

Al-Khums (One-fifth)

It is also one of controversial topics between the Shi'ah and Sunnah. Before giving judgement to their benefit or against them, we have to give a brief exposition about the issue of khums, and we start it with the Holy Qur'an; Allah, the Exalted said:

“And know ye (O’ believers) that whatever of a thing ye acquire a fifth of it is for God, and for the Apostle and for the (Apostle’s) near relatives and the orphans and the needy and the wayfarer ...”
(8:41)

The Messenger of Allah (S) said:

“I order you to do four things: To have faith in Allah, to establish prayers, to pay zakat, and to fast the month of Ramadan, and to pay for Allah the fifth of whatever you acquire.”¹

The Shi'ah — complying to the command of the Messenger of Allah (S) — usually take out fifth of whatever they earn of money throughout the whole year, explaining the word “spoil” (ghanimah) to mean whatever man earns of profits in general.

Whereas Ahl al-Sunnah concur on specifying khums on the spoils of war solely, explaining God's saying: (And know ye that whatever of a thing ye acquire) to mean whatever you acquire during war. This being the abstract of what the two sects hold regarding khums, and their 'ulamā' have written many articles about this issue.

I know not how can I convince myself or others to accept the opinions of Ahl al-Sunnah, that were based — as I think — on the sayings of the Umayyad rulers, headed by Mu'awiyah ibn Abi Sufyan who seized the whole estates of Muslims, looting with his retinue all the gold and silver there.

So, no wonder seeing them interpreting the khums verse to be specifically related to the spoils of war, since the course of the verse happened to be within the verses of war and fighting. Not only this verse, but they have interpreted many verses in accordance to the course of the preceding verse or the one coming after. For instance, they interpret the verse of removing the uncleanness and purification (tathir), to be specifically referring to the Prophet's wives, as whatever preceding and succeeding it being about

the wives of the Prophet (S).

They also interpret the Almighty's saying: "...They who hoard up gold and silver and spend it not in the way of Allah, unto them give tidings (O Muhammad) of a painful doom," to be specifically related to the People of Scripture (Ahl al-Kitāb).

Also the story of Abu Dharr al-Ghifārī (may God be pleased with him) with Mu'awiyah and 'Uthmān ibn 'Affān, and exiling him to al-Rabadhah, is so common, when he vilified them for hoarding up gold and silver, arguing them with the aforementioned verse. But 'Uthmān consulted Ka'b al-'Ahbar about it, and he answered him that it was specified for Ahl al-Kitāb. Thereat Abu Dharr reviled him saying: May your mother be bereaved of you, O the son of the Jewish woman! Do you teach us our religion? These words angered 'Uthmān, who ordered to exile him to al-Rabadhah, after his displeasure toward him became greater. Then Abu Dharr died there, alone and driven away, with his daughter finding no one to undertake the ceremonies of washing and shrouding him.

Ahl al-Sunnah have a well-known technique and fiqh (jurisprudence) in relation to interpretation of the Qur'ānic verses and Prophetic Traditions, following in this respect what the earlier caliphs and famous Companions interpolated against the express texts from the Book and Sunnah.²

Intending to investigate respecting this matter, a separate book will be needed to cover it, but it is sufficient for every truth-seeker to refer to the book al-Nass wa al-'ijtihād, where he can find out how the interpreters play with Allah's decrees and precepts.

For me, as a researcher, I have no right to interpret the Qur'ānic verses and Prophetic traditions according to my likings, or in accordance with what the school (madhhab) I follow dictates upon me. But what to do while noticing Ahl al-Sunnah themselves reporting in their Sihh that khums being imposed on the earnings in other than war, contradicting thus their interpretation and school of thought.

It is reported in Sahih al-Bukhārī, under the bāb "Fi al-Rikāz al-Khums", that Malik and Ibn Idris said: Al-Rikāz (buried treasure) is the burial (dafn) of Jahiliyyah, upon its little and much khums is imposed and minerals cannot be considered rikāz. The Messenger of Allah (S) said: "On minerals repairment is imposed and on rikāz the khums."³ Under the "bāb mā yustakhraj min al-bahr" (what is retrieved from the sea), Ibn 'Abbās is reported to have said: Ambergris is not regarded rikāz, but a thing driven forward by the sea. Whereas al-Hasan said: Khums is imposed (wājib) on ambergris and pearls, and verily the Prophet (S) made rikāz liable to khums, not that which is retrieved from the sea.⁴

From all these traditions any researcher may conclude that the scope of the term ghanimah, on which khums made wājib by Allah is not confined to the spoils of war, since rikāz is a treasure extracted from the earth, and it becomes the property of that who extracted it. But he is obliged to pay its khums because it is a ghanimah. Moreover anyone extracting ambergris and pearls from the sea is liable to take out the khums since it is a ghanimah.

