

TAZYĪF AL-MATLŪB
FĪ TA'LĪF AL-QULŪB

A Critical Review of Political Candidates as
al-Mu'allafatu Qulūbuhum



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Introduction

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Recently, the Islamic Fiqh Council of North America (FCNA) and the Assembly of Muslim Jurists of America (AMJA) issued a legal opinion permitting the allocation of *zakāt* funds to political candidates in Western countries. The stated aim is to secure their goodwill, enlist their support in defending Muslim communities, protect Muslim interests, and advance their rights, particularly in the face of extremist movements hostile to Islam.

This fatwa reflects a broader pattern of flawed legal reasoning advanced under the label of *taḥqīq al-manāṭ* (verification of the operative cause). In reality, it rests on newly constructed and speculative operative causes formulated by bodies that have positioned themselves as issuing authorities. We have addressed similar methodological errors before, including in our response to their ruling on the consolatory gift of divorce (*mut'at al-talāq*).^[1]

This research examines a recurring methodological problem in such approaches: the erosion of the specificity of revealed texts and the precision of legally defined attributes under expansive claims of engaging in *taḥqīq al-manāṭ*. The issue therefore extends beyond a single subsidiary ruling. It reveals a deeper structural flaw affecting Islamic legal reasoning and its foundational *uṣūl* (principles).

The paper begins by clarifying the meaning of *al-mu'allafatu qulūbuhum* (those whose hearts are to be reconciled) through a systematic survey of the four established legal schools. This will allow us to assess whether funding political campaigns or supporting political candidates can legitimately fall within this category or whether such an application departs from its established scope. It then examines whether *tamlīk* (transfer of ownership) is a required condition for the validity of *zakāt* and whether that condition is satisfied in the context of political campaign financing. Finally, it considers the practical consequences of this position by outlining the harms that may result and clarifying its implications for this central obligation.

^[1] Project Ihya Research, Dispelling Discord Regarding Divorce Compensation (Project Ihya, 2025), available in the Publications section of the Project Ihya website.

The Restrictive Force of *Innamā* in the Verse of *Zakāt* Categories

Since the categories of *zakāt* are textually specified and restricted by the Lawgiver in His statement:

﴿إِنَّمَا الصَّدَقَتُ لِلْفُقَرَاءِ وَالْمَسْكِينِ وَالْعَمِلِينَ عَلَيْهَا وَالْمُؤَلَّفَةِ قُلُوبُهُمْ وَفِي الرِّقَابِ وَالْغُرَمِينَ وَفِي سَبِيلِ اللَّهِ وَأَبْنِ السَّبِيلِ فَرِيضَةً مِّنَ اللَّهِ وَاللَّهُ عَلِيمٌ حَكِيمٌ﴾ [التوبة: 60]

“The due Alms are but (to be given in possession) to those stricken with poverty, the helpless who are in need, the Alms workers, those whose hearts are to be reconciled and for those buying their freedom from slavery, those debt-ridden, those doing battle in the path of Allah and for the traveller (impoverished on the road): and Allah is all knowing, All wise.”

[At-Tawbah: 60]

The particle of restriction *innamā* confines the disbursement of *zakāt* exclusively to these eight categories and to no others, a matter upon which scholarly consensus has been established, ^[2] these issuing bodies have sought to employ *taḥqīq al-manāt* with respect to the category of *al-mu'allafatu qulūbuhum* in order to include the political candidate within this legal designation.

Have they succeeded in this inclusion? Is it legally valid to finance political campaigns from *zakāt* funds? These are the questions this research seeks to examine, Allah willing.

^[2] Ibn Juzayy, Abū al-Qāsim Muḥammad b. Aḥmad b. Muḥammad b. ‘Abd Allāh ibn Juzayy al-Kalbī al-Gharnāṭī (d. 741 AH), *Tafsīr Ibn Juzayy = al-Tashīl li-‘Ulūm al-Tanzīl* (1/340), ed. ‘Abd Allāh al-Khālidī (Beirut: Sharikat Dār al-Arqam b. Abī al-Arqam, 1st ed., 1416 AH); and al-Bujayrimī, Sulaymān b. Muḥammad b. ‘Umar al-Bujayrimī al-Miṣrī al-Shāfi‘ī (d. 1221 AH), *Ḥāshiyat al-Bujayrimī ‘alā al-Khaṭīb = Tuḥfat al-Ḥabīb ‘alā Sharḥ al-Khaṭīb* (2/359) (Dār al-Fikr, n.d., 1995).

