

12338 - The zakaah on jewellery is obligatory upon the wife, and it is valid for her to give it to her husband if he is in need

the question

I would like to know my wife has gold jewellery which is given to her from mother but iam not well off and i am in dept also so how should i pay zakat on it.

Detailed answer

Praise be to Allaah.

The husband does not have to pay zakaah on the jewellery on his wife's behalf, because the zakaah is only obligatory on the possessor of the wealth, and the possessor in this case is your wife, because she is the owner of the jewellery. So she has to pay zakaah on it, either from the jewellery itself or from its monetary value. If her husband or someone else pays zakaah on her behalf with her permission, that is o.k., and he will be rewarded for this voluntary action.

If the wife wants to give the zakaah on her jewellery or anything else to her husband who is in debt and cannot pay it off or who is poor, there is nothing wrong with that, because it comes under the general meaning of the aayah (interpretation of the meaning):

“As-Sadaqaat (here it means Zakaah) are only for the Fuqaraa' (poor), and Al-Masaakeen (the poor)...” [al-Tawbah 9:60]

Indeed there is the hope that she will have a multiple reward, because of the hadeeth narrated by al-Bukhaari (1466) and Muslim (1000) from Zaynab, the wife of 'Abd-Allaah, who said: “The Messenger of Allaah (peace and blessings of Allaah be upon him) said: ‘Give in charity, O women, even if it is from your jewellery.’ I went back to 'Abd-Allaah and said, ‘You are a man who has little, and the Messenger of Allaah (peace and blessings of Allaah be upon him) has commanded us to

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give in charity. Go and ask him if that is acceptable, otherwise I will give my charity to someone else.' 'Abd-Allaah said to me, 'No, you go and ask him.' So I went, and there I saw a woman from among the Ansaar at the door of the Messenger of Allaah (peace and blessings of Allaah be upon him), wanting to ask the same question. We felt too shy to speak to the Messenger of Allaah (peace and blessings of Allaah be upon him). Bilaal came out to us and we said to him, 'Go to the Messenger of Allaah (peace and blessings of Allaah be upon him) and tell him that there are two women at the door asking whether it is acceptable for them to give charity (zakaah) to their husbands and the orphans who are in their care, but do not tell him who we are.' Bilaal went in to the Messenger of Allaah (peace and blessings of Allaah be upon him) and asked him, and the Messenger of Allaah (peace and blessings of Allaah be upon him) asked, 'Who are they?' He said, 'A woman from among the Ansaar and Zaynab.' The Messenger of Allaah (peace and blessings of Allaah be upon him) asked, 'Which Zaynab?' He said, 'The wife of 'Abd-Allaah.' The Messenger of Allaah (peace and blessings of Allaah be upon him) said to him, 'They will have two rewards, the reward of (upholding ties of) kinship and the reward of giving charity.'" Ibn Hajar (may Allaah have mercy on him) said: "From this hadeeth it may be understood that it is permissible for a woman to give zakaah to her husband. This is the view of al-Shaafa'i, al-Thawri, the two companions of Abu Haneefah, one of the two reports narrated from Maalik and from Ahmad."