

Therefore, the representation from each group in the organization and presence of Shariah scholars as advisors will minimize the risk of corruption and enhance the confidence among the public. The Shariah scholars must present in both the central and regional zakat organizations.

With the above-mentioned set up, the issue of corruption or misdeed will be minimized or may come to an end so that people will make payment of zakat to these organizations with full confidence and peace of mind that their zakat will be utilized in a right manner under the supervision of right persons.

The regional and central zakat organizations at the state level will get in contact with International Zakat Organization and keeping in view the social, political and economic circumstances of Muslim Ummah, they might decide to distribute the collected zakat in the best interest of the Ummah.

4.7 Uniform Period for Zakat Collection & Distribution around the World

The uniform period for zakat collection and distribution may be the great achievement in the way of unification of the Ummah. In this way, the environment might be built in which the whole Ummah will feel unity. In this way, the payment of zakat may be made one time by all Muslims. The month of Ramadan is the best month for this purpose in which the reward for good deeds from Almighty Allah is more than the other months. The uniform period will help a lot in order to minimize different complex issues and problems of Ummah as the zakat, all over the world, will be collecting and distributing at the same time in a year.

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this way, the people would get know-how of their zakatable assets with respect to apparent and non-apparent wealth and they would pay zakat in the right manner.

The delivery of knowledge must include both the issues of payment of zakat and real practices as people might understand about responsibilities of certain parties in this respect. In this respect, shariah scholars might convince people to give zakat to the state as their zakat can be effectively utilized in a collective manner rather than giving zakat to the individuals.

4.4 Need of Islamic Curriculum

Our educational structure should be changed as well. What is being taught in our schools, colleges and universities? As far as economics is concerned, we are still teaching western theories as a primary or main curriculum and Islamic Economics (if included) as a secondary section. In this way, we, ourselves, are approving the man-made theories and embracing them by heart and treat Islamic thoughts at the second level or even not included in the curriculum. It is affecting upon the thinking approach of our young generation. As zakat is the main part of Islamic economic system, the curriculum should be effective and updated with the passage of time.

4.5 Need for International Zakat Organization

The International Zakat Organization may be formalized in which the representation from different schools of thought and countries can be made possible and tried to minimize juristic differences in this respect. From this platform, the panel of shariah scholars may encourage people towards the payment of zakat on a collective level rather than individual level.

In this way, the comprehensive guidelines of zakat will be available in the context of prevalent complex financial system with the continued research and thought process. At this level, the best uniform procedures and guidelines may be formalized that will be following and implementing by all the Muslims and Muslim states in the world keeping in view the certain circumstances and conditions of their states or regions.

It is a fact that continued research and thought process is mandatory within this rapidly changing world. It is important to note here that in the era of Umar, the Second Khalifah-e-Rashid, Umar imposed the zakat on horses despite the fact that Prophet Muhammad (SAW) exempted horses from the payment of zakat. Umar imposed zakat keeping in view of the fact that the horses were being used for trade purposes in the era of Umar and not in the era of Prophet Muhammad (SAW). Therefore, it is evident that the continued thought process is very important.

4.6 Formation of Regional Zakat Organizations

To build confidence among people and in order to comply with the Islamic guidelines of distribution of zakat, there is a need of formation of zakat collection and distribution organizations at regional levels within the certain state.

In this case, even though that the organizations will be made under the direction and supervision of the government and administration of Central Zakat Organization but will work in the capacity of statutory organization. The government must not intervene in the working and management of these organizations without any valid reason. In non-Muslim countries, these organizations can also be formed. The members of regional zakat organizations must be accompanied by prominent Shariah scholars as advisors for collection and distribution system of zakat.

we would not implement Islam as a whole in our states and in our daily lives, we cannot implement any thing in an effective way and cannot get fruits.

It must be noted that poverty alleviation and effective collection and distribution cannot be possible as long as we would not change ourselves and would not consider in a true sense that *what is our real situation and what should be our real situation?* Are we practicing Islam as we should? Obviously, the answer is in negative therefore we must try to change ourselves keeping in view the commandments and guidelines as laid down by Almighty Allah.

It is amazing to note that the Muslim countries do not even declare themselves as Islamic countries even though they have a clear majority. What is the reason? When we call ourselves as secular nation then in what sense and with what enthusiasm, we can design the best framework of the collection and distribution of zakat.