Defining the Concept of *al-Mu'allafatu Qulūbuhum*

Based on the established principle that “a ruling upon a matter is contingent upon its proper conception,” it is first necessary to clarify what is meant by the term *al-mu'allafatu qulūbuhum* (those whose hearts are to be reconciled) before determining whether it can legitimately apply to the political candidate and political campaigns.

To that end, we will survey how this category is defined within the four established legal schools, whose chains of transmission trace back to the Companions and their Successors. We begin with the schools in their customary order:

The Ḥanafī School

The Ḥanafīs confined *al-mu'allafatu qulūbuhum* to three categories:

1. The first consists of those whom the Messenger of Allah, peace and blessings be upon him, sought to incline toward Islam, with the hope that their acceptance of Islam would lead their people to accept it as well.
2. The second includes those who had embraced Islam, but whose commitment remained weak, and who were therefore given financial support to strengthen and stabilize their faith.
3. The third consists of individuals who were given funds in order to ward off their harm.

[3]

The Hanafi school has classified this category as inapplicable. This is because the purpose of strengthening Islam using this means at a critical early stage not-longer exists.^[4]

The Mālikī School

According to the Mālikīs, this category refers to a disbeliever who is given financial support in order to encourage him to enter Islam. It may also refer to a person who has recently embraced Islam, but whose faith shows signs of weakness, such that there is concern for his stability; he is therefore given funds to strengthen his commitment.

It has also been said that it refers to a prominent leader among the polytheists who embraces Islam and is given support so that others from his people who have not yet entered Islam may be inclined to do so.

[3] Al-Sighnāqī, Ḥusayn b. 'Alī al-Sighnāqī al-Ḥanafī (d. 714 AH), *al-Nihāyah fī Sharḥ al-Hidāyah* (5/198), ed. Master's theses, Markaz al-Dirāsāt al-Islāmiyyah, Kulliyat al-Sharī'ah, Jāmi'at Umm al-Qurā; and Badr al-Dīn al-'Aynī, Maḥmūd b. Aḥmad b. Mūsā b. Aḥmad b. al-Ḥusayn (d. 855 AH), *al-Bināyah Sharḥ al-Hidāyah* (3/443), ed. Ayman Ṣāliḥ Sha'bān (Beirut, Lebanon: Dār al-Kutub al-'Ilmiyyah, 1st ed., 2000 CE).

[4] Al-Kāsānī, 'Alā' al-Dīn Abū Bakr ibn Mas'ūd al-Ḥanafī (d. 587 AH), *Badā'i' al-Ṣanā'i' fī Tartīb al-Sharā'i'*, ed. Muḥammad 'Adnān bin Yāsīn Darwīsh, (2/153), Dār Iḥyā' al-Turāth al-'Arabī

Imām al-Lakhmī stated:

“And all of these meanings are close to one another. There is no difference between giving to a disbeliever so that Allah may thereby save him from the Fire, giving to a Muslim out of fear that he may return to disbelief, or giving in order that others may enter Islam. All of this ultimately returns to preserving faith, whether for the purpose of entering it or remaining steadfast upon it.”^[5]

Imām al-Qarāfī also cited several definitions in *al Dhakhīrah*, including that

“They are a group of disbelievers who are drawn toward Islam and who would not accept it by force. It has also been said that they are prominent leaders among the disbelievers who embraced Islam and are given support so that their followers may be inclined toward Islam.”^[6]

The Shāfi‘ī School

Al ‘Umrānī provides a detailed classification. As for disbelievers, they fall into two categories:

1. The first consists of individuals of status and influence who are obeyed by their people and whose inclination toward Islam is promising. They are given financial support to draw their hearts toward Islam and encourage their acceptance of it.
2. The second consists of disbelievers who possess strength and power. If the ruler gives them wealth, they withhold their harm from the Muslims; if he does not, they fight the Muslims and cause them harm.

The Prophet, peace and blessings be upon him, gave both categories from one fifth of the spoils. There is no disagreement among the Shāfi‘īs that such individuals are not given from *zakāt*, because they are disbelievers.

As for those among the Muslims whose hearts are to be reconciled, they fall into four categories:

1. The first consists of individuals of status and leadership who have peers among the disbelievers. If they are given financial support, their counterparts may be inclined toward Islam.
2. The second consists of individuals of status and influence who have embraced Islam, but whose commitment remains weak. They are given support in order to strengthen their faith.
3. The third consists of Muslims living at the frontier of Muslim lands, bordering disbelievers. If the ruler provides them with financial support, they fight and repel those enemies on behalf of the Muslims. If he does not support them, they refrain

^[5] Al-Lakhmī, ‘Alī b. Muḥammad al-Rab‘ī, Abū al-Ḥasan (d. 478 AH), *al-Tabṣīrah* (3/972), ed. Aḥmad ‘Abd al-Karīm Najīb (Qatar: Wizārat al-Awqāf wa al-Shu‘ūn al-Islāmiyyah, 1st ed., 2011 CE).

