

The Rules of Zakah

Rules of Zakah of Property

Issue 657: Zakah is obligatory in nine things: wheat, barley, dates, grapes (raisins), gold, silver, sheep, cow and camel. If a person owns one of these nine things with the conditions which will be mentioned afterward, he is required to spend a specified amount (it will be mentioned) from it in (certain) expenditures. However, it is recommended also to give Zakah upon capital investments (Ra'sul-Maal). Likewise, (it is recommended) also to give Zakah on the remaining types of agriculture (other than what will be mentioned).

Issue 658: With a number of conditions, Zakah becomes obligatory:

- 1) The property has reached the amount of a *Nisaab* which will be mentioned afterward.
- 2) The owner of that property is mature and sane.
- 3) He is able to dispense of that property.
- 4) In the case of cows, sheep, camels, gold, silver, it is necessary to possess it for twelve months, however, the obligatory precaution is that from the beginning of the twelfth month, the related Zakah is taken out. If during the twelfth month, some of the conditions disappear, the obligation of Zakah is not dropped.

Issue 659: If the owner of a cow, sheep, camel, gold or silver becomes mature during the year, Zakah is not obligatory upon him.

Issue 660: The Zakah of wheat and barley becomes obligatory at a time when the seeds of that plant opens and it is called wheat and barley. The Zakah of grapes and raisins is obligatory at the time when these names are applicable for it. The Zakah of dates is at the time where dates ripen and becomes acceptable for eating. However, the time of giving Zakah of wheat and barley is the time at which they are harvested and they are cleared. The time of giving Zakah of dates and raisins is at the time they becomes dry, except when it is desired to be eaten moist. Then, in this situation, it is obligatory to give

the Zakah (of dates and grapes) with the condition that their dried weight reach the quantity of a Nisaab.

Conditions for Zakah becoming Obligatory

The Zakah of Crops

Issue 661: The Zakah of wheat, barley, dates and raisins are obligatory when they reach the quantity of a Nisaab. The Nisaab of wheat, barley, dates and raisins are (288 Man Tabreezi, less than 45 Mithqaal). In other words, it is approximately 847 Kilograms (1,867.6 US pounds).

Issue 662: If a quantity of wheat, barley, dates and raisins are consumed before paying the Zakah or giving it to another individual, it is obligatory to pay (that quantity's) Zakah.

Issue 663: If wet dates and grapes are consumed before becoming dry or sold, the Zakah is obligatory (in dates and raisins) dried quantity is in the measure of a Nisaab.

Issue 664: There is no Zakah in crops upon which Zakah had already been paid, although it might remain for numerous years.

Issue 665: The amount of the obligatory Zakah withdrawn from wheat, barley, dates, grapes (and raisins), when (these crops) are watered by rain water or irrigation or a river or dammed water or the moisture of the earth, is one tenth. When (the crops) are watered by deep wells or semi-deep wells or semi-level or by means of buckets or by hand or by a water wheel or by drawing water from rivers by a pump, one twentieth (is paid).

Issue 666: If agriculture is irrigated by both methods, if one of those methods is measured less, such that it is not customary (For example, had it mostly been watered with rainwater and in a very small amount with well water). The payment of its Zakah is according to its customary watering method. However, if it is watered by each of the two methods in a customary amount, for example, a third or half of the time with rain water and the remaining time watered with well water, it is necessary to give the Zakah of that in halves, meaning that the Zakah of half of it is one tenth and the other half is one twentieth.

Issue 667: According to obligatory precaution, the expenses for agriculture are not deducted from the yield. Likewise it is in relation to the cost of the seeds which are used for cultivation. The Zakah is paid upon the entire yield of the land.

The Nisaab of gold and silver

Issue 668: Gold has two Nisaab:

The first Nisaab is twenty Mithqaal Shar'i which equals fifteen Customary Mithqaal (Mithqaal Ma'mooli).

Whenever gold reaches one of these quantities and other conditions are present, it is obligatory to give one fortieth of that (two and a half per-cent) with the designation of Zakah. If this amount is not reached, there is no Zakah.

