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Social security in Islam and brief survey in Islamic Republic of Iran law

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Abstract

Keywords

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By study on the religious teachings and constitutional law of the developed countries the importance of social security and the individuals who should be covered by social security is clarified. Islam emphasizes on social security and the strategy of this movement is to improve the quality of life of the families in order to preserve human dignity. This plan requires collaboration of the governments, international organizations and wealthy people in the form of enactment of approved rules and on time identification of the needy individuals.

Introduction

In survey on the solutions for social security in the human communities and solving the problems and taking the action that the needy class is less vulnerable to them fundamental plans are necessary and the classic plans in social security are less responsive since in the past the families did not need to social security as much as present and the people supported each other. Unfortunately, due to distance among the classes and shift in the visions of the governments the rich people became richer and the poor becomes poorer. In this situation, social security should support the communities that are under the pressure of the social and economic conditions so that the unemployment, old, ill and handicap people need more attention in these plans.

Generalities

Undoubtedly, social security is one of the aspects of Islamic law that every citizen has right to be provided by public services, welfare possibilities and social security plans. The governments are responsible for these programs that their ultimate goal is improvement of economic conditions of the families and solving the problems such as unemployment, old age, problems related to death of the family members and improvement of welfare and economic supports (NouruzTalegani, introduction on social security of the higher institute of social security research).

Social security is sum of organized actions that force the society to plan for support of the members of community in solving the economic and social problems such as illness, unemployment, disasters in the workplace, oldness, inability and death of the guardian of the family that leads to crises in the family.

So, offering any services by social insurance and social aids is conducted by social security. This organization carries out the plans like payment in cash for compensation of the deficits resulted from oldness, death, inability, delivery, unemployment, occupational damages and etc that usually the governments are responsible for this payment.

As the advocates of human rights have tried to equal the works with wages, what the history depicts is that in the past the people did not need to social security and they never had collective agreements and they solved their problems by consulting with family members and relatives and they never were anxious about the future of their children. In the past, the people gathered together in the mosques and churches and helped the needy individuals and orphans and solved the problems like illness, unemployment, disasters and etc by their own strategies.

What is clear is that social security is one of the elements of justice in a society and it is necessary to provide the future of the people since meeting needs of the needy people during illness, inability and retirement is one of the main principles of any Islamic government. In agreement 102 of International Labor Organization social security is defined as support of the community against social and economic disorders by reduction of the individual income due to illness, unemployment, pregnancy, oldness, death and also, increase of the treatment costs and providing the family members. AllamehMotahari defines social justice as observing equality in enactment of the rules and eliminating barriers in equal way and avoiding bias (Survey on the Islamic economic principles, Hekmat publication, Tehran, 1403, pp 156-157).

In present communities the needs of the people are obvious and in the underdeveloped and poor countries the governments pay less attention to social security and public welfare. Social security consists of two words of security and social. Security is support of people against disasters and social events that clarifies the relationship with society from traditional, historical and geographical perspectives (Charbgoi, explanation of the social security and welfare right, quarterly of social security regulations, year 3, no. 7, pp 63,2007).

Social security and Islam

Survey on the social security from the perspectives of Islam, Quran and narratives depict that the Muslims are responsible for improvement of their lives and meet their needs and social security is recommended in the miracles and verses and narratives (We should not expect that the religious rules to stop in modern world. It is necessary to implement these codes present and future. We have to securitize the rules and orders in this regard (Vasaeleshieh, Hore Amoli, v.18, pp 41).

There are different ways to establish social security such as alimony, expiation and vow and etc in Islam. On the other hand, Islam emphasizes on justice and prevention of poverty in social commitments. Islam invites the people to support the poor and orphans. Holy prophet emphasized on social security and collaboration in his agreements with non Muslims. It should be pointed that Islam has emphasized on distribution of meat among the poor, offering alimony and also payment of blood money as components of social security. The fact is that Islam considers social security as an economic issue besides moral construct while in most of the countries it is merely an economic approach (Mojtehed, Mohammad Reza, Social security rights, Tabriz, Aydin publication, 2012, pp 41, 1st edition).

Imam Ali writes: there are people who aid the poor and weak, the needy persons. Among them there are individuals that never demand help from others and God has ordered to the rulers that assign part of the treasury and grains and lands to this group (Nahjolbaleghe, letter, 53).

