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This article has two parts. Part 1 is an article by Prof. Dr. Anis Ahmad. Part 2 consists of excerpts from "Introduction to Islam" by Dr. M. Hamidullah

Part 1

Social Welfare

The following article -- Social Welfare: A Basic Islamic Value, by Prof. Dr. Anis Ahmad, was reprinted from Hamdard Islamicus Vol. XX, No. 3, July-September 1997 edition:

The ethic-centric approach of the Qur'an makes its teachings valuable and relevant for all who are concerned with the future of humanity. It offers the most reliable way of building a sustainable and peaceful world order. Most of the world's religions regard worship, devotional rituals and sacrifices as symbols of the religiosity, piety and spirituality of a person. Those who abandon their worldly obligations and leave cities and towns for forests and caves to 'meditate' are often called 'holy persons'. On the other hand one who involves himself in farming, trading and other professional activities is regarded as a worldly person.

The revolutionary approach taken by the Qur'an integrates what was traditionally understood as sacred with the secular. This is done through the Islamic system of Ibadat (devotions and worships) as well as through its teachings on the economy, political affairs and international relations. One important ayah in Surah al-Baqara refers to this integrated approach in the context of social welfare and well-being:

It is not righteousness that ye turn your faces towards

East or West; but it is righteousness to believe in Allah and the Last Day, and the Angels, and the Book and the Messengers; to spend of your substance, out of love for Him, for your kin, for orphans, for the needy, for the wayfarer, for those who ask, and for the ransom of slaves; to be steadfast in prayer, and practise regular charity, to fulfil the contracts which we have made; and to be firm and patient, in pain (or suffering) and adversity, and throughout all periods of panic. Such are the people of truth, God fearing. [Al-Qur'an 2:177]

An integrated concept

In this long ayah of Surah al-Baqara, the Qur'an refers to social welfare as a basic Islamic value which is perhaps more important than simply facing towards East or the West to make five times daily prayer. Without marginalizing the importance of salat, the Qur'an integrates the meaning and purpose of salat with socially uplifting policies and concern for the welfare of the community. While talking about the articles of faith, the Qur'an reminds a believer that the declaration of faith in Allah, His Book and the Last Day is not sufficient unless a conscious effort is also made to care for relatives, orphans, the needy and travellers as well as to ensure the welfare of those who ask for help. It also emphasizes the need to use resources for the liberation of people who have been denied freedom and liberty in their own homeland (or abroad).

When an organization calls for the use of material and human resources to liberate people from political oppression, this political activity is normally regarded as a worldly activity. Nevertheless, the Qur'an places its emphasis on the liberation of the oppressed and meeting the needs of economically less-developed people as part

of devotion, worship and Iman (faith).

A revolutionary approach

The value of social welfare is compared and contrasted with the value of devotion and worship of Allah, the Lord of Universe. It is unfortunate that many Muslims and others believe in a separation between what they think is spiritual and what they think is worldly or material. The Qur'anic emphasis on social welfare as a basic value, in a sane and peaceful human society, also refers to the revolutionary approach the Qur'an takes toward human problems. This concern of the Qur'an for human issues makes it universal, relevant and applicable in all situations. It also induces a Muslim to relate his *taqwa* (piety) with social realities. It gives a new meaning to piety and virtue as social values. These values persuade a person to share the blessings and bounties of Allah with others as a matter of obligation. It also becomes a condition for success in life in this world and in the hereafter. Consequently, Taqwa not only encompasses the love of Allah, but it also the love of fellow human beings who should be treated as part of an extended human family.

While the ayah begins with a reference to spending substantially for one's kin, it immediately refers to orphans, the needy, travellers and others who may fall in the category of strangers. It is unfortunate that many Muslims do not consider the implications of many Qur'anic teachings in the context of human society. Rather, they take the Qur'an as a cure for their personal, spiritual and religious problems. An objective analysis of the Qur'anic teachings informs us about the social and human dimensions of the Qur'anic message. A book which does not want any human being to be enslaved politically, economically, culturally and educationally, is relevant for all human beings. Muslims and others should directly undertake an unbiased, critical and objective analysis of the Qur'an so as to understand its message to humanity.

