

Series of Questions Addressed to Eminent Scholar Ata Bin Khalil Abu Al-Rashtah,
Ameer of Hizb ut Tahrir through his Facebook Fiqhi Page

Answer to Question

Begging and Hoarding of Money

To: Musa Abd Ash-Shakoor Musa

(Translated)

Question:

Assalam Alaikum Wa Rahmatullah

I ask Allah that my message reaches you while you are in the grace and blessing of Allah.

It is stated in Article 142: "It is forbidden to hoard money even if its zakat is given."

And it was mentioned in the explanation of the article on page 77 in the book Introduction to the Constitution, Volume 2 (Arabic version), in the explanation of the Hadith of Abu Umama that: "This means that hoarding gold and silver is absolutely forbidden, even if it is two dinars, and even if it is one dinar as long as it is hoarding," and I understood that the poor cannot ask people for more than what he needs.

The question is: What is the upper limit (maximum) that a poor person can ask of people so that he is not considered a hoarder of money in our present time? And what is his need? What is the amount that he can ask from the people and keep? And when does he stop asking (begging)?

Jazak Allah Khair.

Answer:

Wa Alaikum Assalam Wa Rahmatullah Wa Barakatuh:

Barak Allah feek for making duaa for us. We too make duaa for you to get the good.

First: Your question is in essence about the issue of begging, which is another topic different from the issue of hoarding. Hoarding has nothing to do with poverty or wealth, and it has nothing to do with need or lack of need, rather it is focused on collecting money, hoarding and storing it for no need intended to spend it on, regardless of whether the hoarder is rich or poor. The rich person, who is not in need, may hoard money and store it for no need to spend it on, and the poor person may also hoard money and store it for no need to spend it on, even though he is needy, but he does not spend the money that he has to meet his need, but rather he hoards it and stores it, with his need for it. And this was what some of the people of Suffah did, for they were needy because they lived on people's charity and at the same time some of them were hoarding gold (one and two dinars) and stored it for no need to spend it on.

The topic of hoarding and its prohibition is detailed in the book, *The Economic System in Islam*. It can be referred to, for it is sufficient, Allah willing.

Second: We have already been asked about hoarding and saving, and my answer to the questioner was on 13/1/2014 and it stated:

(1- Hoarding money is collecting it for no need. If there is a legitimate need, such as collecting money to build a house, buy land, build a factory, or want to get married, or you have children, and you collect installments for them to send them to school, or to buy a car, or the like, then this is a collection for a need and it is not hoarding, rather it is "saving for a

need” and it is a collection that is halal, and zakat is paid for it if a year has passed for its nisab...

2- Collecting the financial sustenance (nafaqa) for him and for his dependents which is sufficient for him for one year is permissible and is not hoarding, because the Prophet (saw) used to give the mothers of the believers a year’s financial sustenance (nafaqa). Muslim narrated on the authority of Umar, who said: **«كَانَتْ أَمْوَالُ بَنِي النَّضِيرِ مِمَّا أَفَاءَ اللَّهُ عَلَى رَسُولِهِ، مِمَّا لَمْ يُوجِفْ عَلَيْهِ الْمُسْلِمُونَ بِحَيْلٍ وَلَا رِكَابٍ، فَكَانَتْ لِلنَّبِيِّ ﷺ خَاصَّةً، فَكَانَ يُنْفِقُ عَلَى أَهْلِهِ نَفَقَةَ سَنَةٍ، وَمَا بَقِيَ يَجْعَلُهُ فِي الْكُرَاعِ وَالسَّلَاحِ، عُدَّةً «The wealth of Banu an-Nadir (one of the Jewish tribes) was part of what Allah bestowed on His Messenger, and which the Muslims had not ridden on horses or camels to get (i.e., they did not have to fight); so they belonged specially to the Prophet (saw) who would give his family their sustenance for a year, then applied what remained for horses and weapons and equipment in the Path of Allah, Who is Great and Glorious.»**

An-Nawawi says in his explanation of Sahih Muslim: (the statement, ‘the Prophet who would give his family their sustenance for a year’, means that he keeps at the side a year’s expense for them, but he spent before the end of the year in good actions, so the money is spent before the year ends...). Therefore, collecting money for sustenance (nafaqa) for a period of one year is not hoarding, and zakat is paid on its nisab if a year has passed...) **End of quote from the answer to the previous question.**

