147124 - He intended by giving the one who asked him for a loan to give him zakah, but he did not inform him of that. Will it count as zakah?

the question

A while ago, I gave a loan to someone with the intention that it be zakah, but I did not tell him about that, and he did not pay me back until now. Should I regard it as zakah because that was my intention?

Detailed answer

Praise be to Allah.

Actions are judged by intentions. So if someone gives money to one who is poor or someone else who is entitled to receive zakah, intending it as zakah that is obligatory for him to give, then it is zakah. But if someone gives him money with the intention that it is voluntary charity, then it is voluntary charity and it is not permissible to count it after that as zakah on his wealth, which is obligatory, because he gave it with the intention of giving voluntary charity.

Ibn Qudamah said in *al-Mughni* (2/64):

The view of most of the jurists is that the intention is a required condition when giving zakah, apart from the report narrated from al-Awza'i, according to which he said: The intention is not necessary in this case (zakah). End quote.

Ibn al-Mawwaq said in *at-Taj wa'l-Iklil* (3/103): It is not permissible for him to count it as being part of his zakah, if he intended it as voluntary charity or he gave it with no specific intention, neither voluntary charity nor zakah. End quote.

The scholars of the Permanent Committee for Ifta' said:

Voluntary charity does not take the place of obligatory zakah, because zakah is an obligatory act of worship which requires a prior, specific intention."(*Fatawa al-Lajnah* 9/287).

As you gave this money with the intention that it was zakah, and the recipient was one of those who are entitled to receive it, then it is zakah, and his intention that he was taking a loan does not matter, because what matters is the intention in the heart of the one who is giving zakah. Hence you do not have to inform the recipient that this wealth is zakah.

An-Nawawi (may Allah have mercy on him) said:

If the owner of the wealth or someone else gives the zakah to the recipient who is entitled to it, and does not tell him that it is zakah, and does not say anything at all, it is valid and it counts as zakah. This is the well-known correct view, which was stated definitively by the majority of scholars."(*Al-Majmu'* 6/233).

The scholars of the Permanent Committee for Ifta' said:

If you give your zakah to someone who you know is entitled to receive it, with the intention of giving zakah, then it is valid zakah, and we hope that Allah, may He be exalted, will accept it from you. You do not have to tell the recipient that it is zakah."(*Fatawa al-Lajnah* 9/462).

And Allah knows best.