We must consider the effect of such thinking upon our children and upon our people. It is very sorry to say that in Muslim countries, some parties want to implement Islam and some not. When we call ourselves Muslims then what is the logic behind the arguments towards the implementation of Islamic ideology in our countries. *It is very important to note that when a state or government does not represent itself a true Islamic picture, how the state claims itself the right of collection and distribution of zakat.*

4.2 Implementation of Islamic Economic System

It is a tragic fact that the economic structures of Muslim countries are also not complied with the commandments of Almighty Allah. It must be understood that the implementation of Islamic economic system is mandatory. The talking about the implementation of the best practices of zakat is only the one aspect of Islamic economic system. What about the other aspects? We will get the real success only when the interest-based and immoral capitalist-based economy, in which everybody is selfish, will be abolished.

It is a point of consideration that in the interest based selfish capitalist society, how we get the real fruits of zakat distribution. Zakat is the crucial part of Islamic economics and social system and we must accept and implement Islamic economics as a whole and not only Islamic economics but Islam as a whole. Then, we will get the real fruits in every walk of life. When we go to implement the real Islamic economic system, we will be automatically implementing the best practice of collection and distribution of zakat, obtaining the confidence of the people and narrowing the gap between the government and people of the State.

4.3 Awareness & Knowledge of Fiqhi Issues of Zakat

The awareness among public with respect to fiqh issues of zakat is very crucial because with the passage of time, many issues have been arisen. Without the proper strategy in this respect, the zakat payer might get confused and they may not take out zakat properly from their assets.

The lack of knowledge, in this respect, might cause problem in the effective collection of zakat from the people. Keeping in view the present complex financial system, many issues have been arisen that are being addressed by our Shariah scholars and the books have also been written in this respect but it is also a fact that many people do not read books or cannot read books due to illiteracy therefore for these people, special sessions might be conducted in mosques, town halls etc. where these people can come and interact with Shariah scholars and experts of shariah issues of zakat easily. In

pious and competent and who tried to perform at least some of the functions associated with the khilafah, most rulers were absolute monarchs and their rule did not reflect the teachings of Islam.

One of the first things to happen was loss of control over public finances. Actually, the rulers were ruling as a king and thought the public finance and treasury as their own wealth, state as its own property and people as their slaves. They thought their ruling as their absolute right. That thinking was leading to luxurious life of the monarchs with the cruel and irresponsible utilization of the public wealth. The desired thinking was forgotten that they should be custodians rather than owners of that wealth and resources.

Due to these wrongdoings, the Muslim history is evident that Muslims faced the political and power decline in almost all parts of the world and external powers or non-Muslims captured most of the regions and abolished our rest of the social and economic structure that had been protected to some extent and Muslims were enforced to follow the policies and procedures pertaining to education, law, economic, social and cultural aspects etc.

The Muslim world has got liberations from the non-Muslim powers and obtained new pace in the preceding century. They have shown commitment also to establish the golden rules and principles of Islam once again but it is also a fact that they are still lacking one collective smooth thinking which might be helpful in obtaining the best system as desired by Islam. The main reason of this continuous deviation is the inclusion of secular and non-Islamic thoughts in our generations and people along with the lacking of the ideal government structure. It is a worth-mentioning fact that the gap between the government and public is still wide and continuing towards wider.

4. Possible Strategy for the Best Practice

If we want to get the fruits of zakaat in a real sense, we have to formalize the effective strategy keeping in view our history and Islamic guidelines and also some other determinations in this respect. Some of the possible steps that might be taken in this respect are as under that can build confidence and narrowing the gap among the Ummah at public and government level and provide track to achieve the best practicing model at both national and international level.

4.1 Return to the Actual Heritage

Unfortunately, the Muslims around the world have ignored each and every thing that has commanded by Islam and following the baseless and man-made theories of the capitalists around the world without any consideration of right and wrong. It is a tragic fact that some Muslims itself having a confusion of the applicability of the principles of Islamic Economics in the present era. The reason is that they have not studied well the Islamic theories and got higher degrees from the West. Due to this reason, we could not be practicing and following our real economic models that had been implemented and practiced in the era of our beloved Prophet Muhammad (SAW) and in the era of four caliphs. It is amazing that we are still thinking and searching the ideal model like the West but do not think for a while that the ideal model with real experienced successful models are found in our history and literature.

