

Distributive Justice: The Islamic Perspective

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Abstract: The paper discusses the issue of distributive justice from social and Islamic perspectives. In the former, an attempt is made to examine research conducted in the social and organizational context, while in the latter the issue is deliberated in the light of Islamic concerns, values and practices. Distributive justice is concerned with the norms of resource allocation and perception of fairness by the recipients. The norms may be merit, need, or equality. Which norm is perceived as fair depends upon several factors, such as type of resource, purpose of allocation, and relationship characteristics between the allocator and the recipients. Islamic view on distributive justice emphasizes its humanistic concerns. It subsumes three principles, namely, 'Adl, Inṣāf, and Iḥsān. The religion accepts merit as the basis of resource distribution yet adopts measures to minimize inequalities. The paper discusses the concept of Zakāh in this context.

Justice is a fundamental theme in social life. It pervades through all facets of social interaction and provides legitimacy to social, political, religious, and legal institutions and practices. If these institutions and practices fail to establish their credibility and are perceived as unjust then societal change is likely to follow. At the same time, one need not look further than daily social interactions to appreciate the pervasiveness of the concern for and the impact of the theme of justice. Although there may be differences in response to them, there

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is a universal appreciation for the appeals made for “fair treatment,” “fair play,” and “a fair day’s pay for a fair day’s work.”

Social thinkers and philosophers have shown great interest in the issue of justice. The issue is equally important in Islam, as the religion stands for justice and fair play. The present paper attempts to understand the issue of distributive justice from the social perspective and subsequently examines these concerns in the light of the fundamentals of Islamic teachings, institutions and practices. The present paper limits itself to the discussions on distributive justice, i.e., distribution of goods and services and not on retributive justice, which is justice in compensation for and punishment of injuries. The abundance of literature in Western scholars’ writings warranted us to look into this issue from an Islamic perspective since Islam accords justice the foremost importance after the faith of believing in the Oneness of Allah (*tawhīd*) and the truth of the Prophethood of Muhammad. Finally, the paper attempts to establish the real and historical truth that Islam is for just distribution of wealth and resources.

Distributive Justice: The Social Perspective

Although concern with the distribution of resources among members of a society has a long history (e.g., Aristotle, Hobbes, J. S. Mill, & Marx) it was not until Homans introduced the concept of distributive justice that social scientists began to pay attention to this fundamental aspect of human behavior.¹ The subsequent work of Blau and Adams furthered this interest and led to a series of theoretical and empirical developments culminating in the considerable, but still incomplete, body of knowledge that is available today.² Distributive justice has to do with the fairness of allocations of resources as contrasted with procedural justice, which focuses on the fairness of the decision-making aspect of the process.

The literature on distributive justice is predominantly experimental. A popular technique has been to study the way children distribute goods under various conditions. Attempts to chart the development of moral standards in children are common. The related topics include reaction to injustice by victims, beneficiaries, and observer and the way in which traits of victims affect reactions.

The theory of distributive justice propounded by Homans draws from Aristotle that equates justice with a proper ratio of contributions to rewards. In this view, justice consists of persons receiving returns

that are commensurate with their investments.³ Homans develops this principle as a four-term theory, asserting that if two persons make equal contributions, reward should be equal. Homans tentatively suggests that the matching of rewards to "investments and costs" or "both the investment and what actually the person contributes" is a universal concept of justice, and if not the only possible one, the dominant concept "in many, and probably all, human societies." The only basic dispute Homans considers likely is over what might be legitimately counted as a contribution. In some societies or social settings lineage, gender, race, or other ascriptive traits are considered contributions. In other settings, achievement is the focus of evaluation. But although there can be differences about what counts as a contribution, Homans contends that distributive justice always entails a comparison by the parties of the contributions each makes and the reward each receives.

Homans' concept of distributive justice has been widely accepted.⁴ Equity theory conceives of social interaction as a series of exchanges, and just distribution as a major dynamic of these exchanges. There is general belief among social scientists that every culture must institutionalize systems for equitably apportioning resources among its members while conceding that the perception of what is equitable varies enormously between cultures. According to Adams, and several other social scientists like Blau, and Jasso & Berger, equity or justice (the two terms are often used interchangeably) consists in matching outcomes to input. Inequity exists for a person when he/she perceives that the ratio of his/her outcomes to his/her inputs and the ratio of others outcomes to other's inputs are unequal.⁵

