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ISLAMIC LAW
A SIMPLIFIED PRESENTATION
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◆ CHAPTER 6: ◆

ZAKAT

Chapter 6

Zakat

Definition: Linguistically speaking, the Arabic word *zakat* signifies growth and increase. In Islamic contexts it refers to a duty imposed on money that exceeds a certain threshold, bound by time and is payable to specific groups.³¹⁴

Status: Zakat is an Islamic obligation and one of the five pillars upon which the structure of Islam is built. It is indeed the most important *rukn* of Islam after prayer. Allah says: ‘Attend regularly to your prayers and pay your zakat’ (73: 20). ‘Take a portion of their money as charity, so that you may cleanse and purify them thereby’ (9: 103). The Prophet (peace be upon him) says: ‘Islam has been built on five pillars: testifying that there is no deity other than Allah worthy of being worshipped and that Muhammad is the Messenger of Allah (peace be upon him), attending to the prayers, paying the zakat, making the pilgrimage to the Sacred House, and fasting in Ramadan.’³¹⁵

When the Prophet (peace be upon him) sent his Companion, Mu’adh ibn Jabal as governor of Yemen, he gave him instructions as follows: ‘Call on them to believe and declare that there is no deity other than Allah worthy of being worshipped and that I am Allah’s messenger. If they accept this

³¹⁴ Al-Nadawi, *Al-Fiqh al-Muyassar*, p. 121.

³¹⁵ Related by al-Bukhari, *hadith* No. 8; Muslim, *hadith* No. 16.

from you, then inform them that Allah has made it obligatory for them to offer five prayers on every day and night. If they accept this from you, then inform them that Allah has imposed on them a charity duty that will be taken from the rich among them and paid to the poor.’³¹⁶

All Muslims throughout the world agree that it is a binding duty, and the Prophet’s (peace be upon him) Companions agreed to fight those who rebelled against it.³¹⁷

Denying zakat

Anyone who denies the duty of zakat, such a person is considered an apostate, and the rulings of apostasy apply to him.³¹⁸

Withholding zakat

A person who does not pay zakat out of greed, while recognizing that it is obligatory, commits a grave sin but is not considered an unbeliever. Zakat is an aspect of faith, but its non-fulfilment does not take a person out of the faith. In reference to the one who withholds zakat, the Prophet (peace be upon him) said: ‘He will then take his way, either to heaven or to hell.’³¹⁹ The possibility that he may go to heaven means

³¹⁶ Related by al-Bukhari, *hadith* No. 1,395; Muslim, *hadith* No. 19.

³¹⁷ Al-Nadawi, *Al-Fiqh al-Muyassar*, p. 122.

³¹⁸ Al-Nadawi, *Al-Fiqh al-Muyassar*, p. 122.

³¹⁹ Related by Muslim, *hadith* No. 987.

that he is not an unbeliever. Such a person is liable to punishment and zakat is taken from him by force. If he fights to withhold it, he is fought until he submits to Allah's command and pays his zakat. Allah says: 'Yet if they should repent, establish prayer and pay the zakat, let them go their way. For Allah is Forgiving and Merciful' (9: 5). Abu Bakr said: 'By Allah, if they deny to pay out a young goat, less than a year old, which they used to pay to Allah's messenger, I would fight them for it.'³²⁰

Properties liable to zakat

Zakat is payable on five types of property:

1. Cattle, including camels, cows and sheep: Abu Hurayrah reports that the Prophet (peace be upon him) said: 'Any owner of camels, cows or sheep who does not pay out their dues shall be made to sit at the bottom of Qarqar Valley on the Day of Judgement when the hooved animals will step over him and the horned ones will hit him with their horns.'³²¹
2. Gold and silver, and what takes their role (such as currency): Allah says in the Qur'an: 'To those who hoard up gold and silver and do not spend them in Allah's cause, give the news of a painful suffering' (9: 34). The Prophet (peace be upon him) says: 'Anyone who owns gold or silver but does not pay out their dues shall come on the

³²⁰ Related by al-Bukhari, *hadith* No. 1,400; Muslim, *hadith* No. 20.

³²¹ Related by Muslim, *hadith* No. 988.

Day of Judgement when plates of fire shall be made ready for him, and they will be heated in hell then his forehead, side and back shall be branded with them. When they cool down, they will be reheated. That day is as long as 50 thousand years.’³²²

3. Commercial goods: These include everything offered for sale for profit. Allah says: ‘Believers, spend on others out of the good things you have earned’ (2: 267). Scholars generally agree that this Qur’anic statement refers to commercial goods.
4. Grains and fruits: Grains include every type of grain that is edible and can be stored, such as wheat, barley, corn, etc. Fruits refer to dates and raisins. Allah says: ‘Believers, spend on others out of the good things you have earned, and out of that which We bring forth for you from the earth’ (2: 267). The Prophet (peace be upon him) says: ‘For whatever is irrigated by rain and springs, or needs no irrigation, a zakat duty of one tenth (i.e. 10%) is payable, and for whatever is irrigated by camels, the zakat duty is half of one tenth (i.e. 5%).’³²³ Under that which is ‘irrigated by camels’ we may include whatever is irrigated by labour and machines. The point of difference is the cost involved in irrigating the second type.
5. Mineral resources and *rikaz*, or what was buried in the ground by people of past generations: The basis of making zakat payable for these resources is the same verse as for fruits and grains: ‘Believers, spend on others out of the

³²² Related by Muslim, *hadith* No. 987.

