

Obligations of Islamic State in Perspective of Rights and Duties of Employees/ Workers

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ABSTRACT:

In the Islamic State the rights of workers/employees are protected, as Islam seldom deals with the individual as individual he is always visualized as a member of a family and community who earns his livelihood by honest means/labours. The prophet (P.B.U.H) said, "The wage earner is a friend of God". Fourteen years ago, the Prophet had himself established the dignity of labour by working himself as a labour. It was the Prophet (P.B.U.H) who said, "Pay the labour before his sweat dries up". Islam prescribed a brotherhood of which the owners and the workers are members as a brother cannot rest in peace when he sees his own brother in distress. Besides it Islam censures negligence and want of responsibility in people be they "The owners or workers" God himself has specifically commanded. "Those who dole less measure than the one agreed upon and guilty, in return less than what was promised" are in loss. According to the religious scholars all the workers who receive their full wage but treat their responsibilities lightly and spend less time or work on the other pursuits, by the same analogy the owner who make them sweat for a larger time than agreed upon without their consent or payment of extra wages is also guilty. The worker should work according to the proper and prescribed manner. They Holy Prophet (P.B.U.H) said: "Allah wants that when a man accepts a responsibility he should develop feeling of conscientiousness".

Keywords: Monotheistic, Well-being, Nepotism, Persecution.

INTRODUCTION: The well-being of all citizens without discrimination of cast, creed, language, colour and religion is chief purpose of Islamic welfare state. It is not a state whose functions are merely maintaining Law and order. An Islamic state is a welfare state. In Islamic state man is a social and a political being his welfare

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in every respect is bound up with the welfare of society of which the highest organization is the state. Islam founded a welfare state and gave to the world in practical form, the ideals of statehood in Islamic welfare state the rights of labour fully protected Islam and laid down certain fundamental rules, regulation to maintain Good relations between employees and employer. In Islamic states employees has been guaranteed many rights but besides rights they (employees) are bound to discharge their responsibilities honestly and sincerely and keep them away from corruption, negligence and carelessness.

Health care:

Health of a worker in Islamic state has given high importance as in absence of health no progress is possible. Health has been bestowed by Almighty Allah and has left in our custody as a trust. Islam therefore, directs the health of workers also deserves the owner's care and attention the Holy Prophet (PBUH) was very careful and conscious about the health of the household servants. Hazrat Umer (R.A) if found any one callous toward the health of servant, he (R.A) dismissed him.

Right to move from one place to another:

The right to move from one city to another city or from one country to another country is the basic right of every human being and is inalienable. Islam accedes to this right of worker and defends it. The Holy prophet (PBUH) said, the whole world all the countries are god's creature therefore where ever you find promise of your welfare, go. There is no prohibition from Islam for you in this respect. In fact Islam commands that you spread the world over in search of livelihood. According to the above saying of Hazrat Mohammad (SAW) the entire world belong to Almighty Allah and no one has the authority to prevent a Man's movement from one place to another. All men are God's creation. He alone is the Master therefore, illegal sanctions having no divine authority cannot be imposed and man can travel anywhere he wishes and desires with respect to earn his livelihood.⁽¹⁾

Right of Education:

Islam has laid great emphasis on acquiring knowledge and has urged the need of knowledge at many places in the Holy Quran after creation of Adam (A.I) Allah Almighty gave him (A-I) knowledge of all things as the following Quranic verses shows:

وَعَلَّمَ الْإِنْسَانَ كُلَّهُ ثُمَّ عَرَضَهُمْ عَلَى الْمَلَائِكَةِ فَقَالَ أَنْبِئُونِي بِأَسْمَاءِ هَؤُلَاءِ
إِنْ كُنْتُمْ صَادِقِينَ (٢)

“And he taught Adam names knowledge of all the things”

Another place the Holy Quran says:

وَمِنَ النَّاسِ لِرِجَالٍ وَالْأَنْعَامِ مُخْتَلِفٌ أَلْوَانُهُ كَذَلِكَ إِنَّمَا
يَخْشَى اللَّهَ مِنْ عِبَادِهِ الْعُلَمَاءُ إِنَّ اللَّهَ عَزِيزٌ غَفُورٌ (3)
“Only those who have knowledge fear Allah”

