

## **Right to Basic Necessities of Life in Islam: Meaning and Concept**

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### **Abstract**

*The right to basic necessities is considered as one of the primordial Human Rights. It received almost universal recognition by all societies and people of all creeds. The religion of Islam, and sayings and conduct of its Messenger (SAW) lay great emphasis on the development of this idea of right to basic necessities and its provision. There is no denial to the fact that one cannot survive without basic necessities of life. It is the reason that Islam being a natural way of life has not ignored this important aspect of life, rather has ensured its provision. Even a cursory glance at the contents of the Islamic ideology indicates that the Quran and the Sunnah have dealt in depth with nearly every aspect of right to basic necessities, in order to make Man's life valuable and dignified. The present study investigates the concept of Basic Necessaries to life and its various dimensions in the light of Quran, Sunnah, practice of the Companions of the Messenger and views of the jurists in Islam.*

**Keywords:** Basic Necessities, Human Rights, Quran, Sunnah, Shariah.

The concept of basic necessities of life in Islam is as old as Islam itself. The term used for necessities in Islam is 'haajat' which stands for basic needs of man's life. Its dictionary meaning is: "Anything which compels a person or anything a person is in dire need of like food at the time of hunger."<sup>1</sup> In the words of Al-Maujam-al-Waseet, it means: "Everything a person cannot do without; everything which is needed."<sup>2</sup> In the terminology of

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Shariah, the broadest meaning is that which the Ulama-Usuliyyeen gave in their debate on objectives of Shariah. Imam Shatibi (RH) says:

*“Necessities mean those things one cannot do without to fulfill his worldly and ‘deeni’ (Islamic) needs. If he does not get them, he will not be able to live his life properly; rather his worldly affairs will run into difficulty to the extent that life, itself, may come to an end.”*<sup>3</sup>

Ali Hisbullah gives the definition as: “Necessary aims are those on which worldly and religious life is based on and if one loses them, his worldly life will get uprooted”<sup>4</sup> This right of basic necessities to life has been recognized by the Quran in these words: “And in their wealth is the due share of the beggar and the destitute.”<sup>5</sup>

The point to note is that in the above ayah of the Holy Quran the ‘basic necessities’ have been declared as the right of the poor and needy as a share in the wealth of the rich. The rich do not give any share of their own wealth in the form of zakat but give back only what belongs to the poor. Thus it is incumbent on the wealthy Muslims to help out the poor and the needy irrespective of the fact whether they ask for assistance or not, it is their duty to reach them and give all the help that they can extend.<sup>6</sup>

To illustrate this principle, when sending out Maaz bin-e-Jabal to Yemen (as the governor), the Messenger (SAW) instructed as: “Tell them that Allah has imposed on their goods, Sadqah (Zakat) which will be realized from their haves and distributed among their have-nots.”<sup>7</sup>

In many other ayat of the Holy Quran reference has been made to the basic necessities of life. In Surah Al-Baqara While talking about the creation of Adam (AS), Allah (SWT) says:

*“And We said: O Adam! Dwell you and your wife in the Paradise and eat both of you freely with pleasure and delight of things therein as wherever you will, but come not near this tree or you both will be of the Zâlimûn(wrong-doers).”*<sup>8</sup>

At another place with regard to his creation, Allah (S.W.T) tells Adam that: “Verily, you have (a promise from Us that you will never be hungry therein nor naked.”<sup>9</sup> “And you (will) suffer not from thirst therein nor from the sun's heat.”<sup>10</sup>

Allah (S.W.T), while mentioning maintenance needs of the Messenger (SAW)’s wives, says a husband has to provide them with the following:

*“The father of the child shall bear the cost of the mother's food and clothing on a reasonable basis”<sup>11</sup>*

*“Bestow on them (a suitable gift), the rich according to his means, and the poor according to his means”<sup>12</sup>*

With regard to the need of a place of residence, Allah (S.W.T) commands in Surah Al-Talaaq: “Lodge them (the divorced women) where you dwell, according to your means.”<sup>13</sup>

Four basic needs arise from the above Qur’anicayat and these are food, clothes, water and shelter from heat and cold (a home). In a Hadith, from Tarmidhi, transmitted by Uthman (R.A) the same four things mentioned in Al-Qur’an have also been said to be necessities of life.