According to what is reported by al-Bukhārī in his Sahih it becomes clear that khums is not confined to

the spoils of war.

While the Shi'ah's opinion remains always to represent the truth that being devoid of any contradiction and difference, since they refer in all the rules and beliefs to the Imams of guidance, far from whom Allah removed uncleanness and purified a thorough purification. The Imams who are verily equals to the Book (Qur'ān), to whom everyone holds on will never go astray, and feels safe whoever seeking their shelter.

However, we can never depend on wars to establish the State of Islam, since this never goes with the liberality of Islam and its invitation toward peace. Islam is not a colonialist State that is established on exploiting the nations and looting their fortunes and resources, the charge that the Westerners trying to accuse us with when referring to the Prophet of Islam with disgrace, claiming that he (S) extended his dominion through force, compulsion and sword to exploit the peoples.

And as money being the sinew of life, especially when the theory of the Islamic economics necessitates origination of what is called nowadays: the social insurance, for the sake of guaranteeing for the needy and disabled their livelihood with consideration and dignity.

The Islamic State can never be sustained through depending upon the zakāt taken out by Ahl al-Sunnah, which never exceeds at the best 2.5 percent. It is a very low percentage that can never meet the needs of the State including: making ready of force, building the schools and hospitals and paving the roads, beside guaranteeing for every individual an income that can be sufficient for his livelihood and insuring his life. Further the Islamic State can never be dependant on bloody wars and fighting people to safeguard its existence, and develop its foundations at the cost of the slain people who were averse to Islam.

The Ahl al-Bayt Imams (peace be upon them) were the most knowledgeable people in the denotations of the Qur'ān. Why not, while they being its true interpreters, undertaking the task of laying down for the Islamic State the guidelines of economy, and sociology, had they an obeyed opinion.

But, unfortunately and regretfully, power and leadership were in the hands of other than them, those who seized and usurped caliphate by force and subjugation, and assassinating the righteous among the Companions, as practised by Mu'awiyah. Moreover they altered the rules of Allah according to the dictates of their political and worldly interests and lusts, going astray thus and misleading the others, leaving the *Ummah* to reach the lowest point, with no consideration or power till the present time.

Thus the precepts and teachings of Ahl al-Bayt became mere thoughts and theories, believed only by the Shi'ah with no way to apply them, since they were persecuted and chased out eastwards and westwards of the earth, being pursued by the Umayyads and 'Abbāsids throughout ages.

After the disintegration of these two dynasties, the Shi'ah managed to bring about a society committed to pay the khums to the Imams (peace be upon them) secretly. And nowadays, they pay it to the high

religious authority (marji') whom they imitate (in Islamic rules) as a deputy to al-'Imam al-Mahdi (peace be upon him), who in turn expends it within its legitimate purposes and uses, such as founding theological schools, charity centres, public libraries, and orphanages, beside other noble works such as paying monthly salaries and stipends to the knowledge-seekers, and alike.

From all this we can conclude that the Shi'ah 'ulam' act independently from the ruling authorities, since the khums meets all their needs, and out of it they give everyone his due.

Whereas Ahl al-Sunnah being a burden provided by the rulers, and agents working for the ruling authority, with the ruler being free to bring near, or exclude whoever he wills from among them, in accordance with their treatment and behaviour toward him and sacrifice for serving his benefit. In this way the scholar turns to be merely an agent close to the ruler rather than just a scholar ('alim)! which being one of the bad consequences that resulted from forsaking and ignoring performing the obligation of khums, in its meaning conceived by Ahl al-Bayt (peace be upon them).

[1.](#) Sahih al-Bukhari, Vol. IV, p. 44.

[2.](#) In his book al-Nass wa al-Ijtihad, al-'Imam Sharaf al-Din cited more than a hundred instances where ta'wil (interpretation) occurred against the express texts. The researchers are required to refer to this book, since in it he has collected only those traditions reported by the Sunni 'ulam', admitting its veracity.

[3.](#) Sahih al-Bukhari, Vol. II, p. 137, "bab fi al-rikz al-khums.

[4.](#) Ibid., Vol. II, p. 136, "bab m yustakhraj min al-bahr".

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