233471 - His deputy gave the zakaah of his wealth in the form of foodstuff; is that acceptable or does he have to give it again?

the question

I give the zakaah of my wealth in Ramadan. This year – 1436 AH – I sent it to Yemen, to villages around the city of Ta‘z, but my deputy bought basic foodstuffs, such as flour, and distributed it to needy women, and he gave cash to some other people. Should I give zakaah again, or can it be accepted in the form of foodstuff?

Detailed answer

Praise be to Allah.

With regard to zakaah, it must be given in the form of cash if the wealth in question is cash, and it is not permissible to give it in the form of other items or foodstuff, except in cases where there is a real need to give it in the form of particular items. We have discussed that in the answer to question no. 138684.

Based on that:

If the real need may be met by giving the zakaah of one’s wealth in the form of food, such as if the poor person is foolish or feebleminded, and cannot handle wealth properly, and if he is given money he will spend it in foolish ways and would neglect his dependents, or if the need in that land for foodstuff was urgent, because of shortages even if people had wealth, or if the poor person’s need for food was greater than his need for cash, or the poor person gave the deputy permission to do that, and the like, so that the deputy gave the zakaah in the form of food because of that need – then in that case what he did was valid and acceptable.

But he should not have disposed of the wealth of the one who appointed him to do that except with his permission.

But if there was no real cause to give the zakaah in the form of food; rather the deputy decided to do that without referring to the one who had appointed him – then the one who appointed him must give zakaah again in the form of cash, to make up for what his deputy gave in the form of food.

In this case, the deputy is liable for his mistake, and he must return that wealth to the one who appointed him, because he disposed of the wealth in a wrong manner, without the permission of the owner of that wealth.

Ibn Qudaamah (may Allah have mercy on him) said:

The deputy does not have the right to dispose of the wealth except in the manner indicated by the permission given by the one who appointed him, whether on the basis of what he said or on the basis of custom, because his options for disposal of the wealth are restricted by the instructions of the one who appointed him to distribute it.

End quote from al-Mughni (5/95)

And Allah knows best.