

## 1. Introduction

Security is one of the prior concerns. It is needed for all. Without security none can carry on. Social security is also considered necessary, in a sense, as a social being it is more essential than other. So, from the very beginning of human life social security is a burning issue. Even in the contemporary world its application is unchanged. Day after day its demands are increasing. Because it is the most fundamental and asking matter in human beings. The topic, therefore, demands immense consideration. At present, we are facing social insecurity over the world. There are both poor and rich countries in the Muslim arena. While some of them enjoy the highest per capita income in the world, while some countries are on the poverty line. Neither, it is our expectation, nor the reflection of beauty of Islam. Totally it is not in favour of Islamic way of life. On the other hand, we know the social insecurity is the main obstacle to establish a welfare society. When Prophet Muhammad (ﷺ) of Islam says, *“None of you will have faith till he wishes for his (Muslim) brother what he likes for himself”*.<sup>1</sup>

*“To feed (the poor) and greet those whom you know and those whom you do not know”*<sup>2</sup> then how it is possible to his followers’ society to ignore the questions of social security. Query is there. We research on what we are missing or failing to carry out.

Let us make an effort to explain the meaning of social security, its sense and conception, problems of contemporary society and the ruling of Islam in this regard. We believe that the Holy Quran, the best and the only protected divine book that can solve all the problems of society. For this reason we should seek out the solution of our problems in the light of Holy Quran and Sunnah.

Zakat is the first institution of social security in Islam and is one of the main pillar or fundamental principles of the Islamic social system. It is an indispensable method or technique of the implementation of Islam in society. In Holy Quran, the principle of Zakat has been rehearsed many times with the principle of Salah or prayers. The basic point in Salah, among other, is the remembrance of Allah (الله) and Zakat may be said to be a focus of constant and pointed attention to the ordering of the social affairs in

1. Sahih Bukhari, Vol. 1, Book 2, Hadith 6.

2. Sahih Bukhari, Vol. 1, Book 2, Hadith 12.

Islamic polity, on remembrance of Allah (الله). In that sense ‘Salah’ is the foundation of Zakat. In other words, without Zakat, society loses its Islamic spirit. It is the objective basis of the enforcement of the principle of responsibility to Allah (الله).

*“And do not give the weak-minded your property, which Allah has made a means of sustenance for you, but provide for them with it and clothe them and speak to them words of appropriate kindness”.*<sup>3</sup>

Islam has laid down principle of justice. Wealth is necessary and legitimate but isn't the end of life.<sup>4</sup>

## 1.1- Historical Perspective of Social Security

### 1.1.1- Socio-Economic Conditions of Pre-Islamic

Pre-Islamic Arabia was the period before the coming of Islam in Arabia. It was also named as Jahiliyyah period and the Arabs were deeply rooted in sins and immoralities. It is also important to say that they had some qualities as well. The **first** point is that the social structure within the nomadic life of the Arabs in the desert placed great importance to loyalty within the clan or the tribe. The leader was respected. The individuals could not survive in the desert and as such the well-being of group and tribe was paramount. There were the acceptable social norms which revolved around what was acceptable to the group. Something may be accepted in a group and the same thing may not. **Secondly**, due to these differences there was constant warfare between tribes for revenge and superiority and that went on for generations. There was no sense of national identity and there was inter tribal feuds and vendetta. **Thirdly**, the leader or Shaikh was chosen on the egalitarian system. The shaikh took care of the weaker members of the tribe. His social standing depended on his justice and on raids to capture camels, cattle or goods of neighbouring tribes. **Fourthly**, the nomadic Arabs evolved a chivalric code (muruwah) giving meaning to their lives within the clan or tribe. This would mean glorifying courage, patience, endurance, hospitality and generosity. They would be being generous with the little they had and that was very important. **Fifthly**, there were also the settlers in towns like in Mecca and Ta'if. They followed commercial ethos to survive, though they still maintained the tribal allegiances. The main chiefs were the city dwellers. **Sixthly**,

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3. Al-Quran, IV: 5

4. Bangladesh Islamic Center, *Thoughts on Islamic Economics* (Islamic Economic Research Bureau, Dhaka, Bangladesh, 1980).

there were common vices of drinking and gambling more prevalent here and that led to debt. In this way usury was common. **Seventhly**, men were considered as the supreme leaders.

They could decide on whatever they wanted as long as women didn't interfere. Men treated their women as commodities known as chattels to pay debts. There were unchecked polygamy and polyandry and they were rampant. **Eighthly**, women and girls had no status and no human or legal right in their family lives and in the society. It was the men who would decide. The men would prefer to have male offspring as the latter would grow to be fighters and would have the chance to become a leader. As such there was female infanticide. **Ninthly**, there were many sins like prostitution, adultery, fornication, theft, highway robbery and kidnapping among others. However, the settlers in towns of Mecca followed commercial ethos to survive and made agreements with the Bedouins not to attack the trade caravans especially during season of fairs. **Tenthly**, there was the relation of slaves and masters. The lives of the slaves depended on the masters. They were ill treated by the bad masters. They had no right in the society and were bought and sold at will.

After the coming of the Prophet Muhammad (ﷺ) among the Arabs and the ashhab, there was a slow but inevitable change in the acceptance of Islam in all aspects of life. **Firstly**, the Arabs were used to tribal equality in many spheres of their life and this equality characterised the life of the Prophet Muhammad (ﷺ) and the spirit of early Muslims. This led to the idea of brotherhood in Medina and towards the whole Muslim community and hence there was more cohesion. **Secondly**, the Prophet Muhammad (ﷺ) gave importance to all individuals regardless of who they were or in which tribes they are or which lineage. What was important is to be a Muslim in the Ummah of the Prophet Muhammad (ﷺ). **Thirdly**, the religion of Islam incorporated the ideals of courage, patience, endurance which became universal loyalties to Allah and other Muslims.<sup>5</sup>

### **1.1.2- Prophet Muhammad and Rightly Guided Caliphs**

From its very inception at Medina in the early seventh century, the Islamic state accepted its responsibility towards the poor and the destitute. The Prophet Muhammad

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5. Shiraaz "Social Conditions of Pre-Islamic Arabia" available at: <https://www.scribd.com/document/242307419/Social-Conditions-of-Pre-Islamic-Arabia> (Visited on 10 October 2017).