³²³ Related by al-Bukhari, *hadith* No. 1,483.

good things you have earned, and out of that which We bring forth for you from the earth' (2: 267). The Prophet (peace be upon him) says: 'A duty of one fifth (i.e. 20%) is payable for *rikaz*.'³²⁴ Scholars are generally agreed that zakat is payable for mineral resources.³²⁵

Social effects of zakat

Zakat has very important objectives and yields numerous benefits, such as:

1. Blessing one's money, purging it of stigma and protecting it against negative influences.
2. Removing traces of greed and miserliness from the heart of the zakat payer. It erases his sins and trains him to give generously for Allah's cause.
3. Looking after the poor and the needy and helping the deprived.
4. Spreading an atmosphere of mutual love and care within the Muslim community.
5. Giving thanks to Allah for giving us more than we need for our living.
6. It is a demonstration of true belief in Allah.
7. It earns Allah's pleasure and leads to bestowing more of Allah's grace and blessings.

³²⁴ Related by al-Bukhari, *hadith* No. 1,499; Muslim, *hadith* No. 1,710.

³²⁵ Al-Nadawi, *Al-Fiqh al-Muyassar*, p. 24.

Economic benefits of zakat

1. It plays a very important role in the redistribution of wealth and income.
2. It goes a long way in solving the problems of the poor and the needy.
3. It is instrumental in the redistribution of resources among the different areas of investment and consumption.
4. It encourages better productivity and greater consumption.

Conditions: Zakat is a duty incumbent on those who meet the following conditions:

1. Islam: Zakat is not accepted from unbelievers in Islam, because it is a financial worship which brings a Muslim closer to Allah. No worship is acceptable from an unbeliever until he or she embraces Islam. Allah says: ‘What prevents their charity from being accepted from them is that they have disbelieved in Allah and His Messenger’ (9: 54).
2. Freedom: No zakat is taken from slaves.
3. True and settled ownership of the threshold of zakat—in excess of a person’s necessities, such as food, clothes and residence.
4. The turn of a full lunar year after the ownership of the threshold of zakat. The Prophet (peace be upon him) says: ‘No zakat is due on any property until the turn of a

year.’³²⁶ This condition does not apply to agricultural produce, mineral resources or *rikaz*. With regard to agricultural produce, Allah says: ‘Eat of their fruit when they come to fruition, and give (to the poor) what is due to them on harvest day’ (6: 141). Mineral resources and *rikaz* are gained from the ground, and as such the condition of the turn of the year does not apply to it.

Zakat due on loans

If the borrower is facing hardship and cannot repay the debt, the lender pays zakat for the loan once it is repaid. If it had been with the borrower for several years, the lender pays its zakat for one year only. On the other hand, if the loan is given to someone who has money and is able to repay it, its zakat is due on the lender every year, because financial instruments being with someone able to repay them is like its being with the lender.³²⁷

Zakat on gold and silver

Zakat is payable on gold and silver, which were the standard currencies for long periods of history, as Allah says: ‘To those who hoard up gold and silver and do not spend them in Allah’s cause, give the news of a painful suffering’ (9: 34). Needless to

³²⁶ Related by al-Tirmidhi, *hadith* No. 632; Ibn Majah, *hadith* No. 1,792; al-Bayhaqi in *Al-Sunan al-Kubra*, vol. 4, p. 173.

³²⁷ Al-Nadawi, *Al-Fiqh al-Muyassar*, p. 126.

say, such warnings are given only in the case of neglecting a duty. As we noted, the Prophet (peace be upon him) says: ‘Anyone who owns gold or silver but does not pay out their dues shall come on the Day of Judgement when plates of fire shall be made ready for him, and they will be heated in hell then his forehead, side and back shall be branded with them. When they cool down, they will be reheated. That day is as long as 50 thousand years, until Allah has judged between His servants.’ Furthermore, scholars are unanimous that if one owns 200 dirhams (i.e. the silver currency), he pays five dirhams annually in zakat, and if one owns 20 weights or dinars (i.e. gold currency) then zakat is payable on that gold.

What is due on gold and silver

The zakat payable on gold and silver is 2.5%, which means that for 20 dinars (a dinar was the gold currency) half a dinar is payable. For any little or great amount above that the same rate of 2.5% applies. Likewise, for 200 dirhams of silver five dirhams are payable, and for any greater amount the same rate applies. The Prophet (peace be upon him) says: ‘On silver the payable zakat is a quarter of one tenth.’³²⁸

Conditions for the zakat obligation to apply

For zakat to be payable on gold and silver, the following conditions must apply:

³²⁸ Related by al-Bukhari, *hadith* No. 1,454.

