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## بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

1. It is called “*zakāh*” because it causes increase and growth. It grows character because it places a person amongst the ranks of the generous. It increases wealth because anything you spend seeking Allāh’s face increases your wealth. It increases your reward, since the Prophet ﷺ said, “Any expenditure you make seeking only Allāh’s Face will be nothing but rewarded, even what you feed your woman.”
2. The wisdom of *Zakāt al-Fiṭr* is stated in the *ḥadīth* of Ibn ‘Abbās, “the Prophet ﷺ obligated *Zakāt al-Fiṭr* to remove the impurities of *Laghw* (idle chat) and *rafath* (Foul language).”<sup>2</sup> Also, gratitude for being able to complete the month, and as a means of food for the needy on this day that is a day of joy and festivities. It is right that they be given this *zakāh* so that they can share in the joy and celebrations with the well off.
3. The *zakāh* is an obligation for every Muslim, due to the *ḥadīth* of Ibn ‘Abbās. (See point number 2)
4. The *zakāh* is not an obligation for non-Muslims, due to the *ḥadīth* of Ibn ‘Umar, “The Messenger of Allāh ﷺ mandated *Zakāt al-Fiṭr* as a *ṣā’* of dates or barley to be paid on every

1. Al-Bukhari (57), Muslim (1628)

2. Abu Dāwūd (1609), Ibn Mājah (1827), al-Albānī made it ḥasan in al-Irwā’ (3/332)

paid on every Muslim male and female, free man or slave, old or young.”<sup>3</sup> Another reason is that *zakāh* is a purifier and an unbeliever cannot be purified except by becoming a Muslim.

5. Even if that unbeliever is owned as a slave by a Muslim, his *zakāh* is not obligatory.

6. The *zakāh* is obligatory for a person who owns more than the provision he needs for the night and day of *ʿid*.<sup>4</sup>

7. A person does not have to donate more than a *ṣā'*. If he possesses more than his provision for the night and day of *ʿid* but it is less than a *ṣā'*, he gives that amount, and he is not exempt. So, if he has half a *ṣā'* left after his daily provision, he must donate that half, because Allāh says, *“Save yourself from Allāh’s punishment to the best of your ability.”*<sup>5</sup>

8. The amount he donates must be what remains after his and his family’s daily bread and his primary needs have been met.

Primary needs are things that are required such as a pot for preparing dinner, a bowl for dates, a jug, and books for study. However, if it is a book he only uses once a year, it is not a primary need, especially if there are public libraries he may use. The same applies if there are other copies of the book available. A household’s needs are either essential, primary or complementary.

3. al-Bukhārī (1503), Muslim (984)

4. According to Mālik, al-Shāfiʿī and Aḥmad, his required provision being his daily bread and the daily bread of those for whom he is responsible. Abū Ḥanīfah stipulates that they must own at least the *niṣāb* of Zakāh on top of his house, furniture, clothes, horse, weapons, and slave.

5. Surah at-Taghābun, āyah 16.

Essential needs are things it cannot do without. Primary needs are things that it needs to function. The complementary are things the house does not need to function. Therefore, anything above the essential and primary needs must be donated.

9. **The *zakāh* is obligatory for every Muslim, including the ones that do not fast**, such as underage children and the elderly, the sick, new-born babies, and even women whose post-natal bleeding lasts the whole month.

10. **Owing a debt does not exempt a person from paying the *zakāh*** unless he cannot afford to pay the *zakāh* after paying the debt. This is because the debt must be paid when sought and it is payable, due to the Prophet's ﷺ words, “It is wrong for a person to delay paying his debt if he can afford to pay it.”<sup>6</sup> Hence, if he has to pay his debt, he must pay and he becomes exempt from the *zakāh* if that is all he has.

11. **Everyone is obliged to pay for himself.** Thus, a man must pay for himself, his wife must pay for herself, a father must pay for himself, and the daughter must pay for herself, and so on. A person does not have to pay for the people for whom he is financially responsible such as his wife and his relatives, due to the *ḥadīth* of Ibn 'Umar, “The Messenger of Allāh ﷺ made *Zakāt al-Fiṭr* an obligation for every Muslim whether male or female,

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6. al-Bukhārī (2287), Muslim (1564), by Abū Hurayrah

whether free or a slave, and whether young or old.” The default rule for obligations is that they are fulfilled by every person individually and not by someone else. Another reason is Allāh’s statement, “*No soul shall bear the burden of another,*”<sup>7</sup> and if a person were obliged to pay for himself as well as the people he takes care of, one soul would be bearing the burden of another.<sup>8</sup> However, there is nothing wrong with his donating their share with their approval, in the same way there is nothing wrong with paying another’s debt with his approval. Also, it is permissible to pay *zakāh* on behalf of another. Consequently, if these people cannot afford the *Zakāt ul-Fiṭr*, he incurs a sin (by not paying their share), if we say that he is obliged to pay for them. On the other hand, if we go with the second opinion, he does not incur a sin, and they do not either because they do not have. We might say, nevertheless, that the parents of young children who have no possessions are obliged to pay their share, because this is what the Companions were known to do.

