised education and conscription with a rule of dictator, supported by an oligarchy and of party men and making use of privileged bureaucracy, a censored press, a huge force of secret police. Collective ownership of the means of production certainly delivers the workers from their servitude to many petty dictators, landlords, money lenders, factory owners and the like. But if the context of this is intrinsically undesirable, then the result will be, not responsible freedom for the workers but another form of passive and irresponsible bondage. Delivered from servitude to many cruel dictators, they will find themselves under the control of the agents of a single centralised dictatorship more effective than the old, because it wields the material powers and is backed by the almost divine prestige of the national state." 1

Socialism, a broad term that generally denotes a system of public ownership and management of the means of production and distribution of goods as contrasted to capitalism, that emphasizes

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private ownership and management.  

The above definitions are the true picture of socialism, but even then, it is very difficult to define it exactly. Because there are many variations of socialism and the term has had a long and complicated history. It has continued its action and development in various forms such as utopian socialism, democratic socialism, Fabian socialism and communism, i.e., Marxist socialism, as applied in the Soviet Union. But despite these variations, all socialist schools preserve the essence of the socialist theory. The only difference between them occur in the method of application. Some of these doctrines go to extreme maintaining that transfer to the socialist era can only be achieved after a violent struggle between workers and the capitalists in which the former would destroy the latter for ever by employing all means of terrorism. This is Marxist or revolutionary socialism. There are also moderate socialist who believe that society can change over to socialism gradually by means of constitutional reforms carried out by governments and parliaments. These moderates are divided into a number of schools, the last known of which is Democratic Socialism.

**SOCIALIST THEORY**

The theory which all socialist schools preserve and agree upon, may be summarised as follows:— we will divide this theory into three parts.

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1. Religious theory.

2. State theory.

3. Economic theory.

1. Religious Theory.

On religion, socialism isolates religion from life. It admits a relation between an individual and his God, which has nothing to do with his practical life. But Marxist socialism or communism opposed religion with the same zeal with which it fought capitalism and called for the removal of religion all its traces from society. In the words of Karl Marx "There is no God, life is matter".

He further says "Religion is the opium which stupefies the people to facilitate their being robbed, religion was a means of spiritual subjugation just as the state was a means of economic subjugation". In this connection J.R.R. T. Lamber's words are noteworthy, he writes "communism (Marxist socialism) has often been itself prescribed as a religion. It lays claim to universal validity and purport to supply on self sufficient explanation of the universe. It deduced a code of morals and aesthetica from its principles. In its own ways, it might even be said to have a touch of puritanism. It is a hard creed and has the same disregard for every thing irrelevant to main goal, the same contempt of any thing that savours of relaxation. Its insistence on physical fitness is almost ethical. It demands a devotion and aim at exciting a missionary zeal, which can only be described as religion. If it has no God, it has recognised in Lenin something like the prophet. With these characteristics, Communism inevitably comes into conflict with
every existing form of a religious organization. Communism brooks no rivals. The Lenin-cult is not so much anti-religion as pro-communist. Lenin's writings have taken the place of scriptures, and his effigy, the place of God? The politicians quote Lenin against one another as if invoking a supreme authority. His shrines, enscribed on the lengths of red bandanas, adorn the inside and outside walls of every building. His bust is on every writing table, his statue on every market square. There is a museum in Moscow devoted to his life where an embalmed body lying open to the public gaze, has been an object of pilgerism for thousands.

(J.R.V. ROEPER--SOLSERISM IN PERSPECTIVE)

According to Aldous Huxley,

"Totalitarian politicians demand obedience and conformity in every sphere of life, including of course, the religion. Here their aim is to use religion as an instrument of social consideration. For this reason, the only kind of religion they favour is strictly anthropocentric, exclusive and nationalistic. These centric religion, involving the worship of God for his own sake, is unsatisfactory in a totalitarian state. All the contemporary dictators, Russian, Italian and German, have either discouraged or actively persecuted any religious organization where members advocated the worship of God, rather than to worship of the deified state or the local political boss" (in ROEPER)

The above mentioned statements bring home to us that socialism (which last stage is communism) is a materialistic ideology which condemns every idea of Allan and His Worshio.
2. **Political Theory.**

The political theory of socialism is the establishment of the socialist state. In socialist theory the state is the owner of the all manifestations of wealth—land, forests, mines, factories and all public utilities. The state also controls their exploitation and supervision. This can only be done by relying on the working class and giving it a political organization so that it may become capable enough to seize power.

(3). There can not be any political party except the ruling party. All the persons are forced to obey and cooperate the government party. None is allowed to speak or write or think against the government.

3. **Economic Theory.**

Main points of the socialist economic theory are summarized as follows:

(A). **Nationalization of Property.**

Socialism abolishes whole or partial institution of individual ownership. Hence, it permits the state to own all the means of production and source of income. According to it, the system of private ownership is the source of sickness and centre from which corruption emanates and spreads throughout the entire society. So it is necessary to put an end to all aspects of individual ownership and its administration and supervision are designated to committees representing the total population, or the region or state, according to the regulation laid down by the socialist state.
This nationalization includes not only economic reorganization but also the causes of political, moral and intellectual enslavement.

(B). Economic Equality.

Socialism advocates and claims (though it is hardly found anywhere in any even communist state) the equality between individuals. According to this, as socialism claims the rights of the individual in the economic sphere are governed by the principle of equality and every individual is provided with the necessary of life according to his need. By equality the socialists do not mean political or legal equality, but only equality of economic status or equality in the means of achieving economic gains.

There are various socialist doctrines concerning equality. One group believes in what it call "Mathematical equality which means of profit on an equal basis among the individuals of society. Another group believes in "Equality in effort" where every individual carries out equal efforts to achieve the necessary gains for the society. A third group called for communist equality, based on the important principle that "from each according to his ability, to each according to his need. A fourth group believes in "Equality in means of production" This means that each individual is to be given an opportunity of using the means of production, whether technical or scientific, equal to that given to others. This group is the nearest to the basic socialist theory because in distribution it observes the famous principle—"For each individual in proportion

to his work. This is because production may not be enough to meet
the requirements of all individuals. This is basic point of difference
between the socialists and communists."

(2). Regulations of production of wealth and its distribution
are governed by the state.

SYSTEM OF SOCIAL SECURITY.

In socialist (Communist) state, the social security is the
responsibility of the state and any private or individual efforts
in this regard is not found, rather allowed. All the citizens are
the servants of the state and it meets their necessities of life.
The social security system in a socialist economy may be summarised
as follows:-

(i) Every citizen of the state is provided with his basic
necessities of life, i.e. two meals a day some clothing, lodging and
compulsory medical treatment. In response each individual is made
to work for the state according to his merit and skill.

(ii). Every individual with sound mind and sound body, is given
employment (but whatsoever he does, he does for the state) and invalids
are looked after by the state.

(iii). There is no exploitation of means by a few rather there
is an equitable distribution of income and wealth in society.

(iv). Performance of many services and aids to humanity. This
is represented by the wiping out of illiteracy, spreading educational

5. Ibid op.cit. PP. 66, 67.
and making it free, the nationalization of medical treatment, 
helping invalids, the sick and the old, and regulation insurance. 
social solidarity and related matters aim at alleviating the misery 
and sickness of the poor and redressing their grievances. 6

SHORT COMIIES OF THIS SYSTEM OF SOCIAL SECURITY.

This bargain is very costly for the individual who has sacrificed his freedom of thought, freedom of speech, freedom of party and his legal right of ownership for the sake of two meals a day.

2. This system of social security is unnatural to man because it is a complete negation of his ego and personality, who is deprived of his liberty to think and act, he is a slave who is forcibly chained into a dictatorial system. He has to accept two times meal whether he likes it or not, and has to work for the community. He is like a machine which is oiled for work.

3. This system of social security is undertaken more for the achievement of economic motive and less for social insurance. Thus, when the attainment of material gratification becomes the chief objective and the moral values become less significant, society is destined to be divided into factions.

4. This system of social security cuts the root of the joint family system which is itself a successful and peaceful organization of social security in private sector. The pious relations among the different members of the family are ignored rather crushed.

Every member in a so called family feels himself isolated, and thinks of every other member of the family/his neighbour.

The Islamic state cannot embrace this social security on the following grounds:

(A). Socialism or Marxist Socialism--Communism offer such a system of social security which rest on materialistic ideology, which ignores the spiritual and moral sides of life and considers it fiction and imaginary. It does not recognise the existence of Allah nor of any religion. Denial of God is the corner stone of this system of social security will any true and self asserted Muslim, the bed-rock of whose faith and code of life is laid on the existence of Allah, everlasting God, will accept a system of social security? Will you sell your kind, merciful, All Hearing, All Seeing, All Knowing, All aware, Allah for two times seven, three pieces of clothes and four wall house? Surely, you will not. Do you want to accept this secular system only as an economic system and Islam's revealed system of Allah only as the system of worshipping? Then excuse me, you are hypocrites; you are neither sincere to your revealed religion (the complete code of life) nor to socialism; you are the slave of will and ready to fulfil it from your worst enemy and through any mean irrespective of the fact that it is honourable or insulting.
"Follow the nature by Allah in which He has created men. There is no altering in Allah’s creation. This is the right religion."

(B). This system of social security is based on the faith that private ownership is an offence and cause which obscures system and permits corruption to蔓延s and spread throughout the entire society.

(C). To eliminate this human unhappiness, socialism abolish this institution so that society may be restored to the first stage of socialism which was the last period of human history. But this is unnatural way of being at the cost of others, while Islamic system of social security believes that private ownership, with some restrictions, is lawful and a source of healthy competition among the different members of the society. Thus, a true Muslim cannot adopt a system that is against the teachings of Islam.

(He make the earth a resting-place for you and the heaven a structure, and he sends down rain from clouds then brings up rivals to Allah while you know).

(And make not over your property, which Allah has made a means of support for you, to weak of understanding and maintain them out of it and clothe them and give them good education).
"For men in the benefit of what they earn and for women in the benefit of what they earn."

"Take aims of their wealth where with they mayst purify them and mayst make them grow."

"And in their wealth, the beggar and the outcast have due right."

"And in whose wealth, there is a right acknowledge for the beggar and destitute."

In the light of the above mentioned verses it is clear that Islam recognises the right of private ownership. According to Islam love of possession is a natural instinct which cannot be opposed without crushing instinct which produces bad effects.

Moreover, by abolishing the lawful right of private ownership a Muslim cannot set upon about 3/4 of the teachings of Islam relating to his private and social life, i.e. Zakat, Sadanat (صدقات) and Kaffarat (كفرات) (Sadanatul-Fitr. (صدقة الفطر)). Hence was the Muslims cannot accept such system of social security.

10. Ibid., 4:32
11. Ibid., 31:103
12. Ibid., 51:19
13. Ibid., 70:24, 25.
(1). This system of social security regards the concept of individual as a mere abstraction and that man is what he is by living in society. It advocates to crush his identity and sense of self respect and wants to make him a senseless part of machine which is producing goods for the use of community. He is served with two meals a day, three clothes, and a four walls house. What a costly bargaining! But Islam is not base on neglecting the individual and destroying his essence to assure the common good; on the contrary it confirms the identity and importance of individual and gives him freedom of belief, work, thought, speech and expression.

While insuring for him all that freedom may achieve in ideal life. Islam makes this the way for the freedom of the society. It establishes a balance between individualism and collectivism. It believes in the individual personality of man and holds every one personally responsible and accountable to Allah. 14

(5). This system of social security may provide the citizen with living wage for the basic necessities of life or even more than this but it cannot afford sense of cooperation, brotherhood and love among the different members of the society. This communist system of social security is based on the theory of class struggle and indeed this theory (of class struggle) is the corner stone of the gospel according to Karl Marx.6

This system of social security calls upon the "Have-Nots", the workers (the poor and the needy) to unite and fight the capitalist (the rich) and destroy everything connected with capitalism.

According to Marx, the creator of this secular ideology, this class struggle, fight and destruction, is the only way for achieving their coveted goal i.e. two meals a day, three pieces of clothes and a four walls lodge. While a Muslim, the follower of Islam, does not believe in class struggle, division of society and a constant rivalry among them for the sake of their basic necessities of life. There is neither any humble object class nor any privilege class, which enacted law for its own sake against the first mentioned class.

The Holy Quran has a legislation relating to social life by affection, love, co-operation and brotherhood.

(The believers are brethren)

The Holy Prophet (may peace be upon him) said:

(You will see the faithful in their having mercy for one another and in their kindness for one another like the body—when one member of it ails, the entire body ails.)

To sum up, we can say that the Muslim state can adopt the socialist system of social security because it is a purely secular system and it is poles apart from Islamic system of social insurance; neither can a freedom loving person on the globe do so.


This, so called successful, system of social security, for which these communist states are boasting, has been organized on the basic of "commulative ownership" i.e. the state at first renders every citizen poor and needy by depriving him of his property and then, as the reward of this deprivation, and slavery the state meets him basic necessities of life. But this system of social security has not been established easily and cheaply but the citizens of the communist states have to pay very high prices. [According to the report of J.W. Burd] only in Russia the following innocent persons were sent to the alter for the sake of this forced and unnatural system of social security.

**NUMBER OF MURDREDS**

1. Bishops 31
2. Employees of Church. 1560
3. Judges, Lawyer and Magistrates. 34585
4. Teachers and students. 16367
5. Civil servants. 79900
6. Land lords and the Rich. 65890
7. Military officers 56340
8. Labourers. 196000
9. Soldiers and sailors. 36000
10. Farmers. 890000
Dr. John V. Hunt has prepared this list in the light of the available data which he collected during his 30 years stay in Russia. What can be expected more than this from a secular system of social security? But this all was tolerable if the promised "world's paradise" (which was promised to be consistent on equality of man, social justice, social security and brotherhood) was established. But in spite of all this murder, wickedness and slavery the present social framework of even Russia (the pioneer of communism) is based on social inequality in every walk of life, even in railway bogies, restaurants and aeroplanes seats.

As regards the salaries and wages, there exists an astonishing inequality for a labourer's maximum wage in Russia is Rs. 400 per, while an organizer or a specialist draws Rs. 30,000 per. And the major plans progressive phases of Russia are the result of that forced labour that is taken from those prisoners of war who are kept in the jungles of Siberia and work for 12 hours from 4 A.M. to 7 P.M.


PART III

ISLAMIC CONCEPT OF SOCIAL SECURITY.

1. Aims and Objectives.

2. Doctrines of this system.

3. Islamic concept of social security.

4. Organization of Islamic system of social security.
   A. Private Sector.
   B. Government Sector.

5. Outline of the Islamic system of social security during the periods of the Holy Prophet (may peace be upon him) Rashid Caliphs, Madhraf Ammar Baniwaah and Madhraf Omer-bin Abdul Aziz.

6. A successful system, that has been ignored, but needs re-establishment.
AIMS AND OBJECTIVES OF ISLAMIC SYSTEM OF SOCIAL SECURITY

Let us enumerate the aims and objectives of that system of social security offered by Islam.

1. WIDER CIRCULATION OF WEALTH.

The object of the Islamic system of social security is that the wealth should have a wider circulation among the different parts of society and it should not be concentrated in a few hands, so that every individual may be enabled to get from it what is rightfully his. Thus, Islamic system of social security meets the basic necessities of life of every individual from the wealth of the nation.

كَيْ لاَ تَكْرَمُ رَوْلَةً بَيْنَ الْعَمَيْنِ سَكَتِمٌ

(so that this wealth should not become confined only between the rich amongst you).

Moreover, through this channel Islam wants to narrow down the distinction between the rich and the poor, as far as is natural and possible. For this purpose Islam adopt various rights of the poor in wealth of the rich, which will be discussed later on.

2. PROHIBITION OF CONCENTRATION OF WEALTH.

For the social security, Islam prohibits the concentration of wealth and advocates its access to the poor and the needy. The Holy Quran states those who concentrate wealth in their treasuries and do not spend on the poor and destitutes to maintain their necessities of life.

(Those who treasure up gold and silver, and do not spend them in the way of Allah (to enable His poor and needy slaves to fulfill their basic necessities of life)—give them the tidings of painful chastisement, the fire this (wealth) shall be heated in the fire of Hell, and their foreheads, their sides and their backs shall be branded with it. (It will be said to them) "This is what you had treasured up for yourselves, now taste of what you were treasuring.")

3. PROHIBITION OF ANTI-SOCIAL ECONOMIC INSTITUTIONS.

Through the system of social security, launched by Islam, Islam wants to ban all those economic activities which are anti-social because they create bad blood among the society and hinder the social insurance. These practices are against that principle of generosity on which the foundation of Islamic society is laid. They encourage the naked exploitation of a brother's needs. These institutions are of interest, boarding, profiteering, black-marketing, drinking.

2. Ibid, 9:24, 35.
The Islamic policy in this matter is...

The fourth object of the Islamic system of social security, which Islam considers to be very important in the age of poverty, hunger and need. For the achievement of this object this system of social security will allow the state to levy certain taxes beside Zakat (the poor due) to end if even then, this need is not seen then the Islamic state will take the surplus wealth of the rich and distribute it among the poor. The Holy Prophet (may peace be upon him) is quoted to have said:

\[
\text{ثُمُّمَةُ وَبِمَسَاءِنَّهُمُ الْمُسَاهِلَةَ}
\]
(The wealth (Zakat) will be taken for the rich and will be distributed among the poor).

Rahmat Umar (may Allah be pleased with him) said:

\[
\text{وَإِذَا لَمْ يَكُنْ مِنْ أَمْرِهِ أَسْتَرْبَى إِلَيْهِ أَمْرُهُ لَا تَكُنْ مِنْ فَوْقَ مَا أُلْبِثْتُ}
\]
(If I were given the opportunity again to make the decision that I had made before, I would have taken away the surpluses from the rich and distribute it among the needy).

All these are the explanations of the verse of the Holy Quran.

\[
\text{وَالْمَالُ عَلَى الْمُتَقَلِّدِينَ}
\]
(And in their wealth and the outcast have the right).

\[
\text{وَالْمَالُ عَلَى الْمُتَقَلِّدِينَ}
\]
(And in whose wealth there is a right acknowledged for the beggar and the destitute).

Thus, Islamic system of social security wants to sweep away the sense of deprivation from the society.

5. SOCIAL AND INDIVIDUAL WELFARE.

The fifth aim of this system of social security is to ensure social and individual welfare. It establishes a balance between individualism and collectivism. It is not based on neglecting the individual, destroying his essence to secure the common good, on the contrary it confirms the importance of individual welfare also.

It recognizes social and individual welfare as complementary rather than competitive and antagonistic. The Holy Qur'an has explained this reality in this way:

وَلَا تَنْسَى النَّارَ وَالْجَحِيمَ ۚ إِنَّ اللَّهَ يُرِيدُ ﺃَنْ يَؤْمِنْ نَاسٍ ﻣِنَ الْإِنسَانِ وَالْجَنِّ

(Seek the other world by means of what Allah has bestowed upon you, and do not be negligent about your share in this world. And do good as Allah has done good to you, and do not seek to spread dissension on the earth).

وَأَنَا أَطِيرُ إِلَى اللَّهِ مَصِيرًا 

(And Allah has favoured none of you above others in provision. How is it then those, who are some favoured, hand over their provision to those (slaves) whom their right hands possess, so that they may be equal with them in respect thereof, and they not [rejoicing the grace of Allah]).

These verses fully explain the Islamic point of view on the question of social and individual welfare.

he told prophet (peace be upon him) in his brief statement has explained this principle in this way:

لا إنك للعلهم أسأعا مرضيك في عينك وتستعين على الناس (Any means you cannot be (true believer) until he likes the fame (goodness) for his (muslim) brother whatever (goodness) he likes for himself 10)

6. SOCIAL SECURITY

The outstanding objective of the Islamic system of social security is to maintain social justice. Through this channel, Islam wants to lay the foundation of social justice on two pillars:

1. Everyone pays according to his ability.
2. Everyone is paid according to his need.

What are these pillars?

1. Everyone pays according to his ability.

According to this rule, the Islamic state will be able to oblige every rich of the community to contribute for the social security of the poor and the invalid, according to his ability to pay tax. Under any circumstances, the rich or the ever will not be asked to give as much as renders him poor or derivate of even the basic necessities of life. In emergency or of the treasury cannot meet the needs of the needy and destitutes with its existing taxes; then the state has the right to take away the surplus but not the whole wealth, of the rich to maintain the social insurance of the poor.

10. محمد علي سبز chọn موطن هو علي سبز \textit{op. cit.} p. 43.
The Holy Qur'an has stated in this way:

الله لا يأخذ من نفثة إلا ما كسب

(Allah takes not a soul beyond its need (qulihat).

It is everyone's right according to his need.

The Islamic state will be responsible to not wrong citizens from Bait-ul-Mal (the public treasury) according to his need and work. The Holy Prophet (peace be upon him) used to give one share to the unmarried men while two shares to the married.

7. TO RESTORE MEN'S SELF-ASSERTION AND SELF-RESPECT.

The prominent objective of the Islamic system of social security is to restore men's self-assertion and self-respect. Islam dislikes to throw away that crown of dignity which it has put on men's head.

ولدكرنا بني آدم و صلمنا في السر وال-Control عوين تقحم من الطيبات

وقضينا هل على بكسر من ملكنا النفسان

(Verily we have honour the children of Adam. We carry them on the land and the sea, and have made provision of good things for them, and have preferred them above many of those whom We created with a marked preference.

وأوائلنا والزوجون ع و الطرور السمستن و هو الجبلان أين نقدرنا

(By the fig, and the olive, by Mount Sinai, and by this city (of Mecca) made safe; surely We created men of the best stature.

These two verses explain the dignity of man bestowed upon him by his creator. Allah. Islam dislikes to hurt or crush his sense of self-assertion by the sense of deprivation from his necessities.

11. Qur'an, 2:226
12. Abu-Dahab, Cairo, 1351, v. 2, 676
13. Al-Quran, 17:70
of life. As long as he is in sound mind and sound body he is enjoined to struggle for his provision. The verse

فاصرا في منايمها و كلها من رزقه

(no walk in the paths (of earth in search of food) and eat of his providence).

وأن ليس للإنسان إلا ما سعى

(And that man hath only that for which he makes effort.)

And the Holy Prophet's (may peace be upon him) saying:

طلب كسب الحال فريدة بعد الفريدة

Search for the lawful provision is second to the duty of prayer, declares man's obligation to earn his livelihoods so that he may not be burden on the society or starts begging and thus his self-respect is injured. Hence, Islam condemns those healthy beggars of who do not care/their self-assertion. Therefore, it is wrong and they far from truth to accuse Islam of letting the common people to lead a life of dependence on the alms given by the rich.

Islam enjoins the Islamic state, through his system of social society to provide such persons with suitable job. But when they are invalid, they are to be served by the Islamic state and the Islamic society as honourable guest. Islam teaches his rich followers that if they are spending their wealth on the poor and outcast to meet their needs, they are not obliging them, but they i.e. the rich) are paying the due right of the poor which Allah has prescribed in their wealth. The Holy Quran says:

وَكَيْنَتْ (مَوَاحِيْمُ حَقَّ لِلسَّائِلِ وَالكَّرِيمِ) (And in their wealth there is right of the poor (beggar) and the outcast

15. Ibid, 67:15
Mizur-Rehman, "Badwa-ul-Mustanafeen" Delhi, 1959, p.
(And in whose wealth there is acknowledged right of the poor and the destitutes.)

In Islamic system of social security that poor and invalid begs to meet his necessities of life is also respectful.

The Holy Quran says:

وما ات أنت فضلاً

(Therefore the beggar drive not away)

How much Islam care for the self-respect of the man!

These are the aims which Islam wants to achieve through its system of social security.


CHAPTER I

DOCTRINES OF THE ISLAMIC SYSTEM OF SOCIAL SECURITY

1. ALLAH.

(A Praise to Allah, Lord of the worlds, the Beneficent, the Merciful,
Owner of the Day of Judgment)

(O Lord! There is no God save thee, the Living, the ETERNAL.
Neither slumber nor sleep overtakest Him. Unto Him belongeth whatsoever is in the heavens and whatsoever is in the earth.
Who is he that intercedeth with Him save by His leave? He known that which is in front of them and that which is of behind them, while they encompass nothing of His knowledge save what He will. His throne includeth the heavens and the earth, and He is never weary of preserving them. He is sublime, the Tremendous.

(He is Allah, the Lord of the As-Sabur, the Owner of the Majesty and the Mildness, the Possessor of the Greatness and the Sublimity. He is Allah, He is the Most High, the Most Great.)

2. Ibid, 2:225.)
invisible and the visible. He is the Beneficent, the Merciful.
He is Allah, the One, the Sublime, the Supreme, the Eternal, the Self-subsisting, the Guardian of the Worlds, the Lord of the Majestic Throne. He is Allah, who has no partner. Glorified be Allah from all that they ascribe as His partner. He is Allah, the Creator, the Shaper, the Mould, the Fashioner. His are the most beautiful names. All that is in the heavens and the earth glorifieth Him, and He is the Mighty, the Wise. 3

[Blessed be He in whose hand is the Sovereignty, and He is Able to do all things. 4

إِنَّا مَعَهُ أَمَرَ سَيْتَأَنْ لَيْقُلُ لَمْ تَكُن فَيْؤُنُّ

But His command, when He intends a thing, is only that He says unto it: Be! and it is. 5

This is the bird's eye view of the qualities of that Allah whose faith is the bedrock of the Islamic system of social security. He has revealed His system of social security in the Qur'an, which serves as a lighthouse for all the generations till the Day of Judgement.

Here, in accordance with our topic, the Islamic system of social security, we quote some of His commandments:

وَلَا تَكُنِّوا لِلنَّاسِ مَيْلًا مِّنْ أَمْلَاكِكُمْ لِأَنْ تَتَاحُوا مَنْ شَآءَ أَنْ يَأْمُرَ مِنْكُمْ رَأْبًا... 6

[Do not ill your children on the plea of want--He will provide sustenance for you and for them. 6]

3. Ibid, 59:22-24
4. Ibid, 67:1
5. Ibid, 36:92
(And we have provided therein means of sustenance—for you and for those whose sustenance you are not responsible.)

(There is no moving creature on earth but its sustenance dependeth on Allah.)

(And who gives you sustenance from heaven and earth? Can there be another God besides Allah?)

(And in heaven is your sustenance, as also that which you are promised.)

(For Allah is He who gives all sustenance, Lord of Power, steadfast (for ever).)

According to these verses bring home to us that Allah created the world and people in it with creatures created in His own image. He did not therefore, abdicate His God-hood. He took upon himself the responsibility of the provision of reasonable livelihood to His creatures.

2. MAN: (THE VICEGERENT OF THE PROPHET) AND LIFE (FAR TAST).  

Man is the best creature of Allah on this globe. His aim of life is neither to meet his basic necessities of life i.e. two meals a day, three pieces of clothes and a four walls lodge--unlike socialism (communism)--nor to make money and make merry in this world at the cost of others--unlike capitalism. According to Islam man's life does not revolve round two problems namely hunger and sex; nor money and merry; man is something very high in status. He is vicegerent of Allah in this earth and his aim of life is to administer divine laws and establish the Will of Allah on Earth.

وَزَامُ نَالَمُرْكُ الْمَلَكَةِ اَلَّا جَاثِلُ فِي الْأَرْضِ عَلَيْهَا  

(And when they Lord said to the angels: Lo! I am about to place a vice-cray in the earth).

هوَ الْزَّنَبُ حَكْمَ المَلِكَةِ الْأَرْضُ  

(As it is who hath placed you as vicecyons of the earth).

The Holy Prophet (may peace be upon him) reported to have said:  

السَّلَّمُ وَالرَّحْمَةُ عَلَى الْأَرْضِ  

(Ruler in the Vicegerent of Allah in the earth)

Enumerating his duties the Holy Quran says:

الذَّنِينَ رَيْسُونَ فِي الْأَرْضِ إِثْمَا اِقْتَرَابَهُ وَطَؤَا الْكِبْرَةِ وَخَضَرُوا  

(Those who, if we give them power in the land, establish worship and pay the poor—due and enjoin goodness and forbid eneauty).

1. Al-Quran 2:30.
2. Ibid., 6:166.
This verse explains that only those persons are able to be called
the vicegerent of Allah, who possess the above mentioned qualities.

Moreover, man has been created with the noble purpose of worshipping
Allah, administering his laws and establishing his will in the earth.

وَبَلَّغتَ أَنِّي رَفِّي الْأَرْضُ لَنَا لَهُمْ

(And I created the Jinn and humankind only that they might worship me5).
He is enjoined to perform his afore said duties to Allah and Allah’s
universe has been made subservient to him.

لَيْبَأَيْنَ اِنَّ اللَّهَ جَلَّ الْجَانِبُ

( Hast thou not seen how Allah hath made all that is in the earth
subservient unto you (i.e. men)6)

لَا إِلَهَ إِلَّا مِنَّا

He it is who created for you all that is in the earth.7)

Why should he brother for his basic necessities of life when
everything in this world has been created for him service?

Further, according his life is not his property but it is a boon
of Allah for the men to test him in it.

فَلَا تَلْبَأَ الْأَرْضُ لَا إِلَهَ إِلَّا مِنَّا

(Who (i.e. Allah) hath created life and death that He may try you
which of you is best in conduct.8).

And whoever is ‘Best in conduct’ will be blessed in this world and
the hereafter.

5. Ibid., 51:56.
7. Ibid., 2:29
8. Ibid., 67:2.
And give glad tidings (O! Mohammad) to those who believe and do good works; there are Gardens underneath which rivers flow; as often as they are resailed with food or fruit thereof, they say: This is what was given us aforetime; and it is given to them in resemblance; Then for them are pure companions; there forever they abide. 

And if he fails in this try then in this world.

(Then we reduced him to the lowest of the low). 

11. Ibid, 95:5.
And in the world hereafter:

(It will be said): Take him and fatten him, and expose him to the hell-fire. And then insert him in a chain whose length is seventy cubits. Lo! he used not to believe in Allah the tremendous.12

In addition to this Allah has selected, from those very men, some of them as His prophets and Messengers to tell the humanity the will of Allah and guide them on His path. Last of these Prophets is Hadhrat Muhammad (P.B.U.H.) Hence his teachings(Sunna) will serve us as a guide in outlining our system of social security.

(Muhammad is not the father of any man among you, but he is the messenger and last of the Prophets)13.

To sum up, according to the Islamic system of social security this man is& model of clay which may be sold in the market of necessities and needs or he is a wicked man who wants to fat at the cost of others. And his life is not for this world. He is the viceregent, the prophet the friend of Allah, and his life is a test, and his aim of life is to establish the will of Allah on this earth.

3. BASIC NECESSITIES OF LIFE:

Islamic system of Social Security does not put forward any cut and dry(prescribed) list of the basic necessities of life. Islam permits every such need as the basic necessity without which a person

12. Ibid, 69:30 to 33.

cannot do i.e. food (bread and water) clothing and lodging and compulsory medical treatments. We can derive their sanctions from the following verses of the Holy Quran.

1. "O, children of Adam: Look to your adornment at every place of worship, and eat and drink, but be not prodigal. Lo! He loveth not the prodigals."

2. "And the cattle hath He created, whence ye have warm clothing and meat and where ye set. And wherein a beauty for you bring them home and when ye take them out to pasture. And they bear your loads for you unto a limit, ye could not reach save with great trouble to yourselves. Lo! your Lord is full of pity and merciful."

3. (Allah, inspiring the bee, says) Then eat of all fruits and follow the wages of thy Lord, made smooth for thee).

There cometh forth from their ballies a drink diverse of bees, where in is healing for mankind.

4. And Allah hath given you in your houses and abode, and hath

2. Ibid., 16:5-7
3. Ibid., 16:69.
given you (also) of the hides of cattle, housed which you find
light (to carry) on the day of migration and on the day of pitching
camp; and of their wool and fur and their hair, comparison and
comfort for a while, sa? Allah hath given you, of that which
He hath created shelter from the sun; and hath given you places of
refuge in the mountains and hath given you coats to ward off the
heat from you, and coats (of armour) to serve you from your own
foe: harshness.

5. And of His signs is this: He created for you help-mates from
yourselves that you might find rest in them and He ordained between
you love and mercy.

These verses explicitly state the basic necessities of life
i.e., the first verse sanctions food and clothing, the second,
again permits food, clothing and riding (animal); the third pleads
medical treatment, the fourth again for lodging and clothing which
the fifth allows married life for poor.

The Holy Prophet (may peace be upon him) defined the basic
necessities of life in these words:

"The son of Adam has no better right than that he would have
a home to dwell in, a piece of cloth to hide his nakedness and a
leaf of bread and some water (to satisfy his hunger and thirst)."

7. "Vol. 1, Urdu No. 223, Mohammad Saeed and others
Quran Nabaal Karachi, 1967."
Ibn-u-Hazam al-Mazhari explains the basic necessities of the individual as under:

1. He must have sufficient food to maintain his body in good health and strength.

2. He must have sufficient and suitable clothing for winter and summer.

3. He must have adequate shelter to protect him from the tyranny of rough weather and provide his privacy.

The author of Mukhtar-ul-Kamal prescribes basic necessities in these words:

It should be known that three things are essential in human life, whether male or female, all are equal in this respect. Because the existence of life, complete satisfaction in obedience to Allah and the continuation of human being depend upon these three things. Hence it is the duty of the head of the Islamic state to provide every possible facility to every person. Whether he is wealthy or poor and male or female, to acquire these three things according to their requirements and atmosphere. These three things

a. Ibn-u-Hazam, "Vol. VI Cairo 1347 AH. P.156."
are: Firstly the provision of food, secondly the provision of clothing, for these two things are absolutely essential for life, thirdly, the provision of a married life for it is necessary for the continuation of human race.9

Alau-Deen Abu-Bakr Al-Kasemi, emphasizing on the basic needs, writes:

"It is obligatory on the guardian of a son, that he should provide food, drink, clothing and lodging for the needy one if he is a suckling baby, then he should provide for his milk, for the purpose of maintenance is to fulfill the needs of the needy, for whose these provisions are essential. If the needy is a dependent or a servant, then in that case the livelihood of the servant will also be the responsibility of the guardian." 10.

The above statements of the Islamic jurists bring home to us that these basic necessities of life comprise food, clothing, lodging and married life. But the practice of the Rashid Caliphs, especially Hadhrat Umar and Hadhrat Umar bin Abdul Aziz, tells that they provided the disabled persons riding animal; paid the poor's debt, provided the orphans and the needy social insurance. Hence no doubt the basic needs of life are food, lodging, medical treatment and a married life.

may be
but provided resources their horizon be widened. Now what are the
responsibilities of the Islamic state and the Islamic society. Regard-
the fulfillment of the basic necessities of the individual? It will
be discussed under the topic "Islamic system of Social Security".
Allah guarantees the basic necessities of life to all and sundry
on earth and the Islamic State being the viceregent of Allah, will
fulfil this purpose.

1. "And there is not a beast in the earth nor the substance there
of dependeth on Allah; He knoweth its habitation and its reposity."

2. "And in heaven in your substance and that which you are promised.

3. "Surely Allah is the Restorer of substance the Lord of unbreak-
able might."

4. "We have made in it means of substance for you and for him for
whose you do not provide."

These verses lay great stress on the individual's right to
maintenance. These verses further declare that it is the duty of
Allah to provide every soul its livelihood. Hence the Caliph
(Caliph) being the viceregent of Allah has the foremost duty to
provide means of substance, to every individual living in its
boundaries. Moreover, Islam enjoins the Muslim society as well to

12. Ibid., 51:40.
13. Ibid., 51:58
strive that no individual of Muslim society remains deprived of his basic needs. An eminent Muslim scholar of the sub-continent, Moulana Mohammed-ul-Hassan, while commenting on the verse:

"He it is who created for you all that is in the earth."

writes that all the things of this world, according to the intention of its creator as contained in this verse, are the joint property of the people and the purpose of Allah by creating these things is to fulfill the necessities of the human being. Nothing is the absolute property of any individual, but its creation is owed by the joint efforts of the members of the Muslim Society, hence it is their joint property. Of course, in order to avoid disputes and enable the people to receive benefit, possession is based on ownership, and so long as one is in possession of a thing, no one can interfere in it. But the owner himself keep in his possession more than his requirements but hands it over to the other (needy) for its very creation, rights of others are attached to it. This is why accumulation of wealth more than one's needs is not appreciated, even though Zakat may have been paid out of it. All the prophet and many of the holy men have always abstained from it and some companions of the Holy Prophet(may peace be upon him) even declare it (i.e. wealth more than one's needs) unlawful; but apart from it, all are agreed that accumulation of wealth is definitely against pity and virtue. It is because none of one's basic needs are attached to the surplus wealth, whereas otherwise on account of their needs, it is contained

15. Ibid, 2129.
in it. Therefore such a person who is withholding surplus wealth from the community, is in fact possessing and using the wealth of others. It is just like wealth which is obtained by fighting and before division, is considered to be the joint property of the fighters; everyone can benefit from it in proportion to his needs but the one who keeps more than his needs is considered as treacherous.\(^{17}\)

The famous Philanthropists of modern age, Mr. Carnegie and Mr. Rockefeller have expressed the same view. They says that certain individuals are endowed by nature (Allah) or by circumstances with the opportunity and power of accumulating great wealth, but that their wealth, though legally their private property is rightly to be regarded by them as a "Social Trust" to be administered by them for the benefit of their fellow-men.\(^{17}\)

Hence it is the duty of the rich to meet the needs of the poor and destitute of their town and village. And if the Islamic state sees that the income of the Public Exchequer does not suffice the needs of the needy; and the Muslim Society is not performing its duty in this regard; the Caliph or the Head of the Muslim State can force the rich to do so, failing it, the state can get the surplus wealth of the rich to meet the necessities of the poor.\(^{18}\)

Further Islam sees, though it accepts natural difference in wealth among the members of the Muslim Society yet it recognizes "equality" in their basic needs as their "right to livelihood". The following

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explains the said right:

"We placed therein firm hills rising above it, and blessed it and measured there in its substance in four days, equal for (all) who ask." 19

It may however be pointed out that the equality of the basic needs of the individuals, does not mean the equality of means and nature of livelihood, but what is required and is absolutely essential, is that all should have as much as can suffice their basic needs.

