

Treatment of Migrant Workers: the Islamic Perspective

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Abstract: It is heard of that employers sometimes abuse their migrant workers, especially blue collared workers as they are mostly from underprivileged families who have left their countries to seek their fortune. Taking advantage of their upper hand, some employers compel them to work under terrible conditions, some are kept as slaves, unpaid and later disposed off, some are subject to deplorable living conditions, some women migrant workers are forced to 'please' their male employers to retain their jobs and some even forced into prostitution after entering a foreign land with the false hope of getting a respectable job. The Qur'an and the Sunnah of the Prophet Muhammad (s.a.w.), had, for more than fourteen centuries ago, brought human rights to workers. In the context of employer and employee relationship, it is based on the concept of brotherhood and not that of superior and subservient. Employers should be considerate, just and kind towards their workers. Further, they should be forgiving and compassionate. This includes an employer's duty to look after the comfort and well being of employees, to treat a worker as his brother and work assigned should commensurate to his capacity. Unfortunately, however, exploitation of migrant workers is still a recurring phenomenon across the globe including the Muslim world. Hence, it is worthwhile to reflect again the injunctions from the Qur'an and the Sunnah of the Prophet (s.a.w.). This paper would therefore discuss the treatment of workers in the workplace from the Islamic perspective and further include an employee's obligation to perform his work conscientiously and to be trustworthy, among others.

Key words: Migrant Workers, Treatment of workers, Rights of Workers

INTRODUCTION

At common law, the doctrine of freedom of contract, which assumes equality in bargaining, gave employment contract a commercial outlook that ordinarily deals with commodities. It became the philosophy of the capitalist who maintain the view that labour is a commodity. They look at it from the viewpoint of a free market theory, namely the economic value, that tends to ignore or disregard human worth or identity value (Alan Fox, 1974). Undoubtedly this philosophy has the tendency of being abused, as the employer's priority generally is to maximise the production derived from his labour power and minimise the cost of hire. Hence, it raises issues of exploitation and abusive practices against workers in the workplace such as compelling workers to work long working hours without any or inadequate overtime payment; failure to provide adequate rest days, public holidays or annual leave; poor and hazardous working conditions; arbitrary discipline; and verbal or physical abuse, among others.

In order to curb or eliminate exploitation, victimization, abuses and unfair labour practices against workers in the workplace, many countries around the globe have enacted laws to provide basic legislative protection to their workforce. The enacted laws are in line with the basic labour standards promoted by the International Labour Organisation (ILO) in the form of Conventions and Recommendations. It is noteworthy that despite the labour legislations in place, workers in certain sectors are still subjected to physical, verbal or psychological abuse with little or no consideration of their well-being, for example, poor and unsafe working standards, excessive working hours, non-payment or lower payment of wages, forced labour, child labour and sexual exploitation, among others. For example, in Malaysia, between 2005 to 2007, the Labour Department received some 800 complaints from Indonesian and 160 complaints from Indian workers of ill treatment by local employers. The number of Bangladeshis who complained was 130 during the same period, followed by Filipinos (127), Nepalis (88), Pakistanis (45) and Sri Lankans (8). The extreme cases of exploitation of migrant workers reported in Malaysia are as follows:

(i) In 2004, Nirmala Bonat, a domestic maid, was scalded by her employer with a hot iron and boiling water.

(ii) In 2007, Ganesh, a worker from India's southern state of Tamil Nadu, died after being beaten and starved for eight months in one of the worst cases of migrant worker abuse.

(iii) Muntik Binti Bani, a migrant worker from Jember, East Java, died at Ampuan Rahimah Hospital in Klang Selangor. Her death was the latest case of migrant worker abuse in Malaysia.

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(iv) Ceriyati Dapin, an Indonesian maid, was physically and emotionally abused. When she could no longer bear the alleged abuse, she escaped from the employer's premises by climbing out the window of her employer's 15th floor apartment using a makeshift cloth rope. She was rescued by a fire brigade after she made it to the parapet of the 12th floor of the apartment.

(v) A distraught woman from China had even attempted suicide when her employer failed to pay her salary for several months. The woman was identified as Wang Li Mei, a 38-year old from Shandon, China. She worked as a 'reflexologist' at a shop lot in Penang. The victim along with several other women from China, were also forced to endure slave-like working conditions.

Having said the above and as noted earlier, Islam had accorded full protection to the workers against all forms of exploitation and abusive practices in the workplace. The Islamic teachings deplore acts of unkindness or ill treatment of workers. Islam does not distinguish between treatment of local and migrant workers. It requires the parties to the contract of employment to adhere to the established principles of justice and equality. They should transact their business with kindness, courtesy, amity and mutual co-operation. This system did not emerge due to oppression from the capitalist, nor was it an outcome of some mutual conflicting interest of the employer and workers. It was revealed to the world as the ordained system of life at a time when men attached no particular importance to economic factors.

