

Considering the Geographic Scope in the Institutional Distribution of Zakat

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Abstract

Allah Almighty has prescribed Zakat and made it one of the pillars of this righteous religion, not solely to support the poor, but also to achieve noble gains and objectives that bring goodness and prosperity to individuals and society. Among these gains are stimulating the economic sector and developing capital through the funds available, which can be utilized in economic projects. Zakat also encourages consumptive spending, which boosts market activity and opens new investment opportunities for entrepreneurs. Additionally, it aims to address pressing social issues such as poverty, unemployment, and spinsterhood, among others, which trouble everyone. As the goal of Zakat is comprehensive development, considering the geographic scope plays a crucial role in achieving this goal. This research aims to highlight the impact of considering the geographic scope of Zakat distribution and how it contributes to realizing its ultimate purpose. The research problem lies in the variation among Zakat institutions in defining the geographic scope. While some institutions consider the entire country as one geographic scope, enabling them to transfer Zakat from one region to another based on need, other institutions view regions or states as separate geographic entities, preventing the transfer of Zakat to other areas. Some institutions also adhere to traditional methods of collection and distribution without addressing contemporary issues that necessitate a reassessment of this matter. The research methodology employed a deductive approach to gather information from the Quran, Sunnah, and renowned works of scholars who discussed these issues. It also utilized a descriptive-analytical approach to collect and analyze data, establish interrelationships, derive rules and guidelines, and highlight the main features of the topic. Among the expected outcomes of this research is the understanding that the primary objective of legislating Zakat is to achieve sufficiency for every Muslim individual, regardless of their location, while promoting comprehensive economic development that benefits individuals and society. The issue of geographic scope should not impede the delivery of Zakat funds to eligible recipients wherever the conditions and guidelines are met. The study recommends conducting in-depth research on the implications

and problems that may arise from restricting Zakat distribution and investing it within a specific geographic scope, as well as examining the effects of transferring Zakat beyond its geographic boundaries.

Keywords: Considering the Geographic Scope, Zakat Distribution, Zakat Transfer, Guidelines, Benefit.

Introduction

Zakat is one of the great obligations of Islam, and its mandatory nature has been established in many verses of the Quran. Allah says: " وَأَقِيمُوا الصَّلَاةَ وَآتُوا الزَّكَاةَ وَارْكَعُوا مَعَ الرَّاٰكِعِيْنَ " "And perform Aṣ-Ṣalāt (Iqāmat-aṣ-Ṣalāt), and give Zakāt, and bow down (or submit yourselves with obedience to Allāh) along with Ar-Rāki'ūn." (Al-Baqarah: 43). He also says: " وَأَقِيمُوا الصَّلَاةَ وَآتُوا الزَّكَاةَ " " وَأَقِيمُوا الصَّلَاةَ وَآتُوا الزَّكَاةَ وَمَا تُقَدِّمُوا لِأَنفُسِكُمْ مِنْ خَيْرٍ تَجِدُوهُ عِنْدَ اللَّهِ إِنَّ اللَّهَ بِمَا تَعْمَلُونَ بَصِيرٌ " "And perform Aṣ-Ṣalāt (Iqāmat-aṣ-Ṣalāt), and give Zakāt, and whatever of good (deeds that Allāh loves) you send forth for yourselves before you, you shall find it with Allāh. Certainly, Allāh is All-Seer of what you do." (Al-Baqarah: 110). And He says: " وَأَقِيمُوا الصَّلَاةَ وَآتُوا الزَّكَاةَ وَأَطِيعُوا الرَّسُولَ لَعَلَّكُمْ تُرْحَمُونَ " "And perform Aṣ-Ṣalāt (Iqāmat-aṣ-Ṣalāt), and give Zakāt and obey the Messenger (Muḥammad) that you may receive mercy (from Allāh)." (An-Nur: 56), among other clear verses.