4. DIGNITY OF LABOUR.

Islam obligates every ruler, with sound mind and sound body, to earn his living according to his mental, physical and acquired abilities. Life is a struggle in this world and stagnancy is death. Allah has spread before His many treasures and deposits of food in and over the earth, and initiates man to dig out the hidden treasures and earn his living as much as he wants in this world.

"And when your prayer is ended, then dispense in the land and seek of Allah's bounty and remember Allah much, that you may be successful."


"Lo! those, whom you worship instead of Allah, do not own provision for you. So seek your provision from Allah, and serve Him, and seek you (fear) to Him you will be brought back." 21

And there are others who travel in the land in search of Allah’s bounty”. 22

These verses of the Holy Quran explain the importance of the struggle for the earning of livelihood, and enjoin every person to earn his living by his dint of labour.

The Holy Prophet (may peace be upon him) in his several traditions, has obligated every Muslim to strive for his livelihood,

إِذْ سَلَّمُ الْفِيْرُ وَلَبِثَ هُزَّ مِنْ ثِلْثِ ارْنَاطُ ۖ

1. "When you have offered your morning prayer, do not sleep (take rest until you have struggled for your living).” 24

طلَبَ كُسِبَ الأَخَلَاءَ فَرَنِفَةَ بَعْدَ الفِرْضِ

2. "Seeking lawful livelihood in the greatest duty of the Muslims after the duty of prayer.” 23

The Holy Prophet (may peace of Allah be upon him) at another occasion said:

22. Ibid., 73:20.
24. Ibid., P. 62.
There are certain sins, when they are committed, they can only be amended by the constant struggle for economic ends. 25

The Holy Prophet (may peace be upon him) condemned begging and appreciated labour for substance. One of his pious companions begged him same thing. He granted him a dirham and advised him to buy a rope with the said dirham, go to jungle, collect wood, and sell them in the bazar and thus earn his livelihood by his own labour. He said:

لا نأخذ لكم حبل ودحرمة حطب فنبيعها من شملت الله
بها ونجمع به فنزيدون أنا ليس لك إلا جوهره أو مغفرة

If any of you to get a rope then go to the jungle and collect firewood, load them on his back and sell them in the bazar and thus meet his needs. It is better for him then to beg anything whether he grants him or not.” 26

According to Hadhrat Umar, the Holy Prophet (may peace be upon him) said, "Seek your substance in the hidden treasures of land.” 27


Hadrat Maudoom reported that the Holy Prophet (may peace be upon him) said:

ما آتی احترافا قطعیہ کی جس ان یاکل مہن خلق یہو وان شیال اللہ

و ایک بری اسلام کان یاکل مہن خلق یہو

"No meal is better than the meal earned with one's own hand (labour) and the Prophet (sw) used to earn his living with his own hands".  

Almost all the prophets earned their living by the dint of their labour. Hadrat Abdullah bin Abbas reported, the Holy Prophet (may peace be upon him) said:

کان نازQAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان ناز QAو کان نаз QAو کان ناز QAو کان ناز QAو ہے

"Hadrat Ishaq used to make iron-coats, Hadrat Adaz was agriculturist, Hadrat Noorn was carpenter, by professions; Hadrat Idris adopted tailoring as profession and Hadrat Moosa used to pasture goats."  

The Holy Prophet (may peace be upon him) himself worked hard and liked those who worked. His pasturing of sheeps and advising others to adopt that profession as a clear indication of dignity in Islam.

29 Vol. 1, 1933 (Urdu) Muhammed Saeed and Sons, Qurum Wazai, Karachi (N.).

The Holy Quran has asserted Prophet (may peace be upon him) for his skill and craftsmanship in making boats of sail from steel and Prophet Suleiman for employing artisans for making fortresses and huge cauldrons.

The practices and sayings of the companions of the Holy Prophet (may peace be upon him) emphasize the need and importance of labour for the earnings of livelihood.

Hadhrat Umer said:

لا يقصد أحدكم عن فلة الرزق

"None of you sit idle but struggle in search for substance".

Syed Mustafa Zubeidi whilst explaining the meanings of this statement of Hadhrat Umer writes:

لا بر للحفرة من خرز و بانتشاره لبسبب عن عساب يحمل به فلوق الوصول إلى الرزق

"It means the every person should adopt any lawful profession to earn his livelihood."

Hadhrat Abu Hurairah reported:

قامت السهر لدمنى على الله عليه وسلم بضم بيتي و بنى (حرين) اللذين قال: لا - فقالوا: كلفنا الحوتة و لشكركم على الثمرة - قالوا: سامعا و أمعنا

Once the Ansar (the helpers of Madina) requested the Holy Prophet (may peace be upon him) to divide the date trees between


the Muhajirin (The immigrants of Yacca) and themselves, the Holy Prophet(may peace be upon him) did not do this. But when the Ansar asked the Muhajirin to work in the gardens and share the production with them, they happily accepted this offer." 32

Hadrat Abdul Rahman bin Auf said:-

"I was on an expedition to call on the Messenger of Allah ﷺ when the Ansar asked us to work in their gardens and share the production with them. We accepted this offer with pleasure." 32

When we came to Medina, the Holy Prophets (may peace be upon him) created brotherly relations between the Ansar and the Muhajirin and created this relationship between Shaikh bin Raba and myself. Shaikh was the richest of all the Ansar and wanted to give me half of his wealth and one of his two wives. I refused to accept this offer and asked him to show me the way to hazar. He showed me a Companion hazar. I went there next morning and brought some curd and shee for sala, and then I went there every day to do this the kind of business. 33

These traditions and the last two bring home to us how the

32. (272) Vol. 1, No. 2162 (maram) Mohammad Seood and Soom
Gurza Mohal, Karachi. (N. ﷺ)

33. (376) Vol. 1, No. 2162, No. 967,968.
companions of the Holy Prophet may peace be upon him were conscious of the great importance of labour and how they prefer to earn their livings by their own hands. The Holy Prophet (may peace be upon him) had taught them the dignity of labour and had told them that hard work is better than begging and disgracing themselves on the day of Judgement. 

The history tells us how we find ourselves in the service of the tabiyen and ādābiyyun (the students of Sahaba (the companions and their students). We see that a person who earns his sustenance with his own hands is not only respected by them in the world of theory but thought a lot in the practical life as well. One's simple profession can neither lessen one's self-respect nor can lessen one from attaining the glory of lights of knowledge, but it can be hindrance for one's leadership or one's recognition as a learned teacher or jurist or commander of the army.

Imam Abu Hanifa, the greatest Jurist, was in cloth. Imam Ahmad bin Umer his teacher was a shoe maker. His father was student of Imam Muhammad and Hasan Mabsudi. He made shoes and wrote (Kitabul Khiraj for caliph Muhtadil Hullah as well. Imam Syedna the author of , an authentic book on Fiqah (Islamic law). He is in cloth. Imam

34. Dr. Yousef-ud-din. Sp. cit.

Hyderabad Deccan 1950, p. 255.
Quaffal made locke-n. Imam was called the tailor. Imam Jannat, a distinguished teacher and an eminent figure in literary circles, was painter. In the same way Imam Sa'd the dealer of the pots of the Imam Sa'd, (the perfumer) Mithuni (the sweet merchant) Zuqquq (the dealer of flour), Sabooni (the dealer of soap) Sa'dali (the shoe maker), Saqqali (the grocer) etc. are known in the history of Islamic law by their profession. The day of the Islamic civilization had recently dawned but the Umma had done such as the western world even after the struggle of centuries, could not do i.e. professions themselves are neither honourable nor object but they are persons who have dignified or deprived of the qualities of upright.

Again Abdullah bin Masood used to say that he disliked to see a man idle, neither engaged in the worldly affairs nor in the affairs of the religion. Imam Sirkhi, sum up the importance of labour in Islam, in these words, search for livelihood is incumbent upon every Muslim.

In short, Islam advises the Muslims to work hard, earn their substance with their own hands and not to depend upon others. It is against the nature and spirit of Islam that one becomes burden on others but Islam appreciates a persons who earns his living by the dint of his labour and meet the needs of the poor and helpless with his surplus wealth. The holy Quran says:

"Verily we have made you (all) to work and struggle."

"Allah loves those who work and strive for their livelihood."

5. PRIVATE PROPERTY

Islam recognizes the individual's property and permits the ownership of all types of property acquired by lawful means. The sanctions of this statement may be derived by the following verse:

وَلْلَّهِ مَالُ الْمَلَكِ وَلِلَّهِ مَا عَلَىٰ ذَٰلِكَ مُلْكٌ لَا يُضِلُّ عَنْهُ مَّرْضًا

1. And give to orphans their property; and do not substitute the worthless (things) for good ones.

2. And for men is the benefit of what they earn. And for women is the benefit of what they earn.

3. And as for the well, it belonged to two orphan boys in the city, there was beneath it a treasure belonging to them, and their father had been a righteous man. So the Lord initiated that they should attain maturity and take out their treasure—mercy from thy Lord.
The assumption that Islam recognized the individual's right of private ownership is proved by the fact that it advises him to spend on himself and others out of his wealth.

4. "You who believe! spend out of what we have provided for you"... 45

5. "And give to the near of kin his due (share) and (to) the needy and the wayfarer." 44

6. "And in their wealth and possession the better and the outcast have due share." 43

These verses of the Holy Quran very explicitly recognize the right of the individual to earn property and to spend it. Islam also recognizes all other rights which go along with the right of ownership, e.g. the safety of the property from theft, deceity and other forms of unlawful possession by force of deceit. If gives guarantee for the safety of the property of citizens and inflicts heavy punishment on culprit. Thieves and robbers who endanger the safety of property of its citizens and do not honour their rights are very severely punished by the Islamic state. 46

43. Ibid., 51:19.

Islamic Publications Lahore 1974, p. 64.

45.-42:236.

46. Ibid., 21:93.
Islam condemns those who usurp other people's property.

"And (as far) the men and women accused to cut off their hands as a punishment for what they have earned, an exemplary punishment from Allah." 47.

"And swallow not up your property among yourselves by false means." 48.

The Holy Prophet (may peace be upon him) at another said:

"Whoever usurps even a small part of land (or property) of another person will be made to wear the same collar (of fire) in his neck (on the Day of Judgement)." 49.

The Holy Prophet (may peace be upon him) at another occasion said:

"Any one who takes any other muslim's property without any right over it, he will meet Allah (on the Day of Judgement) while He will be extremely angry with him." 50.


50. ٤:٤٧.
The Holy Prophet (may peace be upon him) strengthening the individual right of ownership, said:

"Any one who dies while protecting his property is a martyr." 59

Again, the individual who possesses property, alone enjoys the right to inherit property from his relatives. Islam recognizes this rightful right of inheritance and obviously, it can only be recognized a system in which the people have the right of ownership. This right of inheritance derives its legality by the following verse.

"For man is a share of what the parents and the near relatives leave, and for women a share of what the parents and the near relatives leave whether it is little or much—an appointed share." 52

According to Islam, the motives of private ownership is a natural instinct in and it does not think it proper or equitable to crush it. Islam regards the right of ownership as a powerful and effective measure which stimulates the individual efforts for the acquisition of wealth and will thereby greatly benefit society.

Moreover, it is natural it is natural corollary of the role of justice that society should also play its part in benefiting

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52. Ibid. op. cit. Pp. 156.
the individual. It would be injustice to the individual if he is left to toil and sweat to benefit society without any reciprocal compensation from the latter.

**NATURE OF PRIVATE OWNERSHIP.**

Islam recognizes the individual's right of ownership but does not leave him entirely free to use this right in any way he likes. It does not favour the expansion of private property to an extent that may endanger the very foundation of the Islamic system and thus destroy its real object. Therefore, it has allowed private ownership in principle but has subjected it to such limitations as would render it absolutely harmless. It has authorized the community to enact necessary legislation to organize private ownership and to change it whenever the public interest demands it.”

Islam has approved private ownership but it has empowered the caliphate to take necessary steps to eliminate any evil that may crop up from it. In fact, it regards it more beneficial and equitable to permit private ownership in principle, and at the same time, vest the community with powers to organize and restrict it than to abolish it altogether on the assumption that it is neither a natural propensity nor a human necessity. The fact that Soviet Russia has had to permit a certain degree of private ownership is a clear evidence that satisfying the propensities of human being the best thing both for the individual and public interest.”

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53. [Reference No. 514] on page No. 83.
54. [Reference No. 247]
In view of its policy of social justice for all, Islam has kept in balance the satisfaction of varying propensities of human nature and common good of society. Islam prescribes certain terms and conditions for private ownership. Islam considers the rich trustees and claims them to vindicate their trust worthiness by so dealing with their wealth that it becomes wealth radiative and not wealth reflective. Moreover, these trustees are answerable before Allah for the manner in which they discharge the trust reposed in this. The Holy Quran says:

"And the Allah has made some of you excel others in means of sustenance. So those who are made to excel give not away their sustenance to those whom their hands possess, so that they may be equal to them in." 53

"And give them of the wealth of Allah which He has given you. 54

"Believe in Allah and His Messenger, and spend of that whereof He has made you heirs" 55

The Quranic verses quoted above thus make it clear that the wealthy and all other insturments of wealth are mainly TRUST put
in the hands of the rich, with view to affording mutual benefit to all. No one is absolute master, because real ownership and mastery vest in every thing and every one lies only with Allah; others in these respective fomes are no more than mere TRUSTEES, answerable before Allah for the manner in which they discharge the trust reposed in them."

The latter aspect relates to the owner's obligation to society. Both these aspects stress the equalities of personal well being with social welfare to bring about complete, meaningful emotional integration in society and their roles on the apprehension of class conflict between the poor and the rich and consequently of secular Socialism.

It will thus be seen the Islamic concept of ownership is an effective antidote against secular socialism and communism which pass death sentence on private ownership as they fail to make it compatible with social welfare.

Islam recognizes private ownership where it is not detrimental to the social welfare.

"The wealth should not become commodity between the rich among you." 59

Islam empowers the head of the Islamic State to take away the surplus wealth in national emergency, or redistribute the wealth in the favour of the poor at any time. The Islamic State is to issue plenary powers to plant out the type of social fabric that will generate social integration.
a few for the detriment of the masses. How can Islam tolerate the rich with groaning tables and the poor groaning under them? It never approve property which breeds poverty because it involves violations of the sacred formula that the Muslims are like brothers to one another and they constitute a harmoniously integrated jama'ah. It does not like the Muslim society divided into top dogs and under-dogs.

Another principle of the private ownership is that the owner should benefit from it in a manner that does not endanger the general benefit of the community at large, but when he proves his inability to use it properly, forfeits his right to use or own his property and thus Islam allows the Muslims society and the Islamic state to withdraw from that person his right to use or own that property.

وَلَوْ نَزَّلَتْ لَكُمُ الْأَسْلَسَالُ عَزْوَاتُ الْقُلُوبِ إِلَيْهِمُ فَضُلِّنَّ نِعْمَتًا

"And make not over your property, which Allah has made a (means of) support for you, to the weak of understanding."59

The word "weak of understanding" is explained by the Muslim Jurist in different modes. According to Imam Abu Hanifa.


58. Al-Qur'an, 4:5.
Imam Muhammad and Abu Yousef agree that the sense which enables a person to distinguish between the goodness and badness, and profit and loss. And this sense is attained after maturity. According to Imam Abu Hanifa, maturity is attained at the age of twenty-five; it is therefore suggested by Imam Abu Hanifa that the orphans should be given back their property at this age. But Imam Abu Yousef and Imam Muhammad regard majority of intellect more important than mere puberty and according to them if it is not attained at the age of puberty, i.e., 25 years of age, then the limit may be extended and it is possible some persons may never attain maturity of intellect all their lives, hence they cannot be given back their property.

According to Imam Shafi, if a person, even after attaining maturity, is spending his wealth beyond the point of moderation in his expenditure and even if he is spending on good and lawful things, his property can be taken away from him by the state (ward).

This injection applies to orphans, but the wording is perfectly general and defines principle like those of Chancery in English law and the court of wards in India and Pakistani law. Property has not only its right but also its responsibilities. The owner may not do just what he likes absolutely; his right is limited by the good of community of which he is member, and if he is incapable of understanding it, his control should be removed. This does not
mean that he is harshly dealt with. On the contrary his interest
must be protected, and he must be treated with special kindness
because of his incapability." 59

In the above said verse the word "your property" (۱۱۱۱۱۱۱۱۱۱) indicates the fact that ultimately all property belongs to community,
and the individuals owners are only the custodians. If any of them
is incapable to maintain his custody according to the prescribed
rules of ownership, his control may be removed gently. The above
mentioned verse of the Holy Quran constitutes the law of limiting
(۱۱۱۱۱۱۱۱۱۱) the right of private ownership or limits one's right
to benefit from it. In this way the Islamic State maintain real
balance between two conflicting views (of individual ownership
and public ownership) the individual enjoys his right of ownership,
while the community reserves the right to forfeit or limit this
right in case of abuse or misuse misuse. Hence Islam guarantees
complete social justice in the proper use of property.

Another principle of private ownership is this that such
individuals can not be allowed to own such things as are of common
benefit or belong to the community. This principle is deduced from
the following sayings of the Holy Prophet (may peace of Allah be
upon him).

P. 179, Note, 510-511.
1. Abyad bin Hamid said that he went to the Holy Prophet (may peace be upon him) and requested him to grant me the salty water in Ma‘arid. He agreed, but one of those present said “O Messenger of Allah, why are you entrusting this treasure of salt to me? The Holy Prophet (may peace be upon him) after knowing the facts of the case refused to grant me the salty water.”

On the basis of this Hadith, the Islamic jurists constituted that the things or sources of common utility should not be given in private ownership. Another law, the use of property in its wide circulation in the community; when the accumulation of wealth is in a small section of society it tilts the balance against the whole society.

"Whosoever Allah may restore unto his Apostle—be sure not Allah the apostle—the orphans and the needy—so that it may not be confined to the rich among you."


The Islamic State as representative of Allah on the earth can rectify it by diverting wealth from where it stagnates to where it translates into social well being.

To sum up, main characteristics of the Islamic Concept of private ownership are as under:

1. Muslim society is the real owner of wealth.

2. The individual right of ownership is conditional and limited.

3. Certain kinds of wealth which are of common utility and for the benefit of the community at large cannot be owned by the individuals. All the members of the society will enjoy benefit of these things or resource according to their need. The Islamic state, as the representative of Allah on the earth, and the guardians of the Muslim society, will ensure that these benefits are enjoyed by the individuals. All the members of the society will enjoy benefit of these things or resource according to their need. The Islamic state, as the representative of Allah on the earth, and the guardians of the Muslim society...
worshipped; it is consequently confessed that there is none but Allah to rule the world. The Holy Qur'an has declared this fact of different classes in different modes.
do all things." 67

"Thou king of mankind." 68

These verses of the Holy Qur'an bring home to us that Allah alone is the sovereign of the Islamic state and in Him vests the supreme controlling power. He is absolute and independent authority and Law giver. Men, the khalifa (vice regent) is created to administer the divine law and establish the will of Allah on Earth.

"And when thy Lord said to the angels: I am about to place a viceroy in the earth." 69

"O! Daud! Lo! We have set thee as a viceroy in the Earth. Therefore Judge with justice between mankind, and follow not desire it beguile thee from the way of Allah." 70

The above verses and particularly the second verse explain the duty of khalifa i.e. to ensure justice in the world. According to these verses every man is the viceroy of Allah but the khalifa

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66 68. Ibid, 114:2
67 69. Ibid, 2:30
is only he

(in the real sense of the word) who tries to establish the will of Allah on the Earth i.e. to ensure justice and peace.

The Muslim society achieved their cherished goal i.e. to establish the will of Allah, by the selection and appointment of an Ameer Khalifa and who is obliged to administer the Divine laws and other members of the society cooperate with him in this regard as subordinates and colleagues. The Holy Prophet (may peace be upon him) said:

"The leadership of Bani Israel was in the hands of their Prophets: Whenever one of these prophets died the other took his place. But there will be no prophet after us, hence my successors will be Khalifas, and they will be very much in number." The companions asked what are your commandments in that regards, He (may peace be upon him) said "Obey whom the Muslim society has selected first." 

But a Khalifa is followable only, if, he follows the commandments of Allah and His apostle, otherwise the Muslim Society is not enjoined to obey him and cooperate with him. According to Hazrat Hasan, once Hazrat Umar wrote to Hazrat Abu House Ash'ary

69 Th. Urdu translation Maulana Waheed-uz-Zaman
Vol. 5, Maktaba Saudia, Bena Road, Karachi. (S.F.)
P. 132.
in a letter.

Hadrat Amas bin Walik reported that Hadrat Ya'ad bin Jabal asked the Holy Prophet (peace be upon him) 

"If our Amirs neither not obey your notions nor carry out your commands, then what in your advice about them?" The Holy Prophet (peace be upon him) said, "He is not obeyed who does not obey Allah." 73

Hadrat Ali bin Abu Talib said:

"There are four sentences in which the truth is stated. i.e. Imam is obliged to judge according to the Holy Quran, and to ensure trust. Then, the people are obliged to listen to him and obey him and whenever he calls them for any duty, carry out his orders. Otherwise they are not obliged to obey him." 74

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70. Abu Ubaid, op.cit. p.5, Cairo 1353 AH.
71. 72. Abu Ubaid, op.cit. p.5, 6. Cairo 1353 AH.
The Holy Prophet (may peace be upon him) said:

"From my Umma every one is made the guardian of the people's affairs, but he who does not guard their matters as he looks after the matter of his own and his family members, he shall not smell even the smell of Paradise."

Hadrat Sulman said:

"The caliph in the real sense is that who judges according to the Holy Quran and is as kind to his subjects as any one to his family." Hadrat Ka'ab bin Abbar, having been said, "It is correct."

In short, if the Ameer carries out the commandments of Allah and His Prophet (may peace be upon him) and holds him responsibility of establishing the will of Allah in world and ensuring justice then the people are obliged to obey him because now his obedience is not the obedience of a person but Allah.

"And obey Allah and His Messenger and dispute not one with another lest you falter and your strength departs from you."

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75-77. Al-Qur'an, 8: 46.
"And be you not as those who separated and disputed after the clear manifest proofs had come to them."

The Holy Prophet (may peace be upon him) said:-

"If there are three persons in a jungle, they should appoint one of them as their leader."

Hadhrat Abu Hurairah reported that he heard the Holy Prophet (may peace be upon him) saying:-

"Whoever did not obey the Ameer and separated the Jama'at would be un-Islamic."

Hadhrat Umar Farooq Azam (Va) said:-

"Islam is with Jama'at and Jama'at is with Ameer, and Ameer is with obedience."

Islam enjoins the Ameer to deal with the affairs of his subjects and perform his duties with their consultation.

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76 - 75. Ibid., 3:105.
"And consult with them upon the conduct of affairs." 92

The Holy Prophet (may peace be upon him) said:—

"If I appoint any one caliph without the consultation (of Muslim), I would have appointed 'Ali bin Masood." 92

Hadhrat Umer bin Khattab said:

"There is no Khilafat (successory) but with consultation." 93

Hadhrat Imam Ibn-e-Taimiyyah said:

"Amr cannot do without the consultation (of his subject) that was why Allah ordered even His Prophet (may peace be upon him) for consultation, then the other Amers are more needy in this respect." 95

Moreover according to the Islamic concept of Khilafat an Amr is equal to a layman in street, in the eyes of law. He is as answerable as the other Muslims. If he hurts any of his subject

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82. Al-Quran, 3:159.
83. Ibid 42:38.
84. Hakim, quoted by Hifz-ur-Rahman.
86. Ibn Taimiya, al-Salah al-Muhammed, op. cit. p. 75.
86. Shar-ul-kitab Al-Arabi, Egypt, 1955.
wrongly, he will be punished. The Holy Prophet (may peace be upon him) has, by his action, certified our statement.

Once, in the days of Hadrat Umar, the Governor of Egypt Hadrat Amer-abi Al-As's son Abdullah lashed an Egyptian. He filed a case against him in the court of Hadrat Umar in Medina. Hadrat Umar sent for Hadrat Amer along with his son. When the former and in his presence, Hadrat Umar ordered the wronged Egyptian to lash his son; the wrong doer. Hadrat Amer, the governor of Egypt was seeing and his son was being lashed; and Hadrat Umar was saying:

"Since when have you enslaved the peoples, while their mothers have given them birth as independent, and Hadrat Amer was saying, O, Amer of the Monzaeen, he neither told me nor came to me."

On another occasion, a person complained to Hadrat Umar that his governor has beaten him. Hadrat Umar ordered him to take his revenge in the presence of people. Hadrat Amer-ibn-Al-As requested Hadrat Umar to forgive him otherwise the governor would be disheartened. Hadrat Umar answered:

"Why should not I, while I saw the Holy Prophet (may peace be upon him) presenting his goodself for revenge."

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86-89. Iman Abu Yusuf, , op.cit. p. 116
Matba Sufia Cairo, 1347 AH.
Then Hadhrat Umer made that person agree to exchange his one lash with two Dirhams and the governors back was saved."

In the above-mentioned tradition Hadhrat Umer pointed out the incident when in the Safer the Holy Prophet (may peace be upon him) poked Swad Bin Usbila, while he with an arrow in his hand was making the companions to make a straight line. Swad was standing aside, the Holy prophet (may peace be upon him) poked him and said, "Stand properly O Swad." Hadhrat Swad said, "O Messenger of Allah! Allah has sent you with right and rightful, allow me to take revenge from you." The Holy prophet (may peace be upon him) unclothed his belly and asked Swad to take revenge. Hadhrat Swad embraced him and kissed his belly."

Abu-ul-Firat said that once Hadhrat Usman wrangled the ears of his slave angrily. But soon after he thought of his wrong and asked the slave to catch his ear and wring that. He said repeatedly. The slave wrangled his ear gently but Hadhrat Usman said him to wring powerfully. The slave did so and then Hadhrat Usman said:

"That a good revenge that is taken in this world and not be taken there after."

87 89. Ibid.
Musaba Dar-us-Se'adat, Cairo, Egypt 1939.
Let us proceed further and enter the economic life of the Ameer-ul-Momaneen (the caliph). Here we see that his life is as good as that of a common Muslim. He is not superior to any other. He does not enjoy any privilege. All the Muslims are equal in their basic necessities of life.

Hadrat Ayaha reported that when Hadrat Abu Bakr was elected the caliph, he addressed the people and said:

"العلم ونار حزب الله وللنور من وُضّع في عصر هذه العصا"

"You know that as my business is so vast that it suffices myself and my family, but I will serve the Muslims and thus his family's basic needs will be met through Bait-ul-Mal up to the extent which can keep them alive."

After the Hadrat Abu Bakr when Hadrat Umer assumed the office of the caliph, he collected the Muslims and asked them to fix the grant of the caliph and his family out of Bait-ul-Mal. All the present accordingly agreed that the caliph should be granted such as might keep himself and his family alive, which should neither be increased nor decreased. Summer and winter clothes for himself and his family and two animals for riding, besides soldiers and the booty equally with other Muslims.

On this Hadrat Umer said, I have right on your Bait-ul-Mal equal to the right of a guardian of an orphan i.e. if I am well to do I shall take nothing and if I am in need I shall take the living wage.

98. Abu Usaid, p. 266, Cairo 1953 AD.

And once he came late for Juma prayer and the people enquired the reason for coming late, he answered that he had only one pair of clothes, and washed them and dried them thus he was late.

Abdullah bin Hudhayl said that once he saw Hadhrat Ali, during his days of khilafat, that he was wearing a shirt which was worn out and torn. He again said that he saw Hadhrat Ali addressing the people in the mosque of Koofa, and he was wearing very torn clothes.

Hadhrat Fatima, the wife of hadhrat Umar bin Abdul Aziz reported that Hadhrat Umar led the life of princes before assuming the office of the caliph but afterwards his life was as simple as that of rabbi.

But these Islamic Caliphs were much anxious for the social security of their subjects.

Hadhrat Umar’s night walks for obtaining knowledge of the needs and sufferings of the subject is an open secret of the Islamic history. He thinking over this struggle to be unsatisfactory, he made up his mind to tour his kingdom for a full year.

Once he wrote Hadhrat Abu Mousa Asmary:

لا يوجد رسول الله صلى الله عليه وسلم...

"After praising Allah, I say that the best governor near Allah is that whose subjects are prosperous and peaceful and the worst
governor, near Allah is that whose subjects are wretched and
desolate. I advise you not to be wrong thus your subordinates will be able to do the wrong.

This was all due to the teachings of the Holy prophet (may peace be upon him): the prophet of mercy and kindness, who taught the Ummah generally and rulers particularly that the creeated is the family of Allah and from the persons dear to Allah is he
who is benefactor beneficent to His family.

In order to maintain the public security, Islam allows the caliph to levy taxes along with the obligatory taxes, in case if there is a lack of funds in the state treasury, the rich among the people are required to respond the call of the caliph and contribute magnificently to the welfare and social security of the state.

To sum up we say that in the light of above text it is evident from the teachings of Islam, it is the duty of Islamic state to give peace and a sense of security to the people; to strengthen the economic roots of society; not to expand the manpower and resources of the country in agressive, unnecessary wars, but to concentrate instead upon efforts to improve conditions of life for the people. All these duties, according to the Islamic view, devolve upon state.


95 96. Nadwatul Mussaneefen, Dehli, 1959, P. 104.

96 99. Imam Ghizali, Vol. 1, P. 303, Bulaq, Egypt
The practical shape which the Islamic state gives to the economic philosophy outlined above is this; that it makes itself responsible to meet the basic necessities of life. It is impressive with some peoples that the Soviet State has been the first to recognise its duties to the people in regard to the satisfaction of their primary needs; but truth is that this credit was earned by Islam more than fourteen hundred years ago; and even the European writers admit that Hadhrat Umer was the first ruler who maintained registers showing the numbers and needs of the people to enable the state to maintain their social insurance.

7. ISLAMIC SOCIAL PRINCIPLES

Meaning and Scope

Islamic social order is based on the teachings of the Holy Quran and Sunnah of the Holy Prophet (may peace be upon him). It is neither communist nor capitalistic in its nature and effects, but it has its own base; derived from Islam and combines all the good features of a healthy and balanced society. It has all the good qualities of a good, applicable and justified social order, which socialism and capitalism are trying to achieve by amending their basic principles. Despite of possessing all good qualities (and even more) of capitalism and socialism, it is neither "Islamic socialism" nor "Islamic democracy", it is only Islamic

social order, revealed by Allah and practiced by the Holy Prophet (may peace be upon him). It is complete, rich and full fledged code of life and needs, not any attachment to any other "ism". The Holy Quran has explained this reality on different places in different ways.

"Thus we have appointed you a middle nation that you may be witness against mankind and the Messenger may be witness against you" 498

"And those who seek any religion, other than Islam, it will not be accepted" 499

This fact is admitted even by the non-muslim Prof. A. A. R. Gibel, a thinker of repute in his "Whither Islam says:-

"With in the western world, Islam still maintains the balance between exaggerated opposites. It has not yet succumbed to (that) obsession with the economic side of life". Professor Arnold Toynbee in his "Civilization on Trial" committing on the nationalism and racialism of the western culture sees the salvation of the world in Islam. He writes:-

"To see, however, discern certain principles of Islam which, if brought to bear on the social life of the new cosmopolitan proletarian.

498 Al-Quran, 2:143.

might have important and salutory effects in the great society in a new future. The extinction of race-consciousness as between Muslims, is one of the outstanding achievements of Islam and in the contemporary world there is, as it happens, a crying need for the propagation of this Islamic virtue. It is conceivable that the spirit of Islam might be timely reinforcement which would decide this issue (of acceding racism and nationalism) in favour of tolerance and peace.* Professor Kasasbeh, a prominent Orientalist, pays tribute to Islam thus "Islam has the merit of standing for a very equitable conception. It occupies an intermediate position between the doctrines of bourgeois capitalism and Socialistic communism."

The silent feature of the Islamic social order are an under-

**EQUITY.**

The distinguished feature of the Islamic society is equity. All the member of the Islamic society are equal in the following matters.

1. Equality of man.
2. Equality of law.
3. Equality of opportunity for the basic necessities of life.

1. **Equality of Man.**

From Islamic society all the men (as a men) irrespective of their cast, colour, and race are equal.

> "Mankind! Lo! We have created you male and female, and have
made you nation and tribes that you may know one an other. Lo the
nobliest of you, in the sight of Allah, is the best of in conduct.

Lo! Allah is knower, Aware.

In this verse it is clearly stated that all men are equal
in the eye of Allah. There is none superior but the person who
is afraid of Allah, established worship and conduct with his
fellows. On the other hand, inferior is that person who is not
afraid of Allah and does not possess a soft corner for his
fellows.

The Holy Quran at another place has stated this subject
in a clear way:

"Lo! this, your religion, is one religion, and I am your
Lord, so worship Me."

In this verse, the Holy Quran has stated oneness of all
religions. It is a bold and courageous statement by Islam in
respect of the oneness of the mankind's brotherhood and
equality of men. Hence, we can say that Islam is the unique
religion in this respect. H.G. Wells, in his book, 'Authors of
History' rightly writes:

"The stress Islam lays on equality of men without any distinction
of creed and class and the practical domestic brotherhood of
Muslims has made the faith one of the greatest forces of the civi-

dization lized world today."
The Holy Quran again says:

"O! people, keep your duty to your Lord, who created you from a single being and created its mate of the same kind and spread from these two many men and women." 102

The principle of brotherhood and equality of man laid down in this verse is on the broadest basis.

The Holy Prophet (may peace be upon him) said:

"All the men are sons of Hadhrat Adam and Adam was created from clay. There is no superiority for an 'Arab over non-'Arab, nor for a black man over a red man, nor for a red man over a black man except for piety." 103

The Holy Prophet (may peace be upon him) again said:

"Thou art not good Abu 'Yahia because of the red and black complexion, but thou art more worthy because of thy good acts." 106

"Verily, Allah looks not at your figures nor bodies but He looks into your hearts." 107

102. Ibid., 4:1.
106. Ibid., pp. 109,110.
107. Ibid., p. 110.
The sublime aspect of the Islamic teachings has been receiving growing tributes even from the enemies of the Islam.

2. Equality in Law.

The distinguishing mark of Islam is that all the members of the Islamic society irrespect of their creed, colour and national status are equal in the sight of law. Facilities are equal for the Muslims and non-Muslims, the rich and the poor; ruler and the subject. The history of Islam records many incidents which bear ample testimony to the fact that Islam believes in equality of all men before law both in theory and practice.

Hadrat Ali gave his last shield with a Christian. He took him to Qazi (judge) Shurih for the restoration of his shielded. He said to Qazi, "This shield is mine." I have neither sold it nor given it as a gift (to the Christian). The Judge Shurih asked the Christian if he had any argument in his favour. He replied that the fact that it was in his possession was enough proof that it was his: But he could not say that Amer was telling a lie; but it was up to the caliph to approve that it was his. Hadrat Ali presented Hadrat Hussain, his son, and his servant as witnesses. The Christian objected that the testimony could not be accepted in law because one was his son and the other his servant. Though the Qazi personally knew that neither Hadrat Ali nor his son Hadrat Hussain could tell lies, he disputed the petition of Hadrat Ali saying that the evidence of blood was not acceptable to law. Thus the Christian was going with the shield and Hadrat Ali was looking
to him. After going some steps forward, the Christian returned
and said: "It is the effect of the teachings of the Holy prophet
(may peace be upon him). This shield is of Hadhrat Ali. I stole
it away from his camel when he was going to Safi'in. I was embarrassed
with Islam and tried to hand that shield over to Hadhrat Ali.
But Hadhrat Ali gave it back to him saying "when you are Muslim,
then the shield is of you." 106

A Christian had filed a case before Caliph Hadhrat Umar bin
Abdul Aziz against Prince Hash when his Abdul Waliq, who was
sitting at that time as one of the courtiers. It was then the tradition
for the complainant and the defendant to stand shoulder to shoulder
before the court. Caliph Umar bin Abdul Aziz asked Prince Hash'sham
to get up and stand in front along with the complainant before
he began the inquiry. Prince Hash'sham's face grew red and did not
move from his seat. The Caliph at once commanded him to get up
and stand in front and ad di, "in Islamic justice, a Muslim prince
and a Christian civilian are both equal." 107

There are hundreds of incident which may be quoted for the
testimony that all the members of an Islamic society are equal
in the eyes of law but we think these two are enough for instances.

106. Abbas Ahmad Az'iq, " (میں لس) " quoted by Syed
Qabab. (میں لس) (Urdu) pp. 455-456.
3. Equality of the right to livelihood.

In Islamic social framework, the citizens are equal in the right to sustenance and the Islamic society will provide equality of opportunities to all to earn and get their livelihood without any favour or consideration. The Holy Quran explicitly states that despite of inequalities of wealth in society all are equal in the right to basic necessities of life.

And if there is unnatural equality in the Muslim society in respect of the basic necessities of life i.e., some are rich while some are striving even for the basic necessities of life, the Holy Quran enjoins the rich to divide their surplus wealth among the poor members of the society so that they may be able to get their right to livelihood.

"And Allah hath favoured some of you above others in provision, and how those who are more fortunate will by no means covet their provision to those whose right are there over, so that they may be equal with them in respect there of, is it then the grace of Allah that they deny?"

According to Tafakhq, the Holy Prophet (may peace be upon him) said:

\[\text{\textit{Al-Quran, 16:72.}}\]
Any one who possesses goods more than his needs, should give the surplus wealth to the weak (and the poor) and whatsoever possesses food more than his need should give the surplus food to the needy and the destitutes. Hadhrat Abu Saeed Khudri further says that the Holy Prophet (may peace be upon him) went on referring to different kind of goods in similar manner while we thought that none of us had any right over his surplus wealth.

