

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

أَقْرَأْ بِاسْمِ رَبِّكَ الَّذِي خَلَقَ  
Read! In the name of thy Lord Who createth

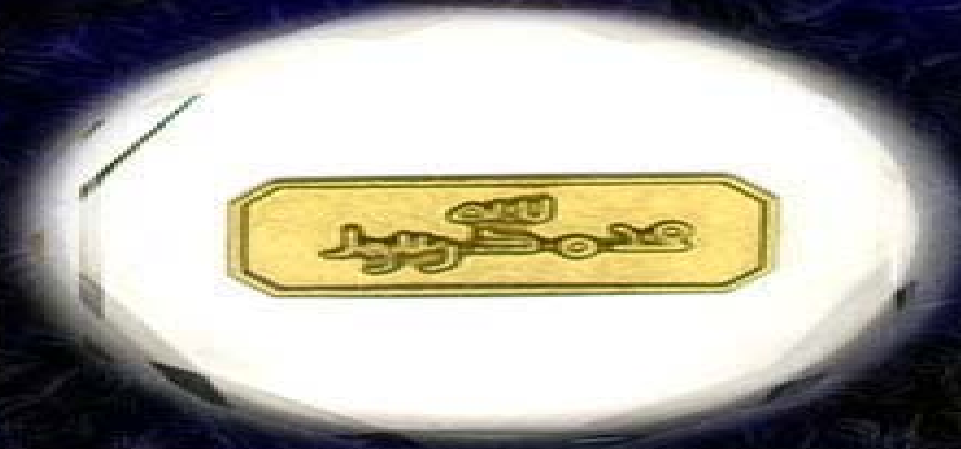


# Fiqh of Worship Zakat

**Commentary and Practical Explanation**

**Dr. Shaikh Ahmed Nezar Kobeisy, Ph.D.**

**Director and Resident Scholar**



Seal of Muhammad ( s.a.v. )



بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

الزكاة في الاسلام

**Zakat in Islam**

**BY**

**Ahmed Nezar Kobeisy**

# Zakat

- Linguistic Meaning:
  - Purity
  - Growth
- Religious Definition:
- The Act:
  - Right of Allah,
  - In specific types of wealth,
  - To be given in specified ways to specified categories of people in specified times.
- The Amount of Zakat:
- zakat vs. Sadaqah:

# Obligation of Zakat

**Established by:**

- **The Qur'an,**
- **The Sunnah, and**
- **The Unanimous Agreement of Muslim Scholars.**

# Virtues of zakat

خُذْ مِنْ أَمْوَالِهِمْ صَدَقَةً تُطَهِّرُهُمْ وَتُزَكِّيهِمْ بِهَا وَصَلِّ عَلَيْهِمْ إِنَّ صَلَاتَكَ  
سَكَنٌ لَهُمْ وَاللَّهُ سَمِيعٌ عَلِيمٌ ﴿١٠٣﴾

**9:103. Of their goods, take alms, that so thou mightest purify and sanctify them; and pray on their behalf. Verily thy prayers are a source of security for them: And Allah is One Who heareth and knoweth.**

وَأَقِمْ وَجْهَكَ لِلدِّينِ حَنِيفًا ۚ فِطْرَةَ اللَّهِ الَّتِي فَطَرَ النَّاسَ لَا تَمَنَّا ۚ وَاتَّقِ اللَّهَ ۚ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ ﴿٤٣﴾

**2:43. And be steadfast in prayer; practice regular charity; and bow down your heads with those who bow down (in worship).**

فَإِنْ تَابُوا وَأَقَامُوا الصَّلَاةَ وَعَآتُوا الزَّكَاةَ فَإِخْوَانُكُمْ فِي  
الَّذِينَ وَنُفَصِّلُ الْآيَاتِ لِقَوْمٍ يَعْلَمُونَ ﴿١١﴾

**9: 11. But (even so), if they repent, establish regular prayers, and practice regular charity,- they are your brethren in Faith: (thus) do We explain the Signs in detail, for those who understand.**

