

# Zakat and Khums as Two Obligatory Alms in Islam

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## Introduction

Economic issues have always been of the main concerns of human beings and have had an important role in their lives. Governments study various effective ways to secure people's basic needs, and religious figures and institutions have always considered one of their main duties to assist the poor.

By the same token and due to its comprehensiveness, Islamic law has paid serious attention to the details of economic issues. *Anfal*, *khums*, *zakat*, transactions, partnership, lease, and hypothecation are among the financial affairs that have been discussed in Islamic jurisprudence. While those contracts and transactions that have the required conditions and are beneficial to the individual or the society are regarded as lawful, gaining money through harmful ways, such as usury, bribery, and gambling, is considered as forbidden and illegitimate.

Among the most important chapters of Islamic jurisprudence that has its root in the holy Qur'an and Islamic narrations are the ones on *khums* and *zakat*. The goal of this article is to review various aspects of these two religious financial obligations.

## What are ZAKAT and KHUMS?

*Zakat* literally means “purity, growth, blessing, and eulogy” (Ibn Manzur 1414AH, 14:358), and *zakat* of the property means its purification (Ibn ‘Abbad 1414 AH, 6:300). In Islamic teachings, *zakat* is defined as “the title of a financial right in the property that becomes obligatory when the property reaches a taxable limit” (Hilli 1407 AH, 2:485). As a condition, in the case of cow, sheep, goat, camel, gold, and silver, the person has to own them for eleven months and pay the *zakat* at the end of the twelfth month.

*Khums* literally means one-fifth of something and technically is “a financial right, principally for *Banu Hashim* (the clan of the Prophet), instead of *zakat* that is for the rest of people” (Milani 1395 AH, 7).

Basically, a year after starting a business or any other type of financial activity, one has to calculate all the costs incurred in the process of conducting the business and also all his personal expenses—that is, expenditure on food, drink, clothes, housing, furniture, transportation, medical treatment, and so forth—within his normal lifestyle. Then he has to pay 20% of the remaining income as *khums*.

## What is the Difference between ZAKAT and KHUMS?

According to Shi’ite scholars, it is obligatory to pay *zakat* on wheat, barley, dates, raisins, gold, silver, camel, cow, sheep, and goat. For other things, paying *zakat* is recommended and not mandatory. In Sunni schools of jurisprudence, *zakat* is more general and not limited to the above-mentioned categories. On the other hand, while all Islamic scholars agree that the subject of *khums* is *ghanimah*, they have different opinions as to its meaning. Shi’ite scholars believe that *ghanimah* includes annual income, minerals, treasure, legitimate wealth mixed with illegitimate wealth, gems obtained from the sea through diving, the spoils of war, and the land purchased by a *dhimmi* (a non-Muslim living under the protection of Islamic Government) from a Muslim (Yazdi 1409

AH, 2:366-89). However, according to Sunni jurisprudence, *ghanimah* is limited to the spoils of war.

The holy Quran states,

Charities are only for the poor and the needy,<sup>59</sup> and those employed to collect them, and those whose hearts are to be reconciled, and for [the freedom of] the slaves and the debtors, and in the way of God, and for the traveler.<sup>60</sup> [This is] an ordinance from God, and God is all-knowing, all-wise. (9:60)

While *zakat* can be expended in the eight cases mentioned in the above verse, *khums* is divided into two equal portions: First, the portion belonging to the poor and needy from among the descendants of the Prophet (s). For, instead of *zakat* that is prohibited for Prophet Muhammad (s) and his relatives, *khums* is legislated for them. The second part of *khums* is the portion of God, Prophet Muhammad (s), and the Imams (a). According to hadiths, during the lifetime of the Prophet (s), the portion of God is for the Prophet (s), and, after the Prophet's (s) demise, the portions of God and the Prophet (s) are for the infallible Imams (a) (Kulayni 1407AH, 1:540). During the occultation of the last Imam (a), all three portions will be in the hands of his general deputies; that is, *mujtabids* (jurists) who are to use this money to promote Islam and support Islamic seminaries. On this basis, Shi'ite seminaries have been independent throughout history and had no financial ties to the governments and powers.

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<sup>59</sup> In the Arabic text of the verse the first one is *faqir* and the second one is *miskin*. According to the exegetes of the holy Qur'an the difference between these two titles is that *faqir* is someone who has a financial shortage in his life, even though he may have a job, but *miskin* is someone who is more needy and usually jobless.

<sup>60</sup> It means the traveler who is not poor at his or her homeland but has become needy while traveling.

And the last difference is that *zakat* could be paid directly to the aforementioned groups without any prior permission from a scholar, but *khums* should be paid directly to the infallible Imam or to his general or specific agents, and it is their duty to distribute it to the above-mentioned portions. If a person wants to expend the *khums* himself, he has to obtain the approval of the Imam (a) or his agents.

### ZAKAT and KHUMS in Islam

All Islamic scholars unanimously agree that *khums* and *zakat*, are religious duties incumbent upon individual Muslims ('Amili 1412 AH, 275; Hashimi Shahrudi 1417 AH, 2:459). Proofs and details of these two responsibilities could be found in both Qur'anic verses and hadiths.