"Allah has enjoined the rich to meet the economic needs of the poor up to the extent of their basic need and if they are involved in other financial difficulties, it will be purely because the rich are not doing their duties. Therefore Allah will ask them about it on the Day of Judgment and will give them the punishment."

Zubery
"Imam Ibn-e-Sa’Hr, after quoting the tradition writes:"

Mataala-tun-ul-ahadha, Sept 1347 AH.

118. Ibhid, P. 156."
"It is the duty of the rich that they should meet the basic necessities of life of the poor and the destitutes of their village or town. And if the treasury is not sufficient to meet their needs, then the state has the right to take their surplus wealth; if necessary, by force to meet the needs of the poor community." 443

All these verses of Holy Quran, sayings of the Holy Prophet (may peace be upon him) and derivations of the jurists bring home to us that the maintenance of the basic necessities of the life is the equal right of the members of an Islamic society irrespective of their creed and class. Islam, in spite of the fact that it recognised private ownership, does not permit any one to occupy the primary sources of production. That Islam facilitates every one to avail all the lawful and possible resources and the opportunities to their abilities and needs to earn one's living. There may be great differences among the different members of the society. All are not cast in the same mould. Some are physically fit while others are not. This difference is reflected in the difference of their economic position in the society. This is natural difference and without it human life is dull, drab and colourless. But it does not mean that Islam encourages the classification of proletarian and bourgeoise, rather a sense of brotherhood and fellow-feelings..."
preval everywhere, Islam teaches his followers to search the poor and the needy of the society and meet their needs. And what you think good for yourself, think the same for your fellow. The Holy Prophet (may peace be upon him) said:

"Muslim is the brother of Muslim.......And whosoever fulfills the need of his Muslim brother, Allah will meet his need in this world and the next world." 114

After his Hijra (migration) to Medina from Yathrib, the Holy Prophet (may peace be upon him) established such brotherhood among the Muhajireen (the emigrants) and the Ansar (the helpers) of Medina which is unique and matchless in the history of fellow-feeling and it serves as the lighthouse for the coming generation in the field of brother-hood and sense of fellow-feeling. The slaves and servants were (and even are now a days) considered as the most section of society before the dawn of Islam, but Islam, the religion of social equality, brotherhood and fellow-feeling, raised them from their pitiable condition to an equal status in a Muslim society. The Holy Prophet (may peace be upon him) according to Nasirat Ali has advocated this weak part of the society in these words.

"Take care of your prayer and fear Allah regarding your slaves (and servants)." 114

114. Ibn-Hisham (الإبنى) Vol. 1, P. 294, Kerith (India) 1345 AH.
Radhaquat (a.s. her Shifari reported that the Holy Prophet (peace be upon him) said:

"إِنَّ أَنْتُم مُسْلِمَانَ إِلَّا مَا كَانَ تَقُولُونَ إِنَّ أَنْتُم مُسْلِمَانَ (لَا إِلَهَ إِلَّا أَنتَ وَلَا كَفِيرَةَ (حِيْلَةً عَلَيْكَ وَقِلْ لَيْنِفِقْنَ (بِالْإِلْقَابِ فَكَيْرَ يَتَّقِنِينَ (حِيْلَةً مَعَكَ.

"Your slaves (or servants) are your brothers whom Allah has made your subordinates. So, he who has a brother under him, should feed and clothe him, as he himself eats and dresses; and do not ask to do things (and jobs) which are beyond their strength and endurance and if you do ask them to perform such jobs then help them." 115

Thus Islam creates a sense of fellow-feeling, mutual love and affection which prevails from one part to the other. If one side feels any pain, all the other sides feel the effect of that pain. Hence, none in Muslim society can be left without the fulfilment of his basic necessities of life.

A. K. IV.

Unity is another prominent feature of the Islamic society. Islam has tied the individuals and the community with the name of Allah.

وَفَعَلْنَا لَكُمْ نَصْرًا وَأَطْلَقْنَا عَلَيْهِمْ لَفَظًا (46)

"And hold fast, all of you together to the other cable of Allah and do not separate." 116

115. (O. C. P. F., Vol. 1, Urdu Hadith No. 26) Saeed and Sons, Quraan Mahal Karachi, (M.H.)

And if there occurs any breakage in this unity due to bad blood or quarrel among some Muslims, the Muslim is enjoined of Allah to make those Muslims to bury the hatchet and come to good relations. And if two parties of the believers fall to fighting, then make peace between them. And if one party of them doeth wrong to the other, fight you that which does wrong till it returns, make to the ordinance of Allah, then if it returns, make peace between them justly." 117

The Holy Prophet, may peace be upon him, has drawn the pen picture in these words:

"One believer is like (the bricks of) a building to another believer, every one is holding and supporting the other." 118

But this mutual help and cooperation among Muslim community bases only on the legal and lawful basis.

"And help you one another unto righteousness and pious duty and help not one another unto sin and transgression, but keep your duty to Allah." 119

The Holy Qur'an has described this unity and mutual help among the members of an Islamic society in these words:


118. Islam: a Faithful Witness, 2nd ed. by Dr. Ataullah Khan and other noted scholars. Islamic Publications Lahore 1969. Hadit, No. 9

"And the believers, men and women, are protecting friend of friends, one of another. They enjoin the right and forbid wrong." 120

In the light of these verses, we can say that the Muslim society is a Muslim union, organised on mutual help and cooperation but their this cooperation is in righteous and lawful affairs and its base is to seek the will of Allah and not the class and creed.

5. BROTHERHOOD AND FELLOWSHIP.

Another distinguished feature of the Islamic society is brotherhood and sense of fellow feeling. Every individual possesses tender feelings and a soft corner for his Muslim brother.

There is no social maladjustments, no dictatorship of any class and no class hatred. There is good sense of fellow feeling.

According to Islam that society which turns a deaf ear to the needs of it individuals and turns a blind eye to the problems of hunger and want among its population, is sitting on the thin crust of a labouring volcano.

6. RIGHTS AND DUTIES.

Another outstanding feature of the Islamic society is a wide range of rights and duties. Islam teaches his followers to be more careful about their duties than their rights. Against If everyone will be ready to perform his duty properly there will be none who

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120. Ibid, 9:71.
claims his right. Against Islam, in secular modern societies every one has own axe to grind, thus he is always after his rights and turns blind eyes and deaf ears to his duties.

Islam has enjoined all the Muslims of the Islamic society in a wide range of rights and duties. From a layman in street to the head of the state, every one enjoys some rights and performs some duties. Higher the position a person possesses in society, the larger range of his duties will be. The Holy Prophet (peace be upon him) said:

"Every one among you is a guardian and as such is accountable for his word (on the Day of Judgement.)" 121

The system of rights and duties is of supreme importance in a society and without a sound system, Islamic society cannot run smoothly and peacefully and according to the teachings of Islam. Rather we can say that every society is created and run on the basis of the system of rights and duties. But the system of rights and duties on which the Islamic society moves and stops, is wider in scope and more powerful in effect than any other system.

In Islamic society, home is the primary institution which creates society and state is a training centre of rights and duties. A father in home has to perform a number of duties to fulfil the necessities of his wife and children. The mother is responsible for household affairs. She serves her husband and looks after his

121. (Syed Qutb, Islamic Publications, Lahore 1969 (Urdu) p. 450. (215)).
property and brings up her children. Then a brother has to assist
his brother and sister in some chase or other.

A relative has to perform some duties for his other relatives
and in the same way
as well as he claims some rights from them. Moreover, a
neighbour is morally responsible to fulfil the basic necessities
of his that neighbour who has no near relative and himself cannot
meet his need.

Further a society is enjoined to Islam to meet the basic
necessities of life of that individual who is deprived of these.

On the other hand, Islam has obliged the individual to do his
duties for the society at large. Hence we can say that if social
security is to be established in society, it is absolutely essential
that its rights and duties be equally shared by the individual
and society. It would be injustice to the individual if he is left
to tail and sweat to benefit society without any reciprocal
compensation from the latter. It is obligatory duty of the society
to provide necessary facilities to the individual so that he may
not be hampered in his work.

This is a short description of the Islamic society. To sum up
we can say that Islam regards individual and social welfare as
complementary rather than competitive and antagonistic.
it, therefore, encourages cooperation instead of competition and rivalry, and develops an intimate relationship between individual. In an Islamic system, good of the individual is considered to be the good of the society and vice versa; if society prospers, the individual is better off and if the individual prospers society also prospers.” 122

Maulana Abu-ul-Kalam writes:

“The system of society as visualised by Islam, if it is truly and wholly established and all its departments are organised in their right place, such a social system will grow up, in which there will be neither beg millionaires nor paupers and destitute. The great mass of people will be moderately well off.” 123.


CHAPTER 3

ISLAMIC CONCEPT OF SOCIAL SECURİTY

Here by social security we mean, the fulfilment of the basic necessities of life of the citizens of the Islamic state, whether they are Muslims or non-Muslims. The arrangements, made for this purpose, must be so complete as none of the individuals would remain deprived of his basic needs. These basic necessities include food, clothing, lodging and compulsory medical treatment.

Notwithstanding that the Islamic society or the Islamic state will be responsible for supplying every citizen a required quantity or number of these necessities, irrespective of the fact whether the needy can get these things by his own means or not usually, every person can earn his livelihood by his own labour and if he cannot do so or cannot earn enough as can be sufficient for him, he will be assisted by his family or close relatives according to the Islamic law of Waqafat i.e., maintenance of relatives otherwise the Islamic society is legally and morally obliged to fulfill his necessities, through its agencies of neighborhood, Waseec/Wase (executor), Kafeel (guardian), Wakeel (agent) etc. Personnel working in factories or any other industrial set up or any private organization will be given old age pension, illness allowance, accidental disability and stipend and occasional unemployment allowance, so that they may be
able to meet their requirements. In spite of all these arrangements of social insurance if any person cannot fulfill his necessities then the Islamic state will be enjoined to come forward and accept the responsibility of the fulfillment of his needs. Moreover, the Islamic state will make necessary arrangements of social insurance and every needy, after providing satisfactory proof of his need and deprivation, will be granted, from public Exchequer, easily and without any delay, an amount of money according to his needs. Thus, none of the Islamic state inhabitants will remain deprived of his basic necessities.

Islam, the religion of mercy and kindness, obligates both the Islamic state and the Muslim society to maintain the social security of the citizens. Islamic system of social security gives top priority to this that no individual should remain deprived of his basic needs. Islam does not admit that person as a Muslim who does not feed the hungry. The Holy Quran says:

أَمَّامَ الْقُرْآنِ الْمُعْلُومِ نَزَّلَهُمَا الْبَيِّنَاتَا مَرَّتَيْنِ فَوَرَّدَ رَبُّ الْعَالَمِينَ الْعَذَابَ الْآبَى مِثْلَهُ الْعَذَابَ الْآخِرَى

1. "Have you observed him who believeth religion? That is he who repelleth the orphan and urgeth not the feeding of wretched."

In this verse we note that, not to say of not feeding a poor hungry, even a person who does not urge the other (to feed poor), is not a Muslim (in the true sense of the word). At another place the Holy Quran says:

خَذْهُمْ فَخُذْهُمْ كَنِّيْنَاءَ وَرَكَّذًا مَّا كَانَ لَا لَهُ مِنَ النَّارِ وَلَادِينَ وَلَا قَرْنَانَ وَلَادِينَ وَلَا كُفَّانَ وَلَا فَجَّارَ قَارَى وَلَا مَسْأَلَةَ الْمَسْأَلَةَ الْمَسْأَلَةَ ۚ وَلَا مَسْأَلَةَ الْمَسْأَلَةَ الْمَسْأَلَةَ

2. "It will be said, take him and fatten him. And then expose him to hell-fire. And insert him in a chain, where of the length is seventy cubits. Lo! He did not believe in Allah the tremendous..."
tremendous and urged not on feeding of wretched."  

Again the Holy Qurayn says:-

3. "What hath brought you to this burnings? They will say: we were not of those who prayed, Nor did we feed the wretched."  

4. "Way but you (for your part) honour not the orphan, And urge not on feeding the poor."  

5. "But be hath not attempted the ascent. Ah! what unto thee what the ascent is? --(It is) to free a slave; and to feed in the day of hunger an orphan near of kin or some poor wretch in misery."  

6. "Therefore the orphan oppress not, therefore the beggar drive not away."  

7. "And in their wealth the beggar and the outcast have due right."  

2. Ibid., 69:30-34.  
3. Ibid., 74:12-44.  
5. Ibid., 90:11-16.  
6. Ibid., 93:9-10.  
7. Ibid., 51:19.
And in whose wealth there is a right acknowledged for the beggar and the destitute.  

At another place Allah, appreciating the true Muslim says:  

And feed with food the needy wretch, and orphan and the prisoner, for love of Him saying: We feed you for the sake of Allah only. We wish from you neither reward nor thanks.  

Some Ulema say that it is the pen picture of Hazrat Ali's family, but the other Muslim, as Islam wants them to be, may be its true copy. What a thought provoking description it is!  

The Holy Prophet (may peace of Allah be upon him) in his several traditions has obligated both the Muslim society and the Islamic state to support their poor and needy up to such extent as none of them remains deprived of his basic necessities. Prescribing the duty of the state and society to maintain the social security of those who are under their supervision, the Holy Prophet (may peace be upon him) said,  

If any person in any village gets up in the morning in such a condition as he went his night hungry i.e. the villagers did not feed him, then Allah will not be responsible for the social security of that village.  

9. Ibid, 70:8-9  
Edited by Ahmed Muhammad Shaker Cairo.
According to Hazarât Abu Saeed Khudri, the Holy prophet (may peace be upon him) said:

"Anyone who possesses goods more than his needs, should give the surplus wealth to the weak (and the poor); and whatsoever possesses food more than his needs should give the surplus food to the needy and the destitute." He further added, the Holy prophet (may peace be upon him) went on referring to different kinds of goods in similar manner until we thought that none of us had any right over his surplus wealth."  

Islamic concept of the unity of Umma is so effective and powerful that it has dashed down all the barriers of egotism and individualism and has embodied the Muslims into one brotherhood. Hence, oneness of feelings works from have to have, one's hunger in felt as the hunger of other and one's trouble is shared by all.
The Holy prophet (may peace be upon him) has described this state of Islamic society in these words:

"You will see, in kindness, benevolence and mutual love and affection, the Muslims like a body when one of its parts feels any pain, then every part of the body through sleepless and fever shares its grief." 13

The Holy prophet (may peace be upon him) describes mutual help and cooperation among the Muslims in these words:

"One believer is like (the bricks of) a building to another believer, every one is holding and supporting the other." 14

"It has been certified about Hadhrat Abu Ubaida bin Al-Jarah and other three hundred Sahaba (the companions of the Holy prophet) that once, when they were in the way of Allah, their provision came to an

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and, Nadrat Ali乌斯айд, the commander ordered, "whosoever has anything should bring." He collected whatsoever they brought and distributed equally among all and thus he enabled every one to meet his need. 15

Mohammad bin Ali reported that Nadrat Ali said, "Allah has made it obligatory on the rich to meet the economic needs of the poor up to the extent of their absolute necessities. If they are hungry or naked or involved in other financial difficulties, it is merely because the rich are not doing their duty. Therefore Allah will question them about it on the Day of Judgement and will give them due punishment." 16

The Holy Prophet (peace be upon him) appreciated the tribe of Al-Ash'ari because whenever they noted the shortage of grain, they gathered all what grain they had in a cloth and divided it equally among themselves. 17

Nadrat Imam Shafi, in the light of above tradition, derives a juristic opinion that the poor have due right in the rich's wealth and in hard times this wealth may be taken as joint property." 18

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16. Dr. Mohammad Shauqi Fanjary, Usul Ashar, Article on Khilafat, Published in Khudam-u-Zaen.
This is the consensus of Sahaba (the companions of the Holy prophet) that if any person is hungry or naked or without lodging, then his suuance from the rich's wealth (property) becomes obligatory.¹⁹ So far, we have discussed the Islamic concept of social security, and in this respect we have quoted all those verses, traditions and jurisprudences which are related to it. We have further described that Islamic system of social security is run both by the Muslim society and the Islamic state. Accordingly, the Islamic system of social security is divided into 'private sector' and the 'govt. sector'.

Private sector comprises: home, family, neighbourhood, wazee, walee, kafeel, guardian; and its feeders are inheritance, expiation money, guardianship, maintenance of relatives, will, sadaqat, charity, debt without interest, gift, asset etc.

Govt. sector is run by the Islamic state. Basically, the responsibility of social security lies on the government, hence, we shall discuss in detail the government obligation in maintaining the social security of her subjects.

The Holy prophet (may peace be upon him) said:—

"A person who is made the leader of a nation, but he does not look after his subjects, he shall not smell even the flavour of the paradise." ²⁰

¹⁹. Mukallah Vol. VI p. 150, Hataba-tun-Nadha Cairo 1947 AD.
²⁰. Qudsi, Vol. 3 Hadith No. 2021 (urdu) Mohammad Saeed and sons, Quran Nukat Karachi (N. D.)
"A person who is appointed in charge of the Muslims' affairs but he neither strives for their security nor is sincere to them, shall not enter the paradise with them." 21

Hadrat Salman Farsi defined the Khalifat in these words:

"He is Khalifa (in the real sense of the word) who judges according to the Holy Quran and, is as kind to his subject as (a person) to his family members." Hearing this Hadrat Ka'ab Al-Ashar said, "All right." 22

Islam considers the Islamic state as the guardian of all the citizens, thus according to the law of guardianship she is obliged to guard her citizens. The Holy prophet (may peace be upon him) said:

الله ورسوله خليفة على خليفة لو

"Allah and His Messenger is the guardian of without guardian." 23

In another tradition the Holy prophet (may peace be upon him) explicitly enjoined the Islamic state to accept the guardianship of the persons who are without guardian.

21. Abul A'was, Vol. 1, p. 32, Taareekh-ul-Ma'arif, Hyderabad 1362 AH.

22. Ibn Ishaq, p. 6, Cairo, 1353 AH.

"The state is the guardian of guardianless." 24

The Holy Prophet (may peace be upon him) as the head of the Islamic state in his letter to Zurrah bin Zayyan, the leader of Qureish tribe, confessed his duty to maintain the social security of the people. He addressed them in these words:

"O tribe of Qureish! I advise you to conduct good. Neither be treacherous nor oppose one another. The Messenger of Allah is the guardian of your rich and poor." 25

This guardianship is not only to fulfil basic necessities of life but, provided resources, it includes other requirements of life also. After the conquests when there was great mass of money in Sabil-ul-Mal the Holy Prophet (may peace be upon him) declared that those who were indebted and died without its payment, the Islamic state would pay their loan from the public exchequer. According to Abu Ubaid, when Allah opened for the Holy Prophet (may peace be upon him) the gate of conquests, he said:

"I am dearest to the Muslims even from their lives. Hence,

24. Ibid., p. 2180.
if any Muslim dies indebted, I shall pay the debt on his behalf, and if he leaves property that will go to his successors.” 26

In his another tradition the Holy prophet (may peace be upon him) enjoins the Islamic state to complete the uncompleted responsibilities of the dead, such as maintenance of his dependents, etc. Hadhrat Abu Hurairah reported that the Holy prophet (may peace be upon him) said:-

"If any one dies and leaves gold (property) it will go to his successors, and if he leaves helpless children then I am responsible for their maintenance.” 27

Hadhrat Naseer bin Ka'dikareb reported that the Holy prophet (may peace be upon him) said:-

"If the deceased leaves a heritage, it will go to his heirs and if he leaves responsibilities (uncompleted), I shall complete on his behalf.” Sometimes the Holy prophet (may peace be upon him) said:- "Allah and His Messenger are responsible.” Hadhrat Abu Ubaid says,"According to us responsibility includes the maintenance of all those members of the family, whose responsibility laid on the deceased's shoulders.” 28

28. Abu Ubaid, Kitab-ul-Imwal p. 237, Cairo, 1353 AH.
The above mentioned traditions and practice of the Holy Prophet (may peace be upon him) and his Sahaba (the companions) bring home to us that Islamic state responsibility of the social security has a very wide range and provided resources it covers all the needs of human life. Moreover, these traditions show that the Islamic state is responsible for providing the necessities of life to the poor and the destitute in the society. The Holy Prophet's (may peace be upon him) teachings and his practice in this respect serve as the light house for the coming generations and ages.

Islamic History tells that his true successors, especially the Rashid Caliphs, were very much careful and frightened about this duty. Bundhat Umar (may Allah be pleased with him) said:

"I am very much anxious that whenever I see any need, I should fulfil that. As for as we can individually meet the needs of one another, we should do so, but when we cannot do so individually then we shall do cooperatively until the standard of living of all of us is equalized. Also! You can know my sincere feelings about you;"
But I can explain them only through practice. By Allah, I am not a king that I enslave you, khalifat is the servant (trustship) of Allah. . . . . It is my duty to follow you (for your service) till you sleep in your homes with your meatful bellies, so I shall be successful in your matters. But if I take khalifat as my private ownership and compell you to follow me till you knock at my door for your needs, then I shall be forfeited. I may make sorry for a few days here, but thereafter I shall have to worry for a long period. Then none will listen to me and none will answer if I beg the pardon." 29

At another moment, he, in his general address, while he was enumerating his responsibilities, said:

"O People: I am responsible of detaining the prayers which are offered before Allah." 30

An eminent Shafi Jurist, Abu Mohamed Aliz-ud-din Abdul Anis bin Abdul Salem, explaining this statement, writes "To detain here means, that the Imam (the leader) should justify the wronged against the wrongdoers, so that the wronged need not to beg Allah for justice. He should meet their needs so that they need not to pray Allah for their needs' fulfilment. What a comprehensive


statement it is for the explanation of the ruler's duties to his subjects." 31

Hadrat Umer (may Allah be pleased upon him) had declared,

"who soever asks for money should come to me because Allah has appointed me treasurer and distributor of His treasury." 32

Famine of 19th A.H.... which was so much troublesome that the year of famine was named 'Yamur-Ramada in the history of Islam------was a challenge for the Islamic state of early times. But Hadrat Umer's sense of responsibility, efficiency, sincere efforts and good administration to deal with the trouble, is an ideal for the Muslim rulers. The details of the famine can be seen in the rest of the history, here I want to say only this that the general famine was so grave that all Hijaz remained under its shadow till nine months. People rushed towards big cities, especially Madina. Hadrat Umer (may Allah be pleased with him) made necessary arrangements for the supply of ration. Thousands of persons were served with meal twice a day. Edibles

32. Sunan-u-Jami. 8.101, Muttab-us-Sa'adat.
Cairo, 1342 A.H.
were brought by Caravans from Egypt, Syria etc. Thousands of
animals brought from different places were slaughtered. In short,
Hadrat Umer matched this strife in such a way as battles/fought.
He was so much grieved that the people started saying. If Allah
had not finished the famine of A’am-ur-Rasada, Hadrat Umer would
have died worrying about the Muslims.” 33

Hadrat Umer’s sense of responsibility for the social security
was so competent that even the animals of Islamic state could not
escape it. He used to say:-

"If any camel dies unattended at the bank of river
Parat, I afraid that Allah will ask me on the Day of Judgement.” 34

"If any goat dies shelterlessly, at the bank of river Rirat,
I am afraid Alla h will question me it on the Day of Judgement.” 35

"If any itching goat is left to die at the bank of a canal
in such a condition that she was not massaged(with oil) for medical
treatment, I afraid Alla h will ask me about it.” 36

Beirut, 1957.
34. Ibid, P. 305.
35. Imu-Juizi, مسيرة قرون حلب, P. 161, Matbe-tus-Saladat
Cairo, 1342 A.H.
36. Imam Ghilazi, رائج السيرة, P. 17, Matbea a Kharia,
Egypt 1306 A.H.
For the insurance of social justice and full maintenance of the citizens, hadhrat umer chaked out a tour programme of one year to survey the general condition of his people's life. He said:

"Insh Allah, if I alive, I shall make a survey of my subjects, all for I know that their some needs of people which I can not meet because the regional rulers do not inform me and the people themselves cannot approach me. Hence, I shall go to Syria, Al-Jera, Egypt, Behrain, and all there and at every of these places for two months (and thus complete a tour of full one year). Insh Allah! what a pleasant year it will be!" 37 But death stole the march over him and he could not fulfill his desire.

His night walk in the streets of Madina to know the needs of his people is an open secret of the history of Islam. Very often during this walk, he came to know any persons's need, he fulfilled it at once." 38

He had ordered his governors to maintain the social security of citizens. He said, advising hadhrat Abu Hanef ash'ary, "listen supply sufficient quantity of food in people's homes, and serve there relatives with meals." 39

Hadrath Amr abu nurrah said to hadhrat ameer kua'avia,'

أعرقت تولى الله صدرنا كما يسمع ل يقول من امام ماؤه فابدا دوه دون ذرى الجامع والحسنية وما سكنى ألا ع ظلة ار باطة خاص صا دون دوته د ولاسوس د داحتية ومسكينة، فجلب عالم درب من ميدان رأس

"I have heard the holy prophet (may peace be upon him) saying."

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37. Ibn-u-Janzi, p. 23, Natazu-tus-Sa'adat Cairo, 1342 A.H.

38. Ibid, Pp. 64-68.

39. Tartushi, P. 109 Natazu-kharis, Egypt 1306 A.H.
Any leader who shuts his doors against the needy, the poor and the 
beggar, Allah in response will shut the doors of His Heaven against 
his needs and miseries. Hearing this, Hazrat Umar appointed a 
person to meet the people’s needs. 40

This tradition of the Holy prophet (may peace be upon him) 
clearly points out that if the head of the Islamic state does not 
struggle for the fulfillment of his subject’s requirements, he will 
be wrongdoer and wicked.

"Hazrat Umar bin Abdul Aziz’s wife Fatima says, “Once I went 
to him and saw him sitting on a mat anweeping, and his beard 
trenched with his tears. I asked, “what has happened? He said: 
“I have accepted the responsibility of the Umma of Mohammed 
(may peace be upon him). I am thinking of hungry beggars, unattended 
patients, the wronged and miseries, travellers and 
detained, old age persons, and the persons with a large family but 
little means of income etc.” I know that Allah will question me 
about their social insurance and Hazrat Muhammad (may peace be upon 
him) will plead their case, hence, I am afraid that I shall not 
be able to prove my arguments in argumentation. So I took pity on 
myself and wept." 41

40. ٍ(Urdu) Vol. 1, Hadith No. 1343, Quran Nahal 
Karachi 1967.

Nahha Rahmaanis, Cairo, 1927.
"He announced publicly,

"I shall try my level best to fulfil the need of every one of you, provided it is brought to my notice." 42

In the light of above mentioned facts, one can examine the importance of social security and responsibilities of the Muslim society and the Islamic state in this respect. For further explanation of this important and noble cause, the study of the opinions of some prominent jurists will be of greater importance. Allama Jan-u-Hazin, a dominating figure in this field, writes:

"The rich of every village or city are responsible for the social security of their poor. If the income of Lat-ul-Wal does not suffice the social insurance of the poor and needy then the Amr (the Head of the state) can enjoin the rich for the maintenance of the poor i.e. He can forcibly get their surplus wealth and spend it to meet the poor's necessities. Primarily, it is necessary to provide them food, clothing and lodging, which can prevent them from rough weather and floods...... I declare that if a rich person possesses surplus edibles, while another person is dying of hunger and is bound to unlawful (Haram), this person should not eat Haram but forcibly get the rich's Wal (wealth) and use as much as can satisfy his hunger." 43

42. Ibid, P 41.

Cairo, 1347 A.H.
Hadhrat Imam Chisalti writes:

"It is the duty of a Sultan to help his subjects when they are hungry or in miserable condition especially in the days of famine and dearth because in these days the people can not earn their livelihood, so life becomes difficult. In these hard times, Sultan should serve the people with zeal and grant them money to make their life happy."  

Syed Ali Zada Hanifi, describing the duties of Ameer, writes:—

"Ameer should not leave any beggar in his state without granting; should not leave any indebted without making payment of his debt; should not leave any wronged without justice; should not leave any wronged, and dress every naked."  

The author of 'Maqta-ul-Kawmain' writes:—

"It is, therefore, the duty of the Islamic state to provide every possible facility to all its citizens to acquire these things according to their needs and requirements. These three things are:
Firstly the provision of food; Secondly the provision of clothing and shelter, for these two things are absolutely essential for life; thirdly the provision of a married life for it is necessary for the continuation of human race. 46

So far, the following points have been discussed:

1. What is the Islamic concept of social security?
2. Its importance in the light of the Holy Quran, Sunna, practice of Sahaba (companions) and the Rulings of Jurists.

Now a very important point relating the scope of the Islamic system of social security is being discussed.

**SCOPE OF THE ISLAMIC SYSTEM OF SOCIAL SECURITY.**

This topic will be discussed in the light of following questions:

1. Social security for whom?
2. Social security for what?
3. Social security up to which extent?

Let us answer these questions separately.

1. Social Security for whom?

Islamic system of social security is for the citizens of Islamic state, whether they are Muslims or non-Muslims. Quranic teachings, relating the distribution of wealth in the way of Allah, do not differentiate between the Muslim and non-Muslim. For example

the Holy Qur'an says:

وَيَطَّهِرُوا الْأَدْنَامَ عِلْيَّهَا عَلَى جَعَلٍ مِّنْ هَالِكٍ مَّعْسَمٍ وَرَوَاطٍ

"And feed with food the needy orphan, and the orphan, and the prisoner, for love of Him."

Have the fed needy or orphan or the prisoner may be the Muslim or the non-Muslim. The verse does not particularize the Muslim needy but includes the non-Muslim as well. The Holy Qur'an prescribes a law in this respect.

"Allah forbid you not those who warred not against you on account of religion and move you not out from your homes, that you should show them kindness and deal justly with them. So: Allah loveth the just dealer. Allah forbid you only those who warred against you on account of religion and have driven you out from your homes."

Islamic jurists have declared that except the obligatory taxes i.e. Zakat and Ushar because these are for specific and particular "beneficiaries", all the other taxes levied by the Islamic state for the income of Sat-ul-Mal are consumable to meet the needs of the non-Muslims as well. The Jurists drive its sanction from the practice of Khadrat Omer who included the poor and needy.


of people of scripture in the beneficiaries of Zakat. Hadhrat Imam Abu Yousef has taken his action on a basis of completing of 50 Islamic law concerning the social security of non-Muslims. Imam Abu Hanifa and Imam Hanbali imposed their rulings on it; they further declared that even the Quraysh Mustamin can be fed from the optional charity. 51

Hadhrat Umar once saw a person begging at a door. He asked angrily, "Why are you begging? Who are you?" He answered, "I am Jew (Zaid) and, old age, poverty and payment of Janah have forced me to beg." He sought him by hand and brought him home and granted him what itsower was in his home. Then ordered the surfer of Nat-ul-Kal to enlist the person of such sort and grant them old age pension monthly. By Allah! We are not just if we eat their blood but neglect their sorrows. [Look! Allah says: (سادسات الزكاة) (Sadaqat, Zakat) are only for the poor and the needy] and according to me, by the poor means the Muslim poor and by the needy, means non-Muslim needy. These are the poor and needy of the people of scripture." Then he granted them Janah concession and started their old age pension from Nat-ul-Kal. 52

In the period of Hadhrat Abu Akef Sadiq, when Hadhrat Khalid conquered Heera, he signed a pact with the people of Heera which is a treaty on equality of Muslims and non-Muslims in social security.

51. Abu Yousef, Kitab-ul-Khiraj P. 126, Cairo 1346 A.H.
52. Imam Abu Yousef, Kitab-ul-Khiraj or cit, PP. 150-151, Matba Salfia Cairo, 1346 A.H.
I declare that if any of Muslims is disabled to work due to old age or is overtaken by any misery or any wealthy become destitute, and his creed fellows start giving him alms than all such persons will be granted Jazia concession and as long as they live in Dar-ul-Islam (Islamic state) they, along with their families, will be fed from Jazia funds.

Hadhrat Umar was on his tour of Syria, during his journey he saw some Christians suffering from leprosy. When he examined their disability to work, he ordered for their daily allowance. In the light of this one can say that Islamic system of social security is both for the Muslims and the non-Muslim citizens of Islamic state. It is both for the friend and the enemy. It is a river from which every one can quench his thirst. It is a shady tree under that shade every one can take rest.

11. Social Security of Islam

Primarily, social security is meant for the basic necessities of life and generally food, clothing, lodging and compulsory medical treatment are considered as the bare needs of life. But, Islamic system of social security includes education, old age service married life etc. in the list of the basic necessities. Islamic

State of early era fully provided her subjects these requirements.

In the above discussion, so far, it is stated how the Islamic society and Islamic state meet the basic needs of food, clothing, lodging and compulsory medical treatment. For the trend of Islamic state towards other necessities will be discussed. The other necessities of life will be named "secondary needs".

1. Education

In the other necessities of life, education is of second importance. The Islamic state of early era used to make necessary arrangements for the compulsory education of her citizens. The Holy prophet (may peace be upon him) even did so, and he made Hazrat Saad bin 'Ali to learn the Jewish language. 55 He (may peace be upon him) ordered the every one of the prisoners of Badar to teach ten boys of Medina as the condition of his freedom. 55 He asked Hazrat Saad bin 'Ali's to teach the people of Medina "reading and writing." 56 We came to know by several traditions that the Holy prophet (may peace be upon him) used to send his companions (may Allah be pleased upon them) to different villages to teach the people Islamic ways of life. Once he sent seventy of his Rasura (the helpers of Medina) companions to different tribes of Arabia for the education of the Holy Quran. These pious teachers used to collect wood at day to meet their needs, and also school the villagers at night. 57 These traditions

57. Mohammad Ibn-u-Sad, , Beirut, 1957.
bring home to us that the Holy prophet (may peace be upon him)
launched a comprehensive programme for the education of the citizens
of the Islamic state, on large scale. His successors followed his
tracks and emphasised such importance to education of their people.

Hadrat Umar appointed teachers from Bab-ul-Mal for boys' education. 58

"According to Hadrat Umar, there were three
persons in Medina who were to teach the children and Hadrat Umar
paid them from Bab-ul-Mal. He ordered his governor to furnish
his office with the list of the best classes, so that he might
appoint them, on higher standards, to teach the people in the
different parts of the country. Hadrat Umar bin Abdul Aziz
appointed paid teachers for the education of the villagers Muslims. 61
He granted scholarships to the students and other those who could
not earn their living due to educational responsibilities. 62

2. Payment of Debt.

The payment of debt on behalf of indebted persons, who were
otherwise helpless, from Bab-ul-Mal. This was done even in the

53. "I. A. Fattahi, "Vol. 2, quoted by Dr. Hujat-
Ullah Sattari, "Vol. 2, P. 112,
59. Iblid, P. 112.
60. Iblid, "P. 262, Cairo, 1353 A.H.
61. Iblid, P. 261.
62. Iblid, P. 261."
days of the Holy prophet (may peace be upon him). His successors (for example Hadhrat Umar and Hadhrat Umar bin Abdul Aziz) used to aid the indigent from fit-ul-Hilal so that he might be able to say his debt.  


Unmarried poor were assisted from fit-ul-Hilal to enable them financially for a married life. Hadhrat Umar bin Abdul Aziz wrote to Zaid bin Abdul Rahman bin Umar bin Khattab, the governor of Kufa, to support from fit-ul-Hilal these needy persons who had adopted married life.  

4. Construction of Taverns.

Wayfarers are very often pitiable, especially in the early ages when the means of transportation were equal to none; particularly those travellers who get tired before reaching their destination. Islamic system of social security obligates the Islamic state to make necessary arrangements for these wayfarers. Islamic Economic System tells that the Islamic state of even early period constructed taverns for this purpose. Hadhrat Umar (may Allah be pleased with him) built taverns on the way between Mecca and Medina.  

Hadhrat Umar bin Abdul Aziz ordered his governors to construct such inns as would serve the wayfarers with food and lodging free of charge.

63. Ibd., p. 251.
64. Ibd., p. 251.
The expenses of nursing and breeding for the foundlings were paid from Jat-ul-Hal, and parents were given allowance for the new-born child. 67 In the beginning 100 dinars per child per annum were fixed but this amount was later on increased. 66


Islamic state is basically the servant of the citizens. Islamic caliphs' character in this respect, is an ideal. Hadhrat Abu Bakr himself used to milk the goats of some persons. When he was elected caliph, some girls said, "You who will milk our goats." He replied, "I shall, if Allah pleases." 69According to Hadhrat Umar, there was an aged woman in Madina and Hadhrat Abu Bakr used to serve her; except and her room, filled her pitcher with water. 70 One can say that Hadhrat Abu Bakr being the head of the Islamic state, could appoint any servant for this purpose, but he did it himself with the zeal to attain the pleasure of Allah. This service trend is a distinguished feature of the Islamic system of social security.

