

## The Permanent Committee for Scholastic Research and Legal Rulings

### It Is Preferable To Distribute *Zakaatul-Fitr* on the Day of the *Eid*, Just Before the Eid Prayer

**Question:** Is it obligatory to distribute *Zakaatul-Fitr* – all of it – to those entitled to it on the Day of *Eid* or before it?

**Answer:** That which is **preferable** is to distribute the *Zakaatul-Fitr* on the Day of the *Eid*, before one goes out to the Eid Prayer; and it is **permissible** to distribute it *one or two days before the Day of Eid*. And success is from Allaah. And may the Praise of Allaah (in the Highest Assembly of the Angels) and Safety and Security be upon our Prophet Muhammad, his family and his companions.

### Who Has A Right To Receive *Zakaatul-Fitr*?

**Question:** Should the poor people who use *al-Qaat* (the leaves of a certain shrub which act as an excitant/intoxicant when chewed) and *Dukhaan* (tobacco products) be given any of the *Zakaat al-Fitr* (foods collected at the end of Ramadaan as a charity) or not?

**Answer:** Their engaging in such things *does not prohibit them from being given something from the Zakaah (al-Fitr) since they do not go out of the community of Islam due to this (type of behavior)*. Rather, they are believers due to whatever *Emaan* they have, and they are sinners due to whatever forbidden actions they engage in. It is obligatory upon the ruler to stop them from that which they are engaging in and to punish them for this (behavior).

We ask Allaah, for us and for them, right guidance and success in doing that which is beloved and pleasing to Him. And success is from Allaah. And may the Praise of Allaah (in the Highest Assembly of the Angels) and Safety and Security be upon our Prophet Muhammad, his family and his companions.

### The Obligation to Actively Seek Out - and Search for - Poor Muslims Who Are Good People

**Question:** There are some men in the market-places requesting *Zakaatul-Fitr*, but we do not know if they are *Mu-ta-day-yi-noon* (those who *observe* the Islamic duties and laws) or not? And there are others whose condition appears to be good and who spend the *Zakaah* (charity) which comes to them on their children, and some of them are receiving a *Raatib* (a salary, usually received from a job) *but they are weak in the religious observances*. Is it permissible to give (the *Zakaatul-Fitr*) to them or not?

**Answer:** *Zakaatul-Fitr* is to be given to **Fuqaraa' al-Muslimeen** (the poor Muslims) – as long as they are *sinners* whose sin does not take them out of al-Islam. What is to be considered – concerning *the state of poverty* of the one who takes it (i.e. the *Zakaatul-Fitr*) – is *their apparent condition*, even if they are actually (secretly) free of need. It is required of the one who gives it (i.e. the *Zakaatul-Fitr*) to **actively seek out or search for the al-Fuqaraa' at-Tayyibeen** (poor people who are good people) *as much as he is able*. If it later becomes clear that the person who received it (i.e. the *Zakaatul-Fitr*) is without need, this does not harm the one who has given it. Indeed, his obligation is fulfilled (and he is credited); and all praise is due to Allaah. And success is from Allaah. And may the Praise of Allaah (in the Highest Assembly of the Angels) and Safety and Security be upon our Prophet Muhammad, his family and his companions.

### The Original Rule Is That *Zakaatul-Fitr* Should Be Distributed Directly To the Poor Person

**Question:** Do Masjids and Islamic organizations have the authority to collect the *Zakaat* (al-Fitr) in the form of **cash-money** and distribute it - to those entitled to it - **in the form of grains**, and in this case have the authority to collect the *Zakaah* as a **representative** (*Wakeel*) of the one required to offer the *Zakaah*?

**Answer:** The **original rule (al-Asl)** is that *Zakaatul-Fitr* is required to be **distributed by the one responsible for it directly to the one entitled to receive it**. However, it is *permissible* for the one upon whom it is obligatory to distribute *Zakaah* (al-Fitr) to *appoint someone else* – from among those who are **trustworthy/honest (Thiqaat)** to distribute it (on his behalf).

### *Zakaatul-Fitr* Collected By Islamic Organizations Must Be Distributed Before Eid Prayer

**Question:** [In an extremely lengthy and detailed question, a social welfare/charity organization, registered with the government, known as **Jam'eeyatul-Birr** in the city of Jeddah, Saudi Arabia explained some of the social services they provide to *orphans, children with special needs*, such as those who parents are imprisoned or whose parents suffer from mental diseases..., and *needy families* to whom they offer financial aid, food items and school supplies, etc. They also mentioned some details about their expected future plans to expand their services to more children and needy families, In Sha Allaah. Finally, they mentioned that the source of their monies comes from obligatory

charity (*Zakawaat*), voluntary donations (*Tabarru'aat*), gifts and grants (*Hibaat*), and wills (*Wasaayaa*), in addition to member-partners (who regularly give).

