Fundamental Principles of Islamic Welfare State and It’s Key Differences from the Modern Secular States

Abstract
Historically, the idea of the welfare state is rooted in the Confucius and Greek thoughts before Christ era but actually this was only an idea and practical welfare state was not found anywhere before Islam. Practically, the beloved Prophet Muhammad ﷺ was the first in the recorded human history who successfully established an Islamic welfare state more than fourteen hundred years ago. Keeping in view, Islam is not merely a religion but a complete code and system of life. It addresses all individual and collective issues of life including state, government and politics. Therefore we find solid principles for Islamic welfare state and society in the Islamic teachings. The divine guidelines of Allah and Nobel teachings of the Prophet ﷺ teach us all fundamental principles about Islamic welfare state and also these principles were implemented in the state of Madīnah under supervision of the Prophet ﷺ. After kind Prophet’s ﷺ era the successors of the prophet the righteous caliphs implemented these principles in Islamic state and society. It means the Islamic welfare state has some fundamental principles and features. As well as, these principles contained all those basic laws which are necessary part of the contemporary and modern welfare states in all over the world. It is also noticed that the Islamic welfare state not only protects the worldly affairs of the public but also the human values and hereafter of a person because it is an ideological state. This thing differentiates it from the modern secular states in the West. Then question rises what is the Islamic welfare state and what are its basic principles and how it differ from the modern Western states. In this paper I would elaborate these fundamental principles of Islamic welfare state and its key differences from the secular welfare states in the light of Islamic teachings.

Keywords: Islamic welfare state, fundamental principles, key differences from the secular states.

Historical Background:
The idea and practice of welfare state has longstanding as the idea of a peaceful state and society in this world. History is the eye witness of the fact; this idea is not the new one in the human history. Maybe someone differ from this opinion but it is truth we find its historic clue since BC in the benevolent Confucius thought (Confucius-51-479 BC). According to the welfare principles of Mencius a key Confucian scholar (Mencius 245-340 BC);

“What a government should do for the welfare of people; ensure everyone has a job to maintain his living, keep taxation low so that people can save their earning, ensure in people the virtue of caring for one family and relatives so that they can help out each other in time of sickness or economic deprivation.”1

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Partially these policies were adopted and implemented by a great China’s king famed as Hun to promote welfare state and society, which are called ‘Hun Laws’ in the history. Later on we find this concept in Greek and Roman political philosophy and thought as Aristotle’s moral economy doctrine (Aristotle 322-384 BC). In fact it was just a theory and was not implemented in Greek and Roman states at all? Historian does not find any solid steps from Greek and Roman states for this important aspect and need of human being. Although the western scholars try their best to search link between Greek and Roman politics and welfare state but failed. Even in the modern times the western scholars link the modern welfare state to the Greek and Roman thought but they have no solid proofs. Although the modern west is inheritor of Greco-Roman thought but the idea of the modern welfare state is entirely different and new from Greco-Roman philosophy.

In the Western perspective, historically the idea of modern welfare state and social welfare was introduced in 17th and 18th centuries during era of industrial revolution after successful renaissance in Europe especially in Britain. Practically it was brought into practice in 20th centuries after “Great Depression” in Europe to re-establish and reconstruct the European economy and society. The New Book of Knowledge addresses this issue as; “The need for such a system (Social Security and Welfare) become sharper in the 1930’s, during the Great Depression. Millions of people lost their jobs and many faced starvation. This experience helped bring about a national security system under the social security Act which was passed in 1935(in USA).”

Now there are many versions of welfare states have been introduced in the west. The basic duty of welfare state is to compensate the poor and needy people of the society. This concept was adopted in the West in 20th Century. According to a statement of the New Encyclopedia of Britannica; “In the 20th century the concept of state was ranged from anarchism in which the state was deemed unnecessarily and even harmful in that it operated in some form of correction to the welfare state, in which the government was held to be responsible for the survival of its members, guaranteeing subsistence to those lacking it.”

One thing which is very interesting that west is not founder to introduce a welfare state but now it has become very advance in social welfare, welfare state and society.

It is a momentous fact that Islam taken practical initiative for first welfare state and society. The Prophet Muhammad ﷺ was the pioneer of the welfare State of Madīnah in 622 AD. So the claim of the western scholars that west is the founder of the idea of welfare state is not true at all because the modern welfare state in Europe was established after Great Depression in 1930 CE but the welfare state of Madīnah was established in 622 AD without any incident. Professor Sayīd Azkīyā Hāshmī rightly observes; “It is an undeniable historic fact that the founder of a model welfare state is Prophet Muhammad ﷺ in human history. Although the Greek scholars presented a limited welfare concept but the Aristotle

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2The Great Depression: The Great Depression of (1929-1939) was like a natural disaster. It proved the cordial economic decline in history of the West. It wiped out millions of investors in USA and Europe in this era.
3Shaprio, William E, the New Book of Knowledge (Danbury: Grolier Inc., 1983), 13: 221.
welfare state did not implement in practical shape on the peace of earth.”5

So, it is observed, we find some clue for the idea of welfare state in ancient history in Greek and Confucius thoughts but the truth and fact is that Islam is the pioneer of welfare state.

**Fundamental Principals of the Islamic Welfare State:**

In Islamic Perspective, historically it is an undeniable fact that the welfare state was established by the Prophet Muhammad ﷺ sharply after migration to Madīnah. It is also notable point that the Islamic welfare state basically a value based state and it protects and provides these values and principles which are granted by divine instruction (Wahī). According to Dr. Muhammad al-Hāshmī views; “All of mankind was about to witness the first constitution based on values of justice human rights for the first multi-faith (plural) society in the human history.”6 The first welfare state of Madīnah, which was established by Islam, was a principle based state. The foundational principals may be consist of Justice, equality, public security, accountability, consultation, economic welfare and protection of ethical aspect of the public etc. It seems better to share what is the welfare state, before I mention the basic principles of the Islamic welfare state. According to modern concept of welfare state the welfare state basically assists and solves the economic and social issues of public freely as well as it protects and provides the fundamental human rights of public. Merriam Webster dictionary defines the welfare state in these words; “A social system in which a government is responsible for the economic and social welfare of its citizens and has policies to provide free health care, money for people without jobs etc.”7 It is also an interesting issue that in the welfare state the government works as servant of the public and it is entirely Islamic concept. The Nobel Sīrah of the beloved Prophet ﷺ and the Wise Qurānic verses describe a fundamental principle of an Islamic State. Therefore, The Holy Quran speaks out about an ideological Islamic welfare state likewise;

> “Those who, if We establish them in the land, establish regular prayer and give regular charity, enjoin the right and forbid wrong, with Allah end of affairs.”8

As well as the Prophet Muhammad ﷺ said as representative of the Islamic Welfare state; “The Chief (Leader) of a nation is the servant of the nation.”9 This kind of commands show Islamic priority in role that Islam want to establish a welfare but value based state and society.

Furthermore, according to description of New Encyclopedia Britannica welfare state means;

> “It means; the concept of government in which the state or a well-established network of social institutions plays a key role in the

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6Hāshmī, Muhammad al-Hamīdī, Muhammad for the Global Village (Lahore: Darussalam, 2008), 129.
protection and promotion of the economic and social well-being of citizens. It is based on the principles of equality of opportunity, equitable distribution of wealth, and public responsibility for those unable to avail themselves of the minimal provisions for a good life.”

There are many interpretations of the welfare state but the conclusion is that all economic and social needs are provided by the state and it is considered as a basic duty of a welfare state and government. The most common concept and interpretation of the welfare is that state is the responsible for deserving people in all basic needs in all stages of life. A western scholar Douglas Jack comments likewise; “In the more though going from the welfare state provides aid for the individual in almost all phases of his life from the cradle to the grave.” This concept basically derived from the Islamic concept of government. According to Dr. Shair Zamān analysis;

“The gist of the ideas of the welfare state and society is that all basic needs and requirements and welfare are the fundamental duties of the state and government. Food, dress, shelter, education and health care etc. are part of it. Basically these things and necessities is the part of Islamic concept of the Islamic welfare state.”

