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Research Article

ELUCIDATION OF THE SYSTEM OF SUPPORT FOR PERSONS WITH DISABILITIES IN THE WORKS OF EASTERN SCHOLARS

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ABSTRACT

In the author's article, we can see that people with disabilities of Eastern scholars are given great attention in Islamic jurisprudence, oriental education, and state administration. That is, when assessing the king's justice, his attitude of caring for the disabled and vulnerable is taken into account first and foremost.

KEYWORDS

Hidaya, king, jurisprudence, scholar, poor, scholar, honoree, debtor, nation, work.

INTRODUCTION

When it comes to individuals with disabilities, the way each country's historical development has shaped their unique mentality is evident. The level of justice in any society is measured not only by how it treats individuals with disabilities but also by the conditions and prosperity provided to them.

Analyzing the attitudes towards individuals with disabilities reveals their long-standing struggle throughout history. Their treatment has varied based on national values and the characteristics of that particular era. For instance, during primitive societal formations, individuals with disabilities lived in harsh living conditions, and only those who managed to

survive in such circumstances remained. Therefore, there was no specific approach towards individuals with disabilities.

Islamic jurisprudence contains numerous teachings aimed at protecting the rights and interests of individuals with disabilities. One of the famous works in this regard is the book "Hidaya" by the renowned jurist Imam Burhanuddin Ali Ibn Abu Bakr Marghinani. "Hidaya" is a significant work in the field of Islamic jurisprudence and has gained wide recognition in the Muslim world. Many commentaries have been written on "Hidaya." One of them is the book titled "Viqoyatur rivoya fi masoyimil hidoya" by Mahmud ibn Ubaydullah

ibn Mahmud, who was born in the city of Bukhara. His brother, Ubaydullah Ibn Mas'ud, wrote a commentary on "Viqoyatur rivoya." "Muxtasar ul-viqoya" is a concise summary of the book and is considered a convenient reference for memorization.

For example, in cases of crime or violation of rights, leniency is granted to the offender due to their disability. It is stated that "If a mentally disabled person, a child, a woman, a slave, a mad person, a blind person, or a sick person (with a severed limb) kills any member of society, regardless of the circumstances, they will be subject to retribution (killed). The limitations of these killings are not taken into account"[1].

Furthermore, it is stated that "The marriage, divorce, buying, selling, and retaliation of a mute person are considered valid if they are expressed through writing or gestures, and if they have the same strength as verbal expression. However, for actions that require a written or gestural confession, such as fornication, drinking alcohol, or confessing to a crime, a mute person is not punished or their hand is not severed because their confession is doubtful. But they are not punished for suspicion alone. In the absence of verbal communication, the scholars have said about a mute person: 'If the mute person understands the implications of their actions, such as marriage, divorce, transactions, and the proof of retaliation, their gestures are considered as valid as verbal expression'"[2].

There are seven categories of obligatory charity (sadaqah) that can be given on top of zakat, ushr, and fitr: 1) the poor, 2) the needy, 3) scholars, 4) those in debt, 5) those working in the cause of Allah, 6) travelers, and 7) those who have been stranded or are in need[3].

Termizi, a famous hadith scholar, Abu Isa at-Tirmidhi al-Bukhari, who was both a student and companion of Imam Bukhari, mentioned the following in his collection "Sahih Tirmidhi" regarding the words of the Prophet Muhammad (peace be upon him): "To put a smile on the face of your fellow human being is an act of charity. Commanding good and forbidding evil is an act of charity. Assisting a blind person in finding their way is an act of charity. Removing harmful objects from the road, such as stones, thorns, and bones, is an act of charity. Pouring water from your bucket into the container of your neighbor is an act of charity"[4].

MATERIALS AND METHODS

Al-Farabi, being one of the prominent figures of the Middle Ages, was the first to create teachings about the emergence, purpose, and functions of society. In these teachings, many aspects of social life such as governance, education, ethics, knowledge, religious beliefs, warfare and peace, labor, and others were addressed. Al-Farabi particularly emphasized the rights of individuals with disabilities and the necessity of their economic support by the state in his work "The Virtuous City." According to him, "Justice primarily manifests itself in the correct distribution of good things that concern the entire population of the city and in ensuring the full preservation of what has been distributed. These good things include wealth, health, honor, respect, ranks, and other similar things, and each person must receive their fair share. Taking more or less than what is due is injustice. If it is taken from oneself, it is injustice towards oneself, and if it is taken from many, it is injustice towards the people. Each person who has taken their share must preserve it carefully. It is wrong to use this share in a way that benefits neither oneself nor the people"[5].

Therefore, in a virtuous state, there are no beggars. However, it is possible for there to be individuals with

disabilities and the sick. To provide for them, funds should be allocated from the state treasury. It is necessary to find ways to employ them in beneficial work[6], as emphasized in Al-Farabi's ideas.

"In a prosperous state, everyone, including individuals with disabilities (to the extent of their abilities), should engage in work that aligns with their skills. Each person should only focus on one craft or job." This principle can be attributed to the influence of Aristotle, according to some interpretations. According to Aristotle's perspective, if any task is performed in accordance with one's natural abilities and in a timely manner without being distracted by other tasks, it is possible to accomplish everything in greater quantity, quality, and with greater ease. The state does not compel its population to engage in multiple jobs for three reasons: 1) Not everyone is suited for every type of work or profession, and individuals should be assigned based on their abilities and expertise; 2) If a person constantly focuses on one job or skill, they will progress and become knowledgeable and skilled in their field; 3) The necessity of completing multiple tasks within a specific timeframe can lead to rushing and compromising the quality of work, whereas focusing on one task at a time ensures timely completion.

