

The Right to Residential Accommodation in Islamic Shariah

(Translated)

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First: The Right to Housing in Islamic Shariah

The right to housing is one of the most important economic and societal rights of a human being, as providing adequate housing is an essential element in guaranteeing human dignity. A home is a fundamental necessity for a healthy, decent life. The meaning of sakan (housing) linguistically: “to dwell within” (سَكَنَ sakana) an abode; and As-Sakeenah (السَّكِينَةُ) is domestic tranquility and dignity; and “Sakana (سَكَنَ)” in his home, means he dwells in it; he resided in a place: he settled and inhabited it, as in “he used to reside in the countryside.” Allah (swt) said: ﴿وَإِذْ قِيلَ لَهُمُ اسْكُنُوا هَذِهِ الْقَرْيَةَ﴾ **“And when it was said to them, ‘Dwell in this city’”** [TMQ Surah Al-A'raf: 161]. As for “askanahu fil makaan” (أَسْكَنَهُ فِي الْمَكَانِ) is he caused someone to reside in a place: he made him dwell there or settle and inhabit it, as in (أَسْكَنْتُ أَخِي) “I housed my brother in my home.” Allah (swt) said: ﴿رَبَّنَا إِنِّي أَسْكَنْتُ مِنْ ذُرِّيَّتِي بِوَادٍ غَيْرِ ذِي﴾ **“Our Lord, I have settled some of my descendants in an uncultivated valley”** [TMQ Surah Ibrahim: 37]. A dwelling is also called a house (بَيْت bayt), as Allah (swt) said: ﴿وَاللَّهُ جَعَلَ﴾ **“And Allah has made for you from your homes a place of rest”** [TMQ Surah An-Nahl: 80].

Secondly: Defining the Right to Housing Terminologically:

Accommodation (مَسْكَن maskan) refers to the house in which a person resides, whether permanently or temporarily. It is the natural place to which a person retreats to shelter from the summer heat, the winter cold, and the gaze of passersby. It is the place of his secrets and the abode of his family. Undoubtedly, the human need for shelter is among the fundamental necessities of life and is one of the blessings (نِعْم ni'am) of Allah (swt) upon mankind. Allah (swt) says: ﴿وَاللَّهُ جَعَلَ لَكُمْ مِنْ بُيُوتِكُمْ سَكَنًا وَجَعَلَ لَكُمْ مِنْ جُلُودِ الْأَنْعَامِ بُيُوتًا تَسْتَخِفُّونَهَا يَوْمَ ظَعْنِكُمْ وَيَوْمَ﴾ **“And Allah has made for you from your homes a place of rest and made for you from the hides of the cattle dwellings (tents) which you find light to carry on the day of your travel and the day of your encampment; and from their wool, fur, and hair is furnishing and enjoyment for a time”** [TMQ Surah An-Nahl: 80].

The meaning of His (swt) statement, ﴿جَعَلَ لَكُمْ﴾ **“made for you,”** signifies “He rendered” or “He made to be.” Everything that covers you from above, providing shade, is a roof or a sky; everything that carries you from below is ground; and everything that screens you from your four directions is a wall. When these elements are organized and connected, they form a house. This verse enumerates the blessings of Allah (swt) upon people regarding houses. It first mentions the houses of cities, which are for long-term residence.

His statement, ﴿سَكَنًا﴾ **“a place of rest,”** means you find rest therein and your limbs find relief from movement, though you may move within it and find rest elsewhere; however, the statement is made according to the predominant case. Thus, the Blessed and Exalted mentions the completeness of His blessings upon His servants by what He has made for

them of houses that are a resting place for them. They retreat to them, seek privacy within them, and benefit from them in all manners of benefit. That is, Allah (swt) has made houses, of whatever type, a place of rest to which people return, where they feel comfort and are secure regarding their private parts and their sanctities.

