

'Al-Khums and Al-Anfal'

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Abbreviations:

saww: - Sa lal la ho Allay hay Wa Aal lay he Wasallam

azwj: - Az Za Wa Jalla

asws: - Allay hay Salawat Wass Salam

AJFJ: Aja Allah hey wa Fara Jaak

ra: - Razi Allah^{azwj}

La: - Laan Allah^{azwj}

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ الْحَمْدُ لِلَّهِ رَبِّ الْعَالَمِينَ, وَ صَلَّى اللَّهُ عَلَى سَيِّدِنَا مُحَمَّدٍ وَ آلِهِ الطَّاهِرِينَ, وَسَلَّم تَسْلِيمًا.

In the Name of Allah^{azwj} the Beneficent, the Merciful. The Praise is for Allah^{azwj} Lord^{azwj} of the Worlds, and Blessing be upon our Chief Muhammad^{sawww} and his^{sawww} Purified Progeny^{asws}, and greetings with abundant greetings.

اللَّهُمَّ صَلِّ عَلَى مُحَمَّدٍ وَآلِ مُحَمَّدٍ وَعَجِّلْ فَرَجَهُمْ وَالْعَنِ أَعْدَائَهُمْ أَجْمَعِينَ

‘Al-Khums and Al-Anfal’

Summary:

Al-Khums and *Al-Anfal* are proven from the Holy Quran, i.e., Allah^{azwj} Says in Chapter 8, Verse 41:

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

During the lifetime Rasool-Allah^{sawww}, *Al-Anfal* was different from that of war-booty. These properties were either gifted to Rasool-Allah^{sawww} or acquired without fight, and they belonged to Rasool-Allah^{sawww}. Of such properties was ‘Fadak’. Other examples of *Al-Anfal* are properties as the marshes, mines, oceans and the wilderness. They all belong to Rasool-Allah^{sawww}/Imam^{asws} exclusively.

For the present time, *Al-Khums* is more relevant to us, however, without forgetting the usurped rights of Ahl Al-Bayt^{asws}, i.e., Fadak and other properties – we must keep on denouncing all unjust and cruel acts carried out against the Holy Family^{asws} of Rasool-Allah^{sawww}!

Abu Ja’far^{asws} has said: ‘The Verse of *Al-Khums* (8:41) was recited to him^{asws}, so he^{asws} said: ‘Whatever was for Allah^{azwj}, so it is for His^{azwj} Rasool^{sawww}, so it is for us^{asws}. Then he^{asws} said: ‘Allah^{azwj} has Made it easy upon the Momineen that He^{azwj} Provided five Dirhams for them and Made one for their Lord^{azwj}, and they are eating four as Permissible’.

‘From the total, one-fifth (20%) is distributed as: One portion for Allah^{azwj}, one for Messenger^{sawww} of Allah^{azwj}, one for the Imam^{asws}, and then from the three deserving ones from the descendants of the Rasool-Allah^{sawww} (orphans, the needy and those who need money while on a journey).¹ The portion for Allah^{azwj} and the Rasool-Allah^{sawww} belong to the Imam^{asws} after the Messenger^{sawww} of Allah^{azwj} as the portion of inheritance. Thus, Imam^{asws}

¹ ‘I heard Amir Al-Momineen^{asws} saying: ‘By Allah^{azwj}! We (Imams^{asws}) are those Allah^{azwj} Meant by the ‘near of kin’ whom Allah^{azwj} has Paired with Himself^{azwj} and His^{azwj} Prophet^{sawww}, so He^{azwj} Said [59:7] **Whatever Allah has restored to His Rasool from the people of the towns, it is for Allah and for the Rasool, and for the near of kin and the orphans and the needy** from us^{asws} in particular, and He^{azwj} did not Make for us^{asws} a share in the charities. Allah^{azwj} is more Honourable with His^{azwj} Prophet^{sawww} and more Honourable with us^{asws} than that He^{azwj} should Feed us^{asws} the grime what is in the hands of the people’.¹

will have three portions. Two portions as inheritance and one is that which Allah^{azwj} has granted to him^{asws}.

The other half portion is for the descendants of Rasool-Allah^{saww} from the orphans, destitute for those of them who become needy while on a journey. Hence one-fifth of the savings (*Al-Khums*) will be divided into six portions.

