Q: 18 – Title: I heard that only Hanafi FiqhZakath on gold Jewellery for the purpose of wearing of women is to be given and the other three fiqh, no need for zakath on gold jewellery
Question
I heard that only Hanafi FiqhZakath on gold Jewellery for the purpose of wearing of women is to be given and the other three fiqh, no need for zakath on gold jewellery, and in Shafi fiqhwe can go even for maximum 200 Miskal quantity without giving zakath, over and aboe this would be payable as zakath on wearing jewellery.
Answer
In the name of Allah, Most Gracious, Most Merciful
Assalaamu `alaykum waRahmatullahi Wabarakatoh
Hereunder is the explanation for zakah on jewelry for each madhab.
Hanafi Fiqh
Zakah is compulsory upon all types of gold items, regardless in what form it is; jewelry, nuggets, gold bricks, utensils, etc. The weight of the gold will be taken into consideration and not its value.

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## Maliki Figh

Zakah is not compulsory on the gold of those items which are permissible for example gold jewelry for women, gold sword, gold teeth, or artificial gold limbs.

However, zakah will be compulsory in the following:

- 1. If the gold item breaks in such a manner that it is not possible to return it to its original form, except by molding.
- 2. It breaks in such a manner that it is possible to return to its original form without molding it, but the owner does not intend to do so.
  - 3. It is intended to be used only for calamities and hard times.
- 4. One prepared to give the gold item to a person who will become the owner, such as a wife or a daughter.
  - 5. One prepared the gold item to give in *mahr* to his wife, or to give to his son's wife.
  - 6. The purpose is to sell it.

Zakah is compulsory on impermissible gold items such as gold utensils or a golden stick to apply kohl. The weight of gold will be taken into consideration and not its value.

## Hanbali Fiqh

Zakah is not compulsory upon permissible jewelry which is intended for wearing or lending to a person for whom it is permissible to use. If it is not for the purpose of wearing, then zaka h will be compulsory if it reaches the nisaab by weight. If it reaches the nisaab of zakah in value but not in weight, zakah is not compulsory. Zakah is also compulsory upon impermissible jewelry as well as gold utensils if it reaches to the amount of nisaab by weight.

If a piece of jewelry breaks, but it is possible to wear it broken, then it will be treated as a normal piece of jewelry and *zakah* will not be given. If it is broken in such a manner that it's no longer possible to wear it and it requires molding again, *zakah* will be compulsory. If it does not need molding and one intends to repair it, *zakah* will be given.

## Shafi'i Fiqh

Zakah it not compulsory upon permissible jewelry on condition the owner is aware of it being in his ownership. If he is not aware of it being in his ownership, for example he inherited a piece of jewelry which reaches to the amount of nisaab and a year passes without him knowing that he's the owner, zakah will be compulsory upon it.

As for impermissible jewelry such as gold for men, *zakah* will be given. Like wise if the women's jewelry is extravagant, e.g. golden anklets which reach the amount of 200 *mithgal* 

zakah

will be compulsory.

7akal

is also compulsory upon gold and silver utensils.

Zakah

must be paid on gold and silver necklaces if they do not have a coil of gold or silver. If the jewelry does have a coil of one of those two, then there is no zakah

upon it.

Al-Fiqh 'ala al-madhib al-arab'ah (1-601) Dar al-Fikr
And Allah knows best
Wassalam
MI. Ehzaz Ajmeri, Student Darul Iftaa
Checked and Approved by:
Mufti Ebrahim Desai Darul Iftaa, Madrassah In'aamiyyah

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