The Second Nisaab is four Legal Mithqaal (Mithqaal Shar'i) which becomes three Customary Mithqaal, meaning that if three Customary Mithqaal are added to fifteen Customary Mithqaal, Zakah is required to be given on the total eighteen Mithqaal at the rate of two and a half percent. If the addition is less than three Mithqaal, then, Zakah is only obligatory upon the fifteen Mithqaal, the excess does not have Zakah. Likewise, whenever three Mithqaal are added, it is obligatory to give Zakah on the total in the mentioned relationship. If the addition is less than three Mithqaal, there is no Zakah upon the addition.

Issue 669: Silver also has two Nisaab:

The first Nisaab is one hundred and five (105) Customary Mithqaal. If that quantity is reached and other conditions are present, it is required to pay one fortieth of that as Zakah (two and a half percent). If this quantity (of the Nisaab) is not reached, Zakah is not obligatory upon it.

The Second Nisaab is twenty one (21) Customary Mithqaal, meaning that if twenty one Mithqaal is joined with one hundred and five Mithqaal, Zakah is required to be given on the total one hundred twenty six (126) Mithqaal. Whenever the addition is less than twenty one Mithqaal, Zakah is only obligatory upon the hundred and five Mithqaal, the addition has no Zakah. Likewise it is whenever twenty one Mithqaal are added. However, for ease of calculation, when a person pays two and a half percent of the gold or silver which he possesses as Zakah, he has fulfilled (the duty of Zakah) for himself. Perhaps it is more than what was obligatory for him.

Issue 670: Another condition in the obligation of Zakah in gold and silver is that they (the gold and silver) has the signet (of currency) and is a circulating currency. According to this, Zakah is not connected when (the gold and silver) is not minted with a signet of currency.

Issue 671: The recommended precaution is that Zakah is given on the remaining types of cash currency like bank notes (like the Dinaar and similar currencies), when other conditions are present.

Issue 672: Another condition is that a person possesses the quantity of a Nisaab of gold or silver minted with the signet of commerce for the entire year. When the twelfth month is entered, the precaution is to give its Zakah. Regarding, if he trades (the currency) before the passing of the eleventh month or it becomes less than Nisaab or he is incapable of disbursing it, Zakah is not related to (these funds). Likewise it is if the minted gold and silver is substituted with something else or they are melted or smelted, then, being removed from the situation of being a minted currency. Regarding if minted gold and silver is exchanged with other minted gold and silver, the obligatory precaution is to pay its Zakah.

The Zakah of Animals

Issue 673: In addition to the conditions previously mentioned, it is conditional in the Zakah of sheep, cows and camels that these animals be idle, meaning that they do not work. Then, when the animal works some days during the year such that it is not customary work, Zakah is obligatory.

Issue 674: The obligatory precaution is that Zakah on sheep, cows and camels be paid when the amount of the Nisaab is reached, it being the same whether (the animal) was grazing or fed with cut fodder or it grazes sometimes and is fed at other times.

Issue 675: If a pasture is purchased or rented for these grazing animals and no one cultivates (the pasture land) or it bears its particular expenses by the animals grazing in the pasture, it is obligatory to give its Zakah.

Issue 676: For sheep, there are five (5) Nisaab:

- 40 Sheep – Its Zakah is one (1) sheep.
- 121 Sheep – Its Zakah is two (2) sheep.
- 201 Sheep – Its Zakah is three (3) sheep.
- 301 Sheep – Its Zakah is four (4) sheep.
- 400 Sheep or more. One sheep is given per each hundred sheep. There is no Zakah on that which is more or less than one hundred just as there is no Zakah on the number between two Nisaab, meaning when the number of sheep reaches 40, then, its Zakah is one sheep. There is no Zakah on whatever is in excess of this number until reaching (the next Nisaab of) 121 sheep. When this number is reached, its Zakah is two sheep.