## حديث 1413 - الزكاة - صحيح البخارى

عَنْ ابْنِ عَبَّاسٍ - رَضِيَ اللَّهُ عَنْهُمَا - أَنَّ النَّبِيَّ - صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - بَعَثَ مُعَاذًا - رَضِيَ اللَّهُ عَنْهُ - إِلَى الْيَمَنِ فَقَالَ « ادْعُهُمْ إِلَى شَهَادَةِ أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَأَنِّي رَسُولُ اللَّهِ فَإِنْ هُمْ أَطَاعُوا لِذَلِكَ فَأَعْلِمُهُمْ أَنَّ اللَّهَ قَدْ افْتَرَضَ عَلَيْهِمْ خَمْسَ صَلَوَاتٍ فِي كُلِّ يَوْمٍ وَلَيْلَةٍ فَإِنْ هُمْ أَطَاعُوا لِذَلِكَ فَأَعْلِمُهُمْ أَنَّ اللَّهَ افْتَرَضَ عَلَيْهِمْ صَدَقَةً فِي أَمْوَالِهِمْ تُؤْخَذُ مِنْ أَغْنِيَائِهِمْ وَتُرَدُّ عَلَى فُقَرَائِهِمْ

**Narrated Ibn Abbas:**

**When Allah's Apostle (p.b.u.h) sent Muadh to Yemen, he said (to him), "YOU are going to people of a (Divine) Book. First of all invite them to worship Allah (alone) and when they come to know Allah, inform them that Allah has enjoined on them, five prayers in every day and night; and if they start offering these prayers, inform them that Allah has enjoined on them, the Zakat. And it is to be taken from the rich amongst them and given to the poor amongst them; and if they obey you in that, take Zakat from them and avoid (don't take) the best property of the people as Zakat."**

## بَابُ الْبَيْعَةِ عَلَى إِيْتَاءِ الزَّكَاةِ

( فَإِنْ تَابُوا وَأَقَامُوا الصَّلَاةَ وَآتَوُا الزَّكَاةَ فَأِخْوَانُكُمْ فِي الدِّينِ )

1421- قَالَ جَرِيرُ بْنُ عَبْدِ اللَّهِ بَايَعْتُ النَّبِيَّ -صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ- عَلَى إِقَامِ الصَّلَاةِ وَإِيْتَاءِ الزَّكَاةِ وَالنُّصْحِ لِكُلِّ مُسْلِمٍ.

**Narrated Jarir bin 'Abdullah ,**

**I gave the pledge of allegiance to the Prophet for offering prayer perfectly giving Zakat and giving good advice to every Muslim.**

# Consequences of withholding Zakat

﴿يَتَأْتِيهَا الَّذِينَ ءَامَنُوا إِنَّ كَثِيرًا مِّنَ الْأَحْبَارِ وَالرُّهْبَانِ لَيَأْكُلُونَ أَمْوَالَ  
النَّاسِ بِالْبَاطِلِ وَيَصُدُّونَ عَن سَبِيلِ اللَّهِ وَالَّذِينَ يَكْنِزُونَ الذَّهَبَ  
وَالْفِضَّةَ وَلَا يُنْفِقُونَهَا فِي سَبِيلِ اللَّهِ فَبَشِّرْهُمْ بِعَذَابٍ أَلِيمٍ ﴿٣٤﴾

**9:34. O ye who believe! There are indeed many among the priests and anchorites, who in Falsehood devour the substance of men and hinder (them) from the way of Allah. And there are those who bury gold and silver and spend it not in the way of Allah . Announce unto them a most grievous penalty.**

يَوْمَ يُحْمَىٰ عَلَيْهَا فِي نَارِ جَهَنَّمَ فَتُكْوَىٰ بِهَا جِبَاهُهُمْ وَجُنُوبُهُمْ  
وَظُهُورُهُمْ هَذَا مَا كَنَزْتُمْ لِأَنفُسِكُمْ فَذُوقُوا مَا كُنْتُمْ تَكْنِزُونَ ﴿٣٥﴾

**9:35. On the Day when heat will 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) ye buried for yourselves: taste ye, then, the treasure ye, the (treasures) ye buried!”**