The ethic-centric approach of the Qur'an makes its teachings valuable and relevant for all who are concerned with the future of humanity. It offers the most reliable way of building a sustainable and peaceful world order.

Part 2

To round up this discussion, it would be appropriate to reproduce the following relevant paragraphs from

'Introduction to Islam' by Dr. M. Hamidullah. The fundamental Islamic concepts of social welfare are not just a matter of theory, as the Islamic state is obliged by the Qur'an and the Sunnah of the Prophet pbuh, to put them into practise under two main categories: a) by regulating the budget (under the heading of 'State Expenditure', paragraphs 351 to 361 inclusive; and b) under the heading of 'Social Insurance', paragraphs 362 to 367 inclusive. -- Editor

Zakat

State Expenditure, Budgeting

The following excerpt is from 'Introduction to Islam' by Dr. M. Hamidullah:

351. The Qur'an (9:60) has prescribed the principles regulating the budget of State expenditure in Islam, in the following terms: "Verily the *sadaqat* (i.e., taxes on Muslims) are only for the needy, and the poor, and those who work for these (taxes), and those whose hearts are to be reconciled, and to free the necks (i.e., slaves and prisoners of war), and the heavily charged, and in the path of God, and for the wayfarer—a duty imposed by God; God is Knower, Wise." These eight heads of expenditure, which cover practically all the needs of a collective, need elucidation to enable the understanding of their exact range and application. 352. The term *sadaqat*, which we translate as the State tax on Muslims, and which is a synonym of *zakat*, signifies all the taxes paid by Muslims to their government, in normal times, whether on agriculture, mines, commerce, industry, pasturing herds, savings or other heads. These exclude the provisional taxes imposed in abnormal times, the revenues levied on non-Muslims—subjects or foreigners and also all the non-obligatory contributions. Juridical literature of early Islam, and particularly the sayings of the Prophet, leave no doubt that the term *sadaqat* was employed in this sense. It did not refer at all to alms, which can be neither obligatory nor determined as to the quantity and the time of payment. The equivalent for alms is *infaq fi sabil Allah*, expenditure in the path of God, or *tatauwu'*: voluntary charity. 353. The first two categories of the needy (*fuqara*) and the poor (*masakin*), which are almost synonymous, have not been explained by the Prophet; hence there is a divergence of opinion. According to sayings and constant practice of the caliph 'Umar (recorded by Abu Yusuf in his *Kitab-al-Kharaj* and Ibn Abi Shaibah in his *Musannaf*), *fuqara* are the poor among the Muslims, and *masakin* are from among the non-Muslims residing in the Islamic territory, such as