Issue 677: For cows, there are two (2) Nisaab:

The First Nisaab: Thirty (30) head of cows, meaning that when the number of cows reach 30 heads and the previously mentioned conditions are fulfilled, it is obligatory to give a Tabee' or Tabee'ah. They are the cows that have entered into the second year at the minimum.

The Second Nisaab: Forty (40) head of cows. Its Zakah is a Musannah, meaning the female cow that has entered into the third year at the minimum.

There is no Zakah in that which is in excess between 30 and 40. For example, if someone owned 35 head of cows, then, he would give the Zakah on 30 head of cows, not more. Likewise, when its number was more than 40 to 59 head, then, its Zakah is only that which is obligatory in 40. Then, when it reaches 60 head, 2 Tabee' or 2 Tabee'ah are obligatory. Thus, whenever increase is 30 and 40 or 40

and 40, select between (calculating the Nisaab) by counting 30 and 30 or 40 and 40 and act according to the method previously mentioned. However, it is obligatory to count so that nothing remains or when something remains, it should not be more than 9. For example, when there are 70 head of cows, it is obligatory to figure (the Nisaab based on) 30 and 40 and give the Zakah for each one of these Nisaab according to the method mentioned. When the number of head of cows reaches 80, the Nisaab is figured based on 40 and 40.

Issue 678: For the camel, there are twelve (12) Nisaab:

- Five (5) camels –Its Zakah is one (1) sheep. There is no Zakah unless it has reached this number.
- Ten (10) camels –Its Zakah is two (2) sheep.
- Fifteen (15) camels – Its Zakah is three (3) sheep.
- Twenty (20) camels – Its Zakah is four (4) sheep.
- Twenty five (25) camels – Its Zakah is five (5) sheep.
- Twenty six (26) camels – Its Zakah is a Bint Makhaadh and it is the female camel which has entered into the second year.
- Thirty six (36) camels – Its Zakah is a Bint Laboon, the female camel that has entered into the third year.
- Forty six (46) camels – Its Zakah is a Huqqah, the female camel which has entered into the fourth year.
- Sixty one (61) camels – Its Zakah is a Jaz'ah, the female camel which has entered into the fifth year.
- Seventy six (76) camels – Its Zakah is two (2) Bint Laboon.
- Ninety one (91) camels – Its Zakah is two (2) Huqqah.
- One hundred twenty one (121) camels and whatever is above. Its Zakah is computed based on 40 and 40 and for each forty one Bint Laboon is given. Or it is based on 50 and 50 and for each fifty one Huqqah is given or it is based on 40 and 50. However, it is obligatory that it be figured so that nothing remains larger than 9.

Issue 679: There is no Zakah in that amount which is between Nisaab, meaning that when the number is more than the first Nisaab, (5), nothing is obligatory in this excess until it reaches ten. Only the Zakah on five is obligatory. It is likewise with the other Nisaab.

The Nisaab of Sheep

The Nisaab of Cows

The Nisaab of the Camel

Disbursement of Zakah

Issue 680: It is obligatory to disburse Zakah through the expenditure in one of the following eight (categories of eligibility):

1) and 2) The poor and the destitute. Both have neither the means to provide for themselves nor for the families within a year. The difference between the poor (Faqeer) and the destitute (Miskeen) is that the poor is one who does not ask anyone (for assistance) while the destitute is a needy person who has need to ask (for assistance).

He who has a vocation or real estate or a profitable venture that does not maintain his livelihood and is not sufficient is deemed as a poor (Faqeer) legally. He is permitted to take his remaining expenses from Zakah.

3) The Zakah collectors (Jaaba Az-Zakawaat). The collectors are the ones appointed in the presence of the Imam or his representative to collect Zakah payments or to persevere or for its accounting or to send it to the Imam, (peace be upon him) or his representative or to disburse it in a required expenditure. It is certainly allowed that the collector can take from the Zakah that which is appropriate for his effort and work.