In an attempt to discover norms of distributive justice by surveying populations, Jasso and Rossi observe that various schemes are possible. They consider equality and random allocation as alternatives to distribution according to contribution. But these are not taken very seriously. Equity is considered as the rational selection of a just distribution and the unambiguously dominant concept in many societies. The results of the survey study conducted by Jasso and Rossi confirmed that Americans, at least, judge the justice of earnings in terms of individuals' education, occupation, gender, number of children, and marital status. Justice was considered to consist in matching rewards with investment variable with some adjustment for needs.⁶

Apart from equity, researchers have considered other forms of justice. Leventhal includes need and equality.⁷ Deutsch lists eleven alternatives.⁸ Lerner generates six “forms of justice” and claims that the choice among them depends largely on the degree of identification between participants.⁹ In general, it can be concluded that there are three independent justice norms or principles, which influence allocation decisions. They are equity, equality, and need.¹⁰

1. Equity. This norm takes into consideration the “inputs” or contributions made by the recipients. Thus, in work situation, for example, the equity principle requires that, from a fixed pool of money, the individual who has worked the hardest should receive a larger proportion than another worker who has been less vigorous.

2. Equality. The application of this norm ignores any differential contribution of recipients and leads to an equal contribution of resources to all those involved.

3. Need. In general term, the need principle requires that resources be allocated in response to recipient’s legitimate needs and to prevent sufferings.

When are the Norms Applied?

According to Greenberg and Cohen the choice of allocation norm depends upon certain conditions.¹¹ For instance, it has been found (at least in the United States) that the norm of equity is likely to predominate in situations of an economic nature, that is, where money or goods are involved and when production and efficiency are important, reported by Leventhal.¹² In these cases those participating have particular roles (e.g., supervisor, and worker) and are not perceived as unique individuals.

According to Deutsch, the norm of equality comes into play when group harmony and positive social relations are important.¹³ In this case viewing the participants as individuals is an important precondition pointed out by Lerner.¹⁴ Whenever group identity is stressed over individuality, it is considered fair to treat all persons equally. It is of interest that while, in general, Americans appear to prefer equity over equality, but according to Benton, that is less so for females than for males.¹⁵ It is argued that this derives from the greater concern of females for maintaining harmonious interpersonal relations. Lerner writes that equality also receives more emphasis when there is an expectation of future interaction because of likelihood of some form

of reciprocity or retaliation, or simply because it may enhance the case of subsequent social interaction.¹⁶

According to Deutsch, the norm of need will predominate in situations where fostering personal welfare and development is of interest and when the relationships among the actors are close and friendly.¹⁷

Distributive Justice: The Islamic Perspective

Islam, which is another name for peace and justice, has provided guidance in the personal distribution of income. Muslim writers consider the Islamic goal of distribution to be that of distributional equity. The term "distributional equity" means different things to different people.¹⁸ To some people it implies that everybody should have equal amount of rewards irrespective of their merit or contribution. Others suggest that in view of natural differences in human capabilities, attitudes towards work, skill, knowledge etc. the differentials in the salary structure of an organization are just and fair. In other words, it would be unfair to reward everybody equally.

Justice in resource distribution has always been the fundamental concern of Islam. In fact, it was the first issue to be resolved by the holy Prophet Muhammad (SAS). He attributed his presence as a source of establishing a fair and just society. However, one has to understand social realities of the Arabs in Medina where the first Islamic state was established and the context in which allocation decisions were made by the holy Prophet himself and later by his first two successors (*Khulafā'*), namely, Abū Bakr and 'Umar. So far as the distribution of money/ material goods from *Baitul al Māl* (treasury) was concerned the norms were different in three periods covered by the Prophet, Abū Bakr and 'Umar. During the time of Prophet Muhammad, the most important consideration was the need of the recipient; while it was equality during the time of Abū Bakr. 'Umar, who made special allocations to those who fought the first Islamic battle at Badr, during the Prophet's time, emphasized equity or merit of the recipient. He also gave special consideration to those who belonged to the Prophet's family.¹⁹ Clearly the norms of distribution were moderated by several factors, such as, the availability or scarcity of the resources, the intensity of recipients' needs, merit or contribution of the recipients, and the purpose of allocation decision. The key to all the allocation decisions was the perception of its fairness by the recipients.