67. Ibn Sa'd,  al-Tabari,  P.236, Cairo, 1353 A.D.
Hadhrat Umer, at the time of 13th A.H. [634 A.D.], appointed several
servants to serve the hungry with meal twice a day. In those days,
when the persons from different parts of the country came to Madina
in search of food, Hadhrat Umer saw a person eating with his left
hand. He asked him why he was eating with left hand. The person replied, "O slave of Allah! my right hand is bad."
Hadhrat Umer asked, "Where is it bad?" He replied, "It was cut off in the battle of Poona." Hearing this, Hadhrat Umer sat beside him and
asked weeping, "Who helped you in making ablution? Who washed your head?
Who cleans your clothes? Then he appointed a servant for his service,
graded into a house and other necessities also. Seeing this sympathetic
treatment with the person and considering his other struggles for the
social security of the people, the companions of the Holy Prophet (may
peace be upon him) prayed for Hadhrat Umer in a loud voice. 71

Hadhrat Umer bin Abdul Ain appointed servants for the blind or
otherwise disabled persons and shelterless orphans of Syria. 72

111. SOCIAL SECURITY WITH WHICH SYRIA

Islamic system of social security is rigid as well as flexible
in its nature. Its laws regarding the fulfilment of the basic needs
of the life of the citizens are rigid while its rules relating
the secondary needs are flexible i.e. the Islamic state and the

69. Syed Qutb, (Urdu) P. 441,

70. Ibid. P. 442.

71. Imae Bokhary, ibn Hasan Aba Shabani,
chaplain, Hadith No. 952.

Maktabat-ul-Naujâh, Cairo, 1331 A.H.
Muslim society both are legally responsible to meet the primary needs of the citizen’s life, whether they are Muslims or non-Muslims, but as far as the secondary requirements are concerned, their fulfillment depends upon the availability of resources. Moreover, the nature of fulfillment of the basic needs is also flexible in their nature i.e., a poor state can meet these necessities with low standard while the rich state will fulfill them with a higher standard.

Again, the flexibility of the Islamic system of social security may be considered from another point of view. State with limited means will meet the basic necessities of the needy and the poor on the basis of maintenance allowance, but the state with numerous resources may grant her help as much as she render them carefree afterwards. This last aspect of flexibility arises its sanction from the practice of Hadhram Youm, he said-

"By Allah! If I remain alive in the next year, I shall grant the widows of Iraq as much as will make them not to request any other calipha for help." 73

In the light of this we see that the Islamic state, provided resources, can give its citizens as much as to make them to stand on their feet.

73. Abu Yousefi, كتاب الطهارة op.cit. P. 37.

Eldaba Selfie, Cairo, 1346 A.H.
CHAPTER 9

ORGANIZATION OF ISLAMIC SYSTEM OF SOCIAL SECURITY.

Islamic system of social security comprises two sectors:

1. Privat Sector.
2. Government sector.

1. PRIVATE SECTOR.

This sector of social security is run by the Muslim society without much care of the Islamic state. Its institutions and their leaders work themselves because Islam obliges them to do the same and the state will have to intervene only where it is necessary.

This sector is comparatively more important because it constitutes the infrastructure of the social security system in Islam.

INSTITUTIONS OF THE SECTOR.

Its institutions and agencies are as under:

1. Home.
2. Family.
3. Muslim society.

1. HOME.

Home is the first institution of social security in private sector. Here a person is provided with all his basic necessities of life.
Here a person leads a life of privileges and responsibilities. In home a person leads the life either of one of the parents or of a son's daughter. If he is a father (husband), he is the head of the family and he has to perform certain duties to his wife and children. He has to work hard to fulfill their basic necessities of life.

As a husband, a person is enjoined to deal with his wife gently and meet her necessities as far as he can. The Holy Quran says:

"And consort with them in kindness, for if you hate them it may happen that you hate a thing wherein Allah has placed much good."  

"And give unto the women (whom you marry) free gift of their marriage portions."  

"And lodge them where you dwell, according to your wealth, and harass them not so as to straiten life for them. And if they are with child then spend for them till they bring for th their burden."  

The Holy Prophet (may peace be upon him), in his several traditions, has explained the rights of a wife on her husband.

1. Al-Quran, 4:19.
2. Ibid, 4:4
"He is the best of you as a Muslim who is the best of you in dealing with his wife." 4

Islamic system of social security obliges the husband to provide the wife with her all necessities of life as long as she is in his home and under his control. Islam does not permit her to go outside the home without proper permission of her husband. Islam has made her the queen of the home, here she enjoys some privileges; her husband is the custodian of her honour and needs; she is fully authorised to maintain household affairs but she is not allowed to go outside for earning and making merry with other persons. The West has sent her out of home for earning because the husband had refused to insure her needs. This makes weak sex was bound to work in factories, office, and films and even in the centre of prostitution for earning. We see that the West has given her preference in certain offices and professions such as consul, embassies, communications, journalism and special commercial centres. This preference is not a privilege or honour bestowed upon her by the lust of Europe but is a coloured trap and mockery to satisfy its lust for the feminine and for the satisfaction of prophet motive in business. Because the materialist and clever West knows how a woman can easily succeed in these affairs,

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4. Hadith No. 1161.
and all this is being done under the title of "Women freedom".
Notwithstanding, that Islam does not allow her to go outside of her home to earn her living, no doubt she can do so but with some limitations and conditions which have been prescribed for her honour and dignity.

"So good women are the obedient, guarding in secret that which Allah has guarded". 5

Here the word "that which" is both for property and self respect.

In home she is responsible for the upbringing of her children and the cooperation of her husband.

"Mothers shall suckle their children for full two years; (that is) for those who wish to complete the sucking. The duty of feeding and clothing the nursing mothers in a seemly manner is upon the father of the child. No one should be charged beyond his capacity". 6

Moreover, in home, the father, as the head of the family, is enjoined to maintain his children. In pre-Islamic society (and even nowadays in some societies) the female issue was considered as

5. Al-Quran 4:34.
a burden and badness. The Holy Qur'an pictures such situation in these words:

"(When he listens the news of his daughter's birth) He hides himself from the folk because of the evil of that whereof he had hide tidings, (asking himself) shall he keep it in contempt, or bury it beneath the dust. Verily evil is their judgement." 7

But Islam, the religion of kindness and mercy, has raised her from this pitiable condition to an enviable position. Holy prophet (may peace be upon him), in his a tradition by Nadhret Anna bin Malik, says:

"Whoever brings up his two daughters (in good manner) he will enter the Paradise with me as closely as my two fingers are close to each other" and he signed with his fingers." 8

Can the present status of woman in the West or Communist society be compared with this?

Let us proceed further. In home a person leads the life of a son, as long as he is young he is loved and feeded but when he attains his puberty, he has to accept some responsibilities for his parents.

The Holy Qur'an says:

"وَوَدَرَتْ الأَمْمُ الَّتِيْرَوتْ بِعَمَّامِ هَمَّةٍ وَعُمَرَةٍ وَهُمْ وَفُرْقَانُ يَوْمَ الْقَيْمَةِ" 9

* And we have enjoined upon man concerning his parents--- His

7. Ibid. 16:59.
mother beareth in weakness upon weakness, and his warning is in
two years—Give thanks unto Me and unto your parents.” 9

"Thy Lord has decreed, that you worship none save Him, and
(that you show) kindness to parents. If one of them or both of
them attain old age with you, say not "Pig" to them nor repulse
them, but speak to them a gracious word. And lower to them the
wing of submission through mercy, and say My Lord! Have mercy on
both as they did care for me when I was little." 10

The Holy prophet (may peace be upon him) has advised the son to
look after his parents and spend his wealth to meet their needs.

In a tradition the Holy Prophet (may peace be upon him) has decreed
that a man and his wealth are his father's property. In another
tradition on the authority of Hadhrat Abu Hurairah the Holy prophet
(may peace be upon him) said, "Hatred for father is as a great sin
as disbelief in Allah."

"According to Abu Hurairah, a person asked the Holy prophet
(may peace be upon him), to whom he should show kindness?" The Holy
prophet (may peace be upon him) said, "Thank "To your mother".

   Vol. 2nd. از ، Hadith No. 1.
The person again asked, "Then?" The Holy prophet (may peace be upon him) replied, "To your mother." The person for the third time asked, "Then to whom?" The Holy prophet (may peace be upon him) said, "To your mother." The person for the fourth time asked, "Then to whom? The Holy prophet (may peace be upon him) said, "To your father." 

We see that in this tradition the Holy prophet (may peace be upon him) has preferred the mother three times upon father in kindness, because being weak and kindhearted she needs more care than father.

In short, Islam established a sound system of social security through this institution.


all the kin and kin, and every one of them, if he cannot get his necessities insurance from the first institution i.e. home, would receive from this department of social security. Any muslim who belongs to this institution is both legally and morally obliged to assist his relatives. The holy Quran says:

"And the owners of kinship are closer to one another in the ordinance of Allah than (the other) believers." 13

"And Give the kinsmen his due, and the needy, and farer, and squander not (your wealth) in wantonness." 14

"And serve Allah. Ascribe no thing as parter to Him. (show) kindness to your parents, and to your near kindred." 15

"They ask thee, (O, Mohammed (may peace be upon him), what they should spend. Say: That which you spend for good (must go) to presents and near kindred and orphans and the needy and the wayfarers." 16

15. Ibid, 4:36.
"It is prescribed for you, when one of you approaches death, if he leaves wealth, that he bequeath into parents and near relatives in kindness. (This is) a duty for all those who ward off (evil)." 17

In the light of the above mentioned verses we observe the following:

1. **Kins**: To support the family member (kins) is from a person's duties.

2. **Kins are next to parent in kindness.**

3. **Kins are sharers in a man's property in his life if they are financially worried, and after his death they would receive their due right from his inheritance.**

4. **Islamic system of social security wants a wider circulation of wealth and its justifiable distribution through this institution. Islam emphasises so much importance on feeding of the poor relatives that it advises its followers to support even their those relatives who have misbehaved or injured them spiritually or physically.**

The incident of Ziq 18 is the best example of this.

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18. **Ziq**: It is a famous incident of Islamic History. In fifth year of the Hijrah, the holy prophet may peace be upon him) was returning from the campaign against the Banil'-Mustaliq, Hazrat Ayeshah, having been left behind on a march, and found and brought back by a young soldier of Islam who let her mount his camel and himself led the camel. But, the hypocrites, who enticed even some simpleminded Muslims as well, slandered Hazrat Ayeshah in this connection. When Hazrat Abu Bakar heard that a kinsman of his own whom he had supported had been among the slanderers of his daughter, swore no to support him, and this verse was revealed on that occasion. (Mohammed M. Ficthall, The meaning of the Glorious Koran. P. 253,255.)
"And let not those who possess dignity and ease among you
swear not to give to the near of kin and to the needy, and to the
fugitive for the cause of Allah. Let them forgive and show indulgence.
Yea, and that Allah may forgive you. Allah is Forgiving, Merciful."

Now let us consider some Hadiths of the Holy Prophet (may peace
be upon him) which throw light on the need of the financial support
of relative, and, thus explain the importance of this institution of
social security.

Please read with me the incident of Ḥadrat ʿAbdullāh. He had a
very thick garden of dates named ʿAerha, which is situated in front
of Masjid-i-Jabli. There is a well in it, whose water is sweet and
cold. The Holy prophet (may peace be upon him) visited it and drank
water from its sweet well. Ḥadrat ʿAbdullāh loved it very much.

But when verse "You cannot attain piety of Allah until you spend
your the loveliest good (for His sake)." 20 ʿAbdul ʿAbdullāh, whose soul
and heart had been purified from this ill rotten wealth, stands up
and says, "O, Messenger of Allah! Ṣaerha, the garden is the dearest
of mine, I want to appropriate it in the way of Allah. You can spend
it where ever you like." But the Holy prophet (may peace be upon him)
who knows the importance of the relative maintenance, said, "Divide it
among your kins." 21

21. ʿAbdullāh ibn ʿAbdul ʿAbdullāh quoted by ʿAbdul ʿAbdullāh Al-Majīd Vol. 1 chapter
Hadith No. 17. Sh. Shulem ʿAbd and sons Lahore 1964.
Kahfah Abu Fursiyan said:

"I heard the Holy Prophet (may peace be upon him) saying,

"who wants enlargement in his livelihood, and a long life, should be kind to his relatives."

The Islamic Jurists have legally prescribed the law of the maintenance of relatives which we shall discuss in the coming chapters.

iii. MUSLIM SOCIETY.

Third institution after the home and family is of Muslim Society. This institution is the greatest in size, the widest in jurisdiction and the most powerful in effect. This institution will provide every individual his almost all necessities of life. If a person is deprived of home and family, he can find shelter in this institution of social security. For the provision of the community at large this institution provides the following agencies.

1. Neighbourhood.

ii. Walee and Waasee.

iii. Wakeel.

iv. Kafeel.

Let us study these agencies in details.

22. ٖٞٙٞٙٞ (Urdu) Vol. 1, Quran Mehal Karachi (N...)

Hadith No. 923-924.
This institution is run by the neighbour. Neighbour is a prominent figure in Islamic society. He may not be our blood relative but can be more closer, more beneficial and more helpful for a person. We can further declare that only a neighbour can be our immediate attendant. Islam, unlike communism and materialistic capitalistic society, obliges every Muslim to be quick and sincere helper of his neighbour. Islam enjoins us to be courteous, merciful and kind to our neighbour. The Holy Quraan prepares every Muslim legally and morally to look after the economic necessities of his neighbour.

"And serve Allah, ascribe no thing as partner unto Him. (show) kindness to parents, and to near kindred, and orphans, and the needy, and unto the neighbour who is of kin (unto you) and the neighbour who is not of kin. 23

وَإِذَا لَيْتَنُونَ وَلَيْتَنَّ لَيْسَ وَلَيْتَنَّ لَيْسَ. مَيْلِ وَسَنْ يَارَحْسُونَ إِلَيْهِ وَلَزْيَنِكَ لَيْأَحُسْ جِيْرًا لِأَنْ وَرَقَةَ

"The Holy prophet (May Peace be upon him) said: "By Allah he is not Muslim. By Allah he is not Muslim. By Allah he is not Muslim." Then the Holy prophet (May Peace be upon him) was asked, who is he, O, Messenger of Allah!? The Holy prophet (May Peace be upon him) replied, "He, who teases his neighbour." 24


Hadrat Abu Abbas says, "The Holy prophet (may peace be upon him) in another tradition said, "He is not muslim who eats food but his neighbour eats his night, by his side, with hunger." 25

According to the teachings of Islam even the non muslim neighbour must be treated with mercy, sympathy and goodness, and his social security must be maintained." 26

"According to Hadrat Aysha the Holy prophet (may peace be upon him) said, "Ibreat has advised me so repeatedly, for courteous to the neighbour till I thought that He would make him (the neighbour) sharer in inheritance." 27

In another tradition the Holy prophet (may peace be upon him) said, "You are as much responsible for your neighbours as to your family members."

These Hadiths emphasise so much on the social security of our neighbours that if these traditions are carried out then no one would be found in civic trouble or deprived of his basic necessities of life.


26. یسوع محمد خیتانا- یار.

In society there may be several persons who have no near relative who, after his death, can be responsible for the upbringing of his children; for payment of his debt or distribution of inheritance according to his advice, or even the payment of his funeral charges. Naturally in such circumstances every body worries, and even the Prophets could not escape this instinct. 

Prophet of Madhur Mahadirish
is a fool proof of this hypothesis. He says:

"O Lord! Lo! the bones of my jaw are feeble and my head is shining with grey hair, and I have never been unblest in prayer to Thee, my Lord. Lo! I fear my kinfolks after me, since my wife is barren. Oh, give me from Thy presence a successor, who will inherit of me and inherit (also) of the house of Jacob, and make him, my Lord, acceptable (unto Thee)."

In this situation, Islamic society provides us insurance through the institution of "Wasee or "wasi".

According to this institution a person can appoint any other reliable person as his executor, who will perform his duties on his behalf. In Islamic law the Wasi or executor has some legal powers to perform his enjoined duties. According to Jurists a Wasi/Wasee has the following powers:

1. An executor will work as a substitute in his appointee's

office. Moreover, according to Hanfi school of thought, an executor (wasi) can nominate another executor in his lifetime who will be his substitute in his office. But Hadhrat Imam Shafi does not authorize the executor to appoint his executor to act as his substitute even in his life. 29

2. An executor is entitled to possess himself of the portions of infant and absent adult heirs on their behalf. 30

3. An executor may sell the property of the estate for the discharge of debts upon it his appointee. Moreover, he is authorized to sell and buy property on behalf of his appointee. 31

4. An executor may accept a transfer for a debt due his infant ward. 32

In short, a Wasi (or Wali) may perform all the legal obligations of his appointee on his behalf. What are the duties assigned to an executor? It can be easily answered that his legal powers are his obligations. But jurists have prescribed his duties in detail. They have, further, declared that the Wasi will be legally enjoined to perform his duties properly, failing which he may be sentenced punished even. Jurist Mughalani has stated in brief, the duties of executor as under:-

1. To purchase his (appointee's) coffin and arrange his funeral ceremonies.

2. To provide his infants with food, clothing and lodging.

3. To pay sumnat (trust) and return of confiscated property and the goods bought through unlawful bargaining.


5. Payment of Zakaat.
7. To strive for his right.
8. Acceptance of 'Inheritance' on his behalf.
9. Struggle for revocation of his last will.
10. Sale of quick rotten goods, etc. 

Historically, this agency worked even in the time of the Holy prophet (may peace be upon him). The Holy prophet (may peace be upon him) was willed (guardian) of Hadhrat 'Obayd-ullah bin 'Abdulla bin 'Abbas's son Umme Zainab daughter of `Abbas's son; Hadhrat 'Omar's son; Hadhrat 'Abdullah's daughter of tribal banu Saeed. 

Hadhrat 'Obayd-ullah bin 'Abdulla bin 'Abbas's father martyred in battle of Uhud but before his martyrdom he appointed Hadhrat 'Obayd-ullah (may peace be upon him) granted him (Hadhrat 'Obayd-ullah bin 'Abdulla bin 'Abbas) a house in the bazaar 'Ifrasen' and bought for him a land which was enough for his social security. 

Umme Zainab's father Hadhrat Sa‘id bin 'Abdullah appointed him (may peace be upon him) his daughter's waseef, accepting the guardianship of Hadhrat 'Omar's son (Hadhrat 'Obayd-ullah and Hadhrat 'Abdullah) the Holy prophet (may peace be upon him) said, "I am their guardian here and hereafter."

Among Sahaba (the companions of the Holy prophet), Hadhrat Zubair bin 'Awam was famous for their noble cause. He was executor

of seven prominent Sahabah i.e. Ubayy bin Ka'b, Su'ud bin 'Adi, 'Abdullah bin Mas'ud, 'Abdul Razzak bin Usman, 'Abd Allah bin Talha, 'Abd al-Rahman bin 'Abdallah and 'Abd al-Rahman bin 'Abd al-Malik". 37

In another tradition it is stated that he (Sa'eed bin Zaid) was appointed Wazir by seventy Sahabah. 38

iii. WAZIR (WAZIREH).

This agency helps those persons who are unable to perform certain duties. Or persons with overcrowded business or duties, appoint any other person as their advocate to work on their behalf.

The jurisdiction of advocates is very wide and it includes about all human activities in his advocacy. The runner of this institution offers his service free of charge or on minimum charges. We can say that this institution provides the facilities of "Liabilities Insurance". Islamic Jurists drive its sanction from this verse of the Holy Quran:

نا بحول غاكم نور جسمكم داراً إلى المدرسة

"And now send one of you (to your advocate in purchasing meal for you) with this Note of money from the city." 39

The Sunna of the Holy Prophet (peace be upon him) is an argument for its sanction. The Holy Prophet (peace be upon him) associated Iskeen bin 'Abdun as advocate for purchasing animals for sacrifice and the use for marriage of 'Abdul Qasim b. Muhammad, etc. 40


Karachi 1972.

Ulunya ʿAdhrami ṣawwabu ƙarin da mara da Ināran Tare Incuban. Every one of the four schools of Islamic thought i.e. Ḥanafī, Shafi'i Maita' and Ḥanbali apportion this agency. 40

Shaikh Hurghanyani has defined this institution in this way—

"It is lawful for a person to appoint another his agent, for settlement in his behalf of every contract which he might have lawfully concluded himself, such as sale, marriage, etc. as forth, because an individual is sometimes prevented from acting in his own person, in consequence of accidental circumstances (such as sickness, or the like), he is therefore admitted of necessity, to appoint another his agent, in order that that person may execute his wants by means of appointment." 41

### iv. AGENCY OF KAN IS (SUCCESSOR),

Islamic Jurists have derived its legality from the verse of the Holy Qur'an. 42

"And her lord accepted her with full acceptance and vouchsafed to her a goodly growth, and made He cherish her adoption." 43

The runner of this agency insured the liabilities of other person.

In this way he accepts the responsibilities of the others and struggles for their performance properly and in due course of time, thus he provides shelter for the poor, old men and disabled members of society, by minimizing their difficulties and insuring their dangers.

The existence of this agency is of much interest for the smooth running of society. The runner of this institution, voluntarily accepts bailment of the mortgaging of an order, for cement of poor's debt, to support w.i.n. and co.
Islamic jurisprudence regarding Zafar (defence) is as follows:

"Zafarit, literally, means defence. In the language of law it signifies the function of the person to defend in relation to a claim (one one have held, in relation to a claim only, but the first in most current definitions. It means the tenant obligatory on himself, the claim of another, whether it relates to person or property, in termed the Zafar, or defence.

In the language of law the Zafar for person is termed Hazir-Selemini, and Zafar for property is termed ‘Al-Jamia. The Holy Prophet (may peace be upon him) said:

"The reply is responsible." 44

40. Abdul Rahman al-Jazairi, 40
Vol. 3 P. 167-168, Egypt (1941)


42. Abdul Rahman al-Jazairi, 42
Vol. 3, P. 221, Matbaa Chirkeel-Fann, Egypt (1941)

43. Al-Quran 3:97.

CHAPTER 10

SOURCES OF MAINTENANCE OF PRIVATE SECTOR.

In order to maintain this sector of social security Islam prescribes the following measures:

A. Legal Measures.
B. Optional Measures.

Let us discuss these measures in detail.

A. LEGAL MEASURES.

Here by legal measures we mean those steps which defaulter is criminal in the eye of Islam. We can further classified these measures as under:


A. (i). Positive Measures. These are the following:

1. Law of Inheritance.
2. Expiation Money.
3. Guardianship.
5. Will.

Let us study these measures in brief.

1. Law of Inheritance.

The law of inheritance is of basic importance in the Islamic system of social security; because of this law the wealth
circulates \( (\ldots) \) among the different members of the family. It cuts the root of hoarding and concentration of wealth.

Communism has tried to crush even the concept of inheritance, while capitalism has modified its law injustice. The law of inheritance that is generally prevalent in Europe is the rule of primogeniture—that is to say, all the property of the deceased goes to the eldest son and all the other children are totally deprived of it. Moreover, at certain occasions, a man can, if he so wished, dispose of his whole property by will to any person, thus depriving even the male offspring of a share in inheritance. Hindu code excludes the females from inheritance and only the male members of a family jointly inherit the property.

To see that if Hinduism has narrowed the circulation of wealth (due to its joint family system of inheritance), Capitalism has made it narrower (because of its law of primogeniture), whereas communism has strived to cut even the root of it. On the contrary, the system of dividing inheritance laid down by Islam does away all these irregularities.

Islamic Law of Inheritance as stated by the Holy Quran is as follows:

\[(\ldots)\]

There is a share for man from what is left by parents and kinsmen, and there is a share for women from what is left by parents.
and kinsman, whether it be little or much—and if a legal share.

And when flocks and orphans and the needy are present at the division (of heritrye), bestow on them therefrom and speak kindly unto them. 1

(And to you belongeth a half of that which your wives leave, if they have no child; but if they have a child then unto you the fourth of that which they leave, after any legacy they have bequeathed, or debt (you may have contracted, hath been paid). And unto them belongeth the fourth of that which you leave if you have no child, but if you have a child then the eighth of that which you leave, after any legacy you may have bequeathed, or debt (you may have contracted, hath been paid). And if a man or women have a distant hair (having left neither parents nor child), and he (or she) has a brother or a sister (only on mother’s side) and then to each of them twain (brother and sister) the sixth, and if they be more than two, then they shall be sharers in third, after legacy that may have been bequeathed or debt (contracted) not injuring (the heirs by will) more than a third of the heritage hath been paid. A commandment from Allah. Allah is knower, Indulgent.”

“They ask you for a pronouncement say: Allah hath pronounced for you concerning distant kindred. If a man dies childless and he has a sister, her’s is half the heritage, and he would have inherited from her had she died childless, and there are two sisters, then

2. Ibi', 4:11-12.
there are two-thirds of the heritage, and if they are brethren, men and women, then for male in the amount of the share of two females. Allah expounds to you, so that you are not, Allah is Knower of all things. 3

The characteristics peculiar to the aforementioned system of inheritance, derived from the above mentioned verses of the Holy Qur'an, are as follows:

1. A long list of inheritors has been prescribed in accordance with the degree of relationship, because of which the inherited wealth gets a very wide circulation.

2. Against all other systems of inheritance in the world, Islam has given to women also the right to inherit property.

3. The deceased can neither devise any legal heir nor can make any kind of modification in prescribed share of any heir. He can make a will of 1/3 of his property to other than legal heir.

4. No distinction has been made among children on the basis of seniority of birth.

5. It has been forbidden to make a bequest in favour of any heir, in addition to the prescribed share.

6. A part of property i.e. up to 1/3 can be bequeathed to one who may not be an heir.

In short, the Islamic law of inheritance is a very powerful and effective measure both in checking the concentration of wealth

in fewer hands, and in circulating it among the larger of section of community. Mr. Remmey says, Islamic law of inheritance is based on more reasonable and perfect principles than is known to the civilized world.

II. Kaffarat (Evolution Money).

For the smooth running of the private sector of the Islamic system of social security, there is another measure of Kaffarat (Through this channel wealth is channelized from the rich to the poor and the needy.

Kaffarat are religious obligations imposed upon certain persons, (for the help of the poor) in order to atone for their sins. A list of such kaffarat, as outlined by the Holy Qur'an, is as under.

A. Kaffarat-iz-zihar.

If a husband compares his wife with the buck of a female within prohibited degree of relationship (which amounts to taking an oath not to have consensual relations with her), he has to spend (compulsory in some cases and voluntarily in others) some of his wealth over the needy and the poor.

The Holy Qur'an says:

"Those who out away their wives (by saying that they are as their mothers) and afterward would go back on what they have said, (the penalty) in that case in the freeing of a slave before they touch one another, unto this you are exhorted; and Allah is
Informed of what you do. And he who does not find (namak the where
withal), let him fast for two successive months before they touch
one another; and for him who is unable to do so (the perances) the
feeding of sixty needy ones. 5.

5. Kaffarat-ul-Faman.

If some one breaks his vow after having taken it, he has
been enjoined to spend some of his wealth over the poor and needy.
لا فارحتم ان لا يوجد للا rẻم creams لا يذكرك بما خضت الإيمان 3 كفر
 Purpose. إطعام عشر ساكنين من أسره، يا تطهير أصفحم ادعك وبإطعام

“Allah will not take you to task for that which is unintentional
in your oaths, but He will take you to task for the oaths which
you swear in earnest. The kefera (expiation) there of is the feeding
of ten of the needy with the average of that wherewith you feed
your own folk, or the clothing of them, or the libration of a slave,
and for him who does not find (the whereithal to do so) than a
three days fast.” 6


If a pilgrim is prevented from going to Mecca for his Haj
performance, he is enjoined to send gift (duja) to Mecca and not to
share his head until the gift reaches its destination. But if he share
his head before the arrival of Mecca, he shall have to spend some
of his wealth over the poor.
In fasting, let us consider the above verse, which states: "If one of you worships in the manner of fasting, he shall feed a poor man in the equivalent of that which he fasts of, or feed a poor man in the equivalent of the time you are not permitted to eat.

The Holy Quran states: "If you are prevented from performing the obligatory prayer, you shall feed a poor man with the equivalent of the time you are not permitted to eat. And if you are prevented from performing the obligatory prayer, you shall feed a poor man with the equivalent of the time you are not permitted to eat.

Perform the obligatory prayer (salah) in the morning and evening."

It is clear from the verse that fasting in the morning and evening is obligatory. However, if one is prevented from performing the obligatory prayer, he should feed a poor man with the equivalent of the time he is not permitted to eat. This is a form of compensation for not being able to perform the prayer. Additionally, it is important to note that if one is prevented from performing the prayer, he should still feed a poor man with the equivalent of the time he is not permitted to eat. This act of charity is a substitute for the prayer and is a form of compensation for not being able to perform it.
the sins, for which the above prescribed Kafr (expiation money) and ta'awwul must be committed by a man to a woman i.e. if a person breaks his vow after having it, he does not break through any's home; if he kills a wild game, he does not kill a person; and if he shaves his head before the arrival of Hajj gift to Mecca, he does not injure anyone. In all these cases he has committed sins to Allah. But we see that the Almighty Allah accepts his repentance only if he sends His word eleven. But a good system of social security it is.

III. OUR LAWS.

For the provision of the children, whose father has died, the Islamic system of social security provides the law of guardianship. Under this law a mother is entitled to the custody (Hijrat) of her male child until he has completed the age of seven years, and her female child until she has attained puberty. 9

Failing mother (due to her death or divorced), the custody of a baby under the age of seven years, and of girl who has not attained puberty, belongs to their other relatives an nearest paternal grandfather, full brother and his son, mother's mother, real uncle and his son, full sister and her daughter, utrine sister and her daughter—paternal aunt—paternal aunt. 10

IV. Maintenance of Relatives.

"And the owners of kinship are closer to one another in the ordinances

10. Ibid, PP. 139,139.
of Allah (the n other) 

This measure of social security is interlinked with the law of guardianship in some respects, but its circulation and jurisdiction is wider than that of guardianship. Hence, the Islamic Jurists have discussed this law separately. According to Haskafi, there are three causes for which it is incumbent on one person to maintain another, these are marriage, relationship and property. Maintenance includes food, reainment and lodging. Let us study the different shades of this law in brief.

A. Maintenance of children and grand children.

4. If the father is poor and incapable of earning by his own labour the mother; if she is in easy circumstances is bound to maintain her children as the father would be.

6. If the parents are poor and infirm, the obligation to maintain the children lies on the grand father, provided he is in easy circumstances.


4. Children in easy circumstances are enjoined to maintain their poor or old age parents; although the latter may be able to earn something for themselves.

ii. A son, who, though poor, is earning something, is liable to support his poor father who earns something. The Holy Prophet (peace be upon him) said:


"The best food, that a man can ever eat, is from his own earning, includes even his son. Thus, he can eat from his son's wealth." 17

iii. A son, although in straitened circumstances, is bound to maintain his parents, if the father is poor, though she may not be infirm." 19

iv. In the same way, a person is entitled to maintain his paternal and maternal grand-fathers and grand-mothers if they are poor, but not otherwise, to the same extent as he is bound to maintain his poor father." 19

C. Maintenance of other Relatives.

Persons in easy circumstances are enjoined to maintain their poor relatives within the prohibited degrees in proportion to which the share which they would inherit from them on their death. 20 This is according to Imam Shafi. An inaudible 21

According to Hadhrat Imam Shafi himself, the obligation of the maintenance of relatives does not depend upon the proportion to the share of inheritance but upon kinsship, 22 while Imam Shafi says that a person is enjoined only to maintain his parents. 23

To see that the system of the maintenance of other relatives is wider and more effective in Imam Abu Hanifa Jurisprudence, according to Mufti Mohammad Shafi, this injunction gives rise to a very fine

15. Ibid., p. 148.
17. Abu 'Awad, "Book on sale chapter.
19. Ibid., p. 466.
arrangement for the maintenance of the helpless and the weak members of a family.

1. Maintenance of Animals

Islam, the religion of beneficence and mercy, presents such a system of social security as which extends its shelter even to the animals. The Holy Prophet (صلى الله عليه وسلم) has pleaded their case in this way:-

"Once a person was going on his way. He felt very much thirsty. He looked a well, went down into it and quenched his thirst. While he came out he found a dog exhausting with thirst and sucking mud. That person thought that the dog was as much exhaust of thirst as he was. Thinking this he went down the well and filled his shoe with water, hold it with his mouth, came out, and poured it in the mouth of that thirsty dog and thus quenched its thirst. Allah granted as much response for that deed that He forgave that person. Then the Holy Prophet (صلى الله عليه وسلم) said, "Kindness to every soulful is rewardable."
The Holy Prophet ( ﷺ) said, "I heard a woman was put in hell only for the reason that she refused to feed a cat, she neither feed it nor let it to eat any thing (for the satisfaction of its hunger)."

Islamic Jurists has prescribed the maintenance of the animals as a legal duty of their owners, failing which they may be deprived of their animals, or may suffer punishment. Mallie has mentioned the law, regarding the maintenance of animals (beasts) as follows:-

"Animals, whether fit for food or not, their owners must supply them with a sufficiency of pastures or of dry food, and if the neglect to do so, may be compelled to sell, or slaughter them if kept with that design, or to feed them properly. A young one of the animal must be allowed a sufficiency of its mother's milk until it is fit for pastures, or other food, then the milk may be lawfully taken by the owner." 27

V. H.I.N.I.

Silt ( یی ) is another important source of private sector, which widens the scope of the Islamic system of social security and extends its boundary to those poor and needy, who are not relatives. This is a very effective measure and powerful

25. ﷺ, Vol. 3 (urdu) Hadith No. 948, Qurea Nahal Karchi (N. )

26. ﷺ (urdu) Vol. 2nd, chapter on Hadith No. 3 Sh. Shulem Ali and Sons Lahore 1964.

channel through which wealth is channelized from the rich to the poor and the weak part of the society. Islamic Jurists has defined 'Ilm' as follows:

"Ilm will be imposed after any legacy you may have bequeathed, or debt (you may have contracted) has been paid." 29

The limit of one-third derives mention from the tradition reported by Zuhayr ibn 'Abd Allah (R.A). The Holy Prophet (ﷺ) said:

"Bequeath only third (of your property), and one third is too much." 30

Moreover, the Holy prophet (ﷺ) said:

"Legacy cannot bequeathed in favour of any relative heir." 31

Bequest in excess of the legal third cannot take affect, unless the heirs' consent there to, after the death of the testator. 32

29. Murghaniwai, (English) p. 673 book Sellers Katchri Road, Lahore, 1983
obtained the one whose wealth be equalized for the rich to the
poor of the least part of the society. Islamic jurisprudence defined "ill" as follows:

"Subject to the limitations, every male of sound mind and not the minor (i.e. under the age of puberty) may dispose of his property by written or oral will."

Any testator cannot dispose of more than one third of the surplus of his estate of payment of funeral expenses and debts.

Holy Qur'an says:-

\[
\text{سَمَّيْتُكُمُ الْأَمْوَالَاءِ وَالْإِرْثَاءَ \ (وَرَسُولُهُ)}
\]

"Will will be imposed after any legacy you may have bequeathed, or debt (you may have contracted) has been paid." 29

The limit of one-third derives sanction from the tradition reported by Abdullah ibn s-Ubadah (سُحْبَةُ أبْنِ عُبَدَةِ) - The Holy Prophet (عَلِيُّ) (بِلِ سَلَامَةٍ نِعْمَةٌ)

\[
\text{لَوْ صَبَّتْ بَالْهَوَّةِ وَالْأَلْفَاتِ} \quad \text{30}
\]

"Bequeath only the third of your property, and one third is too much."

Moreover, the Holy Prophet (عَلِيُّ) (بِلِ سَلَامَةٍ نِعْمَةٌ) said:-

\[
\text{لَوْ رَجُلٌ رَجُلَّ ذَكْرِيَةَ} \quad \text{31}
\]

"Legacy cannot be bequeathed in favour of any relative heir." 31

Bequest in excess of the legal third cannot take effect, unless the heirs' consent there to, after the death of the testator. 32

\[29. \text{Murghebnai, كِتَابَ}} (\text{"enlish") \, 673 \text{Book Tellers, Kutchri Food, Lahore, 1983.} \]

\[29. \text{Al-Qur'an, 4:12.} \]

\[30. \text{Maulana Iqz-ur-Rahman, (سَلَامَةٌ نِعْمَةٌ), 365, Netha-tul-Musammeen, Qadian 8th 1959.} \]

\[31. \text{Ibid., p., 366.} \]
IV. Sulqat-ul-Fitr

Another very important resource for the smooth running of the Islamic system of social security in private sector is Sulqat-ul-Fitr. Islam has made it compulsory for those whose possession comes up to a certain specified quantity that on the occasion of the I'd-ul-Fitr, they should, before going to the I'd prayer, distribute among the poor, the needy, orphan and widow, wheat or its price at the rate of 12 seers or about 1.65 kg, according to our new weights per member of the family. Every one has to pay this sum not on his/her own behalf, but even on behalf of one's minors. All this is explicitly explained in the following Hadith of the Holy Prophet (May peace be upon him):

"According to Hadrat Ibn Umer the Holy Prophet (May peace be upon him) enjoined every Muslim whether he is a slave or independent or man or woman or youth and old to pay Sulqat-ul-Fitr one Sa's (which works out 12 seers according to our prevailing weights) of dates or barley. He further ordered (the Muslim) that its payment should be made before leaving for I'd prayer."


The rich can pay this duty personally and privately, but the Islamic state is also entitled to collect this tax and disburse it among the poor and the needy for the maintenance, according to the teachings of Islam in this regard.

Such charity obligatory in this condition too is not necessary that the possessions which gives rise to the obligation should become objects of growth or should have been held for one year, so, the sphere of this obligation is even wider than that of Zakat, and it can lead to the greatest possible demonstration of the principle of brotherhood, particularly on the occasion of a collective festivity. 34

The beneficiaries of sadaqat-ul-akhir are the same as those of the Zakat.

**A. iii. Prohibitive Measures.**

Islamic system of social security prohibits the following negative measures and thus makes possible the circulation of wealth among the different parts of society for social justice.

i. Interest.

ii. Concentration of wealth.

iii. Hoarding and black marketing.

i. Interest.

Islam prohibits interest because it is against the principle of generosity on which the foundation of the Islamic system of social security is laid. It checks the circulation of wealth and concentrates

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it is a few men. It is an exploitation of another's need. If
promotes economic aggression and pollutes our society in "too-nose
and under-dogs."

The Holy Quran condemns interest in these words:

الذریعه ياقوم الہول الاقروض الدعا لقوم الذي تحقيقه أنجيلين من السماء

ذنبل. إن أ>} إنجيل بإسمه واحده واحده وأنجيل واحده احده واحده واحده.


