

ISLAMIC FUNDAMENTALS: ZAKAT AND SAWM

WITH HINTS ON

THE PRINCIPLES OF ECONOMIC SYSTEM IN ISLAM

HADI, Moshood Atanda

NCE, B.A (ED)., M. A, PhD

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ISBN: 978-978-55263-6-3
Published & Printed by
NATHADEX PUBLISHERS,
Ilorin.
08035026567

DEDICATION

This work is dedicated to my Parents: *Al-marhum-*
Alhaji Hadi Imam Mustapha (*Rahimaullah*) and Hajia
Hawau Aduke Hadi (*Adamallahu Ayataha*).

AKNOWLEDGEMENTS

My thanks first go to the Almighty Allah who inspires and made it possible for me to complete this work. May His blessings be upon the holy Prophet Muhammad, his companions and the generality of muslims the world over.

My sincere appreciation and gratitude go to my mentors, who have inspired me and provided useful advises that contributed to the completion of this edition of the book. They are Dr Abdul-Sai'l Imam Arikewuyo, Dr Sulaiman Shehu Adua, Dr S.A.K Alanamu, Alh. Imam Abdullah Abdulhameed, Alh. A.K.W Aliy Kamal, Alh Abdulganiyy.O. Oloruntele, Prof. Adebayo Yusuf Abdulkareem and Prof. Sulyman Shittu Adeniran.

My thanks and appreciation go to my HOD, Dr. Abdullahi Abdulganiyy Nyasse who wrote the foreword to this edition for his support and cooperation. Other staff in the Department deserve my mention – Alhaji Gambari Muhammed Aliyu, Mallam Hadi Muhammad Ismail, Mallam Abdulrasak Aroworeyin, Mallam Atolagbe Issa, Mrs Zainab Abdulrahman and Mrs Victorial Akinwale. Thanks for your support and cooperation.

I thank my family members especially my wives and children: Hajia Monsurat Temitayo and Hajia Shakirat Gbodofu; Muhammad Mustapha, Faoziyah and Faiz for their patience, endurance and encouragement throughout the period of writing this work. May Allah reward the immensely.

Finally, I owe a great deal to Mr Alabi Nathaniel the Director Nathadex Publishing Company for his useful suggestions and advise to this production. The following friends are hereby appreciated for their support all the time. Alhaji Hamzat Abdulkareem, Alhaji Adio Arikewuyo Kamaldeen, Dr. Hadi Saadu, Mallam Zakari Sambo, Dr. Abdulganiyy Ahmed, Dr. Abdulwahab Danladi Shittu, Dr. Shola Ojo, Mallam Bayo Badamasi Ashaolu, Dr. Abdulhamid Badmus, Dr. Mrs. Akande L.B, Alhaji Kehinde Ade Yusuf and all members of organization of Muslims Unity nation wide.

PREFACE

Zakat and Sawm are two main fundamental pillars of Islam. Zakat is distinct from voluntary charity, and it was instituted to reduce the gap between the rich and the poor but as important as it is, many Muslim still do not appreciate the wisdom behind its institutionalization.

Moreso, the importance of fasting cannot be over emphasized yet, majority have not grasped the full benefit and opportunity of this important spiritual exercise.

It is for the reason that we have decided to embark on this work to explain these two pillars in a more lucid and simple language for our Muslims brothers and sisters as well as lovers of Islam.

In this edition, some hints were provided on the principles of economic system in Islam to give insight into the prescribed limits for the economic activities of man in line with the laid down principles of Islam.

The material will also be useful for all student of Islamic studies at various levels; Da'awah workers and seekers of truth will also find the materials very useful.

However, as long as we are not claiming perfection in this book, the author admits whatever lapses that might be discovered in it and will happily accept and appreciate constructive criticisms from and quarter. May Allah accept this effort as a contribution to his cause.

Mashood A. Hadi

January, 2018

Rabiu Thanni 1439 AH

FORWORD

Zakat and Sawm, two most important pillars of Islam have been clearly discussed by the author. The material has been very useful in the past to students, researchers and seekers of truth. This edition is reproduced with additional topic titled: Hints on the principles of economic system in Islam. The principles provide an insight into the rudimentary knowledge of what Islamic economic system have in stock, it is a poser that aimed to wet the appetite of everyone who is interested in finding out what Islamic economic system has to offer.

The author adopts a peculiar style to facilitate comprehension and provides revision questions to evaluate learning. It is therefore, an indispensable handbook for students of Islamic Studies at various level of learning. I have no reservation in recommending the book to all questing learners.

Abdullah Abdul-ganiyy Nyass, Ph.D

January 2018

Rabiu Thanni 1439AH

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CHAPTER ONE

ZAKAT (ALMS GIVING)

DEFINITION OF ZAKAT

The term *Zakat* is an Arabic word that is derived from verbal root *Zakawah* meaning to increase. “to purify” or to bless “. It finds its own origin in Allah’s command in Qur'an 9:103 thus: “take *Sadaqah* (charity) from their property in other to purify and sanctify them”. Technically therefore, the word means “an annual amount in kind or cash which is compulsory upon a Muslim with means to pay and distribute among the rightful beneficiaries. “or simply put, “as that portion of a man’s wealth that is designated, for the poor.” By paying *Zakat*, one is aspiring to attain blessing, purification and the cultivation of good deeds.

Rationale for Zakat in Islam

Allah is the creator of all and He knows the need of all. It is He who gives prosperity to some while others barely live from hand to month in spite of their untiring efforts. Allah looks after one and all, and the poor people are all under the peculiar patronage of Allah who has made poor rate of the *Zakat* distinct from voluntary charity and has made it the most important obligation only next to prayer (*Salat*) on the Muslim.

Thus, the poor Muslim have a prescriptive right to share in the fortunes of their brothers. Solicitude for the poor, the needy and the slaves who need to be emancipated is broadly impressed in the *Qur'anic* teachings as well as the

words and deeds of the Holy Prophet. The poor thus qualify for their share in good things and not bad ones as the *Qur'an* suggest.

خذ من أموالهم صدقة تطهرهم وتزكيهم وصل عليهم إن صلاتك
سكن لهم والله سميع عليم (9:103)

O you who believe! Give in charity of the good thing you earn and of what we have brought forth for you out of the earth. And do not aim at giving charity what is bad (Q2:267)

Ibn Abbas thus reported from the prophet:

The prophet sent Mu'adh Ibn Jabal to Yemen and said:" invite them to bear witness that there is no God but Allah and that I am the messenger of Allah. If they accept this tell them that Allah has made obligatory on them five prayers in every day and night. If they accept this, tell them that Allah has made obligatory in their wealth a charity which is taken from the wealthy among them and given to the poor among them". (Bukhari chapter 24: Hadith 1.)

Zakat constitutes one of the five pillars of Islam. It is associated with prayer (*Salat*) in eight-two *Qur'anic* verses. While Allah prescribes it in His divine book (*Qur'an*), His messenger corroborated it by his *Sunnah*, and the community (*Ummah*) by consensus upheld it. Allah further confirm when He says:

وَالْمُؤْمِنُونَ وَالْمُؤْمِنَاتُ بَعْضُهُمْ أَوْلَيَاءُ بَعْضٍ ۝ يَأْمُرُونَ بِالْمَعْرُوفِ
وَيَنْهَا عَنِ الْمُنْكَرِ وَيُقْبِلُونَ الصَّلَاةَ وَيُؤْتُونَ الزَّكَاةَ وَيُطِيعُونَ اللَّهَ
وَرَسُولَهُ ۝ أُولَئِكَ سَيِّرَ حَمْهُمُ اللَّهُ ۝ إِنَّ اللَّهَ عَزِيزٌ حَكِيمٌ

Meaning

And the believer, men and women are protecting friends of one another. They enjoin the right and forbid the wrong, they perform prayer and pay the Zakat, and they obey Allah and His messenger, upon them will I have mercy, (Qur'an 9:71).

At-Tabarani relates in *al-Awsat* and *as-Saghir* on the authority of Ali, that the prophet said:

يَا أَيُّهَا الَّذِينَ آمَنُوا أَنْفَقُوا مِنْ طَبِيبَاتِ مَا كَسَبْتُمْ وَمِمَّا أَخْرَجْنَا لَكُمْ مِنَ
الْأَرْضِ وَلَا تَيْمَمُوا الْخَبِيثَ مِنْهُ شَفِقُونَ وَلَسْتُمْ بِآخِذِيهِ إِلَّا أَنْ تُعْصِمُوا فِيهِ
وَاعْلَمُوا أَنَّ اللَّهَ غَنِيٌّ حَمِيدٌ.

Allah has enjoined upon the rich Muslims a due to be taken from their properties corresponding to the need of the poor among them. The poor will never suffer from starvation or lack of clothes unless the rich neglects their due. If they do, Allah will surely hold them accountable and punish them severely.

From the above analysis, it is clear that the source of wealth in Islam is through Allah who is the creator and fashioner of every body and He knows the need of all His creatures. He gave to some in abundant

and to others He restrains. At the same time. He has instituted the payment of charity (*Zakat*) to balance the equation, so that through the rich, the poor can always have succor.