1. Ownership of the threshold of zakat, which is 20 weights or dinars of gold. The *hadith* reported by [Ali quotes the Prophet (peace be upon him) as saying: ‘...In the case of gold, you have nothing to pay until you own 20 dinars. If you have 20 dinars and you have had it for a year, the duty is to pay half a dinar...’³²⁹ and this threshold is estimated to be equivalent to 85 grams. The threshold for silver is 200 dirhams, as the Prophet (peace be upon him) said: ‘No zakat is due on any amount less than five ounces,’³³⁰ and the ounce is equal to 40 dirhams. Thus the threshold is equivalent to 200 dirhams, which is equivalent now to 595 grams of silver. The Prophet (peace be upon him) says: ‘On silver the payable zakat is a quarter of one tenth. If one has only 199 dirhams, then no duty is payable.’
2. The passing of one lunar year with the gold or silver in possession of a Muslim. If a person has the threshold of gold or silver for less than one year, there is no zakat on it.

Combining gold and silver

The weightier view is that gold and silver are not counted together in calculating the threshold of zakat because they are two different kinds of precious metals. Therefore, they are

³²⁹ Related by Abu Dawud, *hadith* No. 1,573.

³³⁰ Related by Abu Dawud, Book 9, *hadith* No. 3

treated like different kinds of other possessions, such as in the case of camels and cows, or barley and wheat.³³¹

Zakat on jewellery

There is no zakat on jewellery other than gold and silver. This means that there is no zakat on precious stones such as rubies or diamonds, regardless of their market value. Zakat is due only on gold and silver. ‘A woman came to see Allah’s messenger with her daughter, and the girl had two thick gold bracelets. The Prophet (peace be upon him) asked her: “Do you pay zakat for these?” She said: “No.” He said: “Will you be pleased if Allah gives you for them two bracelets made of fire on the Day of Judgement?” She took them off and gave them to the Prophet (peace be upon him).’³³² This *hadith* is definitive on this question and is supported by another *hadith* in authentic anthologies.

Some scholars have discussed at length the difference of opinion among scholars on this issue, arriving at the following conclusions:

1. Zakat is payable on jewellery kept as savings or for investment. The same applies to jewellery kept for personal use if the use is forbidden, such as gold and silver

³³¹ Al-Nadawi, *Al-Fiqh al-Muyassar*, p. 128.

³³² Related by Ahmad, vol. 11, p. 248; Abu Dawud, *hadith* No. 1,563; al-Tirmidhi, *hadith* No. 637; al-Nassa’i, vol. 5, p. 38; al-Bayhaqi, vol. 4, p. 140.

- plates and cutlery, or gold jewellery for men, or women's jewellery that is clearly excessive.
2. Zakat is not payable on jewellery kept for permissible use, such as women's jewellery – within reasonable limits – and a man's silver ring, as it cannot grow. Moreover, it is an article of personal need, like one's clothes and furniture.
 3. The same applies to permissible jewellery owned by a woman who wears or lends it freely, or is owned by a man for his family's use or who lends it.
 4. Jewellery and other gold and silver articles that are liable to zakat pay 2.5% annually in zakat, together with the person's other property, if any.
 5. It is a condition for zakat payable on such jewellery that the jewellery is, in itself or together with the person's other zakatable property, above the threshold of zakat, i.e. 85 grams of gold. In arriving at this figure, the value is considered, not the weight, because there is an added value for the manufacture of the jewellery.³³³

Commercial commodities

This refers to everything, of whatever type, a Muslim prepares for trading. It is the largest and most comprehensive type of property liable to zakat. These are kept for business that aims to make profit. Zakat is payable on all such commodities, as the generally phrased Qur'anic statement indicates: 'They would

³³³ Y. al-Qaradawi, *Fiqh al-Zakat*, vol. 1, pp. 323–4.

give a rightful share of their possessions to the one who asks [for help] and the one who is deprived' (51: 19). 'Believers, spend on others out of the good things you have earned' (2: 267). The Prophet (peace be upon him) said to Mu'adh ibn Jabal when he was about to leave to take up his post as governor of Yemen: 'Inform them that Allah has imposed on them a zakat duty that is taken from their wealthy and given to their poor.'³³⁴ Undoubtedly, commercial commodities represent money and are possessions.

Conditions applicable to commercial commodities

1. Their ownership.
2. They should be owned with the intention of trading. If a person inherits and sells what he inherited, there is no zakat on it as he sold it to get rid of it and not to invest it again. If he sold it to reinvest it again, this means he has to begin calculating zakat from the moment his intention changed to trading.
3. Their value should be equivalent to, or more than, the threshold of zakat.
4. The turn of a lunar year over the commercial commodities and their price. Usually, this is marked by the beginning date of such trading. On that particular day, the trader calculates the value of the merchandise in addition to the cash he has and gives 2.5% as zakat.

³³⁴ Related by al-Bukhari, *hadith* No. 1395

Moreover, the five conditions we have mentioned at the beginning of this chapter also apply to commercial commodities. When a year has turned, their value is estimated. If their total value is more than the threshold of zakat, a duty of 2.5% is payable in zakat. In calculating the value of commercial commodities, the purchase price is not taken into account. They should be valued at the time when zakat is payable, i.e. at the turn of a year, because the value of any commercial goods may vary from time to time.