After the Prophet, there were differences of opinion for the appointment of his successor—the next *Khalīfah*. Similar differences emerged during the appointments of the next three successors as well. However, the criteria chosen for these appointments were the amount of sacrifice for Islam and the closeness of the person to the Prophet. It is to be noted that during the period of the battle of Tabuk Abū Bakr sacrificed all his belongings, ‘Umar brought in half of his belongings and Othman offered one third of his wealth to support the needs of the Muslim army for the mission.²⁰ We can see similar order of appointments for the highest position in Medinah, the capital of the then Muslim State.

The Islamic view of “distributive justice” includes the following three elements.

1. Guarantee of fulfillment of the basic needs to all;
2. Equity but not equality in personal incomes; and
3. Elimination of extreme inequalities in personal income and wealth.

The issue of basic need fulfillment from an Islamic perspective has been discussed by scholars of Islamic economics.²¹ It has been asserted that the basic need fulfillment is guaranteed by Allah (SWT). He says that, “there is no moving creature on earth but its sustenance dependeth on Allah.” (18:46)

There seems to be a total agreement among scholars of Islamic economics on this issue mainly because it qualifies to be an ‘universal truth’ as supported by the four references of organized Islamic living. This agreement is based on the Qur’anic text and Sunnah (Prophetic traditions), precedents from the rightly-guided *Khulafā’ al-Rāshidūn* and *Ijmā’* (juristic consensus).

Relative poverty seems to exist in all human societies. It holds true regardless of any system viz., free market, communism or an Islamic socio-economic system. As long as the prevailing social values, emotions, social bonds and judgments, attitude and social classification shape the choices of individuals the complexity of the issue would remain there.²²

There is much debate on the nature and causes of poverty. Distinctions are made between absolute and relative poverty. The former being the extreme form of destitution as opposed to the latter where deprivations are measured in relative terms. Relative poverty is

recognized in Islam as being due to the natural differences in human potentials. The question of justice and morality as mentioned above involves many considerations in relation to different forms of poverty. The neo-classical theory of development based on positive considerations leaves everything to the market forces. Thus the proponents of free market system feel more comfortable with blaming the victim rather than blaming the system, while discussing the cause of poverty.²³ This explains why even in the most industrialized nation of the world, USA, one third of the entire population lives in or near poverty, of course not deprived of food, drinks, and shelter, but measured by the yardstick of American average income level.²⁴

Another form of poverty is spiritual poverty mostly neglected by other competing systems but highly related to the Islamic worldview, which postulates the notion of *ākhirah* (the hereafter). This refers to a sense of accountability and leads to the feeling of a spiritual vacuum that may not help an individual to succeed the test of the Creator. It seems to fit in the framework of distributive justice in Islam, that spiritual decadence or spiritual poverty is pre-conditioned by moral qualities of the society. Islam emphasizes co-existence rather than trade-off between material poverty, encompassing both absolute and relative poverty, and progress or upliftment in non-material or spiritual domains.

Naqvi's work in the area of social justice in an Islamic economic order emphasizes the need for justice and *‘adl*. He touches upon the issue of individual freedom, voluntarism and social justice in the context of an Islamic economic system. He argued that the process of securing individual freedom from an Islamic perspective is linked directly to the conscious act of discharging one's responsibility to help the poor in society. Nevertheless, in the economic order acceptable to Islam, egoistic behavior will be replaced, though not altogether abolished, by commitment to an ideal type of economic system; and the principle of absolute private or state ownership of property will be replaced by trusteeship, since all property and wealth belongs to Allah. This is only possible in an egalitarian concept of *‘adl* to utilitarian concept of social welfare. According to Naqvi, justice will get priority over efficiency in the Islamic economic order because the later is the means to the end of justice and equality.²⁵

In short, Islam prescribes a guarantee for fulfilling basic needs while accepting the reality of natural inequalities among human beings and checking extreme inequalities in societies through injecting moral

values. Perhaps the Western thinking on the moral basis of social welfare has essentially taken lessons from the Islamic view of social justice.

Once basic human needs are taken care of, merit takes over as the Islamic standard of resource allocation. Therefore, interpersonal differences in income are valid and fair, if they are on differential merit or contribution of the individuals.

The importance of merit or contribution is recognized as a fair basis of salary decision in Islam. The Islamic view holds that it would be unjust to equate all people in terms of their earnings, if they are different in their abilities and contributions. Payments that do not recognize individual contribution shall adversely influence employees' motivation and in turn result into poor organizational performance. Therefore Islam encourages volunteerism in spending excess money for the better reward in the life hereafter.