*“The son of Adam (A.S.) has no rights except for four things i.e., a house in which to live; clothes by which to cover his ‘satar’ (private parts); a piece of bread / roti and water.”<sup>14</sup>*

The above four things have been mentioned by the Fuqahah also. While debating minimum quantity of needs in Nafqah-e-Al-Aqarib, Imam Al Kasani says:

*“Food, drink, clothes and a house are ‘wajib’ (necessary) for (a person who is obliged to maintain another), if a child is present who takes milk, expenses for this have also to be provided because this is a need for the child.”<sup>15</sup>*

Imam Ghazali (RH) mentions the following as basic needs: “Man, no doubt, is compelled by three things: nourishment (bread and water), a home and clothes.”<sup>16</sup> With regard to the necessity of the above things, he writes:

*“Nourishment and food is to stay alive, clothes to shelter him from cold and heat, a house to live in and save him from heat and cold and to save him and his family from death due to lack of wealth.”<sup>17</sup>*

Abul-FadhalJa’far bin Ali Al-Damashqi writes: ‘the needs of the man are much more than that of the animal; some of these are inborn needs. “These are which he cannot do without; a ready built house, readymade clothes and cooked food (bread and water).”<sup>18</sup>

In Hadayah, the same things, food, drink, clothes and a place to live in have been said to be necessary for a wife or a man.<sup>19</sup>

According to a famous Andalus scholar of Al-Hadith and Fiqh, Ibn-e-Hazam the minimum requirements for the poor and needy to be arranged for are:

- That quantity of bread and water which is essentially required to live.
- Clothes to wear in accordance with the weather (cold or hot)
- A house to live in which can protect from rain, sunlight and heat and protect the eyes of pedestrians.<sup>20</sup>

Umar (RA) during his period of Caliphate, has imposed on the Islamic state the provision of the following needs in connection with the economic rights of the citizens:

- i). The necessities relating to food;
- ii). Clothes for the winter and summer seasons;
- iii). Conveyance for normal movements.<sup>21</sup>

Imam Sarakhsi (R.A.) lays importance on the same four things. He says: "Allah (S.W.T) has created the sons of Adam (A.S.) in such a way that his body cannot live without four things, i.e., food, water, clothes and house."<sup>22</sup> Imam Shatibi (R.H.) also emphasizes on four things in order to protect the life of a person. These are "Makulat, Mashrubat, Malbusat, Maskunat", and things similar to these.<sup>23</sup>

It is pertinent to mention here that Islam does not take the provisions of life in any narrow conception of needs. It has a very clear idea of a reasonable standard of life. The items mentioned above are the mere necessities of life to the poor and the needy. Islam goes much further to enable them to enjoy a reasonable standard of living. Thus along with basic needs there are some other things, which, every individual will agree are necessary for living. For example: medicine and healers/doctors. The word 'need' fits on these things more than any other. It is assumed that the reason why Fiqh experts have not included this as a need is because they have included this as a type of food. Shahab-uddin Ramli, while speaking about the quantity of things needed by a person in Minhaj-al-talibin-lil-Nawawi says:

*"It is necessary to provide such clothes that cover the whole body and protect a person from heat and cold. Other things are also needed in addition to these; fees of a doctor, money for medicine, and a servant for the disabled."*<sup>24</sup>

This broad concept of necessities to life has also been highlighted in many of the traditions of the Messenger of Allah (SAW). Once, the Messenger said: “The wellbeing of a man is in a spacious house, a good neighbor and a good conveyance.”<sup>25</sup> It is not required in Islam that a man should forgo the comforts of life. It has been narrated by Abu Ahvas that his father said:

*“Abi Al-Awas narrated from his father who said: I came to the Messenger (SAW) wearing coarse clothes. He enquired whether I had some money and property. I replied in the affirmative. Then he asked me what kind of property did I possess, I answered that Allah had bestowed upon me, camel, cattle, horses and slaves. Thereupon he said, “When Allah gives you money evidently His bounty must be visible from your person.”*<sup>26</sup>

In the same vein, Hazrat Omar once remarked: “When Allah gives you in plenty be liberal in your living.”<sup>27</sup> What more need could be there for medicine when Allah (S.W.T) says in a number of ayat that: “...take then not things which are ‘haram’ in the Sharia’h, as medicine and use forbidden methods to treat the ill...”<sup>28</sup>

Some experts of Fiqh consider Marriage also to be a necessity. In a Hadith regarding the basic rights of a worker while clarifying needs of such a person, the Messenger (SAW) said:

*“Those who hold a position in government (as servant or a governor), has a right to be given the following from the bait-ul-maal, i) Marriage arrangements, including the expenses of the wife and children; ii) If he does not have a servant, he should keep one; iii) If he does not have a home, he should arrange for one.”*<sup>29</sup>

Maulana Hifz-urRahman Sayuharwi has mentioned that, in addition to clothes, marriage is also a basic need of man. In special cases, there may be other things which can be said to be necessary for some persons, e.g. a care taker is needed for a disabled or ill person.<sup>30</sup>