The almighty God in verse Al-Baqara says: sustain and never oppresses themselves and do beneficent since God like the benefiter. Imam Ali says: The God has determined the providence of the poor in the properties of the rich and there was no poor when the rich offered him his providence (Nahjilbalaghe, 328). It should be pointed that the meaning of social security was different in the early Islam period from present but Islam has emphasized on supporting of the poor and weak people in different forms of assigning some part of treasury to this group. Quran insists on the poor, wanderers, debaters, old people and the captives should be freed (Husseini, SeyedHadi, Phenomenology of poverty and development, 66-66/1, Hamed Ahmad, research on Islam supportive system, Mashhad, 1989).

Survey on the social security depicts that in the beginning of the seventeen century the people encountered with poverty and economic problems and the governments sought the way to protect the poor and unemployed people. For example, Henry the fourth, king of England taxed part of income of mines and assigned it to the treatment of the wounded miners and workers. In late 19th and 20th centuries the codes were approved for improvement of the workers conditions and the first social insurance systems were designed in Germany during Second World War (1939-1945) and then new trend was begun and the social security law 1935 was amended by the America government. In 1948 in article 22 of Universal Declaration of Human Rights that was approved by United Nations it is mentioned that everybody as the member of society has right to have social security. In this regard, United Nations, International Labor Organization and Social Security Union have taken steps toward providing social security. In general, the aim of social security is to prevent some problems and events.

Social security in Islamic Republic of Iran

The history of social security in Islamic Republic of Iran dates back to 1921 that a code was approved for retirees. It was emphasized on observing rights for the people who lost health due to some events and in this law the employers and employees were supported. In 1930 the code of the Railway works fund was approved and the government defined particular rights for those who wounded or lost their lives during construction of railroad. In 1935 the Regulations of factories and industrial firms were approved. In 1952 the Workers Social Insurance act was approved for the first time and in 1963 the Board of Ministers amended this code and converted it to Social Insurance Organization. Social security act approved in 1975 and establishment of social security organization were turning point in social security of Islamic republic of Iran. Code 28 of Constitutional law stipulates that the government shall provide equal condition for occupation by observing the society needs and in the second paragraph of code 43 it is stipulated that the government shall be entitled to provide social security and possibilities for employment. Also, according to the code 29 the government shall provide social security for retirees, unemployed individuals, in disasters and situations that the person requires health care and treatment as insurance and non insurance. Generally, in Iran social security system participatory and non- participatory styles were used. In non- participatory style the aids shall be provided by public budget or the volunteer institutes that are under the category of social aids and services and this method has limited scope. In participatory style that constitutes the main body of social security system the scope is broad. Iran social security system has diverse managerial centers that aid the needy people. However, except some complementary programs of social security like insurances it can be said that social security rights of Iran are based an integrated system with one plan (Mojtehed, Mohammad Reza, Social security rights, Aydin publication, 2012, pp 87, 1st edition).

The article of the Iran social security and public welfare act expresses some financial principles and policy of social security and public welfare act as follows:

- 1-Using public resources
- 2-Resources resulted of the management of the subsidies
- 3-Balance between resources and expenditure of the insurance fund while protecting the legal entity and independence of the funds financial resources
- 4-Providing insurance sector resources by collaboration of the insured employer
- 5-Assigning resources for compensation of damages of economic and developmental policies
- 6-Using the resources of endow in the social system scope
- 7-Using of the resources of offering khoms (one fifth of the property)
- 8-Zakat and other religious aids in the scope of social security system
- 9-Using the properties of the Islamic revolution institutions and organizations in different scopes of social security system by permission of the leader
- 10-Income resulted of the investment and management of funds and reservoirs of the government administrative and public systems and active funds in different scopes of social security system.

By survey on the social security codes we find that all human beings have right to have social security and they should be considered by the governors and rich people. The Great Cyrus wrote: Whenever I am alive I never let one group to exploit other one without paying his wage. Every person has right to have a job that he likes and can use his properties as he likes without damaging others rights.

Conclusion

Islam has emphasized on social security and its aim is to help human beings. Social security should be proportionate with human dignity in meeting human needs. Employing the best way to cover the needy people and those who have less income is necessary.

Generally speaking, the governments should assign some part of their macro policies to this subject and aid the poor in the defined way mentioned in social security in order to achieve ideal goals.

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