What the earth produces

Zakat is payable on what is produced from the earth, as is clearly stated in the Qur’anic verse: ‘Believers, spend on others out of the good things you have earned, and out of that which We bring forth for you from the earth’ (2: 267). Zakat becomes due when grains are fully grown, and in other types when they appear to be good and may be eaten. On such produce the condition of the turn of the year does not apply, because Allah says: ‘Give (to the poor) what is due to them on harvest day’ (6: 141). Zakat is payable on all kinds of produce that are measured by volume and can be stored, such as wheat, barley, corn, rice, dates, raisins etc. It is not due on fruits and vegetables, because the Prophet (peace be upon him) mentioned packing as a criterion and storage, which fits with the general perspective of zakat.³³⁵

³³⁵ Al-Nadawi, *Al-Fiqh al-Muyassar*, p. 131.

Fruits, vegetables and other agricultural produce that are prepared for immediate sale are liable to zakat not as products of earth but as commercial goods.

Conditions: Two conditions should be met to make zakat payable for agricultural produce:

1. The produce should be equivalent to, or more than, the threshold, which is five measures defined by the Prophet (peace be upon him). This is equivalent in our present day measures to 612 kilograms of grain. The Prophet (peace be upon him) says: ‘No zakat is due for what is less than five *wisqs*.’³³⁶
2. The owner should own the threshold of zakat at the time when zakat is due.

The amount payable

For agricultural produce that is irrigated without cost, such as that irrigated by rain or natural springs, the zakat duty is 10%, while if irrigation depends on labour and machines, the duty is 5%. This is based on the *hadith* that says: ‘For what is irrigated by rain, rivers and springs, or does not need irrigation, the zakat is one tenth, and for what is irrigated by camels, the zakat is half of one tenth.’³³⁷

Honey

³³⁶ Related by al-Bukhari, *hadith* No. 1,405; Muslim, *hadith* No. 979. A *wisq* is a volume measure estimated to be equal to 122 kilograms.

³³⁷ Related by al-Bukhari, *hadith* No. 1,483; Abu Dawud, *hadith* No. 1,696.

The majority of scholars are of the view that no zakat is payable for honey. This appears to be the case because there is no clear statement in the Qur'an or the Sunnah mentioning it. The rule is that unless there is evidence to state an obligation, then no obligation exists. Imam al-Shafi'i said: 'The *hadith* that mentions that one tenth is levied on honey is poor in authenticity, as is the other report, except for what is mentioned by [Umar ibn [Abd al-[Aziz. My view is that no zakat is payable for honey. There are confirmed reports and *hadiths* stating the types that are liable to zakat, but we have no confirmed report concerning honey. This suggests that it is not required.' Ibn al-Mundhir said: 'There is no report that stands to proper examination concerning the payment of zakat on honey.'³³⁸

Zakat on *rikaz*

Rikaz refers to whatever is found of gold, silver, or anything else that bears the sign of pre-Islamic era which was buried by unbelievers and does not require much labour or great expense to recover. If it requires expense and labour to recover, then it is not *rikaz*.³³⁹ One fifth of it, whatever the quantity, is paid as zakat. The conditions of meeting the threshold of zakat and the turn of the year do not apply to *rikaz*. The Prophet's (peace be

³³⁸ Al-Nadawi, *Al-Fiqh al-Muyassar*, p. 132; Sabiq, *Fiqh al-Sunnah*, vol. 1, p. 362.

³³⁹ Al-Zuhaili, *Al-Fiqh al-Islami*, vol. 3, p. 1,859.

upon him) *hadith* is very general, as he says: ‘One fifth is due on *rikaz*.’³⁴⁰

Rikaz is used to pay for the national interests of the Muslim community. It may be of any type, not necessarily gold or silver.

Minerals

Minerals refers to everything that comes out of the ground, which is neither of its structure nor a plant, whether liquid like oil, or solid like iron, copper, gold and silver. As we have already noted, minerals are subject to zakat according to the majority of scholars. Their view is based on the fact that statements referring to what the earth yields are general and cover all mineral resources, as mentioned in the Qur’anic verse that says: ‘Believers, spend on others out of the good things you have earned, and out of that which We bring forth for you from the earth’ (2: 267).

Cattle

Cattle includes camels, cows and sheep which also includes goats. Zakat is liable on all these.

Conditions: The following conditions must be met in order for cattle to be liable to zakat:

³⁴⁰ Related by al-Bukhari, *hadith* No. 1,499; Muslim, *hadith* No. 1,710.

1. The threshold of zakat must be met, and the threshold is five camels, 30 cows or 40 sheep. The Prophet (peace be upon him) says: ‘No zakat is payable for less than five camels.’³⁴¹ Mu’adh reports: ‘Allah’s messenger sent me to Yemen to collect their zakat dues. He instructed me to take a one-year-old cow for every 30 cows, and a two-year-old one for every 40.’³⁴² The Prophet (peace be upon him) also said: ‘If a man’s cattle is less than 40 sheep, no zakat is payable for them, unless the owner wishes otherwise.’³⁴³
2. The cattle should meet the threshold and remain for a full year with their owner, as the Prophet (peace be upon him) says: ‘No property is liable to zakat until it has turned a year.’
3. The cattle should graze for most of the year in open fields that grow naturally. The Prophet (peace be upon him) says: ‘On sheep grazing in open fields: one sheep is due for any amount between 40 and 120 sheep.’³⁴⁴ He also says: ‘On naturally grazing camels, a two-year-old she-camel is payable.’³⁴⁵ If the cattle graze for a short period during the year and are fed for most of it, then no zakat is payable for them.
4. The cattle should not be used for purposes like tilling the earth or carrying goods, because such animals are considered to be among man’s essential needs like clothes.