Secondly: The Importance of the Right to Housing

Providing adequate housing occupies the pinnacle of the hierarchy of essential human priorities in any society. It is no less important than a person's need for food and drink, and it is necessary for achieving societal stability through which an individual can perform his expected role in society. Therefore, adequate housing is considered one of the fundamental human rights. Allah (swt) has said: **﴿وَلَقَدْ كَرَّمْنَا بَنِي آدَمَ وَحَمَلْنَاهُمْ فِي الْبَرِّ وَالْبَحْرِ وَرَزَقْنَاهُمْ مِنَ الطَّيِّبَاتِ وَفَضَّلْنَاهُمْ ۖ وَكُنَّا أَكْثَرَ تَفْضِيلًا﴾** **“And We have certainly honored the children of Aadam (as) and carried them on the land and sea and provided for them of the good things and preferred them over much of what We have created, with definite preference”** [TMQ Surah Al-Israa': 70].

Islam preserves for man the right to housing; indeed, it guarantees him security within his home because it is his refuge, the repository of his secrets, and the place of his comfort and peace of mind. Housing is among the fundamental matters for ensuring a dignified life, protecting him from the adversities of the universe such as the heat of summer and the cold of winter. Islam has guaranteed this right to all inhabitants of the Islamic state—both Muslims and Ahl al-Dhimmah (أهل الذمة non-Muslim citizens)—securing that right for every individual among the Ahl al-Dhimmah just as it secures it for every individual among the Muslims. Every human being has the right to housing, whether through ownership, renting, or donation—even if it is an endowment (وقف waqf), such as a shelter for a wayfarer (ابن سبيل ibn as-sabeel), or a masjid for someone in dire need; for the People of the Suffah (أهل الصفة Ahl as-Suffah) took the Al-Masjid An-Nabawi as a temporary residence due to their poverty and the inability of the Bayt al-Mal (بيت المال state treasury) to provide housing for them. It is not permissible to leave a family or an individual without shelter in a home, because that would lead to harm to his self, his wealth, his worship, and his honor, and it would cause hardship for him and those with him from his family. Warding off harm from him is obligatory, and the obligation falls upon him first to ward off that harm from himself and his dependents by owning a home, or by renting it, or by obtaining it through donation. If he is unable, then the obligation becomes incumbent upon the state to shelter him and his family, and it is a collective obligation of sufficiency (فرض كفاية fard kifayah) upon the society, and they all incur sin by neglecting it.

To preserve this right, Islamic Shariah has established the inviolability of the home for every individual under its sovereignty. If an individual possesses a home, it is impermissible for anyone to violate the sanctity of that home. Indeed, no one may enter a home except with the permission of its owner. Allah (swt) says, **﴿يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَدْخُلُوا بُيُوتًا غَيْرَ بُيُوتِكُمْ حَتَّى تَسْتَأْذِنُوا ۚ وَتُسَلِّمُوا عَلَىٰ أَهْلِهَا ۚ ذَٰلِكُمْ خَيْرٌ لَّكُمْ لَعَلَّكُمْ تَذَكَّرُونَ﴾** **“O you who have believed, do not enter houses other than your own houses until you ascertain welcome and greet their inhabitants. That is best for you; perhaps you will be reminded”** [TMQ Surah An-Nur: 27]. And Abu Sa'id al-Khudri (ra) reported that the Messenger of Allah (saw) said, **«مَنْ اسْتَأْذَنَ ثَلَاثًا فَلَمْ يُؤْذَنْ لَهُ، فَلْيَرْجِعْ»** **“If someone seeks permission three times and is not granted permission, then let him turn back.”**

Third: The Role of the State in Islam in Securing Housing

Islam is the only Deen that has established fundamental rules encompassing all aspects of human life—not merely the material aspects. It comprehensively and interconnectedly regulates spiritual, moral, social, political, and economic dimensions, thereby ensuring that a

society which adopts the Islamic 'Aqeedah (creed) and conduct attains happiness, tranquility in life, and achieves the required economic and social progress. In the economic sphere, Islam has laid down rules and guaranteed rights, coupling them with regulations and limits. Islam guarantees for each and every individual the satisfaction of the essential needs that a human being, by virtue of being human, must fulfill—namely food, clothing, and shelter—and it urges the individual to enjoy the good things and to take from the adornments of this world to the extent of his ability. Thus, it secures the right to live for every single person and affords him prosperity in life.