^[6] Al-Qarāfī, Abū al-‘Abbās Shihāb al-Dīn Aḥmad b. Idrīs b. ‘Abd al-Raḥmān al-Mālikī (d. 684 AH), *al-Dhakhīrah* (3/146), ed. a group of researchers (Beirut: Dār al-Gharb al-Islāmī, 1st ed., 1994 CE).

from fighting, and the ruler would then be forced to incur significant expense in mobilizing armies.

4. The fourth consists of Muslims who live among other Muslims obligated to pay *zakāt* but who only discharge it out of fear of those in authority. If the ruler gives these intermediaries something, they collect *zakāt* from those under them and deliver it to him. If he does not, he must expend considerable resources to collect it himself. ^[7]

Accordingly, in the Shāfi‘ī school, *al-mu’allafatu qulūbuhum* are four categories, all of whom are Muslims. A disbeliever is not given *zakāt* for reconciliation or otherwise. They are:

1. A recent convert whose faith is weak and who is given support to strengthen it.
2. A Muslim of status whose financial support is expected to encourage others among the disbelievers to embrace Islam, even if his own faith is firm.
3. A strong Muslim whose financial support is expected to protect Muslims from hostile disbelievers.
4. A Muslim whose support ensures the collection of *zakāt* from those who would otherwise withhold it. ^[8]

The Ḥanbalī School

Ibn Qudāmah states in *al-Mughnī* that *al-mu’allafatu qulūbuhum* are the leaders who are obeyed among their people and tribes. They fall into two broad categories: disbelievers and Muslims.

The disbelievers are of two types.

1. The first consists of those whose acceptance of Islam is hoped for; they are given financial support in order to incline their hearts toward Islam and strengthen their intention to embrace it.
2. The second consists of those whose harm is feared and whose hostility may be restrained through financial support, both for themselves and for those aligned with them.

As for the Muslims, they fall into four categories.

1. The first consists of prominent Muslims who have peers among the disbelievers and among Muslims whose faith is sound; if these leaders are given support, it is hoped that their counterparts will incline toward Islam.

^[7] Al-‘Umrānī, Abū al-Ḥusayn Yaḥyā b. Abī al-Khayr b. Sālim al-‘Imrānī al-Yamanī al-Shāfi‘ī (d. 558 AH), *al-Bayān fī Madhhab al-Imām al-Shāfi‘ī* (3/415), ed. Qāsim Muḥammad al-Nūrī (Jeddah: Dār al-Minhāj, 1st ed., 2000 CE).

^[8] Ibn Ḥajar al-Haytamī, Aḥmad b. Muḥammad al-Anṣārī (d. 974 AH), *al-Minhāj al-Qawīm* (Beirut: Dār al-Kutub al-‘Ilmiyyah, 1st ed., 2000 CE); and Durriyyah al-‘Ayṭah, *Fiqh al-‘Ibādāt ‘alā al-Madhhab al-Shāfi‘ī* (al-Nādī al-Shabābī, 5th ed., 1989 CE) (p. 239).

2. The second consists of leaders who are obeyed among their people and whose faith may be strengthened, and whose support may reinforce their commitment in matters such as striving in the path of Allah.
3. The third consists of Muslims living at the frontiers of Muslim lands; if they are given financial support, they defend those under their protection from hostile forces.
4. The fourth consists of individuals who, if given support, collect *zakāt* from those who would otherwise refuse to pay it. ^[9]

Su‘ād Zarzūr states that *al-mu’allafatu qulūbuhum* are the leaders who are obeyed within their tribes, and they are divided into two groups: disbelievers and Muslims.

1. Disbelievers whose acceptance of Islam is hoped for, or whose harm is feared.
2. Muslims, divided into four categories:
 - a. A recent convert of status whose support may encourage others among the disbelievers to embrace Islam, even if his own faith is strong.
 - b. A recent convert whose faith is weak and who is given support to strengthen it.
 - c. A strong Muslim who, if supported, will defend Muslims and repel hostile forces.
 - d. A Muslim who, if supported, will collect *zakāt* from those who would otherwise withhold it. ^[10]

An Important Condition in the Ḥanbalī School Concerning *al-Mu’allafatu Qulūbuhum*

Ibn Muflīḥ and other Ḥanbalī jurists explicitly state an important condition: leaders who are claimed to be obeyed within their tribes are not accepted as such merely on assertion. Their status as obeyed leaders must be established through proof. ^[11]

Accordingly, it must be demonstrated that the individual is in fact obeyed in the present reality.