Considering that the *Jam'eeyah* (social welfare/charity organization) has decided to gather together all of the *Zakaatul-Fitr* that it has -- whether it is that which it distributes *directly*, as food-stuffs, or that which it *transforms* into food-stuffs on behalf of those who have given money *just like they do with the meat* from the sacrificial animals of *Eid al-Adhaa* (**al-Adaahee**), the sacrificial animals offered by those performing *Hajj* (**al-Hady**), and the (money paid as) compensation for violations during the *Hajj* (**al-Fidyah**) [i.e., they take the *money*, *buy the animals* for the people for any of these three purposes, and *slaughter* them on behalf of these people] --- and this would be done before *Salaatul-Eid*; so, is it permissible for the *Jam'eeyah* to *distribute and discharge these food-stuffs gradually*, according to the needs of those whom the *Jam'eeyah* is taking care of? I hope – from your Eminence – that you will issue your ruling concerning this matter to make it easy for us to proceed with this charitable project.

**Answer:** It is **obligatory** for the *Jam'eeyah* to **distribute** the *Zakaatul-Fitr* to those who are entitled to it **before** the *Eid* Prayer; and **it is not permissible to delay it beyond this time**. This is because the Prophet (SallAllaahu Alaihi wa Sallam) ordered that it be **delivered to the poor before the Eid Prayer**, and the *Jam'eeyah* is in the position of the representative (**Wakeel**) of the person giving the *Zakaah*; and the *Jam'eeyah* does not have the right to collect the *Zakaatul-Fitr* except in **the amount that it is able to distribute to the poor before the Eid Prayer**.

Additionally, it is *not permissible* to distribute *Zakaatul-Fitr* in the form of **cash money**. This is because the *Sharee'ah* evidences have definitely indicated the obligation of distributing it in the form of **food-stuffs**. It is not permissible to skip over the *Sharee'ah* evidences in preference to the saying of any one of the people. And if the people who are obligated to give *Zakaah* pay the *Jam'eeyah* cash money for the purpose of buying food for the poor with this money – it is **obligatory** upon the *Jam'eeyah* to **execute** this (obligation) **before the Eid Prayer**; and it is **not permissible** for the *Jam'eeyah* to **distribute the cash money**. And success is from Allaah. And may the Praise of Allaah (in the Highest Assembly of the Angels) and Safety and Security be upon our Prophet Muhammad, his family and his companions.

#### **Rules for the Distribution of Zakaatul-Fitr: Its Amount, Time, Those Entitled To It...**

**Question:** What is the *amount* of *Zakaatul-Fitr*, and *when* is it to be distributed, and *to whom* is it given in *France*? Is it permissible to collect it through the Imaam of the Masjid, and then distribute it to those entitled to receive it – even if (it is distributed) after some time? Is it connected to monetary *inflation*; and is it permissible to *send it*, for example, to the *Mujaahideen* in Afghanistan, or adding it to the monies collected for *building a Masjid*, for example?

**Answer:** The **amount** of *Zakaatul-Fitr* is a **Saa'** (a measure in *volume* that is equal to approximately 2.4 kilos or 5 pounds) of dates or barley or raisins or *Aqit* (sun-baked yogurt) or food.

Its **time** (to be distributed) is the night before *Eid al-Fitr*, up to just before the *Eid* Prayer. It is (also) *permissible* to advance it *two or three days* (before the Day of Eid).

It is to be given to **Fuqaraa' al-Muslimeen** (the poor Muslims) **in the land where the one giving it is residing**, though it is *permissible* to carry it to **the poor of another land whose people are more needy**.

It is permissible for the Imaam of the Masjid - or those like him who are trustworthy – to collect it and distribute it to the poor, **with the condition that it reach those entitled to it before the Eid Prayer**.

Its amount is *not* based upon *monetary inflation*. Rather, the divine law has determined its amount to be a **Saa'** (approximately 2.4 kilos or 5 pounds). And whoever has no more than enough food for himself - and those whom he is responsible to spend upon - for the Day of *Eid*, is relieved (of this obligation to distribute *Zakaatul-Fitr*).

It is *not permissible* to use it for the building of a Masjid or any (other) charity projects. And success is from Allaah. And may the Praise of Allaah (in the Highest Assembly of the Angels) and Safety and Security be upon our Prophet Muhammad, his family and his companions.