Islam Abolished Slavery:

It is worthwhile noting that slavery existed and thrived in most civilizations throughout history, across Europe, India, America, China and Russia, among others. When the message of Islam was first received by Prophet Muhammad (s.a.w.), it came to address the ignorance of the people that existed at that time. Slavery was also a common practice in Arabia at this time. It was common that victorious nations took their captives as slaves and servants, treating them mercilessly as mere commodities as it was recorded in history throughout the world and even today, still thrives in some parts of the world.

Islam was the first in history that safeguarded the rights of slaves more than fourteen centuries ago. Prophet Muhammad (s.a.w.) gave them human rights, upgraded their position in society and called upon the people to treat them with kindness. For example, the Qur'an, in *Surah An-Nisa* (4) verse 36, Allah (s.w.t.) enjoins the humane and proper treatment of the slaves. "Serve Allah, and join not any partners with Him; and do good - to parents, kinsfolk, orphans, those in need, neighbours who are of kin, neighbours who are strangers, the companion by your side, the way-farer (ye meet), and what your right hands possess: for Allah loveth not the arrogant, the vainglorious."

The abolishment of slavery in Islam was a gradual process as it was an age-old practice. It was to help both the master and the slave cope with changes in the treatment of slaves. In the transitional period, it allowed slaves to continue working for their masters in their homes, where masters were required to treat them with kindness, provide food and clothing for them. Had slavery been suddenly abolished, it would have seen slaves thrown out of homes, and this would have created beggars and thieves. It would have created a class of people that due to their helplessness would have become a menace to the community. Instead, the Qur'an and Sunnah gave clear injunctions on the treatment of slaves in the first stages. At the same time, masters were encouraged to emancipate their slaves as acts of penance and piety. The notion of slavery is now prohibited throughout the Muslim world. The following are some of the ways mentioned in the Qur'an and the Sunnah of the Prophet Muhammad (s.a.w.) on the liberation or freeing of the slaves.

(i) When a person kills by mistake: "Never should a Believer kill a Believer; but (if it so happens) by mistake, (compensation is due); if one (so) kills a Believer, it is ordained that he should free a believing slave, and pay compensation to the deceased's family, unless they remit it freely" (*Surah al-Nisa* (4) verse 92)

(ii) When a man divorces his wife by Zihar (an insult proffered by a husband upon his wife which likens the wife to some prohibited female relation of his): "But those who divorce their wives by Zihar, then wish to go back on the words they uttered— (it is ordained that such a one) should free a slave before they touch each other: this are ye admonished to perform: and Allah is well-acquainted with (all) that ye do" (*Surah al-Mujadalah* (58) verse 3)

(iii) When a person breaks an oath: "Allah will not call you to account for what is void in your oaths, but He will call you to account for your deliberate oaths: for expiation, feed then indigent persons, on a scale of the average for the food of your families; or clothe them; or give a slave his freedom. If that is beyond your means, fast for three days. That is the expiation for the oaths ye have sworn. But keep to your oaths. Thus doth Allah make clear to you His Signs, that ye may be grateful" (*Surah al-Maedah* (5) verse 89)

(iv) Break fast during fasting hours in month of Ramadan: "A man came to Allah's Messenger saying: "Oh Prophet of Allah! I have destroyed myself! Allah's Messenger (peace and blessings of Allah be upon him) asked the man, Why? The man informed Allah's Messenger (peace and blessings of Allah be upon him) that he had an intercourse with his wife during the fasting hours of the day of Ramadan. Allah's Messenger (peace and blessings of Allah be upon him) asked the man, Do you have a slave to free? The man answered negatively. Allah's Messenger (peace and blessings of Allah be upon him) asked the man again, Do you have the means to

feed sixty poor people? The man replied negatively. While the man and the rest of the people were sitting, Allah's Messenger (peace and blessings of Allah be upon him) was presented with an amount of fresh dates. Allah's Messenger (peace and blessings of Allah be upon him) asked about the man who committed that sin, and he came forward. Allah's Messenger (peace and blessings of Allah be upon him) said to the man, Take these dates and give them to the poor people in charity. The man replied, Oh Prophet of Allah! By Allah! There is no poorer family in the entire city of Madinah than my family. Allah's Messenger (peace and blessings of Allah be upon him) upon hearing this smiled in such a way that his fangs appeared, saying, Then, take the dates and feed your family."

(v) **Freeing slaves as a charitable act:** "But he hath made no haste on the path that is steep. And what will explain to thee, the path that is steep? (It is:) freeing the bondman" (*Surah al-Balad* (90) verses 11-13). Allah's Messenger (SAW) said: "Whosoever frees a slave will get a reward to free one of his organs from the fire of hell for every organ of the slaves organs." Again, Allah's Messenger (SAW) is reported to have said: "Visit the ill, feed the hungry and release the suffering slave."

(vi) **Using Zakat fund to free slave:** "Alms are for the poor and the needy, and those employed to administer the (funds); for those whose hearts have been (recently) reconciled (to the truth); for those in bondage and in debt; in the cause of Allah; and for the wayfarer: (thus is it) ordained by Allah, and Allah is full of knowledge and wisdom" (*Surah al-Tawbah* (9) verse 60)

(vii) **Freeing slave when master battered the slave.** Allah's Messenger (SAW) said: "Whosoever slaps his slave or hits him/her on the face must pay an atonement by freeing him."

