

# The Judgments Pertaining to the Honorable Family Members of the Prophet

Written by Translated by Riad Nachef

Wednesday, 18 November 2009 21:16 - Last Updated Monday, 30 November 2009 15:05

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### The Prohibition of Spending the Zakat on the Family Members of the Prophet

By sheikh Jamal Sakr Al-Husayni

Ibn ^Abd Al-Barr said:" The elites of Quraysh are Banu Hashim and they are the branch of the Messenger of *Allah*, sallallahu ^alayhi wa sallam, and his close Tribe and his family members for whom the Zakat is prohibited."

The proof for that is what Muslim and others narrated about the Messenger of *Allah*, sallallahu ^alayhi wa sallam, that he said: "

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""", which means: "Those Zakat

monies

resemble the filth of the people and it is prohibited for Muhammad

and the family members of Muhammad.

According to another narration by Muslim: "

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""", which means: "The Zakat

ought not to be acceptable for the family members of Muhammad.

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ought

not to be acceptable for the family members of Muhammad.

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hammad it is but similar to the filth of people." Muslim also narrated that Al-  
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asan Ibn ^Aliyy took into his mouth a date from the money of Zak  
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t, so the Messenger of  
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llahu ^alayhi wa sallam, said: "فَوَيْلٌ لِلَّذِينَ كَفَرُوا مِنْ يَوْمِهِمْ الَّذِي يَصْعَقُونَ فِيهِ الْمَأْمُونَةَ أَمَّا مُوسَىٰ فَاصْبِرْ إِنَّا جَاعِلُكَ فِي الْقُرْآنِ حَكِيمًا", which means:  
"It is filthy! It is filthy! Throw it away; have you not known that we do not consume the Zak  
a  
t!"

This constitutes a proof that spending the Zakat on the Prophet and his family members is prohibited. In what pertains to the Zakat on the family members of the Prophet are:

1) The family members of Al-^Abbas, may *Allah* accept his deeds, who is the uncle of the Messenger of *Allah*, sallallahu ^alayhi wa  
sallam, so he is the son of ^Abd Al-Mu  
tt  
alib the son of H  
a  
shim the son of ^Abd Man  
a  
f.

2) The family members of Imam ^Aliyy may *Allah*, accept his deeds, who is the son of Abu Tali  
b the son of ^Abd Al-Mu  
tt  
alib the son of H  
a  
shim.

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3) Ja<sup>^</sup>far, may *Allah* accept his deeds, who is the son of Abu Talib the son of <sup>^</sup>Abd Al-Muttalib the son of H

a  
shim.

4) <sup>^</sup>Aqil the son of Abu Talib the son of <sup>^</sup>Abd Al-Muttalib the son of Hashim.

Also attached to them here would be the sons of Al-Muttalib the sons of <sup>^</sup>Abd Manaf.

This is the school of Imam Ash-Shafi<sup>^</sup>yy and those who concurred with him which states that the family members of the Messenger of *Allah*, sallallahu

<sup>^</sup>alayhi wa sallam, as far as Zak

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t is concerned are the sons of H

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shim and the sons of Al-Mu

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alib. Some M

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lik  
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scholars said the same thing. Ab

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fah and M

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lik said; "They are the sons of H

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shim in particular". Ab

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fah said: " The Zak

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t is not prohibited on the family members of Al-Mu  
tt  
alib, rather it is prohibited on the sons of Al-<sup>^</sup>Abb

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s, ^Aliyy, Ja^far, ^Aq  
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l and Al-  
Ha  
rith the son of ^Abd Al-Mu  
tt  
alib. Al-Q  
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said: "Some scholars said, ' They are the entire Tribe of Quraysh". A  
s  
bagh Al-M  
a  
lik  
i  
said: "They are the sons of Qu  
s  
ayy".

Ash-Shafi^iyy's proof is that the Messenger of *Allah*, sallallahu ^alayhi wa sallam, said: "ﷺ  
ﷺ ﷺ ﷺ ﷺ ﷺ ﷺ ﷺ ﷺ  
", which means: "The sons of H  
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shim and the sons of Al-Mu  
tt  
alib are one and the same". The Prophet distributed amongst them the share of Zak  
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t pertaining to the Kin.

An-Nawawiyy said in his explanation of the book of Muslim 176/7: " Ash-Shafi^iyy has three  
sayings regarding the voluntary  
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adaqah of which the most correct is that it is prohibited for the Messenger of  
All  
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h

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all  
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llahu ^alayhi wa sallam, and is permissible for his family members. The second saying it is prohibited for him and the third it is permissible for him and his family members.

As to the freed slaves of the sons of Hashim and the sons of Al-Muttalib there are two opinions for our companions regarding whether or not the Zak

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t is lawful for them. The most correct is that it is unlawful due to the

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ad  
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th of Ab

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fi^ that An-Nawawiyy later mentioned. The second opinion is that it is lawful. Ab

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fah said it is prohibited while enquiring with the K

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fiyy's and some M  
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likiyy's. M

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lik said that it is permissible. Ibn Ba  
tta  
I Al-M

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likiyy claimed that the difference in opinion pertains to the freed slaves of the sons of H  
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shim as to the freed slaves of the others it is permissible for them by consensus; The issue is not as per his claim, rather what is more correct according to our companions that it is prohibited for both the freed slaves of the sons of H

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shim and the sons of Al-Mu

tt  
alib and there is no difference between them." This is the end of An-Nawawiyy's statement.

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The Hadith of Abu Rafi<sup>^</sup> is that Messenger of *Allah*, sallallahu <sup>^</sup>alayhi wa sallam, said: "□□

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", which means: "The Zak

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t is not permissible for us and the freed slave of a people is attached to them." The

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th is narrated by At-Tirmidhiyy, An-Nas

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'iyy and others.

An-Nawawiyy said in his explanation of the book of Muslim 179/7: "The meaning of the saying of the Prophet '...it is but the filth of the people' refers to drawing the attention to the reason for prohibition on the sons of H ashim and the sons of Al-Muttalib being for the sake of their pride and purity from filth. The filth of people refer to that the Zak

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t purifies the monies and souls of the people just as

All

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h

the Exalted said: {□□ □□ □□□□□□□□ □□□□ □□□□□□ □□□□□□ □□□}, which means: {Take from their monies a Zak

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t that purifies and excels them.}

Hence it is a similitude of the water used to wash off the filth.