



## Is **Khums** only restricted to war booty and do **Shias** neglect **Zakat**?

- by Ayatullah Sayyed Munir al-Khabbaz

In the name of Allah, the Compassionate, the Merciful. Allah (SWT)'s blessings be upon the Prophet Muhammad (saw) and his family.

There is a question that is sometimes posed, namely, why do we see that the Imami Shi'a are more concerned with paying Khums than with paying Zakat even though most of the verses of the Qur'an that attest to the obligatoriness of Prayer also attest to the obligatoriness of Zakat?

Therefore, Zakat is an obligation that is equal to the obligation of Prayer. *So, it is more important and more momentous than Khums.*

But, at the same time, we see that the Imami Shi'a give more importance to the obligation — or duty — of Khums than they do to the momentous obligation of Zakat, which is explicitly mentioned in the Noble Qur'an. Doesn't this mean that the approach of Shi'a runs contrary to the clear statements of the Qur'an?

### **The first part of our answer:**

First, the word "Zakat" in the Qur'an does not refer to the particular obligation we call Zakat.

In fact, the word "Zakat" in the Qur'an means a *wealth tax, meaning that any kind of tax that Allah (SWT) has imposed on a person's wealth is Zakat*. Of course, this includes the specific tax we now call Zakat. And it includes the *Zakat al-Fitra* given on Eid at the end of the month of Ramadan — which is itself called "*the Zakat of the body*." And [Zakat] includes all of the expiations (kaffarat) that Allah (SWT) places upon a person because of their shortcomings. *And this includes Khums.*



So when [the Qur'an] says *“Maintain the Prayer and give the Zakat,”* this means, *“Establish these two acts of worship; worship with action, which is the worship of Prayer, and worship with wealth, which is all of the taxes Allah (SWT) has placed upon you, including the obligation called Zakat, including Khums, and including expiations.”*

[The meaning] is not restricted to [the specific obligation of] Zakat.

That is why the Noble Qur'an quotes Jesus, son of Mary (May the best blessings and peace be upon him and our Prophet and his family): *“And Allah (SWT) has enjoined me to [establish] Prayer and [give] Zakat so long as I live.”*

Now, Zakat in the time of Jesus was not the same as the Zakat made obligatory at the time of the Prophet (saw), instead, what was meant by Zakat in the time of Jesus were religious taxes on wealth.

And there are many verses of the Qur'an with a similar meaning. Namely the Zakat is any kind of wealth tax. This means that the obligation of Khums is included under the heading of “Zakat” in the Noble Qur'an.

### **The second part of our answer:**

The majority of jurists believe that Zakat can only be levelled on nine types of property:

- Four kinds of crop (wheat, barley, dates, and raisins),
- Three kinds of livestock (camels, cows, and sheep) and
- Coins that have been minted from gold and silver.

Most jurists believe that Zakat is taken on these nine types of property.

In other words, Zakat is not obligatory on wealth obtained from the profits a person makes through gainful employment.



Therefore, it is natural, insofar as Khums applies to every form of profit, as is attested by the authentic narration that has come down from Imam al-Kadhimi (a): “*Khums is [obligatory] upon every profit people make, whether great or small.*”

So, insofar as Khums, applies to every form of profit, it is much broader than Zakat. Zakat only applies in specific cases, while Khums applies to every form of profit.

Therefore, it is only natural that Khums is more widespread amongst the Imami Shi’a than Zakat because the majority of the Shi’a faithful do not have crops, livestock, or coins minted from gold and silver! Most of the Shi’a do not own property subject to Zakat, they own property derived from profits. *This is why Khums is more widespread amongst them than Zakat.*

### **The third part of our answer:**

Some scholars believe that it is permissible to deliver the Zakat to those *who claim to be successors (caliphs) of the Prophet (saw) during the era of the pure Imams (a)*, what did the Shi’as used to do?

The Shi’a did not give the Zakat to the Imam (a). During those times, the Imam (a) could not accept the Zakat. So the Shi’a would give the Zakat of their crops and their livestock to the ruler who saw himself as the Prophet (saw)’s successor, such as the Umayyad and Abbasid rulers. The Imams (a) approved of the Shi’a doing this because there was no other choice.

Some jurists deduced from this practice established in the time of the Imams (a) that paying the Zakat to the ruler who saw himself as the successor of the Prophet (saw) was valid and discharged the duty [of paying Zakat].

Therefore, in Saudi Arabia and some other Islamic countries where the ruler is a representative of the Prophet (saw) on the basis of his own school of thought and his own vision, giving Zakat to [such a ruler] is permissible and fulfils the obligation of Zakat according to the legal opinion of many Shi’a scholars.



Which is why you do not see this is the case with Khums. Because Khums is not paid to the ruler, while Zakat clearly is.

### **The fourth part of our answer:**

Let us suppose that Zakat was obligatory even on profits gained through business, as some high-ranking scholars have argued, *including Sayyid Al Sistani—may Allah (SWT) preserve him—*who sees this as obligatory as a matter of precaution (ihtiyat). He believes precaution requires that Zakat be paid on business profits as well.

From the perspective of precaution, Zakat does not only apply to money minted from gold and silver. Of course, Zakat includes that as well.

When you look at business practices, whether in Arabic countries such as *Kuwait and Saudi Arabia or in Iran*, for example, you see that the businessmen who follow those scholars who believe that Zakat even applies to business profits observe the duty of paying Zakat in the same way as they observe the duty of paying Khums, so they observe both duties equally.

**Therefore, there is no basis to the claim that the Shi'a are more concerned with paying Khums than they are with paying Zakat.**

And praise belongs to Allah (SWT), Lord of the Worlds.