In short, slaves were in most cases foreigner, as they were prisoners of war of a defeated nation that were brought to serve and work for the victorious nation. Islam had raised the status of slaves to that of a free man. Emancipation of slaves, voluntarily and compulsorily, was declared to be expiation or penance for a number of sins. Further, Islam also enjoines so much care and kindness to the slaves. The believers were enjoined to show love for fellow human beings in bondage. This ordained law applies to all, regardless of whether the worker is a Muslim or a non-Muslim, local or migrant.

Treatment Of Migrant Workers:

It is heard of that migrant workers are sometimes abused by their employers, especially blue collared workers as they are mostly from underprivileged families who have left their countries to seek their fortune. Taking advantage of their upper hand, some employers compel them to work under despicable conditions, some kept as slaves and not paid salary and later disposed off, some required to work longer hours in a day without rest breaks or days off, some forcibly confined to their work places and not given adequate food, some are subject to deplorable living conditions, some women migrant workers are forced to satisfy the lust of their employer to retain their jobs and some even being forced into prostitution after entering the foreign land with the false hope of getting a respectable job.

It must be recognised and accepted that all workers, whether local or migrant, should be treated with fairness, dignity and equality. Workers are not and should not be treated as a commodity i.e., they are not a disposable commodities who can be tossed aside and replaced with ease. There are many employment statutes enforced in Malaysia, which is applicable to all workers including the migrant workers, unless the legislature expressly excludes its application to certain classes of workers. The common law also imposes various duties on parties to the contract of employment and this includes duty of mutual trust and confidence; duty to provide safe work environment; duty to obey lawful directions of the employer and duty of fidelity and good faith, among others. Further, the 'Labour Court' and the Industrial Court among others, adjudicates disputes involving claims by workers against their employers.

As noted earlier, the Islamic teachings deplore acts of unkindness to workers and do not distinguish between treatment of local and migrant workers. Ethics at work, treatment between a workman and his employer, seriousness of work, rewards of a sincere worker, among others, have been laid down in Islam, a long time before the coming of any labour code or universal declarations. These instructions are mentioned in the Qur'an and in many traditions of the Prophet Muhammad (s.a.w.) as contained in the Sunnah. Islam also regarded work as an *ibadah* (act of worship). The responsibilities that come with it are humungous, both for the employer and the worker, regardless whether they are local or migrant. The point to note is that the Qur'an and Sunnah had brought human rights to workers. Looking at the abuse faced by migrant workers in the recent times even in the Muslim world, it is about time one reflects on these injunctions again. Among them are as follows;

Equality:

Islam stresses on the fact that everyone is equal in the sight of Allah (s.w.t.). There is no superiority of a Master over his slave, except if it rests on piety and righteousness. In *surah al-Hujurat* (4) verse 13, Allah (s.w.t.) says, translated as; "O Mankind! We have created you from a male and female, and made you into nations and tribes, that you may know one another. Verily, the most honourable of you in the sight of Allah is he who has most *taqwa* among of you. Verily, Allah is All-Knowing, All-Aware."

During his last pilgrimage, the Prophet Muhammad (s.a.w.) stated: "O People! Your God is one; your father is one; no preference of an Arab neither over non-Arab nor of a non-Arab over an Arab or red over black or black over red except for the most righteous. Verily the most honoured of you is the most righteous." The above verse of the Qur'an and the saying of Prophet (s.a.w.) declare the basic equality among mankind. Discrimination based on class and social-economic status of a person is prohibited in Islam. Employers are not allowed to make employment regulations, which are discriminatory for example, paying different scale of wages for the same work. In short, Islam does not distinguish between two races, or two groups of people, or between two colours, but strictly enforce the concept of equality. The application of the equality principle may be illustrated with reference to the congregational Friday prayers as well as the five daily prayers in the mosque, during annual pilgrimage (*hajj*) and *umrah* (the lesser pilgrimage) where the person performing the ritual is obliged to only wear simple white clothes which equates the rich and the poor. Likewise, in the enforcement of the law for example, in the case of a well reputed woman from *Quraish* tribe who committed theft. Some of the companions asked Osama Bin Zaid, the favorite of Prophet Muhammad (s.a.w.), to speak to Prophet (s.a.w.) to forgive her. The Prophet (s.a.w.) however, became upset and said, "Those before you were districted, that is because the renowned is untouched when he steals, and the poor is punished, verily if Fatima, the daughter of Muhammad stole, I would have cut her hand."

