

Islamic Work Ethics

Al-Nahdah: Muslim News and Views Vol 3, Issue 4 (October - December 1983)

- By Muhammad Umer Chapra

The concept of brotherhood and equal treatment of all individuals in society and before the Law is not meaningful unless accompanied by economic justice such that everyone gets his due for his contribution to society or to the social product and that there is no exploitation of one individual by another. The Qur'an urges Muslims to 'Withhold not things mostly due to others' (al-Qur'an, 26: 83),¹ implying thereby that every individual must get what is really due to him, and not by depriving others of their share. The Prophet aptly warned: '*Beware of injustice for injustice will be equivalent to darkness on the Day of Judgement.*'² This warning against injustice and exploitation is designed to protect the rights of all individuals in society (whether consumers or producers and distributors, and whether employers or employees) and to promote (general welfare, the-ultimate goal of Islam.

Of special significance here is the relationship between the employer and the employee which Islam places in a proper setting and specifies norms for the mutual treatment of both so as to establish justice between them. An employee is entitled to a 'just' wage for his contribution to output and it is unlawful for a Muslim employer to exploit his employee'. The Prophet declared that three persons who will certainly face God's displeasure on the Day of Judgement are: one who dies without fulfilling his commitment to God; one who sells a free person and enjoys the price; and one who engages a labourer, receives due work from him but does not pay him his wage.³ This hadith, by placing the exploitation of labour and the enslaving of a free person on an equal footing, suggests how averse Islam is to exploitation of labour.

What a 'just' wage is and what constitutes 'exploitation' of labour needs to be determined in the light of the teachings of the Qur'an and the Sunnah.⁴ Islam does not recognise the contribution to output made by factors of production other than labour and therefore the concept of exploitation of labour in Islam would have no relation with the concept of surplus value as propounded by Marx. It could be argued theoretically that 'just' wage should be equal to the value of the contribution to output made by the labourer. But this is difficult to determine and would have little practical value in regulating wages. There are however a number of hadith from which may be inferred qualitatively the level of 'minimum' and 'ideal' wages. According to the Prophet, 'an employee (male or female) is entitled to at least moderately good food and clothing and to not being burdened with labour except what he (or she) can bear.'⁵ From this hadith it may be inferred that 'minimum' wage should be such that it resembles an employee to get a sufficient quantity of reasonably good food and clothing for himself and his family without overburdening himself. This was considered by the Prophet's Companions to be the minimum even to maintain the spiritual standard of Muslim society. 'Uthman, the third Caliph, is reported to have said:

Do not overburden your unskilled female employee in her pursuit of a living, because if you do so, she may resort to immorality; and do not overburden a male subordinate, for if you do so, he may resort to stealing. Be considerate with your employees and God will be considerate with you. It is incumbent upon you to provide them good and lawful food.⁶

The ideal wage may be inferred from the following hadith to be a wage that would enable the employee to eat food and wear clothing just like the employer is himself capable of:

Your employees are your brothers whom God had made your subordinates. So he who has his brother under him, let him feed with what he feeds himself and clothed him with what he clothes himself.⁷

The just wage cannot therefore be below the 'minimum' wage. Its desirable level would of course be closer to the ideal wage so as to minimise the inequalities of income to bridge the gulf between the working conditions of the employers and employees which tends to create distinct classes of the 'haves' and 'have-nots', thus weakening the bonds of brotherhood which constitute an essential feature of a truly muslim society. Between the two units the actual level would be determined by the interaction of supply and demand the extent of economic growth the level of moral consciousness in Muslim society, and the extent to which the state plays its legitimate role.

Besides being paid at least minimum wages and preferably ideal wages, Islam requires that labourers should not be made to work so hard or in such miserable conditions that their health deteriorates or their ability to enjoy income or participate in family life gets impaired.⁸ If they are made to perform a task which is beyond their capacity they should be provided with sufficient help to enable them to do the job without undue hardship. In the Hadith quoted above in which the Prophet admonishes employers to consider the employees as their brothers, he said further...