And Rasool-Allah^{saww} distributed the charities of the people of the valleys among the people of the valleys, and the charities of the people of the towns among the people of the towns and he^{saww} did not apportion between them with the equal-ness (but it was as per their annual needs).² Thus, there does not remain a poor one from the poor of the people, and there does not remain a poor one from the poor relatives of Rasool-Allah^{saww} but they have been made needless.³

The obligation of the Khums, however, have been waived from the Shias (but not from general Muslims), as per several Ahadith, including a 'Touqi Mubarak'⁴, we present a Hadith here:

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ مُحَمَّدِ بْنِ سِنَانٍ عَنْ صَبَّاحِ الْأَزْرَقِ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ أَحَدِهِمَا (عَلَيْهِمَا السَّلَام) قَالَ
إِنَّ أَشَدَّ مَا فِيهِ النَّاسُ يَوْمَ الْقِيَامَةِ أَنْ يُمْرَ صَاحِبُ الْخُمْسِ فَيَقُولَ يَا رَبِّ خُمُسِي وَ قَدْ طَيَّبْنَا ذَلِكَ لِشِيعَتِنَا لِتَطْيِبِ وَلَا دَنُّهُمْ وَ
لِتَرْكُو وَلَا دَنُّهُمْ .

Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Muhammad Bin Sinan, from Sabbah Al Azraq, from Muhammad Bin Muslim,

(It has been narrated) from one of the two (5th or 6th Imam^{asws}) having said: 'The most difficult (of the circumstances) what the people would be in on the Day of Judgment is when the owner of the Khums would be standing (those who were deprived of their Khums share in the world), so he^{asws} would be saying: 'O Lord^{azwj}! My^{asws} Khums'. And we^{asws} have waived that for our^{asws} Shias in order for their births to be cleaned, and for their births to be purified'.⁵

It must be noted here that the Khums obligation for Shias has been waived so it becomes 'mubah' for them, that is they can still pay it if they want to but there is no compulsion on them. So, how they distribute Khums, certainly not through a centralised system, but to local deserving 'Sadaat', for that purpose one may take the Istikhara⁶ for seeking the wish of Allah^{azwj} as per teachings of Masomeen^{asws}.

² "The Imam has the right before the distribution, to spend from (booties of war), give as gift, grants and other causes. The Messenger^{saww} of Allah^{azwj} had been confronted by some people but Prophet^{saww} did not leave anything for them from Al-Fay'. Prophet^{saww} may have given them a share if he^{saww} would have wanted to."²

³ Al Kafi V 1 – The Book Of Divine Authority CH 130 H 4

⁴ Letter of Imam e Zamana^{ajfi}

⁵ Al Kafi V 1 – The Book Of Divine Authority CH 130 H 20

⁶ On Istikhara, see <http://www.hubeali.com/articles/Seeking-Divine-Guidance-Istikhara.pdf>

Finally, the minimum amount of savings which are kept over a year on which Khums/Zakāt becomes due is **200 dirhams (£240)**, as per **22nd April 2020** (see **Appendix IV**), and an individual should not be given less than **5 dirhams (£6)**. There is no Khums/Zakāt if a person is in debt or does not have savings of **£240** kept over a year (see **Appendix IV**).

Introduction:

Our main topic is ‘Al-Khums’ but we will also briefly review Al-Anfal, with occasional references to Zakāt. Zakāt has been separately presented.

In the lifetime of Prophet Muhammad^{saww}, properties were either acquired as a result of a war or without it and were given to Rasool-Allah^{saww} as a gift or compromise.

وَإِذْ قَالَ رَبُّكَ لِلْمَلَائِكَةِ إِنِّي جَاعِلٌ فِي الْأَرْضِ خَلِيفَةً ۖ قَالُوا أَتَجْعَلُ فِيهَا مَنْ يُفْسِدُ فِيهَا وَيَسْفِكُ الدِّمَاءَ وَنَحْنُ نُسَبِّحُ بِحَمْدِكَ وَنُقَدِّسُ لَكَ ۗ قَالَ إِنِّي أَعْلَمُ مَا لَا تَعْلَمُونَ
{2:30}

And when your Lord said to the Angels: I am going to Make a Caliph in the earth. They said: Are You going to Make in it one who will make mischief therein and shed the blood, and we Glorify with Your Praise and we extol Your Holiness? He said: I Know what you do not know [2:30]