We have cited these extensive discussions from the four legal schools in order to clarify the settled meaning of *al-mu’allafatu qulūbuhum* as understood by the jurists whose transmission traces back to the era of the Companions and their Successors. Any interpretation of this legal category that departs from what was established by these

^[9] Ibn Qudāmah, Muwaffaq al-Dīn Abū Muḥammad ‘Abd Allāh ibn Aḥmad ibn Muḥammad ibn Qudāmah al-Maqdisī al-Jamā‘īlī al-Dimashqī al-Ṣāliḥī al-Ḥanbalī (d. 620 AH), *al-Mughnī* (9/317), ed. Dr. ‘Abd Allāh al-Turkī (Riyadh: Dār ‘Ālam al-Kutub li-l-Ṭibā‘ah wa-l-Nashr wa-l-Tawzī‘, 3rd ed., 1997).

^[10] Su‘ād Zarzūr, *Fiqh al-‘Ibādāt ‘alā al-Madhab al-Ḥanbalī* (p. 380).

^[11] Ibn Muflīḥ, Ibrāhīm ibn Muḥammad ibn ‘Abd Allāh ibn Muḥammad (d. 884 AH), *al-Mubdi‘ fī Sharḥ al-Muqni‘* (2/407) (Beirut: Dār al-Kutub al-‘Ilmiyyah, 1st ed., 1997); and al-Mardāwī, ‘Alā’ al-Dīn Abū al-Ḥasan ‘Alī ibn Sulaymān ibn Aḥmad (d. 885 AH), *al-Inṣāf fī Ma‘rifat al-Rājiḥ min al-Khilāf* (7/235), ed. ‘Abd Allāh al-Turkī (Cairo: Hajar li-l-Ṭibā‘ah wa-l-Nashr, 1st ed., 1995 CE); and Ibn al-Najjār, Taqī al-Dīn Muḥammad ibn Aḥmad al-Futūḥī al-Ḥanbalī (d. 972 AH), *Muntahā al-‘Irādāt fī Jam‘ al-Muqni‘ ma‘ al-Tanqīḥ wa-Ziyādāt* (1/519), ed. ‘Abd Allāh al-Turkī (Beirut: Mu‘assasat al-Risālah, 1st ed., 1999); and al-Buhūti, Maṣṣūr ibn Yūnus ibn Idrīs al-Buhūti (d. 1051 AH), *Kashshāf al-Qinā‘ ‘an Matn al-Iqnā‘* (2/279), ed. Hilāl Muṣayliḥī (Riyadh: Maktabat al-Naṣr al-Ḥadīthah, n.d.).

connected schools is to be rejected, as it contradicts what the scholars have affirmed across the centuries.

Based on these definitions, it becomes clear that the purpose of this category is not the pursuit of general worldly or political benefit. Rather, it is directed toward specific interests that return to the preservation of faith: either bringing someone into Islam, strengthening one's commitment to it, repelling hostile forces, or securing the fulfilment of *zakāt*. It is therefore not intended as a means of achieving abstract or detached political advantage. And Allah knows best.

Applying *Tahqīq al-Manāṭ* to Political Candidates

In light of the classifications outlined by the jurists regarding *al-mu'allafatu qulūbuhum* (those whose hearts are to be reconciled), we may now examine whether the political candidate falls within any of the categories identified by the scholars.

The political candidate does not fall under the following categories:

1. The individual who is given support in order to incline his heart toward Islam and encourage his acceptance of it.
2. The individual who is given support to ward off his harm from the Muslims, such that if he were not given support, he would fight them and cause them injury.
3. The individual of status whose financial support would lead his disbelieving counterparts to embrace Islam.
4. The recent convert whose faith remains weak and who is given support to strengthen it.
5. The individual who is given support in order to collect *zakāt*.

One category remains which some may claim could apply to the political candidate:

6. The individual whose support would repel the harm of disbelievers from the Muslims.

However, regardless of whether the candidate is Muslim or not, this description does not apply to him. The defining characteristic shared by all categories of *al-mu'allafatu qulūbuhum* is that they are leaders who are actually obeyed at the time *zakāt* is given to them. It is not sufficient that they are expected to attain authority in the future.