...and do not burden them with what overpowers them. If you do so, then help them.⁹

From this Hadith it may be inferred that fixation of maximum hours of work, creation of proper working conditions, and enforcement of precautionary measures against industrial hazards, would be fully in conformity with the spirit of Islamic teachings.

While this is the treatment expected of an employer for his employees, Islam, because of its commitment to justice, protects the employer by placing certain moral obligations on the employee as well. The first obligation is to do the job conscientiously and diligently with maximum possible, degree of care and skill. The Prophet exhorted: 'God has made beneficence obligatory upon you'¹⁰ and that 'God loves that when any one of you does a job, he does it perfectly.'¹¹ There can be no question that social and economic justice, which Islam stresses unambiguously, requires the efficient performance of the function for which

one has

been employed. On another occasion the Prophet said:

An employee who excels in his devotion to God and also renders to his master what is due to him of duty, sincerity and obedience, for him there is double rewards (with God).¹²

A second obligation on the employer is to be honest and trustworthy. The Qur'an says that the best person anyone can hire is the strong (able) and the honest (28:26), and the Prophet has said:

He whom we have appointed for a job and have provided with livelihood, then whatever he appropriates beyond this is illgotten.¹³

Thus; if Islam has placed a number of obligations on the employer, the employee is also expected to do the job conscientiously and diligently, and be honest and trustworthy. The goal is justice to both employers and employees in all economic relationships. It is only by such a harmonious regulations of mutual responsibilities emphasizing co-operation and conscientious fulfilment of one's obligations, in an environment of brotherhood, justice, and supremacy of moral values, that there can be hope of eliminating labour-employer conflict and friction and establishing industrial peace.

Equitable distribution of income

While the intense and unique commitment of Islam to human brotherhood and to social and economic justice, gross inequalities of income and wealth could not but be repugnant to its spirit. Such inequalities could only destroy rather than foster the feelings of brotherhood that Islam wishes to create. Besides, since all resources are, according to the Qur'an, 'gifts of God to all human beings' (2:29), there is no reason why they should remain concentrated in a few hands. Hence, Islam emphasizes distributive justice and incorporates in its system a programme for redistribution of income and wealth so that every individual is guaranteed a standard of living that is humane and respectable, and in harmony with the regard for the

dignity of man inherent in the teachings of Islam (God's vicegerent on earth, al-Qur'an, 2:30). A Muslim society that fails to guarantee such a humane standard is really not worthy of the name as the Prophet declared: 'He is not a true Muslim who eats his fill when his next-door neighbour is hungry,'¹⁴

'Umar, the second Caliph, explaining the redistributive justice in Islam, emphasized in one of his public addresses that everyone had an equal right in the wealth of the community, that no one, not even he himself, enjoyed a greater right in it than any one else, and that if he were to live longer, he would see to it that even a shepherd on the Mount San'a' received his share from his wealth.¹⁵ The Caliph 'Ali is reported to have stressed that 'God has made it obligatory on the rich to provide the poor with what is

adequately for them; if the poor are hungry or naked or troubled it is because the rich have deprived them (of their right), and it will be proper for God to account them for it and to punish them.¹⁶ The jurists have almost unanimously held the position that it is the duty of the whole Muslim society in general and of its rich in particular to take care of the basic needs of the poor and if the well-to-do not fulfill this responsibility in spite of their ability to do so the state can and should compel them, to assume their responsibility.¹⁷

The Islamic programme for redistribution consists of three parts. One, as discussed earlier, Islamic teachings imply the tendering of assistance in finding gainful employment to those unemployed and those looking for work and a 'just' remuneration for those working: two, it emphasizes the payment of Zakaat for redistributing income from the rich to the poor¹⁸ who, because of personal disability or handicaps ' (physical or mental or conditions external to them e.g. unemployment), are unable to attain a respectable standard of living by their own effort, 'so that', in the words of the Qur'an; 'wealth does not circulate only among your rich' (59:7); and three divisions of the estate of a deceased person, in accordance with a given formula, among a number of individuals so as to intensify and accelerate the distribution of wealth in society.