1422 أَنَّ عَبْدَ الرَّحْمَنِ بْنَ هُرْمُزَ الْأَعْرَجَ حَدَّثَهُ أَنَّهُ سَمِعَ أَبَا هُرَيْرَةَ - رَضِيَ  
اللَّهُ عَنْهُ - يَقُولُ قَالَ النَّبِيُّ - صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ - « تَأْتِي الْإِبِلُ عَلَى صَاحِبِهَا  
عَلَى خَيْرِ مَا كَانَتْ إِذَا هُوَ لَمْ يُعْطِ فِيهَا حَقَّهَا تَطَوُّهُ بِأَخْفَافِهَا وَتَأْتِي الْغَنَمُ عَلَى  
صَاحِبِهَا عَلَى خَيْرِ مَا كَانَتْ إِذَا لَمْ يُعْطِ فِيهَا حَقَّهَا تَطَوُّهُ بِأُظْلَافِهَا وَتَنْطَحُهُ  
بِقُرُونِهَا ». قَالَ « وَلَا يَأْتِي أَحَدُكُمْ يَوْمَ الْقِيَامَةِ بِشَاةٍ يَحْمِلُهَا عَلَى رَقَبَتِهِ لَهَا  
يُعَارُ فَيَقُولُ يَا مُحَمَّدُ. فَأَقُولُ لَا أَمْلِكُ لَكَ شَيْئًا قَدْ بَلَغْتُ. وَلَا يَأْتِي بِبَعِيرٍ يَحْمِلُهُ  
عَلَى رَقَبَتِهِ لَهُ رُغَاءٌ فَيَقُولُ يَا مُحَمَّدُ. فَأَقُولُ لَا أَمْلِكُ لَكَ شَيْئًا قَدْ بَلَغْتُ

**According to Bukhari: Narrated Abu Huraira:**

**The Prophet said, "(On the Day of Resurrection) camels will come to their owner in the best state of health they have ever had (in the world), and if he had not paid their Zakat (in the world) then they would tread him with their feet; and similarly, sheep will come to their owner in the best state of health they have ever had in the world, and if he had not paid their Zakat, then they would tread him with their hooves and would butt him with their horns." The Prophet added, "One of their rights is that they should be milked while water is kept in front of them." The Prophet added, "I do not want anyone of you to come to me on the Day of Resurrection, carrying over his neck a sheep that will be bleating. Such a person will (then) say, 'O Muhammad! (please intercede for me,) I will say to him. 'I can't help you, for I conveyed Allah's Message to you.' Similarly, I do not want anyone of you to come to me carrying over his neck a camel that will be grunting. Such a person (then) will say "O Muhammad! (please intercede for me)." I will say to him, "I can't help you for I conveyed Allah's message to you."**

1423- عَنْ أَبِي هُرَيْرَةَ - رَضِيَ اللَّهُ عَنْهُ - قَالَ قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ- « مَنْ آتَاهُ اللَّهُ مَالًا فَلَمْ يُؤَدِّ زَكَاتَهُ مِثْلَ لَهُ يَوْمَ الْقِيَامَةِ شُجَاعًا أَقْرَعَ لَهُ زَبِيَّتَانِ يُطَوَّقُهُ يَوْمَ الْقِيَامَةِ ثُمَّ يَأْخُذُ بِلِهْزَمَتَيْهِ - يَعْنِي شِدْقَيْهِ - ثُمَّ يَقُولُ أَنَا مَالُكَ أَنَا كَنْزُكَ » ثُمَّ تَلَا ( لَا يَحْسِبَنَّ الَّذِينَ يَبْخُلُونَ ) الْآيَةَ

**Narrated Abu Huraira:**

**Allah's Apostle said, "Whoever is made wealthy by Allah and does not pay the Zakat of his wealth, then on the Day of Resurrection his wealth will be made like a bald-headed poisonous male snake with two black spots over the eyes. The snake will encircle his neck and bite his cheeks and say, 'I am your wealth, I am your treasure.'"**