From above discussion it is enough to understand that the core concept of the modern western welfare state was derived from the Islamic concept of welfare state and society. For that purpose, the welfare reforms of the second Righteous Caliph Hazrat Omar Fārūq (RA) are able to see. Here, I feel appropriate to share the famous statement of Hazrat Omar (RA). He said; “If a dog dies of thirst at the bank of the river of Euphrates, Omar will be the responsible for it.” Basically it was the policy of Islamic welfare state towards fulfilling the needs and necessities of depressed and economically damaged people. It should be noted this was happened 14 centuries before when there was no concept or idea of public welfare at state or social level. Therefore, we can identify that Islam was the founder of welfare state in practical, rather than theory. Accordingly, Islam mentions some important principles for Islamic welfare state, which separates it from the other secular welfare states. In this research study I will try to elaborate the fundamental principles of an Islamic welfare state and its major differences from the modern secular states.

I. Absolute Justice: One of the most important principles of Islamic welfare state is absolute and impersonal justice. In the Holy Quran Muslim Ummah is declared as justly balanced community so justice is its preferable priority on individual as well as at collective level. The root of the provision of justice is derived from the divine Book of Justice the Holy Quran. Many verses of the Quran commands and recommends justice to all humanity for all times. Almighty Allah commands to the believes in his Glorious Book of the Quran speaks;

إِنَّ اللَّهَ يَأْمُرُكُمُ إِنَّمَا الْإِثْرُ لِلَّهِ وَلَيْسَ لِلَّهِ شَرِيكُ ۚ سَأَلُوا بِمَآ أُتْهِيَتْ لَهُمْ فَلْيَأْتُوا بِضَايَعَكُمْ ۚ ذَٰلِكَ الْحَقُّ ۚ إِنَّمَا أَنَّى لِلَّهِ وَرَجُوٌّ مَّعَهُ

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“Allah doth command you to render back your Trusts to those to whom they are due; And when ye judge between man and man, that ye judge with justice.”

It is not only a command but a key feature and responsibility of Muslim Ummah to adopt and to spread justice for all humanity. Syed Qutub Shahīd interprets this verse of the Quran:

“These are the major obligations placed on Muslim Community and these sums up its moral code, namely fulfillment of trust and justice. The basic and most important trust is that which has God implemented in human nature. This is the one which the heavens, the earth and the mountain refuse to accept but man undertook.”

It is also considerable point that the most important objective of Islam is to implement justice and establish a justice society. It is so important that Allah sends divine Books and Holy Prophets (pbuh) to attain this objective.

“We sent aforetime our messengers with Clear Signs and sent down with them the Book and the Balance that men may stand forth in justice.”

These verses present Islamic vision and principle of justice which is without any discrimination and prejudiced feelings. Here Almighty Allah commands the kind Prophet ﷺ to do justice as Allah demands and wishes. This Justice should be without any discrimination and favoritism. A leading Islamic scholar Moulānā Maudūdī interprets this verse of the Quran likewise;

“In this verse the Muslims were strongly recommended for supporting criminals for no other reason than either family or tribal solidarity was told that they should not allow any prejudice to interfere with the principle of equal justice for all. Man’s instinctive honesty revolts against the idea of supporting one’s own kin even when they are wrong, and denying others their legitimate rights.”

This verse and these comments clearly show that Islamic concept of justice is implemented without any fair and full power without any hesitation and hurdle. In other words Islamic justice is implemented in Islamic welfare state in impersonal way.

In matter of the implementation of justice the Prophet Muhammad ﷺ is seen at the highest rank in the world history as ruler. As a ruler the Prophet ﷺ fulfilled the right of justice because he knew that without fair and impersonal justice, a government or a state cannot survive. For the sake of justice he presents himself and his family as a model for Islamic state and society. For that purpose how did the Prophet ﷺ establish the standard of justice for community? We can share the story of a woman thief who belonged to a Nobel family. Imam Bukhārī narrates this important story on the authority of Hazrat Ayesha (RA): The chiefs of the Quraysh tribe concerned about the woman from

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tribe of Banī Makhzūm who had consigned theft. They requested, "Who will intervene for this lady with the prophet ﷺ?" even Some replied, "No one provokes to do so apart from Hazrat Osama bin Zaid the beloved one of the Allah’s Messenger, When does Osama talk to the prophet Muhammad ﷺ about this issue. The Prophet ﷺ replied to him; do you try to intervene for somebody in a case related with Allah's approved sentences? Then he got up and delivered a thought provoking discourse saying;

“What destroyed the nations preceding you were that if a noble amongst them stole, they would forgive him, and if a poor person amongst them stole, they would inflict Allah's Legal punishment on him? By Allah, if Fatima, the daughter of Muhammad stole, I would cut off her hand.”18

This landmark judgment and decision of the Wise Prophet ﷺ shows Muslim world view and determination about provision and implementation of justice and law in an Islamic welfare state. Therefore, American supreme court and as well Lincoln in University consider the Prophet Muhammad ﷺ as the most Just person of this world in the human history. According to an on line newspaper Muslim Times .com ; “Greatest Law Givers in Human History, Muhammad (SAW), Recognized by US Supreme Court in 1935”.19 Its matter of great pleasure for Muslim community globally.

After the Prophet Muhammad ﷺ his successors (Caliphs) and representatives of the first Islamic Welfare State of Madīnah (Righteous Caliphate) carried out this journey of justice. They were fully committed to provide and implement justice in the state of Madīnah. The first Righteous Caliph Hazrat Abu Bakar (RA) explained his policy regarding justice in his first sermon in this way. He said; “Who is powerful in you he is week for me and who is week in you he is powerful for me until I do justice with him.”20 Specially, the second Caliph of Islam Hazrat Umar bin Khattāb (RA) taken many steps towards provision and protection of fair and equal justice to all people. Historically we study many steps from Hazrat Umar towards provision of justice. He separated the judiciary first time in the human history from administration and it was the historical step towards fair justice. This idea was entirely unique and Hazrat Umar was the founder of this idea and practice and now in the modern era all modern welfare states have taken this step. According to the views of a contemporary renowned Muslim historian and Sīrah writer Dr. Ali Muhammad Sulābī;

“The West presented a theoretical justice system for national and international government as separation of judiciary from administration in 18th century. After this step they claim that they are pioneer in separation of judiciary from government from all previous thoughts and ideas. But they forget this reality that Islam has practically introduced special judicial system and separate it from administration for 14 hundred years ago.”21

The fourth Righteous Caliph Hazrat Ali al-Murtazā (RA) was a renowned Muslim judge (Qāzī and Faqīh). His historical statement about justice is able to write with

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18Bukhārī, Muhammad bin Ismail, Sahih Bukhārī (Lahore: Darussalam, 2007), Hadīth no. 3288.
19https://themuslimtimes.info/2013/01/07/greatest-law-givers/Accessed:21/11/16/
golden water. He said in an historic statement; “A government of unbelievers can stay but the government of injustice and cruelty cannot stay.”\(^{22}\) This is also a fact that the judges in Righteous Caliphate (Islamic welfare state) were free to give their decision according to the merit and justice. This was only due to Islamic policy of fair and impersonal justice. At that time this was only happened in Islamic welfare state (Righteous Caliphate) because that time in all over the world the kings, barons and government officials was above the law.

II. Social Justice and Equality: The second most important principle and feature of the Islamic welfare state are social justice and equality for all human being. Islam is religion of preaching and dialogue, so it gives a lot of importance to the society and social contracts. Therefore, all Prophets of Allah have been promoting and working for social reforms and human transformation. Throughout the Islamic history, the scholars and reformers try their best to reform the society according to God’s will. As well as, the Prophets \(^{23}\) did not consider social or political status for human respect but he only considered piety of Allah for standard of human dignity. Many verses of the Quran focus on the reformation of society.

\[ 	ext{O mankind! We have created you from a male and a female, and made you into nations and tribes, that you may know one another. Verily, the most worthy of you with Allah is that who has Taqwā.} \]\(^{23}\)

The kind Prophet \(^{24}\) announced on the day of the last sermon;

‘O People, Your Lord is one, your father is one. So, be aware, there is no superiority of an Arab over non-Arab, White over Black and Red over Black except for piety.”\(^{24}\)

In Islam the base of dignity and honor is not caste or status but Taqwā and conduct. The Messenger of Allah teaches us; “Almighty Allah does not see your bodies or your appearance but He sees your souls.”\(^{25}\) It means in Islam political, social and ethical status of a man are not basis of discrimination. Everybody is regarded and treated according to his character and contribution. Moreover, Islam recommends social contract in the sense of social cooperation for reformation of society. Many verses of the Quran guide us towards this mutual assistance. In fact, mutual support is the fundamental principle of Islamic thought. Therefore, Allah declares in the Wise Quran;

\[ 	ext{Help you one another in Al-Birr (goodness) and Taqwā(righteousness): but do not help one another in sin and transgression. And fear Allah.} \]\(^{26}\)

The Prophet \(^{26}\) practically explained the way out of mutual cooperation with the society;


\(^{24}\) Ibn Hambal, Imam Ahmad bin Ḥanbal, Musnad Ahmad (Beirut: Dār al-Fikr, 1978), Hadīth no.23536.