4) To initiate alliances (with non-Muslims). They are the unsteady in faith and belief whose assistance is sought through giving Zakah to them in order to strengthen their belief and their desire for Islam.

5) Purchasing slaves and freeing them.

6) Debtors. Those who have undertaken a financial obligation (Dayn) and are unable to fulfill it.

7) The Path of Allah (Sabeel Allah). The Path of Allah is all of the paths of goodness that has religious benefit like building Mosques and, likewise, religious schools, propagation centers, to dispatch clergymen and the publication and distribution of useful Islamic books. In a few words, it is all that benefits Islam by whatever means it may be. In particular, Jihad in the Path of Allah.

8) The Wayfarer (Ibn Sabeel). The wayfarer is the traveler whose journey is disrupted and has depleted his funds. He becomes needy, then, it is permissible that he be given Zakah to the extent of his need although he may be well to do in his own hometown and without any need.

Issue 681: The poor (Faqeer) and the destitute (Miskeen) are not able to take more than their yearly

needs for themselves and their families from Zakah, according to obligatory precaution. If whatever they possess is insufficient for him and his family, it is permissible that he take the remaining yearly needs from Zakah.

Issue 682: It is permissible for one possessing a trade or job whose yearly income is less than the expenses of the year to take the remainder of his expenses from Zakah. It is not obligatory that he sell the tools of his trade or his investment capital or real estate to secure the year expenses.

Issue 683: It is permissible for those engaged in the study of the obligatory sciences to receive Zakah, likewise, the Judge (Qaadhiy) and the one executing the punishments of Allah and His verdicts.

The People Eligible for Zakah

Issue 384: There are a few conditions regarding the people eligible for Zakah (Mustahiqqoon):

First, is that (the people receiving Zakah) have faith (Imaan) in Allah, the Honorable Prophet, peace be upon him and his family, and the twelve A'immah, upon them be peace. It is permissible to give Zakah to infants and the mentally ill when they are from poor Shi'ah Muslims. Yes, Zakah is only given to their guardians. It is the same whether the Zakah is taken with the intention of taking possession on behalf of a child or the mentally ill or (someone takes Zakah) with the intention of spending it in their own matters (they recipient must be Shi'ah). When it is impossible (to give the Zakah) to a guardian, it is permitted to spend it for their needs and their affairs by himself or by means of a trustworthy individual.

Issue 685: The second condition is that giving of Zakah not be an assistance for sin, as such, it is not permissible to give Zakah to he who would spend it in sin. The obligatory precaution is that Zakah not be given to the drinker of alcohol.

Issue 686: Being just (Adaalah) is not condition in receiving Zakah. Likewise, being free of major sins is not conditional.

Issue 687: Third, that the one receiving the Zakah not be one whom the giver of the Zakah is obligated to support. Meaning, it is not permissible for a person to give Zakah to his son or his wife or father or mother. However, when one of these has financial obligations and it is not possible for them to make its payment, it is permissible to give them the amount of the payment of their obligation from Zakah.

Issue 688: Fourth, it is obligatory that the receiver of Zakah not be a Sayyid (descendent of the Holy Prophet, peace be upon him and his family) unless the giver of the Zakah is also a Sayyid. Regarding Khums and various other legal properties, it is not proper for his support and expenses. If he was compelled to receive Zakah, it is permitted that he receives it from a non Sayyid. However, the obligatory precaution is that he accepts only the amount of his daily expenses.

The Intention in Zakah

Issue 689: The intent of Qurbah is conditional in Zakah, meaning that the Zakah is given in compliance with the command of Allah Ta'ala and due to obedience to Him. It is obligatory to specify in intention that this is the Zakah of property (Zakatul-Maal) or the Zakah of Fitrah (Zakatul-Fitr). However, when the Zakah of Agriculture (Zakatul-Ghallaat) and another type of Zakah of property are both obligatory, it is obligatory to specify that this which I am paying is the Zakah of one of these types of property.