12. One is not obliged to pay on behalf of his employees unless it is part of their salary package.

13. One must pay on behalf of his (Muslim) slave due to the *ḥadīth* of Abū Hurayrah, that the Messenger of Allāh ﷺ said, "There

7. It occurs in several places in the Qur’ān, but it first appears in al-An’ām, āyah 16.

8. According to Abū Ḥanīfah, Mālik, al-Shāfi’ī and Aḥmad, one must pay for himself and those for whom he is financially responsible, though they differ somewhat as to who exactly they are. Abū Ḥanīfah excludes the wife, while the other three include her. Al-Thawrī, Dāwūd al-Zāhirī, and Ibn Ḥazm also exclude her.

is no *zakāh* payable on a slave except *Zakāt al-Fiṭr*.<sup>9</sup>

14. **Paying on behalf of an unborn child is encouraged**, but only if the soul has been breathed into it, i.e. it is more than four months old, before which it is not considered to be alive since the soul is only breathed into it after that time, according to the *ḥadīth* of Ibn Mas'ūd. He said, “The Prophet ﷺ informed us —and he is the truthful one given the truth— ‘in your mother’s womb, you are created in the form of a *nutfah* (fluid) for forty days, then it turns into blood clot during the same length of time, then it turns into a morsel of flesh during a similar length of time. After that, an angel is sent to it to breathe a soul into it, then he is ordered to write down four pieces of information: its lifetime provision, its lifespan, its deeds, and whether its end will be full of sorrow or happiness.”<sup>10</sup> This is why scholars say that a miscarried foetus before four months is neither ritually washed, nor shrouded, nor prayed over, but over four months it is. The evidence for encouraging donations on behalf of unborn children is the report that ‘Uthmān paid on behalf of an unborn child, otherwise there is no sunnah for it attributed to the Messenger ﷺ. However, we should know that ‘Uthmān is one of the Four Khalifs we have been ordered to follow, and if a sunnah of any one of them is not invalidated by a sunnah

9. Muslim (982) (10)

10. al-Bukhari (3208) and Muslim (2643)

of the Prophet ﷺ, that sunnah is law that must be followed. This is according to the Prophet who said, “You must follow my sunnah, as well as the sunnah of the Khalifs who follow the right path.” And this is how we know that the first adhān on *Jumu'ah* is not an innovation as some misguided people say.

15. For a donation on someone else's behalf to be valid, it must have their approval, if that person is not someone for whom he is obliged to pay in the first place.

16. *Zakāt al-Fiṭr* becomes obligatory as soon as the Sun sets on the night of 'īd.<sup>12</sup>

17. We know the night of 'īd by the occurrence of one of two things: the first is if we have fasted the complete thirty days of *Ramaḍān*, the night of 'īd is after sunset on that day. The second is by sighting the new moon on the thirtieth night, in which case [what would have been] the thirtieth night would be the night of 'īd.<sup>13</sup>

18. *Zakāt al-Fiṭr* is not obligatory for anyone who becomes a Muslim after sunset on the last day of *Ramaḍān* because, at the time it became obligatory, he was not one of the people for whom it was mandated.

11. Musnad Aḥmad (4/127), Abū Dāwūd (4606), at-Tirmidhī (1676), Ibn Mājah (42)

12. According to Mālik (in one narration) al-Shāfi'ī (in the most recent narration) and Aḥmad. Abū Hanīfah (and Mālik in another narration) says that the time of obligation is the morning of the day of 'īd.

13. Remember, the night comes before the day.



19. A person who became the owner of a slave after sunset does not have to pay the slave's *zakāh*. Instead, his previous owner must pay because he owned him at the time it became an obligation.
20. If a man marries a woman after sunset on the night of 'īd, he does not have to pay her *zakāh* because she was not his wife at the time the obligation became set. This is according to some of those who see that the husband must pay the wife's *zakāh*.<sup>14</sup>
21. If a man fathers a child after sunset on the night of 'īd, he does not have to pay *zakāh* on his behalf, though he is encouraged to.
22. If a person was given a number of donations on the morning of 'īd such that he came to possess more than his daily bread, he does not have to pay because the time the obligation was set was at sunset the night before. If the donations were given to him during the last days of *Ramaḍān*, he would have had to pay.
23. One may issue the *zakāh* no more than two days before 'īd.<sup>15</sup> This is an allowance to do something before the reason exists (which is normally impermissible). The reason is that the Companions used to do this, which makes it a valid act.

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14. See point (11) and footnote (6).

15. According to the Mālikīs and the Ḥanbalīs. The Ḥanafīs in one narration allow it a year or two in advance, like the *zakāh* of wealth, and in the other narration, it is allowed from the inception of *Ramaḍān*. The Shāfi'īs say it is sunnah before the 'īd prayer, discouraged after, and forbidden after the day of 'īd.