³⁴¹ Related by al-Bukhari, *hadith* No. 1,447; Muslim, *hadith* No. 979.

³⁴² Related by Ahmad, vol. 36, p. 403; Abu Dawud, *hadith* No. 1,576; al-Tirmidhi, *hadith* No. 623.

³⁴³ Related by Al-Bukhari, *hadith* No. 1,454.

³⁴⁴ Ibid.

³⁴⁵ Related by Abu Dawud, *hadith* No. 1,575.

If the animals are hired to other people, the income is liable to zakat at the turn of the year.

The payable duty

For camels: For five camels, a one-year-old sheep or a two-year-old goat is due. For 10 camels two sheep; for 15 camels three sheep and four sheep are due for 20 camels. For any number between 25 and 35 camels a one-year-old she-camel is due. If the owner cannot find such a she-camel, then a two-year-old male camel suffices. If there are between 36 and 45 camels, a two-year-old she-camel is due. For 46-60 camels, a three-year-old she-camel is due. For 61-75 camels, a four-year-old she-camel is due. For 76-90 camels, two 2-year-old she-camels are due, and for 91-120 camels, two 3-year-old she-camels are due. When the number of camels is above 120 the zakat payable is one two-year-old she-camel for every 40 camels or one three-year-old she-camel for every 50.

For cows: A one-year-old cow is due for 30-39 cows, and a two-year-old one is due for 40 cows. When the number of cows is greater, the zakat due is calculated by multiples of these figures: a one-year-old cow for every 30, and a two-year-old cow for every 40.

For sheep: For 40-120 sheep, one sheep is due in zakat; and for 121-200, two sheep become due. For 201-300, three sheep are due. Then one sheep is due in zakat for every one hundred

sheep above 300. The *hadith* detailing these is reported by Anas who quotes the Prophet (peace be upon him): ‘For free grazing sheep, one sheep is due for 40, up to 120 sheep, when they are above 120 then two sheep are due until they reach 200. If they are more than 200, and up to 300, three sheep are due. Above 300, a sheep is due for every one hundred.’

Which animal to give in zakat

Islam requires that what is given in zakat should be of the average quality of the flock or herd owned by a person, and not be of the highest or lowest quality. In animals, the age is very important. An animal that is younger than what is specified is insufficient and deprives the poor of some of what is due to them, and one that is older may be an unfair loss to the owner.

The zakat officer must not take an animal which is ill, defective or old because it does not benefit the poor. On the other hand, he should not take a fat animal that is intended for food, or a pregnant one, or the one that is looking after its calf, or the ram prepared for breeding, or the best looking animal. To take any of these is to be unjust to the owner. The Prophet (peace be upon him) told one of his Companions he sent to collect zakat: ‘Do not touch their best property.’³⁴⁶

Mixing cattle

³⁴⁶ Related by al-Bukhari, *hadith* No. 1,395; Muslim, *hadith* No. 19.

This is done in two ways: mixing individual animals, when the flock is owned by two people, without separating them so as to know which belongs to whom. This happens either through inheritance or through purchase. The other way is mixing by appearance, which means that what belongs to each owner is known, but they are neighbours.

Both ways make the two properties as one. If the total is equal to or above the threshold of zakat, then both owners are liable to zakat. However, if one of them is a non-Muslim, the mixing does not apply. The two properties should share the same pen or sheepfold, grazing area, milking place and have the same stallions. When these conditions are met, the two properties are treated as one. The Prophet (peace be upon him) said: ‘What is separate should not be joined together, and what is joined should not be separated to evade zakat. The two owners of a mixed flock divide what is due equally between them.’³⁴⁷ Mixing may make zakat payable or may waive it altogether. This is applicable to zakat on cattle only.

It is sinful to mix animals in order to dodge zakat. An example of joining the separate properties is the case of three people who each have 40 sheep, making 120 in total. If each of them is to pay his own zakat, each will give one sheep, while if they join their properties together, the zakat due on them all is one sheep. Thus, joining the separated flocks makes the zakat due one sheep instead of three and this is prohibited if it were to avoid zakat.

³⁴⁷ Related by al-Bukhari, *hadith* No. 1,450.

An opposite case is that of two men having 40 sheep. When they are aware of the approach of the zakat officer, they separate their sheep, keeping 20 in one place and 20 in another. Neither flock becomes liable to zakat. This is also prohibited as they are trying to trick Allah to skip paying zakat

Zakat al-Fitr

This zakat is given its name because it becomes due when the month of Ramadan is over. It is not levied on property, but on heads and people.³⁴⁸

Ruling: Zakat al-Fitr is a duty incumbent on every Muslim. Ibn [Umar reports: ‘Allah’s messenger made the Zakat al-Fitr, a *sa'*³⁴⁹ of dates or barley, binding on every Muslim: slave or free, male or female, young or old.’³⁵⁰

Conditions: Zakat al-Fitr is a duty that applies to all Muslims, whether they are young or old, male or female, as clearly stated in the *hadith* quoted above. It is also recommended to be paid for the unborn embryo if the pregnancy is past four months. People in the early period of Islam used to do so, as

³⁴⁸ Al-Nadawi, *Al-Fiqh al-Muyassar*, p. 141.

