



You mentioned before that the *zakāh* percentage for 'gold is 2.5%.' Is this the same for all categories?

No. Let's add another column to the table that we had started in the previous chapter. The extra column shows the percentages paid on certain *zakāh* property?

Type of Property	<i>Nisāb</i>	Rate of <i>Zakāh</i>
Gold	20 <i>mithqāl</i> (circa 92 grams)	2.5% of the weight or the value
Silver	140 <i>mithqāl</i> (circa 595 grams)	2.5% of the weight or the value
Cash, coins	Value equal to <i>nisāb</i> of gold	Value equal to <i>nisāb</i> of gold
Produce of the earth if irrigated naturally	5 <i>awsūq</i> (circa 675 kg)	10%
Produce of the earth if irrigated artificially	5 <i>awsūq</i> (circa 675 kg)	5%
Stock in Trade	Value equal to <i>nisāb</i> of gold	2.5% of current value



2.5% payment on gold seems very small?

It is very small. It is a demonstration of how Allāh سبحانه وتعالى repeatedly seeks to ensure that the injunctions He lays upon us are not burdensome. He says:

يُرِيدُ اللَّهُ بِكُمُ الْيُسْرَ وَلَا يُرِيدُ بِكُمُ الْعُسْرَ

Allāh intends every facility for you He does not want to put you to difficulties.

Sūrah al Baqarah, 2:185¹



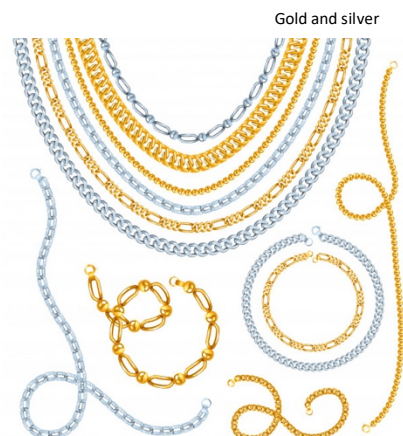
How often do you have to pay *zakāh*?

Annually. The payer should try to fix a particular date for calculating and paying his *zakāh*, a date based on the Islāmic lunar calendar. He should pay *zakāh* on that amount which stays continuously above the *nisāb* for one *hawl*, one full lunar year.²



Does the gold in the above table include the gold jewellery that men and women wear, day to day?

Firstly, let me just correct a misapprehension in your question. In Islām, *men* are not permitted to wear gold. Now to answer your question, there is a difference amongst the *ulema* in this matter. Some scholars assert that jewellery that is worn day to day, becomes like clothing and is therefore exempt. However, a strong opinion states, is not exempt, based on authentic hadīth,



Gold and silver

¹ In this particular *ayah*, the reference is to fasting.

² The majority of the *ulema* say that if the person's wealth falls below the *nisāb*, then the counting of one *hawl* discontinues and only resumes afresh if the *nisāb* is later achieved again for that particular property. The minority opinion state it is okay if his wealth goes below the *nisāb* during the year. If it returns back above the *nisāb*, a full *hawl* is still considered as having run and *zakāh* can be levied on that amount.

Amr bin Shuaib رضي الله عنه narrates from his father and grandfather that once a woman came to the Messenger of Allāh صلى الله عليه وسلم, along with her daughter who was wearing two gold bracelets. She was asked whether *zakāh* was being paid on the bracelets, and she replied in the negative. The Messenger of Allāh صلى الله عليه وسلم said, "Will you choose to wear two bracelets of fire on the Day of Judgement?" The woman immediately discarded the gold bracelets and gave it in alms.

Sunan of Abu Dawūd and authenticated as Hasan by Al Albāni



In the above table, what is meant by 'produce of the earth?'

These items include grains, corns, wheat, rice, barley and also fruits including dates, raisins, and so on.



Stock in trade



In the above table, what is meant by 'stock in Trade?'

These include items you hold as part of your business intended for resale e.g. fabrics, livestock, cars, real estate and so on. Any such items actually used in trading (e.g. the company motor van) or leased items, are excluded from *zakāh*.



Okay, what if I have loaned money to someone else? Do I still pay *zakāh* on it?

Yes. The money is not actually with you, but it is still *your* money, *your* property. According to Sheikh Fawzān al Fawzān, so long as a year has passed since giving out the loan and the debtor is solvent and able to pay the debt, the *zakāh* is *wājib* on that money. He states, '*This is because ultimately the money belongs to him*' and '*...there is a high probability that the debtor will settle the debt shortly.*'³



Who must pay *zakāh*?