\(^{25}\) Muslim, Imām Ḥajjāj al-Qushayrī, Ṣaḥīḥ Muslim (Riyadh: Darussalam, 2007), Ḥadīth no.6707.

\(^{26}\) Al-Quran, Surah al-Maʿidah 5:2.
“The most beloved person in the front of Allah who is beneficent to other people and the most beloved virtue in the front of Allah is to spread happiness to people or to remove trouble of someone or to pay debt of someone or to give him food and who he walk with a Muslim brother to eradicate his difficulty, it is better to sit for worship (‘Eitkāf) for a month in this Holy Mosque (Masjid al-Harām).” 27

Therefore, these Qurānic recommendations and the noble conduct of the Prophet, prepare the Muslim society for mutual cooperation, assistance and welfare of the human beings without any political and religious discrimination.

Islam wants to make a believer fruitful and helpful for community. For that purpose the Quran and Aḥādīth of the Prophet continuously transform the Muslims in many ways. The Prophet praises said;

“If anybody eradicates his brother’s unease of this world, Allah will eliminate for him one of the worries on the Judgment’s Day, if any person makes ease for a person from his pain, Allah will create easiness for him in this world and on the Judgment’s Day...Allah will stay in the help of a person until the person remnants in the help of his brother.” 28

Mr. Irfān Hassan Siddiquī says, “Islam established some significant principles for social justice, mentions right of the poor in wealth of the rich, gives a justice system for State and society to overcome the wealth issues.” 29 In Islamic perspective charity is a good virtue but if you have no charity then good talk is also considered a charity. Allah speaks in the Quran;

“Kind words and forgiving of faults are better than charity followed by injury.” 30

The Nobel Prophet said, “Every piece of goodness is a charity.” 31 Accordingly, it is socio-religious duty of a Muslim to perform it accurately. As well as, In Islamic context social justice is not only an abstract theory. It is related to other theories of Islam and the first thing which is needed to understand is the Islamic concept of universe.

Another most significant feature and dimension of the Islamic social justice is complete equality of the humankind. Islam is a religion of equality and unity. A good deal of Qurānic verses and the traditions of the Messenger of Allah guide us towards equality and unity. Basically it was the change paradigm. Before Islam, in Jāhilīyyah there were many differences between human beings, but Islam eradicated all the discrimination and considered them equal as a human being. Here Irfān Hassan Khan rightly observes;

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27Tabrānī, Selman bin Ahmad, Mu’jam al-Ṭabrānī al-Saghīr ( Beirut: Maktab al-Islāmī, 1985), Ḥadith no. 861.
28Tirmidhī, Muhammad bin ‘Īsā, Jām al-Tirmidhī (Riyadh: Darussālām, 2007), Ḥadith no.1425.
30Al-Qurān, Sūrah al-Baqarah 2:263.
31Ṣahih Muslim, Ḥadith no.2375.
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“Before Islam the humanity was divided into many folders, the man and woman, the rich and poor, the lord and slave, the black and white but Islam eradicated and eliminated all these unethical and inhuman behaviors. Islam measures all humanity equal in this world and also in the world hereafter.”

The Prophetﷺ strictly eliminated and prohibited all bad traditions and evil conducts of the age of ignorance (Jāhilīyyah) in his last sermon. The Prophetﷺ announces on the day of ‘Arafah (Hajj), “Beware, all things pertaining to the Days of Ignorance (Jāhilīyyah) are under my foot, absolutely eliminated.” The Holy Quran also mentions this important fact many times in different places as in Sûrah Hujrât clearly describes it.

Islam does not limit this quality of equality but declares it as a charter of human freedom in the universe. The Messenger of Allah ﷺ announces in his last sermon; “O, people! Your lord is one, your father is one. So, be aware, there is no superiority of an Arab over non-Arab, white over Black and red over black.”

Every person in Islam is equal before law and has no any priority on others at all. As we earlier has discussed the historic incident of a Nobel lady of an honorable tribe of Quraysh was caught while stealing, and according to the Islamic law the Ḥadd (Capital Punishment) was announced. The beloved Prophetﷺ strictly refused to release her due to his firm policy regarding equality before law. This is an admirable example of the equality before law. In fact Islam has a complete system of social and economic justice including regular charity for welfare of Muslim as well as minority.

III. Islamic Welfare State and Accountability: Third most vital principle of Islamic welfare state is public and individual accountability at every level. Although, the Islamic political system is different from the prevailing modern democratic system but the accountability of the government is an imperative and fundamental right of the citizens of an Islamic state. The representatives of Islamic government are accountable in this world in the front of public and in the world hereafter in the front of Allah. The Quran elaborates it likely;

“O believers! Fear Allah, and let every soul look to what He has sent forth for the morrow. Yea, fear Allah: for Allah is well-acquainted with that ye do.”

The Prophetﷺ also pointed out the importance and awareness of accountability in his Ahadith many times. He said once a time about accountability

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33Ṣaḥīḥ Muslim, Hadith no.3009.
34Musnad-e-Ahmad, Hadith no.23536.
35Ḥadd: According to Islamic teachings Ḥadd (capital punishment) is a right of Allah. No any ruler or scholar has right to cancel or change it. According to Muslim scholars there are five agreed upon Ḥudūd in Shari‘ah.
likewise: “Every one of you is accountable for your subordinate. All of you are custodians and accountable for your affairs.”

Therefore, according to Islamic teachings every person is accountable in this world and the world hereafter, especially, who leads at any level or represents a public office at any level.

In Islamic perspective, the accountability is not only a right but a duty as well. It is the duty of Muslims citizens to raise their voices against violence, corruption and evils in the society. Accountability has a vital role in Islamic teachings. The kind Messenger ﷺ said:

“Who observes something repulsive must change it with the power; and if he has not sufficient power to perform it, then he must accomplish it with his tong, and if he has not sufficient potential to do it, then he should dislike it from his compassion.”

This Ḥadīth of the Prophet ﷺ tells us about importance of the self-accountability and our duty towards it. It is also an interesting point that the accountability in Islam is due to faith. According to Syed Abul Hassan Ali Nadvi opinion, “Self-accountability and self-criticism were the successful influence of faith and moral training. It generated among the Muslims an amazing strength of will, self-criticism and justice towards oneself. There was no any other motive except faith, which helped to overcome the inducements of the self so successfully.” We think faith and sense of accountability before the Almighty were the key factors of the earlier Muslims’ success and reformation. If we want to reform the society, it is necessary to build them on the foundation of faith in Allah and the hereafter and create feeling of responsibility. Imām Mālik (RA) said about Muslim reformation; “There will no reformation of the Muslim nation of the day, but as the first one was reformed.”

It means the reformation approach should be founded in the Quran and Sunnah of the Holy Prophet ﷺ.

The political and social accountability are the most vital and key features of the Islamic society. In Islamic context, it is not only a right but an important duty of the Muslim citizens to bring their governments to accountability through positive criticism and freedom of expression. Quran tells, there should be a group of people who should call for goodness;

وَلَكِنْ يَتَّقُونَ إِلَى الْخَيْرِ وَيَتَّقُونَ بِالْمَكْرَرِ وَيَتَّقُونَ عَنِ الْقُرُورِ: إِنَّمَا الْمَلِكُ إِلَى اللَّهِ

“Let there be arise out of you a group of people inviting to all that is good, enjoining al-Ma’rūf and forbidding al-Munkar (evils).”