The obligation of zakat is also emphasized in numerous hadiths found in the collections of the Sunnah. For example, Abu Huraira (may Allah be pleased with him) narrated that a Bedouin came to the Prophet (peace be upon him) and asked, "Tell me an act which will make me enter Paradise." The Prophet (peace be upon him) said, "Worship God and associate nothing with Him, observe the prescribed prayer, pay the obligatory *zakat*, and fast during Ramadan." The Bedouin said, "By Him in Whose Hand my soul is, I will not increase anything upon this." When he left, the Prophet (peace be upon him) said, "If anyone wishes to look at a man who will be among the people of paradise, let him look at this man." (Al-Bukhari, 2001).

Zakat has been ordained to fulfill the needs of society, eliminate poverty and destitution, and promote economic development through beneficial projects that benefit individuals and communities. It purifies the souls of the poor from resentment and envy and purifies the hearts of the rich from miserliness and greed. It deepens the sense of brotherhood among Muslims across the world.

Allah says, " خُذْ مِنْ أَمْوَالِهِمْ صَدَقَةً تُطَهِّرُهُمْ وَتُزَكِّيهِمْ بِهَا وَصَلِّ عَلَيْهِمْ إِنَّ صَلَاتَكَ سَكَنٌ لَهُمْ وَاللَّهُ سَمِيعٌ عَلِيمٌ " "Take Ṣadaqah (alms) from their wealth in order to purify them and sanctify them with it, and invoke Allāh for them. Verily, your invocation is a source of security for them; and Allāh is All-Hearer, All-Knower" (At-Tawbah: 103).

Out of His mercy, Allah has defined the threshold (nisab) for zakat to ensure fairness among those giving zakat and to secure the rights of the poor. He has also tied the determination of nisab to gold to prevent fluctuations in the zakat value. Furthermore, Allah has clearly defined zakat recipients and did not leave it to people's discretion or emotions. He has outlined the categories in the blessed Sunnah.

Allah says, " إِنَّمَا الصَّدَقَاتُ لِلْفُقَرَاءِ وَالْمَسْكِينِ وَالْعَامِلِينَ عَلَيْهَا وَالْمُؤَلَّفَةِ قُلُوبُهُمْ وَفِي الرِّقَابِ وَالْغَارِمِينَ وَفِي سَبِيلِ اللَّهِ " " إِنَّمَا الصَّدَقَاتُ لِلْفُقَرَاءِ وَالْمَسْكِينِ وَالْعَامِلِينَ عَلَيْهَا وَالْمُؤَلَّفَةِ قُلُوبُهُمْ وَفِي الرِّقَابِ وَالْغَارِمِينَ وَفِي سَبِيلِ اللَّهِ وَاللَّهُ عَلِيمٌ حَكِيمٌ " "Aṣ-Ṣadaqāt (here it means Zakāt) are only for the Fuqarā' (the poor), and Al-Masākīn(2) (the needy), and those employed to collect (the funds); and to

attract the hearts of those who have been inclined (towards Islām); and to free the captives; and for those in debt; and for Allāh's Cause (i.e. for Mujahidūn — those fighting in a holy battle), and for the wayfarer a traveller who is cut off from everything); a duty imposed by Allāh. And Allāh is All-Knower, All-Wise" (At-Tawbah: 60).

Indeed, Allah Almighty has specified the recipients of zakat in these eight categories: the poor, the needy, those employed to collect it, those whose hearts are to be reconciled, in the cause of slaves, those in debt, for the wayfarer, and those fighting in the path of Allah. It is not permissible to give zakat to anyone outside of these categories. Zakat should not be used for building mosques, expanding roads, constructing bridges, or any other purpose that does not benefit the eligible recipients.

Narrated by Ziyad ibn al-Harith as-Suda'i: "I came to the Messenger of Allah, peace be upon him, and gave him my allegiance. He mentioned a long hadith and then a man came to him and asked for sadaqa. The Messenger of Allah, peace be upon him, said to him, "Allah is not pleased with a Prophet's or anyone else's decision about sadaqat till He has given a decision about them Himself. He has divided those entitled to them into eight categories, so if you come within those categories, I shall give you what you desire" (Al-Sijistani, n.d).