Similarly according to the Holy Quran the knowledgeable people and the ignorant people cannot be equal. There is another Quranic verse which says:

قَالَ اللَّهُ الْمَلِكُ الْحَقُّ وَلَا تَعْجَلْ بِالْقُرْآنِ مِنْ قَبْلِ أَنْ يُقْضَىٰ
إِلَيْكَ وَحْيُهُ وَقُلْ رَبِّ زِدْنِي عِلْمًا (٤)
“O Allah Increase my knowledge”

The Holy Prophet (PBUH) said:

“To acquire knowledge is binding upon all Muslims men and women”(5)

The Holy Prophet (PBUH) also said:

“Whosoever goes in search of knowledge engages himself in the cause of Allah, until he returns”(6)

Islam presents just approach to the problem of education. Education in Islam is meant to be free and its expenses are to be borne by the state. Hazrat Umer (R.A) used to pay the salaries of the teachers from the Bait-ul-Mal Caliph Umer (R.A) wrote to his civil servants to fix scholarship for the student of Holy Quran. He (R.A) was informed that in Many cases the so called students were less

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interested in learning the Quran than in the stipend, but Caliph Umer (R.A) did not order to stoppage of stipends. Allama Ibn Jozi has written in Seerat-ul-Umreen that Hazrat Ummar (R.A) fixed salaries for the teachers and every teachers received, 15 Dirham per month in these institutions (Maktab) not only Quran but also literary education was imparted to the students of schools (Maktab). (7)

Accommodation facility:

In ancient times the population was not larger less therefore a villagers did not have to go to a city in often so search for livelihood. But thereafter circumstances were entirely different. In the developing countries workers faced an acute problem with regard to accommodation because some of them were several miles away from the place of work. This distance affected their efficiency, it was therefore essential that the residential quarters of the workers should be close at hand. Islam has left this problem be settled according to the needs of the times.

Hazrat Umar (R.A) said:

The Best officer is the one whose subordinates are happy with him and the worst is that whose subordinates groan under his offensive hand. As such the best Imam according to Hazrat Umar is he who is kind towards his subject and worst is he who is oppressor. (8)

Safe guard of service:

In Islamic state security to the service of a worker is guaranteed. It is duty of a government to provide security to the service of a labourer. If a worker wishes to relinquish his job, he is free to do so. The owner can also cancel the contract but it is the responsibility of the government to see that this is being done justly or not. He should see that the workers get alternative employment or not.

Right to present Demands:

In Islamic welfare state the rights of every person are secured as Islam postulate a just and equitable system. The worker should be able to get his rights before he has made and demand for them. If

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worker does not get his rightful and deserved share, the worker has been allowed to voice his demands.

Islam discourages and condemns begging, Hazrat Umer (R.A) fixed stipend for the beggar who was not Muslim. (9)

Old age benefits:

Islam has made it obligatory for the state to fulfill the requirements of orphans' windows and old and infirm. The state has to pay their expenses from the "Bait-ul-Maal" under strict supervision so that only deserving could receive these dispensations. These dispensations flow not from charity or philanthropic basis but as matter of right of every citizen. The Holy Prophet (PBUH) established the precedent's for these welfare's laws in the state of Madina. In case of illness and old age or joblessness it is responsibility of State to provide basic necessity of life to the citizen and manage food, house, dress, medicines and utilize all the sources to eradicate poverty(10)

Prohibition on Excessive working:

Islam has not fixed time schedule for work. Indeed it has state a basic principle that the worker should work till he is able to do the job without taxing himself unduly.

God has commanded:

"And God makes no one labour but he who has the energy".(11)

Holy Prophet (PBUH) said:

Do not tax the labourer with work which is beyond his power(12)

Nature of work:

In Islamic state workers cannot be forced to accept a work or job against his will and should not be burdened with excess load of work.

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Health care:

It is mandatory duty of owner to select a healthy site and appropriate working condition where worker could be discharged his duties easily and without any hurdle. There are Many diseases which worker fall prey known as industrial disease for example deafness or impaired hearing due to noise pollution, eye sight due to welding and other chest diseases due to different harmful gases.