**Then the Prophet recited the holy verses:-- 'Let not those who withhold . . .' (to the end of the verse). (3.180).**

1427- أَنَّ الْأَخْنَفَ بْنَ قَيْسٍ حَدَّثَهُمْ قَالَ جَلَسْتُ إِلَى مَلَا مِنْ قُرَيْشٍ فَجَاءَ  
رَجُلٌ خَشِنُ الشَّعْرِ وَالثِّيَابِ وَالْهَيْئَةِ حَتَّى قَامَ عَلَيْهِمْ فَسَلَّمَ ثُمَّ قَالَ بَشِّرِ  
الْكَافِرِينَ بِرَضْفٍ يُحْمَى عَلَيْهِ فِي نَارِ جَهَنَّمَ ثُمَّ يُوضَعُ عَلَى حَلْمَةِ تَدَى أَحَدِهِمْ  
حَتَّى يَخْرُجَ مِنْ نَعْضِ كَتِفِهِ وَيُوضَعُ عَلَى نَعْضِ كَتِفِهِ حَتَّى يَخْرُجَ مِنْ حَلْمَةِ  
تَدِيهِ يَتَزَلُّزَلُ ثُمَّ وَلَّى فَجَلَسَ إِلَى سَارِيَّةٍ وَتَبِعْتُهُ وَجَلَسْتُ إِلَيْهِ وَأَنَا لَا أَدْرِي مَنْ  
هُوَ فَقُلْتُ لَهُ لَا أَرَى الْقَوْمَ إِلَّا قَدْ كَرِهُوا الَّذِي قُلْتُ. قَالَ إِنَّهُمْ لَا يَعْقِلُونَ شَيْئًا

## Narrated Al-Ahnaf bin Qais:

While I was sitting with some people from Quraish, a man with very rough hair, clothes, and appearance came and stood in front of us, greeted us and said, "Inform those who hoard wealth, that a stone will be heated in the Hell-fire and will be put on the nipples of their breasts till it comes out from the bones of their shoulders and then put on the bones of their shoulders till it comes through the nipples of their breasts the stone will be moving and hitting." After saying that, the person retreated and sat by the side of the pillar, I followed him and sat beside him, and I did not know who he was. I said to him, "I think the people disliked what you had said." He said, "These people do not understand anything, although my friend told me." I asked, "Who is your friend?" He said, "The Prophet said (to me), 'O Abu Dhar! Do you see the mountain of Uhud?' And on that I (Abu Dhar) started looking towards the sun to judge how much remained of the day as I thought that Allah's Apostle wanted to send me to do something for him and I said, 'Yes!' He said, 'I do not love to have gold equal to the mountain of Uhud unless I spend it all (in Allah's cause) except three Dinars (pounds). These people do not understand and collect worldly wealth. No, by Allah, Neither I ask them for worldly benefits nor am I in need of their religious advice till I meet Allah, The Honorable, The Majestic.'" (Bukhari)

In case of incompetence (lack of legal religious responsibility)

Is zakat due for the wealth of:

- The child?

- The insane?

# Legal Incompetence

- Is Zakat required in the wealth of:
  - The insane?
  - The child?

# Distribution of Zakat

﴿ إِنَّمَا الصَّدَقَتُ لِلْفُقَرَاءِ وَالْمَسْكِينِ وَالْعَمَلِينَ عَلَيْهَا وَالْمُؤَلَّفَةِ قُلُوبُهُمْ وَفِي الرِّقَابِ وَالْغَرَامِينَ وَفِي سَبِيلِ اللَّهِ وَأَبْنِ السَّبِيلِ ط 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 Allah . and for the wayfarer: (thus it is) ordained by Allah, and Allah is full of knowledge and wisdom.

# Categories of Zakat recipients

- The poor
- The needy
- The collectors of zakat
- Those who are in debt
- In freeing slaves
- In the cause of Allah
- The wayfarer
- Those whose hearts have been reconciled to truth

الفقراء

المساكين

العاملون على الزكاة

الغارمون

في الرقاب

في سبيل الله

ابن السبيل

المؤلفة قلوبهم

# Some related issues

- Zakat must not be paid to those who are under the care and responsibility of Zakat payer.
- Zakat must be paid to only Muslims.
- It is permissible to inherit one's own paid zakat.
- Zakat could be used for helping in Hajj as part of (the Cause of Allah) Ibn Abbas and not opposed by other companions. →

# Conditions for which wealth becomes Zakatable

- Complete Possession or control الملك التام
- Growth ability النماء
- Reaching Nisab (i.e. the minimum required for zakat to be due) بلوغ النصاب
- In excess of the needs of the persons الفضل عن الحاجة الاصلية
- Freedom of debt السلامة من الدين
- Completion of one Hijri calendar year حولان الحول

# Complete Possession or control

- Debts:
  - Immediately due (Due to Allah or Due to Human beings).
  - Delayed.
- Prisoners' wealth.
- Money received for a job not done or merchandise not delivered.