The Prophet, peace be upon him, also explained that zakat has a geographical scope that should be taken into consideration when collecting and distributing it. Al-Bukhari narrated from Ibn Abbas that the Prophet, peace be upon him, said to Mu'adh ibn Jabal when he sent him to Yemen: " You will come to the people of Scripture, and when you reach them, invite them to testify that none has the right to be worshipped except Allah and that Muhammad is His Apostle. And if they obey you in that, then tell them that Allah has enjoined on them five prayers to be performed every day and night. And if they obey you in that, then tell them that Allah has enjoined on them Sadaqa (i.e. rak`at) to be taken from the rich amongst them and given to the poor amongst them....." (Al-Bukhari, 2001).

Despite that, there are many contemporary issues related to the obligation of zakat, especially concerning its collection and distribution, that require clarification of their rules and details. One such issue is the transfer of zakat outside the geographical area where it was collected, or in other words, transporting it from one country or region to another. This issue has arisen due to the differing policies of zakat institutions in Islamic countries. Some countries rely on a decentralized system for distributing zakat, while others employ a centralized system. Consequently, this has led to situations where the wealth of those who pay zakat in some regions exceeds the needs of the recipients, while in other areas, there may be a shortfall in meeting the needs of the eligible recipients.

In cases of surplus, should the zakat institution be obligated to spend all the funds on the eight eligible categories of zakat recipients, even if it means giving them more than they need, despite the presence of eligible recipients in other locations? Or is it permissible for the institution to transfer the remaining zakat funds to another country or region where the funds of the payers of zakat are insufficient to meet the needs of the recipients? This is what we will discuss in this research by clarifying the concept of transferring zakat, the ruling on its transfer, and the guidelines for such transfers.

Research Terminology and Their Significance First: Geographic Scope

The geographic scope of zakat distribution refers to the region, place, or country where zakat funds are distributed. The geographic scope for each country can be determined according to the zakat collection and distribution system in that country. Many countries adopt a decentralized system for collecting and distributing zakat, meaning that the zakat of the wealthy in each region or province is allocated to the needy in that same region or province, and any surplus beyond their needs is transferred to the nearest region or province through the branches of the Zakat institution. Thus, the process begins with the smallest unit and progresses to the larger one, with the largest being within the same region. Any surplus beyond the needs of the region is eventually transferred to the central Zakat institution or the mother institution, which then distributes it to other regions that do not fulfill the needs of their needy or establish projects to serve them. In this case, the entire country, with all its centers, regions, or provinces, is considered a single scope for collecting and distributing zakat. Any surplus that exceeds the needs of the recipients in that country may be transferred to another country within the Islamic world. Any disagreements on this matter will be discussed in the later parts of this research.

Other countries adopt a centralized system for collecting and distributing zakat, meaning that each governorate or province within the country is considered an independent scope for collecting and distributing zakat. Zakat is collected from capable individuals within this scope and distributed to the needy within the same scope, with a disagreement on this matter for transferring zakat from one governorate to another or from one province to another.

The Significance of the terms are as follows

1. The geographic scope for zakat distribution refers to the location where zakat is distributed after it has been collected.
2. The geographic scope is closely linked to the process of zakat distribution.
3. The geographic scope can be determined based on the strategy of each institution involved in zakat distribution.

Institutional Zakat Distribution

The term (At-Tawzee') "distribution" is a contemporary term derived from the terminology used by Islamic jurists in their writings. They used various terms that convey the same meaning, such as giving zakat, disbursing zakat, and distributing zakat. The books of jurisprudence in the four schools of thought have employed these terms in various forms, whether in the form of a noun action (Masdar) or past and present tense verbs. (Alcasani,1986). In the Arabic language, "Tawzee" is the noun action (Masdar) of "wazaa'," which means to divide or distribute something into parts. The legal usage of the word does not deviate from its linguistic meaning (Hammad, 2008). The term (Al Mo'assasi) "institutional" is attributed to zakat institutions.