This accountability is not limited only to Naṣīḥah (sincere counseling) but sometimes it consists of censure. In Islamic system of accountability when one approach does not prove fruitful, we shift to another methodology to eradicate evils from society.

37 Sahih Bukhārī, Hadith no.2554.
38 Sahih Muslim, Hadith no.186.
41 Al-Quran, Sūrah Āle ‘Imrān 3:104.
An open and positive criticism is an important part of public accountability and Islam gives right to the citizens of the Muslims state to criticize public activities for the sake of goodness. To search out truth and point out falsehood is the spirit of criticism and free speech. A comprehensive Ḥadīth of the blessed Messenger clearly states; “Do not make yourselves yes-men, saying: If the people are fair, we will be fair, and if they are bad, we will be bad. Make up your own views, if the people are fair, you will be fair, and if they are wicked, then will not be unfair.” Dr. ‘Abd al-Karīm Hassan states about this Ḥadīth; “This Ḥadīth tells us that Islam grants right to criticism and expression against all Muslim authorities and as well public to search out the correct path and eradicate the falsehood.”

Social and political criticism is very important to overcome the social and political mistakes. If government or society is not ready to listen to the criticism, it comes to its end. According to a Ḥadīth of the Prophetﷺ; “When you observe the Muslim community (Ummah) afraid of telling a oppressor ‘O Tyrant’ then it has no more worth to live.” It means to criticize and hold the government official accountable on their violation of law is an important job of Muslim Ummah. According to a Ḥadīth, this duty is considered a great Jihad (efforts); “The best form of Jihad is to tell the word of truth in the front of a tyrant ruler.” In expression and communication of truth, Islam is generous because without it there is no worth of human beings. Ḥadrat Abū Dharr (RA) narrates from the wise Prophetﷺ; “I am ordered that I should tell the truth even it be unpleasant.” This strong journey of advocating truth takes another bold step to bravely convey the truth before a tyrant. It is appreciated in a Ḥadīth of the Prophetﷺ; “The chief of the martyrs is Ḥamzah and the person who stood up for inviting good and forbidding from bad and then killed in this way.” Constructive criticism can play an excellent role to improve government’s performance. In other words, it can serve as public feedback. Dr. Muhammad Hāshim Kamālī writes; “Freedom to criticize has frequently been described as a measurement by which we can assess the democratic excellence of a government and its assurance to rights and freedoms of its citizens.”

It was the most significant result and deep impacts of these teachings that Muslims were ready to do their duty towards social and political accountability. Here we would like to share an important story of Ḥadrat ‘Umar (RA), the second Caliph. Dr. ‘Alī al-Sulābī states;

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42Positive Criticism: According to some scholars, there are two main types of criticism: positive and negative criticism. The objective of positive criticism is to hold in account the social and public mistakes of government.
43Jāmī al-Tirmidhī, Ḥadīth no.2138.
44Al-Ṭalḥ, Abdul Ḥakīm Hassan, al-Hurrīyyah al-‘Āmmah (Beirut: Dār Fikar al-‘Arabī, 1983), 468.
45Munzaf,‘Abd al-‘Azīm, al-Tarihā wa al-terghīb (Beirut: Dār al-Kutub,1417AH), Ḥadīth no.3500.
46Abū Dāwūd, Suleiman bin al-Ash’ath, Sunnan Abū Dāwūd (Riyadh: Darussalam, 2008), Ḥadīth no.4334.
47Bāhaqī, Abdullah bin Ḥusain, Sha’b al-‘Īmān (Beirut: Dār al-Kītāb al-‘Ilmīyah, 2003) Ḥadīth no.7583.
48Hākim, Muhammad bin ‘Abdullah, Mustadrak al-Ḥākim (Beirut: Dār Kutub Ilmīyyah, 1990), Ḥadīth no.4884.
“One day Ḥaḍrat ‘Umar (RA) stood up to deliver a public sermon and said; ‘listen and obey me’. Suddenly a person stood up and argued, ‘We shall not listen and obey until you shall answer about your dress. You are wearing two shawls received from the booty, while all others were given one shawl each’. Ḥaḍrat ‘Umar asked his son ‘Abdullah to clarify it. He said; ‘I gifted my shawl to my father for he is a tall man, one shawl was not sufficient for him.’ After this clarification the person accepted the excuse said; “Now, I shall listen and obey.”

It is the proper way of accountability, freedom of expression and criticism for political accountably. There are many examples in Islam for such bold confrontation. It is a unique example of the accountability of the chief executive of a state and may be this kind of example could not be presented in the modern democratic system.

IV. Islamic Welfare State and Consultation: Another fundamental principle of the Islamic welfare state is consultation and Shūrā. In Islamic concept of government, Shūrā (consultation) has a special role and significance. We can measure the importance of Shūrā in Islam that Allah asked the Prophetﷺ to consult his companion, while he has no need of it;

وَشَاوِرْهُُْ فِِ الَْْمْرِ  فَاِذَا ََزَمْتَ فَتَوَكَّذْ ََلََ اِذِ  اِنذ اِذَ يُُِّهُّ امَُْتَوَكِِِّيَْ

“And consults them in the affairs;”

The Holy Quran considers the institution of Shūrā as basic principle and public law in an Islamic government. The Glorious Book of almighty Allah the Holy Quran gives much importance to consultation. Dr. Hāshim Kamālī articulates likewise; “The Quran describes Shūrā as one of the fundamental principles of Islamic government and prescribes it as the basic foundation of public law in an Islamic State.”

Therefore, The Holy Quran expresses those mutual affairs should be dealt with consultation;

وَأَمْرُهُُْ شُورَىٰ تَيْنَُْمْ

“They (conduct) their affairs by mutual Consultation.”

The consultation is so important there is no concept of rule in Islam without it. Muslim intellectuals have recommended it many times in their judgments. Imām Qurṭabī states that Ibn ‘Atiyāh said; “These verses recommend that the Shūrā (Consultation) is the basic principle and foundational obligation of an Islamic government. If any Muslim ruler does not consult for the state affairs, he has no right of leadership of Muslims.” A renowned Ḥanafi jurist and scholar Imām Abū Bakr al- Jaṣṣāṣ interprets this verse as; “The consultation of the Prophetﷺ with his wise companions was not just a formality but He consulted the companion in all those issues about which there revealed no revelation.” The above mentioned Qurānic injunctions in these two verses are enough arguments to show the significance of the consultation (Shūrā) in Islamic political system. The consultation (Shūrā) in the state and public affairs is a fundamental principle of Islamic government system and leadership program. According to Syed Quṭub views;

51Al-Quran, Sūrah Āle ‘Imrān 3:159.
52Kamālī, Freedom of Expression in Islam, 41.
54Qurṭabī, Muhammad bin Abī Bakr, Tafṣīr al-Qurṭabī (Cairo: Dār al-kitāb, 1964), 4:56.
“In this verse we find the unique political principle of Islam. The collective and political affairs of Muslim will be carried out through mutual consultation.”

Many Aḥādīth of the Prophet,ﷺ, mention the significance of consultation. The Companions of the Prophet,ﷺ, stated that He was the most consulting one with them even though he was guided by the direct revelation from Almighty Allah. Imām Ibn Taymīyyah states;

“Allah commanded the Prophet,ﷺ, to consult the companion; despite he was the beneficiary of the divine revelation. This Qurānic command is not more concerned about the later Muslim generation, who would have no longer the Prophet among them, nor could they have had a straight contact with the divine revelation (Waḥī).”

In some Aḥādīth of the Prophet,ﷺ, the consultation is said to be a symbol of goodness. “When your best are the leaders among you, the wealthy people are the most generous among you, and your dealings are discussed with you, then the face of the earth is better for you than its belly. And when your representatives are the bad ones of you, the wealthy ones are the worst among you, and your dealings are submitted to your women, then the belly of the earth is better for you than its face.”

On behalf of the Islamic teachings, the Muslim scholars consider the consultation as an obligation of Islamic Sharī‘ah. A well-known Islamic scholar Sheikh Muhammad ‘Abduhū states; “The Consultation (Shūrā) in this verse is not only an advice but an obligatory command addressed primarily to the head of state to make sure that it is correctly applied to public affairs.” Islam wants to spread the sphere of consultation from public to private and to the social issues as well. According to Sayyīd Qutb Shahīd views; “The recommendation of Consultation (Shūrā) is not specific for Islamic government but it should also be a collective attitude of Islamic society, because the verse of the consultation is Makkī not Madanī.”

