

Khums In The Qur'an & History

"Khums" literally means "one-fifth or 20%". In Islamic legal terminology, it means "one-fifth of certain items which a person acquires as wealth, and which must be paid as an Islamic tax". The Qur'an mentions it in the following verse:

Know that whatever of a thing you acquire, a fifth of it is for Allah, for the Messenger, for the near relative, and the orphans, the needy, and the wayfarer... (8:41)

In this verse, the word "ghanimtum" has been used which has been translated as "you acquire". As explained above, it means "certain items which a person acquires as wealth." What are these certain items? According to the ahadith of the Imams of Ahlul Bayt, the items which are eligible for khums are seven:

- the profit or the surplus of the income.
- the legitimate wealth which is mixed with some illegitimate wealth.
- mines and minerals.
- the precious stones obtained from sea by diving.
- treasures.
- the land which a dhimmi kafir buys from a Muslim.
- the spoils of war.

However, there are some people who interpret the word "ghanimtum" as "whatever of a thing you acquire as spoils of war," thus confining the obligation of khums to the spoils of war only. This interpretation is based on ignorance of the Arabic language, the history of khums, the Islamic laws and of the interpretation of the Qur'an.

To make this point crystal clear, I would like to quote the following arguments from my father, `Allamah

Sayyid Sa'eed Akhtar Rizvi. In reading the following paragraphs, remember that the word ghanimtum has been derived from al-ghanimah.

The Meaning of “Ghanimtum”

The famous Arabic dictionary of al-Munjid (by Father Louis Ma'luf of Beirut) says, al-ghanim and al-ghanimah means:

(a) What is taken from the fighting enemies by force.

(b) All earnings generally...Furthermore, the saying al-ghunm bi 'l-ghurm means that the profit stands against expenses, i.e., as the owner is the sole proprietor of the profit and nobody shares it with him, therefore only he bears all the expenses and risk.¹

This implies that in Arabic language al-ghanimah has two meanings: one the spoils of war, and the other 'profit'. The above quoted proverb also proves that 'profit' is not uncommon meaning.

When a word in the Qur'an can be interpreted in more than one way, it is incumbent upon the Muslims to seek guidance from the Prophet and the Ahlul Bayt. Otherwise, they would be guilty of tafsir bi 'r-ra'y (interpreting the Qur'an according to one's own personal views); and this is a sin which pushes the sinner into jahannam.

The History of Khums

Khums is one of those things which were introduced by `Abdu 'l-Muttalib, the grandfather of the Prophet, and continued in Islam. Acting upon a command of God given to him in dream, when `Abdu 'l-Muttalib rediscovered the well of Zamzam, he found in it many valuable things which were buried in it in very remote past by the Ismailites when they feared that their enemies would usurp them.

When `Abdu 'l-Muttalib found that buried treasure, he gave away its one-fifth (literally, khums) in the way of God and kept the remaining four-fifth to himself. Then it became a custom in his family; and after the hijrah of the Prophet, the same system was incorporated in Islam. Thus the first khums was not given from the 'spoils of war', but from a buried treasure (which is one of the seven items eligible for khums.)

The Islamic Laws

Not a single sect of Islam confines the meaning of ghanimah to the 'spoils of war'. In addition to the 'spoils of war' the following items are subject to khums:

(a) Minerals: eligible for khums in Shi`ah and Hanafi sects.

(b) Buried treasure: eligible for khums in all Muslim sects (that is, Shi`ah, Hanafi, Maliki, Hanbali and

Shafi'iyy).

The Interpretation of the Qur'an

As mentioned earlier, the interpretation of the Qur'an must be based on the teachings of the Ahlul Bayt. The word ghanimah in the verse under discussion has clearly been interpreted as 'al-fa'idatu 'l-muktasabah -- the earned profit' by our Imams.