Several definitions of institutional zakat have been provided, including

1. "Legal entities under state supervision responsible for collecting and spending zakat following the principles and rules of Islamic law." (Shihata, n.d.)
2. "An independent government agency whose mission is to collect and distribute zakat and raise awareness among people about the importance and rules of zakat and charity." (Hameesh, 2008)

3. "A religious and social administration operating under the supervision of a government institution with various tasks, including collecting zakat, distributing it, raising awareness about zakat rules, and investing zakat resources" (Muftah, 2017)

Zakat institutions have emerged in several Islamic countries, recognizing the need to organize zakat-related operations. Among these institutions, some adopt the method of voluntary collection of zakat without obligating individuals to pay it, relying on religious incentives to encourage giving the due zakat on wealth. Legal systems in these countries do not allow for compelling property owners to make payments. Examples of such countries include Kuwait, Algeria, Egypt, and others. On the other hand, some institutions follow a mandatory approach in their laws for zakat collection, as seen in Saudi Arabia, Sudan, Malaysia, Pakistan, and Yemen (Abiatat, 2019). The names of these entities vary from one country to another. In Malaysia, it's called the Zakat Foundation; in the UAE and Qatar, it's the Zakat Fund; in Kuwait, it's the House of Zakat; in Saudi Arabia, it's the Zakat and Income Department; in Egypt, it's the Zakat Committee, as well as other zakat institutions. In Palestine, it is the Zakat Fund Department (Al-Zuhaili, 2005 & Muftah, 2017). Therefore, the institutional distribution of zakat refers to what legal regulatory agencies, regardless of their names in Islamic countries, do in terms of collecting and distributing zakat under Islamic principles, under the supervision and oversight of the state.

The Significance of this term is as follows

- 1- The institutional distribution of zakat is an extension of what was practiced during the time of the Prophet Muhammad (peace be upon him). It is known that the Prophet used to send his agents to collect and distribute zakat, and this practice was continued by the caliphs after him.
- 2- Zakat institutions are legal entities that are subject to state regulation and are responsible for collecting and distributing zakat according to their Islamic categories.
- 3- The names of these institutions may vary from one country to another.
- 4- These institutions may differ in their methods of collecting zakat, with some relying on voluntary contributions without forcing individuals to pay, while others use a compulsory approach.

The Transfer of Zakat

The term "transfer of zakat" in language refers to moving all or part of it from one place to another. It means relocating something from one location to another. The term "nouqla" refers to the movement or migration of people from one place to another. "Al-nawāqil min al-kharāj"), which refers to what is transported or moved from one village to another. In the terminology of zakat, "transfer of zakat" refers to giving zakat to those who were not present in the place where it was obligated, whether they are from the local population or from elsewhere and whether zakat was given on their behalf in the original place or arrived there after the obligation time (Qalioubi, 1995).

The Ruling on Transferring Zakat Outside the Area Where it was Collected

Defining the Point of Disagreement

Most scholars agree that the people of every region and locality are more entitled to their Zakat than others due to the sanctity of proximity and the closeness of their homes to the homes of the wealthy and they look towards it. Their hearts are also attached to it (Az-Zuhayli,

n.d). They also concur on the permissibility of transferring Zakat to a place other than the one where it was collected if the people of that place no longer require the entire Zakat or a portion of it due to a shortage of eligible recipients or an abundance of Zakat funds. The Maliki and Shafi'i schools even argued for the obligation of transferring it in such cases for the sake of a prevailing legitimate interest (Ad-Dusuqi, n.d).

Differences among Scholars Regarding Transferring Zakat Before the People of the Region Where it was Collected Have All Received it, According to Different Schools of Thought.

The School of Malik, Shafi'i, and Hanbali

The Maliki, Shafi'i, and Hanbali schools hold the view that it is impermissible to transfer Zakat from the place where the wealth was collected if there are eligible recipients in that place (Ibn Qudamah: 1985). According to the Shafi'i school, transferring Zakat to a different place is not allowed if there are eligible recipients in the place where it is obligatory, even if the distance is short. This is because it would be an injustice and painful for those eligible recipients in the place where Zakat is obligatory, as their hopes and needs are associated with it. They rely on the saying of the Prophet Muhammad (peace be upon him) to Mu'adh (may Allah be pleased with him) when he sent him to Yemen: "Inform them that Allah has made it obligatory upon them to give charity from their rich to their poor." Therefore, if one category of recipients is no longer present in the place where Zakat is obligatory, or if the share of the individuals in that category exceeds their needs, the share of that category or the excess amount should be transferred to the same category of individuals in a place other than the place of Zakat collection (Al-Ansari, n.d). If it is transferred while eligible recipients are present in the place where it was collected, it is not valid according to one view and valid according to the other view, which is the opinion of Abu Hanifa's school (Al-Mawardi, n.d).

