

ABSTRACT

Social security system deals with the provision of fundamental needs of man, covering disability, sudden sickness, unemployment, disease, flood, fire, drowning, storm, traffic accidents and the financial losses caused due to these reasons. The sufferers of these events consequently face poverty and require financial assistance for themselves and their families.

The term social security, in modern sense, denotes program and schemes chalked out by law which ensure the provision of basic necessities of life to the individual and his family, when the normal means of doing so fail. It is a “scheme to provide relief to the victims of social contingencies”.

The ILO defines social security system as:

“A set of legal provisions creating a title to defined benefits for defined categories of persons, in defined contingencies, including maternity , child maintenance, conditions requiring medical care, maintenance of community health , incapacity for work, unemployment, old age, funeral and death of the breadwinner.”¹

Social security systems may vary from country to country, from time to time, from nation to nation and from economic system to economic system. In general, however, when earnings have stopped because the worker has retired, or died, or is disabled, benefit payments are made from the social security Funds to replace the part of the earnings, the family has lost. Whereas the term “Basic Necessities” is used in different ways. Generally it is restricted to things which are required to maintain bare existence.

Sometimes it covers the things to maintain a standard of living with dignity and honour. The concept of social security enshrined in the UDHR speaks as:

“Everyone, as a member of society, has the right to social security and is entitled to realization, through national effort and international co-operation and in accordance with the organization and resources of each State, of the economic, social and cultural rights indispensable for his dignity and the free development of his personality.”²

1. International Labour Organisation, *Summary of National Legislation on Social Security*, Geneva (1949), 9.

2. Article 22 of the Universal Declaration of Human Rights.

The social security in Islam is based on the principles of dignity of person, equality of man and the welfare of humanity. In Islam it is the legal and moral obligation of the individuals, society and the government to take care and fulfil the needs of the poor and needy sections of the society irrespective of their faith and relationship with donor. In Islam it is the responsibility of the state to provide basic necessities of life to its subjects irrespective of their cast, creed, colour and religion. In order to extend help to old people, unemployment, sudden calamity, hereditary deformity Islam provides a complete umbrella and shelter to address all the misfortunes and eventualities.

Islam right from its inception has been extra ordinarily conscious of fulfilling the basic necessities of life of the subjects of its State. It is one of the basic responsibilities of an Islamic State to meet the needs of the people, who are unable to meet their needs of life at their own.

In Islam poor relatives have the right to sue his wealthy relatives for the provisions of basic necessities of life, in case they are unable to meet them. In accordance with the teachings of Holy Quran and Traditions the provisioning of basic necessities to the poor, orphans, ill and destitute people is the liability either of the rich section of the society or the government itself. The Holy Quran and Sunnah of the Messenger (ﷺ) are replete with the instructions given to the believers in this regard. The Holy Quran speaks on the subject as:

“Righteousness is not that you turn your faces toward the east or the west, but (true) righteousness is (in) one who believes in Allah, the Last Day, the angels, the Book, and the prophets and gives wealth, in spite of love for it, to relatives, orphans, the needy, the traveller, those who ask (for help), and for freeing slaves; (and who) establishes prayer and gives Zakat; (those who) fulfil their promise when they promise; and (those who) are patient in poverty and hardship and during battle. Those are the ones who have been true, and it is those who are the righteous.”³

Islam is excessively mindful of financially depressed sections of the society and it regards the help to the poor and needy sections of the society as a true yard stick of his piety and righteousness. The Holy Quran states in this regards as:

3. Al-Quran, II: 177

“Never will you attain the good (reward) until you spend (in the way of Allah) from that which you love. And whatever you spend - indeed, Allah is Knowing of it.”⁴

In the light of the teachings of Holy Quran and Sunnah an Islamic State is under obligation to provide social security to its subjects for their sustenance and comfort. In this regard in Surah-al Baqara Holy Quran states as:

“They ask you, (O Muhammad), what they should spend. Say, “Whatever you spend of good is (to be) for parents and relatives and orphans and the needy and the traveller. And whatever you do of good - indeed, Allah is Knowing of it.”⁵

The Holy Quran further says:

“Those who spend their wealth (in Allah’s way) by night and by day, secretly and publicly - they will have their reward with their Lord. And no fear will there be concerning them, nor will they grieve.”⁶

In Islam a society is not meant for the rich and powerful sections of the society. The poor and needy have a due share in it. Wealth is not deemed to circulate among the vicious circle of rich only.

In Islam, Zakat is the first and cornerstone of social security. Zakat is one of the important instruments to increase the welfare of individuals both in the temporary and permanent stages of their life. Zakat aims at eliminating poverty and the desire for personal accumulation at any cost, and encourages socially orientated behaviour. It aims for the reduction of socio-economic differences by providing financial help to the ‘have-nots’ to bring them closer to the ‘haves’. This can be done in two ways. First, the person capable of working will be given what he/she needs to become a productive earner so that he/she can earn an income that satisfies his/her basic needs. This may include education, training and capital to start a business. The distribution of Zakat in the form of education, training and capital goods, (such as a taxi, sewing machine etc.) not only enriches the poor and makes them productive elements in society, but also encourages entrepreneurship and increases the supply of entrepreneurs. This effect is further enhanced by the overall Zakat system which provides a social security type of arrangement that stimulates new business ventures. This increases employment and productivity.

4. Al-Quran, III: 92

5. Al-Quran, II: 215

6. Al-Quran, II: 274

Second, the unproductive members of society such as the elderly, sick, widows, the handicapped etc., will be provided periodic income to support them to afford consumption of their basic needs. Therefore, Zakat increases the demand for goods which fulfils the basic needs of the poor. Hence, Zakat also influences investment because the multiplier effect which results from a rise in aggregate consumption which increases investment.