Many verses of the Qurʾān emphasize this aspect in detail and translation of these verses is given as follows:

It is not righteousness that ye turn your faces towards East or West; but it is righteousness to believe in Allah and the last day and the angels and the book and the messengers. To *spend of your substance* out of love for Him for your kin, for orphans, for the needy for the wayfarer, for those who ask and for the ransom of slaves, to be steadfast in prayer and practice regular charity, to fulfill the contracts which ye have made; and to be firm and patient in pain and adversity.(2:177)

And *spend of your substance* in the cause of Allah, and make not your hands contribute to your destruction; but do good; for Allah loveth those who do good. (2:195)

O ye who believe! *Spend out of* (the bounties) we have provided for you, before the day comes when no bargaining, nor friendship, nor intercession. Those who reject faith-they are the wrongdoers.(2:254)

Those *who spend (freely) whether in prosperity, or in adversity*; who restrain anger and pardon (all) men for Allah loves those who do good.(3:134)

... whatever ye *shall spend in the cause of Allah*, shall be repaid unto you, and ye shall not be treated unjustly.(8:60)

And in their wealth and possessions, the right of the (needy) him who asked, and him who (for some reasons) was prevented (from asking). (51:19)

The Concept of *Zakāh* and Distributive Justice Concerns

The purpose behind discouraging extreme inequalities in Islam is to ensure moral justice, which in turn will promote mutual love and kindness among the members of a society or community. Islam stands for social cohesion, mutual love, affection, social harmony and brotherhood. Therefore, those inequalities which can cause hatred, malice and ill-feeling among individuals have to be eliminated. Islam asks the poor not to beg from people, but rather to make some effort and ask help from Allah, and encouraged the rich to do *iḥsān* (extend all kind of help to needy ones) which promises a reward in the *ākhirah* (life hereafter). Allah commands mankind to spend the excess of their accumulated wealth on the needy and the poor if they want to be loved by Him. In the first place, in an Islamic system the possibility of extreme inequalities is under control by eliminating the routes of all exploitative practices. Secondly, Islam uses a two-way approach of reducing inequalities and promoting social cohesion. Islam suggests a code of conduct and guidelines for the distribution of resources with a view to earning the pleasure of the Creator. The principles are: *ʿAdl*, *Inṣāf*, and *Iḥsān*. They are essentially meant to establish social justice, which blends merit and need as the principles of justice, and thus ensures social harmony and positive relationships as the social outcome.

To reduce extreme inequalities Islam brings in the moral checks. Although Islam does not prescribe a ratio between minimum and maximum income, it does, however, discourage extreme inequalities. The concept of *zakāh* is essentially meant for the redistribution of resources and for minimization of extreme disparities.

In fact *zakāh* is one of the central pillars of the Muslim faith and the principles that guide it in the relief of poverty and the redistribution of wealth. The management of the *zakāh* system in Islam takes care of absolute poverty which deprives human beings from fulfillment of basic needs and it is obligatory in Islam for the rich to pay a certain percentage of their wealth to any deserving member of society. The following eight categories of people are considered deserving of *zakāh*.

1. The destitute (*fuqarāʾ*),
2. the poor (*masākīn*),
3. those who are deputed by state to collect *zakāh* (*ʿamilīn ʿalaiḥā*),

4. those whose hearts are to be reconciled (*muallafāt-al-qulūb*),
5. for the emancipation of slaves (*fī-al-riqāb*),
6. for relieving one from the burden of debt (*al-ghārimīn*),
7. in the cause of Allah (*fī-sabīlillāh*), and
8. way farer (*ibn-al-sabīl*).²⁶

There is no difference of opinion among Muslim jurists/scholars over the above-mentioned categories of *zakāh* recipients. However, scholars differ in their opinion regarding the scope of activities on which *zakāh* funds can be spent with the specific reference to them. Out of the eight categories of expenditure of *zakāh* funds, at least six are related to ameliorating the sufferings of poor and meeting their basic needs.

In religions other than Islam, voluntary contributions towards a common fund aimed at reducing the poverty level is encouraged and considered an act of kind-heartedness. However, there is no particular emphasis on it as an act equal to worship and a religious obligation. Islam, however, has enshrined it in the form of *zakāh* payment, and has elevated its status to the compulsory contribution for the common benefit of the poor and needy. While the Western discourse on social justice is dominantly philosophical, the Islamic approach is basically legal and judicial, which is determined, in its broad outline, by the directives of Qurʾān and Sunnah. Whereas Western philosophical discourse is preoccupied by considerations of rationality and theoretical paradigms, the juristic approach of Islam is primarily concerned with laying down a set of norms and rules that are expressive of diversity in outlook and treating each case on its merits, rather than by the concern of adherence to a predetermined philosophy.