(ﷺ) as the first head of this state initiated the strategy of providing economic aid to the needy and the poor from the state treasury although this small state during his time had not enough resources which were always under pressure due to constant wars. Prophet Muhammad (ﷺ) utilized the limited revenues of the state collected from Zakat, Khums and Fai to meet the needs of the poor, orphans, widows, the disabled, debtors, slaves, prisoners of war and those who were unemployed.

Prophet Muhammad's (ﷺ) Strategy was followed by Hazrat Abu Bakr (R.A), his successor, who continued helping the poor and the needy. It was, however, during the time of Hazrat Umar (R.A) that the scheme of social security for all was established on permanent foothold as the state had expanded to include in its fold many rich countries like Iraq, Syria and Egypt and its revenues had substantially increased.

In the year 20 A.H., Hazrat Umar (R.A) established a government department called Divan for the purpose of holding census of population at regular intervals. On the basis of this census annual pensions were fixed for: (i) widows and orphans, (ii) all disabled, sick and old people, (iii) widows of the prophet, (iv) survivors of the battle of Badr and all others who had been in the forefront of the struggle for Islam and (v) early muhajirs and Ansars. Encyclopedia of Seerah gives the following account of rates of grants fixed for each category by Hazrat Umar (R.A). "He fixed an allowance of 5,000 dirhams per annum for anyone who had fought in the Battle of Badr, and for all others whose Islam was of the same degree as those who had fought at Badr, e.g., who had migrated to Abyssinia, or fought at the battle of Uhud, were given 4,000 dirhams per annum; the children of those who had fought at Badr received 1,000 dirhams, but Hassan and Hussain, for their relation with the Holy Prophet Muhammad (ﷺ), received the same amount of allowance as their father, i.e., 5,000 dirhams each. Everyone who had migrated before the conquest of Mecca was given an annual allowance of 3,000 dirhams: and those who embraced Islam at the conquest of Mecca were given 2,000 dirham each, and young children of the Muhajirin and Ansar also received some amount. Wives of the Holy Prophet Muhammad (ﷺ) were paid 12000 dirhams each.

The caliph also established a special department for maintenance of record of pension. Pensions and allowances were paid to all deserving persons, and even the destitute and needy among the Zimmis received financial aid. With a view to find out the minimum amount of food an average person needed to maintain proper health, Hazrat Umar (R.A) is reported to have made experiment with a group of thirty people of good

appetite. He kept them for two meals and on the basis of this experiment he ordered that every citizen should receive a monthly amount of wheat sufficient for two square meals a day in addition to monetary pension which he was already receiving.<sup>6</sup>

The department maintained separate registers for each category of grant. The purpose of this department was that nobody in the Islamic state should remain hungry or naked. All those who were poor, needy, disabled, orphans or widows and were unable to earn their livelihood for one reason or the other were enrolled by this department and were paid regular grants by the Byt-ul-Mal (public treasury).

The disabled, old and destitute among the non-Muslims were also provided financial aid from public treasury and their taxes like Jizyah were remitted. Caliph Hazrat Umar (R.A.) once saw an old man begging and he asked him why he was doing so. The old man replied that he was a non-Muslim and he had to beg in order to pay his Jizyah tax to the state. Hazrat Umar (R.A) took him home, gave him some money and sent him to the in-charge of Byt-ul-Mal with the order that such people should be helped financially and should be exempted from Jizyah. He also issued a general order, based on his own ijtehad (interpretation)<sup>7</sup> of verse 60 of chapter 9 of the Holy Quran, that destitute among the non-Muslims should also be provided financial aid from the Sadaqat Fund of the public treasury.

Guest houses were built in most of the cities to provide free meals and accommodation to the travellers. Arrangements were made for the care and nursing of children who were left on roadside by their mothers. Allowances were paid to children, family allowances were provided, allowances to the old and widows were paid, debtors and prisoners were helped and slaves were assisted in their manumission. During a scarcity in Medina, the cash and food stores of public treasury were all spent on the sufferers. Even the provinces were directed to dispatch food grains to Medina.

The caliph was so conscious of his responsibilities towards have-nots that he is reported to have once remarked that he would be held responsible on the Day of Judgement if a camel dies of thirst near a bank of river Tigris (Dajala).

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6. Dr. Muhammad Sharif Chaudhary, *Fundamentals of Islamic Economics (online)* 15 (Burhan Education and Welfare Trust, Lahore, Pakistan, 1st edn., 1999).

7. Ijtehad (Arabic اجتهاد) is a technical term of Islamic law that describes the process of making a legal decision by independent interpretation of the legal sources, the Holy Quran and the Sunnah.

After Hazrat Umar (R.A), the system of social security continued to be maintained with almost same zeal by his successors Hazrat Usman (R.A) and Hazrat Ali (R.A), the third and fourth right-guided caliphs. However, with the dismemberment of pious caliphate, this noble system of helping the poor also deteriorated. Hazrat Umar-bin-Abdul Aziz, another pious caliph, revived it for a shorter period during his brief reign. But unfortunately, during the later period, the system gradually disappeared due to lack of personal interest of the Muslim rulers.<sup>8</sup>

## **1.2- Meaning of Social Security**

The term ‘social security’ is of recent origin and come into common usage. Word ‘security’ means- the state of being free from danger or threat, the safety of a state or organization against criminal activity such as terrorism, theft, or espionage, procedures followed or measures taken to ensure the security of a state or organization, the state of feeling safe, stable, and free from fear or anxiety,<sup>9</sup> and safe keeping, protection, safety, precautions etc.