CONDITIONS GOVERNING THE OBLIGATION OF ZAKAT

1. No *Zakat* is due on a property unless its value is up to the minimum taxable limit i.e *nisab*. Each taxable material has its own fixed *nisab*
2. The owner of the property or money on which *Zakat* is due must be a Muslim, male or female, old or minor: sane or insane. A non-Muslim who resides in an Islamic state is not bound to pay *Zakat* but he is liable to another special tax called *Jizyah*.
3. The proprietor must be a freeborn person but not a slave.
4. The *nisab* must have been in the payer's possession for a whole year and it must be fully owned by him. A Hadith reported by Tirmidhi goes thus: Ibn Umar said the messenger of Allah (S.A.W) said: "whoever acquires wealth, there is no *Zakat* on it until a year has passed.

TIME OF PAYING ZAKAT

1. The *Zakat* of farm product or crops is to be paid at the time of its harvest and once on a particular produce. The Qur'an states:

كُلُوا مِنْ ثَمَرَهٖ إِذَا أَثْمَرَ وَءَاتُوا حَقَّهُ يَوْمَ حَصَادِهِ وَلَا تُسْرِفُوا إِنَّهُ لَا يُحِبُّ الْمُسْرِفِينَ

Meaning

"...Eat of their fruit and crops in their season and give out what is due in them on the day of the harvest is gathered, but waste not by access, for God loveth not the wasters. (Qur'an 6:141).

2. The *Zakat* of minerals and of an ancient treasure is due when the minerals of the treasure has been evacuated.
3. *Zakat* on animals, money, treasures, article of trade and other items are paid at the end of the year, during which the property has remained in the possession of its owner.

KINDS OF ARTICLE OF WHICH ZAKAT IS PAYABLE

Properties which a person acquires varies and many. *Zakat* is payable on some materials while it does not apply to some other materials. As a general rule, personal assets except jewelries of gold, silver etc. Similarly, articles on which *Zakat* is Payable include:

1. **Livestock:** such as camel, cows, sheep and goats. There is no *Zakat* from tamed antelopes and other tamed animals. There is no *Zakat* out of horses, mules, and donkeys.
2. **Farm Produce:** such as corn, rice, wheat, grains, dates, etc. There is no *Zakat* on vegetables and fruits with the exception of grapes and fresh dates (*rutab*).
3. **Naqd:** Theses are gold, silver and money.
4. **Mineral Resources:** These include gold, silver, iron-ores, tin, etc.

5. **Merchandise:** such items held for the purpose of trade, Items owned for use like houses we live in. clothes we wear, motor car we travel by etc. are not levied.
6. Crops gathered from tilled fields

In all cases, Obligation of Zakat applies only when the amount or the

Value of the property reaches a minimum measure, called *Nisab*, specified for each types of these properties.

ZAKAT TAX PAYABLE ON EACH ARTICLE

1. Farm Produce

In determining whether or not the value of certain food items are up to the *Nisab* and what is the due payable on them. Each items is separately measured or weighed but varieties (different types) of a kind of items are grouped together to determine whether or not *Zakat* is due on them. When they are measured separately, the total weight of measurement is added together to determine their *nisab*. Rice is different from beans. Beans is not a variety of corn or millet. So each of them is measured separately.

The *nisab* for farm Produce is five *Awsaq*. One *wasaq* is the weight of the of a camel load, if weighed. Five *Awsaq* equals about 1,600 pounds weight. In measurement, let us quote the rules from *Al-muqaddimatul Izzaya of As-shadhili* which has been translated to English thus: The *nisab* for farm produce is five *awsaq* (Loads). (*Awsaq* is the Arabic plura of

wasaq). These five *awsaq* are 1,600 *Bughadadian Ratl*. Every *ratl* is 128 *Makkan* dirham. This (a dirham) is about 55 grains of medium size barley. The said weight would be after the removal of the low-quality grains and after its drying.

One *wasq* in measurement is 60 *Sa'* of the Prophet (a measurement used by prophet Muhammad (S.A.W) one *sa'* is 4 *mudd* (4 cups) used by the prophet in measuring cereals and grains. So one *wasq* is ($60 \times 4 \times 5$ or $240 \times 5 = 1,200$ *mudd*). If it is the *sa'* measurement that is used then (60×5 or $1,200 - 4 = 300$ *sa'* for a *nisab*). A *mudd* of the prophet is about the measurement of an average (not very big nor very small) double hundred scoop of an adult. So, 1,200 handfuls (the two hands open and put together) of the average size of the hands of an adult are the *nisab*.

Note that Zakat on farm produce will include the following: wheat, barley, maize, rice, lentil, beans, peas, groundnuts, chickpeas, guinea-corn, dates, raisins, olives, and the like. Note that Zakat is given out of vegetables and the sweet fruits such as the cucumber, lettuce, apples, oranges, mangoes, and the like. Whether an item is to be measured or weighed to determine the *nisab* depends on what is the normal practice of the area. For instance, gari and beans are normally measured in the Nigerian markets while yam and cassava are normally weighed.

THE RATE OF ZAKAT ON THE FARM PRODUCE

A hadith of the prophet is reported thus: Abdullahi reported that the Prophet (S.A.W) said: "in the produce of lands watered by rain and springs or

in what is watered by water running on the surface of ground is one tenth (1/10) and in what is watered by wells is one twentieth (1/20)." (Bukhari 24:55).

From the quotation, it is deduced that there are two categories of rate for the payment of *Zakat* on farm produce. These are:

- (i) Naturally Irrigated Farm: If the produce is watered by natural means such as rain, over flowing river or slump then the rate is on tenth (1/10) of the whole assessable farm produce, this is equivalent to 10%.
- (ii) Artificially Irrigated Farm: If the farm is watered through artificial means such as fetching water with buckets or tankers to wet it or through machinery such as watering camels or pinholes, then the *Zakat* due on any assessable quantity is one twentieth (1/20) which is equivalent to 5%.

2. Animals

Zakat that is due on certain Animals is called *Zakatul An'am* (*Zakat* of animal). *Zakat* is paid on certain domestic animals whose flesh is lawful for eating. Invariably, not all animals whose flesh is legally edible that are affected by *Zakat*.

CATEGORIES OF ANIMALS ON WHICH ZAKAT IS PAYABLE

There are various animals that are lawful for Muslims to eat and on which *Zakat* is paid. It is difficult to provide here a comprehensive list of such animals. They include cows, sheep, camels, rams, gazelle, bull, buffaloes and goats. Since they are of various size and values, their *nisab* and rate of *Zakat* are not

the same. Yet, since a comprehensive list of all of them cannot be specified. In Islamic law of *Zakat*, all such animals are classified into three and the normal belongs. For example, since cows are generally bigger than goats and rams, so it will be wrong to presume that cow and fully grown up ram are equal in size and then regard them as of the same group. Rather, it is the average normal size of the animal that is used in determining its group.

The three major groups are:

1. Camel
2. Cow
3. Sheep and Buffalos belong to the group of cows while gazelle and ram belongs to the group of sheep and goat.

THE NISAB FOR ANIMALS

The *nisab* for each group of livestock vary from one to another. Therefore, the *nisab* for each group is as follows:

1. Camels the *nisab* is 5 camels.
2. Cow the *nisab* is 30 cows.
3. Sheep the *nisab* is 40 sheep or goats.

As mentioned earlier, all other animals fall into one of the three above groups.

THE RATE OF ZAKAT ON ANIMALS

Animals continue to grow and as such age improves the size or the quality of the flesh or both. In this case, two goats of different ages are likely to be of different values. In determining what is to be paid on a particular

number of a group of animals, the age of the animals payable for *Zakat* is also specified. As a general rule, any animal below the age of one is not used for the payment of *Zakat*.

(A) Zakat of Camel

TOTAL TAXABLE NUMBER	ZAKAT DUE
5-20	One-year old sheep for each five
25-35	a 1 – year old she camel
36-45	a 2 – year old she camel
46-60	a 3 – year old she camel
61-75	a 4 – year old she camel
76-90	two 2-year-old she camel
91-120	two 3-year-old she camel

If the total is above 120, a two-year-old she camel should be for each additional forty and a three-year-old sheep camel should be for each additional fifty.

(B) Zakat of Cows

TOTAL TAXABLE NUMBER	ZAKAT DUE
30-39	A two-year-old cow
40-59	A three-year-old cow

If the total numbers of cows is more than forty, a two year old cow for each thirty and a three year old for each forty shall be paid for *Zakat*.

(c) Zakat of Sheep and Goats

TOTAL TAXABLE NUMBER	ZAKAT DUE
40-120	A year-old sheep or goat
121-200	2 one-year old sheep/goats
201-399	3 one-year old sheep/goats
400 AND ABOVE	4 one-year old sheep/goats

If the total number of goats /sheep is more than four hundred a sheep or goat should be given for each hundred as the *Zakat* due.

CLASSIFICATION OF ZAKAT

Zakat covers almost every kind of wealth, but basically it is of two kinds.

- (a) *Zakatul mal* or *Zakatul'ayn* (*Zakat* of wealth)
- (b) *Zakatul fitr* (*Zakat* giving at the breaking of the fast of Ramadan).