Third: As for begging, there are detailed Shariah evidences that show the ruling on begging and its legal limits:

1- Shariah forbids asking people for their money unnecessarily, and commands those who are able to work to get the money:

Allah (swt) said in praise of the poor who restrain himself: **«الْفُقَرَاءُ الَّذِينَ أَحْصَرُوا فِي سَبِيلِ اللَّهِ لَا يَسْتَطِيعُونَ ضَرْبًا فِي الْأَرْضِ يَحْسَبُهُمُ الْجَاهِلُ أَغْنِيَاءَ مِنَ التَّعَفُّفِ تَعْرِفُهُمْ بِسِيمَاهُمْ لَا يَسْأَلُونَ النَّاسَ إِحْكَافًا وَمَا تُنْفِقُوا مِنْ خَيْرٍ فَإِنَّ [Charity is] for the poor who have been restricted for the cause of Allah, unable to move about in the land. An ignorant [person] would think them self-sufficient because of their restraint, but you will know them by their [characteristic] sign. They do not ask people persistently [or at all]. And whatever you spend of good - indeed, Allah is Knowing of it” [Al-Baqara: 273].**

This verse portrays forbidding from asking people's money:

Muslim narrated in his Sahih on the chapter, on the authority of Abu Huraira, he said, the Prophet (saw) said: **«مَنْ سَأَلَ النَّاسَ أَمْوَالَهُمْ تَكَثُّرًا فَإِنَّمَا يَسْأَلُ جَمْرًا فَلْيَسْتَقِلَّ أَوْ لِيَسْتَكْثِرْ» “He who begs the property of others to increase his own is asking only for live coals, so let him ask little or much.”** In Sharh An-Nawawi of Muslim, it states the following: [His (saw) saying: **«مَنْ سَأَلَ النَّاسَ أَمْوَالَهُمْ تَكَثُّرًا فَإِنَّمَا يَسْأَلُ جَمْرًا فَلْيَسْتَقِلَّ أَوْ لِيَسْتَكْثِرْ» “He who begs the property of others to increase his own is asking only for live coals, so let him ask little or much.”** Alqadi said what it means is that he will be punished with fire, and it is possible that the meaning is literal, and that whatever he takes will turn into live coal that will burn him as in the case of the one prevents giving zakat].

It was also mentioned in Sahih Muslim in the same chapter, on the authority of Abu Hurayrah (ra) who said: I heard the Messenger of Allah (saw), say: **«لَأنَّ يَغْدُو أَحَدُكُمْ فِيحْطَبٍ عَلَى ظَهْرِهِ فَيَتَصَدَّقَ بِهِ وَيَسْتَعْفَى بِهِ مِنَ النَّاسِ خَيْرٌ لَهُ مِنْ أَنْ يَسْأَلَ رَجُلًا أَعْطَاهُ أَوْ مَنَعَهُ ذَلِكَ فَإِنَّ الْيَدَ الْعُلْيَا أَفْضَلُ مِنَ الْيَدِ السُّفْلَى وَابْتَدَأْ بِمَنْ تَعُولُ» “It is better for one among you to bring a load of firewood on his back and give charity out of it (and satisfy his own need) and be independent of people, than that he should beg from people, whether they give him anything or refuse him. Verily the upper hand is better than the lower hand, and begin (charity) with your dependents.”**