The role of the State in Islam is to care for the interests of the people, in accordance with the Hadith of the Prophet (saw) who said: «كُلُّكُمْ رَاعٍ، وَكُلُّكُمْ مَسْئُورٌ، فَلَا مِيرَ الَّذِي عَلَى النَّاسِ رَاعٍ، وَهُوَ مَسْئُورٌ عَنْ رَعِيَّتِهِ، وَالرَّجُلُ رَاعٍ عَلَى أَهْلِ بَيْتِهِ، وَهُوَ مَسْئُورٌ، وَالْمَرْأَةُ رَاعِيَةٌ عَلَى بَيْتِ زَوْجِهَا، وَهِيَ مَسْئُورَةٌ، وَالْعَبْدُ رَاعٍ عَلَى مَالِ سَيِّدِهِ، وَهُوَ مَسْئُورٌ، أَلَا فَكُلُّكُمْ رَاعٍ، وَكُلُّكُمْ مَسْئُورٌ» **“Every one of you is a guardian and is responsible for those under his care. The ruler who has authority over people is a guardian and is responsible for his subjects; a man is a guardian over his family and is responsible; a woman is a guardian over her husband's house and is responsible; a servant is a guardian over his master's property and is responsible. So all of you are guardians and are responsible for your charge.”**

The state bears the responsibility of providing housing for every one of its citizens. Therefore, Islamic Shariah has established the right to housing for all individuals of the state. Every person has a right to housing, whether through ownership, rental, or donation, and they have been granted the right to build, own, and rent out housing to others.

And among the historical evidences for this is what was mentioned regarding the Khaleefah (Caliph) Umar ibn Abdul Azeez—may Allah have mercy upon him—that he wrote to his governors: (أن اقضوا عن الغارمين) “Settle the debts of those in debt (al-gharimeen).” They wrote back to him: (إنا نجد الرجل له المسكن والخادم، وله الفرس، وله الأثاث في بيته) “We find that a man has a home and a servant, and he has a horse, and he has furnishings in his house.” Umar wrote back: (لا بد للرجل من المسلمين من مسكن يأوي إليه رأسه، وخادم يكفيه مهنته، وفرس يجاهد عليه عدوه، وأثاث في بيته، ومع ذلك فهو غارم، فاقضوا عنه ما عليه من الدين) “A Muslim man must have a home to shelter his head, a servant to handle his chores for him, a horse to wage jihad against his enemy upon, and furnishings in his home. And over that, he is in debt, so settle the debt he owes.”

In this report, the Amir of the Believers, Umar, orders the settling of debts for those in debt even if they own a home, furnishings, a servant, and a horse. This is a great manifestation of mercy, compassion, and concern for the affairs of the subjects. And thus do the just rulers handle the wealth of the Ummah—they enrich its poor with it, mend its broken with it, free its captive with it, settle the debts of its insolvent with it, and fill the need of its destitute with it.

Indeed, the role and concern of the state for the interests of the people extended even further than that. The state would even undertake the repair of a wall of a house in a distant province for one of its subjects. Among the narrations about the Khaleefah (Caliph) Umar ibn Abdul Azeez—may Allah have mercy upon him—is that he used to follow up on the affairs of the Muslims and open the doors wide to hear their news. The postal courier of Umar ibn Abdul Azeez would not be given to anyone if he had a letter to deliver except that he would carry it. A courier departed from Egypt, and a black slave woman named Fartunah, the maidservant of Dhi Asbah, handed him a letter. In it, she mentioned that she had a low wall, and that people would breach it and steal her chickens. He wrote back: (بسم الله الرحمن الرحيم، من عبد الله أمير المؤمنين إلى فرتونة السوداء مولاة ذي أصبح، بلغني كتابك وما ذكرت من قصر حائطك وأنه يدخل عليك فيسرق دجاجك، فقد كتبنا كتاباً إلى أيوب بن شرجيل – وكان أيوب عاملاً على صلاة مصر وحرهبها – أمره بأن يبني لك ذلك يحصنه لك) “In the name of Allah, the Most Gracious, the Most Merciful. From the servant of Allah, the Commander of the Believers, to Fartunah the Black, the maidservant of

