

### Press Release

## **Zakat Between the Islamic System and the Secular Houthi System**

(Translated)

Zakat is one of the five pillars of Islam, it is obligatory according to the Book, the Sunnah, and the consensus of the Companions. In the Quran, Allah (swt) says: ﴿وَأَقِيمُوا الصَّلَاةَ وَآتُوا الزَّكَاةَ﴾ **“And establish prayer and give zakāh<sup>1</sup> and bow with those who bow [in worship and obedience]”** [Al-Baqara: 43]. As for the Sunnah, the Messenger of Allah (saw), sent Mu’adh to Yemen and said to him: **«...فَاعْلَمَهُمْ أَنَّ اللَّهَ افْتَرَضَ عَلَيْهِمْ صَدَقَةً تُؤْخَذُ مِنْ أَغْنِيَائِهِمْ فَتُرَدُّ فِي فُقَرَائِهِمْ»** **“...then tell them that Allah has made the payment of Zakat obligatory upon them. It should be collected from their rich and distributed among their poor”** The Companions, may Allah (swt) be pleased with them, agreed to fight those who prevented it (Zakat). If the person who refuses to pay zakat and is outside the control of the Imam, the Imam will fight him, because the Khaleefah (caliph) of the Messenger of Allah (saw). Abu Bakr (ra) fought those who prevented it. Due to the greatness of this fardh (obligation), Islam has made it an essential pillar of Islam and made it an obligation that threatens the one who abandons it with the most severe punishment, and promises the performer (of this fardh) abundant bounty in this world and the Hereafter.

In spite of the absence of rule by Islamic systems in the lives of Muslims, we find societies in Muslim countries better off than Western societies, due to the fact that many of the sons of Muslims adhere to some Shariah rulings, albeit on an individual basis. However, the existence of these rulings contributed to the creation of the vast discrepancy between the high crime rates in Western societies and the crime rates in Muslim countries. Perhaps one of the most prominent rulings of Islam in which the meanings of mercy appear among Muslims is Zakat, which is mentioned in the noble Qur’an along with prayer in more than 80 verses.

Islam must be fully implemented as commanded by Allah (swt). As for what is happening today regarding the implementation of the pillar of Zakat by rulers in Muslim countries, including Yemen, especially in the provinces that are subject to the authority of the Houthi Supreme Political Council, we find that the pillar of Zakat is not implemented in the correct Shariah manner in terms of its collection, its distribution and types, just like the rest of the rules of Islam that are absent from the reality of life, but they implement the secular capitalist systems as was the previous constitution, so they do not care about the rules of taking care of the affairs, but rather what concerns them only is only tax collection.

As for their mistake in collecting it, they take it as an obligation on those who are charged by guessing and temperament, not on the nisab, which is in the trade offers, what amounted to the equivalent of 85 grams of gold or more, and Al-Hawl which is a year, which is the passage of a full year on the money that reached the nisab, then the

exchange takes place between the collector and the payer until the situation settles on an agreed-upon amount. This causes them to take it from people whose wealth have not reached the value of nisab or the year has not come upon it. In principle the Zakat should be given by people willingly, because of trust they have in the parties who collect it and distributes it according to what Allah (swt) specified in His Noble Book.

As for their mistake in distributing it, it is done through contacts and favoritism for the group. It is also distributed to those who do not have a right to it, but loyalty to the group is taken into account as well. An example of that is spending from Zakat money on group weddings, while the principle is that they are married off from state ownership as it is to take care of affairs, and the principle in Islam is that Zakat is distributed exclusively to the eight categories.

As for their mistake in defining the Zakat categories, it was determined by the Zakat Law that was issued during the rule of the deceased Ali Saleh in 1999, and amended by the Houthis in 2019. The Zakat Law specified in addition to what is Shariah specified in cash and cattle - the obligation of Zakat on commercial offers, including land, real estate, its benefits, crops, fruits, and poultry prepared for sale for the purpose of trade, so they take Zakat on its items but not on what a person earned from it in terms of money, and this is not permissible, just as they violated the Shariah texts in not making Zakat an obligation except on what the Shariah specified of crops and fruits. This is because of the what is narrated by Musa bin Talha on the authority of Umar may Allah be pleased with them, that he said: **«إِنَّمَا سَنَّ رَسُولُ اللَّهِ ﷺ الزَّكَاةَ فِي هَذِهِ الْأَرْبَعَةِ، الْحِنْطَةِ وَالشَّعِيرِ وَالْتَّمْرِ وَالزَّيْتِ»** **“The Messenger of Allah only prescribed Zakat on these five things: wheat, barley, dates, raisins and corn.”**

That is if it amounts to five wasqs or more, just as the Shari'ah determined the usurious types. it also determined the zakat types, and Muslims must abide by the rulings of their Lord as He legislated, in practice to the rule, the principle in actions is adherence to the Shariah rule.