Every Muslim man or woman, who has property above the *nisāb*, must pay *zakāh*.



I remember from previous chapters that children and insane people are not required to perform *salāh*. Are they also exempt from *zakāh*?

No. A rich kid will have his *zakāh* paid on his behalf by his guardians. The caretakers of a person who has become insane, must pay *zakāh*, if required, on his behalf.



How can a 'kid', have money?

It's quite possible. For example, a child could have had a wealthy parent who died and left him some money.⁴



Who do Muslims give their *zakāh* to?

³ A commentary on Zād al-Mustaqni', Iman al-Hajjāwi's Classical Guide to the *Hanbali Madhab*, by Shayk Sālih ibn Fawzān al Fāwzan

⁴ It should be noted that there is a minority opinion that *zakāh* should not be taken out of an orphan's property. See *Fiqh as Sunnah – Alms Tax and Fasting* by Sayyid as Saabiq pp9.

We are guided strictly by Allāh وتعالى سبحانه in this matter. He states:

إِنَّمَا الصَّدَقَاتُ لِلْفُقَرَاءِ وَالْمَسْكِينِ وَالْعَامِلِينَ عَلَيْهَا وَالْمُؤَلَّفَةِ قُلُوبُهُمْ وَفِي الرِّقَابِ وَالْغَارِمِينَ وَفِي سَبِيلِ اللَّهِ وَابْنِ السَّبِيلِ ۗ فَرِيضَةً مِّنَ اللَّهِ ۗ وَاللَّهُ عَلِيمٌ حَكِيمٌ

Alms are for the poor and the needy and those employed to administer the (funds); for those whose hearts have been (recently) reconciled (to truth); for those in bondage and in debt; in the cause of Allāh; and for the wayfarer: (thus is it) ordained by Allāh and Allāh is full of knowledge and wisdom.

Sūrah ath Taubah; 9:60



That is a very specific list. So, those are the only people who can receive zakāh?

Yes. There are only eight categories of people who can receive zakāh.

Permissible zakāh recipients (Arabic)	English translation
1 <i>Al fuqarā</i>	The poor (singular is <i>faqīr</i>)
2 <i>Al misākīn</i>	The needy (singular is <i>miskīn</i>)
3 <i>Al 'āmilēn 'alay-ha</i>	The collectors of <i>Zakāh</i> ⁵
4 <i>Al mu'allafatu qulūbahum</i>	Those whose hearts need to be strengthened and reconciled towards Islām
5 <i>Fir-Riqāb</i>	For the freeing of slaves
6 <i>Al ghārimīn</i>	Those burdened by debt (They can meet their basic needs but not their debt)
7 <i>Fī sabīl 'Allāh</i>	For the Cause of Allāh
8 <i>Ibn as-sabīl</i>	For the wayfarer stranded away from his hometown



Who are the 'poor' and 'needy'?

The scholars agree that both the *fuqarā* and the *misākīn* are those who are unable to satisfy their basic needs, namely food, clothing, shelter, tools of trade and other necessities. The difference between them is the level poverty and need, with the *fuqarā* being deemed as more needy than the *misākīn*. To quote the classical scholar, Imam Hajjāwī, *rahmatullah alay*, '*Al-fuqarā are those who do not have anything or who possess an amount which does not amount to half of their basic needs. Al-misākīn are those who possess enough to meet most of their basic needs or have at least half of it.*'⁶

This is supported by Sheikh Muhammad Bin Sāleh Al Othaimīn, *rahmatullah alay*, who also says that the *fuqarā* are those that have less than 50% for their essential needs and so will be entitled to a sufficient amount for the entire year. The *misākīn*, he states, are those with little more than 50% for their needs but who still lack the financial resources to meet their annual needs. They can be given an amount that makes up the difference for those essential needs.



So, as long as they can't meet their basic needs, they are both entitled to zakāh?

To cite Sheikh Bin Bāz *rahmatullah alay*, '*the miskīn is the poor person who cannot find what completely suffices his needs, and the faqīr is in more severe need than he (the miskīn) is. Both of them are from the categories of people who are eligible to receive zakāh and who are mentioned in Allaah, the Most High's Statement... (and then he quoted the ayah from Sūrah ath Taubah mentioned above).*'

⁵ These people are those who collect the *zakāh* and distribute it to those legally permissible to receive it. Such officials are entitled to be paid a salary from *zakāh* funds regardless of their own personal wealth.