The proponents of this school of thought cited evidence including

1. What was mentioned in Mu'adh's previous hadith: "Inform them that Allah has made it obligatory upon them to give charity from their rich to their poor." They argue that the use of the pronoun (foqarai'him)"their poor" in this hadith refers specifically to the poor of the region where Zakat was collected, in this case, Yemen. Therefore, they conclude that Zakat collected in Yemen should be distributed among the poor of Yemen and should not be transferred to another country.
It has been countered that this argument is neither clear nor valid, as the pronoun "their poor" is open to interpretation, possibly referring to both the poor of the Muslims in general and the poor within that specific town and its vicinity. (Al-Nawawi, 1972).
2. They also point to historical practices during the time of the Prophet Muhammad (peace be upon him) and the Caliphs who succeeded him. For example: it is narrated that Imran ibn Husain was appointed to collect charity. He went away and then returned. They asked him, 'Where is the money?' He replied, 'Did you send me for wealth? We took it as we used to take it during the time of the Messenger of Allah (peace be upon him) and distributed it as we used to distribute it.' (Al-Tabarani, 1983).

Abu Ubaid (2007) narrated that when Mu'adh sent to Umar a third of the charity from the people of Yemen, Umar said, 'I did not send you to collect taxes or impose tribute, but I sent you to take from the wealthy among the people and return it to their poor.'

This evidence can be explained by the fact that this is the fundamental principle of distributing charity. There is no objection to distributing it to its intended recipients when there is a need or a legitimate benefit because charity used to be collected for Abu Bakr and Umar from outside Medina (Ibn 'Azman, 2014).

Hanafi School of Thought

The Hanafi school of thought considers it disliked (*makruh*) to transfer Zakat from the place where it was collected to another place, except transferring it to close relatives to combine charity and maintain family ties, or transferring it to people who are in greater need than those in the place where it was collected. It is also permissible if transferring it is more beneficial for the Muslims as a whole, or if it is transferred from a place of warfare to a place of peace, or for supporting students of knowledge, aiding impoverished scholars, or for ascetics. Additionally, if Zakat is paid before its prescribed time for payment, there is no dislike in transferring it to these recipients (Al-Hasfaki, 2002). The Hanafi school of thought bases its view on the dislike of transferring Zakat on the previous narration of Mu'adh, "It is taken from their rich and returned to their poor." They interpret this to mean that the pronoun refers to the poor of Yemen, and therefore, transferring Zakat outside its collection area is disliked because it does not consider the rights of neighbors. They argued that there is no dislike if Zakat is transferred to close relatives, as there is a reward for charity and maintenance of family ties. However, when it is transferred to people who are in greater need than those in the place where it was collected, it is because the purpose is to fill the gap of the poor, and those who are in greater need take precedence. (Al-Zayla'i, 1896).

Zaidi School of Thought

The Zaidi school of thought considers it disliked to transfer Zakat outside its collection area if there are poor people within that area. Their preference is to prioritize the local poor when they exist, whether it is the owner of the wealth or the Imam (leader). They justify their stance by stating that "the dislike, according to their school, opposes desirability. If Zakat is diverted to those outside the local area who are not entitled to it, then it becomes accepted but disliked, unless it is transferred for a better purpose, such as a close relative who is eligible, a student of knowledge, or someone in greater need. So, it is not disliked; in fact, it is considered better (Al-Shawkani, 1973).

Ibn Taymiyyah's School of Thought

Ibn Taymiyyah permits the transfer of Zakat outside its collection area for a legitimate benefit, such as a close relative in need, and similar cases (Ibn Taymiyyah, 1987).