Kindness Towards Workers:

Allah (s.w.t.) says; "And serve Allah. Ascribe no thing as partner unto Him. (Show) kindness unto parents, and unto near kindred, and orphans, and the needy, and unto the neighbour who is of kin (unto you) and the neighbour who is not of kin, and the fellow-traveller and the wayfarer and (the slaves) whom your right hands possess. Lo! Allah loveth not such as are proud and boastful" (*Surah An-Nisa: 36*). The term "whom your right hand possess" is referred to slaves. Besides being kind to parents, the poor and neighbours among others, during the transition period, it was made clear in the Qur'an that just as the above people, slaves are just as human and similarly should be accorded kindness as well. In the context of employment relationship, Islam emphasis that the employer must be considerate, just and kind in their behaviour towards their worker and further, they should be forgiving and compassionate. There are many traditions of the Prophet (s.a.w.), emphasising the above principle. Abu Dharr (Allah be pleased with him) reported that Allah's Messenger (s.a.w.) said; "Whosoever of your servants obeys you, give him food out of that which you yourselves eat and clothe him out of that which you yourselves clothe; and whoever among them does not obey you, sell him but do not torment Allah's creation" (Ahmad and Abu Dawud).

In addition to the above *hadith*, Abu Bakr as-Siddique reported that Allah's Messenger (s.a.w.) said; "One who treats with those under (his) authority badly will not enter paradise." The (the Companions) said, "Have you not informed us that this (Muslim) *ummah* will certainly be the foremost with regard to slaves and orphans?" He replied, "Yes, so honour them just as you honour your descendants and feed them out of that which you yourselves eat." They (then) asked, "What benefit will the world give us?" He replied, "A horse that you equip for fighting on its back in the path of Allah and a slave who serves you sufficiently. So, when he says prayer, he becomes your brother" (Ibn Majah).

Again, it is narrated on the authority of Abu Huraira (Allah be pleased with him) that one day the Apostle of Allah saw a man riding a horse and his servant (slave) trudging along after him. He said to the man: 'Get him seated on the horse behind you for surely he is your brother and his soul is similar to yours' (Abdur Rahman Shad, 1981). From the above quoted *hadith*, Islam made it compulsory to treat worker with kindness. This can be seen from the fact that Muslims are enjoined to honour them and treat them well with appropriate maintenance, food and clothing and that failure to do so would deprive the employer of paradise.

Employer Not To Be Harsh Towards Workers:

Allah says; "But force not your maids to prostitution when they desire chastity, in order that ye may make a gain in the goods of this life" (*Surah An-Nur: 33*). The above verse was revealed in relation to the rights of slaves. Among the people of the *Jahiliyyah*, there were some who, if he had a slave-girl, he would send her out to commit *Zina* or illicit sexual intercourse and would charge money for that, which he would take from her every time. When Islam came, Allah (s.w.t.) forbade the believers to do that. The reason why the above verse was revealed, according to the reports of a number of earlier and later scholars of *Tafsir*, had to do with 'Abdullah bin Ubayy bin Salul. He had slave-girls whom he used to force into prostitution so that he could take their earnings and because he wanted them to have children which would enhance his status, or so he claimed. Abu Huraira (Allah be pleased with him) reported that Allah's Messenger (s.a.w.) said, "A slave will get his food and clothing and will not be burdened with a work except that which is within his capacity" (Sahih Muslim).

Again, Abu Dharr (Allah be pleased with him) reported that Allah's Messenger (s.a.w.) said, "Your brethren - Allah has placed them under your hands (i.e. care) so he, under whose hands his brother is placed, should feed him from that which he himself eats and clothes himself and should not burden him with a work that

may overcome him, he should assist him in it” (Sahih Bukhari and Muslim). Ibn Umar reported, “I heard Allah’s messenger (s.a.w.) as saying, “If anyone scourges his slaves for an offence for which a punishment is prescribed while he has not committed, or gives him a slap, his expiation is to emancipate him” (Sahih Muslim). Abu Mas’ud al-Ansari reported, “I beat my slave and I heard a voice from behind me: Bear in mind, Abu Mas’ud, Allah is powerful over you more than you are over him. Then I turned to it and he was Allah’s Messenger (s.a.w.)”. I said, Allah’s Messenger, he is free for Allah’s sake.” He said, “If you had not done it, the Hell-Fire would surely have burnt you, or (he said) the Hell-Fire would have touched you” (Sahih Muslim).

The above authorities tell of the fact that the behaviour of the employer should be sympathetic towards their worker. This was the way the Prophet of Allah (s.a.w.) used to treat the workers. It angered him when people were cruel to slaves/workers. As noted earlier, in many verses, the freeing of slaves was encouraged to the extent that it became a way to seek *kaffarah* (penance). This was one of the ways slavery was gradually abolished. Events that free a slave and its consequence - after war is over to be set free or ransomed (*Surah Muhammad* (47): verse 4), as a break with pre-Islamic traditions (*Surah Al-Balad* (90): verse 13), as penance for a broken oath (*Surah Al-Maeda* (5): verse 89), death of believer fighting against you (*Surah An-Nisa* (4): verse 92), retracting a divorce (*Surah Al-Mujadila* (58): verse 3). The emancipation of a slave was considered charity (among other things) (*Surah Al-Tawba* (9): verse 60), the act of a truly pious person (*Surah Al-Baqarah* (2): verse 177), and those who ask you to who have any good in them (*Surah Al-Noor* (24): verse 33).