# Growth ability

- The Wealth has the ability to grow regardless of whether it is growing or not.
- The wealth is under the control of the owner or his/her representative.

# Reaching Nisab

- Reaching the Nisab: (minimum required for zakatability)
- Length: One full lunar year
- Depreciation.
- Resuming the year if and when the Nisab is reached again.

# Issues in Zakat

- **Dying without paying zakat.**
- **Intention in zakat.**
- **Paying zakat before time.**

# General Rules

- There is no Zakat in public wealth.
- Different items must not be added together to reach Nisab except for gold and silver.
- Similar items must not be separated for the purpose of affecting Nisab and consequently evading Zakat.
- Zakat is not due on means of transportation.

## General Rules (Cont.)

- No zakat due on jem stones and other jewelry except gold and silver unless they are intended for saving or trade.
- Earned income or profits should be added to its kind in calculating Zakat. Zakat becomes due if Nisab is reached and kept for one year.
- Zakat is paid annually on the same wealth except for produce and agriculture.
- All forbidden jewelry are zakatable.

# Items for which zakat is due

## I. Financial Assets

1. Such as gold, silver, cash, savings, stocks, bonds, etc.
2. Conditions for zakat to be due on financial assets
  - Reaching the Nisab.
  - Possessing Nisab for a full lunar year.
  - Not affected by debts.
  - More than individual basic needs.

### 3. The Nisab

Items	Nisab	Zakat Due
<b>Gold</b>	85 gm = 2.62 oz \$ 1751.99 @ \$668.25 /oz	
<b>Silver</b>	595 gm = 18.36 oz \$ 147.84 @ \$ 9.50/ oz	

4. The amount of Zakat = 2.5 %

# General rules

- Funds that may include halal and haram assets
- Haram assets are not zakatable
- When we discuss an item, we discuss it for practical purposes because it exists
- It is your responsibility to take the haram wealth out of your assets and pay zakat on the Halal ones

# Items of Common concerns

## 1. Financial Assets:

- A. Savings: Interest is not zakatable.
- B. Checking: interest bearing accounts
- C. CDs:
- D. Bonds:
- E. Cash;
- F. Stocks:
  - i. Trading: **assets, inventory**, transportation, stores and machines, frigs. Both the stock and the profit
  - ii. Industrial: only the products and resulting the income including profit is zakatable: the stock itself may not be zakatable but the profit is
  - iii. Growth: the value of the stock and the profit
  - iv. Income: similar

## 2. Real Estate

- A. For investment: **for sale:** zakat is on the whole property as soon as it is intended for sale where zakat is paid annually.  
**For Rent:** you calculate your zakat on the income added to your financial assets after deduction of maintenance and other costs
- A. For trading: Zakatable
- B. Shares: zakat is required on your shares

3. **Shares:** consider your share only not the total value of the bus.

2. **Company Contributions (benefits):**  
cash, assets, life insurance, etc.

### Employee Savings

- A. 401 k: you don't have control over it i.e. you cannot withdraw freely as needed. **Company money**+ **personal contribution**=
- B. 403 B

# Cont.

## 6. Life insurance

- A. **Term life insurance: if you receive a return: (1) your money which you pain in the contact+ the company's haram money**
- B. **Whole Life Insurance: Same as above**
- C. **Universal**
- D. **Variable Universal**

## 7. Interest:

## 8. Loans:

- A. **Guaranteed: Zakatable**
- B. **Un-guaranteed: zakatable only when you receive them**

## 9. Annuity:

- A. Fixed
- B. Variable

10. Mortgage: Loans you owe; they don't affect responsibility for zakat

## 11. Jewelry and Antiques

- A. Men's Jewelry: halal source, material, intention, use,: not zakatable.
- B. Antiques made of gold and silver: Zakatable, the value is added to one's assets
- C. Kitchen tools and plates made of gold and silver:  
**Haram; zakatable**
- D. Antiques
  - i. For Personal collection: not zakatable
  - ii. For trade: **zakatable**

## 12. Woman's Ornament

### A. Gold or silver:

- Jumhour (i.e. majority of schools): there is no zakat on them if they were purchased for use for her own beauty.
- Abu Hanifah; Zkatable if they reach nisab.
- The consensus: they are zakatable if they are purchased for saving, investment or profit making use.