In our daily life; we observe that to implement a certain thing in an absolute sense, we must consider and fulfill other requirements as well that are interrelated to certain thing otherwise the certain implementation is quite ineffective. When we talk about effective system of collection and distribution of zakaat, we must admit that we must return to our actual heritage. We know that Islam is a complete code of life and as long as

The distribution of total proceeds of zakat among the different categories of recipients is subject to the discretion of the state and its Shura (parliament) keeping in view the local, national, and global interests of Muslims.

2.5 Gories to Whom Zakat Must Not Be Paid

The zakat workers should be vigilant and ensure that zakat must not be given to the following:

1. The rich.
2. Those capable of earning.
3. Disbelievers and apostates who fight against Islam, and, according to the majority of jurists, People of the Pledge i.e. the people of the Book, and all who like them, live within the Muslim society, pledging their sincerity to the state, and obeying its laws.
4. Children, parents, and wives of Zakat payers.
5. Descendants of the Prophet Muhammad (SAW).

3. Deviation from the Right Path

Unfortunately, the Muslim history took a wrong turn when the Khilafah al-Rashidah was brought to an end with the establishment of Umayyad dynasty (41-132/663-750). The hereditary monarchy begun with the evils of political illegitimacy, with absolute power and without accountability, which were the clear violation of the moral imperative of khilafah or the ideal political system according to Islamic posture. It is a fact that the ideal political structure, as laid down by Khulafa-e-Rashideen, was badly affected as there is no place of monarchy in Islam. That violation generated discontent in Muslim society, particularly among those of the Prophet's Companions because they could not bear such illegitimacy and divergence from Islamic guidelines in such a way. Due to the reason of this dissatisfaction, there were also revolts, but these proved unsuccessful.

The Umayyads had set the example of monarchy therefore after the Umayyad dynasty; the Abbasids came into power in 132/750 after overthrowing the Umayyads. At the outset, they came with the ambition to abolish the ills that Umayyads had left but it is a natural factor of hereditary monarchy that due to having full authority and lack of fear of accountability, this type of ruling cannot show itself the best ruling system. If one ruler is good, it is not a guarantee that the succeeding ruler will be the same or better than the present. Once again, due to illegitimate activities of Abbasids, dissatisfaction among the public caused revolts which were mercilessly crushed.

It is a worth mentioning factor that although the irregularities on the part of the government were increasing but it is a fact that in the dynasties of Umayyad and Abbasid, the zakat system was continued and run by the state and it is also a fact that even after splitting of Muslims into a number of regions and areas, zakat system was being run by the government.

The rulers attached the title of khalifah in different dynasties i.e. Umayyad (41-132/663-750), the Abbasid (132-656/750-1258), and the Ottoman (699-1342/1299-1924) etc. but did not think the real sense of this word as khalifah which means the representative of Allah on the land. Other than khalifah, the words sultan and malik became common. Except for some rulers, at different times in all dynasties, who were

amount needed to fulfill his/her basic needs in terms of wealth and income, whereas the needy is that owns nothing. Some others consider that the poor is in a worse situation than the needy. The definitional issue is merely scholastic or linguistic but it is a fact that both the poor and needy cannot support all their basic needs by their own means, and they require necessary support.

Workers in the collection and distribution of zakat are the third category of zakat recipients. This emphasizes the autonomy of the zakat institution. Qur'an immediately mentions this category after the poor and the needy and it is a clear indication that zakat collection and distribution are functions of an organization of paid employees. It is part of the social structure of the Islamic state and not an individual practice or an activity of a certain religious body.

Those whose hearts are being reconciled include persons who have recently been brought to Islam, or who need to strengthen their commitment to this faith, and individuals whose evil can be anticipated or who can benefit and defend Muslims.

Distribution to this category is not a job of an individual but it is a political decision and only the state can determine the need at a given time for reconciling hearts and the qualifications of deservants under this title.

Liberating Slaves: This category is to liberate slaves by purchasing them from their masters and get them free. In the present world as the slavery does not exist, this amount might be used for those Muslims who are fighting against the enemy in different parts of the world and captives in non-Muslim territories etc. with the consultation of Shariah scholars.

The sixth category of zakat deservants is persons under debt. It does not matter whether debts arose from natural catastrophes, business practices, borrowing to spend on family needs or from pledging compensational funds in the process of reconciling differences and disputes between individuals, communities and tribes, especially blood money. By the same token, debts on deceased persons may also be included in this category.