According to famous contemporary Muslim scholar, AlamaYusaf Al-Qardawi “If the receiver of maintenance is desirous of marriage, arrangements must be made for his marriage as well, for marriage too is as essential as food, drink and dress.”<sup>31</sup> In this regard, Kasani (R.H) writes in the Nafqah chapter of Fiqh Al-Aqarib: “If a person has a servant, upon whom he has to rely, his nafqah (Kafalat) is also his responsibility.”<sup>32</sup>

‘Umar Bin Abdul Aziz (R.A) has also held transportation needs to be a basic need. In this regard, Laith bin Sa’ad (R.H) says He received the following order from ‘Umar bin Abdul-‘Aziz “Pay

the loan of those in debt and those who have to give ransom or 'tawan'. To this he replied "Should we pay an amount even if we find such a person has a house, a servant, asbaab (utensils: beds, furniture, etc.) and a horse etc.?" To this, 'Umar replied "For male Muslims, a home to live in, a servant to help in house-hold chores, a horse for jihad against enemy and asbaab are among basic needs."<sup>33</sup>

In Kitab-al-Amwal, 'Umar Farooq (R.A) has also held transportation as necessity in addition to clothes and food in another tradition.<sup>34</sup> The jurists of Islam have held 'Hawaij-aseela' ( i.e. items necessary to carry out a trade necessary) in addition to essential household items to be a basic necessity.<sup>35</sup>

Islam attaches great importance to needs which are essential for man's survival. Protection of human life can be said to be the fifth major objective of the Sharia'h. Imam Shatibi (R.H) while outlining these objectives states: "And they are protection of Deen, protection of soul (human life), protection of race, protection of wealth and protection of mind."<sup>36</sup>

Among these things, the most important can be said to be protection of Deen. However, a deeper understanding enables us to conclude that this is only in the spiritual sense, while in the worldly sense; the utmost importance is given by Islam to protection of human life. Existence of man is all important. If man is not there, there is no Deen, wealth, intelligence/mind to protect. Existence of man brings colours to life. It is also the hard fact of life that one cannot survive without basic necessities of life. It is the reason that Islam being a natural way has not ignored this important and essential aspect of life, rather has ensured its provision.

Keeping in mind the dangers which hunger and poverty bring in their midst with regard to a person's faith and character, the Messenger (SAW) sought the protection of Allah (S.W.T) from the malady in this manner: "Oh Allah (S.W.T)! I take your refuge from hunger; no doubt hunger is a bad friend".<sup>37</sup> Abu zarghaffari R.H was asked once "which deed is afdhal or the best a person can perform? In reply he said: "bread/roti and Salah". Seeing that his reply brought surprise to the one who asked the question. He added: You disappointed me. Abu Zar answered: "If one does not have bread, how will he worship His Lord."<sup>38</sup>

The way by which poverty, lack of needs and hunger, affect human character can be understood from another Hadith from the Messenger (SAW): "When a person in debt (is unable to

return it on time), he lies and when he makes a promise he breaks it.”<sup>39</sup>

The above example is one which each of us constantly witness in our daily lives. It proves that lack of basic needs can lead to lax morals and may even lead one to the boundary of unbelief (kufar). This is why the Prophet (SAW) said: “The time is near when poverty and hunger will lead to kufar.”<sup>40</sup>

The Messenger (SAW) has advised the following invocation, both for the poor and those who are well off: “O’ Allah! I ask for your refuge from poverty and shortage of wealth and also seek refuge from the insult it brings.”<sup>41</sup>

Some more Ahadith on the subject highlighting the same theme as under: It is narrated by Abu saeed al Khudri(RA) from the Messenger of Allah (SAW) that:

*“The Messenger (SAW) once prayed “Allah I ask your refuge from apostasy and poverty” thereupon a person enquired: Are the two similar? The Messenger (SAW) said ‘Yes’”.*<sup>42</sup>

Abu Hurairah narrates from the Messenger of Allah (SAW) that he said: “Allah, I ask your refuge from poverty, scarcity and ignominy.”<sup>43</sup> Abu Hurairah narrates from the Messenger of Allah (SAW) that he said: “Allah, I ask your refuge from hunger for it is the worst bed fellow.”<sup>44</sup> Again in another Hadith Narrated by Abu Hurairah the Messenger (SAW) advised: “Seek Allah’s refuge from poverty, scarcity and ignominy.”<sup>45</sup> This proves that hunger and poverty, lack of basic needs and wealth are things which are worth worrying about as they can deprive a person from any good he can do both for the world and for his akhirah(life after death).