"Those who swallow usury cannot rise up save as he rises
when devil has prostrated by (his) touch. That is because they say,
"Trade is just like interest, whereas Allah has permitted trading
and forbidden interest. To whosoever the admonition has come
from his Lord, and he desists he what has already passed. And his
affair is in the hands of Allah. And whosoever returns (to usury)—
those are owners of fire. They will abide there in. Allah has
delighted usury and made almsgiving fruitful. Allah does not love
the liars and guilty." 35

يا أيا من يعلم إياكم أبوامري Ereka مصيدة وآباإثرن به كليم فسوق

"O you who believe, shun not interest doubling and re-
doubling, and keep your duty to Allah; so that you may be successful."

يا أيا من يعلم إياكم أبوامري إياكم ليغوي الصدأ؟ وآبا؋ثرن به كليم فسوق

"O you who believe do your duty to Allah, and give up what

remains (due to you) from usury, of you are believers (in the real sense of the word). But if you do not (do it), then be warned of war (against you) from Allah and His Messenger. And if you repent, then you shall have your principal (without interest). Wrong not, and you shall not be wronged.”

Hadrat Jaber (رضي الله عنهم) reported the Holy Prophet (peace be upon him) said:

"The Holy Prophet (may peace be upon him) cursed four persons relating to usury; first who swallows it, second who offers it, third who writes the pact of it and the fourth who attest (the pact of) it. And these are all equal in the anger of Allah."  

11. Concentration of wealth

Islam allows private ownership of property but prohibits its concentration in a few hands. Wealth should be circulated in the society as widely as possible, so that the distinction between the rich and the poor be narrowed down as far as it is natural and practicable. The attitude of Islam in this respect is that it has not permitted any individual or group to have a monopoly over the primary sources of wealth production, but has given every member of society an equal right to derive benefit from them.

37. Ibid, 2:278-279.
38. (Quoted by Syed Iqtash, مختصر الإسلامي الاتجاهي) p. 31 (Urdu) Lahore 1969, 2nd Edition.
Holy Quran reveals:

"So that this wealth should not become confined only to the rich amongst you..."

"And let not those who hoard up that (wealth) which Allah has bestowed upon them of His bounty, think that it (the concentration of wealth) is better for them. Nay, it is worse for them. That (wealth) which they hoard will soon be tied to their necks, like a twisted collar, on the Day of Judgement."

"Those who treasure up gold and silver, and do not spend them in the way of Allah—give them the riding of painful chastisement, the day this (concentrated wealth) shall be blessed in the fire of Hell, and their foreheads, their sides and their backs shall be branded with it. (It will be said to them) "This is what you had treasured up for yourselves; now taste of what ye were treasuring."

"Woe unto every blandering traitor who has gathered wealth..."

39. Al-Qur'an, 59:7
41. Ibid, 9:34-35.
(of this world) and arranges it. He thinks that his wealth will render him immortal. Nay, but verily he will be flung the consuming one. Ah! that will convey to you what the consuming one is: (it is) the fire of Allah, kindles, which leaps up over the hearts (of man)."

"But as for him who heeds and deems himself independent, and does not believe in goodness; surely we will ease his way unto adversity. His riches will not save him when he perisheth." 43

The Holy Prophet (ﷺ) has condemned the concentration of wealth in different ways according to Hadhram 'Abāmān ( epithet of Hadhram ). He said:

"O son of Adam, if you had better spend your surplus of wealth and if you heard it up, it would be worse for you."

The next tradition of the Holy Prophet (ﷺ), we are quoting is by Hadhram 'Abūnā ( epithet of Hadhram ).

42. Ibid, 104:1-7.
43. Ibid, 92:8-11.
44. Chapter on: Hadith on. "The Man who knows what is good for him, and what is better."

"One day the Holy Prophet (ﷺ) went to Madinah and I was with him. He said to me, "O Abu Jaber!" I replied, "I am present, sir." He said, "The richest of this world will be the poorest of the next world, except those who spend their wealth in the way of Allah without any fear and care. But they are very few in numbers." The Holy Prophet (ﷺ) again said, "O Abu Jaber! I replied, "I am present, sir; may my father and mother sacrifice their lives for you." He said, "I dislike to have a heap of wealth as large as Madinah, I die and leave two qirats (a small coin)." I begged to ask, "Do you mean two qirats (coins) of wealth?" He said, "No, rather, you go to the greater, while I go to the less." 45

"According to Nadhrat Bilal (may Allah be pleased with him) the Holy Prophet (ﷺ) said, "Do not excuse for whatever is begged from you. I (Nadhrat Bilal) said, "How is it possible for me?" He declared, "So this or go to hell." 46

In the light of the verses and the hadiths quoted above we see that Islam is deadly against the concentration of wealth and preaches for the surplus (even the necessities of life) to be distribute among the have-nots to enable them to get their basic necessities of life.

45. Imam Nowi, <ال활اس/الهجين>, Maktabah wa Matbaa, a Mohammed Ali and sons Cairo (R.), P. 90.

111. Hoarding and Black Marketing.

Islamic forbids hoarding, and blackmarketing and profiteering because these are against the spirit of cooperation which is one of the fundamentals of the Islamic system of social security. The person who hoards up the basic necessities of life or sell them in black-market, to satisfy his profit motive, is a wicked enemy of the humanity in the eyes of Islam.

Islam jurists have described the several forms of hoarding and blackmarketing but two of them are more harmful to the society at large. These two are

1. 
   (Talqul-Isalah).

   Means: buying the grain food stuff from the caravan coming from the country side before their arrival in the market. Thus, the hoarders and merchants gathered the foodstuff and create shortage in the market, and when the demand increases they sell this grain at higher rates.

2. 
   (Bal-ul-Hadar Lil-Bad).

   Means, buying goods (especially food stuff) brought from the country side through a middle man in the days of Semine.

In the days of the Holy Prophet ( ), the trader and their agents used to meet the caravan out of Madina-tul-Munawara and purchase all the stock of foodstuff, and by monopolizing all the


corn stock, they charged prices as they liked; not there by caused great inconvenience and hardship for the people. Such people who interfere with the price mechanism of the market are hinderers. Islam, the religion of cooperation and fellow feelings, condemns such practice strongly.

"According to Ibn Jurairah, the Holy Prophet (ﷺ) forbade the people to meet the caravan (out side Medina) bringing corn." 49

The tradition is also reported by Ishaq bin Abdullah-bin-Umar in (3). Thus the Holy Prophet (may peace be upon him) has clearly prohibited hoarding for black marketing and profiteering.

"Whoever hoards up cereals and other things, that they may be scarce and dear, is a defaulter (sinner)." 51

"Whoever hoards up foodstuff till forty days, he did not believe in Allah and Allah will neither take pity on him (nor forgive him on the Day of the Judgement)." 52

"Hadhrat Umar (may Allah be pleased with him) said, " No one

50. (3) Vol. 1. No. 1 Sh. Ghulam Ali and Sons Lahore 1964
51. Ibid. Hadith No. 6.
52. Ibid.
should hoard in our market. Those who have surplus money should not purchase commodities, that come to our land, for hoarding purposes.

And the person who brings corn to our country in the face of hardships of winter and summer, is a guest of honor and he may sell or possess as Allah allows."  

Once Jafaret Ali, set on fire the stock of wheat of a person who was hoarding it.  

By optional measures, here we mean such sources of the maintenance of private sector of social security as are not obligatory but are only the moral duties. These optional measures supply raw material for the foundations of Islamic system of social security. Through these measures Islam builds such a society in which every one feels his responsibility for his fellowman. Sense of brotherhood, friendship and love for human being are the salient features of an Islamic society. In this society the following optional measures are adopted for social security:—

2. Debt without interest.
4. Arest (Leasing.)
5. Trustship.
6. Civic Obligations.

53. Imam Malik, مک, op.cit., pp. 513-514. Litohog, Delhi 1327
The role of sadaqah-un-nasirah (voluntary charities), in the smooth running of the Islamic system of social security, is of significant importance. Hence, Islam has stressed such on the payment of these charities because through these sadaqah the poor and the needy are provided with their basic necessities of life. The Holy Quran simplifies them with a trade in which their is no loss.

"Surely those who read the scripture of Allah, and establish worship, and spend of that which we have bestowed on them secretly and openly, they look forward to imperishable gain, the He will pay them in their wages and increase them of His grace. Lo! He is forgiving, Responsive."

55.

Admiring his pious servants, Allah says:

"And give good tidings (O Mohammad) to the humble, whose hearts fear when Allah is mentioned, and the patient of whatever may befall them, and those who establish worship and spend of that we have bestowed on them."

56.

The forsake their back to cry unto their Lord in fear and
hope, and spend of what we have bestowed on them. No soul knows what is kept hid for them of joy, as a reward for what they used to do.”  

Because of such tidings and astonishing verses of the Holy Quran the Muslims were prepared to spend even their needed necessities for their fellow men for the sake of Allah.

“And prefer the other above themselves though poverty become their lot.”

The Holy Quran describes the same topic in another way and depicts the picture of Muslims’ almsgiving in an affecting way, which in its beauty and affection is not less the above mentioned one. The Muslims were (are) such as the Holy Quran says:

“The perform the vow and fear a day whereof the evil is widespread. And feed with food the needy wretch, the orphan and the prisoner, for love of Him (saying): We feed you, for the sake of Allah only. We wish for no reward nor thanks from you; so we fear from our Lord a day of frowning and of fate. Therefore Allah has warded off from them the evil of that day, and has made them find brightness and joy.”

57. Ibid., 32:16-17.
58. Ibid., 59:9.
59. Ibid., 76:17-11.
Besides the positive steps explained above, Islam adopts certain negative steps to encourage charity. Islam does this by condemning niggardliness (- عجرم) and miserliness. In the eyes of Islam the niggardlies and misers are criminals, because by their niggardliness they do not only harm themselves but endanger the common good of others. The Holy Quran has condemned pretences at several places in different notes.

"Who are niggardly and old people to be niggardly and hide that which Allah has given them out of His grace. And we have prepared for disbelievers an abysmal chastisement." 60

In this verse the niggardly persons are called "disbelievers". But for what sin? Have they committed any sin of Allah? No, but they have hoarded up the wealth for themselves and do not allow its circulation in the poor and the needy. This is the spirit of the Islamic system of social security.

**Again the Holy Quran says:**

"خَاوَصَتْكُمُ الْخَزَاءُ فَخَزَاءُ الْكَافِرِينَ الْأَكْبَرُ فِي سَلَامَتِكُمْ وَفِي سَلَامَتِ الْأَمْيَالِ فَوَاللَّهِ النَّبِيَّ وَاللَّهُ الرَّحْمَنَ وَاللَّهُ الْحَمِيدَ وَاللَّهُ الْعَلِيمَ وَلا تَضَرِّبُوا فَيْنَا أَمْكَنُ نَفْسٍ لَّمْ تُضَرِّبُوا أَمَّا أَتَاىٰكُمْ غَيْرُ إِلَيْهِتَانَ**

"Lo! you are those who are called to spend in the way of Allah, yet among you there are some who hoard, as for him who hoards, he

60. *Ibid., 4:37.*
hoards only for his soul. And Allah in the end you are the poor
And if you turn away we will exchange you for some other folk, and
they will not be like you." 61

The Holy Qur'an at another place in a none taunting way says:-

"Spend your wealth in the way of Allah, and be not cast by
your own hands to ruins; and do good. Allah loves the beneficiaries." 62

From this verse we come to know that if we do not spend our
surplus wealth in the way of Allah, we will put ourselves and the
community in ruins. Islamic system of social security teaches that
by hoarding up the wealth, we are as worst as a wicked man who puts
his fellow-man to death. We commit this crime by not supplying the
basic necessities of life to the poor, by hoarding up the wealth, while
he does this by sword.

"But as for him who hoards and considers himself independent;
and disbelieves in goodness, surely we shall case his way to adversity." 6

The Holy Prophet ( ), in his several traditions,
has condemned niggardliness and encouraged charity.

"If one of you is poor, let him ask of his rich neighbors until one "
of them gives him. And if you have no one, then Allah does not "
abridge His mercy. And Allah, He is [most] Hafiz." 63

Rahbar Hakam-bin-Iqzan reported that the Holy Prophet (may
peace be upon him) said:- "The wealth is sweet, whoever keeps it

61. Ibid., 47:33.
62. Ibid., 2:195.
63. Ibid., 92:8-9.
generously will find it increasing (with the blessing of Allah); and whoever behaves niggardly will find in his wealth. His condition is such that he eats but his stomach remains mostly empty." 64

The tradition of Hadhrat Abu Dhar Ghifari, we have quoted under the sub-heading, "hoarding," is also noteworthy in this respect but we avoid repetition.

Thus, Islam, by encouraging charity and condemning niggardliness in the community, stimulates circulation of money and thereby initiates investment activities of the people in the community and keeps the economic system in perfect equilibrium. Hence, the basic necessities of every individual are fulfilled and the society prosper smoothly.


It is a very effective and reliable source of the Islamic system of social security. By the virtue of this source not only the needs of the poor are met but it initiates their economic activities also.

When a skilled person gets loan (without interest) from his fellowmen and start some business, with results he earns money; then pay back debt and goes on with his business with the surplus; thus his economic position is secured and worries of future are dashed down.

Maulana Hizur-Rahman Schokery defined the loan without interest as follows:

"When any rich person lends his capital (money) to any needy to

64. (urdu) Vol. 1, op. cit. Hadith No. 1380. Quran Mahal Karachi (M.D.)
fulfill his necessity, in such a way as he does not demand any reward (interest) from him, this loan is called "Durod-u-Hasan" (goodly loan i.e. loan without interest). 65

The Holy Quran gives great stress upon this source. In many verses the Holy Quran considers good loan given to a needy poor person as it is given to Allah.

"Who is he that will lend to Allah a goodly loan, that He may double it for him and his may be rich reward." 66

"Let those who give alms, both men and women, and lend to Allah a goodly loan, it will be doubled for them, and theirs will be a rich reward." 67

"If you lend to Allah a goodly loan, He will double it for you and will forgive you, for Allah is Responsive, Calm and." 68

Islamic law has divided a goodly loan into two forms: First for the fulfillment of the basic necessities of life and second for business purposes. Interest is unlawful on both, but Islam offers special teachings for the loan taken for household purposes. Islam teaches his rich followers to recite the debtor such loan, if he is not im

66. Al-Quran 57:11.
67. Ibid. 57:13.
68. Ibid. 64:17.
easy circumstances, or wait till he is able to pay back the debt.

"And the debtor is in straitened circumstances, then (let there be) postponement to the time of ease; and that you remit the debt as almsgiving, would be better for you if you did but know." 69

"According to Hadhrat Abu Hurairah the Holy Prophet (صلى الله عليه وسلم) said: "There was a merchant who used to lend the people loans and when he saw the debtors in straitened circumstances he used to say his servants, "Remit them, perhaps Allah will forgive us." Allah (in response) forgave them (their sins)." 70

"Hadhrat Muzaffar reported that the Holy Prophet (صلى الله عليه وسلم) said, "There was a person before you. At the time of his death an Angel came to take his soul. The Angel asked him, "Have you done any

69. Ibid., 2:290.

70. (urdu), Vol. 1, Hadith No. 1938, Quran Nahal Karachi, P. 730.
noble deed?" He answered, "I do not know my own good deed, except this that I used to lend the people loan, dealt with them gently, and granted postponement (of loan) to the rich and to the poor remission (of loan). Allah permitted that necessary to enter the paradise." 71

"Rahmat Abu Bakr reported that the Holy Prophet (ﷺ) said: "Whoever (amongst you) wished that Allah escape him for the alleviated worries of the doomsday, should grant postponement to the stricken debtor or remit his loan." 72

In the light of above stated verses and traditions we come to know the importance of the poor and the needy's difficulties and economic worries; and how does Islam advise the rich to assist their poor brothers in their hardships.

Besides, Islam teaches the debtors firmly, to pay back their debt without any unnecessary delay, and if in spite of good circumstances they delay in the payment of debt, they will be criminals.

"On the authority of Rahmat Abu Hurairah, the Holy Prophet (ﷺ) said, "The (undue) delay of the rich in the payment of debt is wickedness." 73

71. Ibid, Hadith No. 1937.
73. Ibid, P. 644, Hadith No. 9.
"According to Nashrat Abu Hurairah the Holy Prophet (ﷺ) said”, “whoever gets loan from the people and wants (sincerely) to pay them; then Allah will make arrangements for the clearance of his debt. But whoever receives the people’s money and wants to swallow it, Allah will never help him for the payment of his debt.” 74

Thus Islam systemizes the ‘Qarid-u-Hasan’ (رضي الله عنه) (goodly loan) as an effective measure and eminent source of social security/in Islam.

iii. Hiba (Gift).

Hiba in its literal sense, signifies the donation of a thing and from which the donee may derive a benefit; in the language of law it means a transfer of property, made immediately, and without any exchange, by one person to another, and accepted by (or on the behalf of later.” 75

Hiba or gift is a lawful measure of the Islamic system of social security. Jurists of Islam derive its legality from the saying of the Holy Prophet (ﷺ).

"Exchange gift among you, it will create love among you." 76

74. Ibid., P. 645 No. 12.

75. خيّر حریري عظام Vol. 4, Hataba Nolakshwar, Lakhnow (India) 1231, p. 520.

Every mature Muslim of sound mind (and not a minor) may dispose of his property by hiba, even to a stranger, to the entire exclusion of his heirs. The only restraint is the rule which invalidates deathbed gifts.

A gift or hiba may be made of anything which comes within the definition of the word "mal" (مل) that is property, including actionable claims. 77

Hiba (gift) holds prominent position for the maintenance of the Islamic system of social security; by the virtue of which Islam circulates the wealth from the Haves to the Have-Nots and thus a Muslim in easy circumstance can help his poor brother.

iv. Areqat (آقات) - (Endings).

In a Muslim society Areqat (آقات) is considered as an important measure for social security. Through this measure Muslims exchange 'small kindness' among themselves and thus, without purchasing every one of them, these things; can get benefit of them. These 'small kindness', no doubt, may be very humble and cheap but they consist of the basic necessities of life.

Islamic Jurists have defined "Areqat" as under:

"Making another the owner of the usufruct without any consideration." 78


Al-Maghani (المرحاني) writes "According to our doctors, حصر signifies an investiture with the use of a thing without a return.

The person who so grants the use in turn of owner or the lender; the person receiving it is termed a surety or the borrower, and the article of which the use is granted, حصر. According to Imam Kharkhi (الخملي) and Shafi (الشافعي), حصر signifies simply a licence to use the property of another because it is settled by the word "Ishait (المل烟囱) signifying license or permission.

In short, we can say the by حصر "mean the grant of a licence, resumable at the grantor's option, to take and enjoy the usefrout of a thing." In ibid (العملية) a transfer of ownership, without consideration is made, while in حصر transfer of ownership is not made but only a lessee is granted a temporary license to enjoy the profit so long as the grantor pleases, and it is revocable in every case. The Holy Prophet (صلى الله عليه وسلم) said:—

"Aheesat is revocable." 90

The author of "سيرة ذات المعاد" comments:—

"There is consensus of (the Jurists of) Umm that "Aheesat is not only a lawful but good and appreciable also, because with its consequences there is help of poor and fulfillment of the

79. تاریخ (english), op.cit. p. 478, Lahore 1963

needy's necessities." 81

Islamic system of social security has emphasized on this source very much. Islam creates such a society in which every Muslim has tender feeling for his neighbours. Islam preaches its followers that they should live like brother and grant "small kindness" to each other, so that every Muslim, whether rich or poor, should not worry to buy every necessity of daily use. Islam lays so much importance with it that Allah warns even those praying young who do not donate such things to other.

"Shi kaa unto worshipers who are needless of their prayers; who would be seen (at worship) and refuse to grant small kindness." 82

VI. Civic Obligations.

Individual's property is of two kinds i.e. moveable (money, jewellery, precious goods) and immovable (house, land etc.). As Islam has prescribed legal and moral right of the other members of the society (i.e. Zakat, almsgiving, Kaffarat etc.) in the same way on his immovable property, Islam describes some civic obligations. Islamic Jurists have classified these obligations as under:-

1. Right of neighbourhood.
2. Right of drinking water.

iii. Right of wayfare.
iv. Right of drainage.
v. Right of water course.

1. Right of Neighbourhood.

We can explain this 'right' with the help of an example. Suppose A is the next door neighbour of B. According to our jurists A cannot use his house in such a way as in harmful to B. For example, A cannot dig a hole for air in the common wall of A and B, because it will disturb the privacy of his neighbour, B. The same cannot be allowed to B also. But A cannot forbid B from such benefits as are comfortable and lawful, for example, hitting of nail in the common wall of neighbour for hanging clothes etc. The Holy Prophet (ﷺ) said:

لا يمنع جار جاره عن الضرع خشب في جدرانه

"Any person should not forbid his neighbour from hitting nail in his wall." 83

11. Right of drinking water.

None of the Muslim society can forbid his fellow member his animal from drinking water from his personal canal. But he can forbid from the spring of water or tank of water or well, yet this

83. (Urdu) Quran Mahal Karachi, 1967, Vol. 1

Hadith No. 1365.
prohibition is appreciable only in particular cases.”

iii. Right of-way.

Sometimes a person, who wants to reach his land or house, has to go through another person’s (very often his neighbour’s) land.

In such circumstances, the other person (or his neighbour in the case of neighbourhood) cannot prevent him, but if there is any alternate way then prevention is allowed, but not appreciated.

iv. Right of drainage.

Sometimes a person, for the drainage of dirty water, has to dig drainage through his neighbour’s land or by his well or he has to drain his water through his (neighbour’s) drainage. In all these cases he needs not to seek the permission of his neighbour. Anyhow, if there is any dispute then the court will hear it.

v. Right of water course.

A person, who wants to irrigate his farm, can dig his water-course through any other’s land (very often that is his neighbour’s land). It is a legal right and none can prevent from it. Hazrat Umer’s decision in this respect is an example.

These civic obligations prescribed by Islam are helpful in peaceful and smooth running of the Islamic system of social security.

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85. Qadri Pashto, M-Maqsad, Solq Cairo 1981 Item No. 49.
THE GOVERNMENT'S ROLE IN SOCIAL SECURITY.

Islamic state is responsible for providing a living wage or relief to every inhabitant, whether he is Muslim or non-Muslim.

For this purpose the Islamic state will have to accept double responsibility. Firstly, she will have to reform and guard private sector of social insurance (which is run by the Muslim society), and secondly in its own sector it will make some necessary arrangements; shall run some particular institutions; and shall lay down some special and dynamic legislations for the social security of its citizens at large.

GOVERNMENT'S ROLE IN PRIVATE SECTOR.

For the smooth running of the Islamic system of social security in private sector, the Islamic state will have to perform the following functions:

i. Limitations on private ownership.

ii. Specialization of beggary as a profession.

iii. Implementation of Islamic labour law.

iv. Prohibition of unlawful means of accumulation and acquisition of wealth.

v. Prohibition of ostentation and luxurious living.

vi. Prohibition of anti-social institutions.
1. **Limitations on Private Ownership.**

The first measure, which the Islamic state will adopt for the smooth running of the private sector of social security, is to limit private ownership. We have discussed this topic at length in the 7th chapter. Here we are to discuss why will the Islamic state limit the private ownership? Why Islam recognizes private ownership but it can limit it, its use, quantity and nature.

If the property owner is recklessly wasting it then his right to use his property may be limited by forfeiting his right to use only a certain part of his property to meet his need, and the greater part of his property is taken over by the state. Islamic state has the legal right to take over the property to protect it from the misuse of its owner. This legality gets its sanction from the action of the Holy Prophet (ﷺ) who issued an order concerning stream named share (شَرْعُ) and said:

That the owner of high fields might withhold water until it reached its ankles, but then he must leave it for the use of the other owner of low fields. The Holy Prophet (ﷺ) decided, when Hadhrat Usman's dispute concerning water was brought before him, that he might water his fields until they are fully watered and then he might must leave it towards his honour, so that he might also benefit from it. 1

These traditions bring home to us that the Holy Prophet (ﷺ) did not allow the owner to keep surplus water after having fully

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satisfied his need, therefore he ordered Abderhfl to leave it open for the use of his needy neighbour. Thus, we can derive that one can be allowed surplus wealth i.e., the water of life, to be kept and enjoyed by a few basic can not to be used for the benefit of the community at large.

Further, the principle of limitation admits the Islamic state that she may either limit one's right to benefit from it or fix the maximum value of the property one can own. All these restrictions on the ownership of private property or its use are placed for the greater benefit of the society.

According to the Islamic principles of economics none can own anything that is of common use of the community, because these things belong to the basic necessities of life, hence all such things are declared as public property.

"Abys bin Hannal Al-a'zari alai said, that he went to the Holy Prophet (may peace be upon him) and requested him to grant him the salty water of Asaror (اَسْرَعْرِ). He granted him but one of the present there said, "O, Messenger of Allah! why are you entrusting him the treasure of salt? But, after knowing the pros and cons of the matter, he withdrew his sanction." 2

Islam recognizes these things as common goods. The Holy Prophet (sallallahu alai wasallam) said:

أئس من شرباء في النهر في النهر والغزل والزيت

"The people are jointly shared in three things i.e. water,

2. باب اجلاع المال والمال (أو اجلاع المال والأحمر) كتب: "السيكوس" (السيكوس) ج

The Muslim jurists, in the light of the above mentioned traditions, have given their 'callings' in these words:

"All these things are of public utility and any individual can not become the owner of any of these neither by possession nor by state grant. Further it is not lawful that benefit of such things be confined to a few people for it will be harmful to the other and render their life difficult." 4

To sum up, Islam recognises the individual right of ownership but it does not leave him entirely free to use his right in any way he likes. It does not favour the extension of private property to an extent that may endanger the foundation of the Islamic system and destroy its real object. Therefore it has allowed private ownership subject to such limitation as would render it absolutely harmless to the community. It has authorized the community to enact necessary obligation to organise private ownership and to share it whenever the public interest calls for it.

II. REDISTRIBUTION AS A PROFESSION.

The measures adopted for giving the weaker members of society the right to a share in the wealth of the rich were at the same time this to produce an evil in society—that is, section of society might become parasitical, and live as a permanent burden on society. In

3. Ibid., No. 11.

4. Maulana Shaukat Ali, "[Citation]"

Hyder abad Deccan 1937 (India)
order to check their tendency, the state will subject these people as well to certain special regulations.

i. A man who is healthy and physically fit has not been given right to beg, except under special circumstances. According to the Holy Qur'an the commendable quality of the genuine beggar is that:

"They do not beg of men unfortungrily." 5

ii. The man who has the honor withheld for a day has been forbidden to beg.

iii. A tradition of the Holy Prophet (may peace be upon him) condems begging as a humiliation.

iv. The man who possesses wealth up to the prescribed quantity has been forbidden to accept charity even without begging.

v. Those who possess wealth has been admonished that it is not enough merely to set aside a sum of money for charity—they are also responsible for seeking out those who are really needy and thus genuinely entitled to charity and for distributing it among them.

vi. Through the department of moral censorship, provision has been made for the eradication of begging.

vii. The poor and the helpless have been persuaded to shun charity, to earn their livelihood through their labour as far as possible, and to look upon hardwork as noble.

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To sum up, we can say that in consequence of the fair system of the distribution of wealth which Islam has instituted by means of these injunctions, our history offers instances of a state of society where one sought in vain for a man who would accept charity.

iii. Implementation of Islamic Labour Law

Another step that the Islamic state will take is the implementation of Islamic laws regarding labour. In the economic system of Islam extraordinary importance is attached with the social security of labourers. Islam transforms all honest work into worship, and every one who is seeking honest livelihood for his family is worshipping Allah. The Holy Qur'an has laid great emphasis on labour.

"Verily we have created man into toil and struggle."

"For men is the benefit of what they earn; and for women is the benefit of what they earn."

The Holy Prophet (may peace be upon him) said:

"The wage earner is the friend of Allah."

"According to Hadhrat Zubair bin Awraah the Holy Prophet (may
peace be upon him) said: "If one of you take rope and bring a bundle of firewood on his back and sell it (to buy his living), it would be better for him than begging."

This discussion brings home to us that in Islamic system of economics, labourer enjoys a dignity. In Islamic society, social status of a man is not determined by his vocation, but by his personal qualities and his actual contribution to social welfare. In Islam an honest and efficient cobbler is more honourable than a dishonest and inefficient governor, king or chief.

Now we are in position to introduce the Islamic la bour law which an Islamic state will introduce to restore the social security of the labourers.

1. The labourer should be paid his wage in time without any delay. The Holy Prophet (may peace be upon him) has directed in this regard.

"The Holy Prophet (may peace be upon him) said that the labourer should be paid his wage before his sweat dried up."

ii. The wage should be fixed before the regular start of labour, so that the rich capitalist may not take the advantage of

3. Ibid, 4:32.
5. Qura'n Mahal Karachi (P. 3).
6. Hadith No. 1379.
the poverty and the helplessness of the labourer. It is illegal
and treachery in Islam that a labour is appointed before the
fixation of his wage.

"According to Hadhrat Abu Saeed Khudri the Holy Prophet (may
peace be upon him) prohibited the appointment of a labour without
the fixation of his wage." 12

iii. The employer is not permitted to take any advantage
of the adverse circumstances of his employee and create such
situations in which he is forced to work on minimum wage. He must
be paid according to his merit and need.

"According to Hadhrat Abu Harbairah the Holy Prophet (may peace
be upon him) said, "There are persons of three kinds against whom
I shall plead on the Day of Judgement.---and against whom I plead,
I shall defeat him---one of them is the employer who pays the
services of the labourer but does not pay his wage according to
his work." 13

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12. क्रिया (जोजरू) का हस्ताक्षर देखिए। Vol. 6, p. 12 Quoted by Hifz-ul-Rah
c. 328, Neda-e-tul-Muwaafeen Dehli
Sh. Ghulam Ali Lahore, 1964,
Islamic principle, laid down in respect of wages and salaries of workers in private sector of the economy, is that the employees should share the profits with the employers.

Some fiqh jurists went far to give the employee an equal share in the profit since the employer provided all the capital and the workers did the work. the two efforts are entitled to an equal share in profit. 14 We are not taking about the profit sharing system of business, but our above discussion shows what stress Islamic law, on the 'justified' system of wages'.

iv. In the case of spoilage of work and destruction of tools or machines or any other thing, the employer cannot claim any allowance from the employee, except the worker has done such willingly. This is the callings (شأو) of fiqh jurists. 15

On the other hand, in spite of these privileges, Islam prepares the labourers morally and legally to work honestly and peacefully. They are permitted to organize trade unions to secure their legal dues and to better the terms and conditions of their work, but not for collective bargaining. Thus Islam establishes equilibrium between the labour and the capital.

Moreover, the employees and the employers must not be left to settle the terms and conditions of employment, but the state must ensure set up an efficient machinery to keep perpetual vigilance.


over the attitude and behaviour of the employer and the employee. Hence, justified equilibrium between the capital and the labour will be possible. Thus, the social security of the both sides will be restored.

iv. Prohibition of Unlawful Means of Accumulation and Acquisition of Wealth.

Islamic state should prohibit all unlawful means of accumulation of wealth in fewer hands; a state of affairs in which there is over abundance of wealth on one side and complete deprivation on the other. Islamic state shall also prohibit the unlawful means adopted for this purpose. All anti-social activities, which create hindrance and disturbance in the common welfare of the Muslim Society, are unlawful. The Holy Quran has furnished a long list of such anti-social and harmful activities.

1. Bribe.

وَمَا كَلَّلَ كَلَّلَ إِلَّا عِبَادَتُهُ فَلَنَتَّبَعَكُمْ إِلَّا إِذَا نَكَّرْتُمْ سَ

"And est not up your property among yourselves in vanity, nor seek by it to gain the hearing of the judges that you may knowingly devour a portion of the property of other wrongfully."

2. Treachery and Betray.

يَوْمَ الْقِتَالِ لَا تَغْلُبُ النَّاسُ فَلَيْسَ اللَّهُ لِيُدْخِلَ الْإِنسَانَ عَلَىٰ لَا يَعْلَمُ وَلَكِنَّ اللَّهَ رَبِّهِ

"And if one of you entrusts to another let him who is trusted

deliver up that which is entrusted to him (according to the pact, between them) and let him observe his duty to Allah." 17

"Who deceives will bring his deceit with him on the Day of Resurrection. Then every soul will be paid in full what it had earned."

3. Robbery.

"Whoever gives up the path of Allah and follows a way other than the path of Allah in the land, it is Allah who will bring about their ruin. So let them know that there is no sanctuary for them."

"And only reward of those who make war upon Allah and His Messenger and strive after corruption in land will be that they will be killed or crucified, or have their hands and feet on alternative sides cut off, or will be expelled out of land." 19

"As for thief, both male and female, cut off their hands." 20

4. Prostitution.

"Forbade your slave-girls to whoredom that you may seek

17. Ibid., 2:293.
19. Ibid., 5:33.
20. Ibid., 5:39.
enjoyment of the life of the world."  

"The adulterer and the adulteress, scourge you each one of them (with) a hundred stripes."

"And come not near the adultery. Lo! it is an abomination and a evil way."

The Holy Prophet (may peace be upon him) has declared the income of prostitution as the worst income.

5. Interest and Usury.

"And Allah permit trading and forbid usury."

"Allah has delighted usury and made asking almsgiving fruitful."

"O you believe! observe your duty to Allah, and give up what remains (due to you) from usury, if you are (in truth) believers. And if you do not, then be warned of war (against you) from Allah."

22. Ibid., 24:22.
24. Muslim, Kitab 22, No. 39-41.
and His Messenger (and Islamic state on the behalf of the later).
And if you repent, then you have your principal (without interest)
Wrong not, and you shall not be wronged. And if the debtor is in
straitened circumstances, then (let it there be) postponement to
the time of ease; and that you remit the debt as almsgiving
would be better for you if you did but know.” 27

6-6. Business of Intoxicants, Idols, Gambling and Dividing
Arrows.

إِنَّ الَّذِينَ جَعَلُوا الْأَنْعَامَ عَلَى مَنْ يُعَلِّمُهُمْ الْأَبْيَضَةَ وَالْجَكْسَبَ وَالْإِلَهَاءَ مَرَاضِمًا مَّنْ عَلَى الْاِسْتِبْطَائِ
لَا يَعْلَمُونَ لَكُم مَا لَكُم مِّنْ دُونِ الْهَيَابِرَ

"O you who believe, shun drinking intoxicants and games of chances and
idols and dividing arrows are only an infamy of Satan’s handiwork.
Leave it aside in order that you may succeed.” 28


إِنَّ الْمَلَأَ الَّذِينَ كَوَّنُوا أَمْوَالَ الْأَلْبَاطِ يَا كَوَّنُوا أَمْوَالَ الْأُرْكَزَمُ بَيْنَ الْأَزْوَاجِ ثُمَّ اسْتَبْتَرُوا

"Lo! those devour the wealth of orphans wrongfully, they
do but swallow fire into their bellies, and they will be exposed
to burning flames.” 29

10. Deceiving.

وَإِلَى الْمُمَسَّكِينَ لَا يُؤْذِينَ أَنْ يَأْلَوْا عَلَى أَنْفُسِهِمْ وَلَا يَفْتَرِسُوا وَلَا يَفْتَرِسُوا

"See unto the defrauders. Those who when they take the measure

27. Ibid., 2:278-290.
28. Ibid., 5:90.
29. Ibid., 4:10.
from other demand it full, but if they measure unite them or weight for them, they cause their loss." 30

11. Spreading of Slander.

زَيْنُ الْبُطُورِ بِيِّنِيْنِ رَبّيِّنِ لَفَيْنَةَ مِنِّيَ الدُّنْيَا إِنَّ رَبَّيْنِ لَهُمْ مَلَأَ مَرَّاتِيْنِ. رَبِّ لَوْ أَزْرَ

"Lo! Those who love that slander should be sorely concerning those who believe, theirs will be a painful punishment in the world and the Hereafter." 31


وَمَنْ رَبِّنِ سِنِسِينِ لَيْسَ مُهِبُّ لَا لَىْنِ مُهِبُّ مِنْ سِينِينِ (لَيْسَ عَلَىْ الْيَزْغَمِ) عَنْ وَلَىْنِ نَمَازِيا

"And of rank is he who payeth for mere pastime of discourse, that he may mislead from Allah's way without knowledge, and maketh it the butt of mockery. For such there is a shameful doom." 32

According to Ibn-u-Jareer ( ) here by 'pastime' means "singing and dancing" and every that 'play' which mislead from the way of Allah." 33

Philosophy behind the prohibition of these professions and business is this that they corrupt and spoil the society not only spiritually but also economically. They create inequality of opportunities of economic struggles, unfair distribution of wealth

30. Ibid., 83:1-3.
31. Ibid., 24:19.
extravagant squander of wealth and sense of easy care and easy go.

VI. Prohibition of Extravagance and Luxurious Living.

In Islamic system of social security, every citizen is allowed (rather encouraged) to maintain a good standard of life and try to make it better, easier and more comfortable. Islamic state will not prohibit any one to enjoy the beauty and charm of life. The Holy Qur'an has blessed this right at different places in different modes:

"Say! Who has forbidden the ornament of Allah which He has brought forth for His bondmen, and the good things of His providings? Say: such, on the Day of Resurrection, will be only for those who believed during the life of the world. Thus do we detail our revelations for people who have knowledge. Says My Lord forbids only indecencies, such of them as are apparent and such as are within, and sin and wrongful of oppression, and that you associate with Allah that for which no warrant has been revealed, and that you tell concerning Allah that which you know it."