"Allah^{azwj}, said to angles, I will create a vicegerent on earth...., " (2:30). The whole earth was for Adam^{as} and after him^{as} it belonged to Allah^{azwj}'s Prophets. This continued until the time of Prophet Muhammad^{saww} and it belonged to him^{saww} and his twelve successors^{asws}. Whatever their enemies had taken away from them, would come back to them through war or conquest that is called Fay'. It is the property that would come to His wali^{asws} as war booty. The rules for such properties in the Book are:

وَاعْلَمُوا أَنَّمَا غَنِمْتُمْ مِنْ شَيْءٍ فَإِنَّ لِلَّهِ خُمُسَهُ وَلِلرَّسُولِ وَلِذِي الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسَاكِينِ وَابْنِ السَّبِيلِ إِن كُنتُمْ آمَنْتُمْ بِاللَّهِ وَمَا أُنزِلْنَا عَلَىٰ عَبْدِنَا يَوْمَ الْفُرْقَانِ يَوْمَ التَّقَىٰ الْجُمُعَانَ ۗ وَاللَّهُ عَلَىٰ كُلِّ شَيْءٍ قَدِيرٌ {8:41}

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

Such properties belong to Allah^{azwj}, the Messenger and the relatives of the Messenger^{saww}. Such properties are called Al-Fay' (taken back). It is the property taken back from others by force.

Al-Khums and Al-Anfal

Al-Khums literally means one fifth (1/5), unlike other charities, i.e., Zakāt, Sadaka (elms), it is exclusively for the use of Prophet/Imam^{asws} and their^{asws} near relatives (orphans, poor and wayfarer). Issues related to *Al-Khums*, i.e., who can collect it and distribute it have not been thoroughly explained. Unfortunately, more emphasis has been placed on its collection, rather than its benefits to the descendants of Ahl Al Bayt^{asws}. In this article, we shall make an attempt to explain *Al-Khums* and *Al-Anfal* in the light of Masomeen^{asws}'s traditions, which describe the true essence of Divine command of Allah^{azwj}, as per the following Verses (8:39-41):

وَقَاتِلُوهُمْ حَتَّى لَا تَكُونَ فِتْنَةٌ وَيَكُونَ الدِّينُ كُلُّهُ لِلَّهِ ۚ فَإِنِ انْتَهَوْا فَإِنَّ اللَّهَ بِمَا يَعْمَلُونَ بَصِيرٌ
{8:39} وَإِن تَوَلَّوْا فاعَلَمُوا أَنَّ اللَّهَ مَوْلَاكُمْ ۚ نِعَمَ الْمَوْلَىٰ وَنِعَمَ النَّصِيرِ {8:40}

وَاعَلَمُوا أَنَّمَا غَنِمْتُمْ مِنْ شَيْءٍ فَإِنَّ لِلَّهِ خُمُسَهُ وَلِلرَّسُولِ وَلِذِي الْقُرْبَىٰ وَالْيَتَامَىٰ وَالْمَسَاكِينِ وَابْنِ السَّبِيلِ إِن كُنْتُمْ آمَنْتُمْ بِاللَّهِ وَمَا أَنْزَلْنَا عَلَىٰ عَبْدِنَا يَوْمَ الْفُرْقَانِ يَوْمَ التَّقَىٰ الْجُمُعَانِ ۗ وَاللَّهُ عَلَىٰ كُلِّ شَيْءٍ قَدِيرٌ {8:41}

And fight them until Fitna (strife) does not happen and the Religion, all of it happens to be for Allah. So if they desist, then Allah Sees what they are doing [8:39] And if they turn back, then know that Allah is your Guardian; most excellent is the Guardian and most excellent the Helper [8:40]

And know that whatever booty you gain from anything, so a fifth of it is for Allah, and for the Rasool, and for the near of kin, and the orphans, and the needy and the wayfarer, if you believe in Allah and in what We Revealed unto Our servant, on the Day of Distinction, the day on which the two parties met; and Allah is Able upon all things [8:41]

[الصفار القمي] حدثنا أبو محمد، عن عمران بن موسى، عن موسى بن جعفر، عن علي بن اسباط، عن محمد بن الفضيل، عن أبي حمزة الثمالي، عن أبي جعفر (عليه السلام) قال: قرأت عليه آية الخمس، فقال: ما كان لله فهو لرسوله وما كان لرسوله فهو لنا ثم قال: لقد يسر الله على المؤمنين انه رزقهم خمسة دراهم وجعلوا لربهم واحدا وأكلوا أربعة حلالات ثم قال: هذا من حديثنا صعب مستصعب لا يعمل به ولا يصبر عليه إلا ممتحن قلبه للإيمان.