*Zakat* is mentioned in thirty verses of the holy Qur'an. In most of these verses, *zakat* has been mentioned alongside *salat* (ritual prayer):

أَقِيمُوا الصَّلَاةَ وَآتُوا الزَّكَاةَ

Maintain the prayer and give the *zakat*. (2:43)

Giving *zakat* is one of the characteristics of the faithful. The holy Qur'an states: "Certainly, the faithful have attained salvation, those who are humble in their prayers, who avoid vain talk, who carry out their [duty of] *zakat*" (23:1-4). In the story of Jesus, when his mother, Mary, was asked about the newborn baby, she pointed to him, and the baby said, "Indeed I am a servant of God! He has given me the Book and made me a prophet. He has made me blessed, wherever I may be, and He has enjoined me to [maintain] the prayer and to [pay] the *zakat* as long as I live" (19:30-1). According to the holy Qur'an, giving *zakat* has always been one of the commandments of God to prophets: "We made them imams, guiding by our command, and we revealed to them the performance of good deeds, the maintenance of prayers, and the giving of *zakat*, and they used to worship us" (21:73).

In Islam, *zakat* is so important that whoever refrains from paying *zakat* is not considered as a Muslim. In this regard, Imam Sadiq (a) has said:

مَنْ مَنَعَ فِرَاطاً مِنَ الرِّكَاتِ فَلَيْسَ بِمُؤْمِنٍ وَ لَا مُسْلِمٍ

Anyone who refrains from [paying even] a carat of *zakat* is not a believer nor a Muslim. (Kulayni 1407AH, 3:503)

*Khums*, similar to *zakat*, is one of the essential religious duties that must be fulfilled by a Muslim. The consequence of doubting or denying *khums* is nothing less than apostasy and infidelity (Hashimi Shahrudi 1417 AH, 2:459). The holy Qur'an explains the details of *khums* as follows:

وَاعْلَمُوا أَنَّمَا غَنِمْتُمْ مِّن شَيْءٍ فَإِنَّ لِلَّهِ خُمُسَهُ وَلِلرَّسُولِ وَلِذِي الْقُرْبَىٰ  
وَالْيَتَامَىٰ وَالْمَسَاكِينِ وَابْنِ السَّبِيلِ إِن كُنْتُمْ آمَنْتُمْ بِاللَّهِ وَمَا أَنْزَلْنَا عَلَىٰ  
عَبْدِنَا يَوْمَ الْفُرْقَانِ يَوْمَ الْتَقَى الْجَمْعَانِ وَاللَّهُ عَلَىٰ كُلِّ شَيْءٍ قَدِيرٌ.

Know that whatever property you gain, one fifth belongs to Allah, the Messenger, the near relative, the orphans, the needy, and those who need money while on a journey. (8:41)

Regarding the importance of *khums*, the fifth Shi'ite Imam, Muhammad al-Baqir (a) says: "Before giving us our rights, no one is allowed to purchase [anything] with the money in which there is *khums*" (Hurr al-'Amili 1409 AH, 9:484).

Imam Sadiq (a), the sixth Imam, has said, "Since Allah—there is no god save Him—prohibited charity for us, He legislated *khums* for our sake. Therefore, charity is forbidden for us [and] *khums* is obligatorily for us (Hurr al-'Amili 1409 AH, 9:483).

## Benefits of Paying ZAKAT and KHUMS

### Purification of the properties

Based on Islamic narrations, one of the most important benefits of paying *zakat* or *khums* is that our property will be purified. Otherwise, not only the property is impure but also, since the property is mixed with the property of others (i.e., the Imam, the needy, and so forth), one is not allowed to use it in any way. In this regard, Imam Baqir (a) reportedly says: “God does not excuse anyone who buys something from the *khums*, [because] he has purchased something that is not lawful for him” (Hurr al-‘Amili 1409 AH, 9:484).

### PURIFICATION of the soul

According to the holy Qur’an, God commands his Prophet (s) to collect obligatory alms in order to purify Muslims: “Take charity from their possessions to cleanse them and purify them thereby, and bless them. Indeed your blessing is a comfort to them, and God is all-hearing, all-knowing” (9:103).

### Increase of livelihood

The result of paying *khums* or *zakat* is not a decrease but rather an increase of our livelihood and belongings (Shaykh al-Saduq 1966, 2:368). In her famous sermon, Lady Fatimah (a), the daughter of Prophet Muhammad (s), says that the reason why God made *zakat* obligatory is to cleanse the soul and to increase the provision (Tabarsi 1403 AH, 1:99).