⁶ A commentary on Zād al-Mustaqni', Iman al-Hajjāwī's Classical Guide, as per footnote 3 above

Sheikh Bin Bāz continues, 'Whoever has an income that suffices him for food, drink, clothing and housing, whether that is from a donation, earnings, a job or anything similar to that, then he is not called *faqīr* (poor) or *miskīn* (needy). Therefore, it is not permissible to distribute *zakāh* to him'.⁷



Tell me about the *al mu'allafatu qulūbahum*. Who are the people in category 4?

The word *mu'allafatu* comes from the word *ta'lif* meaning 'bringing together.' *Qulubuhum* means 'their hearts.' *Zakāh* money can be given to certain groups to bring their hearts closer to Islām. Here are some of the examples of people in this category:

1. Leaders who are influential among their community or tribes. *Zakāh* can be given to encourage them to embrace Islām or to bring others to Islām through them (with Allāh's Guidance).
2. Recently converted prominent individuals, weak in faith but still open to encouragement with *zakāh*;
3. Muslim residents at the borders of an Islāmic country. *Zakāh* can be given to encourage them to defend land;
4. Certain disbelievers can be given *zakāh* under this category to strengthen their hearts towards Islām.
5. Where an Islāmic community is weak, such funds could be given to enemy forces to soften their hostility. To Quote Shaykh Fawzān al Fawzān, 'This is to neutralise his enmity. He may decide not to harm Muslims due to the *zakāh*. To neutralise the disbelievers' evil is necessary and warranted when there is imminent danger.'⁸



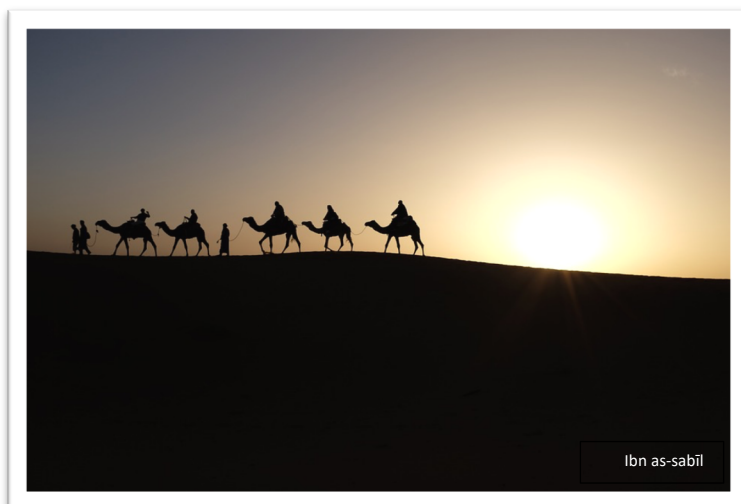
Tell me about giving *fī sabīl 'Allāh* as mentioned in category 5?

Under this category, according to the stronger opinion, *zakāh* can be used in preparing for battle including purchasing arms and ammunition, building military hospitals, digging trenches and assisting soldiers, particularly volunteer fighters.



Who are the *Ibn as-sabīl* described in category 8?

Ibn as-sabīl literally means 'son of the path.' These are people who are stranded on a journey, away from their homes. Such travellers can suddenly find themselves in terrible, helpless situations. Helping and supporting such people in their time of need, is not only a massive act of kindness in Islām, but it is also legislated as a possible act of worship, through *zakāh*.



Can people really get in that much difficulty? Nowadays, we have fast ways to travel, we have hotels, motels, cafes, service stations, breakdown companies, credit cards, modern airports and so on.

Yes, they can. It could happen to you, even in this modern era. You could easily get in trouble and find yourself desperate for help. However, remember also, that the fast, safe and comfortable transport options that you mentioned, only really came about in the last one hundred years or so. Prior to that, travel between cities and

⁷ *Fatāwa Islāmiyyah*, Volume 3, Page 188-189, published by Darussalam

⁸ A Commentary on *Zād al-Mustaqni'* as per footnote 3 above

villages was a long, arduous and dangerous affair. You could face starvation, thirst, fatigue, armed robbery, disease and death. To be able to stop in towns and villages along the way and benefit from the help of strangers, would have been a massive relief and even a life saver.

The category of *Ibn as-sabīl* forces us to recognise how vulnerable these people are and encourages us to actively intervene and give them food, drink, shelter and protection, if needed.