34. Al-Quran, 7:92-93

"Therefore of the bounty of thy Lord be thy discourse." 35

35. Ibid, 93:11.

The Holy Prophet (may peace be upon him) said, "when Allah
bestowed upon you His bounty then its shadow should reflect from your appearance." 36

These verses and the savings of the Holy Prophet (may peace be upon him) explain that every individual has the right to maintaining a standard of life according to his means and efforts. But when this right is violated and the individuals start living a luxurious and ostentatious life, then the Islamic state is allowed to check them. When the rich lead a luxurious life the circulation of wealth as well as its distribution suffers a set back. The rich will ignore the poor and the needy, and thus the system of social security will start moving in opposite direction, hence a class war is possible. That is why Islam, inspite of granting every one the right of good living, advocates medium path. If the individuals do not follow the medium path the Islamic state is authorized to get their surplus wealth forcibly and distribute it among the poor and the needy. Hence, Islam advocates simplicity and medium path.

"O children of Islam! Look to your adornment at every place of worship, and eat and drink, but be not prodigal. Lo! He does not love the prodigals." 37


"And he not prodigal. Lo! He does not love, the prodigals."

And squander not thy wealth in wantonness. Lo! the squanders are the brothers of the devils, and the devil was ever an ingrate to his Lord."

"The faithful slaves of Allah are those, who when they spend, are neither prodigals nor grudging, and there is a firm station between the two."

"The Holy Prophet (may peace be upon him) prohibited from wearing silken dress, from sitting on silken mat and from wearing pink colours."

"The Holy Prophet (may peace be upon him) said, 'Whoever wears the dress of pride (and ostentations), Allah will clothe him the dress of humiliation on the day of judgement.'"
"The Holy Prophet (may peace be upon him) said, "Do not drink in the pots of gold and silver." 43

According to Hadhrat Abu Hudhafa the Holy Prophet (may peace be upon him) prohibited us from drinking in the pots of gold and silver, and from wearing silken dress and from sitting on silken sheets." 44

"Woe for the slave of Dirham; woe for the slave of Dirham; woe for the slave silken sheet (sheet), woe for him and he may fall upon his mouth, and if a thorn runs into his foot it may not be taken out." 45

In this connection, it may be mentioned that all methods of spending wealth which cause moral and social ill-well injury are forbidden. You cannot fritter away your wealth in gambling; you cannot drink wine; you cannot commit adultery; and you cannot waste your money on music and dance or other means of self-indulgence. You are forbidden to wear silken dresses; you are forbidden from

43. From (urdu) Vol. 3, صلی اللہ علیہ و آله وسلم, Hadith No. 593
Quran, Kahl Karachi (N.),

44. Ibid. No. 593.

using golden ornaments and jewels; but you cannot decorate your
without losses through which the greater portion of man's wealth is
spent on his own luxury and indulgences. The items of expenditure
which it considers lawful are of such a type as a man may just be
able to live a decent life of an average standard, and if any surplus
is then left over, Islam suggests that it should be utilized in the
service of virtue, righteousness, public welfare and rendering
assistance to persons who have been unable to secure their due
share that may suffice their needs.

According to Islam, the best course to be adopted is that one
should spend all that he earns on his lawful and reasonable needs,
and if any surplus occurs, to be handed over to other so that they
may satisfy their needs. Islam regards this quality as one of the
highest standards of morality and recommends it as an ideal with
such force that a society influenced by Islamic ethics will always
respect those who earn and spend much more than those who keep their
wealth hoarded or who go on investing their surplus incomes in
earning more and more. 46

To sum up Islamic policy in this regard, in the words of the
Holy Prophet (may peace be upon him), is as under:

كلما شفت باليس لما شفت ما نقمتات (أيّان أسراف ودأبكم)

"Let whatever you want and wear whatever you like but avoid
prodigality and pride." 47

46. Mohamed Yutah, Islam the Misunderstood Religion op.cit.
P. 152, Islamic Publication Lahore.

47. Opening lines of chapter, Quran

Mahan Kachchi (M.D.)
But the appreciable path is of simplicity, one avoidance from ostentatious and luxurious living. The Holy Prophet (may peace be upon him) reported to have said,

"Woe for the slave of 'Iner; woe for the slave of 'Iner; woe for the slave silken shal (sheet), woe for him, he may fall upon his face, and if a thorn were into his foot, it may not be taken out."

VI. Prohibition of Anti-Social Institutions.

This measure is meant to determine the boundaries of what is lawful or illegal for the people in an Islamic state. The purpose of this measure is to stop such economic activities which are harmful, unlawful and create hindrance in the smooth running of the Islamic system of social security in private sector. The Islamic state will prohibit all these anti-social activities e.g. interest, hoarding, speculation, black-marketing, profiteering etc. (for detail see chapter 6th of the thesis, we are avoiding repetition.)

All these mal-practices are against the principle of generosity and co-operation on which the foundation of the Islamic system of social security is laid. They check the circulation of wealth and concentrate it in fewer hands. They are the naked exploitations of brother's need. They promote economic aggression, inequitable distribution of wealth and split up the society into top-dogs and under-dogs.

CHAPTER 12

OUTLINE OF THE ISLAMIC SYSTEM OF SOCIAL SECURITY,
DURING THE PERIOD OF THE HOLY PROPHET (May peace be upon him) THE NU Nested CLIPART AND IN THAT MAND
BIN-ABDUL AZIZ

DURING THE PERIOD OF THE HOLY PROPHET (May peace be upon him)

The Holy Prophet (May peace be upon him) always tried to meet the basic necessities of life of the Muslim society of that early age. It is an outstanding feature of the Islamic system of social security for all that even in those early days none of the citizens of the first Islamic state of Medina was deprived of his basic necessities of life. The travellers and destitutes, the poor and the needy or those of Suhabah (the companions of the Holy Prophet) who were homeless, were provided with their needs in Buhai, i.e., a place near the mosque of the Holy Prophet (May peace be upon him) was such persons who used to live and the Holy Prophet with the help of his Suhabah used to meet their basic necessities of life.

He always used to provide financial assistance to the poor and the needy from the Bait-ul-Mal; monetary help to those who were invalid and employment to those who were able to work.
He had declared:

"I am nearer to the Muslims even than their own lives, hence, if any Muslim died indebted, I shall pay the debt on his behalf."  

"Then Allah opened for the Holy Prophet the gate of conquests. He said, "I am nearer to the Muslim even than their lives. If my Muslim died indebted, I shall pay his debt, and if he left property that will go to his successors."  

"According to Ishaq ‘Abu Harmah, the Holy Prophet (may peace be upon him) said, "If any one died and left property, it will go to his successors and if he left shelterless children then I am responsible for their maintenance."  

Another tradition brings home to us that the Holy Prophet (may peace be upon him) did not only confess his responsibility to pay the debt of the dead Muslim but also admitted for the social security of the Muslims at large. There was another Hadith on this subject.

1. Abu Usaid, op.cit., P. 22, Cairo 1353 AH.  
2. I. )., Vol. 1, No. 2165, Quran Nahal Karachi  
3. Ibid, No. 2165.
"According to Hazrat Maqbul bin-Uswa, the Holy Prophet (may peace be upon him) said, "If the dead left property it will go to his successor and if he left responsibilities, I shall complete them on his behalf." Sometimes, the Holy Prophet (may peace be upon him) said, "Allah and His Messenger are responsible (for the fulfilment of his responsibilities)." 4

Hazrat Abu Ubaid Qasim bin-Salma, commenting on the Hadith, writes, "According to us (i.e. the Jurists of Islam) the word (كفر) includes all the persons and children whose maintenance was the responsibility of the dead." 5

"Allah and His Messenger are the guardian of without guardian."

"And I was in charge of this (social security) and I remained serving from his prophecy to his death. Whenever any hungry or naked Muslim came to him, he used to order me (to meet his need) I went and took loan and from that money I made arrangements for his clothing and food." 6

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4. Abu Ubaid, كفر الأموال, no. cit. p. 337, Cairo, 1353 A.H.
7. [(Quoted by Mufti cali Jusman "Kafir Man" p. 51 Daryal uloom Karachi 1972.)](#)
He was so much anxious for the maintenance of his companions that he used to pray for them.

"O Allah! these are bare-footed (and have no horses or mules or camels to ride upon), grant them (horses and camels) to ride.

O Allah! these people are naked, grant them clothes. O Allah! these are hungry, grant them food for satisfaction. O these poor and needy! enrich them by your Grace."

He taught his followers the following prayer:

"O Allah! I am weak; give me strength. I am lowly; give me honour. I am indigent, give me subsistence."

"O Allah! We beseech Thee to let no sin of mine remain unforgiven, no worry unremoved, no debt unpaid, and no want of this or of the life comen after, unsatisfied. O Thou kindest of the kind."

In the light of the above mentioned traditions, we came to know that during, the period of the Holy Prophet (may peace be upon him)

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Hyderabad: Beccan 1937, Last chapter.
the Islamic state was responsible for the social security of all.

No doubt the people were poor and life was quite simple, but none was deprived of his basic necessities of life.

In the days of the Holy Prophet (may peace be upon him) the sources of income of Bait-ul-Mal were Zakat, Sadaqat-u-Rafila, gifts, and Khums, spoils of war. The income of Bait-ul-Mal was very small because the supreme source of income i.e. Zakat, was not much because the Muhajirin (the emigrants of Mecca) had left all of their wealth and property in Mecca and were sharing the wealth of Ansar (the helpers of Medina). But whatever was collected for Bait-ul-Mal was distributed among the poor and the needy.

Later on, spoils of war also became a second great source of income, four-fifth of which was distributed among the fighters and one-fifth was spent for the maintenance of the poor. Share of every one, in spoils of war, was determined according to one’s merit and need. Every foot soldier was paid one share while a horseman was given two shares i.e. one for himself and other for his horse. According to needs, a bachelor was given one share and a married man two shares. 9 But the property of Bani Kazir was equally distributed among the Muhajirin and two of the Ansar who had no means of livelihood. But when Allah opened for him the gates of

conquests, he declared for the social security of all the poor and the destitute of the Arabian peninsula.

3. DURING THE TIME OF HADHRAT ABU BAKR

Hadhrat Abu Bakr, the first Caliph, strictly adhered the policy of social security of all initiated by the Holy Prophet (may peace be upon him). He even declared war on those peoples who had refused to pay Zakat. As he was the right of the poor and destitute in the wealth of the rich members of the Muslim society, Hadhrat Abu Bakr, did not hesitate to take their rightful share by force. He declared, "By Allah! if they refuse to pay one rope, to be tied to the foot of camel, what they used to pay to the Holy Prophet (may peace be upon him) I shall fight with them for their refusal." 10

In the days of the Hadhrat Abu Bakr, the system of social security was as good as during the era of the Holy Prophet (may peace be upon him). The people was fond of leading a simple and pious life. The luxury and ostentation was not to think even. The Islamic state was anxious to meet only the basic necessities of its citizens. The sources of income were the same as in the time of the Holy Prophet (may peace be upon him). But whatever was collected in the Bait-ul-Mal was spent among the Muslims: the poor and the rich.

10. Abu Yusuf, op. cit. p. 250, Wataba

Salafia Cairo 1347 AH.
He paid equal grants to all companions of the Holy Prophet (peace be upon him) and did not distinguish between Sabeqs-ul-Awaleen (سابقین (الروءین) (the earliest Muslims) and the later converts; between the man and the woman and the free and the slave. He declared the principle of equality concerning the economic needs and totally ignored the reward of good deeds and services to the society. Hence all were given equal allowance and whatever left was spent on preparation of Jihad (جهاد) against the disbelievers and foes. 11

Once, Hadhrat Umer and a party of the companions of the Holy Prophet (peace be upon him) insisted that the earliest Muslims (مسلمین ) and those who had sacrificed and served for Islam should be given preference over the later converts and paid higher grants. Hadhrat Abu Bakr replied,

"I am fully aware of the superiority and the excellency of the people you have stated; but it is thing which will be rewarded by Allah. But here the matter of livelihood, where equality is better than the principle of preference." 12


He thus tried to provide the basic necessities of life to every member of the society. Then the income of the Bait-ul-Mal increased, all the Muslims benefited from it and none was deprived of his basic necessities of life.

C. DURING THE CALIPHATE OF HADHRAT UMER.

The caliphate of Hadhrat Umer (may Allah be pleased with him) is the brightest period in the history of the Islamic system of social security which serves as the milestone for the coming generation till the Day of Judgement. He was very much anxious to meet the basic necessities of the community at large.

During his caliphate the source of the income of Bait-ul-Mal had increased. There was abundant in Bait-ul-Mal and every citizen of the Islamic state was given his due share from Bait-ul-Mal. In the beginning, he differed from Hadhrat Abu Bakr's principles of equality in distribution of wealth among the citizens to meet their needs and adopted the principle of preference. He did not like to give the same amount to those who had fought the Holy Prophet (may peace be upon him) and those who had fought on the side of the Holy Prophet (may peace be upon him). He was of the opinion to give preference to the earliest Muslims among the Muhajirin (the emigrants) and Ansar (the helpers) (سالیشین (الروہین من اہل‌البیتین (الزہر) ) over the later converts. His thesis was that the trials which one had gone through in Islam must be taken into consideration at the time of fixation of one's share from the (surplus wealth of the nation) Bait-ul-Mal. 13

According to Abu Idris, he heard Hadhrat Umar bin Khattab saying:

By Allah (there is not to be worshiped except Him) every one
of (of the community) has his due share in the wealth (of Bait-ul-Mal)
whether he practically receives it or not. None is superior to
another in share. As regards myself, I am as good as any other of
you. But our principles of preference depends upon the Holy Quran
and the companions of the Holy Prophet (may peace be upon him). The
trial which one has gone through for the sake of Islam and his
period of embracing Islam will be taken into account. Moreover
richness and need will also be considered while fixing one's share.

By Allah! If I live, the shepherd grazing his sheep on the top
of the Sanna (the hill in Yamin) will receive his due share from
that this wealth before this his face become red for running and trying
to get him right. 14

In the light of the above quotations, we see that Hadhrat Umar
(against Hadhrat Abu Bakr) adopted the principle of preference
in the grant of allowances and stipends from Bait-ul-Mal. But it
could not create mal-adjustment in the field of economics. No
doubt, a very strong and efficient ruler, like him, could effectively
maintain the differences in wealth with in natural and equitable
limits. But in the long run such policy was not followable. Hence,
in the last days of his caliphate, he realized the practicability of
Hadhrat Abu Bakr's principle of equality and decided to adopt it.
His famous remark in this respect are note-worthy.


14. Abu Yusuf, quoted by Syed Qutab,
op.cit. P. 475, Islamic Publics
Lahore 1969.
"If I live till the next annual disbursement of the stipends, I will equalize the distribution and make no distinction between those who had priority in accepting Islam and the later converts." 15

He further declared:

"If I had understood the goodness before which I have understood now, I would have taken away the surplus from the rich and distribute it among the poor and the needy." 16

But the death stole a march on him and he could not fulfil his desire.

DEPARTMENT OF SOCIAL SECURITY

Hadrat Umer was the first ruler in the world history who introduced the system of social security in his regime. He established in the department of social security on systematic and regular basis. A careful census was taken, each name having been registered, to facilitate the task of and to ensure that every one was provided with the basic necessities of life i.e. food, clothing, lodging and compulsory medical treatment.

Even orthodox European orientalists admit that to Hadrat Umer belongs the credit of being the first ruler to maintain registers


showing the numbers and names of the people to enable the state to discharge efficiently its duty to the public.

According to 'Hadrat Abu Obaida-

وزائرة الاحوال في أيام عمر (رسول الله ﷺ) لم ينص مبنً على الرؤوس لبني إسرائيل والزرادق
ومن ناحية رأى في هذا لم يكن هناك إرشاغ، Unlike لون الزراقة أو الميزك
لورا، رأى أن يفرغوا فين شمل مبنا إخال حتى يمر يوم ولا محاول.

"When in the period of Hadrat 'Umar (may Allah be pleased with him) wealth increased considerably, the state organised department and statistics, regular salaries were fixed for governors, Judges etc. and men were asked not to hoard wealth but to engage in agriculture and landlordism. The men and their dependents as well as their slaves were given stipends from Beit-ul-Mal." 17

Ismail Abu Youssaf has described the formation of this department in these words.

ذات إحالة على الناس، ونخص الأئمة والمرشد جميع رعاية سن (حمص رسول الله ﷺ) نجد في م سناس البعيد (ربك السريع)
ف текمن: ن könntون: ما يكون من ذلك أن کانة سوقاً على أملين ت بصل
ا ضعف للكثير، 6 هابت: افتح ما رأيت ذلك أن کانة سوقاً لا تملين ت فنعا
مرح رداً: بعين رداً 2 - فنَّذل له سُدُّاً الذي حر فنفع: رداً بنفسك
كل: لا، وربك، وکن بني حاشم وطهاباً إلى بني إسراءييل عليه السلام.

"When Alla extended the conquests during his regime and the Persians and the Romans were conquered, he called the Advisory 17.

17. Abu Ubai, ولاء، خمسة by Maulana Hifz ur-Rahman
Council from the companions of the Holy Prophet (may peace be upon him) and asked "I have decided to keep the wealth in Sait-ul-Mel for it will be useful for paying annual grants to the people. I want to know your opinion. They replied, 'so do you think proper and Allah is with you for proper guidance.' Then he fixes grants for various categories of the people and ordered for the preparation of registers to make necessary entries therein. He required, whose name should be written first in the register? "Hadrat Abdul Rahman bin Auf replied, "start with your name, Hadrat Umer (may Allah be pleased with him) said, "By Allah! I cannot do this but I will start with the names of Zainab Hashim, the inlaws of the Holy Prophet (may peace be upon him)."

Hadrat Imam Abu Yousef, again writes:

وكان السبب في تدوين الودائع ونظام شهادة على الموت ونظام إرجاع الجزية الفرد بمراقبته واست gratuiteه ولعمل عليه تفسيره في المسألة والبحث على أن رجوع الودائع بعامة وتعويض المال وزيادة مال وزيادة سماح

"The first reason for the preparation of these registers, was that the Governor of Hadrat Umer for Bahrain asked sent five million dinars to Hadrat Umer. Hadrat Umer (in those circumstances)"

13. Abu Yousef, کتاب مروج, op.cit. p. 44.

Estabe Salfis Cairo, 1346 A.H.
took it for a great money and appointed a man to look after it in the mosque of the Holy Prophet (may peace be upon him). He sought the opinion of the companions of the Holy Prophet (may peace be upon him). Some of them, who knew the monetary and fiscal system of Persia and Syria, recommended for the preparation of registers, to enter them in the names of people and their maintenance allowance. It was suggested that the maintenance allowance should be monthly.19

These statements show that to maintain the social security of all, Caliph Umar got the registers prepared and department of social security was organized for the very purpose.

The department was created on the basis of the verses of the Holy Qur'an concerning Zakat and Sed-seat, and the traditions of the Holy Prophet (may peace be upon him) which explicitly recommended that the Sed-seat should be collected from the rich and disbursed among the poor, and the destitutes of the society for their maintenance. All those people who were old, orphans, widows, or for any reason invalid to earn their livelihood, were paid annual grants from Bait-ul-Mal according to their entries in the registers.

These social security registers were of numerous types and categories. There were separate registers for each category of grants. Fighters and volunteers were paid their allowances and

grants from Pri, while the needy on residence were paid allowances
from Zakat, Ushar, and other Sadaqat. The system of disbursement
of these grants were monthly or annual or biannual but the emergency
payments (to travellers and the poor destitute) were paid according
to need and time.

The criterion adopted by Hazrat Umar for the fixation of
maintenance allowance of the citizens was very justifying and
wise. He selected some persons of good position, kept them for
two years, and then accordingly determined the stipend for every
one according to another tradition:

"Hazrat Umar saaid, and he was holding a weight in one hand
and measure in the other hand—" I have fixed for every Muslim two
weights of wheat and two measures of Olive oil and two measures
of vinegar for month." One of the audiences stood up and said,
"Is the measure be given to the slaves also? " Hazrat Umar replied,
"Yes, for the slaves as well." 21

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20. امراء, translation by Yousaf Wazahid-uz-Zaman
Nabih Umar stood up at the dais form and -- after praising Allah and blessing the Holy Prophet (may peace and mercy be upon him) said,

"I have fixed monthly Benefits and allowance for you (the Muslims)"

He was holding weight in one hand and measure in other."

This department of social security had not only its door open for the Muslims but for non-Muslims also. In fact, it was a complete system of social insurance. There are certain incidents in this regard which throw light on our statement. Here we quote an example.

Once Nabih Umar visited a palace and there he saw an old blind man begging. He asked him, whom are you and why are you begging? He replied, I am Jew and the payment of Jazia, economic needs and old age forced me to beg. Hearing this, Nabih Umar caught him by hand and took him to his house and granted him whatever was available. Then he sent an order to the ruler of Beit-ul-Mal :

"Let every creditor and debtor be paid. No interest on debt and no affects in the future. This old man is to be taken care of."

"Make enquiries about this and others similar to this; by Allah we cannot be just if we profit his blood and leave his barren in extremity. In the Holy Quran the word Sadaqat (صدقة) is meant for the needy and the destitutes, and in my opinion...

22. Ibid, P. 46
the needy (الفقراء) here means the poor mujirs and the word
متعبل (المتعاب) refers to the needy and the poor of the people
of suraits. He granted jazia concession to all people of that
sort and fixed their stipends from the Beit-ul-Mal. 23

Hadrat Umar was so much anxious about prosperity and better-
ment of the non-muslims subjects of the Islamic state that once
when Hadrat Hussain and Hadrat Umar bin-Jameeef returned with
the amount of Khiraj of the Najla (نجلاء) area, Hadrat Umar
asked them if they had received from the Zimmees more than what
they could pay? Hadrat Hussain replied, "whatever is left with them
is much greater than what is received.
Hadrat Uman replied, "I have left with them double to this."

Hearing this Hadrat Umar explained the importance of this problem
in these words:

إلا إني لما كنت نقبل هذه الوجبة لم أسلم لأصل الورق لأدهم ضعيم لا تفترض

"By Allah! If I remain alive, I will treat the widows of Iraq
so much that they shall not be in need of any caliph after me. 24

In short, Hadrat Umar (may Allah be pleased with him) was
very careful about the social security of his subjects irrespective
of their cast and creed.

DURING THE TIME OF HADRAT USMAN.

During the time of Hadrat Uman the system of social security

23. Abu Yusuf, op.cit., p. 126, Misbaa Salfia
Cairo 1346.

for all was fully maintained. The new lands had been conquered, the sources of the income of Bait-ul-Mal had increased and the amount of money for public maintenance was increased ten-folds.

He was very generous by nature, hence, he had created very large sums of money to the people. Though he believed in the equalitarian principle, in the basic needs of the people, but did not think it compulsory to maintain this principle in the fixation of grants and stipends. There was abundance of wealth and every one had sufficient means to meet his needs and to save even.

This principle, of preference in the grant of stipend and allowances, created the evils of wealth i.e. hoarding, concentration, class conflict, and blood etc. which led to the fall of his Caliphate. Hadhrat Abu Thar Shifari (may Allah rest his soul) protested against these evils of wealth. 26 But this was theoretical tussle of the 'ulama of whom I can not be judge.

On the whole, the state responsibility for public insurance was fully maintained and the needy and the poor (if there any was) carefully looked after, during his regime.

B. HADHRAT ALI'S PERIOD

Hadhrat Ali's period was full of war and worries; and groupings. There was a long tussle between he and Hadhrat Ameer Kuwais, which was sometime supplemented by Khawerij ( ). He spent more


of his time in battle hence the income of Kar-ul-fal was reduced. Thus, he could not make any advance in that prevailing system of social security, yet the public maintenance was well kept and the poor the destitute were carefully looked after.

A fixation of allowances and grants he strictly adhered the policy of Abdur Rahman (may Allah rest his soul) i.e. the egalitarian principle of disbursement of allowances among the people. He had declared this principle in his first public address, when he said:

"Listen, if any of the companions of the Holy Prophet (may peace be upon him) whether he is the Muhajir (the emigrant of Mecca) or the Ansari (the helpers of Medina), is of the opinion that he is superior to others due to his companionship with the Holy Prophet (may peace be upon him), he must know that its reward is with Allah in the world thereafter. Listen carefully, whoever answered the call (invitation) of the Holy Prophet (may peace be upon him), attested our Willet (creed); accepted our faith and turned to our Qibla ( ), at the time of prayer i.e. selat ( ), he has enjoined himself for the rights and duties prescribed by Islam. As a matter of fact, all of you are the slaves of Allah and this wealth is Allah’s property, hence, it will be distributed among you equally. In this case, none is superior to other. But Allah-fearings will have their reward from Allah.” 27

27. Abu Ubaid, حسن بن سعد, op.cit. P. 264, Cairo 1353 A.H.
After the period of Rashid caliphs, the system of social security was fully observed during the period of Hadrat Ameer Kauwia (may Allah be pleased with him).

There was none in the Islamic state who was deprived of his basic necessities of life. There are several incidents that throw light on the subject cited above.

"Abu Faris Usdi said, "I went to Hadrat Ameer Kauwia. He asked me, "What brought you here?" I answered, "I want to institute you a Hadith (tradition) which I have heard from the Holy Prophet (May peace be upon him) saying, "He who is appointed by Allah the incharge of the Muslim affairs, but he does not care of their needs, Allah (in response) will not care of his needs." Hearing this Hadrat Ameer Kauwia appointed a person to fulfill the needs of the people."
the Holy Prophet (may peace be upon him) saying: "A head of the
state, who shuts his doors against the poverty and destitution
of the people, Allah will shut his doors (of mercy and bity)
against his needs, miseries and destitution! Hearing this Hadhrat
Ameer appointed a person to meet the needs of people." 29

During his period the sources of income were as much as they
were in the age of Hadhrat Umer. His era was an era of prosperity
and number of the poor and the needy were equal to none.

30. **DURING THE CALIPHATE OF ABU ABDUL AZIZ BIN AMEEN**

(may Allah be pleased with him)

After the age of Hadhrat Umer Haneefis, the system of public
maintenance suffered a great setback. During the Ummayed period,
till the caliphate of Hadhrat Umer bin Abdul Aziz approached. He
reorganized the system of social security on the tracks beaten by
Hadhrat Umer bin Khattab. Here the poor and the needy were supplied
from Bait-ul-Mal. He had declared.

وہا اسی صورت میں تیلے گی جابجہت ایک اسرت ان اسرت من جابجہت مافیروت عليه

"I shall try my level best to fulfill the need of every one
of you, if it will be brought to my notice." 30

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29. قرآن محرر (Urdu) Quran Mahal Karachi, 1967 Vol. 1, Hadith No.15

    Wazirab Rahmania, Cairo, 1346.
"His wife, Hadhrat Fatema, said, "Once I happened to see Hadhrat Umar and found him sitting on mat and weeping, and his beard was drenched with tears, I asked, what has happened? He said, I have accepted the responsibility of the Umma of Hadhrat Mohamed (peace be upon him). I am thinking for (worrying about) hungry beggars, the unattended patients, the worriers, the wronged, the miserable, the travellers, the detained, the old-age persons and the persons with large families of but little means etc. I know that Allah will question me at the Day of Judgement about their social maintenance, and Hadhrat Mohamed (peace be upon him) will plente their case against me, I am afraid, I will not be able to prove my arguments in argumentation. Hence, I took pity on myself and burst into tears." 31

CONCLUSION.

In the early period of Islam, the system of social security for all was fully maintained; the head of the Islamic state was the

31. Abu Yousef, op.cit. p.10, Fatema Selfie

31. For detail see chapter 8th of this thesis.
guardian of his subjects and the state was the servant of the people in the real sense of the word. The main features of social security introduced in these days are as follows:

1. There was a complete system of social security for all. The state was enjoined to provide at least living wages to every citizen irrespective of his class and creed.

2. Monetary aid was given to the wayfarers, the poor and the invalids; houses and travesties were built in every big city and town where travellers were provided with lodging and food free of charges.

3. Expenses of invalids, orphans and widows were paid from Bait-ul-Mal.

4. Every born child was given allowance from Bait-ul-Mal.

5. The people were enjoined to pay poor-dues from their wealth i.e. Zakat, Ushar, Sadaqat etc.

6. Concentration of wealth, exploitation, profiteering, interest, hoarding, black-marketing etc. were strictly prohibited. Then the wealth was free from any restrictions to circulate in all parts of the society. Hence, the state enabled the poor to get their due right from the wealth of Allah which trustees were the rich. Thus, social justice was maintained.

7. Persons working for social services i.e. teaching, tableegh (preaching, جمعية) and the callers of for prayers etc. were also given full assistance from Bait-ul-Mal.

8. Every one was given monetary assistance according to his merit and need.
Social security by state is a modern trend and newly born idea which the modern states have to adopt after bitter experiences of centuries and a long history of social injustice. It is one of the glories of Islam that it practised this system at the time when the Europe was lying in social darkness.

Further, we have seen how sincerely it succeeded in achieving its aims of social security i.e. complete eradication of hunger and misery along with social justice. All such realities are traceable in the pages of the history. It is not a Utopia which exists in the mind of those Muslims who dream for its revival; rather it is a reality practised by the Muslims.

No doubt, since a long time of 14 centuries the Islamic states have been deprived of this boon, hence, there are glaring inequalities between the “Haves and Have-Not’s.” This is a hard reality which I accept open heartedly. All this is due to the Muslim Rulers’ selfishness and for other reasons fully known to them. But its spirit is not to be intimidated. And if a noble deed is not known to us or it is not in our practice, it does not mean that it does not exist. Restoration cannot destroy it, it is eternal, latent in the heart of the Holy Quran and the Sunas.
This system of social security was practised by the Holy Prophet (may peace be upon him) and his trusted and blessed caliphs i.e. Hadhrat Abu Bakr, Hadhrat Umer, Hadhrat Usman, Hadhrat Ali and Hadhrat Ammar Munawie (may Allah please with them). It was re-established again during the reign of Hadhrat Umer-bin-Abdul Aziz. This was the one when this system of social security was fully practised and it touched its heights of glory. Poverty, and want was totally eradicated and misery was taken over. This was an ideal state. Let us listen to what was said by Yahya bin Sa’id, a Zakat collector under Hadhrat Umer bin Abdul Aziz.

(Umer bin Abdul Aziz sent me to collect Zakat from Africa. I collected the alms and then looked for the poor to distribute the alms among them but I found none nor I found any one who might have accepted them from me because Hadhrat Umer bin Abdul Aziz (may Allah have mercy upon him) had enriched the people).

What a successful social security it is (was)! It is still existing, and the long period of 14 centuries could not diminish its glory; although it did not appear completely in the societies of the past centuries, it still has a clear manifestation in many aspects of the social life in all Muslim countries. Saudi Arabia is the only state where this system is being practised and Pakistan is trying to be the second, while movements in Turkey, Iran and Egypt are compelling their states to adopt this system of social security.
HOPE FOR FUTURE.

These unfortunate generations, who have been under going the tyranny of different ‘Islam, with different systems of social security, since the fall of Muslims, are now fed up with these secular, extremist and man made systems, and are in search of any system of social security which not only fulfil their basic necessities of life i.e. food, clothing and lodging but also give them peace of mind and restore their dignity as a man who has born free. Those fundamental problems are not only ‘hunger and sex’, but freedom, self-assertion and peace of mind also.

I have no doubt when I say that it is only the “Islamic system of social security which has provided and can provide all these human being’s requirements of life. This is the message of happiness and only hope for bright future of humanity who is in search of peace, goodwill, human brotherhood, equality of man, freedom and justice. Islam can restore all these and even more than these, and for their restoration. It does not use threat, terrorism and pressure, but its methods, of achieving these objectives are based on convincing the people that these principles ensure happiness in this world and the blessing of Allah in the world Hereafter.

RE-ESTABLISHMENT OF ISLAMIC SYSTEM OF SOCIAL SECURITY.

How can this hope for the bright future of the wronged humanity be achieved? The answer of this question is as easy as the asking of
this question. It is not a hard nut to crack. All the guide lines relating its establishment are found in the Holy Qur'an and Sunna, and its practical shape which was formed in the age of the Holy Prophet, may peace be upon him and his true connections can be traced in the pages of history.

The re-establishment requires more one with intention. We have prepared an outline of the Islamic system of social security, which is prepared in the light of offoresaid resources and modern trends. Here in this outline of this system.
PART IV

SOCIAL SECURITY IN PRACTICE IN MODERN ISLAMIC STATE

1. State Responsibility.
2. Description of Complete Procedure.
3. Its feeders, i.e.
   A. Wakfs,
   B. Zakat,
   C. U'sher,
   D. Khamis of spoils of war and of
   E. Mines and of
   F. Treasure trove
   G. Estates of deceased persons
   H. Daralib; the emergency taxes.
CHAPTER 14

ISLAMIC STATE RESPONSIBILITY.

According to the teachings of Islam, Islamic state is answerable to Allah for the social security of her citizens, irrespective of their class and creed. It is responsible for providing the basic necessities of life to the poor and the institute in the community, and to enable them to lead their life with complete peace of mind. This salient feature of the Islamic system of social security, i.e., provision of the basic necessities of life along with complete peace of mind, is such a glory of height which the modern systems of social security could not touch it even. The Holy Quran points out this reality as under:

"So let them worship the Lord of this House, who has fed them against hunger and made them safe from fear." 1

This noble end, in Islamic system of social security, is attained by the Islamic state. The Islamic state will do this with in her means, but if there is no sufficient amount of funds in Sait-ul-Mal (State treasury, ), the state is entitled to levy Shraeb ( ) (the emergency taxes) on the rich to meet the needs of those in need; for if any individual in Islamic state is left deprived of the basic necessities of life on any day or night, the state will be accountable to Allah on the day of Judgement." 2

1. Al-Quran, 105:3-4.
2. For detail see the 9th chapter of our thesis.
The Holy Prophet (peace be upon him) has explained the state responsibility in this regard in these words. According to Hadhrat Abdullah bin Umer, the Holy Prophet (peace be upon him) said:

لا نفاذم راح رلأ ولا ونفم سعغ فن غيدا ونافا واللأ ملأ ذي غلأ في أُنام أمن ولأ ونفو مسهوش عن رغبه المرحل راح علي غيدا ونفمالوأ سعغ في غيدا

"Every one of you is responsible (of certain persons or things) and he will be asked about his responsibility, then the Ameer (the Head of the state) is responsible of (the social security of) his people and he is accountable (to Allah on the day of Judgement for them), 3 Father is responsible for the maintenance and civilization of his family and he is questionable for this responsibility.

This tradition explains that the state responsibility towards the social security of her citizens is equal to a father's responsibility for the maintenance of his children. As the father is morally and legally responsible for the maintenance and welfare of his family, similarly, the state is responsible for the social insurance of the citizens. And if a state does not fulfil its duty in this regard, with result that their standard of a justifiable economy is decreased and the 'dignity of man' is in danger than such state can not be named "Islamic state".

Notwithstanding, from the above discussion, that the Islamic state is enjoined to supply every one of its citizens the required

quality of money or number of goods and services to meet his needs, and thus enables him to lead an easy and happy life. Islamic system of social security does not demand this responsibility from the state; because any state will not and cannot do so. What the state is obliged to do is that:

i. It shall not let the gap between the rich and the poor be widened beyond natural limit, and if it does, the state must take necessary steps to narrow it down to the natural and justifiable limit, because in an Islamic welfare state luxury and deprivation (even from the basic necessities of life) cannot go in hand in hand. It shall never tolerate such riches to flourish as bread poverty.

ii. It shall not allow any individual to occupy and exploit the primary economic resources and prevent the other from earning their the necessities of life. In its jurisdiction, every citizen, with sound body and sound mind, will be facilitated to earn his living by utilizing these sources of production. All the persons are equal in the basic necessities of life, hence all have equal right in basic and primary means of production.

Thus, the Islamic state will insure the basic necessities of its citizen's life i.e. food, clothing, lodging and compulsory medical treatment. The Islamic state will grant every citizen constitutional right that:

1. As long as he is physically and mentally fit for work, he must be offered job opportunities according to his merit and needs.
The state obligation to find work for every such person is emphasized by the following tradition:

"A man came to the Holy Prophet (may peace be upon him) begging for anything to live on. The Holy Prophet (may peace be upon him) gave him a rope and an axe and advised him to go to the jungle and collect some wood, and sell it and live by its price. He further told the man to come back and report his progress." 4

The aforesaid tradition brings home to us the following basic facts:-

(1). Sense of responsibility by the Prophet (i.e. head of state) for finding work for men (his subjects) (according to the circumstances existing at that time).

(2). The Holy Prophet (may peace be upon him) emphasized his sense of responsibility by advising the man to come back and report his progress." 5

2. For this appointment he must be given training opportunities.

3. In the case of his illness, the state will be responsible for his medical treatment.

4. If any one is invalid for work for earning his living or any woman become widow, or the children become orphan or any one attains his old age or any one is unemployed because of non-availability of job. In all these cases the state is responsible to meet their needs.

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4. Quoted by Dr. Yusuf-ud-Din, "Nader Abad Uleema 1951" P. 250.

CHAPTER 15

SOCIAL SECURITY IN PRACTICE IN MODERN ISLAMIC STATE

MINISTRY OF SOCIAL SECURITY

The Islamic state, for the performance of her responsibility for the social insurance of public, will establish a full-pledged ministry of social security. The function of this ministry will be the collection of Zakat and other Islamic Taxes and their disbursement to their benefactors; construction of orphans' houses; and invalid aid centres, and social insurance units; etc.

This ministry will open its offices at centres, provinces, division, district and tehsil level, and the rich will be advised to deposit their Zakat and other social security taxes at these offices.

ADMINISTRATION

A minister will run this department who will be master of Islamic law and will have practical knowledge of social welfare, social service and social security. The other members of the subordinate staff will have sound knowledge of public finance in Islam i.e. their collection, disbursement, heads of expenditures and their beneficiaries e
They will have to undergo a compulsory training for this purpose.