Opinion of Qadi Abu Ya'la al-Farra' (Hanbali Jurist)

Qadi Abu Ya'la al-Farra', a Hanbali jurist, allows the transfer of Zakat to border regions. He justifies this by saying that the duty of guarding the borders may be prolonged, making it difficult for the one responsible to leave, so it is permissible to transfer Zakat to the border and similar situations when there is a clear need (Al-Mardawi, n.d).

The Prevailing Opinion in This Matter

After considering the differences of opinion mentioned, it is that it is permissible for the Imam, represented by contemporary Zakat institutions, to transfer a portion of the due Zakat from the area where it was collected to another area where there is a greater need. This should be

done based on the Imam's *ijtihad* (independent legal reasoning) and after consultation with scholars and experts. The evidence for this, in addition to what we have mentioned from the opinions that permit it, includes the following

Firstly, those who argue against it have made exceptions to their prohibition. For example, the Shafi'i school permits the transfer if it is done at the request of the Imam or his agent. It is stated in *Asna al-Matalib* (n.d): "Then the prohibition (of transferring Zakat) is considered when the Imam does not order its transfer and does not permit the collector to take it from the owner. " But if the Imam orders its transfer or permits the collector to take it only and without distinction, then it becomes obligatory to transfer it to the designated recipient wherever the Imam specifies." And there is no need to bring only and without distinction. The Maliki school allows the transfer when there is a dire need, and they cite the example of Umar ibn al-Khattab when he transferred Zakat from Egypt to the Hijaz (Al-Qarafi, 1994). Abu al-Fara' al-Hanbali permits the transfer to border regions and similar situations when there is a clear need (Al-Mardawi, n.d).

Those who argue against it make exceptions in several scenarios, such as:

- A- when it is transferred to close relatives for the sake of combining charity and maintaining family ties. (Al-Babarti, n.d)
- B- when it is transferred to people who are in greater need than those in the place of obligation. (Mazah, n.d)
- C- when it is more beneficial and suitable for the overall benefit of the Muslim community.
- D- when it is transferred from a place of war to a place of peace.
- E- when it is transferred to supporting students of knowledge or ascetics (Al-Hasfaki, 2002).

Therefore, it can be concluded that the opinion against transferring Zakat or considering it disliked is applicable only when there are eligible recipients in the place where Zakat was collected, and there is no legitimate need to transfer it or a portion of it outside that area. If a genuine need arises, then it is permissible, and in some cases, even preferable, to transfer it.

Secondly, transferring a portion of Zakat from the wealthier region to those in greater need is a form of solidarity among the regions and Islamic countries. It also serves the legitimate aim of Zakat, which was legislated to combat poverty and destitution wherever they exist, meet the needs of the needy, relieve the distress of the afflicted, and facilitate assistance to the financially constrained in every time and place. It is narrated that Suhnun said: "If the Imam becomes aware that some regions are in dire need, it is permissible for him to transfer some of the due charity to them. When the need arises, it must be prioritized over those who are not in need" (Al-Qurtubi: 1964). Furthermore, it is narrated that Umar ibn al-Khattab wrote to Amr ibn al-'As while he was in Egypt during the year of (Ar-Ramadah), saying, "O Amr, for the Arabs, prepare a convoy for me, which will begin with you and end with me. It should carry wheat in cloaks." Umar used to distribute this among the people according to his discretion, and he would appoint individuals for this task, instructing them to be present during the slaughter of those camels. He would say, "The Arabs love camels, and I fear they

might feel hesitant, so let them slaughter them and distribute their meat and fat, and let them wear the cloaks used to carry the wheat" (Malik, 1994).

Thirdly, transferring Zakat from one region to another helps the central authority address urgent issues that may require increased expenditures that one region alone cannot bear. This includes situations such as floods, earthquakes, or pandemics affecting certain regions or Islamic countries from time to time. Similarly, the issue of refugees resulting from wars and armed conflicts within Islamic countries leads to a significant influx of displaced people into neighboring countries.

