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## Dialogue on Zakat

Zakat is one of the five pillars on which Islam is built. It is among the obligations of faith. Because of this it has been described by a Prophetic hadith: Prayer may not be accepted from the worshipper who withholds zakat.

When the verse,

"Take alms out of their property, you would cleanse and purify them thereby..", (9/104),

the Prophet (s.a.w.) ordered his messengers to go out and break the news, "Allah, the Most High, has decreed that you pay zakat as He has decreed the daily prayers". When it was the first anniversary of the injunction, he sent his messengers to make it known to the people, "Take the portion of zakat out of your property, that your prayer may be accepted". He, then, sent out the taxmen to collect zakat from those who were required by Islamic law to pay it.

My father continued relating to me evidence from tradition on the importance of paying zakat. He said: Once the Prophet (s.a.w.) was in the mosque, he started calling some five co-worshippers by their names and ordered them to leave, adding: do not say prayer here so long as you withhold zakat money.

Imam Ja'far as-Sadiq (a.s.) was quoted as saying, "On the Day of Judgement, Allah, the Exalted, shall resurrect some of the dead from their graves, with their hands glued to their necks so much so that they cannot move them an iota. Shepherded by the angels, they will be taunted: These were the ones who withheld a meagre portion of abundant bounty (they were favoured with). These are the ones who withheld the right of God to be taken from their property.

Moreover, during my recitation of the Holy Qur'an, I frequently come across many a verse where zakat has been equated with prayer. This indicates the lofty place of zakat in Islamic legislation.

When I asked my father about the rationale behind stipulating payment of zakat, he answered me with a hadith from Imam as–Sadiq (a.s.), "Zakat has been imposed as a measure of trying the rich and a source of subsidy for the poor. And if people paid zakat due on their property, there won't be any needy or poor Muslims. What you see of want, poverty, and hunger are the result of the rich not fulfilling their

obligations. It is worthy of God, the Glorified, to hold back His mercy from those who withheld His right in His property (that was entrusted to them).

- \* Is zakat payable on all kinds of property?
- No, zakat is payable on the following, each according to certain criteria.
- 1. Silver and gold coins.
- 2. Crops, such as wheat, barley, dates, and raisins.
- 3. Camel, cattle, buffaloes, sheep and goats.
- 4. [Revenue from trade].
- \* What are the conditions that should be present in silver and gold coins to render them taxable?
- Several conditions:

The quantity of gold should not be less than mithqal sairafi (of coins and bullion – a unit of weight, equivalent to 4.608 gm). The percentage due is 2.5%. For every three mithqals increase thereafter, the same percentage must be paid.

As for silver, the quantity should not be less than one hundred and five mithqals; the percentage due is 2.5%. For every twenty one mithqals thereafter, the same percentage should be paid.

- \* If the quantities of silver and gold do not reach those limits?
- No zakat is payable.
- 2. Eleven months should pass, leading to the twelfth month, while it is still in one's ownership.
- 3. Silver and gold should be of the minted type used as a means of monetary exchange.
- \* What about jewellery made of gold and silver?
- They are exempt from zakat.
- 4. The ability of the owner of these metals to use them freely all year round. Thus, no zakat is due on property over which you have no control, such as lost property, for a generally accepted length of time.
- 5. Adulthood and soundness in mind of the owner, for no zakat shall be due on such coins owned by a minor or a mentally handicapped person.

The second category of zakat is that which is due on such crops as wheat, barley, dates, and raisins. The minimum weight taxable of any of these crops, when it is dry, shall be three hundred sa' (a cubic

measure equivalent to approximately 847 kgs). The amount of zakat deductible is according to the following criteria:

- a. If the land cultivated with these crops is irrigated by either rain or river water, that does not call for great effort, the zakat shall be 10%.
- b. If it is irrigated by hand, a pump, or the like, zakat payable shall be 5%.
- c. If the source of irrigation varies, i.e. using both the ways mentioned in (a) and (b), payment of zakat shall be at the rate of 7.5%, unless either way of irrigation was used sparingly. In this case, the rate shall be charged in line with the predominant way applied.
- \* Are there any other conditions?
- Yes, the crop should be owned by the mukallaf at the time of zakat being due. Should he assume ownership thereof at a later date, no zakat shall be due.
- \* When does zakat become due on the four types crop?
- It becomes due on any of the four crops when it is generally accepted that they cannot be mistaken for any other crop than wheat, barley, dates, and raisins.

The third category of property that is liable for zakat is that comprising sheep, goats, cattle, camels, and buffaloes. The criteria for payment of zakat on these types of livestock are the following:

1. When their respective numbers reach certain figures.

Insofar as camels are concerned, a minimum number of five camels would warrant one sheep of zakat. For every five extra camels thereafter, and up to and including twenty five, the rate is one sheep for every five camels, i.e. if you have twenty five camels, five sheep is the number that should be given in zakat. However, if you own twenty six camels, the zakat due shall be one two-year-old she-camel; thirty six would warrant one three-year-old she-camel.