Generally, the term social security describes a program that uses public funds to provide a degree of economic security for the public.<sup>10</sup> The Dictionary meaning of social security is “a program in which the government provides money to people who are unable to work because they are old, disabled, or unemployed”

'Social security' denotes the programmes established by law to provide for the economic security and social welfare of the individual and collective. Nowadays, these programmes have generally assumed the shape of old-age pension, unemployment allowance, medical allowance, death compensation, disability allowance, family allowance etc.

It is elementary human right. Namely- sudden sickness, death, disability, disease, unemployment, fire, flood, storm, drowning, accidents related to transportation, and the financial loss caused by them are the reasons, even the traveller’s financial security are included in it. This certainly requires that social security should be treated as a basic human need over a very wide range of human activities and situations.

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8. *Supra* note 6.

9. Oxford Advance Learner’s Dictionary

10. <http://people.howstuffworks.com/social-security-number1.htm> (Visited on 10 October 2017).

The term ‘social security’ in Islam means arranging for the fulfillment of basic requirements of human life to each and every individual living in the boundaries of an Islamic state. Arrangements are to be made to an extent that nobody remains excluded from their provision. These basic requirements cover food, clothing, shelter and medical care.<sup>11</sup>

### **1.3- Aims and Objectives of Social Security in Islam**

**i. Satisfying the Needs of All Creatures:** This is the major objective for transfer payments imposed by Shariah and is applicable to all mankind. Charity is a unique feature of Islam by which poor, needy, orphans and destitute are assisted.

**ii. The Generation of Positive effects in the Inner self of the Donor:**

This is an objective which does not occur to an economist, unless he is acquainted with the texts and rules of Shariah. The objective is mentioned in a number of Holy Quranic verses and in Traditions. Examples of such positive effects on the personality are:

- a) The purification of a donor’s soul and wealth.
- b) Strengthening the donor’s faith.
- c) Inculcating the habit of caring for others, etc.

**iii. Creating Good will among People:**

This social factor has, unfortunately, not been noted by economists. It is, however, so important in Shariah that it abolishes the reward of charity if it is accompanied by what leads to hate and enmity, even though charity benefits the receiver economically. Almighty Allah says:

*“Kind words and covering of faults are better than charity followed by injury. Allah is free of all wants and He is most forbearing. O ye who believe! Cancel not your charity by reminders of your charity or by injury”.*<sup>12</sup>

**iv. The Reduction of Disparity in the Distribution of Income and Wealth:**

Economists usually talk about the guarantee of minimum needs and the reduction of

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11. Dr. Nejtullah Siddiqi, *Islamic Public Economics* 71 (Idarah-i Adabiyat-i Delli, Delhi, 1<sup>st</sup> edn., 2001).

12. Al-Quran, II: 263-264

disparities as if they are the same thing, but Shariah distinguishes between the two, and gives the first greater importance.

**v. The Better Utilization of Natural Resources and Fixed Assets:**

Some economists may be surprised to hear of a (positive) relationship between redistribution and efficiency (except through the effect of redistribution on incentives which is generally thought to be negative), but such a relationship indeed exists. This was demonstrated earlier while discussing the giving away of surplus.

**vi. Encouraging others to Make Charity:** This is the wisdom, as has been explained by the scholars, in openly making charity. Allah has said:

*“If ye disclose (acts of) charity, even so it is well, but if ye conceal them and make them reach those (really) in need, that is best for you”.*<sup>13</sup>

It is an analytical principal emphasized by the Shariah on a number of occasions.<sup>14</sup>

### 1.4- Islamic Concept of Social Security

Islam has a unique concept about ensuring social security of human. It is a religion of submission and brought a total change in all spheres of existence. It has revolutionized many societies, both in the east and the west.<sup>15</sup> Doctrine of Islam protects from all kinds of uncertainty and ensuring their tranquillity and happiness in the life of Earth and Heaven. Establishment of Islamic State is also a precondition of ensuring social security on the basis of Islamic doctrine. There is no alternative to the implementation of Islamic rules and regulations in every stage of society, for the reason that, Islam is the final code for human beings; not partial or unfinished directory of personal and collective life. On the basis of this, we claim with firm determination that Islamic state or society is a symbol of all sorts of security. It has many institutions for the sake of protection of their inhabitants-without bindings of their creed, colour, race and beliefs.

The Holy Quran is primary source by which social security provision derives its authority. The Holy Quran includes various provisions for social security of poor, needy, destitute etc. The purpose of social security as per Holy Quran is to guarantee a minimum standard of living by helping the poor and meet the costs of basic needs,

13. Al-Quran, II: 271

14. Ziauddin Ahmad, *Islam, Poverty and Income Distribution* 47 (The Islamic Foundation, Delhi, 1st edn., 1991).

15. *Islamic Thought Growth and development*, Edited by Mohamed Taher, New Delhi, 1998, Preface.

protecting the vulnerable against shock, and fostering an equitable income distribution. Its primary objective is to serve the cause of social justice and a moral purpose.