Jews. In his *Futuh al-Buldan*, Baladhuri cites another case of the same caliph, who awarded pensions to Christians of Jabiyah (Syria) from the *sadaqat*, i.e. *zakat* revenues. The jurist ash-Shafi'i thought that the terms were absolutely synonymous, and that God, out of His bounty, named them twice in order to make a double provision. According to this authority, as each of the eight heads in the Quranic verse should receive one-eighth of the State income, the poor would receive two-eighths. Be it what it may, the first duty of the State is to see that no dweller on the Islamic soil is deprived of the means of livelihood: food, dress, lodging, etc. 354. The next item concerns the salaries of the functionaries: collectors, accountants, controllers of expenditure, auditors of accounts etc. If the truth is to be told, this category comprises the entire administration, civil, military and diplomatic, as one can see in the description of the categories of the beneficiaries. The historian al-Baladhuri (in his *al-Ansah*) has preserved a document in which the caliph 'Umar demands of his governor of Syria: "Send us (to Madina) an expert Greek, who may put in order the accounts of our revenues." (*hisaba fara'idina*). We require no better authority for asserting that the non-muslims could not only be employed in the administration of the Muslim State, but also be beneficiaries of the *sadaqat* levied exclusively on Muslims. 355. The category of those whose hearts are to be reconciled can more easily be understood by the modern term "secret funds." In his *al-Ahkam as-Sultaniyah*, the jurist Abu-Ya'la al-Ferra' says: "As to those whose hearts are to be won, they are of four kinds: (1) Those whose hearts are to be won for their coming to the aid of the Muslims; (2) or for abstaining from doing harm to Muslims; (3) for inviting them to embrace Islam; and (4) for inviting through them their clans and families to embrace Islam. It is lawful to spend on each and every one of these whether they be Muslims or polytheists." 356. By the term "freeing the necks", one has always understood two kinds of expenditure: the liberation of slaves, and ransoming of the prisoners of war in the hands of the enemy. According to the Islamic law (Qur'an 24:33), every slave has the right to purchase his emancipation by paying his value to his master; and in order to earn the necessary amount, he may compel his master to give him facilities to work, and during this period he is not required to serve his master. Moreover, as we have just seen, it is the duty of the government to allot every year in the budget a certain sum for aiding the slaves to buy their freedom. A document of the time of the Umayyad caliph 'Umar ibn 'Abdal-'Aziz (reported by Ibn Sa'd) says that the payment of the ransoms by the Muslim government includes liberating even the

non-Muslim subjects who would have been made prisoners by the enemy. 357. The category of those who are heavily charged has, according to the practice of classical times, a whole series of applications: one helped those who had suffered from calamities such as floods, earthquakes, etc. It does not refer to the poor, who have already been mentioned in the beginning of the verse, but to the well-to-do who have suffered from abnormal conditions, beyond their power. Caliph 'Umar started a special section in the Public Treasury, in order to lend money free of interest to those who had temporary needs and provided the necessary guarantees for repayment. The caliph himself had recourse to it for his private needs. It goes without saying that the "nationalization" of lending without interest was the necessary concomitant of the prohibition of interest in Islam. The same caliph used to lend public money even to merchants for fixed periods and the Treasury participated with them in a percentage of their business returns. They participated not only in gains but even in the event of losses. Another application of this State expenditure was for a kind of social insurance. If somebody was found guilty of involuntary homicide and was unable to pay the blood money required by law out of his own means, the government came to his help under this heading of the budget, as is evidenced by several cases of the practice of the Prophet. We shall revert to this later in detail. 358. The expression "in the path of God", in the Islamic terminology, signifies in the first instance military defence and the expenditure for the personnel, equipment, etc. But the term applies in fact to all sorts of charitable works, such as helping students, grants and aids in religious causes such as the construction of mosques, etc. 359. The last category concerns communications and tourist traffic in a wide sense: construction of bridges, roads, hotels, restaurants, security of routes (police included), hygienic arrangements, transport of travellers, and every comfort provided to aliens in the course of their journeying, including extending hospitality to them without charge and in proportion to the means available. Formerly such hospitality was assured for three days in every place of stay. 360. In order to appreciate the merit of these Quranic dispositions, one must remember that the time was the very beginning of Islam, fourteen centuries ago. There is not much that could be added to these headings of expenditure. They seem to be well applicable to our own times in a progressive welfare State, having concern for the well-being of its subjects. EXCEPTIONAL TAXES 361. The *sadaqat* were the only taxes of the State in the time of the Prophet and the Orthodox Caliphs. In later times, on occasions of extraordinary need, the jurists have admitted the legal