There are, though, other bench mark numbers; this is not the time to go into detail about them.

As for sheep, the minimum, on which zakat is due, is forty. One sheep should be given away in zakat for that number of sheep. Two sheep for a hundred and twenty one, three sheep for two hundred and one, four for three hundred and one; any number of sheep exceeding four hundred the rate is one sheep for every one hundred of them, without a ceiling.

In respect of cattle and buffaloes, the minimum that is taxable is thirty of either. Zakat payable on that number is a calf, that has just entered the second year of its life. If the number was forty, zakat due shall be one two-year-old she-cow/buffalo.

However, zakat shall not be due on any minimum number stipulated for camel, cattle, and sheep. That is, if the number exceeds the minimum, there shall be no zakat until the number has reached the new minimum.

- 2. Such livestock must be of the kind that graze in the fields. Should it need to be fed by supplements, even during part of the year, there shall be no zakat. [It is not of a consequence if the animals are used for work, such as tilling the fields or carrying water and the like. Zakat must be taken out, even if they were used a good part of the year].
- 3. The owner, or his guardian, should have the right of disposal over his livestock throughout the year. If any was stolen, for a considerable period of time then returned, no zakat shall be due.
- 4. A minimum of eleven months, leading to the twelfth month, should have elapsed under the ownership of the same person, before any zakat becomes due.

The fourth category [of property where zakat becomes payable is revenue from trading]. It is the capital used, for buying and selling, by a person with the aim of making a profit.

The rate of zakat deductible is 2.5% when all the following conditions are met:

- 1. The owner should have attained adulthood and be sound in mind.
- 2. The property should attain the minimum outlined in silver and gold monetary means of exchange.
- 3. The lapse of one (tax) year on it, in kind, from the date it was intended for trading and making profit.
- 4. The intention to make profit should remain constant during the entire year. In other words, if you appropriate some of the money you set aside for the purpose of trading, or spend part of it on buying provisions during that year, no zakat shall be due.
- 5. The right of having free hand in the capital throughout the entire year.
- 6. The aim behind the working capital should be economic activity, i.e. not tying it up.
- \* Should I take zakat out of my property, to whom shall I give it?
- It is paid to those who are eligible to receive it. They fall in eight categories; you find them in the words of The Sublime.

"Alms are only for the poor, the needy, the officials (appointed) over them, those whose hearts are made to incline (to truth), the (ransoming of) captives, those in debt, in the way of Allah, and the wayfarer; an ordinance from Allah; and Allah is Knowing, Wise). (9/60).

\* What is the difference between the needy and the poor?

- Both of them share, to a large extent, the same description, i.e. they are those who do not have the means, for a year, to support themselves and members of their family, and do not have work whereby they can earn a living. The poor, however, are worse off.
- \* Who are the officials appointed over them?
- It is the workforce charged, by the Prophet (s.a.w.), the Imam (a.s.), or the Marji' or his deputy, to collect zakat, and oversee its distribution to those entitled to receive it.
- \* What about those whose hearts are made to incline to truth?
- Those are either Muslims, whose faith shall take root through receiving such dues, or the unbelievers, who are encouraged to embrace Islam or to support Muslims in defending themselves.

It is to be noted, however, that the owner has no right of disposing with zakat money to this category. It is the prerogative of the Imam (a.s.), or his deputy.

- \* And the ransoming of captives?
- These are the slaves who are bought in order to be set free.
- \* What sort of debt could be settled with zakat money?
- It is the debt of those people who cannot pay back what they borrowed in a lawful way.
- \* Is there a particular avenue in the way of Allah, some of zakat money should be spent?
- It is spending, in a general sense, in every avenue that is commensurate with the public interest, such as building mosques, bridges, etc. [in disposing with this portion, the permission of the Marji' should be obtained].
- \* And the wayfarer?
- It is the stranded traveller, who could have run out of money, whose credit facility may no longer be available, or who may feel embarrassed to borrow money in order to make the return journey home. [Also it is not possible for such a person to sell, or lease, some of their possessions in their home country to finance their return journey]. They can be allotted this part of zakat, provided that their travel was not for committing any sinful act.

Those, who fall within any of these categories do not qualify for receiving any money thereof, unless they are believers [they should not be among those who abandon prayers, drink intoxicants, or who openly commit that which is forbidden]. They should not be among those who dispose of the money in sinful acts, [to ensure that paying them is not a source of temptation, encouraging them to go the wrong way, even though they may not dispose of zakat money in disgraceful actions].

Those, who are among the taxpayer's dependants, such as his wife, do not qualify for zakat money. Those of a Hashimite pedigree are not eligible to receive zakat money from non–Hashimites; they can receive it from their fellow Hashimites only.

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