Al Saffar Al Qummy – Abu Muhammad narrated to us, from Imran Bin Musa, from Musa Bin Ja'far, from Ali Bin Asbaat, from Muhammad Bin Al Fazeyl, from Abu Hamza Al Sumaly,

Abu Ja'far^{asws} has said: 'The Verse of *Al-Khums* (8:41) was recited to him^{asws}, so he^{asws} said: 'Whatever was for Allah^{azwj}, so it is for His^{azwj} Rasool^{saww}, so it is for us^{asws}'. Then he^{asws} said: 'Allah^{azwj} has Made it easy upon the Momineen that He^{azwj} Provided five Dirhams for them and Made one for their Lord^{azwj}, and they are eating four as Permissible'. Then he^{asws} said:

‘This is from our^{asws} Ahadeeth which is difficult and becomes more difficult. None will act in accordance with it, nor be patient over it except for the one whose heart has been Tested for the *Eman*’.⁷

Also a Hadith with details on rights of Ahl Al-Bayt^{asws} is given in Appendix I:

Who are the near of kin?

الْحُسَيْنُ بْنُ مُحَمَّدٍ عَنْ مُعَلَّى بْنِ مُحَمَّدٍ عَنْ مُحَمَّدِ بْنِ أُورَمَةَ وَ مُحَمَّدِ بْنِ عَبْدِ اللَّهِ عَنْ عَلِيِّ بْنِ حَسَّانَ عَنْ عَبْدِ الرَّحْمَنِ بْنِ كَثِيرٍ عَنْ أَبِي عَبْدِ اللَّهِ (عَلَيْهِ السَّلَام) فِي قَوْلِ اللَّهِ تَعَالَى وَ اعْلَمُوا أَنَّمَا غَنِمْتُمْ مِنْ شَيْءٍ فَأَنَّ لِلَّهِ خُمُسَهُ وَ لِلرَّسُولِ وَ لِذِي الْقُرْبَى قَالَ أَمِيرُ الْمُؤْمِنِينَ وَ الْأَيْمَّةُ (عَلَيْهِمُ السَّلَام) .

Al Husayn Bin Muhammad, from Moalla Bin Muhammad, from Muhammad Bin Awrama and Muhammad Bin Abdullah, from Ali Bin Hassan, from Abdul Rahman Bin Kaseer,

(It has been narrated) from Abu Abdullah^{asws} regarding the Words of Allah^{azwj} the Exalted: ***And know that whatever booty you gain from anything, so a fifth of it is for Allah, and for the Rasool, and for the near of kin [8:41].*** He^{asws} said: ‘(‘The near of kin means’) Amir Al-Momineen^{asws} and the Imams^{asws},⁸

الْحُسَيْنُ بْنُ مُحَمَّدٍ عَنْ مُعَلَّى بْنِ مُحَمَّدٍ عَنِ الْوَشَّاءِ عَنْ أَبَانَ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ أَبِي جَعْفَرٍ (عَلَيْهِ السَّلَام) فِي قَوْلِ اللَّهِ تَعَالَى وَ اعْلَمُوا أَنَّمَا غَنِمْتُمْ مِنْ شَيْءٍ فَأَنَّ لِلَّهِ خُمُسَهُ وَ لِلرَّسُولِ وَ لِذِي الْقُرْبَى قَالَ هُمْ قَرَابَةُ رَسُولِ اللَّهِ (صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ) وَ الْخُمُسُ لِلَّهِ وَ لِلرَّسُولِ وَ لَنَا .