Dhi Asbah. Your letter has reached me, and I have noted what you mentioned about the shortness of your wall and that people enter through it to steal your chickens. I have written a letter to Ayyub bin Sharhabeel”—and Ayyub was his governor in charge of the Deen and military affairs of Egypt— “ordering him to build it for you and fortify it for you against what you fear, Allah willing.” And he wrote to Ayyub bin Sharhabeel: (من عبد الله عمر أمير المؤمنين إلى ابن شرحبيل، أما بعد: فإن فرتونة مولاة ذي أصبح كتبت تذكر قصر حائطها، وأنه يسرق منه دجاجها وتسأل تحصينه لها، فإذا جاءك From the servant of Allah, Umar, the Commander of the Believers, to Ibn Sharhabeel. To proceed: Fartunah, the maidservant of Dhi Asbah, has written mentioning the shortness of her wall and that her chickens are stolen from it, and she asks for it to be fortified for her. So, when this letter of mine reaches you, ride out yourself to it until you have fortified it for her.” When the letter reached Ayyub, he rode in person until he came to Giza, asking about Fartunah until he found her. She was a poor black woman. He informed her of what the Amir of the Believers had written and fortified the wall for her.

And if the state, with its various resources, is unable to guarantee this right for its needy subjects, then the responsibility falls upon the wealthy in society. It is incumbent upon them to fulfill the needs of the poor and needy for food, drink, clothing, and shelter. Ibn Hazm al-Andalusi—may Allah have mercy upon him—said: (وَفَرَضَ عَلَى الْأَغْنِيَاءِ مِنْ أَهْلِ كُلِّ بَلَدٍ أَنْ يَقُومُوا بِفَقَرَانِهِمْ، وَيُجِيرَهُمُ السُّلْطَانُ عَلَى ذَلِكَ، إِنْ لَمْ تَقُمْ الرِّكَوَاتُ بِهِمْ، وَلَا فِي سَائِرِ أَمْوَالِ الْمُسْلِمِينَ، فَيَقَامُ لَهُمْ بِمَا يَأْكُلُونَ مِنَ الْقُوتِ الَّذِي لَا بُدَّ مِنْهُ، وَمِنْ اللَّبَاسِ لِلشِّتَاءِ وَالصَّيْفِ بِمِثْلِ ذَلِكَ، وَيَمْسِكُنْ يَكُنُّهُمْ مِنَ الْمَطَرِ، وَالصَّيْفِ وَالشَّمْسِ، وَغَيْرِ الْمَارَّةِ. وَبُرْهَانُ ذَلِكَ: قَوْلُ اللَّهِ تَعَالَى: ﴿فَاتِ ذَا الْقُرْبَىٰ حَقَّهُ وَالْمِسْكِينَ وَابْنَ السَّبِيلِ﴾، وَقَالَ تَعَالَى: ﴿وَبِالْوَالِدَيْنِ إِحْسَانًا وَبِذِي الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسْكِينِ وَالْجَارِ ذِي الْقُرْبَىٰ وَالْجَارِ الْجُنُبِ وَالصَّاحِبِ بِالْجَنبِ وَابْنَ السَّبِيلِ وَمَا مَلَكَتْ أَيْمَانُكُمْ إِنْ اللَّهُ لَا يُحِبُّ مَنْ كَانَ مُخْتَالًا فَخُورًا﴾، فَأَوْجَبَ تَعَالَى حَقَّ الْمَسَاكِينِ، وَابْنِ السَّبِيلِ، وَمَا مَلَكَتِ الْيَمِينُ مَعَ حَقِّ ذِي الْقُرْبَىٰ وَافْتَرَضَ الْإِحْسَانَ إِلَى الْأَبْوَيْنِ، وَذِي الْقُرْبَىٰ، وَالْمَسَاكِينِ، وَالْجَارِ، وَمَا *It is obligatory upon the wealthy people of every locality to provide for their poor, and the Sultan (ruler) must compel them to do so if the Zakat funds are insufficient for them, nor are there sufficient funds in the general wealth of the Muslims. They must be provided with the necessary sustenance they require to eat, clothing for winter and summer of a similar standard, and a dwelling that shelters them from rain, summer heat, sun, and the eyes of passersby. The proof for this is the statement of Allah the Exalted: “So give the relative his right, and [also] the poor and the traveler” [TMQ Surah Al-Israa’: 26], and He the Exalted said: ﴿وَبِالْوَالِدَيْنِ إِحْسَانًا وَبِذِي الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسْكِينِ وَالْجَارِ ذِي الْقُرْبَىٰ وَالْجَارِ الْجُنُبِ وَالصَّاحِبِ بِالْجَنبِ وَابْنَ السَّبِيلِ وَمَا مَلَكَتْ أَيْمَانُكُمْ إِنْ اللَّهُ لَا يُحِبُّ مَنْ كَانَ مُخْتَالًا فَخُورًا﴾ “And do good to parents, relatives, orphans, the needy, the near neighbor, the distant neighbor, the companion at your side, the traveler, and those whom your right hands possess. Indeed, Allah does not like those who are self-deluding and boastful” [TMQ Surah An-Nisaa’: 36]. Thus, the Exalted made obligatory the rights of the poor, the traveler, and those whom your right hands possess, along with the right of the relative, and He made obligatory kindness to parents and relatives, the poor, the neighbor, and those whom your right hands possess. And kindness necessitates all that we have mentioned, and withholding it is undoubtedly wrongdoing.”*