Other components of *Zakat* of wealth apart from the *Zakat* of Animal and *Zakat* of farm produce shall now be discussed.

OTHER COMPONENT OF ZAKAT OF WEALTH

Zakat of wealth herein is essentially concerned with legal tender or means of exchange. Gold and silver are two important metals that have been popular as a means of exchange in many. If not all nations of the worlds. There are other treasures such as diamond that also play similar roles in some other

areas. Banknotes and coin are popular as generally acceptable medium of exchange.

Sometimes, the acceptance of a particular currency may be restricted to certain parts of the world (such as Naira in Nigeria. Or unrestricted as applicable to dollars). None the less, gold and silver are essentially the basis of the world currencies. The values of Naira (IN) in Nigeria and a dollar (1\$) in the United States of American could be determined international by the quality of gold or silver that the unit (Naira or dollar) can buy.

Articles of trade which include all materials of trade that are not perishable within a year are also covered by this topic. The component of *Zakat* of wealth are hereby listed.

1. Gold
2. Silver
3. Treasures of equivalent values of gold and silver.
4. Mineral deposits (*Zakat* is not payable on precious stone).
5. Cash in form of bank notes, coins and deposits i.e. (savings).
6. Articles of trade.

Nisab for Gold

The *nisah* for gold is twenty *Dinar*. *Dinar* is a particular measurement of gold which was used during the time of Prophet Muhammed (SAW) to measure gold the weights of the metals are referred to as *Mithqal*. It is similar to pounds and ounces, grams and kilograms but not of the same value with any of them. Once a Muslim possesses a minimum of 20-dinar

value of gold and it remains in his possession for a year. *Zakat* becomes due on it.

Nisab for Silver

Silver was measured in Arabian Peninsula during the time of Prophet Muhammad in units known as *Dirham*. The *nisab* for silver is therefore fixed for 200 *dirham*.

The Nisab for Treasures Similar to Gold and silver

The value of any treasure used as medium of exchange or any precious metal is measured in terms of its equivalent value in gold and silver

The Nisab for Other Mineral Resources

All other minerals dug from mines are treated as gold and silver for the purpose of calculating the *nisab* and the rate to be paid on them It attracts the same rules as that of the treasures mentioned above

The Nisab for Article of Trade

Goods kept for commerce are due for *Zakat* once they reach the *nisab* and have been possessed for up to one year, the *nisab* is calculated in term of cash and Zakat on wholesale stock is paid when the goods which have been kept for one year are sold. The *nisab* is the value of 200 Dirham. Retail stocks is treated as cash at hand for the purpose determining the *nisab* and rate of *Zakat* that is due on it.

The Nisab for Money (Cash)

Cash inform of bank notes (currencies), deposits, (savings) and coins are useful only in places where they are acceptable medium of exchange. We have noted that the value of currencies varies. The unit

(denomination) of money used during the time of the Prophet was a silver coin known as Dirham. So, just as silver, the *nisab* for money is 200 Dirham.

The Rate of Zakat Due on Money and Treasure

The general rule is that Zakat due on any amount of money, gold, silver, (or the equivalent of gold and silver) that attains the *nisab* is one fortieth (1/40). This equals 2½% or 1/40 of the total wealth. Thus, for example, the *Zakat* on 20 *Dinar* of gold is ½ of a Dinar. That of 200 Dirham of silver is 5 *Dirham*. The same rate applies to the treasures and articles of trade. It is discernible that ½ Dinar is also equal to 5 *Dirham*.

It is noteworthy that in Nigeria, the central Bank of Nigeria, the Nigerian Industrial Development Bank, New Nigerian News paper and most recently the *Shari'ah* Court of Appeal, Ilorin among others publish the Naira equivalent of the *nisab* for gold, silver and money. There are basically two methods of determining the Naira equivalent of the *nisab*. Firstly, it is to take the measure of 200 Dirham (for silver) and 20 Dinar (for gold) and find out the price of each of them in the Nigerian market. The other method is to convert the current market rate of Dollar or pounds into its naira equivalent as published by the *Shari'ah* court of Appeal Ilorin every month. The *nisab* published for the month of February.

2007 is N254.623.30

DISTRIBUTION OF ZAKAT

Both the capitalist and the welfare state have failed to eradicate the economic suffering of their people. The welfare scheme introduced by them through various charity Organization have not changed the condition of the needy, the destitute and the like. Those in debt are forced to be in circumstances they cannot settle their debt and are continuously exploited by

creditors. Those in humble service continue to suffer more and more. This is so because morality and justice have been removed from the economic ideals *Zakat* has therefore presented to mankind a comprehensive code of behavior guided by divine revelation that seeks to establish these economic justices. It did not only make the poor due compulsory, but also made its distribution among the most deserved individual a requisite for its acceptance by Allah the Almighty. The only elaborate verse in respect of those to receive the poor due is in Surah 9:60

إِنَّمَا الصَّدَقَاتُ لِلْفُقَرَاءِ وَالْمَسَاكِينِ وَالْعَامِلِينَ عَلَيْهَا وَالْمُؤْلَفَةِ قُلُوبُهُمْ وَفِي الرِّقَابِ
وَالْغَارِمِينَ وَفِي سَبِيلِ اللَّهِ وَابْنِ السَّبِيلِ فَرِيضَةٌ مِّنَ اللَّهِ وَاللَّهُ عَلِيمٌ حَكِيمٌ

Meaning:

Alms are for the poor and the needy, and those Employed to administer the (funds), for those whose hearts have been (recently) reconciled (to the truth), for those in bondage and in debt, in the cause of Allah, and for the way farer. thus, it is ordained by Allah and Allah is full of knowledge and wisdom.

THE RECIPIENTS

It is observed that eight categories of recipients have been mentioned in the verse already cited. These will now be elaborated.

1. **Fuqara' (p1. of Faqir):** This word literally derived from *faqr* which means the breaking of the vertebra of the back, and therefore *faqr* means a man who has the vertebrate of his back broken or one afflicted by calamity. In the *Zakat* content it refers to those unable to earn. (i.e. the poor people).

2. **Masakin (pl. of Miskin):** Derived from the word *Sakana* meaning motionless. It signifies a person who though fit to earn sufficient but he is unable to do on account of poverty or lack of resources. The *masakin* is the needy person who if given a little help can earn livelihood for himself.
3. **A Milina Alayha (Administrators of Zakat):** This as explained in the previous verse include all those who are responsible for its collection and distribution. This means that under this, *Zakat* is to be centrally collected and distributed. Since this is the case, the maintenance of the office and its people become chargeable from the *Zakat*. But while this is being incurred, care must be taken to safeguard any squandering and misappropriation of the fund to the detriment of other recipients.
4. **Those whose hearts are to be drawn close:** This category of the *Zakat* beneficiaries includes those whose hearts inclined to truth, that is. people who are in search of truth but unable to find means to have access to it on account of poverty, also included are the new converts to Islam who have their means of livelihood blocked because of their acceptance of truth (Islam). Genuiness of the condition of this group must be ascertained so that frauds are detected.
5. **The Captives:** Islam has recognized the liberty of believer by permitting that *Zakat* should be used in freeing Muslim slaves outright or in helping a slave, who has contracted with his owner to purchase his own freedom, to make his payments or to ransom Muslim prisoners of war from the enemy. This is included in the category

because the prisoner of war is in a state of bondage and his needs is even more pressing as he is in danger of being killed or forced to abandon Islam.

6. The Debtors: They are those who have incurred debts and they are specified as responsible for the discharge of those debts. Debts are of two kinds:

- (i) Debts incurred by a person on his own behalf for something which is permissible in Islam.
- (ii) Debts incurred by a person who incurs a debt for some one else's benefit, for instance to make peace between two parties.

In any of these two categories, Zakat fund are to be used to settle their debts.

7. Fisabilillah (In the way of Allah): This goes to volunteers who are not on the government payroll, both the poor and the rich are eligible, and those who guide the Muslim frontiers militarily, and it doesn't include general charitable spending, otherwise there would have been no point in mentioning the other seven categories in the Qur'anic verse, since they would be all included in general charitable spending.

The broad meaning of jihad is appropriate for inclusion in this category. That is, comprehensive Islamic education, repelling the ideological onslaught of anti-Islamic forces, answering the doubts and suspicions they raise, distribution of useful Islamic books and funding reliable dawah workers since Islamic workers

too devote their energies full time to the propagation of Islam and the countering of anti-Islamic missionary and atheist activities etc. the basis for this is the *hadith* of the prophet which says:

جاهدوا المشركين بأموالكم وأنفسكم وألسنتكم

Meaning

Strive against the idolaters with your wealth and your lives and your tongues. (*Abu Dawud*)

8. The wayfarer: Travelers who are stranded in a foreign country or in a distant place and are unable to continue their journey without resorting to begging for assistance on the way.

It is the duty of the state to ensure that *Zakat* is collected and distributed according to the *Qur'anic* precepts, in a situation where there is no Islamic machinery to oversee its collection and distribution, persons on whom payment of *Zakat* becomes obligatory should make sure that they give it only to the prescribed people.