For this reason, the Ḥanbalīs, as previously mentioned, required proof that such individuals are obeyed among their people in the present reality before *zakāt* may be given to them under this category. A political candidate, by contrast, possesses neither established authority nor decisive power. His success is neither certain nor even reliably presumed. Even if he were to win office, he would not become an absolute authority, nor would he command obedience in the manner of tribal leaders. Rather, he would remain constrained by institutional limits, party pressures, political alliances, and competing interests.

This is Not *Tahqīq al-Manāṭ*, but the Invention of New Operative Causes

It thus becomes evident that this opinion does not constitute genuine *tahqīq al-manāṭ*. Rather, it amounts to the invention of newly imagined operative causes. The political

candidate whose success remains uncertain cannot be subsumed under the established concept of *al-mu'allafatu qulūbuhum*, who are defined as leaders already obeyed in reality. The candidate represents a fundamentally different case.

How, then, can it be permitted to expend *zakāt* on individuals who are neither actual leaders nor established authorities? At most, they may attain some degree of influence after a complex political process shaped by strategy, negotiation, and shifting interests, the outcome of which is far from assured. Even if they succeed in obtaining office, they do not possess unrestricted authority. Rather, they operate within institutional constraints, political alliances, party pressures, and broader policy structures.

Accordingly, the attempt to include political candidates within this category does not reflect a proper application of established legal principles. It reflects a speculative extension grounded in political conjecture rather than in clearly defined legal attributes.

Critiquing Political Speculation: The Cases of Bush and Biden as Examples of Failed Expectations

It is reasonable to ask: what guarantee exists that such candidates will in fact act in the interests of Muslims? Campaign promises are one matter; political reality is often another. This is evident from experience. Broken promises are not the exception in political life, but frequently the norm.

Even if sincerity were assumed, it remains possible that financial incentives or competing interests could lead such figures to abandon prior commitments. Political history repeatedly demonstrates this pattern.

Consider, for example, George W. Bush. During the 2000 election, he sought to engage Muslim voters and received notable support from segments of the Muslim community. Yet only a few years later, in 2003, he led military campaigns in Muslim lands. Political analysts widely observed that Muslim votes in the state of Florida played a decisive role in that election. Nevertheless, this did not prevent subsequent policies that directly affected Muslim populations in Afghanistan and Iraq.

A similar pattern can be observed in the 2020 election. It has been estimated that between 650,000 and 700,000 Muslims voted for Joe Biden, granting him overwhelming support within that community. Yet subsequent policy positions, including strong support for the Zionist occupying state and advocacy for LGBTQ and other social agendas at odds with Islamic teachings, illustrate the limits of such political expectations.

If this is the reality, how can *zakāt* funds be risked on the assumption that political figures will reliably advance Muslim interests? A significant degree of uncertainty surrounds both

their success and their subsequent conduct. Meanwhile, there remain established *zakāt* categories whose existence and eligibility are beyond dispute, such as the poor and the needy.

The Flaw in Analogizing the Prophet's Reconciliation to Speculative Political Benefit

It may be argued that the outcomes anticipated by the Prophet, peace and blessings be upon him, when reconciling certain leaders were themselves based on probability rather than certainty, and that probability is sufficient in legal rulings.

The response is that the Shari'ah grounds its rulings in clear and discernible attributes that ordinarily produce the intended legal effect. The Prophet, peace and blessings be upon him, gave wealth to individuals who were already established leaders, possessing real authority and influence among their people. Their status was not uncertain, nor was their capacity to affect outcomes speculative. They were actual figures of power in their social and political contexts.

By contrast, the political candidate is a person whose success is uncertain and whose authority, even if achieved, is limited and constrained. The analogy therefore fails because the operative attribute that justified reconciliation in the prophetic context, namely effective and present leadership, is absent here.

The claim of probable benefit advanced by proponents of this opinion rests not on clearly defined legal attributes, but on political conjecture. Political outcomes are inherently unstable and subject to shifting alliances and competing interests. The Shari'ah, however, does not build its rulings on fluctuating political projections. It grounds them in defined attributes such as poverty, indebtedness, captivity, and actual leadership.

Furthermore, even if a political candidate were to provide some assistance to Muslim communities, such assistance would be limited to what is permitted within the framework of modern political systems. This does not rise to the level that would justify directing *zakāt* funds toward political campaigns. Moreover, such a candidate typically represents a broader constituency, including non-Muslim interest groups whose priorities may conflict with Islamic values. It is therefore unrealistic to assume that his policies would consistently align with the objectives attributed to this category.

In sum, this form of support is not reconciliation for the sake of faith. It is political support for a political figure within a system governed by shifting interests and human calculations. Such a figure may support Muslims in certain matters while opposing them in others.