Also, the amended zakat law by the Houthis misdiagnosed the reality of the spoils. So, it must be clarified. The spoils is what was taken from the kuffar in the fields of battle, and the fai' (booty) that was taken from them without a fight comes under this, as evidenced by the verse: **﴿وَاعْلَمُوا أَنَّمَا غَنِمْتُمْ مِنْ شَيْءٍ فَإِنَّ لِلَّهِ خُمُسَهُ وَلِلرَّسُولِ وَلِذِي الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسَاكِينِ وَابْنِ السَّبِيلِ إِنْ كُنْتُمْ آمَنْتُمْ بِاللَّهِ وَمَا أُنْزِلْنَا عَلَىٰ عَبْدِنَا يَوْمَ الْفُرْقَانِ يَوْمَ التَّقَىٰ الْجَمْعَانِ وَاللَّهُ عَلَىٰ كُلِّ شَيْءٍ قَدِيرٌ﴾** **“And know that anything you obtain of war booty - then indeed, for Allāh is one fifth of it and for the Messenger<sup>1</sup> and for [his] near relatives<sup>2</sup> and the orphans, the needy, and the [stranded] traveler,<sup>3</sup> if you have believed in Allāh and in that which We sent down to Our Servant<sup>4</sup> on the day of criterion [i.e., decisive encounter] - the day when the two armies met [at Badr]. And Allāh, over all things, is competent”** [Al-Anfal: 41]. And His (swt) saying: **﴿مَا أَفَاءَ اللَّهُ عَلَىٰ رَسُولِهِ مِنْ أَهْلِ الْقُرَىٰ فَلِلَّهِ وَلِلرَّسُولِ وَلِذِي الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسَاكِينِ وَابْنِ السَّبِيلِ كَيْ لَا يَكُونَ دُولَةً بَيْنَ الْأَغْنِيَاءِ مِنْكُمْ وَمَا آتَاكُمُ الرَّسُولُ فَخُذُوهُ وَمَا نَهَاكُمْ عَنْهُ فَلْيَتَّقُوا اللَّهَ إِنَّ اللَّهَ شَدِيدُ الْعِقَابِ﴾** **“And what Allāh restored to His Messenger from the people of the towns - it is for Allāh and for the Messenger and for [his] near relatives<sup>1</sup> and orphans and the needy and the [stranded] traveler<sup>2</sup> - so that it will not be a perpetual distribution among the rich from among you. And whatever the Messenger has given you - take; and what he has forbidden you - refrain from. And fear Allāh; indeed, Allāh is severe in penalty”** [Al-Hashr: 7]. The booty is not all the money that a person has gained!

Then came the amended law to confuse property, between public and private property. The public property is that which the group disperses in its demand, such as the mountain of salt that the Messenger of Allah (saw) made it a public property and removed it from the private property of Abyad bin Hamal, included in the public property is the endless mineral, i.e., a lot, such as gold, silver and other minerals that are not cut off such as oil and gas, but a little of it is for the people to extract and pay fifth of it for the treasury, Bait ul Mal, and not for a central bank that deals with usury with the International Monetary Fund and the World Bank. As for water, stones, rivers, gneiss, marble, agate, emeralds, turquoise, and all other valuable minerals, there is no fifth taken of them, despite the amount, and zakat is not taken from them under any circumstances. Likewise, there is no Shariah text from the Book of Allah (swt), nor from the Sunnah of the Messenger of Allah (saw), that allows taking one-fifth of what was extracted from the sea or land other than the types of zakat that the revelation came with. Rather, it is taken from those who find ancient buried treasures (rikaz).

"Rikaz" is for the Muslims' treasury (Bait ul mal), and the remaining four-fifths remain for its finder. The Houthis astonish us with their Qur'anic march and their claim to implement Islam. They are now taking customs and tax money, and they practice selling treasury bills and are content with insurance and shareholding companies that Islam has forbidden. Or is Islam, according to them, merely a collection of money, whatever it is and from wherever it is?! What the Houthis concealed of their denial of taking the fifth from the people has been exposed. So today they are determined to take it according to their whims and with binding laws from the Taghoot (falsehood) council, which reflects their greed and love for money, as if they did not take lessons from the previous nations! It is also surprising that the rulers in Muslim countries, including Yemen, do not apply Islam except for the rules of tax collection and wrongly.

As for the rulings of taking care of affairs, it is not included in their calculations and does not concern them, thus Allah's (swt) saying applies to them: **﴿أَفَتُؤْمِنُونَ بِبَعْضِ الْكِتَابِ وَتَكْفُرُونَ بِبَعْضٍ﴾** **“So do you believe in part of the Scripture and disbelieve in part?”** [Al-Baqara: 85].

**O our people in Yemen, especially the owners of capital:** Under the Islamic state, the obligation of zakat is implemented as part of an integrated system under a caring state, not a tax-collection state. In which you are safe with your money and it protects you from engaging in what is forbidden. The implementation of Islam in a comprehensive and revolutionary application in all affairs of life will only be in the second Khilafah Rashidah (rightly-guided Caliphate) State on the method of the Prophethood, that Hizb ut Tahrir works to establish and calls on the people of Yemen, the people of belief and wisdom to work with it to establish it. The Hizb has prepared detailed rulings in the book, *Funds in the Khilafah State*, which is a precious gem, and for those who want to learn more, this is the link to the book:

Arabic: <https://www.hizb-ut-tahrir.info/ar/index.php/resources/hizb-resources/64.html>

English: <https://www.hizb-ut-tahrir.info/en/index.php/literature/hizb-resources/1739.html>

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