³⁴⁹ This is a measure equal to four times the capacity of an average man’s two cupped hands.

³⁵⁰ Related by al-Bukhari, *hadith* No. 1,503; Muslim, *hadith* No. 984.

authentically reported to have been done by [Uthman and others.

Every Muslim must pay it on his own behalf and on behalf of those whom he is duty bound to support, such as his wife and offspring. In the days of slavery, a master had to pay it for his slave. The Prophet (peace be upon him) said: ‘No zakat is payable on slaves except the Zakat al-Fitr.’³⁵¹ As a duty, Zakat al-Fitr applies to everyone who has more than what he needs for his food and the food of his dependants for the day and the night of the Eid. If one has in excess of that, which is enough to pay this zakat, then one must pay it.³⁵² This means that there are two conditions for this zakat to be payable: 1) Islam. It is not paid by non-Muslims; and 2) having more than one needs for his essential needs for the day and night of the Eid.

Purpose: Zakat al-Fitr is made a duty as a condition to ensure a number of great benefits,³⁵³ such as:

1. It is a spiritual purification for the person who has completed the fasting in Ramadan. He might have slipped on occasions, committing some unintended errors.
2. It enables the poor and the needy to enjoy the Eid without having to ask anyone for food. They share the delight that the Eid brings to all people in the community. Ibn [Abbas said: ‘Allah’s messenger stipulated Zakat al-Fitr as

³⁵¹ Related by Muslim, *hadith* No. 982.

³⁵² Al-Nadawi, *Al-Fiqh al-Muyassar*, p. 141.

³⁵³ Ibn Qudamah, *Al-Mughni*, vol. 3, p. 55; al-Bahuti, *Kashshaf al-Qina* [, vol. 2, p. 287.

purification for the fasting person from any frivolous talk or obscenity and as food for the needy.³⁵⁴

3. It is a demonstration of gratitude to Allah for enabling us to fast during the month of Ramadan and to offer night worship and do other good works in a totally blessed month.

What and how much

The amount due is four times the fill of a man's cupped hands of wheat, barley, dates, raisins, dried yogurt, rice, corn, etc. which should be a staple food of one's community. This is well established in a number of authentic *hadiths*, such as the one quoted above by Ibn [Umar. A group of people may give their Zakat al-Fitr to one person, and one person may give his to a group.

Payment of the price of the food is not an appropriate alternative to giving the food itself, because paying the price is contrary to what the Prophet (peace be upon him) ordered and to the practice of the Prophet's (peace be upon him) Companions. They used to pay it in kind. Moreover, Zakat al-Fitr is an act of worship required to be fulfilled with food, and it is wrong to give it in any different form.³⁵⁵

³⁵⁴ Related by Abu Dawud, *hadith* No. 1,609; Ibn Majah, *hadith* No. 1,827; al-Hakim, vol. 1, p. 409.

³⁵⁵ Ibn Qudamah, *Al-Mughni*, vol. 3, p. 60.



This is the view of Malik, al-Shafi [i, Ahmad ibn Hanbal, Ibn Hazm and others. The Hanafi school of *Fiqh* and al-Thawri say that it is appropriate to pay the price of the same quantity of food. This is also reported to be the view of [Umar ibn [Abd al- [Aziz and al-Hasan al-Basri.

The scholars have discussed this point at length. Though ‘the permissibility of paying Zakat al-Fitr in value, rather than in kind, is indicated in the *hadith* that quotes the Prophet (peace be upon him): “Make them [i.e. the poor] self-sufficient on this day”, and this is fulfilled by paying the value as well as by giving food; it is best if possible to follow the Sunnah exactly by giving it as food. While this is easier and more feasible in our present time, particularly in industrial areas where people conduct all their transactions in money, the issue is not one of convenience. In many modern societies, the giving of wheat or dates may not be welcomed as this is not the staple used in their home. It appears that the Prophet (peace be upon him) stated that Zakat al-Fitr is paid in food for two reasons: 1) money was scarce among the Arabs at the time, which made it easier to give their zakat in kind; and 2) the purchase power of money differs from time to time, while a quantity of food meets a certain human need. During the Prophet’s (peace be upon him) time, food was easier to give and better for the person in need. If we can do the same without worrying that the food will be unwelcome or otherwise not useful for the person in question, that is certainly best. If we have doubts though, and find that the money will be more useful and welcome to the poor person,

there should be no harm in giving it in value rather than in kind.³⁵⁶

Some scholars of the Hanafi school of *Fiqh* say that it is better to give Zakat al-Fitr in kind at all times, because this complies with the Sunnah. Others give more details, saying that in times of hardship and scarcity of food it is better to pay this zakat in kind, but in times of plenty, paying it in money is better because it is more helpful to the poor.