possibility of imposing supplementary charges, on a strictly provisional basis, for occasional exigencies. Such taxes are called *nawa'ib* (calamities). Social Insurance 362. Only risks involving heavy charges form objects of insurance, and these differ according to the times and social conditions. Among the Arabs at the commencement of Islam, the daily ailments were unknown, and medical care cost practically nothing: the average man built his house with his own hands, and did not pay even for the major part of the material. Thus it is easy to understand why one had then no need of insurance against sickness, fire etc. On the contrary, insurances against captivity and against assassination were a real need. Already in the time of the Prophet, this point had received attention, and certain dispositions were made which had the elasticity of further development and adaptation to circumstances. Thus, in the Constitution of the City-State of Medina of the first year of the *Hijrah*, this insurance is called *ma'aqil* and it worked in the following manner. If someone was made a prisoner of war by an enemy, payment of ransom was needed for purchasing his liberation. Similarly, all bodily torts or culpable homicides required payment of damages or blood money. This often exceeded the means of the individual concerned, prisoner or criminal. The Prophet organized an insurance on the basis of mutuality: the members of a tribe could count on the central treasury of their tribe, to which everybody contributed according to his means; and if the treasury of the tribe proved inadequate, other related or neighbouring tribes were under obligation to render aid. A hierarchy was established for organizing the units into a complete whole. At Medina, the tribes of the Ansarites were well known; the Prophet ordered the Meccan refugees there, who belonged originally to the various tribes of Mecca, or were Abyssinians, or Arabs belonging to different regions, to all constitute a new "tribe" of their own, for purposes of the said social insurance. 363. Later in the time of the caliph 'Umar, the mutualities or units of insurance were organized on the basis of professions, civil or military administrations, to which one belonged, or even of regions. Whenever needed, the central or provincial government came to the succour of the units, as we have described above when speaking for State expenditure. 364. Insurance signifies essentially the repartition of the burden of an individual on as many as possible, in order to lighten the burden of each. Instead of the capitalistic companies of insurance, Islam preferred organizing insurance on the basis of mutuality and cooperation, aided by a pyramidal gradation of the units culminating in the central government. 365. Such a unit could engage in commerce with the help of unutilized

funds remaining at its disposal, so that the capital is augmented. A time might come, when the members of a unit could be fully exempted from paying further contributions, or might even receive amounts of the profits of commerce. It goes without saying that these units of mutual aid could insure against all kinds of risks, such as accident of traffic, fire, loss in transit, and so on. It goes also without saying that the insurance business is capable of being "nationalized" for all or certain kinds of risks (i.e. temporary motives such as the despatch of parcels, etc.). 366. Without entering into technical details, it may be pointed out that the capitalistic insurances, in which the insured person does not participate in the benefits of the company in proportion to his contributions, is not tolerated in Islam as this would constitute a form of game of chance. 367. In passing, we might mention another social institution of the time of the caliph 'Umar. He had organized a system of pensions for all the inhabitants of the country, and according to the *Kitab al-Amwal* of Ibn Zanjawaih and *ar-Risalah al-Uthmaniyah* of al-Jahiz, even non-Muslim subjects were among the beneficiaries of these pensions -- so much so that as soon as a child was born, he began to receive a certain pension. The adults received the minimum necessary for living. In the beginning, the caliph practised a certain discrimination amongst the different categories of the pensioners, and if the minimum was 1, the most favoured person received 40; yet towards the end of his life, he decided to observe complete equality, but he died before this reform could be introduced. This institution, named "*Diwan*", by 'Umar, seems to have originated in the very time of the Prophet, as the following report implies: "The basis of this practice is the narration that the Prophet named Mahmiyah ibn Jaz' to be in charge of the governmental fifth of the booty captured on the Banu'l-Mustaliq; and in fact Mahmiyah was in charge of the governmental fifths of all booties. The *sadaqat* (zakat taxes) were controlled separately and had their own particular administration. However, peaceful revenues from the enemy (*fay'*) were administered by separate functionaries. The prophet used to spend the *sadaqat* on orphans, weaklings and the poor. If the orphan reached puberty and military service (*Jihad*) became his duty, he was transferred from the list of the beneficiaries of the *sadaqat* to that of the *fay'*. If he refused to render military service, he would not benefit any more from the *sadaqat* and was commanded to earn his livelihood himself." (cf. Sarakhsi. *Sharh as-Siyar al-Kabir*, ed. Munajjed. 1978).