In accordance with the teachings of Holy Quran and Hadith 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:

***“And do not pursue that of which you have no knowledge. Indeed, the hearing, the sight and the heart - about all those (one) will be questioned”.***<sup>16</sup>

***“So give the relative his right, as well as the needy and the traveler. That is best for those who desire the countenance of Allah, and it is they who will be the successful”.***<sup>17</sup>

The Holy Quran speaks frequently of the importance of giving alms to the poor-

***“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”.***<sup>18</sup>

The Holy Quran is the first religious book which provides for proper treatment and dignity to the slaves. Islam is the first religion in the world which has raised the social status of women, needy, poor and destitute.<sup>19</sup>

The Holy Quran (IX:60) and Islamic Law stipulate that alms are to be used to support the poor, orphans and widows, to free slaves and debtors, and to assist in the spread of Islam.<sup>20</sup>

The concept of social security in Islam originates from the following verses of the

Holy Quran and the Hadith which instructed the believers to ensuring social security-

- i. “They ask thee, (O Muhammad), what they shall spend. Say: That which ye spend for good (must go) to parents and near kindred and orphans and the***

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16. Al-Quran, XVII: 36

17. Al-Quran, XXX:38

18. Al-Quran, III:92

19. A.I. Qureshi, *The Economic and Social System of Islam* 68 (Islam Book Service, Lahore, 1<sup>st</sup> edn., 1979).

20. John L. Esposito, *Islam: The Straight Path* 90 (Oxford University Press, UK, 1<sup>st</sup> edn., 2005).

*needy and the wayfarer. And whatsoever good ye do; Lo! Allah is Aware of it”.*<sup>21</sup>

- ii. *“And in whose wealth there is a right acknowledged. For the beggar and the destitute”.*<sup>22</sup>
- iii. *“The alms are only 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; a duty imposed by Allah. Allah is Knower, Wise”.*<sup>23</sup>
- iv. *“And in their wealth the beggar and the outcast had due share”.*<sup>24</sup>
- v. *“Allah's Messenger (ﷺ) said, 'Every one of you is a guardian and is responsible for his charges. The ruler who has authority over people, is a guardian and is responsible for them, a man is a guardian of his family and is responsible for them; a woman is a guardian of her husband's house and children and is responsible for them; a slave ('Abu) is a guardian of his master's property and is responsible for it; so all of you are guardians and are responsible for your charges”.*<sup>25</sup>
- vi. *The Prophet Muhammad (ﷺ) said, 'I am closer to the believers than their selves in this world and in the Hereafter, and if you like, you can read Allah's Statement: 'The Prophet Muhammad (ﷺ) is closer to the believers than their own selves.' So, if a true believer dies and leaves behind some property, it will be for his inheritors (from the father's side), and if he leaves behind some debt to be paid or needy offspring, then they should come to me as I am the guardian of the deceased”.*<sup>26</sup>

From the above mentioned verses of the Holy Quran and Hadith of the Holy Prophet, it is obvious to us that ensuring social security is the most important in Islam. In absence of Islamic state responsible to provide for the poor, Islam also enjoins upon its rich followers to help their poor relatives, friends and neighbours.

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21. Al-Quran, II: 215

22. Al-Quran, LXX: 24-25

23. Al-Quran, IX: 60

24. Al-Quran, LI: 19

25. Sahih Bukhari, Vol. 3, Book 46, Hadith 730

26. Sahih Bukhari, Vol. 3, Book 41, Hadith 584

### 1.4.1- Public Solidarity

Islam, with all its high principles, has urged cooperation and empathy between the members of the Muslim community. It has also urged them to stand for the weak and the poor who cannot afford for their basic needs of clothes or food. Therefore, the rich in the Muslim community are urged to spend their money on these groups through charity and Zakat. It is mentioned in a noble Hadith that when the Messenger (ﷺ) was sending Mu'adh-Ibn-Jabal to Yemen, he said,

*“...tell them that Allah has made it obligatory on them to pay Zakat which will be taken from the rich among them and given to the poor among them”.*<sup>27</sup>

In this Hadith, we can understand how keen Islam is on the Muslims on one hand and on the other, to spread love and cooperation between them.

Almighty Allah says, *“Believe in Allah and His Messenger and spend out of that in which He has made you successors. For those who have believed among you and spent, there will be a great reward,”*<sup>28</sup>

*“And what Allah restored to His Messenger from the people of the towns – it is for Allah and for the Messenger and for (his) near relative and orphans and the (standard) traveler- so that it will not be a perpetual distribution among the rich from among you. And whatever the Messenger has given you – take; and what he has forbidden you – refrain from. And fear Allah; indeed, Allah is severe in penalty,”*<sup>29</sup>

All the aforementioned evidences from the Holy Quran if we are to conclude something from them, it would be that Allah has commanded Muslims to care for one another and that the rich should give the poor from their money. Paradise has been made by Allah as the great reward for those who spend for His sake. By their spending, they come closer to Allah because they obey His commands. Another thing we can also deduce from these verses is that Allah has commanded Muslims that whoever has a surplus in his provision, they should not leave their fellow Muslim brothers and sisters suffering from shortage in their needs rather, they have to find whoever in need and provide for them.

The rich have a responsibility towards the poor, needy and those unable to earn their livelihood, by giving them from their money. About this, the Messenger Muhammad

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27. Sahih Bukhari and Muslim

28. Al-Quran, LVII: 7

29. Al-Quran, LIX: 7

(ﷺ) said, “Whoever dies (out of dire need), while there were rich people living by him, then Allah is clear from them.”<sup>30</sup>

This is according to what Allah says,

*“And give the relative his right, and (also) the poor and the traveler, and do not spend wastefully”.*<sup>31</sup>

#### **1.4.2- The Community’s Right over the State**

Social security, as a principle, is founded upon an intrinsic principle that is the right of the Muslim community over its state. Based on this principle, the state is totally responsible for securing a good standard of life for the disabled and poor in the Islamic state. The state should secure sufficient resources for the members of the Muslim community to live with dignity.