For these reasons, allocating *zakāt*, whose categories are strictly defined by the Qur'an, to political candidates based on speculative political outcomes lacks firm legal grounding.

Neither their success nor their subsequent conduct can be guaranteed. The purpose for which *al-mu'allafatu qulūbuhum* was legislated is therefore not realized in this context.

It thus becomes clear that applying this *zakāt* category to contemporary political campaigns requires far greater scrutiny and deliberation. And Allah knows best.

The Condition of *Tamlīk* in *Zakāt*

A further fundamental objection to this opinion concerns the condition of *tamlīk* (transfer of ownership) in the disbursement of *zakāt*. The validity of this obligation requires that ownership be transferred to those who are entitled to receive it. This necessitates clarifying the legal meaning of ownership and its role in *zakāt*.

Definition of *al-Milk*

In legal terminology, *al-milk* (ownership) has been defined as:

“A legally established ruling pertaining to an object or benefit that entails the ability of the one to whom it is ascribed to derive benefit from it and to receive compensation for it in its capacity as owned property.”^[12]

Ibn al-Humām defined it as:

“Ownership is a capacity established by the Lawgiver enabling disposal.”^[13]

Ṣadr al-Sharī‘ah defined it as:

“A connection between a person and a thing that renders disposal over it unrestricted and blocks the disposal of others.”^[14]

Sa‘d al Dīn al Taftāzānī defined it as:

“Ownership is that by virtue of which one may dispose of something by reason of exclusive entitlement.”^[15]

The Requirement of *Tamlīk* for the Recipient of *Zakāt*

Jurists and exegetes derived the condition of *tamlīk* (transfer of ownership) for the recipient of *zakāt* from the preposition *lām* at the beginning of the verse outlining the *zakāt* categories in His statement:

﴿إِنَّمَا الصَّدَقَتُ لِلْفُقَرَاءِ وَالْمَسْكِينِ وَالْعَمِلِينَ عَلَيْهَا وَالْمُؤَلَّفَةِ قُلُوبُهُمْ...﴾

^[12] Al-Qarāfī, *al-Furūq* (3/208).

^[13] Ibn al-Humām, *Faḥ al-Qadīr* (5/74).

^[14] *Sharḥ al-Wiqāyah* (3/140).

^[15] *Al-Talwīḥ ‘alā al-Tawdīḥ* (1/327).

“The due Alms are but [li] (to be given in possession) to those stricken with poverty, the helpless who are in need, the Alms workers, those whose hearts are to be reconciled (*al-mu'allafatu qulūbuhum*) ...” [al-Tawbah: 60].

The Significance of *Lām* and *Fī* in the Verse of *Zakāt* Categories

Imām al-Rāzī explains the legal implication of this distinction:

“He affirmed the ṣadaqāt for the first four categories by means of the *lām* of ownership in His statement, ‘Indeed, the ṣadaqāt are for the poor.’ Then, when mentioning *al-riqāb*, He replaced the particle *lām* with the particle *fī*, saying, ‘and in *al-riqāb*.’ This distinction must carry legal significance. That significance is that the first four categories are given their allotted shares of the *ṣadaqāt* in such a manner that they may dispose of them as they wish. In summary, with respect to the first four categories, the wealth is transferred to them so that they may exercise full disposal over it. As for the last four categories, the wealth is not transferred to them as owned property; rather, it is directed toward the avenues of need corresponding to the attributes by virtue of which they became entitled to a share of *zakāt*.” [16]

Imām al-Ālūsī likewise states:

“The shift from *lām* to *fī* in the last four categories, as al-Zamakhsharī noted, indicates that they are more firmly rooted in entitlement to the ṣadaqah than those mentioned earlier, since *fī* conveys containment and centrality. Accordingly, *lām* indicates mere specification. It has also been said that there is another, more apparent point: the first categories take the wealth as owners of what is given to them, and they receive it through ownership. As for the last four categories, they do not take ownership of what is directed toward them; rather, it is expended in interests connected to them.” [17]

The Requirement of *Tamlīk* According to the Four Legal Schools

The texts of the leading jurists across the four schools consistently affirm this condition.

Ibn Mawdūd al-Mawṣilī, the Ḥanafī jurist, states:

“Know that transfer of ownership is a condition. Allah says, ‘And establish *zakāt*.’ Giving implies transferring ownership.” [18]

[16] Al-Rāzī, *Mafātīḥ al-Ghayb* (16/86).

[17] Al-Ālūsī, *Rūḥ al-Ma‘ānī* (5/314).

[18] Ibn Mawdūd al-Mawṣilī, *al-Ikhtiyār li-Ta‘līl al-Mukhtār* (1/121).