This Islamic concept of equity in the distribution of income and wealth and its concept of economic justice, does not however require that everyone be rewarded equally, irrespective of his contribution to society. Islam tolerates some inequalities of income because all men are not equal in their character, ability and service to society (al-Qur'an, 6: 165; 16:71 and 43:32). Therefore, distributive justice in Islamic society, after guaranteeing a humane standard of living to all members through the institution of Zakaat, allows such differentials in earnings as are in keeping with the differences in the value of the contributions or services rendered, each individual receiving an Income corresponding to the social value of the services he contributes to society.

The Islamic stresses on distributive justice is so emphatic that there had been some Muslims who have been led to believe in absolute equality of wealth. Abu Dhar, a Companion of the Prophet, was of the opinion that it is unlawful for a Muslim to possess wealth beyond the essential needs of his family. However, most of the Prophet's Companions did not agree with him in this extreme view and tried to prevail upon him to change his position.¹⁹ But even Abu Dhar was not a protagonist of equality of flows (income). He was in favour of equality of stocks (wealth accumulations). This, he asserted, could be attained if the entire surplus of income over 'genuine' expenses (al-afw) was spent by the individual in improving the lot of his less fortunate brothers. The consensus of Muslim scholars, in spite of being intensely in favour of distributive justice, has however always been that if a Muslim earns by rightful means and from his own income and wealth fulfils his obligations toward the welfare of his society by paying Zakaat and other required contributions, there is nothing wrong in his possessing more wealth than other fellow Muslims.²⁰ In reality, however, if the Islamic teachings of Halal and Haram in the earning

of wealth are followed, the norm of justice to employees and consumers is applied, provision for redistribution of income and wealth are implemented and the Islamic law of inheritance is enforced, there cannot be any gross inequalities of income and wealth in Muslim society.

Freedom of the individual within the context of social welfare

The most important pillar of Muslim faith is the belief that man has been created by God and is subservient 'to none but Him (al'Qur'an, 13:36 and 31:32). This provides the essence of the Islamic charter of freedom from all bondage. Hence the Qur'an says that one of the primary objectives of Muhammad's Prophetic mission was to 'release them (mankind) from the burdens and chains upon them' (7:157). It is this spirit of freedom which prompted 'Umar, the second Caliph, to declare: 'Since when have you enslaved people although their mothers had borne them free'.²¹ Shafi'i, the founder of the Shafi'i school of Muslim jurisprudence/expressed the same spirit when he said: 'God has created you free and therefore be nothing but free.'²²

Because man is born free no one, not even the state, has the right to abrogate this freedom and to subject his life to regimentation. There is consensus among Muslim jurists that restrictions: cannot be imposed on a free, mature, and sane person. Abu Hanifah the founder of the Hanafi school of Muslim jurisprudence, goes further and feels that restrictions may not be imposed on a free, mature, and same person even if he hurts his own interest by, to quote his own example, 'spending money aimlessly without any benefit.' The reason he gives for this is that depriving him o: the freedom of choice is 'like degrading his humanity and treating him like an animal. The injury done by this would be greater than the injury done to his extravagance. A greater loss could not be inflicted to avoid a smaller loss.'²³

The difference of opinion, however, exists only if an individual hurts his own interest, without, of course, over-stepping the moral bonds of Islam. But if the individual hurts the interests of others, then there is no difference of opinion that restrictions can and should be imposed on him. All jurists allow restrictions to be imposed if this prevents injury to others or safeguards public interest, as in Abu Hanifah's words, 'controls on an untrained doctor, or a careless judge, or a bankrupt employer, because such controls remove a greater harm by inflicting a smaller harm.'²⁴ Social welfare has a place of absolute importance in Islam and individual freedom, though of primary significance, is not independent of its social implications.

To set into a proper perspective the rights of the individual vis-à-vis other individuals and society, the jurists have agreed upon the following basic principles:²⁵

(1) The larger interest of society takes precedence over the interest of the individual.