Al Hassan Bin Muhammad, from Moalla Bin Muhammad, from Al Washha, from Aban, from Muhammad Bin Muslim,

(It has been narrated) from Abu Ja’far^{asws} regarding the Words of Allah^{azwj} the Exalted ***And know that whatever booty you gain from anything, so a fifth of it is for Allah, and for the Rasool, and for the near of kin [8:41].*** He^{asws} said: ‘They are the near of kin of Rasool-Allah^{saww}, and the fifth is for Allah^{azwj} and for His^{azwj} Rasool^{saww} and for us^{asws},⁹

Giving it (Khums/Zakāt) to the rightful ones

بؤسي لما لقيت من هذه الأمة بعد نبينا من الفرقة وطاعة أئمة الضلال والدعاة إلى النار. ولم أعط سهم ذوي القربى منهم إلا لمن أمر الله بإعطائه الذين قال الله: (إن كنتم آمنتم بالله وما أنزلنا على عبدنا يوم الفرقان يوم التقى الجمعان)، فنحن الذين عنى الله

⁷ Tafseer Abu Hamza Al Sumaly - H 116

⁸ Al Kafi V 1 – The Book Of Divine Authority CH 108 H 12

⁹ Al Kafi V 1 – The Book Of Divine Authority CH 130 H 2

بذي القربى واليتامى والمساكين وابن السبيل، كل هؤلاء منا خاصة لأنه لم يجعل لنا في سهم الصدقة نصيبا وأكرم الله نبيه صلى الله عليه وآله وأكرمنا أن يطعمنا أوساخ أيدي الناس.

(Suleym Bin Qays said, 'Amir Al-Momineen^{asws} said): 'I^{asws} am at despair (feeling sad) from what had been met by this community after its Prophet^{saww} from its sects and its obedience to the imams (leaders) of misguidance and the callers to the Fire. And I^{asws} will not give to those near relatives from among them except for the ones whom Allah^{azwj} has Ordered to be given for whom He^{azwj} has Said: **if you believe in Allah and in what We Revealed unto Our servant, on the Day of Distinction, the day on which the two parties met; and Allah is Able upon all things [8:41]**, for we^{asws} are the ones whom Allah^{azwj} has Meant by 'the near relatives and the orphans and the poor and the travellers', all those are for us^{asws} exclusively, because He^{azwj} has not Made for us^{asws} a share in the charity, and Allah^{azwj} has Honoured His^{azwj} Prophet^{saww} and Honoured us^{asws} by not Feeding us^{asws} from the dirt of the hands of the people'.¹⁰

و عنه: عن أحمد بن الحسن بن علي بن فضال، عن أبيه، عن عبد الله بن بكير، عن بعض أصحابه، عن أحدهما (عليهما السلام)، في قول الله تعالى: وَ اعْلَمُوا أَنَّمَا غَنِمْتُمْ مِنْ شَيْءٍ فَإِنَّ لِلَّهِ خُمُسَهُ وَ لِلرَّسُولِ وَ لِذِي الْقُرْبَى وَ الْيَتَامَى وَ الْمَسَاكِينِ وَ ابْنِ السَّبِيلِ.

And from him (Al-Sadouq), from Ahmad Bin Al Hassan Bin Ali Bin Fazaal, from his father, from Abdullah Bin Bakeyr, from one of his companions,

(It has been narrated) from one of them^{asws} (5th or 6th Imam^{asws}), regarding the Words of Allah^{azwj} [8:41] **And know that whatever war booty you gain, a fifth of it is for Allah and for the Rasool and for the near of kin.**

قال: «خمس الله عز و جل للإمام، و خمس الرسول للإمام، و خمس ذي القربى لقرابة الرسول و الإمام، و اليتامى يتامى آل الرسول، و المساكين منهم، و أبناء السبيل منهم، فلا يخرج منهم إلى غيرهم».

He^{asws} said: 'Khums (part) of Allah^{azwj} Mighty and Majestic is for the Imam^{asws}, and Khums of the Rasool^{saww} is for the Imam^{asws}, and Khums of the next of kin of the Rasool^{saww} is for the Imam^{asws}, and the orphans are the orphans of the Progeny^{asws} of Rasool^{saww}, and the poor among them, and the wayfarer from among them. So do not take from them (to give it) to others'.¹¹