The change from such a state to satisfactory conditions and prosperity is certainly desirable by Islam, as implied by the following ayat from the Quran: “If you fear poverty Allah shall preserve you of His bounty, if He will”<sup>46</sup>

*“Allah coineth similitude: (on the one hand) a (mere) chattel slave, who hath control of nothing, and (on the other hand) one on whom we have bestowed a fair provision from us, and he spendeth thereof secretly and openly. Are they equal?”*<sup>47</sup>

To learn how money saves a person from bad character one needs to consider the following Hadith from Bukhari in which the Messenger (SAW) said once a person gave his sadqa one night to a thief, the other night to a prostitute and on another night to a wealthy person. When people started predicting about him he was told: “The money you gave the thief may make him stop stealing,

the money you gave the prostitute may stop the woman from prostitution.”<sup>48</sup>

From the above discussion, we can conclude that availability of basic needs of life is very important in the sense that lack of their availability can adversely affect a person's faith, belief, worship and character. Their availability on the other hand, can elevate a person's dignity to a higher level. Being the religion nature, hence, the principle developed by the jurists of Islam in the light of the teachings of Islam is: “Things which lead to one performing his duties (faraidh) also become obligatory itself.”

As stated above, material wellbeing is an essential Constituent of Falah. Conditions of starvation, pressure of need and factors that agitate against peace of mind and normal activity of the human body cannot create a climate favorable for the attainment of the life-end. Islam does not grudge the importance of the material basis of all human activities.

This approach of Islam towards economic enterprise is well brought out by a tradition.

*“A man happened to pass by the Messenger (SAW). The Messenger's companions liked his vigour and exclaimed: “O Messenger (SAW), had this activity been in the cause of Allah (it would have been better)!” The Messenger (SAW) said: “If he is striving (to earn) for his small children, he is (striving) in the cause of Allah. If he is striving, (to earn) for his old parents, he is in the cause of Allah. If he is striving for maintaining himself, he is in the cause of Allah. If he is striving for his wife he is in the cause of Allah. But if he is striving to amass wealth and take pride into it and boast of it, he is (striving) the cause of Satan.”*<sup>49</sup>

### **Implications**

The basic necessities and its provision to man should be the most important objectives of all Human Rights organizations and the governmental instruments of the states. The religion of Islam lays great emphasis on provision of basic necessities of life to man.

Islam being a natural way of life takes the provision of basic necessities of life as one of its objectives, as one cannot survive without basic necessities of life and can only perform his religious obligations when he is alive and having the capability to move and actively participate in the activities of life.

In the view of Islam hunger and poverty, lack of basic needs and wealth are things which are worth worrying about as they can deprive a person from any good he can do both for the world and for his faith.

In Islam the availability of basic needs of life is given importance because the lack of its availability can adversely affect a person's faith, belief, worship and character. Their availability on the other hand, can elevate a person's dignity to a higher level.

It is the reason that Islam deals in depth with nearly every aspect of right to basic necessities, in order to ensure the provision of basic necessities of life to man and to make his life valuable and dignified.

The concept of basic necessities of life in Islam is as old as Islam itself. The term used for necessities in Islam is 'haajat' which stands for basic needs of man's life.

Islam does not take the provisions of life in any narrow conception of needs. It has a very clear idea of a reasonable standard of life. Islam goes much further to enable them to enjoy a reasonable standard of living. In view of Islam different needs can arise in different situations and different time periods in addition to the basic needs outlined by the Shariah. Such new things must come into the definition of 'need' as defined by the Shariah. Things said to be 'needs' by other definitions or things thought to be 'needs' by individuals themselves do not come under the definition outlined by Islam.

This broad concept of necessities to life has been highlighted in many of the Quranicayat and traditions of the Messenger of Allah (SAW).

## Notes & References

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- <sup>8</sup> Al-Quran, 2: 35
- <sup>9</sup> Al-Quran, 20: 118
- <sup>10</sup> Al-Quran,20:119
- <sup>11</sup> Al-Quran, 2: 233
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<sup>45</sup> Ibn e Majah, *Sunan Ibn e Majah*, *Kitab-ud- Dua*, Hadtih No.3840.

<sup>46</sup> Al-Quran, 9:28.

<sup>47</sup> Al-Quran,16:75.

<sup>48</sup> Bukhari, *Sahih al Bukhari*, "Kitab-uz –zakat", Hadith No. 1366.

<sup>49</sup> Tabarani, *Al-Maujum –al Awsat*, "Bab-ul Aain", Hadith No.6958.