The seventh category of zakat distribution is expressed in the Qur'an as "fi sabil Allah" [in the way of Allah]. The linguistic meaning of the term is quite obvious. "Sabil" means way, and "Sabil Allah" is the way that leads to pleasing Allah. Ibn al Athir did analysis of the term and shows two important points:

1. The term originally means every action intended to serve the cause of Allah, including all good deeds, individual and collective.
2. The term is commonly understood to mean fighting for the sake of Allah.

All scholars agree that fighting for the sake of Allah is included in this category. Their differences arise on whether this category may also cover other good deeds intended to please Allah.

Wayfarer: According to the majority of scholars, the wayfarer, *ibn al Sabil*, is the traveler on the way from one place to another. Al Tabari reports from Mujahid, "The wayfarer has a right to zakat even if rich, as long as he or she is cut off from his or her wealth. Ibn Zaid says, "The wayfarer is the traveler, rich or poor, who has lost his means of expenditure or depleted them while on the road. Helping this person is obligatory."

2.4' Responsibility of Zakat Workers

The responsibilities of zakat workers include the collection and distribution of zakat. The brief information regarding the functions of zakat workers are as under:

2.4.1 Collection Function

The collection of zakat will need proper documentation and information of those people upon which zakat is due. The collection agencies must try to gather the data to the possible extent. Due to this update, those people, who will be avoiding to pay zakat will be identified and appropriate action might be taken against them.

The zakat workers have the responsibility to collect zakat on the following items and assets:

- A. Gold equivalent to 87.48 grams. (2.5% at the end of the year)
- B. Silver equivalent to 612.35 grams. (2.5% at the end of the year)
- C. Money and Business Assets: 2.5% at the end of the year if equivalent to the price of 612.35 grams of silver or 87.48 grams of gold.
- D. Agricultural Production: At the time of production, 10% of the production is obligatory on that which is watered by rain and 20% is obligatory on that which is watered by carried water as from tube wells, wells and other sources etc.
- E. Rikaz i.e. Minerals & Buried Treasure. 20% of explored wealth when found.
- F. Livestock. Applicable according to the kind and number of animals.

2.4.2 Distribution Function

The Prophet Muhammad (SAW) reported to have said: "Allah verily did not accept the judgment of a Prophet or anybody else in (the distribution of) zakat, so He (himself) gave the judgment on it. He divided it into eight parts." (Abu Dawood). This Saying refers to Verse 9:60 as Allah describes:

"Sadaqaat are only for the poor, and the needy, and those employed to administer (the funds), and those people whose hearts are being reconciled (to the truth), and for those in bondage, and those in debt, and in the cause of Allah, and for the wayfarer; (thus is it) ordained by Allah, and Allah is full of knowledge and wisdom."

In the light of the above-mentioned saying and verse, the zakat workers must maintain the proper record and do investigation of eligible and needy people therefore they must be very vigilant in this respect that zakat must be reached in the right hand and to the following categories of the people:

The poor and the needy are the first two categories of zakat deservants mentioned in Surah al Taubah, which illustrates that the first target of zakat is to eliminate poverty from society.

The first two categories are very often discussed together since, by definition, they are close to each other. Some scholars define the poor as a person who has less than the

matter of zakat collection and distribution and is unjust in other affairs, some Malikites argue that all zakat must still be paid to the state.

It is evident from the above-mentioned discussion that the Islamic State may formulate zakat policies keeping in view the circumstances and situation of the society but it is the absolute right of the government to collect zakat from the people on all zakatable assets without any discrimination.

2.3 Region of Zakat Distribution

Fourteen hundred years ago, Islam introduced its unique principle that zakat must be distributed in the region in which it is collected. Muslim scholars agree that zakat should be distributed to deservants in the same geographical area from which it was collected.

This principle is based on the tradition of the Prophet Muhammad (SAW) and his successors. When the Prophet Muhammad (SAW) sent zakat officers to any area or region, he instructed them to distribute to the poor in the same region. The Prophet Muhammad (SAW) gave instruction to Mu'adh, (its authenticity is agreed upon): "Zakat is to be distributed to the poor among them." Mu'adh implemented the instructions of the Prophet to the letter. He divided Yemen into regions such that zakat was collected and distributed within each region autonomously.

The author of al Mughni says "since zakat is meant to enrich the poor, permitting transporting it leaves the poor of that region in need."