"To conclude, we can say that the word ghanima was never treated as being confined to the 'spoils of war' by any sect of Islam; and as far as our Imams are concerned, it meant many things besides the spoils of war right from the day of Imam `Ali (peace be upon him), as the authentic traditions show."[2](#)

What has been quoted above can also be substantiated from the practice of the Prophet of Islam himself. For example, when the Prophet sent `Amr bin Hazm to Yemen, he wrote instructions for him in which, among other things, he says, "...to gather the khums of Allah from the gains [of Yemenis]."[3](#)

And when the tribe of Bani Kilal of Yemen sent its khums to the Prophet, the latter acknowledges it by saying, "Your messenger has returned and you have paid the khums of Allah from the gains (al-ghana'im)."[4](#)

It is interesting to note that the Bani Kilal obeyed the Prophet's order and sent the khums of its gains to him while no war had taken place between the Muslims of Yemen and the unbelievers. This is a clear indication that khums was not restricted by the Prophet to the spoils of war.

The importance given by the Prophet to the issue of khums can also be seen in his advice to the delegation of Bani `Abdu 'l-Qays. It seems that Bani `Abdu 'l-Qays (which was a branch of Rabi`ah) was not a very strong tribe. Moreover, in order to travel to Medina, they had to cross an area inhabited by the Muzar tribe which was against the Muslims. Consequently, the Bani `Abdu 'l-Qays could not travel safely to Medina except during the months in which war-fare was forbidden according to the Arab custom.

Once a delegation from Bani `Abdu 'l-Qays came to Medina and said to the Prophet, "We cannot come to you except in the haram months [when war-fare is forbidden], and there are between us and you the unbelievers of Muzar.

Therefore, please give us some advice that we may give to those whom we have left behind and that we may enter the Paradise [by acting on it ourselves]." The Prophet advised them to believe in One God, establish prayer, pay zakat, fast in the month of Ramadhan, and "to pay khums (one-fifth) of whatever you gain."[5](#)

The circumstances of the Bani `Abdu 'l-Qays -- they were weak and small in numbers, and were thus prevented from traveling safely to Medina -- leaves no room for interpreting the application of khums in the above hadith on spoils of war exclusively.

Khums is wajib on seven items; but in this book we will discuss only two items:

(1) the profit or surplus of the income, and

(2) legitimate wealth which is mixed with some illegitimate wealth.

The reason for being selective in this discussion is that the other items eligible for khums (for example, mines and minerals, precious stones and treasure) are not common to all people and, therefore, I decided not to burden the readers with details about those items. Anyone who wants more information on rules of those items can contact the religious scholar in his or her local area or write to us.

- [1.](#) See the entry under G-N-M; in the 28th edition of al-Munjid (Beirut: Dar el-Machreq, 1986) it is on p. 561. Also see other famous dictionaries like Lisan al-`Arab and al-Qamus.
- [2.](#) Rizvi, S.S.A., Your Questions Answered, vol. 1 (Dar-es-salaam: Bilal Muslim Mission, 1973) p. 44-46.
- [3.](#) Ibn Khaldun, Ta'rikh, vol. 2, part II (Beirut: al-A`lami, 1971) p. 54; Ibn Kathir, al-Bidayah wa 'n-Nihayah, vol. 5 (Beirut: al-Ma`arif, 1966) pp. 76-77; Ibn Hisham, Sirah, vol. 4 (Beirut: Daru 'l-Jayl, 1975) p. 179.
- [4.](#) Abu `Ubayd, al-Amwal (Beirut: Mu'assasah Nasir, 1981) p. 13; al-Hakim, Mustadrak, vol. 1 (Hyderabad: `Uthmaniyya Press, 1340 AH) p. 395. For more references, see Ja`far Murtada al-`Amili, al-Sahih fi Sirati 'n-Nabi, vol. 3 (Qum: n.p, 1983) p. 309.
- [5.](#) Bukhari, Sahihu 'l-Bukhari, vol. 4 (Beirut: Daru 'l-`Arabiyyah, n.d.) p. 213; Abu `Ubayd, al-Amwal, p. 13. This has also been recorded by other Sunni sources of hadith like Sahih Muslim, Sunan Nisa'i, Musnad of Ahmad bin Hanbal, and Sunan of Tirmidhi.

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