Zakat should be distributed in such a way that the individual needs are satisfied. It should be given in such away that the recipient gets enough to stand by himself so that probably, within the next few years, he, instead of receiving it, may be able to give it to others. It was this

method that the caliph Umar Ibn Abdul Azeez used and at a particular time, no single recipient **of Zakat** could be found in his domain.

ZAKAT IN MODERN TIMES

Nowadays, there are differences of opinion among the *Shari'ah* scholars and Islamic economists on the rates, coverage, *Nisah* and disbursement of *Zakat*. It is on these that we are going to *base* our consideration of *Zakat* in the modern times.

1. *Rates*

According to many *Shari'ah* scholars the rates of *Zakat* are permanently fixed by the Islamic law and as such they cannot be changed. But some modern writers including Islamic economists are in favor of modifying and changing these rates according to the need of the state. In this regard. Maolana Abdul-Kalam Azad's view is noteworthy:

The prophet (S.A.W) prescribed different ratio (and no such ratio or rate of *Zakat* has been prescribed by the verses of the *Qur'an*) on different occasion. During the time of the first caliph, the companions (of the Holy prophet) thought over this problem and fixed the present ratio. This ratio is not obligatory but it is subject to *Itihad*. It is the duty of those who hold power that they should fix the proper ratio according to the economic conditions and needs of society in every age (Ahmed, 1972)

Others support the case for a flexible rate of *Zakat* to be expressed at Least in real terms involving periodic adjustment to reflect changes in the cost of living. However, the flexibility of *Zakat* rate

must be allowed only in the interest of the poor and not in favor of the rich.

2. **Coverage**

So far as the coverage of *Zakat* is concerned, the modern Scholars vary in their opinions on its imposition and collection from machinery and capital goods. Thus, Sidiq, Abu Zahra and others advocate 10% *Zakat* on the net income (profits) of the concerns, while Mawdudi , thinks that only the marketable produce of industrial units (and not machinery and capital goods) should be subjected to 2.5% *Zakat*, though he is in favor of imposing *Zakat* on the shares of industrial concerns. Mannan is of the opinion that 10% *Zakat* should be levied on the profit net of depreciation allowance otherwise the source of income will be adversely affected.

3. **Nisab**

Question revolves round the re-assessment of *nisab* i.e. the minimum exemption limit of *Zakat*. A number of recent writers advocated for re-assessment of *nisab*. Mannan opines that there is a case for a new set of *nisab* on the basis of socio-economic conditions of the Muslim countries varying from the poor to the rich. Thus, before fixing the *nisab* on the overall in income and saving in a particular society, we must define the level of income required to maintain a reasonable standard of living for a Muslim. This minimum but adequate, income should be periodically adjusted to reflect changes in the cost of living. *Nisab* can be

changed and if necessary, raised from time to time by the collective decision of the faqih and the experts in from these points of view it could be argued that as the ratio between silver and gold has under gone changes overtime, the ratio between their *nisab* should be re adjusted and raised accordingly. This submission is probably what informed the varying changes in the *Nisab* being calculated monthly by the *Shari'ah* Court of Appeal. Ilorin.

4. Disbursement

There are generally two main methods of disbursement of *Zakat* revenue to their beneficiaries: one is through raising productivity of the poor, and the other is through direct transfer payment. Mannan advocated for productive investment of *Zakat* fund for financing various development projects in education, healthcare, safe-water and social welfare activities, designed exclusively for the benefit of the poor. Some favor disbursing *Zakat* revenue to the beneficiaries through direct transfer payments because these are the best ways of its distribution in certain fields such as debts, starvation, old age, support during the interim period between investment and current flow of income. Even failures of business and industry launched through *Zakat* funds may necessitate transfer' payment to those who are affected.

THE SIGNIFICANCE OF ZAKAT

Zakat (poor rate) as a religious obligation has been mentioned several times in the *Qur'an*. While prayer is a means of realizing the divine effect in man. *Zakat* is more of a service to humanity which brings

about social cohesion, harmony and prosperity. In short, some of the significance of *Zakat* to the Muslims includes:

1. *Zakat* purifies the property of the giver and clears it from the shares which do not belong to it any more.
2. *Zakat* does not only purify the property of the contributor but also purifies his heart from selfishness and greed for wealth in return. It purifies the heart of the recipient from envy and jealousy, from hatred and uneasiness, and it fosters in his heart, instead, good will and warm wishes for the contributor. As a result, the society at large will purify and free itself from class warfare, and suspicions, from ill feelings and distrust, from corruption and disintegration, and from all such evils.
3. *Zakat* reduces to a minimum the suffering of the needy and poor members of society. To the needy it means that it is by nature an emergency measure and that he should not depend on it. To the contributor, it is a warm invitation to earn more so that he can benefit more. To all parties' concern, it is directly as well as indirectly, an open treasure for spiritual investment that compensates abundantly.
4. *Zakat* is a healthy form of internal security, against selfish greed and social dissension, against the intrusion and penetration of subversive ideologies. It is an effective instrument in cultivating the spirit of social responsibility on the part of the contributor and the feeling of security and belonging on the part of the recipient.

5. *Zakat* is a vivid manifestation of the spiritual and humanitarian spirit of omission, responsive interaction between the individual and society.

6. *Zakat* eradicates vices, it is generally believed that society problems are as a result of the economic inequality of its people. It is therefore assumed that problems like theft, robbery, fornication adultery, begging, and homosexuality etc. come about as a result of the economic needs among others. The institution of the *Zakat* is an answer to this problem, it does so by providing for the economic want of the poor, destitute who are tempted to be law breakers.

7. *Zakat* is an answer to unemployment problem. Money Kept securely in a place without being utilized yields no dividend. this is true of hoarded wealth. But when the *Zakat* is given out. it will definitely be a capital for the recipient who before now had nothing for himself.

If this is done every year by many wealthy people, it would mean that unemployment will be reduced. It will also reach a time when everyone engages himself in a certain trade that sustains him. Until Islamic injunction concerning *Zakat* is applied strictly, there will continue to be an upward trend in the unemployment figure worldwide

Note however that *Zakat* is not the only way Islam seeks to eradicate poverty in the society, but it is one of the many ways. *Zakat* is treated specially because of its significance and effect.

REVISION QUESTIONS

1. (a) Define *Zakat*
(b) State the conditions governing the obligation of *Zakat*
(c) Mention some rules concerning the determination and payment of *Zakat*
2. (a) List the different kinds of articles on which *Zakat* is payable
(b) What is the *nisab* for camel, cow, sheep and goat
(c) Calculate the *Zakat* due to be paid on 250 camel
3. (a) Propose two distribution methods of *Zakat*
(b) Critically examine the divergent opinion of modern scholars on the disbursement of *Zakat*.
4. (a) List the recipients of *Zakat* in order in which they appear in the Qur'an.
(b) In what ways can the institution of *Zakat* eradicate poverty in our society.
5. Discuss in details the moral, social political and economic benefit of *Zakat* in Islam.

CHAPTER TWO

SAWM (FASTING IN ISLAM)

Definition

The Arabic term for fasting is *Sawm* which implies any form of self restraint. It could be a restraint from talking, as it appears in Qur'an 19:26 in respect of Maryam, the mother of Isa (A.S) thus:

إِنِّي نَذَرْتُ لِرَحْمَنِ صُومًا فَلَنْ أَكُلَّ الْيَوْمَ إِنْسِيَا

Meaning:

I have vowed to the Merciful to abstain and this day I will not talk with any human being".

In this verse as-Sawm(fasting) means refusal to talk, or restraint from talking lasting in Islam therefore means abstinence from eating, drinking. Smoking and sexual intercourse on prescribed day from dawn, to sunset with intention of showing submission to God's command.

In respect of this definition, the Holy Qur'an state

يٰأَيُّهَا الَّذِينَ آمَنُوا كُتِبَ عَلَيْكُمُ الصِّيَامُ كَمَا كُتِبَ عَلَى الَّذِينَ مِنْ قَبْلِكُم
لَعَلَّكُمْ تَتَقَوَّنُ

Meaning

"O you who believe, fasting is prescribed for you as it was prescribed for those before you that you may learn self-restraint (Q2:183).

Elaborating on lasting the Ramadan the Holy *Qur'an* reads further.

وَكُلُوا وَاشْرِبُوا حَتَّىٰ يَتَبَيَّنَ لَكُمُ الْخَيْطُ الْأَبْيَضُ مِنَ الْخَيْطِ الْأَسْوَدِ مِنَ
الْفَجْرِ ثُمَّ أَتِمُوا الصِّيَامَ إِلَى اللَّيْلِ

Meaning

...And eat and drink until the white thread of the dawn appears to you distinct from the black thread of the night, then complete your fast till the night appears... "(Q2: 187)

The verses above give a clear picture of the definition of fasting. The first verse shows clearly that fasting was prescribed for people before Islam. It is necessary therefore to state that the Christians and the Jews performed fasting. It is thus, an ancient form of worship recognized by the previous religion, it was also known to the ancient Egyptians from whom it passed on to the ancient Greeks. Fasting had been performed by the Romans and even the pagans in India and elsewhere and it is still practiced till this day. In Islam, it is not a rite of propitiation but it is observed as a religious obligation which helps to gain a superior piety.