(2) Although 'relieving hardship' and 'promoting benefit' are both among the prime objectives of the

Shariah, the former, takes precedence over the latter.

(3) A bigger loss cannot be inflicted to relieve a smaller loss or a bigger benefit cannot be sacrificed for a smaller one. Conversely, a smaller harm can be inflicted to avoid a bigger harm or a smaller benefit can be sacrificed for a larger benefit.

Individual freedom, within the ethical limits of Islam, is therefore sacred only as long as it does not conflict with the larger social interest or as long as the individual does not transgress the right of others.

Notes

1. See also al-Qur'an 83: 1-3, ('Woe to the cheaters; who when they take the measure (of their dues) from men, take it fully And when they measure out to other; or weigh out for them", they give less than is due').
2. Reported on the authority of Musnad of Ahmad and *Bayhaqis shu'ab al-iman* by Suyuti, v.1, p. 8
3. Bukhari. v. 3. p.112.
- 4 Some of the quotations (hadith or otherwise) used in the discussion, relate to slaves, but the term 'employees' is used in the translation. It a humane and just treatment is expected to be meted out to slaves, then employees are certainly entitled to an even better treatment.
5. Malik Muwatta Cairo, 1951, Malik, ". 2, p. 980: 40.
6. Malik. Muwatta, v. 2, p. 981: 42.
7. Bukhari, p. 15 and v.3, p185
8. I wish not to be hard on you. God willing you will find me among the righteous' (al-Qur'an, 28:27). This statement of Shu'ayb while hiring Moses is an exhortation in the Qur'an for all employers.
9. Bukhari, v. 1, p. 16. and v. 3, p. 185; and Muslim, v. 3, p. 1283: 38 and 40.
10. Muslim, v. 3, p. 1548:57.
11. Cited on the authority of Bayhaqi's Shu'ab al-iman by Suyuti, v.1, p. 75

12. Bukhari, v. 3, p. 186.
13. Abu Dawud, v. 2, p.121.
14. Bukhari, p. 52: 112.
15. Haykal, al-Faruq 'Umar, Cairo, 1353 A.D., p. 595: 1909: for slightly different wording, see Nahj al-Balaghah Cairo n.d., v. 3, p. 231.
16. Abu 'Ubayd Kitab al-Amwal, Cairo, 1353 A.D., p. 595: 1909. for slightly different wording, see Nahj al-Balaghah Cairo n.d.. v. 3, p. 231.
17. For some relevant details, see Siddiqi, Islam ka Nazariyya-e Milkiyat, Lahore, 1968, pp. 272-79
18. The Prophet, while appointing Mu'adh as Governor of the Yemen, enumerated to him a list of duties, one of which was to educate people that God had made it obligatory upon them to pay the Zakaat which is to be collected from the rich and distributed to their poor' (Bukhari, v. 2, p. 124; Tirmidhi, v. 3, p. 21: 625 and Nisa'i, v. 5, pp. 3 and 41).
19. See the comments on verse 34 of surah 9 of the Qur'an in the commentaries of Ibn Kathir, v. 2, p'352, and Jassas, Ahkam al-Qur'an. Cairo, 1957, v. 3, p. 130
20. See the commentary of Ibn Kathir, v 2, pp. 360-53.
21. 'Ali al-Tantawi and Najj al-Tantawi, Akhbar 'Umar, Damascus, 1959, p. 268.
22. Quoted without reference to the original source, by Yusufuddin Islam ke Ma'ashi Nazariyye, Hyderabad, India, v 1, p. 140.
23. al-Hidayah, Cairo, 1965, v. 3, p. 281, see also Jaziri, Jaziri, Kitab al-Fiqh ala al-Madhahibal-Arba'ah, Cairo, 1938. " 2, p. 349.
24. Al-Hidayah, v. 3, p. 281; and Jaziri, v. 2, p. 349.
25. For a discussion of this subject, see Shatibi, v. 2, pp. 348-64; Abu Zahrah pp. 350-64; and Dawalibi, al-Madkhal ala 'ilm Usul al-Fiqh, Beirut, 1965, pp. 447-40.