Fourthly, transferring a portion of Zakat to countries or regions in greater need is consistent with the methodology of the Prophet Muhammad (peace be upon him) and his righteous successors in transferring Zakat from its place of collection to be disbursed among the needy in other regions. There is much evidence for this practice, including what is narrated by Qabeesa ibn Al-Mukhariq Al-Hilali is that he said: "I went to the Messenger of Allah (peace be upon him) with a load (What a person is responsible for paying on behalf of another in terms of blood money or fines), and he said: 'Stay until the charity comes to us. We will either appoint you over it, or we will carry it for you.'" (Ibn Zanjawayh, 1986). Abu 'Ubayd (2007) stated: "He saw giving it (the Zakat) to him from the charities of Al-Hijaz, even though he was from Najd, and he saw it being carried from the people of Najd to the people of Al-Hijaz... He saw it for them in cases of blood money payment for hernia repair and during an epidemic, as a legitimate right in charity. If he had not seen that, he would not have allocated it to them, for charity is intended only for those who are entitled to it." Moreover, it is narrated by Ibn Abi Dhubab that he said: "Umar delayed the charity during the year of (Ar-Ramadah) famine. When people improved, he sent me and said: 'Take charity of two years, distribute one, and bring the other to me' (Al-Bayhaqi, 1991).

Fifthly, in this case, the transfer of Zakat is based on the principle: "Necessities permit the prohibited." It may be the case that those outside the area of entitlement are on the brink of perishing, while those around entitlement have the means to do without it despite their poverty. The principle: "When two interests conflict, prioritize the stronger one." The interest of those in greater poverty and need should take precedence over the interest of the poor in the region where the Zakat was collected. Additionally, the principle "Ruling is based on the interest" should be applied, meaning that the ruler's actions are guided by what serves the overall benefit and welfare (Ash-Sharqawee, n.d).

Sixthly, the opinion that allows the transfer of Zakat for a legitimate need has been endorsed by several contemporary scholars, a consensus of Islamic jurisprudence, and various Islamic legal institutions and fatwa centers in Islamic countries. Some of the contemporary scholars who have issued a fatwa allowing this are as follows:

1. The Islamic Legal Counsel of Kuwait's Zakat House: After reviewing the third recommendation of the First Seminar on Contemporary Zakat Issues, which concluded that the basic principle is to distribute Zakat in the place where the wealth was collected and that transferring the surplus to another city is permissible, except for those who are more in need or those who are close relatives. The Seminar specified the following Sharia principles for transferring Zakat.

Firstly, the basic principle in disbursing Zakat is that it should be distributed in the area where the Zakat wealth was collected, not the area of the Zakat payer. However, it is permissible to transfer Zakat for a prevailing legitimate reason. Reasons that justify the transfer include:

- A. Transferring it to the places of jihad for the sake of Allah.
- B. Transferring it to da'wah, educational, or healthcare institutions eligible for Zakat disbursement from one of the eight recognized channels of Zakat.
- C. Transferring it to areas suffering from famine and disasters affecting some Muslims in the world.
- D. Transferring it to the close relatives of the Zakat payer who are entitled to receive Zakat.

Secondly, the transfer of Zakat to a different location under circumstances other than those mentioned above is not prohibited, but it is considered disliked (makruh), with the condition that it is given to those who are eligible for Zakat through one of the eight categories. (Az-Zuhayli, n.d).

2. The Permanent Committee for Fatwa in the Arab Republic of Egypt: In their fatwa, they state that there is no objection to transferring Zakat to a place where there are needy recipients, and the basic principle is that Zakat is distributed in the area where it was collected. However, if the need arises to transfer it due to a lack of eligible recipients in the area where it was collected, then it is permissible (Azman, 2014).
3. The Second Conference of the Islamic Research Magma': The conference's resolution (5 H) emphasizes that Zakat is considered a basis for social solidarity in Islamic countries. The basic principle is to start distributing Zakat to eligible recipients in the area where it was collected, and then the surplus can be transferred to another city, except in cases of famine, disasters, or extreme need where Zakat can be transferred to those in greater need, both individually and collectively. It is permissible on an individual basis to transfer Zakat to eligible recipients who are relatives of the giver, even if they reside in a different location from where the Zakat was collected. (Az-Zuhayli, n.d).
4. Sheikh Hassanin Muhammad Makhlof, former Mufti of Egypt (1946): According to him, the Hanafi, Hasan al-Basri, and Imam An-Nakha'i schools of thought state that transferring Zakat from one place to another is disliked as a means of preserving the rights of neighbors. However, if it is transferred to a relative in need, then it is not disliked; rather, it is necessary to transfer it to them. This is in line with the purpose of Zakat, which is to alleviate the needs of the recipients and maintain family ties, and it is preferable to give it to the nearest relatives who are in need.
Other scholars, not mentioned here, also allow for the transfer of Zakat funds.