Which people are not permitted to receive *zakāh*?

- *Kuffār* – except *al mu'allafatu qulūbahum*, described above;
- Rich or able-bodied people;
- A man's wife, parents, grandparents, children and grandchildren. He is already obligated to care for them;⁹
- Muhammad صلى الله عليه وسلم and his descendants;
- Categories outside the eight stipulated in *Sūrah ath Taubah* above. This applies even if the money is given by a person to bring himself closer to Allāh or is given for the public benefit. *Zakāh* money cannot be used to build mosques, bridges, roads or for shrouding the dead.



I have a rich uncle who pays big amounts of money to charity. He is very generous. However, he is not particular that any of it be counted as his *zakāh*. For him it is just 'charity'. Can he be said to be paying *zakāh*?

No. 'Intention' to pay *zakāh* is crucial. If he had no intention that these payments count as his *zakāh*, then he has not fulfilled his *zakāh* obligation, regardless of how many millions he paid. If he passes a full lunar year without such intention and he still has funds above the *nisāb* throughout this time, he has committed a major sin.¹⁰



What is the punishment for failure to pay *zakāh*?

It is one of the *kabā'ir* (grave sins) to fail to pay *zakāh*. It is an obligation that many people simply do not take seriously enough. The language of the Qur'ān and ahadīth is very severe and clear about this matter: From the Qur'ān, just one powerful example,

يَا أَيُّهَا الَّذِينَ آمَنُوا إِنَّ كَثِيرًا مِنَ الْأَحْبَارِ وَالرُّهْبَانِ لَيَأْكُلُونَ أَمْوَالَ النَّاسِ بِالْبَاطِلِ وَيَصُدُّونَ عَن سَبِيلِ اللَّهِ
وَالَّذِينَ يَكْنِزُونَ الذَّهَبَ وَالْفِضَّةَ وَلَا يَنْفِقُونَهَا فِي سَبِيلِ اللَّهِ فَبَشِّرْهُم بِعَذَابٍ أَلِيمٍ ۗ
يَوْمَ يُحْمَى عَلَيْهَا فِي نَارِ جَهَنَّمَ فَتُكْوَى بِهَا جِبَاهُهُمْ وَجُنُوبُهُمْ وَظُهُورُهُمْ ۗ هَذَا مَا كُنْتُمْ لَأَنْفُسِكُمْ
فَذَوَقُوا مَا كُنْتُمْ تَكْنِزُونَ

O you who believe! there are indeed many among the priests and monks who in falsehood devour the substance of men and hinder (them) from the way of Allāh. And there are those who bury gold and silver and spend it not in the way of Allāh: announce unto them a most grievous penalty;

⁹ Although a man can help pay off his wife's debts with *zakāh*.

¹⁰ The money that he has already paid is *sadaqah* (voluntary charity) and Insh' Allāh your uncle will receive some reward at least for his generosity, but only if he paid it seeking Allāh's pleasure alone.

On the day when heat will be produced out of that (wealth) in the fire of Hell and with it will be branded their foreheads their flanks and their backs "this is the (treasure) which you buried for yourselves: taste you then the (treasures) you buried!"
Sūrah ath Taubah; 9:34,35

From the ahadīth

Narrates Ibn Omar, Allāh's Messenger صلى الله عليه وسلم said: "I have been ordered (by Allāh) to fight against the people until they testify that none has the right to be worshipped but Allāh and that Muhammad صلى الله عليه وسلم is Allāh's Apostle, and offer the prayers perfectly and give the obligatory charity, so if they perform that, then they save their lives and property from me except for Islāmic laws and then their reckoning (accounts) will be done by Allāh."

Bukhāri

Obligatory charity (zakāh) (part b)

Questions

1. Who must pay *zakāh*?
2. How can a 'kid' be said to have money for the purposes of *zakāh*?
3. Who do Muslims give their *zakāh* to?
4. What is the difference between the *fuqarā* and the *misākeen*?
5. Tell me about the *mu'allafatu qulūbahum*. Who are these people?
6. Tell me about giving *fī sabīl 'Allāh* as mentioned for the purposes of *zakāh*?
7. Which people are not permitted to receive *zakāh*?
8. What does the phrase '*lbn as-sabīl*' mean?
9. Can you use *zakāh* money to finance an *Islāmic university*?
10. Can you use *zakāh* money to build a mosque?

Islām around the world



Palestinian boys, Bethlehem, Palestine