2- Shariah permitted asking people for their money in specific cases, explained by the Messenger (saw). In the Hadith narrated by Muslim in his Sahih, on the authority of Qabisa bin Mukhariq Al-Hilali, he said: I became a guarantor for a payment and went to the Messenger of Allah (saw) to beg from him regarding it. He (saw) said: «أَقِمَّ حَتَّى تَأْتِيَنَا الصَّدَقَةَ فَنَأْمُرَ لَكَ بِهَا» قَالَ: ثُمَّ قَالَ: «يَا قَبِيصَةَ إِنَّ الْمَسْأَلَةَ لَا تَحِلُّ إِلَّا لِأَحَدٍ ثَلَاثَةٍ؛ رَجُلٌ تَحَمَّلَ حِمْلًا فَحَلَّتْ لَهُ الْمَسْأَلَةُ حَتَّى يُصِيبَهَا ثُمَّ يُمْسِكُ، وَرَجُلٌ أَصَابَتْهُ جَانِحَةٌ اجْتَاخَتْ مَالَهُ فَحَلَّتْ لَهُ الْمَسْأَلَةُ حَتَّى يُصِيبَ قِوَامًا مِنْ عَيْشٍ أَوْ قَالَ سِدَادًا مِنْ عَيْشٍ، وَرَجُلٌ أَصَابَتْهُ فَاقَةٌ حَتَّى يَفُومَ ثَلَاثَةً مِنْ ذَوِي الْحِجَابِ مِنْ قَوْمِهِ لَفَذَ أَصَابَتْ فَلَانًا فَاقَةً فَحَلَّتْ لَهُ الْمَسْأَلَةُ حَتَّى يُصِيبَ قِوَامًا مِنْ عَيْشٍ أَوْ قَالَ سِدَادًا مِنْ عَيْشٍ، فَمَا سِوَاهُنَّ مِنَ الْمَسْأَلَةِ يَا قَبِيصَةَ سَخَتْهَا يَأْكُلُهَا صَاحِبُهَا سَخَتْهَا» **“Wait till I receive the sadaqa and I shall order it to be given you.”** He then said, **“Begging, Qabisa, is allowable only to one of three classes: A man who has become a guarantor for a payment, to whom begging is allowed till he gets it, after which he must stop begging; a man whose property has been destroyed by a calamity which has smitten him, to whom begging is allowed till he gets what will support life (or he said, what will provide a reasonable subsistence); and a man who has been smitten by poverty, the genuineness of which is confirmed by three intelligent members of his people, to whom begging is allowed till he gets what will support life (or he said, what will provide a reasonable subsistence). Any other reason for begging, Qabisa, is forbidden, and one who engages in such consumes it as a thing which is forbidden.”**

It is clear from this Hadith that the categories for whom asking for money is allowed are: the man who bears a debt in order to reconcile people, the man who has been afflicted by a calamity, and the poor person in need.

3- These three categories are joined by those who follow them in the ruling, such as the owner of a private debt who does not have money to pay his debt because it is included under the word “Gharmeen” (in debt) in Allah’s saying: **«إِنَّمَا الصَّدَقَاتُ لِلْفُقَرَاءِ وَالْمَسْكِينِ وَالْعَامِلِينَ عَلَيْهَا وَالْمَوْلَاتِ فُلُوبُهُمْ وَفِي الرِّقَابِ وَالْغَارِمِينَ وَفِي سَبِيلِ اللَّهِ وَابْنِ السَّبِيلِ فَرِيضَةً مِنَ اللَّهِ وَاللَّهُ عَلِيمٌ حَكِيمٌ»** **“Zakah expenditures are only for the poor and for the needy and for those employed to collect [zakah] and for bringing hearts together [for Islam] and for freeing captives [or slaves] and for those in debt and for the cause of Allah and for the [stranded] traveler - an obligation [imposed] by Allah. And Allah is Knowing and Wise”** [At-Tawba: 60]. Likewise the fit person but cannot find work, i.e., the one who cannot find work to earn his living, and has no money or relative to spend on him, because the Prophet (saw), said in the Hadith narrated by Al-Nasa’i and others on the authority of Hisham bin Urwah, he said: My father told me he said: Ubayd Allah bin Uday bin Al-Khiyar told me that two men told him that they came to the Messenger of Allah (saw) and asked Him for Sadaqa. He (saw) looked us up and down, and seeing that we were robust, he said: **«إِنْ شِئْتُمْ لَا حَظَّ فِيهَا لِعَنِي وَلَا لِقَوِي مُكْتَسِبٍ»** **“If you wish, I shall give you something, but there is nothing spare in it for a rich man or for one who is strong and able to earn a living.”** Al-Albani said: It is Sahih (Hadith). And the one who bears the payment of *Diyah* (blood money) on behalf of a relative, close friend or in-law who committed a murder, needs to pay it for the family of the one being murdered, and failing to pay it, leads to the killing of the relative, close friend or in-law, which will bring great pain for (the guarantor). This is in the Hadith narrated by Ahmad in his Musnad from Anas bin Malik from the Prophet (saw) that he (saw) said: **«إِنَّ الْمَسْأَلَةَ لَا تَحِلُّ إِلَّا لِأَحَدٍ ثَلَاثٍ ذِي دَمٍ مُوجِعٍ أَوْ عَزِيمٍ مُفْطَعٍ أَوْ فَقْرٍ مُدْفِعٍ»** **“Begging is allowed for three, one responsible for blood-wit (finds it difficult to pay), one seriously in debt and one who is in grinding poverty.”**