أَحْمَدُ عَنْ أَحْمَدَ بْنِ مُحَمَّدِ بْنِ أَبِي نَصْرِ بْنِ الرِّضَا (عليه السلام) قَالَ سُئِلَ عَنْ قَوْلِ اللَّهِ عَزَّ وَ جَلَّ وَ اعْلَمُوا أَنَّمَا غَنِمْتُمْ مِنْ شَيْءٍ فَإِنَّ لِلَّهِ خُمُسَهُ وَ لِلرَّسُولِ وَ لِذِي الْقُرْبَى فَقِيلَ لَهُ فَمَا كَانَ لِلَّهِ فَلَمَنْ هُوَ فَقَالَ لِلرَّسُولِ اللَّهُ (صلى الله عليه وآله) وَ مَا كَانَ لِلرَّسُولِ اللَّهُ فَهُوَ لِلْإِمَامِ

Ahmad, from Ahmad Bin Muhammad Bin Abu Nasr, from Al Reza^{asws}, said,

¹⁰ Kitab Suleym Bin Qays – H 18 (Extract)

¹¹ التهذيب 4: 361 / 125

‘He^{asws} was asked about the Words of Allah^{azwj} Mighty and Majestic **[8:41] And know that whatever war booty you gain, a fifth of it is for Allah and for the Rasool and for the near of kin**, and it was said to him^{asws}, ‘So whatever was for Allah^{azwj}, who was it for?’ So he^{asws} said: ‘For Rasool-Allah^{saww}, and whatever was for Rasool-Allah^{saww}, so it would be for the Imam^{asws}’.

فَقِيلَ لَهُ أَمْ فَرَأَيْتَ إِنْ كَانَ صِنْفٌ مِنَ الْأَصْنَافِ أَكْثَرَ وَ صِنْفٌ أَقَلٌّ مَا يُصْنَعُ بِهِ قَالَ ذَلِكَ إِلَى الْإِمَامِ أَمْ رَأَيْتَ رَسُولَ اللَّهِ (صلى الله عليه وآله) كَيْفَ يُصْنَعُ أَمْ لَيْسَ إِذَا كَانَ يُعْطَى عَلَى مَا يَرَى كَذَلِكَ الْإِمَامُ .

It was said to him^{asws}, ‘What is your^{asws} view if there was more of a category from the categories, and less of a category, what would be done with it?’ He^{asws} said: ‘That is up to the Imam^{asws}. Did you not see how Rasool-Allah^{azwj} dealt (with it)? Wasn’t it so that he^{saww} gave upon what he^{saww} saw (as proper)? Like that is the Imam^{asws}’.¹²

The Legalisation of *Khums* for the Shias

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ مُحَمَّدِ بْنِ سِنَانٍ عَنْ عَبْدِ الصَّمَدِ بْنِ بَشِيرٍ عَنْ حُكَيْمِ مَوْلَى ابْنِ عَيْسَى قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ (عليه السلام) عَنْ قَوْلِ اللَّهِ تَعَالَى وَاعْلَمُوا أَنَّمَا غَنِمْتُمْ مِنْ شَيْءٍ فَإِنَّ لِلَّهِ خُمُسَهُ وَ لِلرَّسُولِ وَ لِذِي الْقُرْبَى فَقَالَ أَبُو عَبْدِ اللَّهِ (عليه السلام) بِمَرْفُوعِهِ عَلَى رُكْبَتَيْهِ ثُمَّ أَشَارَ بِيَدِهِ ثُمَّ قَالَ هِيَ وَ اللَّهُ الْإِفَادَةُ يَوْمًا يَوْمًا إِلَّا أَنَّ أَبِي جَعَلَ شِيعَتَهُ فِي حِلٍّ لِيَزْكُوا .

Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Muhammad Bin Sinan, from Abdul Samad Bin Bashir, from Hukeym Mouwazzin Ibn Isa who said,

‘I asked Abu Abdullah^{asws} about the Words of Allah^{azwj} the Exalted **[8:41] And know that whatever war booty you gain, a fifth of it is for Allah and for the Rasool and for the near of kin**. So Abu Abdullah^{asws} said by his^{asws} elbows upon his^{asws} knees, then gestured by his^{asws} hand, then said: ‘By Allah^{azwj}! It is the profit day by day, except that my^{asws} father^{asws} made our^{asws} Shias to be in an ease (not obliged to pay *Khums*) in order to purify them’.¹³

و عنه: عن علي بن إبراهيم، عن أبيه، عن ابن محبوب، عن ضريس الكناسي، قال: قال أبو عبد الله (عليه السلام): «من أين دخل على الناس الزنا؟» قلت: لا أدري، جعلت فداك. قال: «من قبل خمسنا أهل البيت، إلا شيعتنا الأتبيين، فإنه محلل لهم بميلادهم».