Payment of wages:

Islam has greatly emphasized with respect to the wage of worker and it is strongly condemned to delay in payment of workers wage and employer has order to pay wage earner as soon as possible.

The Holy Prophet (SAW) said:

“Pay the labour before his sweat dries up”(13)

The Holy Prophet (SAW) also said:

“The wage earner is a friend of God”

In Islam parasitism and living on unearned income discouraged and earning livelihood by hard working is encouraged.

Emoluments and salaries in Islamic state:

The Islamic state settles the matter of emolument and salaries in accordance with the requirements of person. Abu Daud has stated a tradition according to which the Holy Prophet (PUH) distributed immediately. All the Goods that were collected in the name of God. Married persons received twice as much as bachelor one of reason for increase in emoluments could be the conscientious and excellences performance of duties by an official according to a tradition Holy Prophet Muhammad (PBUH) was very pleased by the performance of An official on several occasions and willed that the future Administrator should think well of him. According to the Tabqat-e-Ibne Saad the Man lived till the caliphate of caliph Umar Bin Abdul Aziz and received Gift from various Caliph, the Islamic state believes that the public servant should free from the Problem of livelihood. So that, they could concentrate on their responsibilities.

Reward and pensions:

There is record of the rewards given for exceptional performance of Duty and pensions benefit after his retirement. During the life of Holy Prophet Muhammad (PBUH) and immediately afterwards. Such precedents are to be seen in the life of the Holy Prophet Muhammad (PBUH) and which have reached through the traditions. For instance: He (PBUH) appointed Qais bin Malik as Amil of his own people who freed slaves and comprised Arabs, he was given stipend and bestowed upon him the entitlement on a permanent basis of 200 sa of the figs of whiwan as a reward. He received this not only in his own life time but the entitlement passed on to his descendants as well.

In one edict from Syria, Hazrat Bin Abdul Aziz directed that information should be furnished to him about public servants who had forfeited their eyes sight, or were permanently invalid, or paralyzed or suffered from ailment. Later on he appointed one helper for each such blind public servant for every two such invalid or permanently ill officials.

Prohibition of the transaction of Business by a public servant:

The Islamic state does not permit a public servant to Transact Business during the Tenure of his service. Hazrat Abu Hurrayrah (R.A) accumulated considerable wealth through the transaction of Business he had excellent stud forms and his lands were consolidated when Caliph Hazrat Umar Bin Khitab (R.A) learned about this. He directed Abu Hurrayrah to separate the Accretion in the Original capital from the latter to live on his salary and return the rest to the state treasury. As Govt. in Islam is a trust and ruler and people enjoy equal rights irrespective to their, colour, religion, wealth or office and the trust placed can never be betrayed.(14)

Use of State material for personal purposes:

A public servant is not allowed to put state material to his own use. This applies to all kind of material, however insignificant, such as pen and paper or to the more significant items like means of transport etc, such material is the property of the state and can be used or consumed only for such purposes of transactions of the

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affairs of the state. For example, if any official of the postal department uses a postal van for his personal use he has betrayed the trust deposited on him. Hazrat Abu Hurayra (R.A) when came back from Bahrain, he (R.A) brought with himself twelve thousand rupees, Hazrat Umar (R.A) took all the amount from him (R.A) and said “You have stolen God’s property”(15)

Imam Abu Yousuf has discussed this point in considerable detail, and mentioned an incident which is extremely instructive a slave of Hazrat Umar bin Abdul Aziz once brought a Man on a camel which was exclusively meant for the distribution of letters. He was called before the caliph and told that he would not be allowed to move until he deposited the fare due to him.

Eradication of Red Tapism:

Hazrat Umar Bin Abdul Aziz writes to the Governor of Yaman as follows.

“If I command you to send your Muslims of your province that they have been victim of oppression and fool play, would you come to me? Would you not think of the distance and the attendant Danger? If I write to you to return the Goat seized from a Muslim by another cruel Muslim, would you ask me whether the goat to be returned is black or white? Remember you have to do not have write to me every one and then similarly.

To the governor of Kufa He (R.A) writes:

“I think that if I ask you to return to such and such person a goat, will you write to me to enquire whether he should be given a she-goat or he-goat? If I command you to give one of the two you will probably ask me whether it should be big or small. If I give decision on this matter also you will ask whether it should be goat or a sheep, when I have once written to you then you should on your own, Act on any directive do not write to me asking this and that.

