

THE RIGHTS OF NON-MUSLIMS IN ISLAM (PART 12 OF 13): SOCIAL SECURITY

Rating: 4.3

Description: Poor and needy non-Muslims have the right to social security under Islamic Law. Examples from history where non-Muslims were provided from the public treasury.

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Modern welfare states provide social benefits to their poor citizens, but Islam preceded all nations in establishing social security services. Islamic law set up financial provisions for needy Muslims through zakah (obligatory charity) and sadaqa (voluntary charity). Zakah was made obligatory on wealthy Muslims to take care of the poor, whereas sadaqa was left on individual discretion to help the needy. Social security provided by Islam includes non-Muslims as well. Islamic Law requires the state to provide for its citizens with disabilities – Muslim or non-Muslim - that prevent them from employment. They are provided for by the public treasury and the ruler is negligent if he does not do so. Many instances of Muslims providing social security to the non-Muslim citizens are recorded in history. Umar ibn al-Khattab the second caliph of Islam, once passed by a old, blind man begging in front of a house. Umar asked him which religious community he belonged to. The man said he was Jewish. Umar then asked him, 'What has brought you to this?' The old man said, 'Do not ask me; ask ...poverty, and old age.' Umar took the man to his own home, helped him from his personal money, and then ordered the head of the treasury, 'You must look after this man and others like him. We have not treated him fairly. He should not have spent the best years of his life among us to find misery in his old age.' Umar also relieved him and others in his situation of paying the jizya.^[1]

Another example is found in Khalid ibn al-Walid's letter to the people of the Iraqi city of Hira. It contains the terms of truce he offered them:

'If God gives us victory, the people of the covenant will be protected. They have rights promised to them by God. It is the strictest covenant God has made incumbent on any of His prophets. They are also held by the duties that it places upon them and must not violate it. If they are conquered, they will live comfortably with everything due to them. I am commanded to exempt from jizya the elderly who cannot work, the disabled, or the poor who receive charity from their own community. The treasury will provide for them and their dependants as long as they live in Muslim lands or in the communities of Muslim emigrants. If they move outside of Muslim lands, neither they nor their dependants shall be entitled to any benefits.'^[2]

In another instance, Umar ibn al-Khattab, the Muslim Caliph, was visiting Damascus. He passed by a group of Christian lepers. He ordered that they be given charity and regular stipends for food.^[3]

Umar ibn Abdul-Aziz, another Muslim Caliph, wrote to his agent in Basra, Iraq, 'Search for the people of the covenant in your area who may have grown old, and are unable to earn, and provide them with regular stipends from the treasury to take care of their needs.'^[4]

Some of the early Muslims^[5] used to distribute part of their post-Ramadan charity (zakat ul-fitr) to Christian monks, based on their understanding of the verse of Quran:

"God does not forbid you from those who do not fight you because of religion and do not expel you from your homes – from dealing kindly and justly with them. Indeed, God loves those who act justly. God only forbids you from those who fight you because of religion and expel you from your homes and aid in your expulsion – (forbids) that you make allies of them. And whoever makes allies of them, then it is those who are the wrongdoers."(Quran 60:8-9)

Finally, there are other rights that we have not discussed here, because of the assumption that they are elementary and taken for granted, such as the right to work, housing, transportation, education, and so forth.^[6] However, before concluding, I would like to make the following observation. Our discussion has clarified how non-Muslims living in Muslim countries enjoy rights that they might not be granted in non-Muslim countries. Some readers may respond with the objection that these rights might have existed in history, but the experience of non-Muslims living in Muslim countries today is different. The author's personal observation is that non-Muslims still enjoy many of these same rights today, perhaps even more. Allah Almighty has commanded us to be truthful, in the verse:

"O you who believe! Stand out firmly for justice, as witnesses to Allah, even though it be against yourselves, or your parents, or your kin, be he rich or poor, God is a Better Protector to both (than you). So follow not the lusts (of your hearts), lest you avoid justice; and if you distort your witness or refuse to give it, verily, Allah is Ever Well-Acquainted with what you do."(Quran 4:135)

Further, when we compare the conditions of non-Muslims living in Muslim countries to the status of Muslim minorities living in non-Muslim countries, whether now or in history, we see a profound difference. What happened to Muslims during the Crusades, under the Spanish Inquisition, in Communist China, or the Soviet Union? What is happening to them today in the Balkans, Russia, Palestine, and India? It would be worthwhile to reflect in order to give an answer based on fairness and declaration of truth and justice. Allah is the best of Judges, and He states:

"O you who believe! Stand out firmly for God as just witnesses; and let not the enmity hatred of others make you avoid justice. Be just: that is nearer to piety; and fear God.

Verily, God is Well-Acquainted with what you do."(Quran 5:8)

Footnotes:

[1] Abu Yusuf, *Kitab al-Kharaj*, p. 136

[2] Abu Yusuf, *Kitab al-Kharaj*, p. 155-156

[3] Qaradawi, Yusuf, '*Ghayr al-Muslimeen fil-Mujtama' al-Islami*,' p. 17

[4] Abu Ubayd, *al-Amwaal*, p. 805

[5] Sarkhasi, '*al-Mabsut*,' vol 2, p. 202

Jassas, '*al-Ahkam ul-Quran*,' vol. 3, p. 215

[6] *Public Regulations Relevant to non-Muslims*, p. 43-58.

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