So, *zakāh* issued on the twenty–seventh in a thirty-day month is invalid, for example, it being like a person performing one of the daily ritual prayers before its time.

24. The best time to issue it is before the prayer on the day of `īd, in accordance with the *ḥadīth* of Ibn `Umar, “He ﷺ commanded that it be paid before people go out to pray.”<sup>16</sup> Also, the purpose of *zakāh* is to rid the poor of the need to beg from others, in order for them to be able to take part in the celebrations and festivities with those better off.

25. The prayer of `īd should be delayed to give people time to issue the *zakāh* before the prayer.

26. The donation must reach the recipient or the recipient's representative before the prayer. The recipient may make the donor his representative<sup>17</sup> (i.e. he asks the donor to hold onto the donation for him until a scheduled time).

27. It is not enough for a donor to say to the recipient, “I have some *zakāh* for you,” until the recipient actually receives the donation or makes the donor his representative (see 26).

16. al-Bukhari (1503), Muslim (986)

17. The state or the entity appointed by it is the representative of the needy in an Islamic country.

28. The correct opinion is that it is not permissible to pay *Zakāt ul-Fiṭr* after the *ʿid* prayer, and that it does not count if it is issued after the prayer.<sup>18</sup> The evidence for this is the ḥadīth of Ibn 'Umar, “that the Prophet ﷺ commanded that it should be issued before people leave for the prayer.” Thus, in the event that he delays it until the people have completed the prayer, he has done something for which there is no mandate, and as such it is invalidated, because the Prophet ﷺ said, “If anyone who does an action that we have not sanctioned, it will be rejected.”<sup>19</sup>

29. If a person has a valid excuse for not issuing his *zakāh* before the prayer, he may issue it afterwards without blame. This is analogous to the case of the one who misses a prayer due to oversleeping or absence of mind. The Prophet ﷺ said, “anyone who oversleeps or forgets and misses a prayer should pray it whenever he remembers.”<sup>20</sup>

30. The safest thing for a person who failed to issue the *zakāh* on time due to a valid excuse is to issue it anyway, even if it is several days after *ʿid*.

18. Most of the Ḥanafī's say that it may be paid at any time, but it is desirable to pay it before the *ʿid* prayer. The Mālikīs, Ḥanbalīs, Shāfi'īs, and Al-Ḥasan ibn Ziyād of the Ḥanafīs say it must be paid on the day of *ʿid*, and that paying after the day of *ʿid* incurs a sin. They all agree it must still be paid even after the day of *ʿid* as a debt.

Ibn Ḥazm says it must be paid before the prayer, otherwise it does not count

19. Muslim (1718) by 'Ā'ishah

20. al-Bukhārī (597) Muslim (684) (315)

31. *Zakāt al-Fiṭr* should be paid out in one's country of residence. It is wrong to send it somewhere else. The same applies to ritual sacrifices. This is because these are features of the Islamic identity that should be present in every household and sending money to countries far away obscures these features in that household.

32. The amount to be given as *zakāh* is a *ṣā'*, which is the unit of volume and dry measure used by the Prophet ﷺ. The evidence is the *ḥadīth* of Ibn 'Umar, "the Prophet stipulated the *zakāh* of *Fiṭr* as a *ṣā'* of dates, a *ṣā'* of raisins..."<sup>21</sup> The *ṣā'* mentioned here and in other narrations is the *ṣā'* used by the Prophet ﷺ, and not any other *ṣā'*, since there are different versions. This is by scholarly consensus.

33. Due to changing times, the *ṣā'*, originally a unit of volume, has been converted into its equivalent in mass in order to preserve it. Since volumes of different items differ in mass according to how heavy or light the item is, scholars have taken good quality dense wheat as a standard, which is equivalent in its weight to the lentil. A *ṣā'* of this type of wheat has been found to be 2.04 kg. If one wishes to know a Prophetic *ṣā'*, they should measure 2.04 kg of good quality wheat and pour it into a container. The volume the wheat takes up is a Prophetic *ṣā'*.

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21. al-Bukhārī (580)

34. As long as the food donated is one of the staples of the land, it is valid, even if it is not one of the foodstuffs mentioned in the narrations. Food like bread (especially dry), meat (especially dry), and pasta may be donated. Some of these, such as meat, must be donated by weight instead of volume.

35. One may give a single donation to many people, or multiple donations to a single person. With *Zakāt al-Fiṭr*, the amount of food to be given is stipulated but not the amount of those who give the stipulated amount, nor the amount of people to whom the stipulated amount of food should be given. Thus, the amount stipulated for donations is a *ṣā'*, whether one gives it to one person or a group, or a group gives it to one person, or one person gives it to a single person, or a group gives it to another group. This is by scholarly consensus.