In times of emergency, the state should interfere in order to achieve balance in the community and to reduce the large gaps in it. When the Medina, for example, went through an emergency as they received a group of people who needed to stay in it, the Messenger (ﷺ) forbade them from saving the meat of the sacrifices of al-Adha Eid. When that group left Medina, the Messenger (ﷺ), once again permitted people to save the meat. In a hadith reported by Muslim, Abu-Dawoud and others through Lady 'Aisha (R.A.), the Messenger (ﷺ) said, "I forbade you for those (poor persons) who flocked to the town, but now when this situation has improved, you may eat, preserve and give charity".<sup>32</sup>

The concept of social security was systemized early on into three particular forms of charitable giving, all of which still exist today. Islam is religion whose foundation has been kept on charity, generosity and philanthropy. Narrow mindedness, greed and miserliness are evils that shake its edifice. Therefore, Islam likes that its followers should be generous and charitable. It has advised them to great others kindly, to act righteously to help their kinsmen and to do all kinds of good and virtuous deeds. It has stressed on its followers to make righteous living a permanent policy.

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30. Dr. Yusuf al-Qaradhawy "Mushkelat al-Faqr wa Kayfiyat Ilajihā fi al-Islam". available at <http://www.dar-alifta.org/Foreign/ViewArticle.aspx?ID=369&CategoryID=3> (Visited on 5 October).

31. Al-Quran, XVII: 26

32. Reported by Bukhari. Book of Sacrifices. Hadith no. 5144. Reported by Muslim. Hadith no. 3643. Reported by Tirmidi. Hadith no. 1431. Reported by Malik. Book of Sacrifices. Hadith no. 918.

*“The example of those who spend their wealth in the way of Allah is like a seed (of grain) which grows seven spikes; in each spike is a hundred grains. And Allah multiplies (His reward) for whom He wills. And Allah is all-Encompassing and Knowing”.*<sup>33</sup>

*“Those who spend (in charity) their wealth by night and by day, in secret in public, have their reward with their lord, there is no fear for them, nor shall they grieve”.*<sup>34</sup>

It is the responsibility of every Muslim that in meeting his needs he should act in balanced way, so that he may not spend all his wealth on his personal needs only. But that it is his duty that he should let others also partakes of the blessings which Allah (ﷻ) has bestowed on him and that he should allot a part of his wealth for the help and assistance of the poor and needy persons.<sup>35</sup>

The word Sadaqat usually translated as alms was used to denote charitable giving in the broadest sense of the term and covered obligatory as well as supererogatory acts of charity.

*“Alms (sadaqat) are for the poor and needy, and those employed to administer the (funds) for those whose hearts have been (recently) reconciled (to truth) for those in bondage and in debt in the cause of Almighty Allah (ﷻ) and for the wayfarer (thus it) ordained by Almighty Allah (ﷻ), and Allah is full of knowledge and wisdom”.*<sup>36</sup>

Today, Sadaqat almost always denotes charitable giving that is voluntary rather than obligatory as such as much as they can to good causes and particularly to the deserving poor. The giving of Sadaqat is seen as meritorious in itself on purely practical grounds.

However, the spiritual importance of voluntary giving should not be overlooked. Many Muslims believing that the donation of sadaqat on a regular basis attracts divine favour and repels misfortune.

The word Zakat describes the form of charitable giving which the Holy Quran deems incumbent on all believing adult Muslims with adequate financial means at their disposal. While there are minor differences according to the school of jurisprudence to which one adheres to general Zakat involves the annual donation of 2.5% of one's net worth to the bayt-al-mal or community treasury. The word 'Zakat' is derived from the

33. Al-Quran, II: 261

34. Al-Quran, II: 274

35. Zikr-Ur-Rehman, *Islamic Principles* 158 (Anmol Publications Pvt Ltd, New Delhi, 1<sup>st</sup> edn., 2004).

36. Al-Quran, IX: 60

Arabic word 'tazakara' which means to 'purify'. The payment of Zakat is therefore, one prescribed way in which Muslims may in a sense purify or make sacred their wealth and possessions by giving a small proportion of it in the name Allah and for his sake. Among those most devoted to Allah (الله) the Holy Quran asserts are those who-

***“Spend their wealth for increase in self-purification and have in their minds no favour from anyone for which a reward is expected in return”.***<sup>37</sup>

The spending of wealth for the sake of Allah (الله) renders pure not only one's possession but also one's self- provided of course that one gives with the intention of pleasing Allah (الله) and not for the sake of attracting attention by giving openly and conspicuously in the payment of Zakat. The giving freely of one's self and one's wealth one is encourage to abnegate one's own imaginary ownership and to acknowledge the true possessor of all things. The word Khum, which means a fifth, was originally a tax based on 20% of the war booty that was given by Muslims to Muhammad and his family. After Prophet Muhammad (صلى الله عليه وسلم) death, many believed the tax to be defunct interpreted the Khums as a tax to be levied on profits of various sorts.

In Islam, right from the beginning, fulfilment of the basic needs of the subjects was conceived to be the concern of the state. Non-Muslims are also included in one of the categories of the recipients.<sup>38</sup> While prescribing laws for the distribution of Zakat, the Holy Quran includes them among those 'whose hearts are to be conciliated'.<sup>39</sup>

Islam enjoins social security and justice in all matters affecting human society. The basic teachings of Islam are contained in the Holy Quran and the Sunnah. According to the Holy Quran, the basic purpose of the guidance provided by the Almighty Allah (الله) through his messenger is to enable mankind to establish justice. Allah (الله) has made man his vicegerent on earth and enjoined on him the duty of dealing justly with everyone. The primary source of Islamic law is Holy Quran and the secondary is

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37. Al-Quran, XCII: 18-19

38. See about Zakat, Al-Quran, II: 43, 83, 110, V: 12, VII: 156, IX: 11, 60, 103, XXII: 78, XXIII: 4, XXIV: 56, XXX: 39, LXXIII: 20, XCVIII: 5.