It is permissible for these categories to ask from people’s money, until the need for which they asked is fulfilled, and it is not permissible for these categories to ask after that according to what is explained above. It is not allowed for other than these types mentioned in the Hadith of Qabisa and those who are in their judgement; it is not permitted for them to ask people for their money.

4- We mentioned the limit of wealth that begging is not allowed with, in the book, *Funds in the Khilafah State* under the chapter of Zakat Expenditures.

[...Allah has prohibited the rich from taking Sadaqah. Abdullah b. Amru said: The Messenger of Allah said: «لَا تَحِلُّ الصَّدَقَةُ لِغَنِيِّ، وَلَا لِذِي مِرَّةٍ سَوِيٍّ.» **“Sadaqah is not Halal for the rich (person) nor the one of sound and strong body (Zu Mirra).”** The Zu Mirra is the person of strength and acquiring ability. If he doesn't have the strength and ability, then he is considered poor. The rich person is the one who is independent of others such that he receives more than is required to fulfil his needs. There have come Ahadith clarifying who the rich person is. Abdullah b. Masud said: The Messenger of Allah said: «مَا مِنْ أَحَدٍ يَسْأَلُ مَسْأَلَةً، وَهُوَ غَنِيٌّ، إِلَّا جَاءَتْ يَوْمَ الْقِيَامَةِ كُدُوحًا، أَوْ خُدُوشًا، أَوْ حُمُوشًا فِي وَجْهِهِ. قِيلَ: يَا رَسُولَ اللَّهِ، وَمَا غِنَاهُ، أَوْ مَا يُغْنِيهِ؟ قَالَ: «**No person will ask for something while he is rich except, he will come on the Day of Judgement with his face bitten, scratched or wounded.”** It was said: **“O Messenger of Allah, what is his richness?”** He said: **“50 Dirhams or its equivalent in gold.”** (narrated by the five). Whoever owns 50 silver Dirhams equal to 148.75 grams of silver, or its equivalent in gold, in excess of his food, clothing, shelter and the expenses of his family, children and servant is considered rich and it is not allowed for him to take from the Sadaqah.] **End of quote.** Therefore, such rich person must not ask the people (from their money).

Fourth: The problem of begging and its solution:

It is worth noting that the spread of the phenomenon of begging in Islamic countries is due to the exclusion of Islamic Law from implementation and the great failure of the rulers in taking care of people's affairs. And it is heartbreaking to see swarms of beggars in Muslim countries in front of mosques, in the streets and at street intersections although Muslim countries are the vaults of resources and wealth. The blame does not fall primarily on beggars, but rather on the rulers who do not implement the Islamic Law, and above that they do not look after people's affairs, do not meet their needs, and do not provide them with a livelihood. The Khilafah Rashidah (rightly-guided Caliphate) State that will come soon, Allah willing, will address as one of its priorities the phenomenon of poverty in the Islamic countries and the resulting miserable phenomena such as the phenomenon of begging. We have explained in our books how Islam dealt with the problem of poverty, especially what was mentioned in the book on *The Economic System*, in detail. You can refer back to it.

Your Brother,

Ata Bin Khalil Abu Al-Rashtah

19 Jumada Al-Akhir 1443 AH

22/1/2022 CE

The link to the answer from the Ameer's Facebook page:

<https://www.facebook.com/HT.AtaabuAlrashtah/posts/479514420402599>