Scholars and governors after the Prophet Muhammad (SAW) followed the same guidance. Imran bin Husain, a Companion, was appointed zakat officer at the time of the Umayyads. When he returned from his mission, he was asked "Where is the money?" Imran said, "Did you send me to bring you money?" I collected it the same way we used to at the time of the Messenger of Allah (SAW), and distributed it the same way we used to." Taus was appointed zakat officer in one of the regions in Yemen. He was asked for his account by the governor and his answer was, "I took from the rich and gave to the destitute. Farqad al Sabkhi says, I took zakat due on my wealth to distribute it in Makkah. There I met Saïd bin Jubair, who said, "Take it back and distribute it in your hometown." Sufyan narrates "Zakat was taken from al Riy to al Kufah, but 'Umar bin Abdul Azeez ordered it taken back to al Riy."

Scholars agree that all excess zakat funds may be transported to neighboring areas or to the central government. Abu 'Ubaïd reports that Mu'adh stayed in Yemen until the Prophet Muhammad (SAW) died and during the era of Abu Bakr, then went to 'Umar who confirmed his position. One year Mu'adh sent 'Umar one third of the zakat collected in that year. 'Umar was annoyed and told him, "I did not send you as a collector or as a taker of jizyah. I assigned you to take from the rich and render to the poor." Mu'adh answered, "I have not sent you anything that I can find anyone to take from me here." The following year, Mu'adh sent 'Umar one half of the collected zakat. They exchanged statements similar to the previous year. In the third year, Mu'adh sent 'Umar all the collected zakat. 'Umar questioned him the same way he did the previous years, whereupon Mu'adh said, "I could not find anyone who would take any of it." 'Umar's objection indicates that zakat must be distributed in the land where it is collected but his acceptance after Mu'adh's explanation shows that it is permissible to transport zakat when no deserving exists in its region.

of any person, zakat was collected at the time of payment of certain financial right. It is narrated in Musannaf Ibn-e-Abi Shaiba and Sunan-e-Baihqī that in the period of Waleed bin Abdul Mulq, a certain governor had forcefully collected 20 thousand and submitted to Baiṭ-ul-Maal. When 'Umar bin Abdul Azeez taken over as caliph then he returned the certain amount upon the request of the sons of that person and ordered to deduct zakat of the current year only and not of the previous years due to forceful collection of that wealth.

As far as non-apparent wealth is concerned, the ruler has quite absolute right either to collect zakat or deliver the responsibility for payment of such zakat to the owner. It is the discretion of the certain ruler keeping in view the conditions and circumstances of the certain era and financial matters of the public and traders.

In case of non-payment of zakat upon non-apparent wealth, the ruler can take concrete action. According to Islamic guidelines, the state has full authority to collect zakat and he can send people for verification of the wealth of people. Now, if there is any expedience (maslaha), the state may transfer his responsibility to owners of wealth but in those areas where is not any expedience (maslaha), the state must collect zakat as evident from the above-mentioned practices of the early Islamic period. The state may consider the fact of maslaha according to the conditions of the society to avoid any action that may cause disturbance or disorder in the society. It is a fact that the trend of living of style of people changes with the passage of time and keeping in view the change, the state may decide according to the circumstances as 'Uthman Ghani considered the fact of maslaha in his period.

In the period of Prophet Muhammad (SAW), the zakat was collected without any discrimination of apparent and non-apparent wealth but one point must be considered here that to collect zakat on animals and agricultural production, the verification officers were sent but in case of cash and commercial wealth, the order was to pay zakat themselves to the government. In the period of 'Umar, a change in this scenario was done that he appointed verification officers at the exit routes of the cities where they collected zakat upon the wealth which was going outside the cities. The zakat on non-apparent wealth (the wealth inside the cities) was paid by the owners themselves to the government. 'Uthman provided the proper permission to the people to pay zakat themselves upon non-apparent wealth.

But the act of 'Uthman Ghani has not abolished the right of collection of zakat on non-apparent wealth. In case of non-payment of zakat on non-apparent wealth and in cases of declaration of non-apparent wealth as apparent wealth, the zakat may be collected. The act of 'Uthman Ghani was due to the reason to avoid investigation of assets of the people at their private places.

Hanafites argue that zakat on non-apparent assets should be left to the owners to distribute. If the state is informed that owners of wealth in certain areas do not pay zakat on their non-apparent assets, its payment can be enforced by the public law enforcement authority. Zakat on trade assets may be collected by the state if they are being transported from one place to another, but if trade assets are not transported, they are treated like other non-apparent assets.