39. Dr. Ibrahim B.Syed, *Social Security in Islam*, President IRF International, Inc available at: [http://www.irfi.org/articles/articles\\_251\\_300/social\\_security\\_in\\_islam.htm](http://www.irfi.org/articles/articles_251_300/social_security_in_islam.htm) (Visited on 15<sup>th</sup> October 2017).

Sunnah or Traditions of the Holy Prophet (ﷺ) of Islam. So, the law of social security in Islam originates from these sources.

The principle of universal social security for all who are disabled, and for all who are in need began to be realized in the western world after the World War I. However, little progress had been made in that field until World War II. After that, progress in some of the countries has been substantial. While, the concept of social security in Islam was introduced by Prophet Muhammad (ﷺ) and systematically developed by the Hazrat Umar (R.A.) during his caliphate. He allotted a hundred dirhams to every newly born child; when the boy grew up, he was given two hundred dirhams and when he came to manhood, the allowance was further augmented. A fondling was allotted a hundred dirhams and his guardian received a monthly provision allowance specifically for him; his nursing expenses were chargeable upon his treasury; then, when he grew up, he was treated as the equal of other children.<sup>40</sup>

This does not, however, mean that an Islamic state would necessarily arrange for the supplies of goods and services meeting the basic requirements to each and every individual without regard to the effort and money put in by individuals themselves to fulfill their own needs. In case of individuals who despite their sincere efforts do not earn adequate money, their needs would be met by their relatives and society. The underlying principles of Islamic social security is that despite these arrangements if a person found unable to fulfill his basic requirements, an Islamic state would then hold itself responsible to see to it that nobody is denied of basic means of subsistence. It should be ensured that not a single citizen of an Islamic state remains hungry, naked, unsheltered and uncared during ailment. The Messenger of Allah (ﷺ) has made it clear that the men in authority are responsible to fulfill requirements of the deprived.

Attending to the basic needs of People's an integral part of affection and compassion which are declared as an obligation of the men of affairs.<sup>41</sup>

In Islam, social security aims at relieving the deprived and the destitute of want and misery so that not a single member of the society remains unprovided in the basic

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40. *Supra* note 16 at 69, 70.

41. Dr. Nejatullah Siddiqi translated by Dr. Syed Afzal Peerzada, *Islamic Public Economics* pp. 71, 72 (Idarah-i-Adabyat-I delli, Delhi, 1st edn., 2001).

needs – food, clothing, shelter medicine and education. Public welfare and social security is the foremost economic obligation of an Islamic state.

The principle of social security demands that every destitute should be given relief irrespective of the cause of destitution. The one caused by unforeseen peril will be automatically included in this category. In the presence of this arrangement, many people will have lost incentive to get themselves insured.<sup>42</sup>

Distributive justice is one of the most important components of the Islamic vision of a just socio-economic order. The most noteworthy features of Islamic scheme of distributive justice as envisaged by Islam is the assurance of the fulfillment of the basic needs of all irrespective of the stage of development of country.

In an Islamic society, adequate fulfillment of basic material needs is as necessary for human welfare as spiritual upliftment. Therefore, while arranging for the spiritual guidance of men through Prophets, Allah has also provided all necessary resource for his material well-being. The individual is required to fulfill his material needs through his own efforts Islam condemns begging and laziness and places great stress on hard work. The Prophet (ﷺ) is reported to have said: *“Beg not anything from people”*.

And also: *“A man has not earned a better income than that which is from his own labour”*.

The right to work is coupled with the probation of unemployment, for it is also a duty to work. Beggary is forbidden in Islam. If a person is completely unable to earn a livelihood the community has to provide for him. The Prophet said:

*“It is better to collect wood and sell it, then to seek charity”*.

Hazrat Umar (R.A.) said: *“No one should be lazy, for the sky does not rain gold and silver”*.

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 fulfill the needs of the poor and needy sections of the society irrespective of their faith and relationship with donor.

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42. Mohd Nejatullah Siddiqi, *Insurance in an Islamic Economy* 62 (The Islamic Foundation, U.K. 1<sup>st</sup> edn., 1986).

An efficient system of social security is one of the main features of a welfare state in this modern world. Social security signifies the financial assistance provided by the state to people who are in need; providing them those basic necessities without which survival is difficult, if not impossible. Today, this is adopted with a view to:

- i. Cut down misery and deprivation, effectively,
- ii. Decrease crime rate substantially as it is thought that the destitute need resort to unfair means.

Islam emphasises circulation of wealth. According to Islamic injunctions, those who are wealthy must give a small portion of their wealth to those who are in need.

In Islam, right from the beginning, fulfillment of the basic needs of everyone who is unable to meet his/her needs was conceived to be the concern of the State. Zakat is the first institution of social security in Islam. Payment of 2.5 percent of his/her savings for the Zakat fund is one of the fundamental duties of a Muslim. The State is responsible to collect Zakat and make arrangements for its distribution. Non-payment of it is equivalent to waging war against the State. The Caliph Abu Bakr (R.A.) subjugated by force all those who refused to pay it.

The social security also provided to all individuals in Islamic state irrespective of discrimination on the basis of religion because non-Muslims are also included in one of the categories of the recipients of Zakat. While prescribing laws for the distribution of Zakat, the Holy Quran includes those 'whose hearts are to be conciliated'.<sup>43</sup>

### **1.5- Modern Concept of Social Security**

The social security system in Islam has a different nature and approach in comparison to the prevailing systems like British social legislation, US social legislation, Scandinavian social legislation and the social legislation in the communist states. The contemporary social security systems are not new for the Muslim world because they already have experienced the excellent social security system in the early period of Islam.<sup>44</sup>

The term 'social security' denotes the programmes established by law to provide the economic security and social welfare to the individual and his family.