In addition Mawlidān Maudūdī said;

“There are three principles of consultation, which are necessary to fulfill; 1- every collective issue should be done through mutual consultation, 2-The consultation will be established with the eligible and relevant persons, 3- The consultation should be free and fair.”

In Islamic context, the consultation is the basic right and duty and it is used for good governance. It is Islamic recommendation and Allah’s system of governance. A prominent contemporary Islamic scholar Dr. Muhammad ‘Ammārah states about the importance of Shūrā as; “Due to some important reasons the system of Shūrā in Islam is an obligation imposed by God, it is not just a human right.” Consultation is from those matters which have double significance as a right and also as a duty and obligation. Dr. ‘Adnān Riyadh Muhammad writes about the importance of Shūrā in this way; “The
Shūrā (consultation) is a system prescribed by God, which is recommended for human beings to solve their collective and public issues for a happy and successful life."63 Throughout the Islamic history of leadership and governance, all collective affairs of the state and society are decided with mutual consultation. In the time of the Prophet, there were two sources of decision: one was the divine revelation (Waḥī) and other was Shūrā. Allah commands the Prophet about Shūrā, although he did not speak without His permission.

"You consult them in the affairs. Then when you have taken a decision, put your trust in Allah, certainly, Allah loves those who put their trust."64

This benevolent command of the Quran tells us that if the Prophet is asked to do consultation, then we are the most obliged to do it, because consultation is more secure way to solve human issues after Waḥī. According to Sheikh ‘Abd al-Munsīf Mahmūd comments; “Consultation is human dignity and a safe away to reach the correct opinion to solve different social and political matters of human beings."65

The consultation Shūrā is also used for good governance and public criticism for solution of the matters, because Islam grants right for the sake of constructive criticism and public accountability. Dr. Muhammad ‘Abbās Hilmī remarks; “The consultation (Shūrā) in Islam is an expression of equality, public and individual accountability and freedom of expression."66 The consultation is not a simple process of dialogue and argumentation but it is better way to solve social, public and individual matters of the Muslim community. ‘Abd al-Karīm Khātīb observes; “It is a method of unity of Muslim Ummah and an easy solution for their difficulties and problems with dialogue and conversation."67 The consultation (Shūrā) is so important a matter in Islam that Allah recommends it for the sake of personal matters, too.

According to Sayyid Qutb Shahīd comments; “The recommendation of Consultation (Shūrā) is not specific for Islamic government but it should also a collective attitude of Islamic society because the verse of the consultation is Makki not Madnī.”68 We observe the conduct of the Prophet about Shūrā. Ḥaḍrat Ayesha (RA) narrates that one day the Messenger of Allah gave a sermon and said; “What do you advise me concerning those people who are harming my wife, while I have never found any awful thing about my family”? As a result the companion narrated that the Messenger of God was the most consulting person. Shah Wali Allah Mohaddith Dehlavī states as; “When a difference of judgments arose, people would submit that to the Khalīfah, who would make decision on the issue after mutual consultation with the experts. A conclusion reached at thus was pursued by all as a shared judgment."69 Dr. Muhammad Ḥamīdullha affirms; “An important feature of the constitution of Madīnah was that

63Riyadh, ‘Adnān Muhammad, Concept of Islamic Thought in Islam (Iraq: Diyaāla University, n. d.), 5.
64Al-Quran, Sūrah Āl “Imrān 3:159
68Qutb, Taḥfīr fi Zilāl al-Quran,5: 935.
69Dehlavī, Shāh Wali Allah, Izālah al-Khifā’ (Lahore: Maktabah Salīfyyah, 1975),132.
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Prophet Muhammad ﷺ governed that state by virtue of the consent of citizens. It means consent and consultation is the basic principle of Islamic politics.

In Islamic perspective, we can see a real bondage between Khalīfah and the public in the shape of Bay‘at (Agreement of sincerity). Dr. Muhammad Yusuf Ibīsh comments;

“In the Islamic historical models, there is a real obligatory treaty in the shape of Bay‘at, not a fabricated one between Khalfah and public. The mutual promise holds the leader accountable for establishing the sovereignty of Sharī‘ah, justice, securing human honor, serving the community benefit, and gratifying the whole responsibilities of the position, while it holds the people liable for helping Khalifah, complying his verdicts that conform to Sharī‘ah.”

This statement expresses the responsibilities of the ruler and ruled straight away and tells that in Islam the leadership and rule is not an easy task. Allah commands about this issue as;

“When there comes to them some matter touching safety or fear, they make it known; if only they had referred it to the Messenger or to the authority.”

According to Islamic teachings everyone is not eligible for these big responsibilities. Therefore, the Prophet Muhammad ﷺ said about the task of an Islamic ruler; “Power (Rule) is a trust and on the Day hereafter it is a reason of shame and sorrow instead of one who perform its commitments and releases the task assistant thereon.”

Authority in Islam is a sensitive task.

“O believers, betray not Allah and His Prophet, nor betray knowingly your trust.”

The beloved Prophet Muhammad ﷺ said; “one who is made responsible for public affairs and he knew, there is another person who is more eligible than him for that trust, he deceived Allah, his Prophet and all Muslims.” So, there is a big difference between Islamic and Western thought because they consider it a designation but in Islam it is a trust and if any person cannot fulfill it he will be accountable in this world and the world hereafter.

V. Islamic Welfare State and the Provision of Human Rights: Fifth very important principle as well as the most significant duty of an Islamic welfare state is provision and protection of fundamental human rights. Islam is a divine and balanced religion so it cares about all social needs and social contracts. The most important feature of Islam is that it addresses all issue of humanity and defends basic dignity and respect of a person.

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72Al-Qurān, Sūrah al-Nisā‘ 4:84.
73Ṣaḥīḥ Muslim, Ḥadīth no.4823.
74Al-Qurān, Sūrah al-Anfāl 8:27.
75Ṣaḥīḥ Muslim, Ḥadīth no.4826.
Even the provision of fundamental rights in Islam is due to human dignity and respect. In Islamic viewpoint, the most vital duty of a welfare state is protection and provision of human honour and dignity. As a renowned scholar of Malaysia Dr. Mohammad Hāshim Kamālī says; “Freedom of expression (including fundamental human rights) compliments human dignity, for the essence of character and personality is reflected in a person’s opinion and judgment.” Many Qur’ānic Verses and the Prophet’s Sunnah provide a roadmap regarding to this important aspect. Islam grants a special kind of dignity and respect to humanity. Almighty Allah honors the human being many times in his sacred Book:

> We have honoured the sons of Adam; provided them with transport on land and sea; given them for sustenance things good and pure; and conferred on them special favors, above a great part of our creation.”

The prophet states about human dignity as; “The blood, honor and property of a Muslim are forbidden for every Muslim.” According to a contemporary Islamic scholar Dr. Muhammad Tāhir-ul-Qādārī views; “The concept of human rights in Islam consists of human dignity, honor and equality of human beings.” In addition, Dr. Muhammad Hāshim Kamālī describes about the dignity of man in these words; “Dignity of a person is regarded as fundamental and immutable right, which is universal and essential for life. It has been evolved and subject to change with the changing times and generations.” These comments clearly show that Islam provides all kinds of civil liberties and human rights on the grounds of human dignity. We cannot find this kind of dignity in any other global thought and faith.

In addition Islam is so fast and pioneer in provision of human rights and civil liberties that other thought and religion can’t compete to it. Usually, it is claimed from West that he is the founder of human rights but it is not rule at all because the west start his journey of human rights from Magna Carta in 1215 CE but Islam provides human rights 14 hundred years ago when this world did not know even to the word of right and liberty. Actually, in West the term and movement of human rights was generated in 17th and 18th century after renaissance. A statement of the new encyclopedia of Britannica described; “It was from the period of renaissance until the 17th century that the beliefs and practices of society so changed that the idea of human rights could take hold as general social need and reality.”