Malikites argue that zakat must be given to a just government without differentiation between apparent and non-apparent assets. If the state is just only in the

commercial wealth outside the city. At that time, the wealth became apparent wealth and there was no need for searching the wealth of people at their private places:

In the light of the explanation of jurists, there are two conditions to call the wealth as apparent wealth:

1. No need to investigate the certain wealth at private places.
2. The wealth which is disclosed before the government and the wealth is considered under the protection of the government.

It is evident from the books of fiqh that Khulafa-e-Rashideen (the four caliphs of the Ummah) and the rulers afterwards deducted the amount of zakat at the time of distribution of annual salaries and stipends etc. and there were not any argument raised upon this way of collection by companions of Prophet Muhammad (SAW) and other jurists but shown agreement in this respect.

In Mu'atta Imam Malik and Kitab-ul-Amwal, it has been written that Qasim Bin Muhammad says that at the time of payment of salary or stipend etc., Abu Bakr asked, from every person, about the wealth upon which zakat became due. If the zakat became due, he deducted zakat otherwise not.

Imam Ibn-e-Abi Shaiba and Imam Abu Ubaid narrated the practice of 'Umar that at the time of distribution of annual salaries, 'Umar accumulated all commercial wealth and called all traders. Then, after analysis of cash and credit & apparent and non-apparent wealth, the zakat was deducted.

As it is mentioned above that that in the era of Abu Bakr and 'Umar, there is no distinction between apparent and non-apparent wealth and they collected zakat on every type of wealth but this practice was also being continued in the era of 'Uthman as well as narrated by Aysa Binte Qadama from her father that at the time of payment of salary, 'Uthman asked from her father about the wealth upon which zakat became due. If I say, "Yes" then he collected zakat and if I say, "No", then he paid my salary.

Some narrations also show the continuance of procedure for collection of zakat in the era of Ali as well but it is evident that zakat on non-apparent wealth was deducted only upon the wealth of those people whose salaries were paid by Bait-ul-Maal. Mu'awiya set the same procedure as well.

It is narrated by Hubaira bin Yaryam about the practice of Abdullah bin Masood while payment of salaries that he collected zakat of salaries also. In this way, he collected 25 upon each thousand. This collection was done after giving the possession of salary to the person due to the aspect of ownership in the payment of zakat. Therefore, Abdullah bin Masood handed over the salary first and then collected zakat upon certain salary amount.

The practice of collection of zakat at the time of payment of salaries and stipends etc. was continued after the period of Khulafa-e-Rashideen also. In the period of 'Umar bin Abdul Azeez, the distinction of apparent and non-apparent wealth had been established but it is evident that he collected zakat from salaries and stipends as well.

It must be noted here that the above-mentioned practice was not confined to only the distribution or payment of salaries and incentives only. In case of any financial right

distributes it. Those who refuse to pay are forced to do so." Al Shawkani quotes the same from Ibn Hajar in his Nail al Awtar. Additionally, there are several sayings which instruct workers on zakat, who were called al su'at or al musaddiqin.

Ibn Hajar, in al Talkhis, notes that the Messenger of Allah (SAW) and his successors sent zakat collectors. Bukhari and Muslim report from Abu Huraira that the Prophet (SAW) sent Umar as a collector of zakat. There are many other sayings that refer to such appointments.

The Prophet Muhammad (SAW) sent the best of his companions as zakat collectors to each region with proper guidelines and instructions with respect to treatment with zakat payers and the collection from the assets of the people.

The appointment of zakat collectors was necessary as they could guide people towards the payment of zakat and take the full amount and assets that were obligated upon the certain people in the way of payment of zakat. In this way, those people who might hide their assets will also pay zakat.

The companions of Prophet Muhammad (SAW) opined that zakat must be given to the ruler of the Islamic state even though the character of the ruler is not ideal or matters of the state are not being run in accordance with the teachings of Islam. They were of the view that the collection and distribution of zakat is one of the responsibilities of the state and it is the duty of the people to give zakat to the government as the Prophet Muhammad (SAW) guided and ordered Ummah in this respect. If the ruler or government will not fulfill its duty, he will be answerable before Allah.

The above mentioned verses, sayings and opinions of Companions indicate that in principle, zakat must be administered by the Islamic government.

