49899 - He took zakaah to distribute it to the poor – can he take can any of it?

the question

One of my friends gave me some zakaah so that I could distribute it to those who are entitled to it. I distributed part of it, and I am still distributing what is left, but at the same time I need some money because I am about to get married and to finish building my house which is not yet completed. And I am also in debt. Am I entitled to take some of the zakaah or not?
Please note that I cannot tell this to my friend at present

Detailed answer

Praise be to Allah.

You do not have the right to take anything from this money, because your friend only gave it to you so that you could distribute it to others, not to take it. You are an agent of the person who gave you the money, and you are only allowed to dispose of it in the manner that he gave you permission to do.

Shaykh Ibn ‘Uthaymeen was asked in Fataawa Arkaan al-Islam (p. 447) about a poor man taking zakaah from a wealthy man on the basis that he would distribute it for him, then taking it himself: what is the ruling on doing this?

He replied:

This is haraam and is a betrayal of trust, because the owner gave it to him on the basis that he would act as his agent and give it to others, but he is taking it for himself. The scholars stated that it is not permissible for an agent to use that which he has been appointed to dispose of for himself. Based on this, this person has to tell his companion that he took for himself what was given to him before. If he allows him that, all well and good, otherwise he has to pay it back, by giving back

what he took so that it may be given in zakaah on behalf of its owner.

I would like to take this opportunity to speak about something that some ignorant people do, which is when a poor person takes zakaah, then Allaah makes him independent of means but people still give to him, thinking that he is still poor, and he takes it. Some of these people take it and consume it, then say, “I did not ask people for it, this is provision which Allaah has bestowed upon me.” This is haraam, because if Allaah makes a person independent of means, it is haraam for him to take any zakaah.

Some people take zakaah then give it to others without being appointed to do so by the owner of the zakaah. This is also haraam. It is not permissible for a person to dispose of it in this manner, even if it is less serious than the case described above, but it is still haraam for him to do this, and he has to pay back the zakaah to its owner if he did not give him permission and does not approve of his action.

The Standing Committee (9/436) was asked:

Some people have given me zakaah to dispose of it in the ways prescribed in sharee’ah. I took the money and distributed some of it, but I took some for myself, because I needed this money so that I could get married and fix up my house which was not suitable for getting married. I had the intention of paying it back, but my circumstances now do not allow me to pay it back. What is the solution? Was it halaal or haraam for me to take this money? Do I have to pay it back?

They replied:

It is not permissible for you to take this money that was given to you so that you could distribute it to those who are entitled to zakaah. You have to return the money that you took, or give it to those who are entitled to it, and also repent and seek forgiveness for what you did.