Time

Zakat al-Fitr becomes due when the sun has set on the last day of Ramadan, because this is what signals the end of the fast. The time to pay it is divided into two parts: the preferable one and the acceptable one. The preferable time is from the break of dawn on the Eid day until shortly before the Eid prayer. This is based on the *hadith* reported by Ibn [Umar: ‘The Prophet (peace be upon him) ordered that the Zakat al-Fitr should be paid out before people go out to offer the Eid prayer.’³⁵⁷ The acceptable time is one or two days before the Eid, as Ibn [Umar and other Companions of the Prophet (peace be upon him) did that.

It may not be delayed until after the Eid prayer has been offered. If it is so delayed, it counts as an ordinary charity, and the person delaying payment is deemed to have committed an

³⁵⁶ Al-Qaradawi, *Fiqh al-Zakat*, vol. 2, p. 960.

³⁵⁷ Related by al-Bukhari, *hadith* No. 1,503; Muslim, *hadith* No. 984.

offence. The Prophet (peace be upon him) said: ‘For whoever pays it before the prayer, it is well and accepted, and for the one who pays it after the prayer, it counts as an ordinary charity.’³⁵⁸ This type of zakat must be given only to the poor and needy.

The beneficiaries of zakat

Zakat is payable only to those who may benefit by it. These are the eight classes named in the following verse: ‘Zakah expenditures are only for the poor and for the needy and for those employed to collect [zakah] and for bringing hearts together [for Islam] and for freeing captives [or slaves] and for those in debt and for the cause of Allah and for the [stranded] traveler - an obligation [imposed] by Allah. And Allah is Knowing and Wise.’ (9: 60). To give more details about these classes:³⁵⁹

1. The poor: A poor person is one who does not have enough to meet his and his dependants’ needs of food, drink, clothes and home. He may have nothing, or may not have enough. He is given what meets his needs for a full year.
2. The needy: A needy person is one who gets half what he needs for living, or even more than half. He is given out of zakat funds what he needs for a year.
3. Administrative workers: This refers to anyone assigned by the Muslim ruler to collect zakat. The ruler gives him what he needs during his travel until he returns, even though he may be rich. This is because such a person devotes his time

³⁵⁸ Related by Abu Dawud, *hadith* No. 1,609; Ibn Majah, *hadith* No. 1,827; al-Hakim, vol. 1, p. 568.

³⁵⁹ Ibn Qudamah, *Al-Mughni*, vol. 3, p. 116.

to this work. The administrative workers include all those who are given the tasks of collecting, recording, safeguarding and distribution of zakat to its rightful beneficiaries.

This certainly applied when Muslim governments undertook the collection and distribution of zakat, however, in modern times most, if not all, Muslim governments have abandoned this duty. However, there are many civil and charitable organizations which have taken on this responsibility and undertake this duty. These may deduct from what they collect of zakat money to pay to their staff, who are employed for this task. However, they may not pay zakat money except for their work in the administration of zakat. If a member of staff works only half of his working hours on zakat duties, while the other half is devoted to other aspects of his employment, he may be paid only half his salary out of zakat funds.

4. Those whose hearts are to be won over: These are people who may be unbelievers and they are given money out of zakat to win their goodwill towards Islam, or they may be Muslims but not very strong in faith, or they are people who have non-Muslim relatives who need to be encouraged to look favourably at Islam, or whose help is needed, etc.
5. The freeing of people in bondage: This refers to Muslim slaves who may be bought to give them their freedom. Their price may be paid out of zakat funds. Alternatively, a slave might have agreed a deal to buy his own freedom,

and he or she is given what helps them to complete the deal and buy their freedom. This enables slaves to be good members of society, able to conduct their own affairs and to serve Allah's cause as best as they can. The same applies to pay ransom to free Muslim captives taken by the enemy.

6. Debtors: This applies to a person who has incurred a debt for a legitimate purpose, whether it is for personal reasons or to help others. Debtors are given from the zakat funds what helps them to repay their debts. If someone incurred a debt to pay for the reconciliation of quarrelling parties, he is helped with zakat funds, even though he may be wealthy.
7. To further Allah's cause: This applies to fighters for Allah's cause who volunteer to join the Muslim army and they have no salary. They are given money from zakat, even though they may not be in need.
8. The traveller in need: This refers to a traveller who is unable to continue his journey to his place of residence. He may not be able to borrow what he needs, so he is given from zakat what he needs for his journey home.

Zakat may not be given to:

1. People in money and those able to earn their living: The Prophet (peace be upon him) said: 'There is no share in zakat for anyone who has plenty or who is able to earn his living.'³⁶⁰ However, a person with sufficient means, or a

³⁶⁰ Related by Ahmad, vol. 5, p. 362; Abu Dawud, *hadith* No. 1,633; al-Nassa'i, vol. 5, p. 99.

rich person, may be given out of zakat if they qualify as zakat administrators or debtors. Likewise, the one who is able to earn one's living may be given zakat money if he is studying full time, provided that he studies either Islamic studies or a discipline needed by the Muslim community. The pursuit of such studies is akin to fighting for Allah's cause. On the other hand if a person is able to earn one's living but does not work in order to devote his time to worship, he may not be given zakat money. Such worship is voluntary and, at best, recommended. Unlike knowledge, worship benefits the worshipper only while knowledge benefits him and others.