2.2 Apparent and non-apparent Assets

Jurists usually divide zakatable assets into two groups, i.e. apparent and non-apparent assets. Apparent assets are those that are visible and can easily be counted by people other than the owner. They include agricultural crops and livestock. Non-apparent assets are those that can easily be hidden away by the owner. They include money and business assets.

In the era of Prophet Muhammad (SAW) and first two Caliphs of the Ummah, Abu Bakr and Umar, there was no distinction considered between apparent wealth (amwal-e-zahira) and non-apparent wealth (amwal-e-baatina) of the people while collecting zakat from the people and zakat was deducted on both types of wealth.

In the period of third caliph, 'Uthman Ghani, the economic and financial circumstances changed to some extent and zakat deductible wealth increased. He realized the fact that if the zakat collectors would investigate the non-apparent wealth of the people, privacy of the places would be affected and the people would feel uncomfortable. Due to this reason, he decided to take zakat only on those assets of the people that were disclosed in general. There were of two types i.e. animals and agricultural production. The responsibility for the payment or distribution of zakat on remaining assets was delivered to the respective owners.

In the era of 'Umar bin Abdul Azeez, the zakat was collected at the posts established outside the cities. The zakat was collected when the people moved their

2.1 Administration of Zakat

The state is responsible for the administration i.e. collection and distribution of zakat. The state's role in the collection and distribution of zakat is best supported by the verse, 9:60, which mentions "the workers on zakat" as one of the categories to whom zakat is distributed. This verse is clearly directing towards the organized team of collectors that must be formulated for the purpose of zakat collection. Moreover, Allah says, "Out of their wealth take a sadaqah so thou might purify and sanctify them". "Take" is addressed to the Prophet Muhammad (SAW) as head of the Islamic state and after Prophet Muhammad (SAW), this order had been transferred to the successors of Prophet Muhammad (SAW) as Abu Bakr continued the process of collection and distribution of zakat.

The administration of zakat and other revenues was at elementary stage during the life time of the Prophet Muhammad (SAW) but the general framework was laid down including responsibilities and duties of zakat collectors ('amilin) and obligations of zakat payers. Zakat was the fundamental pillar of financial system in the era of Prophet Muhammad (SAW).

Prophet Muhammad (SAW) elaborated the responsibilities of the ruler of the state with respect to administration of state:

Abdullah reported that Allah's Messenger (SAW) said: "Every one of you is a guardian and he is accountable for his charge. Thus, the ruler is a guardian of the people and he is accountable for them". (Sahih Bukhari and Sahih Muslim).

Hasan reported that Ma'qil said: Verily, I have heard the Messenger of Allah (SAW) say: "There is none amongst the bondsmen who was entrusted with the affairs of his subjects and he dies in such a state that he was dishonest in his dealings with those over whom he ruled, but Allah has forbidden Paradise for him." (Sahih Muslim and Musnad Ahmad Bin Hanbal).

The above-mentioned sayings of the Prophet Muhammad (SAW) clearly indicates that the ruler must be vigilant and honest in the matters of the State as he is assigned the task for the effective utilization of resources of the State that lead to the welfare of the State.

As far as collection and distribution of zakat is concerned, the Prophet Muhammad (SAW) was very strict in protecting the public funds of zakat, and allowed no non-deserving to take benefit from the collection of zakat. 'Adi bin 'Umairah reports, "I heard the Messenger of Allah (SAW) saying, "Whoever is employed on any collection job, and hides from us even a needle or more, it is embezzling, and he will carry what he embezzled on the Day of Judgement." (Abu Daud and others). In another hadith on the same topic, 'Uqba b. 'Amir said: I hear the Prophet of Allah (SAW) saying: "Collector of sadaqah who acts unjustly will not enter the Paradise." (Abu Dawood and Al Darimi).

The state's responsibility regarding collection and distribution of zakat is evident from the sayings and practice of Prophet Muhammad (SAW). Bukhari, Muslim and others report from Ibn 'Abbas that the Prophet Muhammad (SAW) told Mu'adh, when he sent him to Yemen, "Inform them that Allah obligates sadaqah on their wealth, to be taken from the rich among them and rendered to the poor among them." Al Hafiz Ibn Hajar says, "This saying is evidence that the state is the authority that takes zakat and

of zakat, (the performance of) Hajj and the fasts of Ramadan.” (Sahih Bukhari and Sahih Muslim)

It has been narrated on the authority of Abdullah b. ‘Umar that the Messenger of Allah (SAW) said, “I have been commanded to fight against people till they testify that there is no god but Allah, that Muhammad (SAW) is the Messenger of Allah, and they establish prayer, and pay zakat and if they do it, their blood and property are guaranteed protection on my behalf except when justified by law, and their affairs rest with Allah.” (Sahih Bukhari and Sahih Muslim).