TYPES OF FASTING

Fasting is broadly divided into two main categories:

- (1) The obligatory fast (*Fard*) which are:
 - (a) The Fast of the month of Ramadan
 - (b) The fast of expiation or atonement (*Kaffarah*)
 - (c) The fast in fulfillment of a will or vow (*Nadhr*)

- (d) Compensatory fast (*Qada'*)
- (2) The voluntary fast (*Tatawwu*) which are:
 - (a) Fasting on alternative days.
 - (b) Fasting three days in each lunar month
 - (c) Fasting on the day of '*Arafat*
 - (d) Fasting on the 10th day of Muharram (*Ashura*)
 - (e) Fasting for the first nine days of *Dhul-Hajj*
 - (f) Fasting on Mondays and Thursdays

THE FAST OF RAMADAN AND ITS CONDITIONS

Fasting the whole month of Ramadan which is the 9th month of the lunar calendar is one of the major and supremely meritorious five obligations incumbent upon Muslims. Fasting in the month of *Ramadan* was instituted in *Sha'ban* (the 8th month of the Muslim calendar) in the second year of the *Hijrah*.

شَهْرُ رَمَضَانَ الَّذِي أُنْزِلَ فِيهِ الْقُرْآنُ هُدًى لِلنَّاسِ وَبَيِّنَاتٍ مِنَ الْهُدَى
وَالْفُرْقَانِ ۝ فَمَنْ شَهِدَ مِنْكُمُ الشَّهْرَ فَلْيَصُمِّمْهُ ۝ وَمَنْ كَانَ مَرِيضًا أَوْ عَلَى
سَفَرٍ فَعِدَّةٌ مِنْ أَيَّامٍ أُخْرَى ۝ يُرِيدُ اللَّهُ بِكُمُ الْيُسْرَ وَلَا يُرِيدُ بِكُمُ الْعُسْرَ
وَلِتُكِمِلُوا الْعِدَّةَ وَلِتُكَبِّرُوا اللَّهَ عَلَى مَا هَدَأْكُمْ وَلَعَلَّكُمْ تَشْكُرُونَ

Meaning

Ramadan is the month where in the Quran was revealed for the guidance of mankind and to serve as the criterion (of right and wrong). Whosoever

of you is present in this month shall fast it and whosoever is sick or on a journey shall fast an equal number of days later on. Allah desires ease for you and does not want to subject you to hardship so that you could complete the prescribed period of fast and that you may glorify Allah for having guided you. and that you may be grateful. (Q2:185).

In the Sunna, we read:

On the authority of Abdullah Ibn Umar who said: I heard the Messenger of Allah (S.A.W) saying: "Islam is built on live pillars, the acknowledgment that there is no god but Allah, and Muhammad is the Messenger of Allah, the performance of prayer, the giving of Alms, the performance of pilgrimage and the performance of fasting of Ramadan " (transmitted by Bukhari and Muslim).

CONDITIONS GOVERNING OBLIGATION AND VALIDITY OF FASTING

In performing the obligation of fasting in Islam one is expected to fulfill certain condition so as to make the duty valid and acceptable to Allah. Now we shall consider the *Shurut* (conditions) governing the validity, obligation and correctness of fasting.

1. **Mukallaf (Maturity):** Fasting is made obligatory on a Muslim who is matured and in full possession of his senses. However, if children wish they can observe it voluntarily because it is not yet a religion obligation on them.
2. **Ability to Fast:** It is not obligatory on those who are not able to fast, such as old people, and hardworking laborers.

3. **Islam:** It is a condition that one must be a Muslim before Allah approves of his fasting. The fasting of a non-Muslim is therefore invalid.

4. **Intention:** Fasting is not correct if it is not intended before its performance. This is the first pillars governing the validity of fasting whether the fasting is compulsory or voluntary. Formal intention for an obligatory fasting (Ramadan for instance) must be made in one's heart in the night before the appearance of the dawn. This is regardless of whether a person sees the new moon or heard of its confirmation. On the other hand, it is legally allowed for one to make the intention of performing voluntary fasting even if it is after the appearance of the dawn unlike in the case of obligatory fast.

5. **Prescribed Duration of Fasting (Al-Zaman):** It is desirable to note that fasting can only be observed from the appearance of the dawn (*al-fajr*) to sunset (*Ghurub al-shams*). This message is contained in Q2:187. So, fasting can only be valid and correct if it is observed between the appearances of the dawn to sunset.

6. **Sanity:** Fasting is neither obligatory nor correct if it is performed by the insane. In this respect, the prophet (S.A.W) is reported to have said: "the pen is drawn from (recording) the deeds of three (people): the insane until he has becomes normal, a sleeping person until he wakes up and a child until he reaches maturity". (Ahmad and Abu Dawud).

7. **Purity from menstruation and confinement:** fasting is neither obligatory nor correct if it is performed by a woman who is in either the state of menstruation or confinement. For the fasting to be valid, she is

to be free from bleeding either as a result of menstruation or child birth. However, women exempted from fasting on either of the two conditions are expected to repay the number of days missed later, unlike in the case of Serial (prayer) where they are not required to repay anything.

DETERMINATION OF THE BEGINNING AND END OF RAMADAN (I.E.)

MOON SIGHTING

The beginning of Ramadan becomes official when the new moon is seen. Likewise, its end is officially fixed when the new moon of the month of *Shawal* is seen. In respect of this, the Holy prophet (SAW) was quoted to have said:

صُومُوا لِرُؤْيَتِهِ وَأَفْطِرُوا لِرُؤْيَتِهِ، فَإِنْ غُبِّيَ عَلَيْكُمْ: فَأَكْمِلُوا عِدَّةَ شَعْبَانَ
ثلاثينَ يَوْمًا

Meaning

Begin fasting when it (new moon) is seen and break the fast when you see it (the new moon). If it is hidden from you. complete Sha 'ban for thirty days.

Sighting of the new moon that signifies the commencement of Ramadan fast from the above prophetic statement is to be established in any of the following two ways:

1. When the new moon of Ramadan is physically sighted by two upright Muslims or a large number of Muslim community on the twenty-nineth of Sha'ban.

2. When the moon is not sighted, may be as a result of bad weather, the Muslims are expected to complete the counting of Sha'ban to thirty days before the commencement of the fast. This is premise on the fact that the lunar month is either 29 or 30 days.

The key word in the above quoted Hadith is "*LI RUYATIHI*" i.e "for its being seen, the implication is that we take this to mean that fasting starts when you see that the new crescent is seeable. either by physical or scientific means. Imam Shafi'i is therefore of the opinion that he who can determine the beginning of the month by astronomical calculation and those who believe in its findings, should begin fasting based on its calculation. If other early Imam hesitated to accept this opinion on account of the rudimentary stage of the science of astronomy at their age, they are rather not at all justified these days in disregarding the conclusions of this science which has performed wonders in recent years by virtue of its utmost accuracy. After all, the precision attained by this science has resulted from the consistency of the divine creation.

Moreover, we are now living in an age in which the world has become a global village and its parts have become interdependent. Things must be planned in advance, and we cannot afford to wait until the last moment to determine when an important event is taken place.

Most scholar agree that when the beginning or end of Ramadan has been determined in a part of the world of Islam.

Muslim living in other parts have to begin their fasting on hearing of this determination.

The situation in Nigeria is very unfortunate. The beginning and end of fasting has been politicized and tribalized. What we have to know is that the unity through fasting cannot be achieved without the assumption of the fast together and breaking of it together. No doubt, astronomy now can help the Muslim to fix the beginning and the end of the month of *Ramadan* without difficulty.

In conclusion, it is the duty of an Islamic governments and Islamic organizations like the Supreme Council for Islamic Affairs to arrange the sighting of the new moon. It is also incumbent on them to agree to make a unified Muslim calendar, to be prepared in advance on available astronomical data.

Based on these suggestions, as soon as the new moon is sighted in any part of the world, it should be announced immediately to the whole world. This will go a long way to curb the lack of uniformity and the unnecessary embarrassment to Islam especially in our enlightened age.

THOSE EXEMPTED FROM FASTING

Those exempted from fasting are going to be grouped into two for easy understanding. The first group is going to be comprised of those exempted but are required by law to pay back the number of days they missed (i.e. *Qada*). While the second category is those exempted but are required by law to feed or payback.

(a) Exemption that Requires Restitution (Qada)

Those grouped in this category are those who enjoy the exemption which requires restitution (*Qada*). They must after the month of Ramadan fast an equal number of days they missed. They are:

(i) A woman in menstruation or confinement (bleeding as a result of child birth)

These categories of women are exempted from fasting and prayer (Salat). It is important to note that in case of fasting the woman is required by law to pay back the number of days she missed at a later time while she will not need to repay back the prayer she missed. It is equally important to realize that if the blood of menstruation or confinement stops before the appearance of the dawn (*Fajr*), fasting that day is incumbent on her even if she is unable to take the ritual bath before the dawn. But if the blood stops after the appearance of the dawn, she is not expected to fast that day.