The responsible officers of this department will be selected through "Public Service Commission," which interviewing committee will consist of Islamic Jurists (الإمام) Islamic Economists and administrators. These officers' character roll will be verified by two trustworthy persons of his native village, town or city. Rashrafi Umar used to do the same. 1

**SALARIES OF THE STAFF AT CONSTRUCTION OF BUILDINGS.**

Now, a difficult problem will be the availability of funds for the salaries of staff and the construction of the offices of this department. According to our recommendations this payment will be made from the 'Social security funds which will suffice this purpose (except Zekat and Ushr for these two taxes have their prescribed beneficiaries (expenditures) and they cannot be spent for other welfare purposes, and for the construction of social security offices buildings or for the expenses of rent. This is the selling of Hanfi Jurists) 2 or the state which will construct its buildings and offices as she does for other departments i.e. Education, Health etc.

The salaries of the staff of this department will be according to their merit and nature of duty. They will be equal in status and salary to the officials of their cadre, but the amount of the salaries

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1. Abu Yusuf, (الإمام) P. 66 Ktoba Salvia Cairo 1346 Ah.

especially of Zakat collectors and other payments should not exceed 1/6 of the Zakat collection."

MAKING A START.

Unfortunately, the Islamic states, which aim of organization, as revealed in the Holy Qur'an, in the performance of prayer and payment of Zakat, all over the world, have displayed over centuries distressing disregard for introduction of public finance in Islam, and a criminal negligence of duty towards its maintenance or revival. For the lack of state organization of this system of public finance is disowned under the Islamic system of social security. Then the Islamic states will struggle for the maintenance or revival of this system they will surely feel some difficulties but they will be overcome and removed with the passage of time. Let they cast away the slumber of centuries and wash away the sins of ages, as speedily as possible. Moreover, it is not wisdom to put off a noble cause, a good deed and a social betterment system because of some difficulties of procedure. If we, the Muslims, want to live as Muslims and believe in an ideology, wish to escape our mother lands from wicked communitism and unsuitable capitalism, we must know that we shall have to act upon this Islamic system. Rome was not built in a day, the living notions make their way even in difficulties.

3. Ibid, pp. 56, 57.

Islamic states should set up a strict and honest machinery for this purpose. The system of social security during the age of the Holy Prophet (may peace be upon him), and the Rashid Caliphs and other Islamic Caliphs will serve this machinery as a guide.

**INCOME TAXATION**

Islamic state will ask their rich to submit their annual statements showing full description of their property and income, rebates and taxable income. Their income and property sheets will include both apparent and non-apparent wealth (ممتلكات أو محتويات). Every calculation sheet submitter will be enjoined to attach an attested oath showing that he is not missing any wealth to show. Fraud in this regard will be punishable which will include even the confiscation of that hidden part, forcibly.

**MONTH OF COLLECTION**

The Islamic state can fix a certain month for the payment and calculation of Zakat, and we suggest a lunar month and particularly Ramadan, the fasting month, because it is very influential in creating the spirit of sacrifice in the way of Allah. ‘Uthman (رضي الله عنه) will be collected at the time of harvest, while the other taxes of social

5. Here we mean Zakat.
security will be collected at different times particularly whenever the need arises (as emergency taxes).

But if the Islamic state levies a fixed tax on the "Haves" of the Muslim society—which the Islamic state is entitled to levy—then such taxes may be collected in a fixed month; may Ramadan.

Moreover, this very month of Ramadan will be budget month of social security Ministry, in which the expenditures of last year, approximate expenditure of the coming year (§ _جعـنضلاا_ ), total income, deficit and surplus etc. will be declared.

INVESTIGATION COMMITTEE.

These committees will be appointed by the social security department to investigate through these income calculation sheets; and the agricultural produce for 'Ushr (يةٞ) and other taxable incomes. According to some jurists these committees are not entitled to investigate through non-apparent property (ٌمٓلٌرٌا) i.e. gold, silver, diamond, ornaments etc. 6

Zomak office in every district Head Quarter and sub-office in every
big city. These offices will receive Akst, صلخ , U'sher (عشر),
Sadat (صدا), 'hraab (حراص), social security funds
and gifts etc.

This fund will maintain the record of annual income and
expenditures. In every office of this social security fund there
will be separate register for the income from any particular item
(say U'shr), and income from every item will be disposed off on its
prescribed expenditures according to the teachings of Islam relating
to the collection and disbursement of that item. (صمع).

The sources of that fund (i.e. U'shr, Sa'dat, Sa'dat-ul-Fitr
(صدات الفطر), Sa'dat, 'hraab etc.) will bring in colossal
sum

of money, at any rate, sum large enough to relieve the Islamic
system of the care of the needy and indigent, the poor and the sick.
The incharge of this fund should be honest, sincere and energetic.

LIST OF BENEFICIARIES.

The social security department will prepare the list of
beneficiaries (destitutes, orphans, widows, disabled, old-age
unemployed etc.) at village level. This may be done with the co-
operation of the census department. This procedure was adopted by
Hadrat Ymer (may Allah bless with him), in the early ages.

7. Abu-Ubaid, صلخ نـ , Abu Ymer, ؛ بن
Hifz-ur-Sahmen, (نـ بن يـن nu)(مـ 131-135)
Pahlavi 1959.
In this age of science, with developed awareness, the Islamic state can do this easily within one or two months. Great care will be taken for the preparation of these lists. During the preparation of these lists, the devout persons may work for taking oath or attestation by two reliable persons.

All beneficiaries will not be counted as of the same gradation because all are not cast in the same mold, but they will belong to different categories. Their classification may be as follows:

1. First Category.

In this category, there will be those persons whose needs are of permanent nature i.e., helpless old, shelterless widows, indigent. They will need permanent supervision and financial care.

2. Second Category.

This category includes orphans, destitute, poor students, unemployed, victim of natural miseries or calamities etc. As soon as any of these persons recovers his past or attains his puberty and able to earn his living or establishes any employment, needs his temporary need is fulfilled and his name is removed from the panel of these beneficiaries, and their status will be stopped.
3. Third Category.

This category consists of those whose deprivation will be of purely temporary nature i.e. the wayfarer whose fare is unfinished and needs financial aid to complete his journey or stranger who is cut off from his property or any person whose property is stolen or lost and seeks aid to pull on himself in these hard times.

SOCIAL SECURITY INSTITUTIONS.

The social security department, with the help of social security fund, will open some institutions to meet the needs of the poor and the needy. These institutions will be of the following sorts:

1. Childcare, upbringing and training centres.

These centres will bring up orphans, homeless children, the poor children etc., and impart primary education and technical training. Their schooling will be both in religion and in knowledge of everyday life. Their teachers will be not from the social security fund, and they will be treated as other Govt. Servants of their Cadre. The higher education of these children will depend upon the recommendations of their teachers, only the talented and industrious students will be recommended for higher education while the other will be recommended for such training as prepare them to adjust themselves in society to earn their necessities of life.
These centres will provide these students and trainees with their lodging, clothing, food, books and compulsory medical care.

Hadrat Umer, in his period made necessary arrangements for the training of such children.

"According to Hadrat Waseef-bin-Ate, there were three persons in Medina who used to school the children and Hadrat Umer used to pay each of them 5 Dirhems every month." 8

Hadrat Umer-bin Abdul Aziz appointed teachers to educate children. 9

2. Free Dispensaries.

In these dispensaries the poor and the destitutes will be given compulsory treatment free of charge. Dispensaries for animals will also be opened. The employees in these dispensaries will be government servants. They will be paid from the social security fund and will be of the same status and enjoy the same privileges as are enjoyed by the other employees of their cadre and qualifications. Such dispensaries were opened by Hadrat Umer in that early

8. Rasmul Nabî, Vol. 2, quoted by Dr. Nijat Ullah Saddiqui

age. 10 Hamrat Umar-bi-Abul Aziz appointed servants whose duty was to look after the heirless orphans, blind, olib, etc. 11 These servants may be taken for the menial stuff of these dispensaries.


Guest houses will be built only in big cities, because in villages and small towns hospitality is performed as a religious duty and noble deed. In these houses the wayfarers will be served with lodging and food. This service facility will be for a few days (not more than three days) but the deserving cases will be allowed for more than three days.

According to Abyar such a guest house was built in Mecca (12) by the order of Hamrat Umar. 13 A big house was built in Mecca, 13 and many a taverns on the way between Mecca and Mecca. 14

4. Training Centres.

These training centres will be vocational institutions, which will impart necessary professional training in different fields to those poor but healthy and young persons who want to earn their livelihoods by the dint of their labour, but due to poverty and non-availability of resources cannot receive such trainings.

10. Imam Chizali, Ṣayr al-Ibnah, p. 17, Nasr al-Shirin Cairo 1306.
12. Baizar, Nāẓem al-Sirān Cairo, 1332 P. 278.
Those young men, who shirk work and avoid business or theft as the method to fulfill their necessities, will be forced to get professional training in these institutions.

Such institutions will be opened at district level and in Tehran also if resources permit. Persons other than the poor and the destitute will be admitted in these institutions (if the number of seats permits); they will pay fees and dues which will be the source of income for the social security fund. The period of training in these training centres will be minimum.

5. Stipends and Financial Aid Centres.

This is the most important department of the social security fund. These centres will be opened in every big city and then in every town. The beneficiaries will draw their stipends and maintenance allowance from these centres. The system of disbursement of these stipends and allowances will be same as the present system of disbursing the salaries and the wages of government or private employees. Every beneficiary will receive his stipend or allowance from his nearest stipend centre, where his name will enlisted. Every one will have to draw his allowance personally except the invalids their payments will be made on their authority letters.

These centres will give marriage loans to marriageable young men. Examples of this financial aid can be traced in the period of Hazrat Umer-bin-Abdul Aziz (may Allah be pleased on him). 15

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Moreover, these centres will give interestless loans to the poor and needy. Hadhrat Umer bin Abdul Aziz had passed such orders to the burser of Beit-ul-Mal 16 (the public exchequer).

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CHAPTER 16

WAKFS

Literally the term Ṭakfūs means detention. Legally, the meaning of Ṭakfūs, according to Abu Hanifa, is the detention of a specific thing in the ownership of the Ṭakfūs or appropriator, and the devoting or appropriating of its profits or usufruct in charity on the poor or other good objects. According to Imam Abu Yusuf and Mohammad Ṭakf signifies the extinction of the appropriator’s ownership in the thing dedicated and the detention of the thing is the implied ownership of Allah, in such a manner that profit may revert to or applied for the benefit of mankind. ¹

In short, we can say that Ṭakfūs refer to voluntary transfer by any individual of his ownership to the ownership of the state for the general good of the community. We can derive its sanction from the following verse of the Holy Quran:

كن تبذروا الفرج حتى تفقروا ما تحبون

“You cannot attain to righteousness unless you spend what is dear to you.” ²

¹ Baillie, A Digest of Mohammedan Law, Premier Book House Katchery Road Lahore 1965 PP. 557-558.

² Al-Quran, 3:92.
The Holy Prophet (may peace be upon him), the Prophet of revolution, has explained the above stated Law in these words:

"عن أبي صفرة ثُمَّ أخذت بي سلم على أبي سلمة رداءات الأسا ساوانها قتلت عما
عله إلا أنس نظرت صفرة بارم في جوده يا عالما وودد جمجم بعكسه.

"Hadrat Abu Hurairah reported that the Holy Prophet (may peace be upon him) said, "When the man dies all his noble deeds are finished except three: 1. (continuous noble deeds), 2. beneficial knowledge (علم نفع) and good successors (sons and daughters) they will pray for him."

Wafs in the best shape of Sadimut-ul-Jarin (سديم الدين). The pious companions of the Holy Prophet (may peace be upon him) followed this law in its best form. According to the Hadrat Thi Hadrat Alie has sent to Hadrat Abu Talha, Hadrat Talha was the richest among the Anasy (the Helpers). His best property was his Garden Baerha (the garden of dates), which was situated in front of Masjid-un-Sabwi (the Mosque of the Holy Prophet (may peace be upon him)). The Holy Prophet (may peace be upon him) used to visit that garden and drink its sweet and cold water. When the verse revealed, Hadrat Abu Talha stood up and said, "O Prophet of Allah! You know Baerha is the loveliest garden of mine, and I want to appropriate it for Allah and you are

authorized to spend it according to your will." The Holy Prophet (may peace be upon him) detented its income for his kith and kin.  

Hadhrat Úsar (may Allah be pleased with him) appropriated his land of Khiber (א) for the Muslim Community.  

1. Every Muslim of sound mind and not a minor may dedicate his property by way of wakf. A wakf may be by will or during mzaz-ul-maut (at death-bed) (א) cannot operate upon more than 1/3 of net assets without the consent of the heirs.  

2. The dedication must be permanent. A wakf for a specified period say 10 years is not valid.  

3. The purpose for which a wakf is created must be of a permanent character.  

4. Subject of wakf must belong to wakif. It means that a property dedicated by the way of wakf must belong to wakif at the time of dedication.  

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Nedrat-ul-Qasasfeeen 'ahli 1959, P. 363.  

5. Ibid, P. 363.  


7. Ibid, 234.  

8. Ibid, 234.
5. Subject of wakf may be both the movable and immovable property.

6. Wakf, made for only lawful purposes is valid.

7. Contingent wakf is not valid. It is essential to the validity of a wakf that the appropriation should not be made to depend on contingency. 9

8. Wakf property can not be alienated. 10

9. The Mutawalli (the guardian) has no right in the property belonging to the wakf; the property is not vested in him, and he is not a trustee in the technical sense. He is merely a superintendent or manager.

10. The Wakif can revoke the testamentary wakf (wakf by will) at any time before his death.

11. The wakif has the power to alter beneficiaries either by adding to their number or excluding some, and to increase or reduce their shares.

12. The wakf may provide for the payment of his debts out of the income of wakf property. 11


11. Ibid, 237.
OBJECTIVES AND FUNCTION.

1. Circulation of the wealth from the rich to the poor and the needy.

2. Maintenance of the poor relatives and dependents.

3. Construction of the Holy place i.e. mosques, Idgah, educational institutions, free lodging for the poor etc.


But, not to spend the wakf income for the objects prohibited by Islam.

CLASSIFICATION OF WAKF.

We can classify the wakfs as under:-

1. Public wakf.
2. Private wakf.
3. Public wakf.

That is made for the benefit of the community and is very often controlled by state. Its example in the history of Islam is the wakf of Hazrat Umar (may Allah be pleased with him) made for the good of Muslim, of his land in Khaiber (13).

2. Private Wakf.

A Private wakf in one for the benefit of the settlor's family and his descendants. In the history of its example is the wakf of Muharram Abu Talha. 14

The Jurists have named these two forms of wakf, Waki-ul-Khari (وَكِيفُ الْخَرَّى) and Waki-ul-Ahli (وَكِيفُ الْأَهْلِ) respectively. 15

2. ZAKAT (زَكَاةُ).

(SECTION I)

GENERAL DESCRIPTION.

Zakat is the corner-stone of Islamic system of social security (which we are going to outline). Apart from its financial importance, in the Islamic system of social security, it is one of the five pillars of Islam on which the entire structure of Islamic thought has been placed. The Holy Quran has mentioned this religious tax, at twenty places along Salat (the daily prayers). For example:

إِنَّ الَّذِينَ يَؤْمِنُونَ بِاللَّهِ وَالْيَوْمِ الْآَخِرِ وَيَتَّقُونَ اللَّهَ وَهُمْ مَرْضَعُ يَنْفَعُونَ

"who believe in the unseen, and establish prayer, and spend of that we have bestowed upon them." 16

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15. Ibid, p. 364.
And they (i.e., the infidels) have repented and performed the prayers and paid the Zakat—the poor due—they are your brothers in religion. 17

Only he shall visit the Mosque of Allah who believes in Allah and the Last Day and keeps up prayer and pays the Zakat and fears none but Allah. 18

And keep up prayer and pay the Zakat and offer to Allah a good loan. 19

These verses show that next to prayer Zakat is the most important of the religious duties imposed on the Muslims. And with regard to the rich who does not pay this duty, the Holy Quran says: "Those who treasure up gold and silver, and do not spend
them in the way of Allah - give them the tidings of painful chastisement, the day this (wealth) shall be heaped in the fire of Hell, and their foreheads, their noses and their backs shall be branded with it. (It shall be said to them) "This is what you had treasured up for yourselves, now taste of what you were treasuring." 20

Zakat was a compulsory levy on the other Ummah (all others) before Islam in the Code (Shariat) of other Prophets. The Holy Quran has stated this at different occasions in different modes. To avoid the length we only quote this verse.

"And We made them (i.e. the Prophets) chiefs who guide by Our Command, and We inspired in them the doing of good deeds and the right establishment of worship and the giving of Zakat, and they were worshipers of Us (Alone). 21

This verse brings home to us that Zakat—the poor due—remained an integral part of the Shariat of all the Prophets and the Messengers of Allah. Moreover, this verse and all the above mentioned verses explain that Zakat is next to Salat; the daily five times prayers. The Holy Prophet (may peace be upon him), stating

20. Ibid, 9:34, 35.
the importance of Zakat and its link with the term, said:

"His prayer will not be accepted who does not pay Zakat." 22

That was why after the death of the Holy Prophet (may peace be upon him) when Harun Abu Bakr (may Allah please with him) was in chair, and some of the tribes offered Salat but stopped the payment of this religious duty; he said:

وَأَنْفُقُ الْفَضْلَ مِنْ فَضْلِي لِلَّذِينَ آمَنُوا

"By Allah! I shall fight against him who differentiates between the Salat (the prayer) and the Zakat (the poor due). Thus, he enforced it at the point of sword." 23

**MEANINGS.**

The Ulama of Islam have defined Zakat into two shades:

1. To Grow.
2. To Purify.

**1. To Grow.**

The Ulama of Islam derive this meaning from this verse of the Holy Quran:

وَمَا رَيَّمَ مِنْ زَكَاةٍ تَكُونُ رَجِبًا وَمَا زَكَّتْ شَمْسَ اْمْعَانِ فِي الْخَيْبَةِ

"And that which you give in Zakat, seeing Allah countenance, hath increase manifold." 24

Let us see how the wealth grows or increases after the payment of Zakat. The wealth of the different parts of the Muslim society increases as follows:
(A). Zakat increases the wealth of the person who pays it, because he thinks that if he gives an amount of 2½% of his treasured wealth, consequently it will be finished. So, he will invest his surplus wealth, hence, it will increase. Thus, Zakat is a very strong stimulus to the wealthy members of the society to invest their capital so that it may grow and thereby increase their wealth.

(B). According to Wikipedia, when the wealth of the rich increases through the investment of their zakatable capital, consequently, this investment will increase the wealth of the Muslim community at large.

(C). It will increase the wealth of the poor and the wretched who are given zakat as their share in the wealth of the rich.

Hence, it is correct to say that zakat grows and increases the wealth of the nation.

2. To Purify.

The second meaning of zakat is 'purification', because according to the Islamic thought, payment of zakat purifies
the wealth from which it is taken. Further, it purifies the heart and the soul of the person who pays it, from the evils of wealth (i.e., miserliness, avarice, envy and love of wealth for its own sake). These meanings are described in the following verses of the Holy Qur'an:

"Take Zakat out of their properties, where with you will clean them and purify them." 25

"And for removed from it will be the righteous, who gives his wealth that may purify."

Zakat has been technically defined as "the giving, as an act of piety of a legally stated portion of one's property to a poor Muslim who is not of Hashim Family or their clients (\( \text{i}^{\text{1/2}} \text{a} \)) in such a way as to preclude for the giver any sort of benefit." 26

SADAQAH AND ZAKAT.

Sadaqat (\( \text{Sd} \)) is a more generic term and includes both

optional and voluntary alms and charities. Thus every Zakat is Sadaqah, while only that Sadaqah is Zakat which is obligatory.

II. ZAKAT A STATE INSTITUTION.

خِزَّةٍ مِّنَ النَّاسِ مَنْ كَتَبَتْهُ (Take Zakat out of their properties.)

The sentence 'take Zakat' signifies a command, and the Holy Prophet (may peace be upon him) in his life used to realize it as the Head of the Islamic State of Medina, and this verse as well as the practice of the Holy Prophet (may peace be upon him) and saying:

"It will be taken from their rich and distributed among their poor." authorized rather enjoined the Head of the Islamic Society to undertake the collection and disbursement of Zakat.

No doubt, in certain circumstances it is permissible to pay Zakat individually, but it loses much of its significance thereby and has been tolerated only in exceptional case. In the turmoil, following the death of the Holy Prophet (may peace be upon him) when certain Arab tribes refused to pay Zakat to the Brit-ul-Mal (the public treasury), the caliph Hadhrat Abu Bakr very strongly enforced it.

27. Ibid, p. 27.

at the point of sword and thus saved not only the financial structure of the state but also entire edifice of Islam.

III. ASSESSMENT PERIOD.

The period of assessment is full one year which is neither too short nor too long. All types of property and capital which have been in the possession of any body for full twelve months will be subject to zakat. The lapse of this period of full one year is necessary, because this time is indispensable for productivity to materialize and this lapse of one year derives its legality from a tradition of the Holy Prophet (may peace be upon him).

(No zakat is due on property before two years elapses over it a year.) 29

The following verse of the Holy Qur'an covers the period prescribed for assessment.

"In the eyes of Allah, the calculation of months is twelve months, the day Allah created the Earth and the Heaven." 30

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IV. NISAAB.

The minimum exemption limit, prescribed by Islam for each type of wealth, which remains in the possession of the owner for one year, are subject to Zakat, provided they exceed the prescribed limit of Nisaab. This minimum limit, in the case of a debtor, will be achieved after deducting the amount of debt from his total assets. After making necessary allowances for Nisaab and debt, Zakat is levied on all types of wealth at a rate of 2.5%; mines and treasure-trove at 20%; irrigated land at 5%; unirrigated land at 10%; cattle varying between 1 to 2.5% (Details in the next chapter).

Now let us study the general rules governing Nisaab.

1. Nisaab will be achieved after making necessary allowances i.e., debt viz., debts of vow or Sadaqat-ul-Pitr (بیان) from the total wealth.

ii. It will be over and above what is necessary for to meet the primary necessities of life.

iii. It must also be owned in full ownership (بیان) i.e., there must exist both ownership as well as possession, since both possession without ownership or ownership without possession can not lead to productivity whether real or hypothetical. 31

V. PRE-CONDITIONS OF ZAKAT

1. Reason and maturity, because without them there can be no responsibility.

2. State of Islam, because Zakat can be levied on the property belonging to a Muslim not the non-Muslim.

3. Freedom of person, in order to the provision in the definition of Zakat concerning the transferring of ownership by the Zakat payer to the Zakat-beneficiary may be realized, for a slave cannot own any property. 32

VI. EXCEPTIONS

The following are exempted from Zakat, because they do not meet the requirements for the payment of Zakat:

1. Debtors whose debt exceeds the price of their wealth at the time of the payment of Zakat.

2. "Sukatle (ء)" i.e. the slave who obtains from his master the privilege of emancipation on payment of a fixed price and consequently engages in trade in order to earn the price of his freedom, since he does not completely own his property.

32. Aghnides, Muhammadan Theories of Finance, Premier Book House
Katchery Road, Lahore 1961 P. 213.
VII. DIMAL PROPERTY.

Dimar property is also exempted from Zakat for the reason that the condition of productivity is absent from it. And when it is recovered, it is not subject to Zakat for the past years. But, according to the Malakites, the dimar property if it is gold or silver pays Zakat for one year only but if it is cattle, Zakat is leviable for all past years.

ZAKATABLE PROPERTIES.

According to the Jurists of Islam, only that property is subject to Zakat which fulfills the quality of productivity. The Jurists of Islam have classified productivity as follows:

i. Actual or real productivity;

ii. Potential or hypothetical productivity;

iii. Natural productivity;

iv. Artificial productivity.

1. Actual or Real Productivity.

This productivity is found in procreation and trade.

ii. Potential or Hypothetical Productivity.

As in the case where productivity has been possible though not actual in that the property has been in the possession of the owner or his agent.

35. Property which has been shipped out of one's possession with little chance of recovery such as a stray slave or fugitive or property fallen into sea or property buried etc.

36. Imam Malik, Kataba Khariis Cairo, 1324 AH. P. 98.
iii. Natural productivity is found in gold and silver which has been created for trade and in themselves are not fit for the satisfaction of wants. Hence, both gold and silver are subject to Zakat whether or not they are intended to trade.

iv. Artificial productivity is found in goods, articles, animals etc. other than silver and gold; provided they are intended for trade or for pasture.

To sum up, the reason for levy of Zakat is productivity, and it is considered to be present in the following:

(a). Gold and Silver;
(b). Pastured animals;
(c). Property intended for trade, consequently these are the property of Zakat. Islamic Jurists have further classified these properties as follows:

(A). Visible wealth;
(B). Invisible wealth.

A. VISIBLE WEALTH. (بِمَلْعَةُ جُرْفِهِ). Wealth which cannot be hidden to avoid Zakat levy, for example herd of cattle, agricultural products etc.

B. INVISIBLE WEALTH. (عِضْدَةُ جُرْفِهِ). Invisible wealth consists of those goods and articles that can be easily hidden to avoid Zakat levy, such as gold, silver, commercial and industrial goods etc.
ZAKAT OF GOLD, SILVER AND ARTICLES OF TRADE.

I. GOLD.

Nisab for gold is 20 mithqal which work out at 7½ toles or 87.5 Grams in terms of prevailing international weight. According to Maulana Abdul Hameed Fazal, Nisab for gold is 5 toles, 2 Kasas and 4 Ratties i.e. 60.74 Grams. But according to two later researches the Nisab for Gold is 85 Grams and 91.42 Grams. The rate of Zakat in gold is one-fourth of one-tenth of the Nisab, i.e. 1 mithqal in 20 mithqal of gold. The Holy Prophet (may peace be upon him) said, "Zakat is 1/40th in gold and silver" There is no Zakat on less than 3 Ounces but on 3 Ounces and above, Zakat will be levied at the rate of 2½ % (1/40 th) of the value of gold.

II. SILVER.

There is no Zakat on silver until it reaches 200 dirhams when 5 Dirhams are paid for Zakat. The following saying of the Holy Prophet (may peace be upon him) constitutes the authority:

و هي روزم ربع (الدنس) من مكن الاربعين وما كتب

"There is no Zakat on silver until it reaches 200 dirhams, the Zakat on it is 5 Dirhams." 37

37. ( ), Vol. 1, Quran Maham Karachi (3.53)

Hadith No. 1355.
According to Imam Abu Hanifa, "after 200 dirhams, if the additional amount is less than 40 dirhams, there is no Zakat on it. But when it reaches 40 dirhams, another dirham is paid." 39

According to Abu Saeed Khudri, the Holy Prophet (may peace be upon him) said, "There is no Zakat in less than 5 Aqiyah of silver" and one Aqiyah is equal to 40 dirhams, therefore there is no Zakat on silver until it reaches the value of 200 dirhams. When 200 dirhams are kept for complete one year, then 5 dirhams are to be paid on them. 39

200 Dirham workout at 52½ Tolas or 612.4 Grams in the term of prevailing international weights. But according to the research of Maulana Abdul Haye the Nisab for silver is 36 Tolas, 5 Masha and 4 Batties which workout at 425.2 Grams. While Mohammed Zia-ud-Din in his book "الزكاة في الأموال والدين" (Cairo 1957) declares that Nisab for silver is 51 Tolas or 595 Grams. Whereas according to Al-Abb Antas Marii-al-Karimi it 54 Tolas, 10 Masha and 3,4 Batties or 640 Grams. 40


39. Dr. Yousaf-ud-Din, ميزان الذهب والفضة في الإسلام, Hyderabad Deccan 1951, P. 678.

40. Al-Abb Antas, النذر والزكاة برسومات ومعرفة، Cairo, 1939.
The following table shows the rate of Zakat on gold and silver:

<table>
<thead>
<tr>
<th>Weight or Value of Gold and Silver</th>
<th>Rate of Zakat</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Up to 19 mithqal (less than 30 ounces) of gold or 199 dirham (less than 210 ounces) of silver.</td>
<td>No Zakat.</td>
</tr>
<tr>
<td>2. 20 to 30 mithqal gold or 200 to 239 dirham silver.</td>
<td>½ mithqal of gold or 6 dirham of silver.</td>
</tr>
<tr>
<td>3. Each additional 4 mithqal gold and 40 dirham silver.</td>
<td>2 dirham of gold or 1 dirham of silver.</td>
</tr>
</tbody>
</table>

PROPOSITION CONCERNING ZAKAT ON GOLD AND SILVER.

In connection with Zakat on gold and silver the following points are to be considered.

1. The Zakat of trade is given preference in case of conflict between Zakat of trade and Zakat of swaia (ئَمْلَى). Thus, if a person has swaia camels which he has bought for trade, the camels pay the Zakat of trade only. This is based on the argument that as soon
as animals are intended for trade, the purpose of posture and the cause of the Zakat of swine ceases to exist and they become trade property in both appearance and in reality. It may, however, be noted that the right to collect this Zakat of animals still belongs the state, irrespective of whether they are taxed as swine or as article of trade.41

2. For the purpose of Zakat, bullion of gold or silver are treated like wrought or coined gold and silver, such as the dirhams and diners or the ornaments, decorations and plates made of them. Gold and silver wrought for purposes of decoration and personal adornment pay Zakat as bullion whether or not they are used by women and whether they are kept for purchase of necessaries, for personal adornment or for trade.42

According to the Hanbalites, however, if gold and silver are used for lawful purposes such as women’s jewellery, they are not subject to Zakat.

Since gold and silver are by nature intended for trade they are considered as productive property and hence must pay Zakat.43

3. In determining whether or not the Misab is complete and

43. Imam Ghizali, مة Al-Muwid Cairo, 1317, P. 93.
the Zakat is due, it is weight and not the value or number that is
taken into account. For example, a vase of artistic beauty or
antique may be worth many times its value in weight. In such a
case the Zakat is levied on the weight but not on the value. In
the matter of payment of Zakat also, it is still the weight that
serves as basis when the Zakat debt is paid in terms of its own
genre. If however, the Zakat debt is paid in terms of another
genre, it is the value that is taken into consideration.

4. If gold or silver be mixed with an alloy, it is considered
as pure if the alloy is less than half the contents. If the alloy
equals the nobler metal, it does not then pay as gold and silver.
Finally, if the alloy is more than 50 %, the article is considered
to belong to the class of articles of trade if it falls under the
latter description or is used as currency. According to one view,
however, in gold and silver coins it is not necessary actually to
separate the precious metal and it is sufficient if it is known that
they contain Nisab weight of the metal in question.

According to the Shafites, however, alloys pay Zakat for the
precious metal they contain only in case the latter by itself amounts
to a nisab weight.

5. If gold is mixed with silver instead of with an alloy,
and if the gold predominates over the silver, the entire contents are
taxed as pure gold. If, on the contrary, the silver predominates,
then each pays Zakat separately, if on Nisab weight. It may be added in this connection that in the matter of alloys if the Zakat-payer does not know the amount of Zakat he must pay, he may either resort to the opinion of two experts or determine it by the method of water displacement. 44

III. COMMERCIAL GOODS.

Commercial goods include everything which is not measured by volume or weight and is not animal or real estate. In fact, all goods, excepting gold and silver, come under the definition of commercial goods because all are likely to become articles of trade and therefore are subject to Zakat. Even real estate—for example a piece of land—may become an article of trade although ordinarily it is subject to Kharaj or Usrah ( ) as the case may be provided there is an intention to trade in it.

An article technically becomes one of trade if there has been with regard to it an intention of trade coupled with an act to bear the intention out. The word 'act' as used above includes both commission of an act as well as its omission. 45

44. The water displacement methods are the following. The article is immersed in a vessel containing water and the level of water is marked. Then equal weights of the precious metal and of the alloy in question are immersed and the level of water is again marked for each. If the mark for the article is equally distant from the other two marks, then the alloy and the precious metal are half and half and similarly for other proportions. (Agnides, P.270.)

The following extract from Inayat (Page 125) admirably sums up the position in regard to the articles of trade.

1. What is inherited, even though intended for trade, does not, by unanimous opinion, become an article of trade, because in this case the act is wasting. This becomes clearer when it is remembered that in Islamic law inheritance is compulsory and takes effect without and in spite of the will of the heirs who cannot refuse to be heirs.

2. What is acquired against a consideration of wealth e.g., through purchase, location or loan. Such acquisitions become articles of trade if intended for trade, since there would then be in them both the intention and the act of trade. This is also unanimously agreed upon.

3. What is required for a consideration that is not wealth, such as the prices of marriage, divorce, and composition from the right of retaliation for murder (batel-al-julh "and das al-mud") or what is acquired for an consideration at all, such as gifts, alms and bequests. According to Ibn Yusuf, wealth acquired in these ways comes under the description of articles of trade if intended for trade, but it does not so come according to Muhammad Ibn-al-Rasen.

It is, however, essential that the intention to trade must be present at the time of the act, otherwise it has no effect. There must be intention to trade when the goods are acquired if there is no intention to trade at the time of purchase, the goods will be considered
to have been purchased for personal use. On the contrary, goods purchased for trade become commercial goods even if they were also intended to be used for personally or rents meanwhile before its sale.

"An article of trade continues to be until it is intended for other than trade, although the intention to trade has not been confirmed by an act because in this case the act is one of omission, and therefore, mere intention is sufficient. If afterwards he intends again to trade in that article, it becomes an article of trade only after it has been actually disposed of."

The intention of trade may also be implied. For example, if one purchases a good with trade goods, or if one rents his house which was intended for trade in exchange for an article, the goods received constitute goods of trade even if they have not been intended for trade.

The goods of trade are appraised in gold or silver coins as one, the other way in the more advantageous to the poor. According to Imam Shafi, the goods of trade if bought for currency, are appraised in terms of that currency, otherwise they are appraised in terms of the common currency. (Niehej, p. 262.)

If the goods are not sold and remain with the trade for one year, they will be subject to Zakat. According to Imam Malik, if any one purchases wheat or dates with gold or silver for trade
purposes and they remain in his possession until not full one year, they will be subject to zakat, provided they fulfill the necessary
Nimah limit. 46

According to Imam Ibn Hanife, the value of commercial goods
should be fixed in terms of money which is more advantageous to the
poor. In the opinion of Imam Abu Yusuf, value of articles of trade
should be reckoned in that money by which they were purchased
provided their price was paid in money. However, to Imam
Schimmel the value of commercial goods must be assessed in terms of money
which has greater circulation. 47

(See Section III)

ZAKAT ON ANIMALS AND FLOCKS

General Rules governing Zakat on herds and flocks (sawmā, ُبُلُجَّة
literally means any animal that is pasturing animals which are used
for riding or for carrying loads are not subject to zakat and do not
come under the term sawmā (سُمَّاء), nor does the word sawmā apply
to animals are taken into account as article of trade, the rule concern-
ing the two (i.e., being very different, the term sawmā applies to

46. Ibid., pp. 47, 49.
47. Mr. Yusuf-ud-Din, حيدر اباد,
animals pastured for their milk or offspring \(^{1}\) in order that they may grow. Only animals pastured for at least more than six months are considered sawaim. If, however, the animal is fed on provender during six or more months of the year, it is not a sawaim animal and is exempt from Zakat, unless it is subject to it as an article of trade. If a person buys animals for trade and afterwards turns them into sawaim, the year is considered to run from the time they become sawaim.

According to Shafites, an animal is sawaim if it subsists on pasture and does not involve for the owner cost for provender. Hence beasts carrying water or oxen used for transport purposes are not sawaim and do not pay Zakat, if they are pastured for more than 6 months in a year. \(^{48}\)

On the contrary, Imam Malik, however, holds that animals are subject to Zakat even if they are used for work, whether or not they are sawaim and base it on the ground that whether or not the animals are actually pastured, they are by quality pasture animals and the fact of their prevention from being so does take them out not from the category of sawaim. \(^{49}\)

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48. Imam Shafi, \(^{1}\) Katabs Balaq, Cairo 1321 AH, P.2
49. Imam Malik-bin-I seas, \(^{2}\) Ditto, Shel, 1322 AH, P.
In this connection, the saying of the Holy Prophet (may peace be upon him) is noteworthy.

"According to Harun Abu Uthman, the Holy Prophet (may peace be upon him) said, "There is livestock on the earth used for work (אָמַסְתָּה) and as beast of burden (אִזְבָּה)." Therefore, the general principle of Zakat, namely, that only such property is subject to Zakat which is sought for its physical produce and not for its use, applies in this case. Again if the animal is fed on farm, there is no Zakat on it, because the expenses are great for the owner, whereas the maintenance of such animal is not extensive. 50"

Moreover, the weaklings animals are counted in reckoning the Nisab but are not accepted in payment of Zakat. This is based on the precedent set by Harun Umar (אֵּלֶּה) in this connection.

Further only domestic animals are included in reckoning the Nisab, wild and the cross between the two being disregarded. However, according to Alawi (אֵּלֶּה), the status of a cross depends on that of the mother and if the mother was domestic the offspring is considered domestic. 52


51. Ibid., P. 51.

52. Ibid., P. 52.
After this basic and compulsory discussion now we are in position to state the Zakat of the cattle. According to Hadith of the Holy Prophet (ﷺ) only those animals which come under the definition of sawda are subject to Zakat. These are enumerated as under:

1. Camels;
2. Sheep and Goats;
3. Cows, bulls, oxen and buffaloes;
4. Horses.

1. **Camels**

The rate of Zakat on camel in derived from the following Hadith of the Holy Prophet (ﷺ):

"According to Hadhrat Anas bin Malik the Holy Prophet (ﷺ) said, "There is a compulsory levy of one goat on twenty four or less camels; one goat for every five camels; one year old female camel"
colt on twenty-five to thirty-five; one two years old female camel
colt on thirty-six to forty-five; one four-year old female camel
colt on forty-six to sixty; one five-year old female camel colt on
sixty-one to seventy five; two two year old female camel colts on
seventy six to ninety; two four year old female camels on ninety-one
to hundred-twenty; thereafter one two year old female camel on every
forty and one four year old female camel on every fifty." And there
is Zekat on a person who has only four camels but if the owner wants
to pay, he may. There is one goat on five camels. 53

The above stated rate of Zekat on camels, is shown in the
following table.