So, in this sense the idea of human rights is not originated from the west from Magna Carta as the west claims. According to Sayīd Maudūḍī comments;

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76 Kamālī, Freedom of Expression in Islam, 12.
77 Al-Qurān, Sūrah al-İsra’17:70.
78 Qudhāī , Muhammad bin Salāmā, Musnad Shahāb ( Beirut: Mu’assiah al-Risālah,1986), Hadīth No.121.
81 Magna Carta: It is an important and basic document in west for contemporary Human Rights and first time was declared in 1215 in England against the King. Actually it was an agreement between barons and the king.
82 The New Encyclopedia Britannica, 6:137.
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“It is vociferously claimed that the world got the concept of basic human rights from the Magna Carta of Britain; though the Magna Carta itself came into existence six hundred years after the advent of Islam. But the truth of the matter is that until the seventeenth century no one even knew that the Magna Carta contained the principles of Trial by Jury; Habeas Corpus, and the Control of Parliament on the Right of Taxation.”

Everyone can guess the maturity of Islamic Human rights which was presented at the time of the last sermon of the Prophet ﷺ in 622 AH and the western human rights are claimed to present in Magna Carta which was presented in 1215 AD. In this sense the Islamic human rights are six hundred years older than western rights.

A. Freedom of religion, thought, expression and association: Islam gives all kind of fundamental freedom and liberties as freedom of religion, thought and expression 14 hundred years ago. So, Islamic welfare state is reasonable of provision and protection of these fundamental rights and freedoms. The Quran speaks of freedom religion.

لا إكراه في الدين فدأ تبَرَّس من الدين

“There shall be no compulsion in the religion.”

Many Ahādīth tells us about these fundamental freedoms in a very clear way.

“If a judge makes a ruling, striving to apply his reasoning (Ijtihād) and he is correct, then he will have two rewards. If a judge makes a ruling, striving to apply his reasoning and he is mistaken, then he will have one reward.”

Islam does not compel any one to accept Islam and Muslim history is eye witness of that fact. The age of Prophet Muhammad ﷺ and the golden era of the Islamic Caliphate is eye witness of these kind of freedoms and rights. Specially, the age of caliphate was the standard era of all kind of Islamic liberties and fundamental rights. Hāmid Anṣārī comments;

‘Haḍrat ‘Umar’s (RA) era was the excellent period for freedom of expression and Freedom of speech. It is his routine approach that he called people in Masjid of the Prophet Muhammad ﷺ, when an important issue occurred. Every person freely expressed his opinion in front of the Khalīfah. Also, He incorporated the spirit of common consultation in the Islamic government.’

B. The protection of life, dignity, wealth and property; Islamic state is also responsible to protect the right of life, wealth, property and dignity of a person. The last sermon of the Prophet ﷺ is considered to be a key document for these human rights. Protection of human life is a more essential right in Islam and Almighty Allah commands in the Glorious Quran:

من كان لنا وما كان في الأرض فكأننا نحن الناس جميعًا ومن أعياهنا فكأننا أبناؤه الناس جميعًا

83 Maudūḍī, Human Rights in Islam, 131.
84 Al-Quran, Sūrah al-Baqarah 2:256.
85 Ṣaḥīḥ Muslim, Hadith no.1791.
“If anyone slew a person - unless it be for murder or for spreading mischief in the land - it would be as if he slew the whole people: and if any one saved a life, it would be as if he saved the life of the whole people.”

The Prophet states about protection of human dignity, wealth and life as; “The blood, honor and property of a Muslim are forbidden for every Muslim.”

C. Rights of Women: Islam gives to women a highly regard and respect. Commonly, in Islamic state and society women can be seen in the shape mother, daughter, sister and wife. Islam not only grants her regard and respect but gives her complete rights. Almighty Allah grants a special dignity to women as equality in creation. As well as, the Islamic teachings advice to the Muslim society as fair dealing and conduct. Allah speaks in the Nobel Quran;

وَاحْترَمُواْ بِالْخِيْرَ وَلَا تَخْفُوُواْ فِي أَنْ نُفِّخُواْ فِيهَا وَيَعْلَمُ الَّذِي فِي الْأُمَّةِ مِمَّا يَعْلَمُ وَيَعْرَفُ الَّذِي لَهُ مِثْلُهُ ﴿٨٩﴾

“Live with them on a footing of kindness and equity. If ye take a dislike to them it may be that ye dislike a thing, and Allah brings about through it a deal of good.”

Many statements of the Prophet lead us towards wellbeing and goodness of women as country. The Allah’s Messenger said many times; “O people, reverence from Allah in matters of women because you get them in the name of Allah.”

As well as Islam trained its followers on different issues. On an important occasion the prophet said for ethical grooming of Muslim community likewise; “The better from you, who is better for his family and women and I are the best for my women.” Islam gives to women every reasonable right which can be imagined. For example right of respect and dignity, right of education, right of inheritance, right of marriage, right of dower (marriage gift) right of divorce, right of property, right of trade an job, right of house expenditure and guardianship etc.

D. Minorities Rights: Minorities are productive asset and citizens of the Islamic welfare state. Islam gives importance, rights and respect to non-Muslim minorities from its foundation. Muslims throughout the history have been protected this basic value. The teachings of the Quran and Ahādīth of the Allah’s Prophet present solid evidence for this important matter. Islam not only protects their right of free religion but protect their temples and religious traditions as well. Basically Islam wants to establish a more tolerant and plural society where everyone is free to act up on his religion and faith.

وَقَلِ المَلَكَ مِنْ يُكْفِنَ شَيْئَ مِنَ الْجِلْفَانِ وَمَنْ هَوَّةَ ذِيَاتَ الْمَحْقَقِينَ قَآَرٍ 

“The truth is open from your Lord: Let him who will believe and who will, reject.”

The Prophet gave special direction on treatment of the non-Muslims including the Jews for justice and other rights. For that purpose Islam presents the peace

87 Sūrah al-Māedah 5: 34.
88 Musnad Shāhāb, Hadīth no.121.
89 Al-Qurān, Sūrah al-Nisā 4:19.
90 Ibn Khuzaimah, Muhammad bin Ishāq, Sahīh Ibne Khuzaimah (Beirut: Maktab Islāmī, 1970), Hadīth no. 2809.
91 Sunan al-Tirmadhī, Hadīth no. 3895.
92 Al-Qurān, Sūrah al-Kahf 18:29.
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agreement with disbelievers known as Ahl al-Dhimmah⁹³. God’s Messenger said about this peace treaty; “Whosoever causes breech of my guarantee, I shall be his opponent on the Day of Judgment, and whosoever oppose me, I shall defeat him.”⁹⁴ We find special orders of treatment with disbelievers in primary Islamic sources as the Quran and Sirah of the Holy Prophet ﷺ.

Everyone can notice that the Diversity and Pluralism is the base of a peaceful and friendly coexistence in this world. Obviously Islam promotes every attempt which is helpful for peace and prosperity. The excellent example of peaceful coexistence with other faiths and thoughts is in the times of the Prophet’s ﷺ and the righteous caliphate. In this context, Mīthāq al-Madīnah has a special significance. It is considered a universal charter for peace in the world’s political history. According to research paper on treaty of Madīnah; “The charter of Madīnah can become the base for stable peace and peaceful coexistence of a pluralistic world for the welfare of humanity from the kind Messenger (ﷺ).”⁹⁵ This kind of accord shows that the Islamic political system accepts diversity and pluralism in faith and culture.