Humility And Respect Towards Workers:

From the earlier mentioned *hadith*, Islam even forbids the slapping of a slave except if it is for a genuine purpose. The master should be grateful and very thankful that he has been put in a position where he can afford to have a slaves or servants instead of being the servant himself, if Allah willed it. Allah has ordained; “And Allah honoured some of you over others with wealth and properties” (*Surah An-Nahl* (16): verse 71). Master must realise that not all were created for the same purpose but indeed they are still the creation of Allah (s.w.t.). Each and everyone have been created by Allah (s.w.t.). Therefore, each and everyone is to be treated in a way that they would like to be treated by others i.e., with kindness and humility. Allah (s.w.t.) has placed the servant under the master for convenient management of affairs of people. As verses on slaves were revealed, it raised the status on slaves to give them a purely human relationship with their masters. This is ideally the equality Islam promotes.

By treating slaves and servants well and restoring their human status, Islam has set admirable examples for other nations to follow. During his stay in Medina *al-Munawwarah*, the Messenger (s.a.w.) established brotherhood between Arab chiefs and their slaves. Abu Huraira who was formerly a slave later became one of the greatest scholars of *hadith*. Bilal was also a freed slave who occupied the most dignified position of *Muezzin* in the Prophet’s mosque in Medina. Later after the victory over Makkah, the Prophet (s.a.w.) asked Bilal to give the first *Adhan* (call to prayer) at the *Haram* (the holy mosque). In respect of knowledge, Ummul Hussain narrated that Prophet Muhammad (s.a.w.) said; ‘If a slave with limbs cut off be put in command over you to guide you by the book of Allah, hearken him and obey him’. Similar to these, there are many more instances where slaves have been given exalted positions as military commanders and leaders. The above principles are equally applicable to the employer and employee relationship as discussed further below.

Islam Prohibits Ill Treatment Towards Workers:

Exploitation of workers or ill-treating them is forbidden in Islam. There are also many tradition of the Prophet (s.a.w.) on this matter: “Those who serve you have been made by God subservient to you. It, therefore, behoves that the person who employs a brother should give the latter to eat out of his own food and to clothe him from own wardrobe. And they should not be burdened with tasks beyond their power and if such a burden has been thrown on their shoulders then you should help them” (Sahih Bukhari). “Just as you treat those near and dear to you, so should you treat those who are your equals by virtue of being human beings and not beneath you. As your hearts throb, so do theirs. See you not that I freed Zaid bin Harris and married him to the daughter of my paternal aunt; that I appointed Bilal as the caller for prayers; since he is our brother. You have been seeing that Anas has been serving me, but I do not look down with scorn upon him. If he does not do any job or fails to do it, I do not ask him why he failed to do this or that”. “You should treat your servants well and should be considerate to them. You should not hurt them, for you should realise that they too have sensitive hearts like you. If hurt, their hearts get sore and grieved, and, if you treat them well, their faces glow to pleasure. Why, therefore, should you not be decent and kind with them” “Be careful about those who depend on you. Treat them mildly. An owner, who mistreats his servant, shall never enter the portals of paradise”. (Cited in Hakim Mohammed Said, 1989).

Islam places emphasis on forgiving the mistakes committed by an employee. This can be illustrated by a reply of the Prophet (s.a.w.) to a companion's question in the *hadith* below. One day the Prophet was approached by a companion and asked the Prophet (s.a.w.); “Prophet of God, how many times should I forgive my servants? The Prophet (s.a.w.) sat quietly and contemplatively and the companion put the same question

again. He finally replied in a very soft and yet saddened tone: ‘Why are you asking about the number of times?’ If your servants miscarry your orders or are guilty of grievous wrong seventy times each day, you should forgive them for an equivalent number, for they are your brothers” (Tirmizi). The Prophet (s.a.w.) said “The owners who mete out evil treatment towards their servants shall find the gateway of paradise shut to their faces”. The Prophet (s.a.w.) was an exemplary example of humane treatment to servants. Anas bin Malik – employee of the Prophet (s.a.w.) - reported: I served the messenger of Allah for 10 years, but he did neither tell me ‘uff’, nor why have you done this? - Nor why have you not done this?

Human Dignity:

Islam strongly upholds the honour and dignity of another person irrespective of the religious faith. Unlike the secular concept, in Islam, the creator ordains the human dignity and honour. Further, as Islam stresses on the concept of brotherhood, Muslims must not oppress, humiliate, insult, backbite or look down one another. Abu Huraira reported the Prophet (s.a.w.) as saying: “A Muslim is the brother of a Muslim. He neither oppresses him nor humiliates him nor looks down upon him. It is a serious evil for a Muslim that he should look down upon his brother Muslim. All things of a Muslim are inviolable for his brother in faith: his blood, his wealth and his honour”. As Allah (s.w.t.)’s vicegerent on the earth, man has been created to a position of honour above the brute creation. It is noted in the Qur’an in *Surah Al Isra* (Chapter 17) verse 70 “We have honoured the sons of Adam”. The above verse emphasises among others, fairness, just in treatment of workers, protection of their honour and dignity. An employer must therefore refrain from defaming or damaging employee’s reputation, honour and dignity. The Qur’an further stated that “O ye who believe! Let not some men among you laugh at others – it may be that the latter are better than the former; nor let some women laugh at others - it may be that the latter are better than the former”. From the above, love for other members and respect of their right, concern for their welfare and reputation are commandments of Allah (s.w.t.). Again, “Do not harm your fellow Muslims, do not impute evil to them, and do not try to uncover their nakedness. For behold, if anyone tries to uncover the nakedness of his Muslim brother, God will uncover his own nakedness” (Tirmidhi).