It is the mandatory monetary obligation upon the wealth of Muslims on yearly or other specified timely basis according to specified ratio or quantity. It is the essential element of the economic system of Islam.

As Zakat is one of the five pillars of Islam, the refusal from zakat and its obligation would result in exit from Islam and that person would not more a Muslim.

According to Imam Navavi, if a person, who has recently embraced Islam or lived somewhere else far from Islamic culture and environment, refuses the obligation of zakat then first the obligation of zakat in Islam and its reasons would be communicated to that person. If he does not change its attitude and opinion even though the importance and obligation of zakat has been communicated to him then the order of infidelity (Kufr) would be imposed upon him but if a person who lives in a Muslim society and knows very well about zakat and its obligation in Islam and he commits a sin of refusal in this respect then he becomes infidel and the order of apostate would be imposed upon that person. He will be asked for apology in this respect and if he does not apologize and commit their sin, he will be killed because this act is considered as a blasphemy of Allah and His Messenger (SAW).

In the era of the first caliph, Abu Bakr, the war was conducted against the group of people who refused to pay zakat. After the death of Prophet Muhammad (SAW), a group of people was refused to pay zakat. To tackle this problem, Abu Bakr opined to conduct a war against such persons. This opinion was supported by majority of the companions of Prophet Muhammad (SAW) and the war was conducted against them. Those companions also participated in the war who did not agree with this act at the initial level. Therefore, this opinion was accepted by all companions and Ijma'a (scholarly consensus) was created upon the opinion of Abu Bakr.

The verses with respect to inducement of zakat were revealed when Prophet Muhammad (SAW) was in Makkah but at that time, zakat was no more than just a good deed and no detailed commandments, even amount, were in place.

There has been a dispute between scholars upon the period of obligatory implementation of zakat but the majority of the scholars agree upon that the zakat was made compulsory after the conquest of Makkah in 8th Hijri and Prophet Muhammad (SAW) appointed the zakat collectors in Muharran, 9th Hijri. For every tribe and region, separate collectors were appointed from their respective regions.

2. Guidelines & Practices of Collection & Distribution of Zakat

The guidelines, with respect to collection and distribution of zakat, with the reference of sayings and practices of Prophet Muhammad (SAW), his companions and analysis of jurists are mentioned below:

☆ الكون بنبي على النظام فعملك بالترتيب، في ملبسك وبيتك ومكتبك وواهبك. ☆

The Need of Adequate Policies for Collection & Distribution of Zakat

By

Muhammad Zeeshan Farrukh

Abstract

The proper collection and effective distribution of zakat in an appropriate manner is one of the biggest challenges of the present day Muslim world. Zakat might be the very important source of revenue for the Muslim states particularly for the poor Muslim states. This paper elaborates the commandments of Almighty Allah with respect to collection and distribution of zakat along with practice in the early Islamic period and highlights the problems and issues of Muslim states regarding collection and distribution of zakat particularly with respect to lack of confidence of the people upon the public officials. Therefore, it is observed that the majority of the Muslims prefer to perform this religious duty themselves without any involvement of the government. This behavior is the biggest hindrance in an effective utilization of this large source of revenue in the Muslim states. This paper gives suggestions how to build and revive the confidence of the people as they can think to use this money on a large scale rather on a small scale with the peace of mind that their money will be utilized and distribute more efficiently and effectively. This paper deals this issue not only on the national level but also on international level keeping in view the constructive usage for the prosperity of the Muslim population living both in Muslim or non-Muslim states.

Key Words: Zakat, Islamic Economic System

1. Introduction.

Zakat is one of the five things upon which Allah has founded Islam as evident from the sayings of Prophet Muhammad (SAW):

Ibn Umar has reported the Messenger of Allah (SAW) as saying: "The (edifice of) Islam is founded on five (things): Testimony to the fact that there is no deity save Allah, that Muhammad (SAW) is the Messenger of Allah, the establishment of prayer, payment

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☆ اخرج الى الفضاء، وطالع العداوى، القضاء، وتفرغ في خلق البشرى وابداع الخالق. ☆