And it is an individual obligation (عين فرض fard ‘ayn) upon every capable Muslim who has surplus housing and becomes aware of a family without a home to shelter them, provided no one else has undertaken this responsibility. This sheltering should be for a temporary period to avert the harm of destitution, because making it permanent would cause harm to the benefactor—unless he consents to it, or the state of destitution persists for those he sheltered and his capacity to shelter them continues. This is because such a person is considered as an Ibn as-Sabeel (ابن سبيل a wayfarer), and a wayfarer's need is temporary, not permanent. This applies whether this individual or family agrees with us in Deen or disagrees, because repelling actual or anticipated harm from persons, honor, and wealth is an absolute obligation not restricted to those who agree in Deen. This is due to the generality

of Allah's saying, ﴿إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ وَإِيتَاءِ ذِي الْقُرْبَىٰ وَيَنْهَىٰ عَنِ الْفَحْشَاءِ وَالْمُنْكَرِ وَالْبَغْيِ يَعِظُكُمْ لَعَلَّكُمْ تَذَكَّرُونَ﴾ "Indeed, Allah orders justice and good conduct and giving to relatives and forbids immorality and bad conduct and oppression. He admonishes you that perhaps you will be reminded" [TMQ Surah An-Nahl: 90], and His saying, ﴿لَا يَنْهَاكُمُ اللَّهُ عَنِ الَّذِينَ لَمْ يُقَاتِلُوكُمْ فِي الدِّينِ وَلَمْ يُخْرِجُوكُمْ مِنْ دِيَارِكُمْ أَنْ تَبَرُّوهُمْ وَتُقْسِطُوا إِلَيْهِمْ إِنَّ اللَّهَ يُحِبُّ الْمُقْسِطِينَ﴾ "Allah does not forbid you from those who do not fight you because of Deen and do not expel you from your homes from being righteous and just toward them. Indeed, Allah loves those who act justly" [TMQ Surah Al-Mumtahanah: 8]—the latter verse indicates permissibility, while the former is a command.