Legal Equality Between the public servants and citizenry:

The Islamic state Allow any citizen to seek legal redress against the highest of state officials, without any precondition. The law is

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equally applicable to both and expediency or the exigency of the situation has no validity in the eyes of Islamic law. Imam Abu Yousuf in the Kitab-ul-Khiraj has described in detail an incident during the Caliphate of Hazrat Umar (R.A). He (R.A) once called the governors of Provinces and officials to Mecca on the occasion of Hajj. There was a public gathering present there. He (R.A) stood and asked the crowd if any one had any complaint lodged against any governor or official. The crowd kept quiet but one man stood up and said that the Caliph's Amil had lashed 100 strokes at him where at Caliph (R.A) asked him to impose an equivalent retribution, Hazrat Umar bin al-As said that if Caliph allowed such a procedure to be implemented it would have a demoralizing effect on the officials. But Hazrat Umar (R.A) did not accept the plea and said that he had seen the Holy Prophet (Peace be upon him) himself in this regard for implementation of Qisas why an Amil should be spared. But later on the complainant agreed to settle the matter by taking 200 dinars and forgave the Amil, but Hazrat Umar (R.A) was absolutely determined to get him his dues. Hazrat Umar Farooq (R.A) came as a party in a case before Hazrat Zaid Bin Sabit and Hazrat Zaid Bin Sabit attempted to advise Hazrat Umar (R.A) but Hazrat Umar (R.A) said this is first "cruelty" you did and said "I will sit with defendant." (16)

During the pious Caliphate several such examples are encountered/ available in which before court and plead their defense against complainant filed against them by ordinary citizens Hazrat Umar (R.A) was frequently heard saying "Let him who has suffered at the hand of an Amil come to me so that I may get him his Quisas. Hazrat Umar bin Abdul Aziz's son wore torn cloth while going to Maktab and his class mates made fun of him. Hazrat Umar bin Abdul Aziz's son complained about his torn dress and ridiculous situation on hearing that Hazrat Umar bin Abdul Aziz moved application to exchequer for advance salary. But exchequer replied that we will not be in justice. So exchequer wrote to Hazrat Umar bin Abdul Aziz that if you give me surety that you will live alive give you advance on hearing the reply Hazrat Umar bin Abdul Aziz said to his son, that you will have to go to Maktab in torn dress as your father can not afford new for you.

Abstinence from favoritism and nepotism:

Probably there is no disease more dangerous/insidious than that of favoritism and nepotism in bringing the administrative system of a nation to decline one of the primary qualifications of a public servant in the Islamic state is that he should be abstain impervious to this evil and should keep himself immune. From all kinds of favoritism. Once a slave of Hazrat Umar (R.A) a letter to his Amil in Iraq that he should welcome that he should welcome and entertain certain person living in Iraq. Hazrat Umar (R.A) admonished his (R.A) slave and said “Do you want the gate of oppression to be opened against people” The Amil is like another Muslims. He possesses what the other possesses. Further in the era of Hazrat Umar Bin Abdul Aziz official (Amal) used to decrease the prices of commodities and then purchased on cheaper rate, Hazrat Umar Bin Abdul Aziz (R.A) admonished them for doing so. (17) Hazrat Ali (R.A) advised Ashtar Naki while he was proceeding to Egypt to keep a close watch over the activities of officials there and not to appoint an Amil because of friendship or selfish motives but after thorough questioning, enquiry and trait. Hazrat Ali (R.A) also dismissed an official for negligence in discharging of official duties.³

Hazrat Muawia (R.A) was informed that his nephew Abdul Rehman Bin Al Hakama the Amil of Kufa had shown lack of character, he was dismissed forthwith. He (R.A) used to redress the complaints of complainants immediately.⁴

Hadi Bi Allah, during his brief reign had strictly forbidden his mother, Khizran, not to interfere in the affairs of state and not to recommend person for appointment.

The interdiction of Bribery:

The sublime, pious and monotheistic nature of Islam is such that it would be a variable tragedy if Muslim resort to bribery and defalcation. For the bribe taker there is not only punishment on earth but also external prediction in hereafter.