(ii) A Sick Person

When a Muslim falls sick during the fasting period, he is expected to examine the situation he finds himself. If he discovers that he can fast without difficulties he can go ahead and fast. But if he discovers that he cannot endure the illness or he is advised by the doctor not to fast, he is required to suspend the fasting and wait until he recovers to pay back the days missed at a later convenient time. This is on the condition that he is anticipating recovery from such an illness.

(iii) A Traveler (Al-Musafir)

When a Muslim embarked on a lawful journey which may require him to shorten his prayer (*Salat-Qasr*). the law has given him the concession to break the number of days missed. This adjudication is in line with a Qur'anic verse. Where Allah says:

وَمَنْ كَانَ مَرِيضًا أَوْ عَلَى سَفَرٍ فَعَدَّهُ مِنْ أَيَّامٍ أُخْرَ

Meaning

Whoever is sick or on a journey, (he shall fast) a like number of other days... "(Q2:1 85).

(iv) Insane (Majnun)

The *Shari'ah* has exempted an insane from fasting due in sanity. The messenger of Allah (SAW) is reported to have said:

رُفِعَ الْقَلْمُ عَنِ الْمَجْنُونِ حَتَّىٰ يَسْتَفِيقَ، وَعَنِ النَّائِمِ حَتَّىٰ يَسْتَيْقِظَ، وَعَنِ الصَّبِيِّ حَتَّىٰ يَحْتَلِمُ،

Meaning

The pen is withdrawn against recording the deeds of three people the sleeping person until he wakes up, a child until he reaches maturity and the insane until he comes back to his senses (Ahmed and Abu Dawud reported it). Therefore, the Insane is required by the law to pay back the number of days he missed at a later time after he has fully recovered. The same law applies to one who falls unconscious.

B EXEMPTION THAT REQUIRES FEEDING OR PAYING BACK

(i) **A very old person:** Man or woman who finds it extremely difficult to fast is exempted from fasting. On the other hand, he is required by law to feed an indigent with one measure of *Mudu-nabbi* of food items for each day he/she misses. This is in agreement with the report of Abdullah bn Abbas in which he said:

A very old person has been given concession pertaining to the fast of Ramadan on the condition that he feeds an indigent with one *Mudu-nabbi* full of food-item for each day he/she did not fast and he is not expected to pay back anything (*al-Daraqutni*).

(ii) **A pregnant woman**

If a Muslim woman is pregnant and she fears for herself or on doctor's advice concerning what is in her womb, then she is given the concession to suspend her tasting until she delivers the content of her womb. If the exempted pregnant woman happens to be rich or at least well to do. then she is expected to feed an indigent for every day she misses. This is better for her and it is more rewarding.

(iii) **A nursing mother**

The same law which applied to a pregnant woman applies to a nursing-mother if she fears for herself or the sucking child and she could not get any other lady to suckle the child for her or the child refused to

accept suckling from any other woman beside her or on doctor's advice
(Q2:184)

(iv) The Labourers

The labourer whose work is very hard such as mining, hard labourer etc. are required to feed an indigent Muslim for everyday missed or to repay back the number of days missed.

(v) The sick person

The sick person whose sickness is incurable, what he needs to do is to feed an indigent person for everyday of the *Ramadan*.

It should be noted that whoever neglects the payment of Ramadan fast until that of the subsequent year begins without any good cause or valid justification then he is expected to continue the current Ramadan fast after which he will pay that of previous year and in addition, he/she has to feed an indigent for everyday he repays. That is to serve as punishment for negligence.

It is equally important to note that when a Muslim die while unable to pay back certain fast which he/she missed on a good cause, then anyone of his close relative can fast such days on behalf of the deceased. In this respect, the prophet is reported to have said.

Whoever dies while he has some fast, which he has not yet. pay back, then his Immediate guardian' can fast such days on his behalf (Bukhari and Muslim relate it).

THINGS THAT VITIATE FASTING (MUFTIRAT)

According to Maliki School of Law. they are divided into two groups viz:

- (a) Those which require restitution (*Qada* only)
 - (b) Those which require restitution (*Qada*) and expiation (*Kaffara*)
- (1) Acts of vitiation which require restitution (*Qada*) only**
- (i) Breaking the fast unintentionally during the day of Ramadan
 - (ii) Breaking the fast intentionally during the fasting of restitution, the fast of vowed or during the voluntary fasting (*Tatawwu*)
 - (iii) Vomiting unintentionally requires restitution if it is swallowed again after reaching the mouth. Also, vomiting deliberately, even if it is not swallowed after reaching the mouth requires restitution.
 - (iv) Anything administered to the stomach but not through the mouth such as injection or through the nostrils, ears or anus.
 - (v) Eating, drinking or having sexual intercourse when one thinks it is not yet dawn when in actual fact it is dawn already
 - (vi) Eating, drinking or having sexual intercourse when one thinks it is sunset when in actual fact it is not yet sunset.
 - (vii) Discarding the intention of fasting in one's heart even if one has not physically consumed anything

(viii) An apostate who renounces Islam and returns back into it

(2) Acts of Vitiation, which requires restitution (*Qada*)

and Expiration (*Kaffara*) together.

(i) Eating, drinking or smoking intentionally or without any valid justification

(ii) Deliberate sexual intercourse not based on coercion.

SOME RECOMMENDED ACTS DURING THE MONTH OF RAMADAN

Here, some recommended acts during the month of Ramadan such as *Suhur*, *Ifiar*, *Tarawih*, *I'tikaf*, *Tilawatil-Qur'an* and charitable act shall be discussed.

1. **Suhur:** It is recommended for a Muslim who intends to fast to have a light meal shortly before the daybreak. Thus, a Muslim is recommended to eat or drink something towards the end of the night before the appearance of the dawn. This is in line with the saying of the prophet (SAW) who is reported to have said “One of the major differences between our fasting and that of the Ahl al-kitab (people of the book) is the taking of *Suhur* (Muslim reported it). In another hadith, the prophet (SAW) said: “Take the light meal (*suhur*) because certainly there is barakah (Blessing in it”) (Bukhari and Muslim related it). It is recommended to delay taking the light meal (*Suhur*) until the last part of the night. In this regard the messenger of Allah said: “My community (*Ummah*) will not be devoid of blessing as long as they hasten breaking

their fast (*Iftar*) while they take their light meal (*Suhur*) lately."(Ahmad reported it).

2. **Iftar:** It is recommended for a person who fasts to hastily break his fast as the sun sets. The Messenger of Allah said. "My community (Ummah) will not be devoid of blessing as long as they Hasten in breaking their fast" (Bukhari and Muslim related it). It is recommended that *Ifiar* should be done with fresh ripe dates or dried dates or water. It is also recommended for a person who fasts to offer some supplications during his *Ifiar* such as." O my Lord, it is for you I fast and it is with your sustenance I break the fast (*Allahumma laka sumtu wa'ala rizqika aftartu*). The main meal is then taken preferably after Salatul-Maghrib (the sun set prayer).

3. **Tarawih:** During the nights of Ramadan, Muslims are urged to perform, a special *Nawafil* prayer called *Salatu-T-Tarawih* after the Isha prayer. The Tarawih prayer according to the most widely accepted report has ten *Raka'at* performed in ten pairs. It is recommended to perform it in congregation and to recite its Qur'anic readings aloud.

4. **Al-i'tikaf:** The word i'tikat is an Arabic word which mean retreat or seclusion in English. Literally it means to force one self in doing something whether it is good or bad. technically, the word refers to an act of worship in Islam whereby a person goes into a retreat in the Mosque for a certain period in order to worship Allah. The minimum period of *i'tikaf* is one complete day (24 hours) and the maximum is ten

days, although the prophet (SAW) was said to have spent twenty days towards the end of his life.

I'tikaf is very important to the life of a Muslim because it has been done by the prophet (SAW). It enables a worshipper to completely devote himself to Allah throughout his stay in the mosque. A Muslim gets abundant rewards through continuous prayer, fasting, reciting the Quran and seeking Allah forgiveness. This practice is more strongly recommended during the fasting days, especially, the last days of Ramadan. The Mosque is the best place to observe *I'tikaf* (preferably a *Juma'at Mosque*).

5. **Charitable Acts:** During fasting period. Muslims are urged to be more generous, charitable and forgiving and to engage themselves in prayer, Quranic recitation and contemplation. They should avoid harsh words and arguments. If they are provoked, they should restrain themselves and remember that they are fasting.

ZAKATUL-FITR

In addition to the Zakat on wealth and property which has been discussed earlier, another Zakat has to be paid by Muslim. One of the basic text on Islamic law called *Ar-risalah* described *Zakatul-fitr* paid on the occasion of *id-al-fitr*. as a compulsory Sunna (*Sunnatun wajibatun*). The prophet made it obligatory on all Muslims whether they be adults, minors, males or free born or slaves. From this, it is clear that *Zakatul Fitr* is an obligation due on all Muslims, irrespective of age, sex or social status.