### Rewards in the hereafter

According to hadiths, a person who pays *zakat* will see it after his death in the grave, and *zakat* and his other good deeds will be there for him. Imam Sadiq (a) says:

إِذَا دَخَلَ الْمُؤْمِنُ فِي قَبْرِهِ كَانَتْ الصَّلَاةُ عَنْ يَمِينِهِ وَ الزَّكَاةُ عَنْ يَسَارِهِ

When a believer enters the grave, prayer will be on his right and *zakat* will be on his left. (Kulayni 1407AH, 2:90)

According to other hadiths, *zakat* will extinguish the wrath of the Lord (Shaykh al-Saduq 1413 AH, 4:190). On the Day of Judgment, *zakat* will be the atonement for our sins and will protect us from hellfire. In this regard, Imam ‘Ali (a) says:

ثُمَّ إِنَّ الزَّكَاةَ جُعِلَتْ مَعَ الصَّلَاةِ قُرْبَانًا لِأَهْلِ الْإِسْلَامِ فَمَنْ أَعْطَاهَا طَيِّبَ  
النَّفْسِ بِهَا فَإِنَّهَا تُجْعَلُ لَهُ كَفَّارَةً وَمِنَ النَّارِ حِجَازًا وَوَقَايَةً

*Zakat*, alongside *salat*, has been made the means of proximity [to God] for Muslims. Therefore, anyone who pays *zakat* with consent, it will be the atonement [for his sins] and protection against Fire. (Sharif al-Radi 1980, 317)

We are told that even our prayers are accepted only if we pay *zakat* (Kulayni 1407AH, 3:497).

## The Consequences of Refusing to Pay ZAKAT and KHUMS

### Poverty

When our eighth Imam, Ali ibn Musa al-Rida (a), was asked about the amount of mandatory *zakat*, the Imam (a) replied, “God Almighty has placed in the property of the rich the precise amount that resolves the need of the poor. If people pay the *zakat* of their properties, no single needy person will remain” (Kulayni 1407AH, 3:507).

In a society that wealthy people do not give the needy their due share, there might be no security and safety. Therefore, the result of the greediness of the rich will afflict themselves. Instead of gaining the calmness and salvation of this world and the hereafter by giving the

needy their due share, they have to suffer insecurity and spend on security measures, and also they ruin their eternal life.

Interestingly, diseases of the poor and the rich are due to malnutrition of the first group and overeating of the second group. It is obvious that by implementation of God's orders and instructions pertaining obligatory alms, both groups will have a healthy life!

### **Being deprived of the blessings of God**

Based on hadiths, those who do not pay *zakat* deprive themselves of the blessings of God. The earth and heaven refuse to bestow their bounties to such people. In a narration from our fifth Imam (a), we read,

وَلَمْ يَمْنَعُوا الزَّكَاةَ إِلَّا مَنَعُوا الْفُطْرَ مِنَ السَّمَاءِ وَ لَوْ لَا الْبَهَائِمُ لَمْ يُمْطَرُوا

And they did not refrain from giving *zakat* except they were deprived of rain from the sky, and if it was not for the quadrupeds there would be no raining. (Kulayni 1407AH, 2:373)

If we refuse to pay *zakat*, not only we will not benefit but also we will lose more than what we try to save. In an authentic narration from Imam Sadiq (a), he says, “Anyone who refuses to pay obligatory alms will pay twice the amount in vain” (Kulayni 1407AH, 506).

### **Torment of the Day of Judgment**

The holy Qur'an says,

But as for those who are niggardly with the bounty God has given them, let them not suppose it is better for them; nay, it is worse for them; that they were niggardly with they shall have hung about their necks on the Resurrection Day; and to God belongs the inheritance of the heavens and earth; and God is aware of the things you do. (3:180)

Muhammad b. Muslim, one of the disciples of Imam Sadiq (a), asked him about the meaning of the above verse. The Imam (a) replied,

يَا مُحَمَّدُ مَا مِنْ أَحَدٍ يَمْنَعُ مِنْ زَكَاةٍ مَالِهِ شَيْئاً إِلَّا جَعَلَ اللَّهُ عَزَّ وَجَلَّ  
ذَلِكَ يَوْمَ الْقِيَامَةِ نُعْبَاناً مِنْ نَارٍ مُطَوَّقاً فِي عُنُقِهِ يَنْهَشُ مِنْ لَحْمِهِ حَتَّى  
يَفْرُغَ مِنَ الْحِسَابِ.

O Muhammad, no one refrains from giving *zakat* out of his property unless the Lord will turn it on the Day of Judgment into a snake around his neck that stings him till He finishes the reckoning. (Kulayni 1407AH, 3:502)

## Conclusion

Although the benefits of fulfilling religious financial duties is pretty obvious, unfortunately many people are not committed to them. One reason may be the weakness in their faith, but we should not ignore the role that the satanic system plays at our time. When this system collapses and people become aware of the realities of the world, they will realize that following religious teachings not only leads to happiness in the hereafter but also brings about a better and more prosperous life for them in this world.

Finally, according to Islamic traditions, when Imam Mahdi (a)—together with Jesus Christ—reappears at the end of the time and the system of oppression and arrogance collapses, all people will have prosperous lives and poverty will be eradicated. At that time, when the religion of God has sovereignty, no one can find even a single needy person in the entire world to give him alms. Therefore, as the servants of God, we have to inform and prepare our people for that brilliant future.

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