Fakhr al Dīn al-Zayla‘ī states:

“It is not permissible to build a mosque with *zakāt*, because transfer of ownership is a condition therein, and that does not occur. Likewise, bridges, public water facilities, road maintenance, river dredging, pilgrimage, striving in the path of Allah, and every matter in which ownership is not transferred.” [19]

Badr al Dīn al-‘Aynī states:

“A deceased person is not shrouded with *zakāt*, due to the absence of transfer of ownership.” [20]

Al Kiyā al-Harāsī, the Shāfi‘ī jurist, states:

“It is among the rights of ṣadaqah that it is not valid unless transfer of ownership occurs. This is reinforced by the fact that if one pays *zakāt* on behalf of a debtor without his permission, it does not suffice, since he did not acquire ownership. If that is not sufficient in that case, then it is even less sufficient in the case of emancipation.” [21]

Al Khaṭīb al-Sharbīnī states:

“In the noble verse, the ṣadaqāt were ascribed to the first four categories with the *lām* of ownership and to the last four with *fī* of circumstance, indicating full ownership in the first four and restricted application in the latter, such that if expenditure does not occur in their proper avenues, it is recovered in the latter case but not in the former.” [22]

Ibn Qudāmah states in *al-Mughnī*:

“Four categories receive in a manner that establishes permanent ownership without subsequent consideration of their condition after payment: the poor, the needy, the workers, and those whose hearts are reconciled. Once they receive it, they own it as complete and lasting ownership, and it is not to be reclaimed from them under any circumstance.” [23]

Shams al Dīn Ibn Mufliḥ states:

“Transfer of ownership to the recipient is a condition in the discharge of *zakāt*. It is therefore not permissible to merely provide meals to the poor and the needy.” [24]

[19] Al-Zayla‘ī, *Tabayīn al-Ḥaqqā’iq* (1/300).

[20] Badr al-Dīn al-‘Aynī, Abū Muḥammad Maḥmūd b. Aḥmad al-Ḥanafī (d. 855 AH), *Minḥat al-Sulūk fī Sharḥ Tuḥfāt al-Mulūk*, ed. Aḥmad al-Kubaysī (Qatar: Wizārat al-Awqāf wa al-Shu‘ūn al-Islāmiyyah, 1st ed., 2007 CE) (p. 242).

[21] Al-Harāsī, *Aḥkām al-Qur’ān* (4/212).

[22] Al-Sharbīnī, *al-Iqnā’* (1/229).

[23] Ibn Qudāmah, *al-Mughnī* (4/130).

[24] Ibn Mufliḥ, *al-Furū’* (4/342).

‘Alā’ al Dīn al-Mardāwī states:

“The principle of the school in this matter is that whoever takes by reason that establishes entitlement, such as poverty, need, labor, or reconciliation, may dispose of it as he wishes, like the rest of his property.”^[25]

Contemporary fiqh councils have likewise affirmed the centrality of this condition. In the recommendations of the Third Seminar on Contemporary *Zakāt* Issues (Kuwait, 1413 AH), it was stated:

“Transfer of ownership in the first four categories mentioned in the verse of *zakāt* categories is a condition for the validity of *zakāt*. Transfer of ownership means paying a sum of money or purchasing means of production such as tools of a trade and transferring them to the entitled person capable of working.”^[26]

Similarly, the Kuwaiti Fiqh Encyclopedia states:

“Transfer of ownership is a condition in the categories of *zakāt*. Therefore, *zakāt* is not to be expended on building a mosque, bridges, water facilities, repairing roads, dredging rivers, pilgrimage, shrouding, and all that in which no transfer of ownership occurs.”^[27]

Mufti Taqī ‘Uthmānī stated:

“Is transfer of ownership a necessary condition for the discharge of *zakāt* or not? In my view, this issue has been discussed for years, yet the prevailing opinion among the legal scholars, past and present, is that transfer of ownership is a condition for the discharge of *zakāt*. The four Imāms, to the best of my knowledge, all stipulate individual transfer of ownership for the discharge of *zakāt*. Since *zakāt* is an act of worship, caution is required. Investing *zakāt* funds in revenue generating projects is not a novel circumstance unknown to the early generations, for such projects existed. Yet I have not found in any of the papers presented to us a precedent from the classical legal scholars or Islamic history that *zakāt* funds were invested in such projects, despite their existence at that time.”^[28]

Shaykh Wahbah al-Zuhaylī affirms:

“Those responsible for charitable associations may not purchase food or clothing with *zakāt* funds and distribute them to the poor without authorization, because they were not appointed as agents in this regard. Transfer of *zakāt* to the entitled recipients is an essential condition, after which the recipient disposes of it in accordance with his interest.”^[29]

[29]

[25] Al-Mardāwī, *al-Inṣāf*(7/265).