It is also due to the general command in His saying, ﴿وَاعْبُدُوا اللَّهَ وَلَا تُشْرِكُوا بِهِ شَيْئًا وَبِالْوَالِدَيْنِ إِحْسَانًا وَبِذِي الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسَاكِينِ وَالْجَارِ ذِي الْقُرْبَىٰ وَالْجَارِ الْجُنُبِ وَالصَّاحِبِ بِالْجَنبِ وَابْنِ السَّبِيلِ وَمَا مَلَكَتْ أَيْمَانُكُمْ إِنَّ اللَّهَ يَأْمُرُ بِالْعَدْلِ وَالْإِحْسَانِ﴾ "Worship Allah and associate nothing with Him, and to parents do good, and to relatives, orphans, the needy, the near neighbor, the distant neighbor, the companion at your side, the traveler (Ibn as-Sabeel), and those whom your right hands possess. Indeed, Allah does not like those who are self-deluding and boastful" [TMQ Surah An-Nisaa': 36]—which does not specify a Muslim over a non-Muslim. The description Ibn as-Sabeel includes anyone who cannot find shelter, whether an individual or a family, because as-Sabeel means the path: their situation is similar. Therefore, by the explicit text of the verse, it is obligatory to treat Ibn as-Sabeel with kindness (إحسان ihsan), and there is no kindness in leaving him in the street with his child and family, or even alone; rather, that constitutes mistreatment and contravenes the explicit command to show kindness.

Fourth: The Shariah Rights Related to Housing

Given the importance of housing in human life, the Islamic Shariah has affirmed the right to housing for every individual in society, as previously discussed, and has also affirmed the rights associated with this right. We will clarify those rights as follows:

The Right to Freedom of Choosing and Using a Dwelling: Every human being has complete freedom to choose the location of his dwelling and the type of dwelling, according to his financial capabilities and social level. He also has complete freedom to choose the furniture he deems suitable for this dwelling, in accordance with his personal taste, provided there is no extravagance and wastefulness, and what achieves his comfort. Every human being has the right to use his dwelling in the manner that pleases him; he is only restricted in this by adhering to the Shariah rules and regulations which stipulate that there should be no harm and no reciprocation of harm. He is therefore obliged to use his dwelling in a way that does not cause harm to his neighbors or cause them annoyance of any kind.

Not Entering a Dwelling Without the Permission of Its Owner: And this is an affirmation of the inviolability of the home and a confirmation that it must not be violated. Islam has prohibited storming into a home without the permission of its owner, regardless of the intruder's status. For it is the right of every human being that no one enters his home except with his permission and consent, because a person's home is the place of his secrets and the abode of his family. Therefore, any entry without permission constitutes an aggression against the person himself and a violation of his home's sanctity, and this is impermissible, based on the saying of Allah (swt) Who said: ﴿يَا أَيُّهَا الَّذِينَ آمَنُوا لَا تَدْخُلُوا بُيُوتًا غَيْرَ بِيوتِكُمْ حَتَّىٰ تَسْتَأْذِنُوا وَتُسَلِّمُوا عَلَىٰ أَهْلِهَا ذَلِكُمْ خَيْرٌ لَّكُمْ لَعَلَّكُمْ تَذَكَّرُونَ فَإِنْ لَمْ تَجِدُوا فِيهَا أَحَدًا فَلَا تَدْخُلُوهَا حَتَّىٰ يُؤْذَنَ لَكُمْ وَإِنْ قِيلَ لَكُمْ آرْجِعُوا فَآرْجِعُوا ۚ هُوَ أَزْكَىٰ لَكُمْ وَاللَّهُ بِمَا تَعْمَلُونَ عَلِيمٌ﴾ "O you who have believed, do not enter houses other than your own houses until you ascertain welcome and greet their inhabitants. That is best for you; perhaps you will be reminded. But if you do not find anyone

therein, do not enter them until permission has been given you. And if it is said to you, 'Go back,' then go back; it is purer for you. And Allah is Knowing of what you do" [TMQ Surah An-Nur: 27-28].