Issue 690: When Zakah is not paid by ones own desire, it is permissible for the Religious Authority to take it by force and deem it to be Zakah. In this instance, the intention of Qurbah is dropped, however, the recommended Precaution is that the Religious Authority make the intention of Qurbah.

Miscellaneous issues of Zakah

Issue 691: The lack of delay is obligatory in the payment of Zakah, meaning that it is obligatory to pay the Zakah to the poor or the Religious Authority (Al-Haakim Ash-Shar'i) at the time it becomes obligatory. However, when he waits for a particular poor person or it is desired to give to a poor person, it is best. It is permissible for him to delay it. However, the obligatory precaution is that he separates the Zakah from his property in this situation.

Issue 692: Whoever is able to give Zakah to a person eligible, when he is negligent and the property is ruined, he is liable and it is obligatory for him to give its substitute. As for when it was ruined and he was not negligent, nothing is obligatory for him.

Issue 693: It is best to give the obligatory Zakah openly and the recommended charity covertly and secretly.

Issue 694: It is permissible for people to purchase religious and scientific books with Zakah (as well as) Qur'ans, books of supplications (Dua') and other beneficial and effective books in advancing Islamic ideals and (establishing) and endowment with it, whether it be a general endowment or a particular endowment for specified individuals. Rather, it is even permissible that he make it an endowment for his children whom he is obligated to support. However it is not permitted to purchase real estate and endow it for his children.

Issue 695: It is permissible for a poor person to take Zakah in order to go to Hajj or Ziyaaraah and similar things. However, when he had already taken his year's expenses from Zakah, taking Zakah for Ziyaarah and things similar to that is objectionable.

Zakatul-Fitr

Issue 696: Zakatul-Fitr is obligatory upon all who are mature (Baaligh), sane ('Aaqil) and free of need

(Ghaniy) before the sunset of the night of the 'Eid of Fitr. Meaning that it is obligatory for one to give one Saa' (approximately 3 Kilograms) of a staple food for people in his city on his own behalf, and each of whom he is responsible for at the time of entering the night of Fitr. Whether it be wheat or barley or dates or rice or corn or whatever is similar to that or the cost of one of these things, it suffices.

Issue 697: The person free of need (Ghaniy) is he who possesses his needs for himself and his family or he possesses the means to achieve it through earning and labor. If he does not fit one of these descriptions, he is a poor person (Faqeer) and Zakatul-Fitr is not obligatory upon him, rather, he is allowed to receive Zakatul-Fitr.

Issue 698: People are obligated to pay Zakatul-Fitr for themselves at whomever is deemed his dependent before sunset on the night of 'Eidul-Fitr, whether the dependent be a child or an adult, Muslim or non-Muslim, whether their maintenance is obligatory upon him or not or whether they are living with him in one place or in another place.

Issue 699: When a person authorizes (someone) to pay his Fitrah from his own property on behalf of those dependents of his while he lives in another city, if he is content that his Fitrah has been paid, it is sufficient (in fulfilling his duty).

Issue 700: The guest which has entered the house, with the agreement of the host, before sunset on the night of 'Eidul-Fitr is counted as a dependent of the host of the house, meaning that the guest intended to stay with him for a time. The guest's Fitrah is also obligatory upon the host of the house.

As for when the guest was invited for the night of 'Eidul-Fitr only, his Fitrah is obligatory upon the host of the house. When the guest enters the house without the consent of the host of the house and is counted as a dependent, it is obligatory for the host of the house to pay the Fitrah for him also, according to obligatory precaution. Likewise, Fitrah is obligatory for he who has compelled his maintenance upon people.

Issue 701: It is not allowed for a Sayyid to receive Fitrah from a non-Sayyid.

Issue 702: The Fitrah of a nursing infant who nurses from its mother or wet nurse is obligatory upon whoever maintains the child's mother or wet nurse. When (the mother or wet nurse) are maintained from the child's wealth, the child's Fitrah is not obligatory upon anyone, not upon the child itself nor any other.