[26] *Abḥāth Fiqhiyyah fī Qaḍāyā al-Zakāh al-Mu‘āṣirah* (2/886) (Jordan: Dār al-Nafā‘is, 2nd ed., 2000).

[27] *Al-Mawsū‘ah al-Fiqhiyyah* (36/245).

[28] *Majallat Majma‘ al-Fiqh al-Islāmī, 3rd Session, Issue 3* (1/388).

[29] Al-Zuhaylī, *al-Fiqh al-Islāmī wa-Adillatuh* (3/1822).

The Absence of *Tamlīk* in Giving to Political Campaigns

Accordingly, since the political candidate does not take possession of *zakāt* funds as personal property in a manner that allows him unrestricted disposal, as is the case with one whose heart is reconciled, but rather the funds are expended on advertisements, campaign operations, staff salaries, and related political expenses, the essential condition of *tamlīk* (transfer of ownership) is not realized.

Indeed, the legal framework governing political campaigns reinforces this point. A candidate is subject to strict legal consequences if campaign funds are used for personal benefit. It is therefore not legally conceivable that such funds constitute his personal property.

As a result, this form of disbursement does not satisfy the legally required condition of *tamlīk*. It instead resembles expenditure on public interests. The jurists have consistently maintained that *zakāt*, particularly in the first four categories mentioned in the verse, including *al-mu'allafatu qulūbuhum*, requires transfer of ownership to a specific eligible individual. This condition distinguishes *zakāt* from expenditures directed toward public utilities such as mosques, bridges, or other communal projects.

Consequences and Harms Resulting from This Fatwa

We conclude by outlining some of the harms that arise from this opinion.

Undermining Communal Unity and Fragmenting the Obligation

Allocating *zakāt* from the share of *al-mu'allafatu qulūbuhum* (those whose hearts are to be reconciled) to political candidates inevitably undermines the unity of the Muslim community. This is because Muslims will differ in their assessment of which candidate is most suitable. Where some deem it proper to allocate *zakāt* to a particular candidate, others may view a different candidate as more deserving or more beneficial.

As a result, a single divinely mandated obligation, established to preserve the welfare of Muslims, becomes subject to conflicting applications that divide rather than unify. This occurs because the ruling becomes tied to a relative political assessment rather than to a clearly defined legal attribute, such as a person newly embracing Islam whose faith requires strengthening. In this way, a defined devotional obligation risks being transformed into an ideological choice.

Opening the Door to Misuse and Encroachment upon Established Categories

This approach also opens a wide door to misuse. Most Muslims will not engage with the detailed conditions and restrictions articulated by those who issued this opinion. Some may come to believe that political influence produces greater benefit than assisting an individual poor person who lacks the ability to effect societal change. On this basis, they may allocate their entire *zakāt* to political campaigns under the assumption that “public interest” takes precedence over individual need.

The likely outcome of such reasoning is the neglect of the rights of the vulnerable and the erosion of *zakāt*'s established relief function, which is clearly affirmed in the revealed texts.

Conclusion

We conclude with two final points.

First, the claim that this *zakāt* category has been neglected which indicates that it must therefore be revived is inaccurate. The categories mentioned in the verse of *zakāt* are not mandatory in the sense that each must be applied in every time and circumstance. It is well established that certain categories may cease to operate due to changing conditions, as in the case of freeing slaves, which is not applicable today due to the absence of slavery.

At the same time, this category has not been categorically closed. It may remain possible to reconcile certain individuals where a clear benefit is reasonably expected. However, this category is not a matter for private individuals or independent bodies to determine. It falls within the authority of the state or *ahl al-ḥall wa al-ʿaqd* (those vested with binding authority) within the Muslim community. They alone can determine whether reconciliation is required and whether a particular individual qualifies under this category. Such determinations belong to legitimate collective authority. No group has the right to appoint itself over the Muslims, bypass other scholars, and issue rulings concerning matters of public obligation and communal responsibility.

Second, opposing the use of *zakāt* in political campaigns does not amount to opposing efforts to secure Muslim interests. Such efforts are legitimate and often necessary. They may, however, be pursued through voluntary initiatives, grants, and fundraising without compromising the integrity of *zakāt* or entangling it in political contestation. Our wealth has rights beyond *zakāt*.

And Allah knows best.

9 Ramaḍān 1447 AH

27 February 2026