

Answer to Question

Is it Permissible to Give Zakat Money to One's Sister and Daughter?

To: Abdullah Al-Haddad

(Translated)

Question:

Assalamualaikum Warahmatullahi Wabarakatuh. May Allah bless your times with all goodness and happiness, and grant you a long life in obedience to Allah and His Messenger. I ask the Almighty Allah, the Lord of the Great Throne, to hasten the establishment of the second Khilafah Rashidah (rightly guided Caliphate) while you are in the best of health and well-being.

My question is: Is it permissible to give zakat money to one's sister or daughter?

Answer:

waealaykum alsalam warahmat Allah wabarakatuh

Islam has made it obligatory to provide for the poor and has detailed this regarding the poor and upon whom it is obligatory, etc.:

It is stated in the Economic System book, pages 204-211 of the Word document:

(... The basic needs, whose non-fulfillment is considered poverty, are: food, clothing, and shelter. Anything beyond these is considered a luxury. Therefore, someone who does not fulfill the luxurious needs but meets the basic needs is not considered poor.

Islam has made it obligatory to fulfill these basic needs and provide them to those who cannot find them. If an individual provides them for themselves, it is good; if they cannot provide for themselves due to lack of sufficient money or inability to acquire sufficient money, the Shariah obligates others to assist them until these basic needs are fulfilled. The Shariah has detailed how an individual should be assisted in these matters. It made it obligatory upon the inheriting relatives. Allah the Exalted said: ﴿وَعَلَى الْمَوْلُودِ لَهُ رِزْقُهُنَّ وَكِسْوَتُهُنَّ بِالْمَعْرُوفِ لَا تُكَلَّفُ نَفْسٌ إِلَّا وُسْعَهَا لَا تُضَارَّ وَالِدَةٌ بِوَلَدِهَا وَلَا مَوْلُودٌ لَهُ بِوَالِدِهِ﴾ **“Upon the father is the mothers' provision and their clothing according to what is acceptable. No person is charged with more than his capacity. No mother should be harmed through her child, and no father through his child. And upon the [father's] heir is [a duty] like that [of the father].”** [Surat Al-Baqara:233]

This means that the heir is responsible for the same duty of provision and clothing as the father. It is not meant that the heir is already an actual inheritor, but that they are among those who are entitled to inheritance. If there are no relatives upon whom Allah has obligated the provision of their relative, then their provision is transferred to the public treasury, under the category of zakat. Abu Huraira reported: The Messenger of Allah (saw) said: «مَنْ تَرَكَ مَالاً فَلِوَرَثَتِهِ وَمَنْ تَرَكَ كَلًّا فَلِإِنَّا» **“If anyone leaves property it goes to his heirs and if anyone leaves dependents without resources they come to us.”** (Reported by Muslim) and the burden refers to the weak person who has no father or son ...] End.

2. As for who is obligated to provide for the poor among relatives, the details are as follows:

In the Kuwaiti Fiqh Encyclopedia (pages 8267-68):

[Categories of those who are not allowed to be given zakat:

Anyone who is a direct relative of the zakat giver or is related by birth. This includes his ascendants, such as his parents and grandparents, whether they are inheritors or not, and likewise his descendants, such as his children and grandchildren, regardless of how far down the line. The Hanafis state this because the benefits of ownership are connected among them, and this is the opinion of the Hanafis and Hanbalis.

As for other relatives, like siblings, uncles, aunts, and their children, there is no prohibition in giving them zakat, even if some of them are dependent on him. The Prophet (saw) said: «الصدقة على» **“Sadaqa given to a poor man is just sadaqa, but when given to a relative it serves a double purpose, being both sadaqa and a connecting link.”**

This is the opinion of the Hanafis and is the preferred opinion among the Hanbalis.

According to the Malikis and Shafi'is, it is not permissible to give zakat to relatives whose maintenance is obligatory upon the zakat giver:

For the Malikis, those whom it is obligatory to maintain are the father and mother but not the grandparents, and the son and daughter but not their children. The son must be maintained as long as he is a minor, and the daughter until she gets married and her husband consummates the marriage with her.

For the Shafi'is, those who must be maintained are the ascendants and descendants...]

3. As you can see, giving zakat to the daughter has different opinions among the scholars because she is a descendant. Although the established ruling among them is that it is not permissible to give zakat to those whom the zakat giver is obligated to maintain, rather they should be maintained from his own wealth; the difference of opinion lies in who exactly is obligated to be maintained by the zakat giver among the ascendants and descendants.

Some say: (The categories of those who are not allowed to be given zakat are his ascendants, such as his parents and grandparents, whether they are inheritors or not, and likewise his descendants, such as his children and grandchildren, regardless of how far down the line. This is the opinion of the Hanafis and Hanbalis.)

Others say: (Those whom it is obligatory to maintain according to the Malikis are the father and mother but not the grandparents, and the son and daughter but not their children. The son must be maintained as long as he is a minor, and the daughter until she gets married and her husband consummates the marriage with her.)

Others say: (Those whom it is obligatory to maintain according to the Shafi'is are the ascendants and descendants...)

Now I answer your question: Is it permissible to give zakat to one's sister or daughter?

1. Regarding the daughter, the answer is as follows:

a. If the daughter is unmarried and lives with her father, her maintenance is obligatory upon him, so he should provide for her from his wealth and not from zakat.

b. If the daughter is married and her husband is well-off and maintains her, it is not permissible to give her zakat even if she is poor, because she is considered wealthy due to her husband's maintenance. Al-Nawawi said in Al-Minhaj: "One who is provided for by a relative or a husband is not considered poor or needy according to the more correct opinion." End.

c. If the daughter is married and poor, and her husband is unable to maintain her, Ibn Qudamah said in Al-Mughni: "If a poor woman has a well-off husband who maintains her, it is not permissible to give her zakat because her needs are being met by the obligatory maintenance she receives, similar to one who has income from property. However, if he does not maintain her and it is impossible to get it from him, it is permissible to give her zakat, just as if the benefit of the property was lost." End.

I favor avoiding the difference of opinion by giving zakat to the poor daughter's husband if he meets the criterion of poverty, and he then spends on his wife from the zakat he received. As for the father giving to his daughter, it should be from his own wealth and not from zakat.

2. Regarding the sister, the answer is as follows:

If your sister lives in your house and you maintain her, it is not permissible to give her zakat. However, if she is married and her husband is poor, it is permissible to give her zakat. In fact, giving her is more appropriate than others; as the Prophet (saw) said: «الْصَّدَقَةُ عَلَى الْمِسْكِينِ صَدَقَةٌ، وَهِيَ عَلَى ذِي الرَّحِمِ ثِنْتَانِ صَدَقَةٌ وَصِلَةٌ» **“Sadaqa given to a poor man is just sadaqa, but when given to a relative it serves a double purpose, being both sadaqa and a connecting link.”** Narrated by Tirmidhi.

This is my favored answer to your question, hoping it suffices, and Allah knows best.

Your Brother,

Ata Bin Khalil Abu Al-Rashtah

28 Dhul Hijjah 1445 AH

04/07/2024 CE

Link to the answers on the Ameer's Facebook page:

<https://www.facebook.com/AtaabuAlrashtah.HT/posts/322186907630481>