Payment of *zakāh* is one of the five pillars of Islam. It is an act of *ʿibādah*. Muslim governments can prosecute a person for not paying due amount of *zakāh* or who refuses to pay it. No wonder, the first *Khalīfah*, Abū Bakr, declared jihād against those denying the payment of *zakāh* during the early days of his rule.

Those interested in the Islamic perspective of psychological and cultural phenomenon have noted that a corollary exists between psychological and social diseases that emerge in spurious, negative and unjust economic conditions. These diseases include miserliness,

narcissism, aggression, primary group exploitation and a host of mental pathological problems.²⁷

Therefore good economics and just management policies are essential in any stable society. The more equitable the economic system, the more harmonious are the interpersonal relations. The Islamic perspective of distributive justice is based on spiritual content and encourages values and behaviour which, when properly injected in any culture, help rectify uncalled for economic disparities and promote human development.

In the Western countries market forces determine the distribution of wealth among the different sections and constituents of society. The market forces are subject to manipulations since the conditions laid down for any free market system to operate are hardly free from manipulations. The poor are always subjected to hardship and deprived of opportunities because this system works on the Darwinian mechanism whereby the survival of the fittest is the rule of the game. Thus, the system makes rich people richer and aggravates the miseries of the poor. Islam has envisaged a diverse system of distribution, which aims at achieving a variety of goals. The purpose is not only to eradicate poverty and prevent concentration of wealth only in the hands of the rich, but also to alleviate other kinds of people in hardship, for example, travelers, and people in debt, as well as one's relatives. The system is committed not only to establishing justice, but also to promoting mutual affection and kindness in the community.²⁸

The Islamic system of management of *zakāh*, a compulsory deduction from the wealth of the rich for redistribution among the poor, encourages the use of wealth into consumption flows in an economy. Subsequently, its effects on production through exchange and other inter sectoral resource allocation are natural which are not properly appreciated today due to the absence of Islamic management and existence of operational difficulties. *Zakāh* deduction provides a natural check on the tendency to hoard idle cash and other resources and provides a powerful spiritual/moral and economic stimulus for investment. More investment will bring more profits for the rich which is allowed in Islam, and create employment opportunities for the workforce of poor community members.²⁹ Since both consumption and production have close inter-relationship, *zakāh*, by stimulating production for consumption by poor, tends to create new lines of trade. Furthermore, *zakāh* revenue can be spent, under the *tamlīk*

mechanism, for providing an opportunity or raising the productivity of the poor. In the long run these poor would become self-reliant, hence reducing the national burden of spending on social security schemes.

Conclusion

Distributive justice is an important subject of study, which helps us understand several aspects of social exchange processes—economic, social, ethical and moral. While the normative standards of many societies favor merit or equity as the most important consideration, the definition of merit and contribution may be contextual. Besides equity, need and equality are other important norms of resource distribution. Which norm is considered appropriate and perceived by recipients as fair depends upon several factors, such as the type of resource, purpose of the distribution and relationship between the allocator and recipients. Distributive justice has many social implications. The distribution may lead to prosperity of a few and sufferings of the masses or it may result in positive social relationship, peace and social harmony, depending upon which norm is applied. Equally important is the perception of fairness of the allocation by the recipients. Thus in the organizational context if employees perceive that their rewards are according to their merit or contribution, it may positively influence their motivation and productivity. If not, it may result in negative and even disastrous consequences.

While equity or reward according to ones' merit or contribution is the most favoured norm of resource allocation in many societies, concern for need and equality as alternative norms assume significance for several reasons. The Islamic view on this subject clearly emphasizes its humanistic concern. Islam accepts individual differences and relative contributions as natural and thus considers the norm of equity as an appropriate one. However, it prescribes several measures to avoid extreme disparity in wealth and material resources. The Islamic concept of justice subsumes three principles, namely, *ʿAdl*, *Inṣāf*, and *Ihṣān*. The principle guarantee two levels of rewards—one the material and the other spiritual. The second order of reward encourages the wealthy to sacrifice for the poor. There are several verses in Qurʾān to suggest that those who follow Allah's guidelines would earn His blessings and rewards in the life hereafter. Bringing in this spiritual and moral dimension in distributive justice thus becomes a unique contribution of Islam.

Notes

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