The Holy Prophet (PBUH) said: “The bribe taker and bribe giver are the fuel of hell”⁵

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In another Hadith it has been said:

“For those who accept bribes while passing judgments are accursed by God”⁶

Along with bribery, Islam has closed the back doors by which this contagious diseases would enter. The Holy Prophet Muhammad (PBUH) had appointed Abu Aiyat Bah as revenue collector for the tribe of Azad, after he had collected the revenue he came to the Holy Prophet Muhammad (PBUH) to render the accounts and said: “The part is the Bait-ul-Maal and this has come to me as gift” There are instances during the Caliphate of Hazrat Umar where he took administrators who had grown rich during the tenure of their service to task. Even Sahaba like Hazrat Abu Hurrayra, Harvat Umro bin Al-Aas and Hazrat Abu Musa Ashaare did not escape his (R.A) admonition on the other hand, we see in the Islamic state scrupulously honest, God fearing and dedicated public servants who never made material comfort as their goal and regarded their responsibilities as part of prayers. He (R.A) himself did not get any privilege as in one case Hazrat Umer (R.A) decided to buy a horse after settlement of price Hazrat Umer (R.A) tried Horse and Rode, in trial “Horse died he (R.A) Handed over the horse to his owner but he refused to take back on this Hazrat Umer (R.A) without any delay asked him (the owner) to call someone for decision. He called Shareeh and Shareeh asked the Hazrat Umer (R.A) “either you get the horse or return it as it was before the settlement of price.”⁷ They worked selflessly and did not care for any material accretions. They enter the valley of thorns in a state of purity and went out of it as blessed and as pure.

Not only with respect to the rights and duty of employees the rulers of Islamic state tried their best for administration of Justice in the every sphere of life so that people could mould their lives as per Islamic principles.⁸

Amir Kabir Syed Ali Hamdani says, it is duty of ruler to protect weaker from the cruelty of powerful people.⁹

It was also said that oppression, Rebellion and Lawlessness can be ended only by just ruler.¹⁰

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In fact the basic reason of formation of state is the protection of the people's rights as individual is not capable to protect his rights alone. He needs collective co-operation in this regard.¹¹

Imam Shatbi also presented same view in this regard. That eradication of oppression is not possible by individually, state and just rulers can do this job.¹²

The Holy Quran gave two terminologies to differentiate between good deeds and Evil deeds, which are "Maruf" and "munkar", Allah almighty sent many prophets (A.S) who enjoined goodness and forbade evil, in the Holy Quran in many places emphasis has been laid that believers must enjoin for "Maruf" and forbid "munkarat". Islamic state through just and learned rulers performs this commandment of almighty Allah. Ibne Manzoor Affriqi has given short but comprehensive definition of "Maruf" and "munkar". He defines Maruf as "signifying liberality or bounty when it is with moderation or with a right of just aim and sincere or honest advice or counsel or action, and good fellowship with one's family and with other mankind and any action or deed of which goodness is known by reason or by the law."¹³

Contrary of "Maruf" and action, disapproved or disallowed by sound intellects or deemed or declared there by to be bad, evil, hateful, abominable, foul, unseemly, ugly or hideous or pronounced to be so by the law because the mind deliberates respecting the regarding it as such.¹⁴

According to religious scholars, the best "Maruf" is Adl (Justice) and the worst "Munkar" is tyranny.

The object of Islamic Teaching is to welfare of human being and prevention from any sort of operation. Even in the matter of tax collection, the financial status of individuals is also considered very carefully, Imam Abu Yousaf strictly directed the governors that citizen must not be oppressed and tax should be charged according to their financial position.¹⁵

Hazrat Ans (R.A) has narrated that Holy Prophet (P.B.U.H) received services from many people, but no injustice was ever done with respect to wages of servant.¹⁶

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Islamic teachings also emphasize on the importance of different financial position of citizen, while implementing tax so that poor could be protected from inappropriate and heavy taxes hence, there was no tax on the goods, the cost of which was less than 200 Dirham.¹⁷

Hazrat Umer bin Abdul Aziz wrote a letter to Zariq bin Hayan and directed that on forty dinar tax would be charged one dinar and no tax would be charged on the goods valued less than 20 dinar.

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