Later thinkers, such as Abu Rayhan al-Biruni, Nasir al-Din al-Tusi, Ibn Sina, Ibn Rushd, Bahmanyar, Nizami, Saadi, Abdurahman Jami, Alisher Navoi, Bedil, Iqbal, Ahmad Donish, and others, further developed these social ideas in their works.

The works of Nasir al-Din al-Tusi also encompass various aspects of human society. His intellectual creations emphasize the importance of justice, compassion, empathy, and forgiveness towards those who are physically or emotionally vulnerable. The great poet addresses the dignitaries with a soul-stirring

appeal, urging them to be compassionate and merciful towards those who toil under their hands and to show kindness and mercy to those who are weak physically or emotionally.

RESULT AND DISCUSSION

In Nizam al-Mulk's "Siyasatnama," which was written between 1018 and 1092, various incidents and examples are narrated to provide lessons and guidance on different aspects of societal life. It highlights the importance of considering the vulnerability of individuals and the need to treat them with compassion. According to the book, "Wise rulers always think about the weak and ensure that every two or three years, they investigate the affairs of the officials, not turning a blind eye to the rights of the subjects, so that the provinces may prosper and be well-governed." This book has been published in various languages and has captured the attention of many scholars, thinkers, and talented individuals from different nations.

During the period of the rise of the Timurid dynasty, historians recorded the stories of famous personalities who had courage and nobility. Specifically, during the time of the Samanids, Amir Timur and the Timurids built their political system based on human rights and compassion.

In his state, we can see his attitude towards the poor population. The "Timurid Codes" describe the state system, the duties of various positions in the state, relations with different groups and their treatment, rules governing governance, the organization and order of the army, and other issues. The lives and property of people in cities and their surroundings were protected. "In all matters," said Amir Timur, "these affairs should not be related to any country's people; they must strictly follow the justice of the

rulers. To eliminate robbery, I organized leaders to take care of them, and they provided provisions for them." In addition to this, Timur's rule on taxes is very important. Timur wrote: "In collecting taxes, it is necessary to be cautious about not burdening the people with heavy conditions or turning the country into a place of robbery. Because the weakness of the state treasury in collecting taxes leads to the weakening of military power, which in turn leads to the weakening of government power..."

As we can see, during his reign, Amir Timur was concerned about the social conditions of his people and was worried about the increasing number of beggars among them. He showed special concern for the weak and vulnerable individuals among them. In his edicts, he stated: "I have ordered that ... provisions be given to the blind, the poor, and those who are unable to earn a living ... I have also ordered that after conquering each kingdom, the spoils of war should be collected and used to provide daily food and drink for the people. They should also be given some work to do, but they must not be forced to do anything else. Furthermore, I have ordered that mosques, madrasas, and guesthouses be built in every big and small city and village, while soup kitchens should be established for the poor and homeless, as well as hospitals for the sick", [11].

In the feudal society of medieval Temurid Empire, it was considered one of the main principles of the state policy to protect the rights of peasants and the poor from heavy taxation and exploitation. A unique system of social protection was developed to ensure the well-being of individuals facing poverty and destitution. The Temurid regulations state: "I command that the poor and destitute, those unable to earn a living, be provided with sustenance"[12].

Under the powerful empire of Amir Temur, significant progress was made during his reign. After the fragmentation of his empire, knowledgeable Timurid rulers governed various regions, such as Mirzo Ulugbek in Samarqand, Husayn Boyqaro in Khurasan, and Babur in India, implementing similar social protection systems.

Starting from the 16th century, the upheavals in the administrative system of Central Asia had a noticeable impact on the social conditions of the population. During the period of the Shaybanids, the central state weakened, the social situation of the population deteriorated, and the amount of taxes increased. The continuous wars eventually led to devastation. In his work "Dasturul Muluk," Samandar Termizi emphasizes the importance of considering the social conditions of the population when collecting taxes, stating: "In collecting taxes, it should be determined not by everyone paying the same amount, but rather based on the social situation of the population"[13]. Although he criticized the Bukhara emirate where he served, highlighting the negative treatment of the poor and destitute, he also pointed out the shortcomings in social protection and the disorder in tax collection within the emirate.

CONCLUSION

In general, information about the social protection of individuals facing destitution during the period from the 17th century to the beginning of the 20th century can be found in the works of some poets, statesmen, scholars, as well as in historical and critical works. For example, Ahmad Donish's "Navodir ul-vaqoe," Mahmud Ibn Valin's "Bahr ul-asror fi manaqib ul-ahyor" ("The Secrets of the Dignity of Noble People"), Mir Muhammad Amin Bukhori's "Ubaydullanoma," Muhammad Yusuf Munshi's "Tarixi Muqimkhoni," Abdulg'azi Bahodirxon's "Shajarai Turk," Khoja

Samandar Termizi's "Dastur ul-muluk," Muhammad Amin Bukhori's "Muhit ut-tavorix," and Mullo Yunusjon Munshi's "Amir Lashkar Alimqul Tarixi" [14] highlight the fair rule of just rulers and their special attention to the welfare of the destitute, particularly those facing poverty.

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