### B. Gems (diamonds, rubies, sapphires, pearls, etc.): No zakat on such items

# 13. Trading

## A. Such as :

- Shops, restaurants, trucks, etc.: tools and non zakatable
- Machines used for services in commercial purposes: not zakatable.
- Merchandise: the inventory+ profit is zakatable

## B. Conditions for Zakat to be due on Trading:

- Intention to trade.
- Nisab at the end of the year.

## C. The Nisab.

## D. zakat = 2.5 %

- Debts
- Costs
- Loans

## 14. Income (daily, weekly, monthly)

Rent you receive from the rental property i.e.

### **Real estate income.**

Shafei school: zakat is due immediately

Abu Hanifah and Malik: Zakat is due at the end of the contract

Hanbali: You own the money from the time of collection, you keep it with your assets and if after one year is still nisab, you pay zakat

**a) Profits:**

**b) Salary:**

**c) Gifts:**

## **VI. Live Stocks**

**1. Such as camels, cows, buffaloes, sheep, and goats.**

**2. Conditions For zakat to be due on live stocks**

**a. Reaching the Nisab.**

**b. Possessed for a full lunar year.**

**c. Are not costly in feeding (Saimah).**

**d. Are not working.**

### 3. The Nisab

Items	Nisab	zakat Due
Camels	5 or more	
Cows and buffaloes	30 or more	
Sheep and Goats	40 or more	

### 4. Horses for:

Transportation:

Trade

Other types: sports (no zakat), if for investment

## VII. Agriculture

1. Such as grains, fruits, vegetables, etc.

2. The Nisab:

$$653 \text{ Kg} = 1439.62 \text{ lb}$$

3. zakat:

1/10 for items watered by rain (without cost)

1/20 for items watered by machines (with cost)

4. zakat is paid after deducting:

- Costs.
- Debts.
- Basic needs.

## VIII. Honey

1. The Nisab = 653 Kg
2. Zakat=10%

## IX. Treasures and Ores

1. Such as founded treasures, metals, etc.
2. Conditions for zakat to be due on treasures and ores
3. The Nisab
4. zakat = 2.5% according the Jumhour  
Abu Hanifah: 1/5<sup>th</sup>

# Zakatability Test

## Livestock

	Y	N
1. Do you own 5 camels or more of all ages?	—	—
2. Do you own 30 or more of cows or/and buffaloes of all ages?	—	—
3. Do you own 40 or more of sheep or/and goats that can be bred?	—	—

**If you answer to one of the above questions was yes, then you must pay zakat on the specific type .Refer to an authentic source for guidance and help.**

- **Financial Assets**

1. **Gold 's price as per today in US Dollars =...../oz**

**Nisab =.....(gold price/oz)\*2.62**

**= US \$**

2. **Do you have Nisab of one or more of the following:** **Y** **N**

- |   |          |          |
|---|----------|----------|
| <b>– Gold</b>                                     | <b>—</b> | <b>—</b> |
| <b>– Silver</b>                                   | <b>—</b> | <b>—</b> |
| <b>– Cash</b>                                     | <b>—</b> | <b>—</b> |
| <b>– Stocks(refer to explanation for details)</b> | <b>—</b> | <b>—</b> |
| <b>– Bonds</b>                                    | <b>—</b> | <b>—</b> |
| <b>– Savings</b>                                  | <b>—</b> | <b>—</b> |
| <b>– Checking accounts</b>                        | <b>—</b> | <b>—</b> |
| <b>– Life insurance</b>                           | <b>—</b> | <b>—</b> |

- Antiques
- Men's Jewelry
- Kitchen tools and decoration.
- Trading



**If the answer is yes, then you must pay zakat if one lunar year or more has passed since you paid zakat last time or since you possessed the Nisab for the first time.**