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43. *Id.* at 63.

44. Muhammad Junaid Nadvi, Social Security during the Reign of Caliph 'Umar Ibn al-khattab *MRJ (Online)* (Jan. – June, 2012).

The concept of social security originated in realization by the state or authority of its responsibility to make available its citizens adequately against certain contingencies like old-age pension, unemployment allowance, medical allowance, death compensation, disability allowance, family allowance, etc. In particular, it refers to the social insurance portion of that act, which uses contributions made by workers and employers to provide income to people and their families during retirement or in the case of unemployment, disability or death.

Some European authors are trying to trace the evolution of these laws to some practices of the late medieval period. But the truth is that Europe first got acquainted with the laws of social security at the end of the last century only. By the beginning of the 20<sup>th</sup> century most of the European countries initiated transmission of laws in this direction. In United States of America, except the *Workman's Compensation Act* passed in 1908, no significant legislation was enacted until 1935 when the Congress passed the *Social Security Act*. In the United States, social security provides a minimum "foundation of protection" for retired workers, and for workers and their families who face a loss of income due to disability or the death of a family wage earner. Social security allows people to live independently and with dignity. Let us cite some definition's of social security conception briefly:

**Maurice Stack** said, "Social security is a programme of protection provided by society against those contingencies of modern life sickness, unemployment, old age dependency, industrial accidents and individualisms against which the individual cannot be expected to protect himself and his family by his own ability or foresight."<sup>45</sup>

**Encyclopaedia of Social Work in India** (1967) wrote about definition of social problem, "Social security ensures a person against economic distress resulting from various contingencies and assures him a minimum level of living consistent with the nation's capacity to pay."<sup>46</sup>

**Robert L. Barker** also said in his book *The Social Work Dictionary*, "Social security is the provisions society makes to provide income support for citizens whose incomes are lost because of countering statutory defined hazards. Such as being old, sick, young or unemployment."<sup>47</sup>

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45. Maurice Stack Walter A. Fried Lander, *Introduction to Social Welfare*,5 (Prentice Hall, New Jersey. 1968).

46. *Encyclopedia of Social Work in India*, Vol-2, 1967, p.302

47. Robert L. Barker, *The Social Work Dictionary*, 355-356 (Washington DC, 1995).

Generally talking, social security includes basic requirements of life: food, clothing, shelter, medical care and social security against various unavoidable situations such as illness, old age, and unemployment etc.

*According to ILO-* A society that provides security for its citizens protects them not only from war and disease, but also from the insecurities related to making a living through work. Social security systems provide for basic income in cases of unemployment, illness and injury, old age and retirement, invalidity, family responsibilities such as pregnancy and childcare, and loss of the family breadwinner. ILO standards on social security provide for different types of social security coverage under different economic systems and stages of development. Social security conventions offer a wide range of options and flexibility clauses which allow the goal of universal coverage to be reached gradually. Social security protection is clearly defined in ILO conventions and UN instruments as a basic human right – albeit one that a small proportion of the people on our planet actually enjoy. Broadly defined as a system of contribution based on health, pension and unemployment protection, along with tax-financed social benefits, social security has become a universal challenge in a globalizing world.

Only 20 percent of the world's population has adequate social security coverage, while more than half lacks any kind of social security protection at all.<sup>48</sup>

**Key information**

- Only one in five people in the world has adequate social security coverage.
- More than half the world's population lacks any type of social security protection.
- In sub-saharan Africa and South Asia, only an estimated 5% to 10% of the working population has some social security coverage.
- In middle-income countries, social security coverage generally ranges from 20% to 60% of the population.
- In most industrialized countries, coverage is close to 100%, although increasing Informalisation of work results in lower levels of coverage, especially in countries in economic transition.

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48. Social Security available at: <http://www.ilo.org/global/standards/subjects-covered-by-international-labour-standards/social-security/lang--en/index.htm> (Visited on 10 October 2017).

- Europe is the region with the highest level of social security expenditure at nearly
- 25% of GDP, followed by North America at 16.6%. Africa has the lowest level at 4.3% of GDP.
- The HIV/AIDS pandemic threatens the financial viability of social security systems in many developing countries.
- Lack of social security coverage is largely concentrated in the informal economies of the developing world, which are generally a larger source of employment for women than for men<sup>49</sup>

### **1.6- Importance of Social Security**

Social security is the apex desire of a social being. It is an indisputable matter. Now it is a burning global issue. Issue of security is the most essential for individual and shared life. Therefore, Islam gives special emphasis on this issue. It is an irony of fate that Muslim society is by and large unsecured. Most of the movements and their leaders in the world have made it their goal to solve this issue in their respective countries, and to point out its massive meaning and significance. Simultaneously security is also the most popular and customary issue in the modern world.

Social security laws, according to a jurist, are “those legal mechanisms primarily concerned to ensure the provision for the individual of a cash income adequate, when taken along with the benefits in kind provided by other social services, to ensure for him a culturally acceptable minimum standard of living when the normal means of doing so fail.”<sup>50</sup>

Many Muslim jurists have taken the concept of state responsibility for meeting the basic needs of every eligible citizen that they have ruled that the allegiance of the Islamic state depends upon this condition. If the state fails to provide these needs to its citizens, it gives up its right to their compliance.

**1.6.1- Differences between Islamic and Conventional Security Approach** There are momentous differences between Islamic and conventional social security conception. Mainly, these are philosophical and empirical. We know the conventional approaches

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49. Facts on Social Security available at: [www.ilo.org/communication](http://www.ilo.org/communication) (Visited on 10 October 2017).