Zakat is not very wisely practiced by Muslims in India. The management system for Zakat is elementary. Zakat should be used in the rehabilitation of the poor and helpless, not just to feed and clothe him for a short duration. Today, the Muslim community in India is full of needy, destitute and helpless who do not have the basic amenities of life. They are in an urgent need to raise their living standards above this current level which is way below the level of humanity.

However, there are number of organisations which are working in the field of Zakat and ensuring social security to community as far as possible.

1. Objectives of the Study

The objectives are to take on this research work concerning to:

- i.** What reforms were made by the Prophet Muhammad (ﷺ) and rightly guided caliphs in social security system?
- ii.** What are Legal Measures of social security in society provided by the Islam?
- iii.** To analyses the concept of social security from Shariah point of view?
- iv.** To find out whether Zakat is capable mode for eliminating poverty from society?
- v.** Study the present state of affairs as regards to its enforcement and workability in the existing socio-economic conditions of community.

2. Hypothesis

The Hypothesis of the existing research work is formed on the following presumptions:

In general, it is supposed by the adversary that there is nothing like ‘Social Security’ under Islamic system. The Holy Quran as well as the Traditions (Sunnah) of Prophet Muhammad (ﷺ) is a complete code of moral and legal rights to the human beings of

the universe in general and Muslims in particular. Possibly Islam is the first religion to recognise the concept of social security. So far, away as rights of depressed class of the society (particularly needy, poor and destitute) are discussed in detail in the Holy Quran. There are number of verses in the Holy Quran and Traditions (Hadiths) which are meant to the welfare of the needy, poor, orphans and destitute. However, concept of social security implemented by the western in 20th century and in India too is concerned mainly to recognise the rights of poor.

Generally, it is presumed by some non-believers and even by the believers that Zakat is the only means of social security in Islam. However, apart from Zakat (which is obligatory measure of social security in Islam) there are other measures also which fulfils basic needs of individuals in Islamic society.

However, the social security as implemented in India it seems that the Indian schemes of social security are largely based on Islamic schemes. Under Islam social security schemes are applicable universally. The current study is confined to the Legal Dimensions of Social security in Islam.

3. Impact of the Study

The condition of Muslim community is worst all over the World. Muslim community will become aware about the importance of social security modes and Zakat in the contemporary society and will be able to utilize such concept in more effective manner within the spirit of Holy Quran and Tradition for their betterment. This study would add something to the existing pool of literature in the society concerning to the subject.

4. Methodology

The methodology adopted by the scholar is only doctrinal and analytical. The research is based on two kinds of sources i.e. primary sources and secondary sources. The primary sources consist of verses of Holy Quran and Traditions. Secondary sources consist of books, articles, encyclopedia, research papers, news papers and journals (Law and others). Use of internet was also made to collect significant data relating to the topic of study. The whole study is descriptive, analytical and empirical in its nature. During the course of the work uniform method of citation has been followed.

The research work is divided into six chapters. The short overview of the chapters is as under:

Chapter I is the study of the concept of social security in Islam from Shariah and modern points of view which are as long as given in the Islam to all believers and non-believers without any biasness.

Chapter II of the thesis discussed the classifications of social security modes in Islam. The provisions of social security measures deals in the perspective of Holy Quran and Traditions of Holy Prophet Muhammad (ﷺ). An attempt has been made to define aims and objectives of securities provided to needy, poor, destitute etc. in Shariah. It also deals with a comprehensive discussion of social security during Prophet Muhammad (ﷺ) and rightly guided caliphs in the perspective of the Holy Quran and Hadiths.

Chapter III is the study of Zakat institution as a mode of social security. This chapter explores the historical aspect of Zakat in Islam. It also discusses the socio-economic role of Zakat in society in the light of Shariah. It also contains the rights of the poor in wealth of rich.

Chapter IV Analyses Zakat as an economic safety. It also deals with the potential of Zakat for elimination of poverty. It also discusses the concept of mutual responsibility in Islam.

Chapter V reviews the Contemporary practice of Zakat. An attempt has been made to describe contemporary practice of Zakat in Muslim countries and its management. It also mentions the challenges in the administration of Zakat.

Chapter VI provides the role of Zakat Foundation of India and other organizations in ensuring social security in India. An analytical study of the collection and distribution of Zakat Fund by the Madrasahs and other organizations has also been presented.

Conclusion and Suggestions:

- 1) Muslim community be sensitized about the concept of social security and Zakat and its utility in present era by Muslim scholars and ulemas.
- 2) In the present era of globalisation and liberalisation of the world's economy, the Muslim community should also realise the importance of Zakat.
- 3) There is need of awareness among Muslim community with regard to the social security modes granted to them by the Holy Quran and Traditions. As most of the Muslims are ignorant about these modes of social security in Islam.
- 4) At present, there is a need for reviving the system in India for Muslim community. India has the second largest Muslim population in the world. The resources are available within the Muslim community for both poverty alleviation and uplifting the standard of living through Zakat, the obligatory alms of Islam. Zakat can be made a vehicle of change for alleviating poverty from the Muslim community.
- 5) There are thousands of small and big organizations working in the field of Zakat collection and distribution in India. They are not accountable to any supervising authority. Therefore, there is a need to set up a body to monitor and regulate their functioning to avoid mismanagement and misappropriation of Zakat fund.

Please pursue the work