We deduce from these two noble verses that they established the sanctity of the home in the most complete and perfect manner, fourteen centuries before international constitutions and declarations on human rights recognized this. It is impermissible for a person to enter another's house without their permission. Even if he finds no one from the household present, he is not allowed to enter until he obtains permission from the owner of the house; because the home is the repository of a person's secrets, it is not permissible to storm it and access these secrets, even if its owner is outside for work or to attend to a need. This verse further emphasized the prohibition of entering houses without the permission of their owners by commanding the one seeking entry to turn back if requested by the homeowner, as Allah (swt) said: ﴿وَإِنْ قِيلَ لَكُمْ ارْجِعُوا فَارْجِعُوا هُوَ أَزْكَى لَكُمْ ۗ وَاللَّهُ بِمَا تَعْمَلُونَ عَلِيمٌ﴾ **"And if you are told, 'Go back,' then go back; that is purer for you. And Allah is Knowing of what you do"** [TMQ An-Nur: 28].

The care of Islam to affirm the sanctity of the home and to prevent entry without the owner's permission was so great that Allah (swt) guided Muslims to teach their children who have not yet reached puberty the etiquettes of seeking permission. He (swt) said: ﴿يَا أَيُّهَا الَّذِينَ آمَنُوا لِيَسْتَأْذِنَكُمْ الَّذِينَ مَلَكَتْ أَيْمَانُكُمْ وَالَّذِينَ لَمْ يَبْلُغُوا الْحُلُمَ مِنْكُمْ ثَلَاثَ مَرَّاتٍ ۚ مِنْ قَبْلِ صَلَاةِ الْفَجْرِ وَحِينَ تَضَعُونَ ثِيَابَكُمْ مِنَ الظَّهِيرَةِ وَمِنْ بَعْدِ صَلَاةِ الْعِشَاءِ ۚ ثَلَاثُ عَوْرَاتٍ لَكُمْ ۚ لَيْسَ عَلَيْكُمْ وَلَا عَلَيْهِمْ جُنَاحٌ بَعْدَهُنَّ طَوَافُونَ ۚ عَلَيْكُمْ بَعْضُ عَلَىٰ بَعْضٍ ۚ كَذَلِكَ يُبَيِّنُ اللَّهُ لَكُمُ الْآيَاتِ ۚ وَاللَّهُ عَلِيمٌ حَكِيمٌ﴾ **"O you who have believed, let those whom your right hands possess and those who have not yet reached puberty among you ask permission of you before entering at three times: before the Fajr Salah and when you put aside your clothing for rest at noon and after the 'Isha Salah. These are three times of privacy for you. There is no blame upon you nor upon them beyond these periods, for they continually circulate among you - some of you, among others. Thus does Allah make clear to you the verses; and Allah is Knowing and Wise"** [TMQ Surah An-Nur: 58].

Prohibition of Seizure of the Home Without a Legitimate Shariah Justification: If a person owns a dwelling, his ownership of it is protected by Shariah. It is not permissible for anyone to violate this ownership by seizing it or destroying it through demolition or otherwise, unless this is done by the ruler and is required by a public interest, such as widening a road that causes harm to passersby due to its narrowness or similar reasons, provided that the owner is compensated.

In summary, Islam has granted man the right to housing and has endowed the dwelling with sanctity and inviolability, because it is the repository of his secrets and the abode of his family. Therefore, it is not permissible for anyone to spy on it or to enter his home without his permission.

Thus, housing is a fundamental need for every human being and one of the necessities for a dignified life. The state is obligated to provide housing for all, along with the rest of the basic and essential needs for human life. This is what Islam has brought and what is established in Islamic Shariah. It is entirely different from what is adopted by man-made constitutions, and the reason for this difference lies in the differing view of the role of the state. For the role of the state in Islam is to care for and protect the interests of the people in a manner that agrees with and is harmonious with the objectives of Islamic Shariah.