Guidelines for the Permissibility of Transferring Zakat

Based on the opinions of those who permit the transfer of Zakat outside the area where it was collected for a prevailing legitimate reason, they agree on several guidelines for the permissibility of such transfers, including

- 1- Permission, and even obligation, to transfer Zakat when it exceeds the needs of the people in the region where it was collected to another region.
- 2- Permission to transfer it to another region when the eligible recipients in the region of collection have lost their eligibility. If the eight categories or their equivalents are

no longer present in the region of collection, it is permissible to transfer them to another region.

- 3- Permission to transfer it if it serves the interests of the poor, as they are the primary intended recipients of Zakat.
- 4- Permission to transfer it with the condition that some are in greater need of it outside the region of obligation.
- 5- Permission to transfer it if there is an expedient reason for doing so before the completion of the fiscal year (Al Olaby, 2008).
- 6- Permission to transfer it in the presence of a legitimate Islamic justification as determined by qualified jurists.
- 7- Not transferring the entire Zakat fund from the region of obligation if there are eligible recipients there; rather only a portion of it is transferred because of the rights of the people in the region, with the allowance for the Zakat giver to transfer all their Zakat, provided that the conditions are met.
- 8- Ensuring the safety of the Zakat funds during the transfer because they belong to others, and risking their loss or damage is not permissible. If it gets lost or damaged, its value should be paid.

Research Results and Recommendations

The research has yielded several important results and recommendations, including:

1. The goal of legislating Zakat is to achieve self-sufficiency for every Muslim individual, regardless of their location, and to promote comprehensive economic development that benefits both individuals and society.
2. The issue of geographic scope should not be an obstacle to delivering Zakat funds to their rightful recipients wherever the conditions and criteria are met.
3. The established principle, based on the Sunnah of the Prophet Muhammad (peace be upon him) and the practices of the caliphs, is to begin distributing Zakat to eligible recipients in the region where it was collected, then transfer any surplus to another city, with exceptions for disasters, famines, mass migrations, extreme poverty, and other such cases. In such situations, Zakat can be transferred to those in greater need, whether on an individual or collective level.
4. Transferring a portion of Zakat from a wealthier region to those in greater need helps achieve social solidarity among regions and Islamic countries. It also aligns with the aim of the legitimacy of Zakat, which was legislated to combat poverty and destitution wherever they exist, bring happiness to those in need, aid the distressed and afflicted, and ease the burden for those always facing financial hardship, and places.
5. Considering and defining the geographic scope has a significant impact on the distribution of Zakat. The broader the scope, the more effectively Zakat's legislative aim is realized, and the more appropriately it can be utilized.
6. Transferring Zakat to those in greater need aligns with the fundamental principles of Islamic jurisprudence that are made upon achieving the welfare of worshipers and averting harm from them.
7. One of the benefits of transferring Zakat outside its collection scope for a legitimate purpose is the expansion of its benefits and the increased utilization of Zakat funds.
8. The permissibility of transferring Zakat outside its collection scope is subject to a set of criteria that must be considered to achieve the intended purpose of such transfers.

The research recommends

- 1- The necessity of conducting in-depth studies on the repercussions and problems that may arise from limiting the distribution and utilization of Zakat within its collection scope, as well as the effects of transferring it outside its geographic scope.
- 2- Emphasizes the importance of collaborative research and studies among specialists from various fields related to Zakat funds, including scholars, economists, accountants, geographers, and others, to generate comprehensive practical results.

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