**Minimum of Exemption 4.**

<table>
<thead>
<tr>
<th>Number of Camels</th>
<th>Zekat Due</th>
</tr>
</thead>
<tbody>
<tr>
<td>5—9</td>
<td>One goat.</td>
</tr>
<tr>
<td>10—14</td>
<td>Two goats.</td>
</tr>
<tr>
<td>15—19</td>
<td>Three goats.</td>
</tr>
<tr>
<td>20—24</td>
<td>Four goats.</td>
</tr>
<tr>
<td>25—35</td>
<td>One female camel colt in her second year.</td>
</tr>
<tr>
<td>36—45</td>
<td>One female camel colt in her third year.</td>
</tr>
<tr>
<td>46—60</td>
<td>One female camel colt in her fourth year.</td>
</tr>
<tr>
<td>61—75</td>
<td>One camel five years old.</td>
</tr>
<tr>
<td>76—90</td>
<td>Two foals two years old.</td>
</tr>
<tr>
<td>91—120</td>
<td>Two foals three years old.</td>
</tr>
</tbody>
</table>
| 120—120          | For every forty camels above 120 a foal of two years and for every fifty above 120 a foal of three ye
2. **GOATS AND SHEEP.**

The rate of Zakat on goats and sheep is governed by the given tradition of the Holy Prophet (سُلَيْمُوُّدِيْعَالِیٰ).  

"This is Zakat on goats pasturing the forest. There is one goat due on forty to one hundred and twenty; two goats on one hundred and one to two hundred; three goats on two hundred and one to three hundred; thereafter one goat on every one hundred." 54

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**Minima of Exemption 39.**

<table>
<thead>
<tr>
<th>Numbers of Sheep/Goats</th>
<th>Zakat Due</th>
</tr>
</thead>
<tbody>
<tr>
<td>40—120</td>
<td>One goat/sheep</td>
</tr>
<tr>
<td>121—200</td>
<td>Two goats/sheep</td>
</tr>
<tr>
<td>201—300</td>
<td>Three goats/sheep</td>
</tr>
<tr>
<td>Over—300</td>
<td>One goat/sheep for every one hundred.</td>
</tr>
</tbody>
</table>

---


54. Ibid, No. 1363.
3. COWS, BULLS, OXEN, BUFFALOES, etc.

<table>
<thead>
<tr>
<th>Number of C. B. O. B.</th>
<th>Zakat Due</th>
</tr>
</thead>
<tbody>
<tr>
<td>30 - 39</td>
<td>One calf two years old.</td>
</tr>
<tr>
<td>40 - 59</td>
<td>One calf three years old.</td>
</tr>
<tr>
<td>60 - 69</td>
<td>Two calves two years old.</td>
</tr>
<tr>
<td>70 - 79</td>
<td>One calf two years old and one calf three years old.</td>
</tr>
<tr>
<td>80 - 89</td>
<td>Two calves three years old.</td>
</tr>
<tr>
<td>90 - 99</td>
<td>Three calves two years old and one calf three years old.</td>
</tr>
<tr>
<td>100 -</td>
<td>Two calves two years old and one calf three years old. One calf two years old for ten above one hundred.</td>
</tr>
</tbody>
</table>

The above table is derived from that order which the Holy Prophet (ﷺ) gave to Hazrat Waz'ad bin Jabal (when he sent him to Yemen).

"Charge one-year old male or female calf on every thirty cows and two-years old male or female calf on every forty." 55

According to Imam Bukhārī, Hadrat Ka'ūs-bin-Jabal charged one-year old male calf on every 30 cows and a two-years old male calf on every 40 cows. He did not charge anything for less than thirty and he said that he did not hear any with regard to this matter from the Holy Prophet (ﷺ) and that he would require about this from the Holy Prophet (ﷺ) when he would see him. But the Holy Prophet (ﷺ) died before Ka'ūs-bin-Jabal came back.

4. HORSES AND MULES.

The Holy Prophet (ﷺ) exempted horses and males from Zakat. But Hadrat Umar at first levied this tax on voluntarily and afterward made it compulsory by the consultation of the companions of the Holy Prophet (ﷺ) including Hadrat Ali. In fact this suggestion that horses should be subject to Zakat levy was made by Hadrat Ali.

According to Imam Abu Hanifa, pasturing horses are subject to Zakat at the rate of one dinar per head. "The owners have the option for paying a dinar for each horse without regard to the requirements of Misab or of appraising them, and if, their value amounts to the Misab of paying at rate of 5 Dirhams for every 200 Dirhams." Hadrat Umar (ﷺ) is reported to have supported the method of fixing the price of horse.

56. (60), quoted by Sr. Yusuf-us-Din, "Al-I'jār 1, Hyderabad Deccan 1951, p. 672.
SECTION IV

BENEFICIARIES OF ZAKAT.

Expenditures of Zakat tax have been fixed by Allah and its disbursement has not been left to the sweet will of executive or a party or an individual. The expenditures of Zakat have prescribed in the following verse of the Holy Qur'an—

"Verily the wadqat are for the poor and the needy and those who collect them and those whose hearts are to be reconciled, and to free the captives and the debtors and for the cause of Allah and (for) the wayfarers, an a duty imposed by Allah. Allah is Knaower, Wise."  

1. Al-Quran, 9:60.
These are called the eight heads of expenditures (سپاهی) fixed by Allah and the state or assembly has no authority (as some modern writers claim) to spend this tax on other than these expenditures. Let us study these expenditures in details:

I. FUGARA (THE POOR).

Fugara (فراغ) is the plural of Faqir (فقير) derived from 'Faqir' which means breaking of the vertebrae of the back and faqir, therefore, means literally a man who has his back broken or one afflicted by a calamity (LL). Apparently it refers to disabled people who on account of some physical defect are rendered invalid to earn their living. Technically the fugars have treated as faqir one who does not own a misab of a property or owns a misab of such unproductive property as is just sufficient to meet his personal needs or is designed to be utilized in the payment of debt. 2 According to Kamil-ul-ina, there are three different kinds of Misabs:

(A). The Misab of productive property which is unencumbered with debts. Such misab subject the owner to the obligation of Zakat.

(B). Unproductive misab or a productive misab encumbered with debt exempts a man from paying Zakat but bars from recovering Zakat if it is not entirely destined for the satisfaction of the naked necessities of life. Thus a person owning several articles of

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wearing apparel or several household utensils or a horse is
debarged from receiving Zakat if he does not need to ride a horse
or other otherwise he is poor and may receive a share.

(C). The Nisab which does not bar from receiving a share
from the Zakat, but bars from begging. This nisab consist in posses-
sion of sufficient food for a single day after covering one's
living even if one should not own a day's food, or as some say it
consists in the ownership of 50 dirhams. 3

Moreover, according to Hanafites, it is permissible to give
Zakat to a poor man who is in good health but unemployed having no
source of income, and a banved poor man is given preference over an
ignorant poor. 4 Hence, a healthy and honest but unemployed person
may also have a share in Zakat. The following verses of the Holy
Quran serves as authority in this regard.

خَسَسَ لَهُمَا مِنَ الْأَمْلَاءِ فِيَّ لَهُمَا مِنَ الْمَزَائِلِ لَوْ تَأْتَيْنَاهُمَا مِنْ حَيَّا

"So he watered (their sheep) for them, then went back to the
whade, and said, " My Lord! I stand in need of whatever good You
may send to me." 5

Here the word *Taqir (تاقرُ) is used for a emigrant who were
also unemployed.

3. S.A. Saddiqui, Public Finance in Islam, Sh. Abulref,
Lahore 1969, P. 156.
4. Ibid, P. 156.
"It is for the poor and the emigrants, who were driven from their home and their properties, seeking grace of Allah and His pleasure, and help Allah and His Messenger." 6

The word Fuqara (فقراء) is used for the Muslim emigrants who were driven out of their home and possession for the cause of Allah.  

"Also, they are for the poor who are straitened for the cause of Allah, who cannot travel in the land (for trade or employment). The unthinking man accounts them wealthy because of their restraint. You shall know them by their mark (face). They do not beg of men with importunity. And whatsoever good thing you spend, Lo! Allah Knows it." 7

According to this verse the preference must be given to the person who are pious engaged in good deed i.e. students, unpaid religious teachers, worshiper etc. Further preference in this connection is graded in the following verse of the Holy Qur'an:

"And give wealth for love of Him (Allah) to kinsfolk and


to orphans and the needy and the w-yaferer and to those who ask, and to set slave free." 9

In the light of above verse top priority should be given to the fugara among close relatives, while disbursing Zakat.

According to the Malakites the question of deciding whether a man is rich or poor is left to the discretion of the state; but as a guide it may be taken that a man who lacks sufficient means to provide for necessities for one year even if they possess a trade is poor. However the Shafite hold that one is rich not only by possessing wealth, but also by being ablebodied and the latter are not given any assistance unless they need it in order to make a living. 9

In short, the term (الـو) includes all poor, old invalid individuals and those who cannot earn a livelihood as well as those who are performing the duties of Islam, e.g., students, teachers and propagators of Islam, who have no time to devote to earning a livelihood, as well as the unemployed." 10

II. THE 13.1082r.

Miskin has been defined in a Hadith as one (i) who lacks the means to richness (ii) whose need is not so self-apparent as will

9. Ibid, 2177.
attract the attention of others and induce them to give him alms and finally (iii) one who is too self-respecting to resort to begging. 11 In the same Hadith Uskin have further been defined by a reference to the verse:

(i) "Their self-respect would make them pass for rich (ii) You can pick them up by their expression (iii) but they do not run after people (to beg). (2:273).

According to the Hanafites and Malikite the needy or the indigent are those who do not have anything and who need to resort to begging in order to make a living and obtain enough clothing to hide their nakedness. However, from the practical point of view, the difference in the definitions of poor and the needy is not of much consequence. 12

In short, needy is a person whose possession is less than missah, not enough to meet their needs or who are heavily under debt. Thus the needy persons are those whose possession is not enough to enable them to live without assistance.

Rahmat Umar (may Allah be pleased with him) in his one statement, while interpreting the word ًًًً، included


under this head the needy of the men of scripta. But the Islamic Jurists are of the opinion that the Zimmis should be assisted from the secular taxes other than the religious taxes i.e. Zakat, Sadaquat-ul-Fitr, Wazir etc. 13

III. THE COLLECTORS. (لاbury

The third head of the Zakat Fund is of the collectors. (لاbury

appointed by the Islamic state for the collection and disbursement of Zakat. This term includes the following:

1. All collectors of Zakat under a complex economy, the state may have to appoint a large team of collectors of Zakat on produce of land, collectors of Zakat on cash, gold and silver and collectors of Zakat on herds and flocks. Mohassil (لاbury) Hormedanq (لاbury) Arahir (لاbury) and Sal (لاbury) may be different categories under the main head collectors. This specialization will evidently depend upon the simplicity or complexity of the organization required to operate the system in different stages of economic development of a country or its different provinces, cities, towns or villages. 14

The term also includes:

2. Katibas (لاbury) (scribes and clerks.)


3. Qasam (قِسَام) (distributors);

4. A'ashir (أَشِر) (who bring together the property-owners and the beneficiaries);

5. Arifs (آرِف) (who informs about the beneficiaries);

6. Hafiz (هَفِیز) (The custodians of Zakat);

7. Hasib (هاَسِب) (The accountant);

8. Kuyul (کُیْوَل) (Those who measure off the Zakat dues.)

However, Governors, Imams and Judges are not included in the list of the collectors. The collectors of Zakat are paid in wages out of Zakat Fund irrespective of their financial position. Nasamities may not employed as Zakat collectors. But Imam Al-Tahawi permits them.

As regards the amount of wages of the collectors, it should not exceed, in any case, the 1/3 of the Zakat collected. According to some Jurists this amount may rise up to 1/2 of the Zakat collected. While some fix no limit of it. But 1/3 of the whole collection is a reasonable limit and it will be helpful in acquiring the aim of Zakat, otherwise it would be come unproductive and would lose all its significance. But the wages of these collectors will be determined, as in other Government and semi-government departments, according to the nature and the degree of responsibility of their works. They will enjoys all those facilities and privileges as are enjoyed by the other officials of their cadre.
The fourth recipients of Zakat Fund are those persons whose hearts need reconciliation. This head of expenditure comprises of various classes of people whose friendship and co-operation might help in strengthening Islam. The Holy Prophet (ﷺ), sometimes used to pay a portion of Zakat to these new converts, who were weak in their faith and might have lost their previous property and need encouragement and assistance to strengthen them in their faith and help in their economic rehabilitation. There were a class of leaders of clans and tribes and secure their goodwill for Muslims and ward off their potential evil designs against the Muslim society, which was then only springing in him to existence.

But after the death of the Holy Prophet (may peace be upon him) Hadrat Umar (رضي الله عنه) sternly refused to give them any share saying:-

"The Messenger of Allah used to give you a share in order that there may grow up a love for Islam in your heart. Now by the grace of Allah, Islam has grown stronger and does not stand in further need of your help." 15

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According to Hanfi school of thought there is no longer any necessity for this head of Zakat and this share has thus lapsed. According to the Shafites it is not lawful to pay from Zakat Fund to any non-Muslim in order to draw him into Islam but it can be paid to a powerful Muslim if it is expected that this will result in others of tribes becoming Muslim.

V. FREEDOM OF SLAVES.

Islam, the religion of freedom and self-respect, has adopted different methods to remove the heaviest millstone of slavery round the neck of the human civilization. Among others, Islam has enjoined the Islamic state that an appreciable part of Zakat tax should be spent to win freedom for these unfortunate persons. According to the Hanafites and the Shafites, slaves should be paid enough from Zakat which may suffice their freedom. The Malikiotes hold that the slaves should be bought with Zakat money and then set free.

VI. THE DEBTORS.

This head of expenditure includes those who do not possess a mass over and above their debt and first necessities. Such persons are helped from the Zakat Fund to pay off their debts, provided that their debts were not incurred for unlawful acts such as

16. Imam Shafi, (المؤسس), Bolsh Cairo 1321 AH. PP. 64-73.
gambling, drinking, indulgence in luxuries etc. Hence, the Jurists of Islam have classified the debtors as under-

1. Those who incurred their debts to meet their necessities of life. Their debts can be paid off out of the Zakat Fund, provided their possessions do not exceed the prescribed Nisab. 19

2. Those who incurred their debts to maintain other needy and poor, whether their relatives or others, their debts will be paid out of Zakat Fund irrespective their possessions. 13

According to some Jurists, a person who possesses a single month's food worth a full nisab over and above his debts is still entitled to a share. Some legislators hold the term Charamin ( ﷲ) also includes those creditors who cannot collect their claims from their debtors. 19

According to Qatada that Charamin ( ﷲ) are those people who owe debts and the burden of debt is due neither to their extravagance nor unlawful expenditure nor their property or poverty. 20

Mujahid thinks that Charim ( ﷲ) is one whose house burned or whose belongings are washed away by flood and he can not maintain his family. 21

20. Dr. Yusuf-ud-Din, ﷲ, Hyderabad Deccan 1951, PP. 733-734.
In short, the word "used to help debtors" has very wide scope and is meant to provide assistance to deserving but honest debtors. The precedent set by the Holy Prophet (ﷺ) serves as a light house for the coming generation (ﷺ), who is reported to have said:

"خُبْرَةُ الْحَقِّ: مَنْ يَتُرَّكْ وَلاَفَاءَهُ، فَيُغَيْبُ عِنْدَ الْعَالَمِ، وَمَنْ يَتُرَّكْ ضَرْعَةً، فَيُغَيْبُ عِنْدَ الْعَالَمِ، وَيُغَيْبُ عِنْدَ اللَّهِ."  

And whoever leaves any debt is for Allah (the Islamic state). 22

VII. THE CAUSE OF ALLAH. (١٠٣٩.)

The seventh head of Zakat Fund expenditure is 'the cause of Allah'. This is a wide expenditure and covers a multitude of operations and interests of the Muslim community. According to certain legalists it comprises of all noble activities. In this regard Syed Suleman Nadvi's interpretation is worth note:

The seventh head of Zakat expenditure is for the benefit of Allah. This is a wide expenditure and covers a multitude of operations and interests of the Muslim community. According to certain legalists it comprises of all noble activities. In this regard Syed Suleman Nadvi's interpretation is worth note:

In the way of Allah is a wide term which includes all acts of piety, and it has been interpreted for Jihad or Hajj journey or other noble deeds according to prevalent conditions and needs of the time. Certain Jurists have taken the words the way of Allah to mean the religious wars. The limitation does not appear to be correct. In the preceding Quranic verse (Ams are) for the poor, who are straitened for the cause of Allah, the phrase 'the cause of Allah does not mean religious wars only but every act of piety and every religious act. Some Jurists maintain that in matter of Zakat the transfer of ownership is necessary and therefore the letter (Lam (ל)) in 'Lil-Fugara (לילפגרה) is not conclusive proof that it must denote possession; it may possibly denote 'benefit' as in

"he created for you and that is in the Earth." [23]

However, Imam Abu Yauf holds that the phrase means the persons who, by reasons of poverty, have been unable to join Muslim Army for the purpose of Holy war. According to Jami, it also means the poor persons who have committed the 'amen to memorize memory as well as poor students. According to Fath, the unanimous opinion is that, with the exception of collectors, people of all the classes mentioned as well as pilgrims may receive a share under this heading. This heading also includes judges, Juriaconsults, prayer

[23. S.A. Siddiqui, Public Finance in Islam, Lahore, p. 176.]
callers and other functionaries whose services rendered to the credit of Islam, provided they are not in receipt of pay from the public exchequer. 24

The last head of expenditure of Zakat Fund is the wayfarer. The term 'wayfarers' includes not only wayfarers who start their journey without making necessary preparations; or who meet with accidents or natural calamities on their way which render them incapable of reaching their destination without external help; or who become destitutes or their provision is lost, but also the providing of conveniences to travellers, e.g. making and repair of roads, bridges, inns, travens etc.

However, strictly speaking, the term "wayfarers" denotes strangers cut off from their property and by extension all persons who have been cut off from their possessions even if they should be in their own cities such as the resident who has property away from his home, and the creditor whose debtor admits his debt but cannot settle it because he is in financial strait. These persons do not receive more than they need and it is preferable that they should borrow the money they need, if they cannot do so. Like the poor person who becomes rich, the wayfarer too, is not obliged to bestow

as also the money that is left in his possession from the Zakat when he recovers his property. 25

Hadrat Imam Abu Hanifa hold that a wayfarer who is in the middle of journey will be given help but not one who is at the start of his journey. 26

According to Imam Shafi, wayfarers may be given enough to complete their journey even if they have not yet started on it, provided his journey is for lawful purpose. In the opinion of Imam Malik, wayfarer, who have property at home should be sided if they fail to get a beam. 27

Hadrat Imam Shafi's opinion in this regard is more reasonable.


U'shr, in fact, is a form of Zakat which is levied on the land produce. The Jurists of Islam and the Muslim economists derived its legality from the following verses of the Holy Quran:

وَأَوْلَىٰ عَلَىٰ الْأُمَّةِ مِنْ هَذَا الْعَهْدِ إِلَيْنِ

"And on the day of harvest give its right." 1

"O you who believe! Spend of the good things which you have earned and which we bring forth from the earth for you." 2

According to Imamurradi (أَمَامُ عُرْضُ بِيَةٍ) the later part of this verse i.e. (وَأَوْلَىٰ عَلَىٰ الْأُمَّةِ مِنْ هَذَا الْعَهْدِ إِلَيْنِ) is an authority for U'shr (tithe). These verses have been further elucidated in the following Hadith:

عن عثمان بن عفان رضي الله عنه قال: أخبرت هؤلاء الصحابة والخزاعي بعشر و ما سبقت دلالة على رفع التامة.

"According to Hadhrat. Abdullah, the Holy Prophet (may peace be upon him) said, " The land irrigated by rainfall, streams or water-springs shall be charged one-tenth (1/10) of the produce, and the land irrigated by wells one-twentieth (1/20)." 4

According to the Islamic Jurists, the payment of U'shr to the beneficiaries is as the payment of Zakat i.e. an act of gratitude.

1. Al-Quran, 6:141.
4. حُرُوجٍ عَلَىٰ الْأُمَّةِ مِنْ هَذَا الْعَهْدِ, (urdu) Vol. 1, Quran Rahel Karachi (N...). Hadith No. 1389.
as well as a religious duty which enables the poor to perform their religious duties; and incalculates in them (the rich) the fine habits of generosity, whereas it destroys those (habits) of niggardliness. Subject to U'shr according to Hanafi school of thought is every produce of land, except grass irrespective of whether the requirements of Nisab, durability and length of a year have been met. Hanbali school of thought, includes even the wild grass in the list of U'shrable produce, while the Shafites levy U'shr only on that produce of land which durability is one year.

The tithe (U'shr) is due only where there is a produce, but when it is destroyed by an act of Allah, no tithe is leviable, the cause of the tithe being actually productive land as compared with the absolutely productive land (whether actually or potentially so) in the case of the Khiraj.

U'shr (the tithe) is levied on 1. the U'shr land i.e. the land of the Muslims irrespective of their period of embracing Islam; 2. the land of the foes of Islam; captured by the Muslims; 3. heirless Zammi's land owned by the Islamic state or by any Muslim after his (Zammi's) death; 4. uncultivated or barren land cultivated by any Muslim.

5. Abu Zahir Kasani, مَجْمَعَتُ مَجْمَعَتٍ, Matbaa Juladia Cairo, 1910, p. 53.
7. Karmari, سرائیل, p. 239.
The different rates of U'shr are as under:

1. 5% on the produce of land irrigated by labour and expenses of the tiller of land or the over of land. These expenses include one's expenditures on the construction of well, tube-well, private canal, tank etc. The labour have means the physical struggle made by the tiller to irrigate his land. Some Islamic economists are of the view that a tiller who pays a considerable amount of the water tax, will pay 5% of produce, and if the Islamic state supplies water for irrigation free of charges, then the rate will be 10%.

2. 10% on the produce of those lands as are irrigated by rainfall or by other springs or rivers or streams and canals free of charges. These specified rates are derived from the following Hadith of Nadhrat Mohammad ( ).

"According to Nadhrat Abdullah the Holy Prophet (may peace be upon him) said, "The land irrigated by rainfall, streams or river, shall be charged 10% of the produce, while the land irrigated by well 5%."


Urdu.
The Jurists of Islam are of different opinion on the following problems of U'shr (the tithe):

(A). Are the Ushry and the Khareef both tithable lands?

(B). Will the tithe be levied on every kind of produce of land or some kinds are exempted?

(C). Will any Nisab (as specific amount or number) of produce be fixed for the levy of tithe or it will be levied on any amount or number?

(A). In first problem the Hanafites Jurists are of the opinion that the tithe will be levied only on the "U'shr land", while Malik, Imam Shafi and Imam Ahmad bin Hanbal hold that both

11. U'shr lands are those which fulfill one of the following conditions:

(i). Which owners embrace Islamic without any war.

(ii). Which is given to any Muslim (soldier or any other Muslim) as spoils of war.

(iii). Which was barren (විශේෂ විදා) and any Muslim made it cultivable. (Abu Ubaid, pp. 512-513. Cairo, 1353 AH.

(iv). Which is not land of the worlds of foes (කොළඹවාලය)

Hence, it is not correct to say that only the lands of the Arab Muslims is U'shr land. And it is preferable if every Muslim pays U'shr of his land (see Vol. 5 pp. 67-69). Maktaba Aziza, Newband India (M. I.)
the opinion of the Hanafi school on tithes. The detailed study of their opinion is possible in the respective books of every school of thought.

(3). On the second problem Imam Abu Hanifa levies tithes or every useful produce. He exerts only the wild grains. While his disciples: Imam Ibn Yassuf and Imam Muhammad Ibn-eel-Hasan opined that only such produce of the earth as may be preserved for a year and amounts to a nisan is taxable.

Imam Malik and Imam Ahmed Bin Hanbel are of the same opinion as that of the Hanafites. But Imam Shafi is of the opinion to levy this tax only on the produce of edibles. 13

(4). In third problem according to Imam Abu Hanifa and his disciples, there is no nisan (minimum amount or number of the produce). Their arguments basis on the Holy Koran:

and the saying of the Holy Prophet (may peace be upon him).

While the other school of thought i.e. the Shafites, the Malikites and Hanabites, have fixed nisan of Ushar i.e. 5 darsa which workout about 12 Manas.

According to another research 5 Manas are about 23 Manas and Manas is equal to 37 kilo gram and 325 darsa.

12. Al-Maswari, ركبتان, مسوم, Springer, Bonn, 1852, p. 203, Imam Nawawi, 33, 34 Darsa, or-ul-ul-


According these later jurists any tiller who produce is less than 5 ḫasan is considered poor and needy. But the benedites please that ʿushr is a duty on produce of land on ṣalah (the daily prayer) or fast and it will be said and prescribed in every case.

Moreover, ʿushr is for those the wretched and the invalids who are more needy than as a person who produces 5 ḫasan by the dint of his labour.

**MEASUREMENT OF NICAL.**

While measuring ʿushr the cost of seed, the rent of land, the wages of the labourers appointed for the produce purposes shall not be deducted from ʿushr. 14

**Zakat (ʿushr) is also levied on fruit irrespective of whether the requirements of ḫasan, harbility and place of a year have been met. Hence, green vegetable which cannot be preserved for a year, are also subject to Zakat.** 15

Muhammad Ibn Hanan on Abu Yusuf, however, maintain that only such produce of wealth as may be preserved for a year and amount to a ḫisan is taxable. 16

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15. Al-Berard, P. 203.
17. Al-Berard, P. 204.
There is different of opinion among the Islamic jurists regarding the subject Zakat and Kums, according to some IMSP and Islamic scholars of fruits, like agricultural produce, are subject to Zakat at rate of 1/5 of the produce. But Imam Sahib holds that only dates and grapes are subject to Zakat, in the matter of dates and grapes, the Hanafites and the Shafa'tis held that they should be appraised by the state as soon as they become ripe and the owners should be required to pay their Zakat later in dry dates and raisins.

The Hanafites jurist oppose this opinion on the ground that it involves curtailment of the owner's rights and the corollary is in reality an exchange of fresh date (jusht) yet on three, against dry dates to be delivered in the future, and involves a difference of quality (jushat) as well as a trade sale (jalal) both of which are forbidden as usurious.


On certain properties, wealth and possessions, Islam levies 1/5th of them as state right for the social security of the poor and the needy. In the terminology of Islam this 1/5 has been named Kums. The list of these 1/5ths is as under:

1. The spoils of war;
2. On mines and treasure-trove.

The spoils of war form one of the sources of fund of the
Islamic state for public maintenance. It is considered as an unreliable
diminishing source in these days but even then it may be a
source of income for the Islamic state to meet the basic necessities
of life of her subjects.

Technically, it means property taken by force from infi-
dels during the war. Hence, property taken by the Muslim who entered
the enemy land without the permission of Imam is not spoil because
such property has been seized not by force but by theft. In other
words, the property which falls into the hands of an Islamic force
in a regularly declared war comes under the category of spoils. 19

The 1/5th of the spoils which goes to the Islamic state is
reserved for rendering help to the poor and the needy and the wayfarer.
It derived from the following verse of the Holy Quran:

"And know that whatever you take as spoils of war, let a
fifty fifth there of is for Allah and for the Messenger and for
the kinsman (who hath need) and orphans and the needy and the wayfarer)." 20

20. Al-Quran, 8:41.
As regard the property and the land that falls into the hand of the Islamic forces without actual warfare, they remain the property of the Islamic state to be used for the common weal.

The Holy Qur'an says:

وَلَا نَؤْمِنُ كَنِيْتُمْ مُنِيعًا وَنَقْضُمُ عَلَيْهِمْ عِنْدَ رَبِّنَا وَمَا نَعْلَمُ إِلَّا مَا كَانَ كَانَ فِى مِنْ أَرْضٍ مَّا رَأَيْتَ أَنَّ رَبِّنَا كَانَ مِنْ أُمُورِ الْحَقَّ

"And which Allah gives as spoil to His Messenger from them, you urged not any horse or riding camel for the sake of their of, but Allah gives His Lordship over whom He wills. Allah is Able to do all things. And that which Allah gives as spoil to His Messenger from the people of the township, it is for Allah and His Messenger (for the Islamic state) and for the near of kin and the orphans and the needy and the wayfarer, that it becomes not a commodity between the rich among you." 20

The above verses stipulate the division of 1/5 of the booty in the following five part, viz:

1. The Holy Prophet (may peace be upon him);
2. The near of kin of the Holy Prophet (may peace be upon him);
3. Orphans;
4. Indigent;
5. Wayfarers.

This division of shares was followed in the lifetime of the Holy Prophet (may peace be upon him). But after his death his share and his near of kin's share were passed. Now all of the 1/5th will be divided among the items No. 3 to 5 and this will be done by the Islamic state and the relatives of the Holy Prophet (may peace be upon him), however, are entitled to a share in so far as they belong to one of the above classes 3 to 5, and in that case they are given precedence over the rest. This is the calling of the Hanafites. 21

Imam Shafi holds that the descendants of the Holy Prophet (may peace be upon him) should be gathered together from the four corners of the world and their share be given to them. 22

But this is calling is impracticable and difficult. In this age, when the states have to spend huge money on defence and purchasing war weapons, however some jurists, are of the opinion that the Islamic state is entitled to the share of first two items for this purpose.

(2). On Mines and Treasure-Trove.

There is disagreement on the nature of tax imposed on mines and treasure-trove. According to the Hanafites, this tax is considered as 'spoils of war' while the shafites and the Hanabalites

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21. 
22.
regard it as Zakat.

Hence, jurists have classified the mines as follows:

1. Those which are solid but may be melted and admit of imprints, like gold, silver, iron etc.

2. Those which are liquid like petrol, oil, etc.

3. Those which are neither liquid nor may be melted like diamond, coal, gypsum, arsenic etc.

If these mines of 2nd and 3rd categories are found in private land or lodge of any citizen, then the Islamic state has no claim on it provided they are not intended for trade and even these are discovered in U'khry or Khiraj land and these are intended for trade then they are subject to Zakat, while the 1st category is subjected to tax at rate of 20% of the produce. 23

As regard the property buried underground, if that buried property belongs to the Islamic era (i.e., on it such impressions are found which make this indication) then it will treated as trove. If any impression of pre-Islamic age is not found on it or it is impressionless, and if it is found in private land or lodge or in U'khry or Khiraj land or any mountain or barren, then 1/5th of it will be paid as community tax. Its legality is derived from the following tradition:

"And there is 1/5th in Rikaz." 24

23. Hifez-ur-Rahman, .. ,Nedwat-ul-Bussanaseen

Rikaz means, property buried underground, it may mean treasure-trove or mines or the both. 25

The question arises, why both the mines and the treasure-trove are a hidden and buried property then why there is a difference in their problems of Zakat (or Khums)? The Jurists of Islam have explained that the reason of difference is that the treasure-trove is not a natural part of the land while the mines are a natural part of it, like gold, silver etc. are the items of land which Allah has placed there at the time of the creation of earth.

Hence, the difference, regarding the place of their discovery and other matter, is reasonable and natural. 26

There is no tax of 1/5th on anything taken out of the sea even if it is gold or silver on the ground that being at the bottom of the sea they are proof against the conquest, whereas the tax applies only to the spoils of war. Similarly, there is no tax on stones like Turquoise, Sapphires, Emerald, Topaz etc., when they are found in the mountains, because the Holy Prophet (may peace be upon him) said, "There is no fifth on stone." If, however, they are used as article of trade, they pay Zakat as such. 27

To sum up, mines and treasure-trove are an important and increasing source of revenue for the smooth running of the social security system in Government sector.

25. Sarkhosi, زابز, Nataheen-ur-Insad, Cairo 1331 AH. P. 211


27. Imam Nowsdi, {{Quran|1}}. Karul Rhyas-ul-Dutub-al-Arabi, Cairo, 1343 AH. P. 246.
The estates of deceased persons or blood price of those murdered persons who leave no legal (lawful) heirs or leave only a husband or wife, and who have disposed of their estates by will, or any Muslim who denounces Islam and leaves the country to join the enemies of Islam, become the property of the Islamic state.

The Holy Prophet (may peace be upon him) as the head of the Islamic state said,

وَمَرَّ وَرَتِّلَهُ مِنْهُ وَرَتَّلَهُ لِأَرْضَى وَإِلَّا عَلَى غَدٍّ

"And I am (as the head of the state) the heir of the heirless. I will receive his heritage and pay his blood price on his behalf." 29

Similarly, if a Zimmi dies heirless or breaks the covenant of Zimma by fleeing from the Islamic state and joining the foes of Islam, his property will go to the Islamic state, and in the case of his murder, his blood price will become confiscated to the Islamic state. This is explicit in Madhurat Umar's practice, he ordered that the estates of heirless deceased Zimmis should be deposited in Bait-ul-Mal.


29. Abu Usaid, كَبْرْسِ النَّارَاء, Cairo 1353 AH. P. 221.
"Hadhrat Amr-Abn-Al.,s wrote to Hadhrat Umer, asking him about the property of those Sahaba who died heirless, he answered that if they had any relatives, then their property would go to them otherwise it would be deposited in the helt-ul-Wal of the Muslims because they were their successors." 30

The Jurists of all the four Muslim schools of thoughts i.e. Hanafites, Shafites, Malakites and Hanbalites all are one at this point that the property of the deceased whether Muslim or non-Muslim would become confiscated to the Islamic state. 31

For detail the relevant works of every school of thought be considered.

This is one of the irregular sources of Income for our proposed system of social security.

5. Ṣarahī, 7 (٧٥٠).)

To meet the basic necessities of the poor, the needy and the invalid, the Islamic state is entitled to levy other than prescribed taxes i.e. Zakat, Jīshr, Sadaqat-u-ṣajiba etc., provided that the

31. Al-Kaunbi, ٧٥٠, ٧٥٠, Qatada Jamalik, Cairo, 1910, Vol. 2 P. 67, Abu Musuf, ٧٥٠, Qatada, Cairo, 1353. P. 221, Harwardi, ٧٥٠, Qatada Rahmodia Cairo (H.5) P. 173.
prescribed taxes are insufficient for the said purpose. Moreover, there may be occasion when the prescribed taxes do not produce healthy equilibrium among the various classes and the Muslim society is divided into top-dogs and the under-dogs, or there may be national emergencies such as war, famine and general unemployment. In all these cases, for insurance of the greatest good of the greatest number, the state is entitled to impose "warid (.embedding)" i.e., emergency taxes or special financial contributions or taxes other than the obligatory taxes.

The Jurists of Islam derive their sanction from the following:

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\text{"Give the kineman his due, and the needy and the wayfarer."} \text{ 32}
\]

\[
\text{"Show kindness to parents, and to near of kindred, and orphans, and the neighbour who is not of kin (to you), and the fellow travellers and the wayfarer and (the slavee) whom your right hands possess."} \text{ 33}
\]

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\text{"And they ask you what they ought to spend says: That which is surplus."} \text{ 34}
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33. Ibid, 4:36.
"According to Hadhrat Abu Mousa Ahsan the Holy Prophet (may peace be upon him) said, "Feed the hungry and release the prisoner." 35

وَعَدَّمُ مَرْحَبَةُ بَنِ أَبْنَهَ عِنْالَيْنِ عَلَى مُحَمَّدٍ شَهِيدٍ أَرْضَنَى فَمَا أَهْلَى بِكِنَّاءٍ مُّقِينٍ

"According to Hadhrat Abdullah-bin-Umer the Holy Prophet (may peace be upon him) said, "In your possessions there is a prescribed right of the poor, other than Zakat." 36

In this connection the statement of Hadhrat Ali is noteworthy.

He said:–

رَبِّ أَنتَ عَزِیزُ الْأَلْفَ وَإِسْبَارِ الْأَمَامِ أَوْقَفْ عَلَى مَلَكِكَ فَقَدْ قَلْتَ مَا سَأَلْتُ وَعَلَى عِنْدِنَا

"The right of the poor in the wealth of the rich is limited to the amount which may be sufficient to meet the needs of all the poor and hence if the poor are hungry or intemperate, the blame is the negligence on the part of the rich." 37

وَهُمْ لَا يَتَمَشَّونَ أَوَّلَ لَفْسَاتِهِمْ فَعَلَمَنَّاهُمْ وَأَوْفِينَا عَلَى الْفَقَرِ

"The fact which I have come to know today, had I known before, I would never have delayed it and would have, undoubtedly, distributed

the surplus wealth of the rich among the poor." 39

After quoting the above mentioned verses of the Holy Quran, sayings of the Holy Prophet (may peace be upon him) and the practice of the companions of the Holy Prophet, Ibn-u-Hazam Az-Zaheri says that:

"It is the duty of the rich of every city (or village) to meet the necessities of the poor and the destitute of their city or village (and if the income of the public treasury is insufficient to the needs of such persons then) The Sultan (the Head of the state) can force them to do so. " 39

Ibn-u-Hazim further declares that this is the collective calling of the companions of the Holy Prophet (may peace be upon him) that if there is any one hungry or naked or shelter-less, then it is the duty of the state to meet his needs from the surplus wealth of the rich (provided the income of the Zait-ul-Fal is insufficient)." 40

In the light of above we can say that the Islamic state can levy extra share taxes (ٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌٌーコ
This subject requires an exceeding wide range of sources. If we give all works on the exegesis of the Holy Quran, on Hadith, Fiqah and many other branches of the Muslim lore, then this list will touch an astonishing and an endless length but we avoid this and shall enlist only the works of significance on this topic in the alphabetical order:

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