Hence, dignity, restraint, politeness and amicability have always been regarded as virtues as opposed to snobbery, arrogance and discourteousness, which have never been recognised as good moral values in Islam. There is a duty on every man to appreciate the other and not to lower his honour and dignity, and this necessarily includes not to humiliate another. Insulting a person with the intention of humiliating and tarnishing good name of the person by utterance of words, gestures, cursing, backbiting to mention but a few, is prohibited. In the same vein, calling a person immoral, maliciously accusing another person of criminal is equally prohibited.

The Qur’an and the Sunnah of the Prophet (s.a.w.) repeatedly warns against violating of human dignity and reminded the believers to observe justice in their dealings. Allah (s.w.t.) says, the meaning of which is translated as: “O believers, let not people ridicule other people, perchance the latter may be better than the former, nor let women ridicule other women, perchance the latter may be better than the former. Neither find fault with your own people, nor call one another by nicknames”. “And defame not one another behind your backs. Does any one of you like to eat the flesh of his dead brother? Surely you would abhor it” (*Surah Al Hujurat* (49): Verse 11-12). “Avoid aggression, for Allah loves not the aggressors” (*Surah Al-Baqarah* (Chapter 2) verse 190). Prophet (s.a.w.) said: “It is not for a believer to indulge in insults, sarcasm or cursing” (Al Tabrizi). The Prophet (s.a.w.) further stated that: “Whoever saved the honour of his brother, God will save his countenance against the blaze of fire in the Day of Judgment” (cited by Mohammed Hashim Kamali, 1994). The Prophet further stated: “Do not annoy the Muslims, nor defame them, and do not expose their nakedness, for one who exposes the nakedness of his Muslim brother, Allah (s.w.t.) will expose his own nakedness” (Tirmidhi).

As is apparent from the above verses of the Qur’an and the tradition of the Prophet (s.a.w.), the honour and dignity of each individual have been regarded as sacred. In fact, Islam enjoins the believers to uphold justice and kindness which call for just standards of behaviour to all irrespective of whether they belong to the fold of Islam. As Allah (s.w.t.) said; “Allah does not love evil talk in public unless it is by someone who has been subjected to injustice (and cruelty). The use of abusive language or strong words of condemnation is equally prohibited” (*Surah Al-Nisa* (Chapter 4) verse 148).

Employee To Discharge Obligation Conscientiously:

It is noteworthy that Islam commands that a person who has accepted the job must discharge his duties and responsibilities with honesty, trust and concentration. Obligations must be discharged conscientiously, honestly and responsibly. A worker must dedicate his working life to the benefit of the employer, as this is the very trust the employer has placed on him, even if the employer is a non-Muslim. The Qur’an provides: “O ye who believe! Fulfil all obligations” (*Surah Al Maidah* (5): 1). He must not display a lackadaisical attitude when discharging the assigned duties. The Prophet (s.a.w.) stated: “God wants that when a man accepts a responsibility he should develop a feeling of conscientiousness” (Sahih Bukhari). Again, “three kinds of people shall get double rewards. One of them is the worker, who is discharging his responsibilities towards his master

and serving God as well” (Sahih Bukhari). Allah (s.w.t.) also says in *Surah al-Mulk* that man was created to try which amongst them are best in deeds. “Blessed be He in Whose hands is Dominion: and He over all things Hath Power - He Who created Death and Life, that He may try which of you is best in deed: and He is the Exalted in Might, Oft-Forgiving” (*Surah al-Mulk* (67): verses 1 and 2). The word ‘*ahsanu amalan*’ in verse 2 of the *Surah a-Mulk* above, is indicative that Allah (s.w.t.) expects man to be best in their undertakings.

For example, Caliph Abu Bakar as-Siddiq (r.a.) had, after having taken charge of the Caliphate, in the first sermon (*khutbah*), realising the gravity of the responsibility shouldered, in all humility said: “I have been given authority over you, but I am not the best of you. If I do well, help me, and if I do ill, then put me right” (Mohamed S. El-Awa, 1980). Even Caliph Abu Bakar as-Siddiq (r.a.), a leader and the best after the *anbiya* Prophets, recognised the fact that he might not be a perfect person for the assigned task. Nevertheless, he carried out the job wholeheartedly for the benefit of the people. The above is to be emulated by every employee in an organisation. An employer would be very fortunate to have a good worker. The worker too, besides receiving a salary, would have incurred the pleasure of Allah (s.w.t.), having treated work as an *ibadah*.