Issue 703: When someone is hired and also a condition of their employment is that they be maintained (like a servant), it is obligatory upon the employer to give Fitrah (for the employee). However, in relation to laborers who contract with the employer maintenance as a part of their wages, their Fitrah is not obligatory upon the employer.

Likewise, in relation to workers in restaurants and similar workers for whom the restaurant owner bears (the expense) of their dinners and breakfast and it is considered as part of their wages, then, their Fitrah

is obligatory upon themselves not upon the employer or the owner of the restaurant.

Issue 704: It is obligatory, according to obligatory precaution, to give the Fitrah to the poor and destitute with the condition that they be Shi'ah Ithna 'Ashari Muslims. It is permissible also to give Fitrah to needy Shi'ah children whether it be spent on them directly or taken in possession for them by means of their guardians.

Issue 705: It is not a condition that the poor who receive Fitrah be just ('Adl), however, the obligatory precaution is not to give the Fitrah to the one drinking wine and he who commits major sins publicly. Likewise, Fitrah is not given to one who would spend it in disobedience to Allah, Glorified by He.

Issue 706: The obligatory precaution is that the poor person is not given more than the provisions for the year and not less than one Saa' (in other words, approximately 3 Kilograms).

Issue 707: It is recommended in giving Zakatul-Fitr to advance needy relatives over others, then, needy neighbors. Just as it is recommended to advance the people of knowledge (Ahlul-'Ilm) and the virtuous over others when they are needy.

Disbursement of Zakatul-Fitr

Miscellaneous issues of Fitrah

Issue 708: The intention of Qurbah is obligatory in Zakatul-Fitr like the Zakah of property (Zakatul-Maal), meaning that (the one paying) is giving the Fitrah in order to comply with the command of Allah and out of obedience to Him. It is conditional that Fitrah be intended as well.

Issue 709: The standard Zakatul-Fitr is not the food of the individual himself, rather, it is the staple food for the people of his country or his city. Based on this, when (the individual's) staple food is rice, it is permitted to give wheat as Fitrah.

Issue 710: It is permissible in Zakatul-Fitr to give cash as a substitute for food. For example, figure how much the value of a Saa' of wheat is, then, pay its cost to the poor under the title of Fitrah. However, it is obligatory to pay attention that the basis of the value is the actual retain value in the free market, and not the wholesale figure or the official pricing. In another phraseology, it is to give the poor person a sum (of cash) that would enable him to purchase that commodity from the market.

Issue 711: The time of giving the Fitrah is the day of 'Eid before performing the prayer (of 'Eid). According to this, when someone prays Saltul-'Eid, it is a requirement that he pay his Fitrah before the prayer of 'Eid. When he does not pray Salatul-'Eid, it is permissible to pay it up until the time of Zuhr on the day of 'Eid.

Issue 712: When it is not possible (to give Fitrah) to a poor person, it is permissible to withdraw the Fitrah from his property until he pays it to the deserving person who is in his mind or to another

deserving person. It is obligatory to make the intention of Fitrah whenever he intends to pay the Fitrah to a deserving person.

Issue 713: When the Fitrah had not been paid nor withdrawn from one's property at the time obligatory to give the Fitrah, the precaution is to make the intention afterward of giving that which is his duty, meaning (to give the Fitrah) without intending (to pay it) in the proper time (Adaa') nor (intending) its Qadhaa'.

ISSUE 714: It is not permitted to exchange the property which is withdrawn with the intention of Fitrah with another property. Rather, it is obligatory to give (that specific) Fitrah itself to the poor.

Issue 715: The obligatory precaution is to disburse the Fitrah in the same locality or country. For example, it is not permitted to send the Fitrah to relatives in another country or another place, except when deserving people are not found in his own city. When it is transferred to another country (or city) with the existence of deserving people in (the payee's city) and it is ruined, he is liable. However, it is permitted for the Religious Authority, with observing the benefit of the needy, to transfer it to another country (or city).

Source URL:

<https://www.al-islam.org/summary-rulings-naser-makarem-shirazi/rules-zakah#comment-0>