140442 - Is there any zakaah due from one who cut corn before it ripened to provide food for his animals?

the question

There is a peasant who planted some acres of corn; approximately 3 months after planting it, he ground it when the grains and leaves were still green, then he put it together to give it as food to cattle.
My question is: does he have to give zakaah? Please note that he irrigated it with well water.

Detailed answer

Praise be to Allah.

Firstly:

In the answer to question no. 99843 we explained that zakaah is due on grains of types that are measurable and storable, if what the land produces reaches five wasqs, i.e., three hundred saa‘s. This is equivalent to 612 kg of good-quality wheat; some scholars give the amount as 653 kg. One-tenth is to be given if the crop was irrigated by rainwater, rivers or springs, and half of one tenth is to be given if it was irrigated by costly (artificial) means.

Based on that, if the corn is of a type that is measurable and storable, if the amount produced exceeds three hundred saa‘s, because the cultivated land covers a large area, then for the corn that is produced zakaah must be given at the rate of half of one tenth, because water was brought from the well to irrigate the crop, which can only be done by costly means such as machines, fuel and so on.

Secondly:

What we have mentioned above about the minimum threshold (nisaab) for zakaah on grains is the first condition for zakaah being obligatory. The second condition is that this minimum amount

should have been in his possession at the time that zakaah became due.

The time when zakaah becomes due on grains is when they become hard, and on other crops it is when they become visibly ripe. This is the view of the majority of fuqaha', apart from Abu Haneefah, who said that zakaah becomes due when the crops begin to appear; it is also different from the view of those, among the Hanbalis and others, who say that the time when it becomes due is when it is harvested.

In al-Mawsoo'ah al-Fiqhiyyah (15/12 it says:

The majority of fuqaha' are of the view that zakaah becomes due on crops when they have visibly ripened, because in that case the crop is fully developed.

End quote.

Al-Maawardi (may Allah have mercy on him) said:

With regard to the zakaah on grains, it becomes obligatory when they become dry, hard, strong and been harvested. The zakaah should be paid after they have been threshed and sifted, when only the grain is left.

Al-Haawi al-Kabeer, 3/243

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

The time when zakaah becomes due on grains is when they become hard, and in the case of crops is when they have visibly ripened.

Ibn Abi Moosa said: Zakaah becomes due on grains on the day of harvest, because Allah says (interpretation of the meaning): "but pay the due thereof (its Zakat) on the day of its harvest" [al-An 'am 6:141].

To sum up: if he disposed of the crop or grains before zakaah became due, then he does not have to do anything, because he disposed of it before it became due. This is similar to the case if he had

eaten or sold his livestock before zakaah became due on it. But if he disposed of it after zakaah became due on it, then zakaah is not waived, as would also be the case if he had done that with the livestock. According to both scholarly views, zakaah does not definitely become obligatory until the crops are in the basket and the grains are on the threshing floor. If they are destroyed before that, not by his actions or due to any negligence on his part, then he does not have to give zakaah.

Al-Mughni, 2/300

Based on that, if a person cuts a crop on which zakaah is ordinarily due in order to use it as animal feed, for example, he does not have to give zakaah on what he cut, because what he cut was not the grain or crop on which zakaah is due. What is left of hard (i.e., fully developed) grains should be examined, and if it reaches the minimum threshold (nisaab) then zakaah is due on it, otherwise it is not.

It is not permissible for the one who has grains to deliberately cut them before they are fully developed with the aim of evading zakaah, otherwise he is sinning, and some scholars regard it as obligatory for him to pay zakaah in this case.

Shaykh Muhammad ibn Saalih al-'Uthaymeen (may Allah have mercy on him) said:

In our opinion there are two conditions:

1.That the minimum threshold (nisaab) be reached

2.That this amount should be in his possession at the time when zakaah becomes due

The words "when the grain becomes hard (i.e., fully developed) and the crop becomes visibly ripe, zakaah becomes due" – he previously stipulated that the minimum amount should be in his possession at the time when zakaah becomes due.

The time when it becomes due is when the grain becomes hard, i.e., when it becomes strong and fully formed, and does not yield if pressed (i.e. it is not soft).

The crop becoming visibly ripe, with regard to the fruit of a date palm, is when it turns red or yellow; with regard to grapes, it is when they soften up and become sweet. In other words, instead of being hard they become soft, and instead of being sour they become sweet.

When the grain is hard and the crop is visibly ripe, zakaah becomes due; before that it is not due.

In addition to that we could also say: if it is destroyed – even by his own actions – such as if the grain is harvested before it becomes hard (fully developed), or the crop was cut before it ripened, then no zakaah is due on them, because that happened before zakaah became due. But they said that if he did that in order to evade zakaah, it is still obligatory for him, as a punishment that fits his crime and because everyone who uses tricks to evade some duty, that duty becomes binding on him.

Ash-Sharh al-Mumti‘ ‘ala Zaad al-Mustaqni‘, 6/75-80

To sum up:

If this farmer cut the grain before it became hard (i.e., fully-formed), then he does not have to pay any zakaah. He does have to pay zakaah if the grain was hard and fully-formed, if what was harvested reached the minimum threshold (nisaab).

And Allah knows best.