Thus, a worker must display professionalism, diligence and accountability for the work done or undertaken and the people with whom he worked. The common work ethics desired in every company include discipline, displaying leadership qualities, ability to work harmoniously in a team, humility and ability to communicate effectively with senior and junior employees, among others. With the good work ethics the employee would be able to do the assigned task wholeheartedly and will be able to complete the same efficiently. These will certainly help the organisation in terms of enhancing the productivity and prosperity of the enterprise, among others. In the end, we pray that Allah (s.w.t.) accepts from us the services that has been rendered at the workplace as did Prophet Ibrahim (a.s.) and Prophet Ismail (a.s.) who asked Allah (s.w.t.) to accept it from them too. The Prophet Ibrahim (a.s.) and Prophet Ismail (a.s.) in constructing the *Ka’bah*, were performing a good deed, yet they asked Allah (s.w.t.) to accept this good deed from them. “And (remember) when Ibrahim and (his son) Ismail were raising the foundations of the House (the *Ka’bah* at Makkah), (saying), “Our Lord! Accept (this service) from us. Verily, You are the Hearer, the Knower. Our Lord! And make us submissive unto You and of our offspring a nation submissive unto You, and show us our Manasik and accept our repentance. Truly, You are the One Who accepts repentance, the Most Merciful” (*Surah al-Baqarah* (2): verses 127 and 128).

Apart from the above, trustworthiness, which is a sound moral conduct, is another important quality strongly commanded in Islam. The above term denotes performing all obligations and responsibilities. It incorporates the concepts of honesty, truthfulness and reliability (in terms of both regularity and timeliness), among others, which must be projected by a person in his thoughts, words, actions and relationships. It entails honouring and fulfilling commitments, promises, trusts and covenants. The Qu’ran provides, “(The true believers) are those who are keepers of their trusts and covenants” (*Surah Al-Mu’minun* (23): 8). “Verily Allah commands that you should render back the trusts to those, to whom they are due, and that when you judge between men, you judge them with justice. Verily how excellent is the teaching which Allah gives you. Truly Allah is Ever All-Hearer, All-Seer” (*Surah An Nisa* (4): 58). “O you who believe! Fear God, and be with those who are true (in word and deeds)” (*Surah Tauba* (9): 119). “O you who believe! Keep your duty to Allah and speak straight, true words” (*Surah Ahzab* (33): 70). “Be maintainers of justice and bearers of true witness for Allah, even if it (the truth) goes against your own selves or parents or relatives or someone who is rich or poor” (*Surah An-Nisa* (4): 135). It is most unpleasant, in Allah’s sight that you say that which you do not do” (*Surah As-Saff* (61): 3).

Trustworthiness, which reigned supreme during the tenure of Prophet (s.a.w.), was also emphasised in many of his traditions. “Truthfulness leads to righteousness, and righteousness leads to Paradise. In addition, a man keeps on telling the truth until he becomes a truthful person. Falsehood leads to wickedness and evil-doing, and wickedness leads to the (Hell) Fire, and a man may keep on telling lies till he is written before God, as a liar” (*Sahih Al-Bukhari*). Again, “Honesty descended from the Heavens and settled in the roots of the hearts of men (faithful believers), and then the Qur’an was revealed and the people read the Qur’an, (and learnt it from it) and also learnt from the sayings and traditions. Both the Qur’an and the traditions strengthened their honesty” (*Sahih Al-Bukhari*). “Let he who believes in God and the Last Day either speak good or keep silent” (*Sahih Muslim*). In fact, Prophet Muhammad (s.a.w.) was a perfect example of an honest man so much so that he earned the titles of *Al Amin* (the trustworthy one) and *As Sadiq* (the truthful) even before his Prophethood. He had lived an unblemished and extremely pious life for forty years. The Prophet (s.a.w.) also indicated that dishonesty and betrayal are completely at odds with the Islamic faith. “He who deceives has nothing to do with me” (*Sahih Muslim*). The Messenger of Allah had uttered the above words after discovering that some persons were practising fraud, deception, and other dubious means when promoting their merchandise.

As from the above, an employee is required to be trustworthy, responsible, diligent, sincere, dedicated, efficient and reliable, among others. He must be truthful towards the Creator by worshipping Him sincerely; truthful to one’s own self by adhering to Allah’s laws; and truthful to the employer by speaking the truth and being honest in all dealings. He has an obligation to faithfully discharge his duty to his employer. He should not act inconsistently to the interest of the employer. He should not commit gross misconduct such as immorality at

the work place, insolence, insubordination, criminal conduct, or any other conduct inconsistent with the relationship of an employer and employee. Nor should he practice deception, cheating, falsifying or withholding information, among others. He must not betray the trust by being inefficient, complacent and incompetent nor should they give in to their selfish needs like being greedy, unscrupulous and unproductive, among others. The Qur'an provides; "And keep the promise; the promise is a responsibility". (*Surah Al Isra* (17): 34). Prophet (s.a.w.) stated that; "the hearts of true believers are the repositories of the quality of *amanat*" (*Sahih Muslim*). Again, "God wants that when a man accepts a responsibility he should develop a feeling of conscientiousness" (*Sahih Bukhari*). On the authority of Abu Hurairah, it is reported that the Prophet (s.a.w.) said: "Hypocrites are known by their characteristics: if he talks he lies, if he promises he fails to keep his promise, and if he is trusted in any matter he proves to be untrustworthy (*Sahih Muslim*). The Prophet (s.a.w.) further said: "fulfil your trust if you are trusted with something, and tell the truth when you are talking". Again, the Prophet (s.a.w.) said: "If one tells a lie, the angels stay a mile away from him for the rotten he has done". The Prophet (s.a.w.) also said: "to every untrustworthy there is a sign by which he will be known on the Day of Judgment".