50. Dr. Muhammad Sharif Chaudhry, *Fundamentals of Islamic Economic System*, available at <http://www.Muslimtents.com> (Visited on 10 October 2017).

are based on only earthly life. So, there is no scope to relate here with hereafter for the reason of their secular viewpoint. But directions of social security of Islam are based on its faith, both on here and hereafter. So, it is totally different and better approach than the conventional ones. Now, we can quote some disparity like this:

- Islam recognized it both as a part of faith and a premier good deed (Amal-e-Salah).
- Prophet Muhammad (ﷺ) himself is the role model of ensuring social security of humankind.
- Islamic Shariah law has given utmost priority on it as well as acknowledged as a condition of success in both lives. Besides this, performer of all sorts of good deeds will be specially rewarded hereafter; though they received something or not.
- On the ground of faith that Islam insists their followers be dual accountable system-here and hereafter each and everyone must be liable for their own responsibilities. On the other hand conventional approach is only here.
- From the very beginning Islam gives its general outline and opens its way of strategy. Side by side it was demonstrated successfully.

In fact, Muslim society will be secured from all aspect, not only social security. There is no scope of clash with any other. In such a society the chances of class conflict are eliminated and confrontation between haves and have-nots becomes irrelevant.<sup>51</sup>

### **1.7- Paradigm of Social Security in Islam**

As a comprehensive law giver of humanity, Islam projected a unique model of ensuring social security system at very beginning of its journey, under the leadership of its founder Prophet (ﷺ) and His righteous accompany-Khulafa-al-Rashedeen. This will be the role model of us for the present and the end of our earthly life, because of unending characteristics of Divine law.

Indeed, Islam is the only religion for human being to ensuring their all sorts of right. So that Islam, on the contrary, calls upon all the people irrespective of time, place and race. It does not deny the existence of the contradictions, but it emphasizes the truth.

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51. Meer Monjur Mahmood, Application of Islamic Law for Ensuring Social Security: A Study (Bangladesh Institute of Islamic Thought (BIIT) Bangladesh, 2015).

Islam does not limit itself to the Muslim only. Islam says that any man can enjoy liberty in a society to that extent which Allah permits, because He is the only all-knowing: good and bad. Allah says-

***“O mankind! Worship your Lord, who created you and those before you, that you may become righteous”.***<sup>52</sup>

For this basis we seek out the solution of our problems in our life from the Holy Quran and Sunnah- this is called Shariah.

In this ground, Zakat has a great role. Many scholars consider Zakat the social security establishment as it is obligatory, and it has specific recipients and a fixed amount. Side by side, all kinds of donation in the way of Allah was an important source to manage financial participation.

In those eras, these are Zakat and Infāq<sup>53</sup> fi Sabī-Ilīlah<sup>54</sup> enriched the then public treasury being collected by the rulers. And that is what supported the then desired economic development.

The features of social security system during the time of Caliph Umar ibn al-Khattāb were as follows:

- i.** Head of the state was conscious about the social security of the citizens.
- ii.** Social, economic, and political justice prevailed.
- iii.** State revenues were strong due to wise planning and strict administration.
- iv.** Institution of Zakat and Sadaqah was effectively used for social security.
- v.** Social security system was implemented for all the citizens irrespective of class and creed.
- vi.** Provision of food, clothing, shelter, necessary medical care, education, matrimonial aid, old age benefits, stipends and interest-free loans to the needy citizens of the State.
- vii.** General social security for all the citizens of the state.<sup>55</sup>

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52. Al-Quran, II: 21

53. Infāq (إنفاق) is an Arabic word meaning spending, disbursement. simply to please Allah without asking for any favor or hoping for a return.

54. The phrase *fi sabilillah* (في سبيل الله *fi sabīli llāhi*) is an Arabic expression meaning "in the cause of Allah", or more befittingly, "for the sake of Allah".

55. *Supra* note 36.

At present, it is our duty that we will decide our strategy on the basis of above mentioned instance of regime of the Khulafa Al-Rashedeen. At that time, we can ensure social security in our society.

In absences of Islamic state, on the basis of application of Islamic Shariah law, moderately, we can ensure social security at each and every place of over the Muslim world. We can create an ideal scope of better life to the member of Muslim Ummah, as well as others of that society. In this context, we are in need of being careful and deep analysis on it. Also, we have to understand the issue avoiding the minor technicalities. No one can pass it up and we are also to know that lacking self-assurance or protection man cannot live a single moment with peace and happiness. Reality is that insecurity does not give any kind of satisfaction or progress in people's life. It is a fact that human beings keep up their spreading out and expansion on basis of their social defence. For this reason social security is the most essential and basic requirement of human life. It is also key target of their common life. So rightly Islam gave us everlasting instruction on it. May our only Law giver and Sustainer Allah give us to understand this truth and guide on this way.

### **1.8- Conclusion**

In Last, we can say that while the west was first familiar with the laws of social security only at the beginning of the last century the concept of social security was already introduced by Islam fourteen centuries ago as it articulated a number of institutional frameworks for inclusive and fair development with the institution of Zakat being one of the most important ones. This study aims at analyzing the common features and differences between the Zakat system and the social security system of the modern welfare state of today. To this end, this chapter attempts to compare some of the theoretical and administrative aspects of both institutions. The principal objective is to highlight the primary principles underpinning each system, which formulate the objectives for each system sets out to achieve and the stance of both institutions on some values and common objectives such as social solidarity and equality. The chapter also discusses the conceptual framework of the two institutions, their implementation models, as well as their economic effects. The system of Zakat is the first law towards providing an organised social security for all. The purpose of this system is that the basic needs of food, clothing, housing and marriage of all deserving, needy and poor in the society and their immediate family members are taken care of. It

is the promise of the Almighty that those who give to help their fellowmen will be richly rewarded, and the rewards will be beyond our imagination.