The Payment of *Zakatul Fitr*

Despite the fact that it is due on all Muslims, its obligation is to be discharged (to be paid) by the person whose responsibility it is to provide basic sustenance for the person on whom it is due provided the person themselves are incapable of paying it on their own. It is the duty of a capable Muslim to pay it on every Muslim child of his who is still dependent on the father for his maintenance etc.

It is compulsory for every Muslim to pay it on himself/ herself and his/her dependants if the following requirement are satisfied:

- (a) **A Muslim:** The payer and the one on whom it is to be paid must be Muslim it is not due on a non-Muslim. However, if a non-Muslim father provides food for his Muslim child, the child may pay the due from such food so long as he will not suffer much difficulty on account of the payment.
- (b) **Capable:** A person on whom the Zakat is due but who is poor commits no sin by not paying but the duty falls on the person who maintains him. In case he too is incapable, it is no longer compulsory on him.
- (c) **Free:** A Muslim who is a slave is not duty bound to pay it on himself or on behalf of others. However, his Muslim master is to pay it on his behalf. If the master does not pay it. the obligation lapses.

The amount of *Zakatul fitr* is the cost of one day's food for one person. A person is regarded as incapable and the dues lapses on him only if he does not have up to a surplus of one Sa" (4 Muddu) over what he is

required for his feeding in a day and he is incapable of repaying it if he borrows it.

The significance of *Zakatul fitr* is to provide for the poor to share in the festivities of *Idul fitr*, the day, which follows the end of Ramadan. Therefore, it is better to pay it before or on the morning of *Idu-fitir* although it can be advanced any time during the month of *Ramadan*.

LAILATUL QADR

Lailatul Qadr means the night of majesty or the Night of power, or the night on which Allah (S.W.T) sent the whole Quran to the first heaven. Allah says in the Quran “We revealed it on the night of p (that is *Qadr*.) What will tell you what the night of power is? It is better than a thousand months...” Any action therein, for example, reciting the Quran, making remembrance of Allah, and so on, is better than acting for one thousand months which do not contain the night of *Qadr*. It is preferred to seek this night during the last ten nights of Ramadan, as the prophet (SAW) strove his best in seeking it during that time. The prophet would stay up during the last ten nights, would wake his wives, and then would remain apart from them to worship.

Scholars hold different opinions as to the night which is the night of *Qadr*. Some are of the opinion that it is the 21st some says 23rd, others say 25th and stills others says it is the 29th. Some say that it is varies from year to year but it is always among the last ten nights of Ramadan. But most scholars, though vouch for the 27th. Above all, odd days of the last ten days of Ramadan sums up all the above opinions.

Qur'an chapter ninety-seven summed up the significance of Lailatul Qadir, Activities required to be performed in those expected dates of Lailatul Qadir includes: supererogatory prayers and dhikr. As-salat on the prophet, recitation of the Qur'an, asking God for forgiveness with repentance and alms giving among others.

IDULFITR

This is known as "The feast of ending the fast. It marks the successful conclusion of the obligation of fasting and its festivities represent a mode of thanks giving to the Almighty Allah for enabling his servants to fulfil this obligation. It falls on the first day of the tenth month of the lunar calendar, which immediately follows the fasting month.

AL-KAFFARAH (EXPIATORY FASTING)

Kaffarah means expiation or it is meant to atone for certain breaches of certain laws of Allah. The number of *Kaffarah* usually goes with the number of the different causes:

(1) When a Muslim kills another Muslim by mistake and he (the killer) has no means to free a slave, he is asked to fast for two months uninterrupted. This fact is found in the *Qur'an*:

Never should a believer kill a believer, but if it is so happens by mistake, compensation (is due). If one (so) kills a believer, it is ordain that he should free a believing slave, and pay compensation to the deceased's family unless they remit it — for those who find this beyond their means,

(is prescribed) a fast for two months running by way of repentance and God hath all knowledge and all wisdom (Q4: 92)

(2) Willful sexual intercourse in the day time during the month of Ramadan necessitates *Kaffarah* (expiation) by freeing a Muslim slave, or fasting two consecutive months or feeding sixty indigents. The same law applies to anyone who brakes his fasting in the month of Ramadan intentionally by eating or drinking. This is line with an hadith reported by Abu Hurayrah and related by Bukahari and Muslim.

(3) **Zihar:** It is a form of divorce procedure in which case the husband compares his wife. With his mother saying "You are to me like the back of my mother" this was a *Jahiliyyah* form of practice often resorted to by one who intends to divorce his wife. Islam came and effected some changes for those who wish to take back their wives. In this regard, the Qur'an reads: And those who away their wives by calling their Mothers, then go back on that which they touch one another. To this you are exhorted and Allah is aware of what you do. but he who has not the means should fast for two months successively before they touch one another, and he who is unable to do so should feed sixty needy ones... (Q58:3-4)

(4) Three days fasting is prescribed as a penalty for those who make an oath by which one deprived himself of something lawful on the condition that one is unable to free a slave or feed ten indigent people as stated in the following verses:

O ye who believe make not unlawful the good things which God hath made lawful for you... God will not call you to account for what is futile in your oath, but he will call you to account for your deliberate oath, for expiation, feed ten indigent persons on a scale often average for the foods of your families or cloth, them or give a slave his freedom. If that is beyond your means, fast for three days. That is the expiation for the oath ye have sworn. But keep your oath. Thus, God make clear to you his signs that ye may be grateful (Q5:9()-92).

(5) Fasting is also prescribed as a penalty for killing game in a state of *Ihram*. Certain lawful things have been made unlawful to the Muslims while in a state of *Ihram*. Thus, a pilgrim is forbidden to kill a game. But if he violates this law. he will be expected to atone for it as stated in the following verse:

O ye who believe, kill not game while in a sacred precinct or in pilgrim garb. If any of you do this intentionally the compensation is an offering, brought to

the Ka'abah, of a domestic animal equivalent to the one he killed, as adjudged by two just men among you. or by way of atonement, the feeding of the indigents or its equivalent in fast, that he may taste the penalty of his deeds. (Q5:95)

NADHR (FASTING IN FULFILLMENT OF A VOW)

This type of fasting is required from a person who vows upon completion of certain tasks or duty. Thus, one is expected to fast such days according to his vow. For example, if one vows to fast three days if

tie successfully passed his examination, then he must observe the fasting of three day according to his vow as soon as he passed the said examination. Thus, if any one vows to fast for whatever reason, then it becomes obligatory and binding on him to fast if such thing is accomplished.

COMPENSATORY FASTING

This kind of fasting affect only the pilgrim who combines Umrah with Hajj and gets out of the condition of Ihram between the two (*Tamattu*). Such a pilgrim is to redeem by fasting three days at *Muna* and seven days after returning home. This legislation is contained in the Holy Qur'an where Allah says thus:

And complete the Hajj or Umrah in the service of God. But if ye are prevented (from completing it) send an offering for sacrifice, such as ye may find. And do not shave your heads until the offering reaches the place of sacrifice. And if any of you is ill. or has an ailment in his scalp, (he should) in compensation either fast, or feed the poor or offer sacrifice, and when ye are in peaceful condition (again) if any one wished to continue Umrah on ' to Hajj he must take an offering such as he can afford, but if he can afford it he should fast three days during the Hajj and seven days in his return, making ten days in all. This is for those whose household is not in (the precincts of) the sacred mosque. And fear God. and know that God is strict in punishment. (Q2:196).

This law of compensatory fasting also applies to the pilgrim who combined the intention of performing *Umrah* (lesser pilgrimage) with

Hajj together. This from of Hajj is known as *Qiran*. Therefore it is now clear from the above discussion that whoever performed Hajj with *Umrah* within the prescribed month of pilgrimage that is *Shawwal*, *Dhul Qidah* and *Dhul- Hajjah* he is expected to make a sacrifice of an animal such as he can afford, otherwise, he should fast three days during the Hajj and seven days after returning to his residence thus completing ten days.

THE SIGNIFICANCE OF FASTING IN ISLAM

Fasting is important in Islam for so many reasons. These include:

1. Fasting teaches man the principle of sincere love, because when he observes the lasting he does it out of deep love for God. And the man who loves God truly is a man who really knows what love is.

2. It imbues man with a genuine virtue of effective devotion, honest, dedication and closeness to God because when he fasts he does it for God and for his sake alone.

3. It equips man with a creative sense of hope and an optimistic outlook in life, because when he fasts he is hoping to please God and he is seeking his Grace.

4. It cultivates in man a vigilant and sound conscience because the fasting person keeps his fast in secret as well as in public. In fasting especially, there is no mundane authority to check man's behavior or compel him to observe the fasting. He keeps it to please God and satisfy

his own conscience by being faithful in secret and in public. There is no better way to cultivate a sound conscience in man.

5. It indoctrinates man in patience and unselfishness, because when he fasts, he feels the pains of deprivation but endures patiently. Truly, this depravation may be only temporary, yet there is no doubt that the experience makes him realize the severe effects of such pains on others, who might be deprived of essential commodities for days or weeks or probably months together.

6. It is an effective lesson in applied moderation and willpower. The person who observe his fasting properly is certainly a man who can discipline his passionate desires and place himself above physical temptations.