VI. Islamic Welfare State and the Provision of Basic Needs: The most vital duty and responsibility of an Islamic welfare state are to arrange basic needs and public social security. Social welfare and to fulfill the public need is a core Islamic value. Every society of this world has basic needs which are necessary to fulfill which are called fundamental needs or functional prerequisites. The scholars of Sharī’ah (Islamic law) divides the Islamic objectives of Sharī’ah into five and some comprises into three which defines into basic needs and their fulfillment. 1. Deen (religion) 2. Aql (intellect) 3. Nafs (life) 4. Mal (property) and 5. Irdhi (dignity). Dr. Muhammad Hāshim Kamāl commented;

“The Ulemā have classified the entire range of Maqāsid-cum-Masālih (Objectives of Islamic Sharī’ah) into three descending categories of importance: the Darūrīyyah (the essential), the Hājīyyah (the complementary) and the Tahsīnīyyah (the desirable or the embellishments). The essential Masālih are enumerated as five, namely life, intellect, faith and property.”⁹⁸

Many Islamic teachings guide us towards this most significant human need. Here, first issue is that what are the basic needs of a human society? The Creator of this universe mentions it;

"كلما ما زلفتم الله خلأتمُ من أشيائكم بالله إن كنتم فلما تعبدون"⁹⁹

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⁹³ Ahl al-Dhimmah: The non-Muslims who live under the umbrella of Islamic state with peace agreement.
⁹⁴ Al-Ṭabrānī, Selman bin Ahmad, al- Mu’jam al-Kabīr,(Mussel : Maktaba al-l’Im,1983),Hadith no.1668.
⁹⁶ Maqāсид al-Sharī’ah: it means the basic objectives of the Islamic Sharī’ah. The Islamic scholars have classified into five essential categories as; Life, Religion, Dignity, Intellect and Property etc.
⁹⁷ Masālih al-Sharī’ah: It means the public welfare and interests in the Islamic Sharī’ah (Law). Some Islamic scholars comprise these Masālih of the Islamic Sharī’ah into three as; Darūrīyyah, Hājīyyah, Tahsīnīyyah etc.
⁹⁸ http://www.aml.org.uk/cms/assets/Uploads/journals/3.1/Kamali-Maqasid.pdf/Accessed: 30/10/16/
“So eat of the sustenance which Allah has provided for you, lawful and good; and be grateful for the favors of Allah, if it is He Whom ye serve.”

The Sīrah of the Prophet ﷺ is also witness of these basic needs. As the Messenger says:

“There is no right of Ibne Adam without these three things: House: in which he lives, Dress: with it he covers his body Food: A morsel of bread and water.”

Therefore due to its importance a well-known interpreter of Hadīth, Mullū Ali Qārī writes about the meaning of Haq as: “The meaning of right (Haq) basic needs and declares these things basic needs of a man.”

There are many other verses and Ahādīth of the Prophet ﷺ which indicates prerequisites of a man. In these verses we find four prerequisites of human being. It means according to Quran and Hadīth there are four prerequisites, For example: 1-food, 2-water, 3-dress and 4-Shelter. These verses and teachings of the Prophet ﷺ define the minimum basic needs of a person. These basic needs or functional perquisites are; Food, dress and shelter etc. Then the key question is that who fulfills these basic needs or perquisites of a man. Obviously welfare state is responsible to provide these basic needs. As a representative of the first Islamic welfare state the Prophet ﷺ within His resources provided these basic needs. The historical record tells us clearly. How did the Prophet ﷺ achieve an objective of welfare society and welfare state in Madinah? For that purpose Zakāh and Sadqah (Charity) was adopted as first priority and strategy.

The beloved Messenger of Allah defines the objective of Zakāh (Mandatory Charity) in an important recommendation. One the prophet said to Hazrat Mu’ād (RA) when he was going to Yemen as governor: “It (Zakāh) is to be taken from their rich, and given to the poor among them.” Throughout the Islamic history Zakāh (Mandatory Charity) has a key role to establish and promotes the deserving people. Therefore, we can say Zakāh has a practical role to eradicate poverty and to support the poor. The Second important strategy to compensate the poor and deserving people, the prophet ﷺ arranged a historical agreement between Mohājrīn (Migrants) of Makkah and Ansār (Helpers) of Madīnah. In the Islamic history this treaty is called Mwākhāt e Madīnah which was part of historical agreement of Methāqe Madīnah. According to Dr. Muhammad Hamīdullah views; “When the Mohājrīn migrants of Makkah reached in

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100Jām‘e  al- Tirmadḥī, Hadīth no.1560.
102Al-Quran , Sūrah al-Mā’rīj 44:24-25.
103Sahīh Bukhārī , Hadīth no.1331.
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Mdīnā104, they were deserving people and to compensate them they were made unite as family with Ansār ( Helpers) and they were entertained as one family. In this way the resources of Helpers was spent on Migrants. At that time, when state have no much resource. It was a unique effort to compensate the poor and needy people.

The third most important step was taken in this regard was role of Bait ulMaal( state reserves). At That time Bait-ul-Māl worked as central reserve bank of Madīnah and even in later on caliphate era as well. All extra resources in the shape of Charity (Zakāh and Sadqah), Ghanīmah (Booty) was submitted in this central Bank. The Prophet helped the poor and deserving people of the state from this Central Bank. The record and studies show that many deserving people were helped from this Bank. The Prophet once announced;

“I am dearer to a Muslim even than his self; and he who left behind property that is for his family, and he who dies under debt or leaves children (in helplessness). The responsibility (of paying his debt) lies on me,” 106

This policy was expanded in the age of righteous caliphate, especially golden era of the Islamic welfare in the regime of Hazrat Umar (RA). Hazrat Umar (RA) introduced a social security system for public help. According to Dr. Sulābī comments; Hazrat Umar (RA) manages a separate office and record in the name of Bai-ul-Māl and Dawāvīn (Revenue and Expenditure Record). In this register every citizen of Madīnah was listed and he given a scholarship from government according to his need, eligibility and sacrifice for Islam.” 107 We have many other steps which introduce him social security and social welfare of Hazrat Umar (RA) age. Hazrat Umar (RA) started the scholarship of children from their birth after an incident when women compellingly tried to leave the mother’s milk. Once Hazrat Umar said in his last days; “If I live next years the widows of Iraq will not need any other rescuer mean I shall give them lot of honorarium from Bait-ul-Maal.” 108

Briefly, these were some important steps which were taken for public welfare from the Islamic welfare state. In the modern age western scholars proudly tell the world we are the pioneer and founder of social welfare and welfare state in the world but they forget the key steps of the Prophet Muhammad and from the righteous caliphs of Islam. Therefore, I would like to say without any fear and shame that Islam is the founder of welfare state in this universe.

Key Differences of Islamic Welfare State from Secular States:

Keeping in view, Islamic and western thoughts are two different thoughts and have different approaches and world views to solve socio-political and moral issues. The topic of politics and welfare state is one of them. So, it seems better to share some key features which differentiate the Islamic welfare state from secular welfare states. As well as it is an interesting and look necessary to know what are the key differences between Islamic and the Weston secular welfare states. There are many differences between Islamic and western states but three are more dominant of them.

104 Methāqa Madīnah: It was an agreement between Jews and Muslims of Madīnah for peace and prosperity of Madīnah. According to Dr. Hamīdullah it is also known as the first written constitution of the world history.
105 Hamīdullah, Khutbāt e Bahawalpur, 322.
106 Sahīh Muslim, Hdadīth no. 1885.
107 Sulābī, Syyīdnā Umar bin Khattāb, 434-439.
108 Sulābī, Syyīdnā Umar bin Khattāb, 281.
The first most important thing which separates the Islamic welfare state from the other secular states is protection of ideology and ethics of the public of the Islamic welfare state. Actually it is different one and not available at all in any modern western secular state. Keeping in view off purse Islamic state is responsible to provide worldly things as provide the other secular welfare states in all over the world but it is not its specialty, it is common one. The thing which entirely differentiates it from the other secular states is its ideology. Therefore, it can be said without any ambiguity and fear that Islamic welfare state basically is an ideological state rather than secular. Definitely Islam fulfills the worldly necessities of people as well but Islam give preference to ethics, morality and hereafter life of his citizens. The Nobel Quran guides us about this issue;

\[
\text{وَمِنُّم مذن يَلُولُ رَتذكَا أٓتِكَا فِِ الُّنْيَا حَس َكَُا وَفِِ الْْٓخِرَةِ حَس َكَُا وَكِنَا ََذَابَ امكذارِ}
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"And there are men who say: "Our Lord! Give us good in this world and good in the Hereafter, and defend us from the torment of the Fire."\(^{109}\)