Conclusion:

Virtues such as kindness, forgiveness, mercy, affection, tolerance, and the recognition of rights of others are strongly commanded by Islam. Further, the religion commands the believer to maintain and practice all the noble qualities of ethical values such as honesty, sincerity and benevolence, among others. A Muslim is also required to project an appropriate image in terms of his attitude, behaviour and manner. Worship of Allah (SWT) must be backed by good actions towards the fellow human beings. The Qur'an pronounced; "Verily the most honourable among you in Allah's reckoning is he who is most righteous among you" (*Surah Al Hujurat* (Chapter 49) verse 13). Thus the scale of grading a man of its righteousness is not only based on religious or spiritual action but including labour. The Qur'an states that; "kind words and covering faults are better than charity followed by injury" (*Surah Al Baqarah* (Chapter 2) verse 263-264). The preservation of ones dignity and reputation, not to unduly humiliate are equally commanded. In the context of employment relationship, Islam emphasise that the employer and employee relationship is based on the concept of brotherhood and not that of superior and subservient. The employer should be considerate, just and kind towards the workers and they should be forgiving and compassionate. This includes employer's duty to look after the comfort and well being of the employee, to treat the worker as brother and work assigned should commensurate to his/her capacity.

In the same vein, Islam also commands that a worker must be sincere, diligent and dedicated in the performance of the assigned task. He must work to the best of his ability and dedicate his working life for the benefit of the employer's enterprise. A worker who discharges his responsibility conscientiously shall get double rewards. The Prophet (s.a.w.) was quoted as saying; "God wants that when a man accepts a responsibility he should develop a feeling of conscientiousness" (*Sahih Bukhari*). The Prophet (s.a.w.) further stated that; "Three kinds of people shall get double rewards. One of them is the worker, who is discharging his responsibilities towards his master and serving God as well" (*Sahih Bukhari*). Further, the worker must be trustworthy, responsible, efficient and reliable, among others. He should not practice deception, cheating, falsifying or withholding of information, among others.

It must be added that loyalty of a worker, although it may not be recognised during his lifetime, it is still being recorded, the record of which will be reaped in the hereafter. After all, all that is done is done for seeking the pleasure of Allah (s.w.t.). If Allah (s.w.t.) is pleased with man, this is sufficient for his reward, for earthly rewards and recognition are but a fraction of what Allah (s.w.t.) has in store for His loyal servants. In the following verses of the Qur'an, the Prophets told the people: "No reward have I asked of you: my reward is only due from Allah" (*Surah Yunus* (10):72). "And O my people! I ask you for no wealth in return: my reward is from none but Allah" (*Surah Hud* (11): 29). "Say: "No reward do I ask of you: it is (all) in your interest: my reward is only due from Allah" (*Surah Saba* (34): 47). "We feed you for the sake of Allah alone: no reward do we desire from you, nor thanks" (*Surah Al-Insan* (76): 9).

REFERENCES

- Al-Hadis 4 (Calcutta: A Khatun, 1939) 305
Al Tabrizi "*Mishkat*" Vol 1 Hadith No 4847
Abdur Rahman Shad "The Rights of Allah and Human Rights", Kazi Publications, 1981 at 162.
Fox, Alan, 1974. *Beyond Contract: Work, Power and Trust Relations* (London: Faber and Faber Ltd)
"Malaysia to prosecute employers abusing foreign workers" a<
<http://www.malaysianews.net/story/328934>>
Hakim Mohammed Said, 1989.(ed.), "The employer and employee – Islamic concept, (Karachi, Dar al-Fikr Al-Islami, 1989).
Mohamed, S. El-Awa, 1980. "*The Political System of the Islamic State*" (Indiana: American Trust Publications, 1980).

Mohammed Hashim Kamali, 1994. *Freedom of Expression in Islam* (Kuala Lumpur: Berita Publishing Sdn Bhd, 1994).

Sahih Al-Bukhari < http://www.luvu4luv.com/Hadith_Bukhari.html>

Sunna al Tirmidhi < <http://www.maktabah.org/index.php/component/content/article/47-hadith-collections/286-sunantirmidhi.html?directory=71>>

Sahih Muslim < <http://www.iium.edu.my/deed/hadith/muslim/index.html>>

Yusuf Ali, Translation of the Holy Qur'an
<http://www.muslimaccess.com/quraan/translations/yusufali/yusuf_ali.htm>