7. It provides man with a transparent soul to transcend a clear mind to think and a light body to move and act. All this is the never-failing result of carrying a light stomach.

8. It shows man a new way of wise saving and sound budgeting because normally when he eats less quantities or less meals he spends less money and efforts. And this is a spiritual semesters of home economics and budgeting.

9. It originates in man the real spirit of social belonging of unity, and brotherhood, of equality before God as well as before the law.

10. It grounds man in discipline and healthy survival. When a man relieve his stomach and relaxes his digestive system, he is indeed

insuring his body, not to mention the soul, against all harm that results from the stomach over charge.

REVISION QUESTIONS

1. With reference to Quran 2:183 and 187. give a detail and concise definition of fasting.
2. (a) Account for the problems which normally hinder the uniformity in beginning and end of the fast of *Ramadan* in Nigeria.
(b) Suggest possible solution to the problems.
3. Write short notes on the following
(i) *Suhur* (ii) *Iftar* (iii) *Tarawih* (iv) *Al-itikaf* (v) *Lailatul-Qadr*
4. (a) What is *Zakatull-fitri*?
(b) Identify those on whom *Zakatul fitr* is obligator)
(c) What is the significance of *Zakatul fitr* to the Muslim.
5. Discuss in detail the significance of fasting in Islam.

CHAPTER 3

HINTS ON THE PRINCIPLES OF ECONOMIC SYSTEM IN ISLAM

INTRODUCTION

Islamic-Economics may be viewed as a social science which studies the economic problems of a people imbued with the value of Islam. Islam therefore has laid down some principles and prescribed certain limits for the economic activity of man so that the entire pattern of production, exchange and distribution of wealth may conform to the Islamic standard of justice and equity. According to the Islamic point of view, God has created for mankind the earth and all that it contains. It is therefore the birth right of every human being to try and secure his share out of the world. All men enjoy this right equally and none can be deprived of it. Nor should one man get precedence over another from the stand point of Islam, there can be no bar on any individual race, or class for taking to certain means of livelihood or adopting certain professions. All are entitled to equal opportunities in the economic realm. Similarly, no distinction is valid in Islam which would result in creating a monopoly of a particular means of livelihood for a particular person, class, race or group of people. It is the right of all men to strive and get their share of the means of sustenance provide by God on the earth. Islam ensures that this effort should be made in the context of equal opportunities and fair chances for all.

Moreso, the economic laws of Islam are consistent with the principles, ethics and values of Islam. It is against this background

information that we discuss briefly in this book the scope of Islamic economics and useful hints on the principles of economic system in Islam.

THE SCOPE OF ISLAMIC ECONOMICS

Islamic economics like modern economics, is not merely concerned with that aspect of human behavior which is related to money-getting and money spending, yet, they form a great part of our economic activities, Islam harmonizes the money earning and money spending activities in such a way that they may promote the welfare of the people. Thus, in one sense, Islamic economics is more restricted and, in the other sense, it is comprehensive than modern economics. It is restricted, because it is concerned only with those people who have faith in oneness of Allah and his moral teachings as reflected in the Holy Quran and the Sunnah. It is also restricted, because an Islamic state cannot encourage any and every economic activity. The activities which cannot promote human welfare cannot be encouraged in an Islamic state. But the concept of human welfare cannot be static, and is always relative to changing circumstances. The point is that the concept of welfare must be in harmony with the universal principles of Islam which will remain valid for all times to come just as the sum total of one plus one will remain two to all ages.

Again, it is comprehensive because Islamic economics takes cognizance of non-economic factors like political, social ethical and moral factors in a sense. It is like applied economics which also takes

cognizance of non-economic factors, the roughness and frictions of the actual world which tilt the balance of a practical decision. Thus, the scope of Islamic economics seems to become the administration of scarce resources in human society in the light of ethical conception of Welfare in Islam. It is therefore concerned not only with the material causes of welfare, but also with immaterial matters subject to the Islamic prohibition on consumption and production. Neither the consumer nor the producers are sovereign in Islam. The behavior of both is to be guided by the general individual and social welfare as understood in the Shar'iah.

HINTS ON PRINCIPLES OF ECONOMIC SYSTEM IN ISLAM

1. The Islamic Economy is an Act of Worship: If the craft of a Muslim, through which he makes a living, is legitimate itself, is earned by legal ways, is meant to be a living for him and his family and to serve people doesn't refrain him from his religious duties and doesn't stop him from a good deed through which he sublimes, there upon it turns into an act of worship. Hence, a believer habits are considered as acts of worships. Therefore, the financial motive in Islamic economy is not the only-purpose, as it is related to pleasing Allah and strive for the hereafter. Allah says: "Say O Muhammad: verily, my Salat (prayer), my sacrifice, my living and my dying are for Allah, the Lord of the *Alamin* (Mankind, Jinns and all that exists)" (Quran 6:162)

2. There is a Balance between Spiritual Needs and Materials Needs:
Islam encourages such a balance. Allah says:

O ye who believe! When the call is heard for the prayer of the day of congregation (Friday) haste unto remembrance of Allah and leave your trading. That is the better for you if ye did but not know. And when the prayer is ended, then disperse on the land and- seek of Allah's bounty and remember Allah much, that ye may be successful (Quran 62:9).

And Allah says:

But seek, with that (wealth) which Allah has bestowed on you, the home of the hereafter and forget not your portion of legal enjoyment in this world, and do good as Allah has been good to you and seek not mischief in the land. Verily Allah likes not the Mufsidun (those who commit great crimes and sins, oppressors, tyrants. mischief-makers, corrupts). (Qur'an 28:77).

3 Islamic Economy is an Ethical Economy: In Islam, the economy and ethics are inseparable unlike other economic systems used in the world. Consequently, the required qualities of a Muslim economists include being honest, trustworthy, tolerant, decent, humble, merciful and caring. These qualities are one of the reasons why Islam spread throughout the far East, to both Indonesia and China.

4. Islamic Economy is Objective and Comprehensive: This is because all laws are applied to both Muslims and non-Muslims in the same way.

5. Principles governing an Islamic Economy-Risk-Sharing: This is the basis of all Islamic economies and the characteristics that distinguishes an Islamic economic system from other systems around the world. The sharing of profits and losses is a rule designed to divide wealth between the capital and the efforts and it's the principle that supports justice in wealth distribution.

6. Unique Resources for the Country: The Islamic economic system is the only system that incorporates *Zakah* (money collected annually and paid to the needy). While this principle is similar to some of today's taxation laws, there is a very important difference, which is, *Zakah* is applicable only to savings and not one's entire income. Hence, *Zakah* applies to saved and frozen money, the system encourages people to invest their money instead of piling it up and this ensures the wheel of the economy continues to roll.

7. Private Ownership: In an Islamic economy, the right to private ownership is protected provided it does not hurt other members of the society, which can occur when a monopoly exists. This characteristic differs from the communist economic system which considers everything as public property.

8. Public Ownership: In an Islamic economic system, public utilities that are essential to people's lives are the property of the state or under its supervision. This approach helps to facilitate the basic needs for a human life and the community's interest and is contrary to a capitalist economic system which allows the ownership of everything or anything.

9. **Islamic System of Inheritance:** In an Islamic economy system the wealth of deceased individuals is distributed among family members. It is not left to accumulate; rather it is divided and distributed to inheritors in a specific and detailed system as outlined in the Holy Quran.
10. **Charities and Endowment Funds:** Charity is one of the main characteristics of an Islamic economy. It seeks to promotes social solidarity and to address the needs of the poor by identifying some projects to raise funds for the needy.
11. **The Superiority of Public Interest over Private One:** Where there is a possible clash of interest between public and private, the public interest is considered first.
12. **Market Monitoring:** An Islamic economic system has a market monitoring system, however, it does not interfere by setting or changing prices, such actions are undertaken only to prevent wrongful action and adjust things should a transaction be performed wrongly.
13. **Transparency:** An Islamic economy stress the need for transparency in all economic and financial transactions. Prophet Muhammed forbade traders from waiting for commercial convoys at a country's border to buy the goods being transported before they actually enter the general market.
14. **Usury is Haram:** Usury is best described as the interest one is charged when offered a loan. Under Islamic law, it is strictly forbidden to charge interest on the loaning of money as this

practice leads to taking advantage of people and turning the money into a commodity itself.

15. **Monopolies are Haram:** Monopolies are strictly forbidden in Islam because they go against the interest of the general public. Muslims believe when one monopolizes, they are taking advantage of those who need certain commodities. Monopolies are considered subjugating people and their operations are not considered appropriate within a Muslim economy.
16. **Selling and Purchasing Loan is Haram:** Because in most cases, loans basically represent money from an Islamic perspective such practices turn Islamic fund into a commodity itself. And as stated earlier, under Islamic law, money can be neither bought nor sold.
17. **Selling what you don't yet own is Haram:** Such activities are forbidden because it is equated with gambling and taking unnecessary risks, since you would be selling something you think, you will soon have.

REVISION QUESTIONS

1. Define Islamic Economics
2. What is the Scope of Islamic Economics?
3. Explain the Principles of Islamic Economic system

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