According to the Hadīth of the prophet ﷺ, the Prophet ﷺ repeatedly recited this verse of the Quran and pray to Almighty Allah. Imam Bukhārī narrated on the authority of Hazrat Anas bin Mālik (RA); The Holy Prophet made very frequently this pray: “O Allah, grant us the good in this world and the good in the Hereafter and save us from the torment of Hell-Fire.”\(^{110}\) According to my humble perception, actually this verse of the Holy Quran and the Hadīth of the Prophet Muhammad ﷺ shows preference and priority of the Islamic welfare state and society towards Religion, morality and ethics. This statement also mentions that Muslim does not focus only on worldly things but Muslim focus on both this world and the world hereafter with special focus on hereafter. This deal and commitment bounds a Muslim society with a powerful rope which is called Islamic Brotherhood and make them a strong community. We can quote the model of Madīnian society. Dr. Yusuf Fārūqī stated likely;

"After Mawākhāt e Madīnah in the state of Madīnah in a sudden Mohājrīn (Migrants) and Ansār (Helpers) became brother and mix each other as like their tribal and cultural differences finished. After collaboration and unity of Mohājrīn and Ansār there were produced another civilization which is called Islamic civilization. Very important thing is that this civilization did not base on any tribal and racial foundation but it based on Islamic faith and ethics,"\(^{111}\)

Islam presents an idea of model welfare state which protects the religion and moral of community and enforces the system of Salāt, Zakāt and Amar bil-M"arūf wa Nahī anil-Munkar (promoting good and prohibiting bad). Principally, this is the core demand of Quran and basic objective of the establishment of an Islamic state. So, Allah commands perfectly;

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\text{الَّذِينَ اِن مذكذنذاهُُْ فِِ الَْْرْضِ أَكَامُو}
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"Those who, if We establish them in the land, establish regular prayer and give regular charity, enjoin the right and forbid wrong, with Allah end of affairs."\(^{112}\)

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110. Sahih Muslim, Hadīth no.7016.
According a renowned and leading Islamic scholar Imam Taqī ud Dīn Ibn Taimīyyah comments; “The firming of Amar bil-M’arūf wā Naḥi anil-Munkar (promoting good and prohibiting bad) is a key feature of an Islamic state. This is a unique service from the state which make sure the welfare and virtue of the Islamic societies and state. Without unbreakable commitment with Allah and His Prophet ﷺ the welfare of the public is not possible. As well as, this commitment is necessary for this duty.”

It means Islamic welfare state in his basic tenet is an ideological state, rather than a secular or liberal one.

The second most significant principle which differentiates it from the secular states is that Islamic welfare state in its power is not an absolute sate but work with limits of the divine law which is called Sharī’ah. No any law or legislation is above than Islamic law but all kind of legislation will be done under this divine law. Almighty Allah ordains absolutely;

“O believes! Obey Allah, and obey the Messenger, and those charged with authority among you. If ye differ in anything among yourselves, refer it to Allah and His Messenger, if ye do believe in Allah and the Last Day.”

A leading Islamic scholar Sayīd Maudūdī interprets this verse of the Quran likewise; “The only best way of the government in Islam is that state accepts the supremacy of Allah and his prophet at all and leaves its personal sovereignty. So, in this situation the legislative, administrative and judicial powers of the state will be limited under divine of Sharī’ah.”

The third most important feature which separates the Islamic welfare state from the secular state is that Islam makes no difference between religious and political issues as we see in the modern era, the religion is a personal issue of a person and has no interference in state affairs. This entirely a western concept and Islam disowns it. In Islamic perspective, the spirituality and politics are one. There is no division between public and private life in Islam because Islam is a revealed and comprehensive ideology of life. Islam is a dynamic thought which at the same time deals with politics (secular) and religion (sacred) and fulfills human spiritual and worldly needs both at all. Allah teaches us in the Quran;

“Islam is the complete way of life in the sight of Allah”.

It means Islam is the complete code of life which guides a Muslim in scared and social both affairs. According to Dr. Zamir Akhtar khan views; “In other words, it implies the establishment of the sovereignty of Almighty Allah (SWT) in the “religious” as well as the “secular” domains, or the removal of the dichotomy between collective life and state authority on the one hand and Divine guidance on the other”. According to the remarkable comments of the late president of Bosnia ‘Ali ‘Izzet Begovic; “In
different thoughts and religions the spirit and material is separately entrained but Islam is the name of the unity of faith and material. Islam removes human confusion about spirituality and material because this rejects the secular approach of public and private and presents comprehensive and dynamic solution of this division. A Western leading magazine the Economist notices;

"May be Islam is the single concept in its nature that it does not divide politics and religion. Islam avoids division of spirituality and its public affairs. May be Islam is the last concept in this matter? It is possible that Islam may prove it a power again and lead other nations to search out link between the ethics and public life."

Thus, the unity of spirituality and secularism or religion and politics or social and individual issues is the most dynamic and global political impact of Islamic thought.

These key differences and features separate the Islamic welfare state from the secular states of the modern westerns and ancient word. The secular states have their own sovereign powers and legislative authority. In secular sates this slogan is very frequent in the election days as well as during legislation that the source of power is public. They are only answerable to parliament and public rather than Almighty Allah, the Creator of the universe. According to my humble opinion, this is fake theory in Islamic sense. I would like to share with so sorry, these trends are rapidly entering in our politics as well which is the bell of danger, we cannot afford these so called slogans, especially in officially and legally recognized and announced Islamic Republic of Pakistan. This is clear violation of the constitution of Pakistan. The constitution of Pakistan and the commitment of the founder of Pakistan have clear standing on this issue. The Objective Resolution clearly says;

"Whereas sovereignty over the entire universe belongs to Allah alone and the authority which He has delegated to the State of Pakistan, through its people for being exercised within the limits prescribed by Him is a sacred trust … Wherein the Muslims shall be enabled to order their lives in the individual and collective spheres in accordance with the teachings and requirements of Islam as set out in the Quran and the Sunnah."

Therefore, we must remember and aware that in Islamic welfare state the source of every ultimate sovereignty and power is Almighty Allah rather than public or parliament. The public representatives are bounded to use their powers within prescribed limits of Sharī’ah. The public is responsible for making accountability on these issues and parliament is responsible to implement these laws with full spirit. Keeping in view, in Islamic welfare and Ideological state there is no any law to supreme than Allah’s law. The state power and legislative authority is bounded with supreme law, which is called Sharī’ah or divine law. In simple words, the Islamic welfare state is answerable and accountable in the front of Allah in hereafter as well as in the front of public in this world. If there is accrued any conflict or clash between public and divine law then they will be decided according to the Sharī’ah law. It means in Islamic welfare state the parliament is not supreme but Allah’s laws are supreme.

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Conclusion:

It is perceived from the above discussion, the concept and practice of the welfare state is not a new one idea in the human history. We find its clue of the idea even in BC era in the Confucius thought. As well as, it is a fact that the Prophet Muhammad ﷺ was the first in human history who successfully established an Islamic welfare state practically. We find solid principles for Islamic welfare state and society in the Islamic teachings. These principles were implemented in the state of Madinah under the supervision of the Prophet ﷺ with their true spirits. These principles contained all those fundamental laws which are a necessary part of modern welfare states in all over the world. These principles tell us that an Islamic welfare state consists of Justice, equality, accountability, consultation, economic welfare, human rights and protection of ideology etc. After era of the kind Prophet ﷺ, the Islamic welfare state got a boom in the golden era of the Righteous Caliphate. Especially the regime of the second Caliph Hazrat Umar (RA) the practice of welfare state reached to its maximum height. According to his revolutionary vision and wisdom he took many significant steps and introduced many laws for social and economic welfare of the people which we can also see in the modern welfare states of the west. It is also observed from the study many western countries adopted the most of welfare policies of the righteous caliphate era but they consider it their own policy which shows their impartiality and ambiguity with Islam.

Islamic welfare state not only provides the worldly affairs to the public but also it protects human values and hereafter life of a person. In other words Islamic welfare state is an ideological state. We must remember, in Islamic state the source of ultimate sovereignty is Allah rather than public. The public representatives are bounded to use their powers under the limits of Shar’ah. Furthermore, the eventual source of law in Islamic welfare state is based on divine guidance of revelation. There is no law of parliament or judiciary can exceed the limits of the Nobel teachings of the Holy Quran and wise full Sunnah of the Prophet ﷺ. This thing is not part of any other secular state of the modern west. Therefore, we conclude from the discussion that Islamic welfare state basically an ideological welfare state and these key features separate it from other secular welfare states of the ancient and modern ages.