109779 - Paying one saa’ of two different foodstuffs as zakaat al-fitr

the question

Is it permissible to pay one saa’ of different types of foodstuffs as zakaat al-fitr, i.e., instead of 3 kg of one type, it is 1 kg each of 3 different types?.

Detailed answer

Praise be to Allah.

The fuqaha’ differed concerning the ruling on paying zakaat al-fitr in the form of a saa’ that contains two or more types of foodstuffs. There are two opinions:

1.

The first opinion is that it is not valid and is not acceptable. This is the view of the Shaafa’is and of Ibn Hazm al-Zaahiri (the literalist), as they adhered to the apparent meaning of the texts which stated that zakaat al-fitr is one saa’ of a specific type of foodstuff; so if a person gives half a saa’ of one type and the other half of a different type, this is not in accordance with what is mentioned in the text.

Al-Nawawi said in al-Majmoo’ (6/98-99):

Al-Shafaa’i and al-Shirazi and all our companions said: it is not acceptable to give as one zakaat al-fitr a saa’ of two types (of foodstuff)… just as it is not acceptable in the case of expiation for breaking an oath (kafaarat yameen) to clothe five poor persons and feed five, because it is enjoined to give a saa’ of wheat or barley or something else, and by doing this, he has not given one saa’ of any of them, just as it is enjoined to feed ten poor persons or to clothe them, and if he does five and five as mentioned above, then he has not fed ten or clothed ten. This is our point of view. End quote.

See: Mughni al-Muhtaaj, 2/118; Tuhfat al-Muhtaaj, 3/323.

Ibn Hazm said in al-Muhalla (4/259):

It is not acceptable to pay part of the saa' in the form of wheat and part in the form of dates, because in both cases it is something other than what was enjoined by the Messenger of Allah (blessings and peace of Allah be upon him). End quote.

2.

The second opinion is that it is valid and is acceptable. This is the view of the Hanafis and Hanbalis, who focused on the aim of this zakaah and said that a mixed saa' of foodstuffs achieves the purpose of sufficing the poor person, purifying oneself and giving charity.

Ibn Rajab al-Hanbali said in al-Qawaa'id al-Fiqhiyyah (no. 101, p. 229):

If a person is given the choice between two things and is able to do half of each at the same time, is that acceptable or not?

There is a difference of opinion concerning that and this applies to a number of things:

If he offers expiation for breaking his oath by feeding five poor persons and clothing five, that is acceptable according to the well-known opinion.

If he pays zakaat al-fitr by giving a saa' of two types of foodstuff, our view is that it is allowable and it is possible that it is not acceptable. End quote.

See: al-Insaaf, 3/183; Haashiyat Ibn 'Aabideen, 2/365.

The view that we favour is the view of Imam al-Shaafa'i (may Allah have mercy on him), following the apparent meaning of the Prophet's Sunnah, because the Prophet (blessings and peace of Allah be upon him) enjoined zakaat al-fitr, a saa' of barley or a saa' of dates, etc.

This is how the Companions used to pay it, and the person who gives a saa' of two types of

foodstuff is not doing what the Messenger of Allah (blessings and peace of Allah be upon him) enjoined.

And Allah knows best.