2. Offspring, ancestors and wives: These are relatives that a man has a duty to look after. Whatever they need for their living is his responsibility. Therefore, it is not permissible to pay one's zakat to one's parents, grandparents, children, grandchildren or wives. To pay zakat to them reduces his liability towards them or makes them independent. As such, he would be like one paying his zakat to himself. However, it is permissible for a wife to give her zakat to her husband if he is poor, needy or in debt he can't pay off.
3. Unbelievers who do not belong to those whose hearts are to be won over: It is not permissible to pay zakat to unbelievers, as the Prophet (peace be upon him) says: 'It is taken from the rich among them and paid to their poor.' The Prophet (peace be upon him) was referring to the rich among the Muslims and their poor. One of the main objectives of zakat is to make those Muslims who are poor

self-sufficient, and to strengthen the ties of love and brotherhood within the Muslim community..

4. The Prophet's (peace be upon him) descendents: Zakat may not be paid to the Prophet's (peace be upon him) descendents. This is out of respect to the Prophet (peace be upon him) and his household and because they have a portion to be paid to them from the spoils of war as mentioned in 8:41 "And know that anything you obtain of the spoils of war – then indeed, for Allah is one fifth of it and for the Messenger and for [his] near relatives and the orphans, the needy, and the [stranded] traveler". The Prophet (peace be upon him) says: 'Charity is not to be paid to members of Muhammad's household: it is people's dirt.'³⁶¹ Members of the Prophet's (peace be upon him) household are said by some scholars to be the descendants of the clans of Hashim and al-Muttalib. Other scholars limit them to the Hashim clan, which means that zakat may be paid to the descendants of the al-Muttalib clan. This is the weightier view.
5. The slaves freed by members of the Prophet's (peace be upon him) household: The Prophet (peace be upon him) says: 'Charitable donation is not permissible for us; and the slaves that are freed by any people belong to their community.'³⁶²
6. Slaves: Zakat may not be paid to a slave, except one who has made an agreement with his master to buy his own

³⁶¹ Related by Muslim, *hadith* No. 1,072. This is a reference to the fact that zakat is meant to purify people and ensure their forgiveness. As such, it is like the water that washes dirt off people's clothes.

³⁶² Related by Abu Dawud, *hadith* No. 1,650; al-Tirmidhi, *hadith* No. 657; al-Hakim, vol. 1, p. 651.

freedom. He is paid zakat money to help him pay for his freedom.

Anyone who pays zakat to any of these classes, knowing that it is not payable to them, this is considered as a charity and he still has to pay his zakat to those who are worthy of receiving it.³⁶³

It is not necessary to satisfy all eight classes of beneficiaries when distributing the zakat funds. It is perfectly permissible to pay all the zakat funds to one only of these classes. Allah says: ‘If you disclose your charitable expenditures, they are good; but if you conceal them and give them to the poor, it is better for you, and He will remove from you some of your misdeeds [thereby].’ (2: 271). As we have noted, the Prophet (peace be upon him) defined zakat as a donation ‘to be taken from the rich among them and given to their poor.’ Moreover, Qabisah ibn Mukhariq undertook to pay the costs of sorting out a dispute between some of his people. He went to the Prophet (peace be upon him) to request help in this payment. The Prophet (peace be upon him) said to him: ‘Stay with us until we receive some zakat and we will pay it to you.’³⁶⁴ These statements show that the Qur’anic verse stating the classes of beneficiaries of zakat only indicates these who may benefit by zakat, but does not imply that all of them must share it out.³⁶⁵

³⁶³ Al-Nadawi, *Al-Fiqh al-Muyassar*, p. 145.

³⁶⁴ Related by Muslim, *hadith* No. 1,044.

³⁶⁵ Al-Bahuti, *Kashshaf al-Qina* [, vol. 2, p. 335.

The transfer of zakat to a different town

It is permissible to transfer zakat from the town of the payer to a near or distant town when this is needed. The distant town may be poorer than the town where the payer lives, or he may have poor relatives in a distant place. To pay one's zakat to one's relatives gives one the advantage of kindness to relatives, which is strongly encouraged by Islam. This is the correct view, because the verse defining the eight classes of beneficiaries is general in its import: 'Zakah expenditures are only for the poor and for the needy' (9: 60). This means that it is payable to the poor and the needy wherever they happen to be.³⁶⁶

³⁶⁶ Ibn Qudamah, *Al-Mughni*, vol. 2, p. 671.



		make a pledge, or using a name of some religion other than Islam.
Yawm [Arafah]	The day of Arafat	On the ninth day of Dhul-Hijjah all pilgrims attend at a place called <i>Ard</i> [Arafah, or the plain of [Arafah.
Zakat	Obligatory charity	A set financial duty liable to be paid for certain types of property at certain times.
Zakat al-Fitr	Charitable duty for Eid	A specific duty levied on all Muslims and the benefits given to the poor at the end of the fast in the month of Ramadan.
<i>Zihar</i>	Denial of the status of one's wife	A Muslim who describes his wife, even if she is a non-Muslim, young, or mad; or describes any part of her that refers to her person, as someone who is forbidden for him to marry. It used to be stated as: 'You are to me like my mother's back.'
<i>Zina</i>	Fornication/adultery	Indulging in sexual intercourse with someone outside a legitimate marital relationship.



← — **RULINGS OF** — →
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