And from him (Al Kulayni), from Ali Bin Ibrahim, from his father, from Ibn Mahboub, from Zareys Al Kunasy who said,

‘Abu Abdullah^{asws} said: ‘From where does adultery enter upon the people?’ I said, ‘I don’t know, may I be sacrificed for you^{asws}’. He^{asws} said: ‘From the direction of our^{asws} *Khums* of

¹² Al Kafi V 1 – The Book Of Divine Authority CH 130 H 7

¹³ Al Kafi V 1 – The Book Of Divine Authority CH 130 H 10

the People^{asws} of the Household (devouring it), except for our^{asws} Shias, for it is Permissible for them in order to cleanse their births'.¹⁴

و عنه: عن محمد بن يحيى، عن أحمد بن محمد، عن محمد بن سنان، عن صباح الأزرق، عن محمد بن مسلم، عن أحدهما (عليهما السلام)، قال: «إن أشد ما فيه الناس يوم القيامة أن يقوم صاحب الخمس فيقول: يا رب، خمسي. و قد طيبنا ذلك لشيعتنا لتطيب ولادتهم، و لتركوا ولادتهم».

And from him (Al Kulayni), from Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Muhammad Bin Sinan, from Sabah Al Azraq, from Muhammad Bin Muslim,

from one of them^{asws} (5th or 6th Imam^{asws}) having said: 'The most difficult state in which the people would be on the Day of Judgement is when the owner of *Al Khums* would stand and say, 'O Lord^{azwj}, my^{asws} *Khums*'. And we have allowed (gifted) it for our^{asws} Shias in order to make goodly their births, and purify their births'.¹⁵

عن فيض بن أبي شيبه، عن رجل، عن أبي عبد الله (عليه السلام)، قال: «إن أشد ما يكون الناس حالا يوم القيامة، إذا قام صاحب الخمس، فقال: يا رب، خمسي، و إن شيعتنا من ذلك لفي حل».

From Fayz Bin Abu Shayba, from a man,

'From Abu Abdullah^{asws} having said: 'The most difficult state what they people can happen to be on the Day of Judgment, when the owner of the *Al Khums* would stand and he would say, 'O Lord^{azwj}! My^{asws} *Khums*'. And our^{asws} Shias from that, are in an exemption'.¹⁶

عَلِيُّ بْنُ مُحَمَّدٍ عَنْ عَلِيِّ بْنِ الْعَبَّاسِ عَنِ الْحَسَنِ بْنِ عَبْدِ الرَّحْمَنِ عَنْ عَاصِمِ بْنِ حُمَيْدٍ عَنْ أَبِي حَمْرَةَ عَنْ أَبِي جَعْفَرٍ (عَلَيْهِ السَّلَام) قَالَ قُلْتُ لَهُ إِنَّ بَعْضَ أَصْحَابِنَا يَغْتَرُونَ وَ يَغْدِفُونَ مَنْ خَالَفَهُمْ فَقَالَ لِي الْكَفُّ عَنْهُمْ أَجْمَلُ ثُمَّ قَالَ وَ اللَّهُ يَا أَبَا حَمْرَةَ إِنَّ النَّاسَ كُلَّهُمْ أَوْلَادُ بَعَايَا مَا خَلَا شِيعَتَنَا قُلْتُ كَيْفَ لِي بِالْمَخْرَجِ مِنْ هَذَا

Ali Bin Muhammad, from Ali Bin Al-Abbas, from Al-Hassan Bin Abdul Rahmaan, from Aasim Bin Humeyd, from Abu Hamza, who has narrated the following:

I asked Abu Ja'far^{asws} that, 'Some of our companions are fabricating (Hadeeth) and throwing them against the ones who oppose them'. So he^{asws} said to me: 'Refraining from them is better'. Then said: 'By Allah^{azwj}, O Abu Hamza! The people, all of them, are the children of adultery except for our^{asws} Shias'. I said, 'How can there be a way out for me, from this?'

فَقَالَ لِي يَا أَبَا حَمْرَةَ كِتَابُ اللَّهِ الْمُنَزَّلُ يَدُلُّ عَلَيْهِ إِنَّ اللَّهَ تَبَارَكَ وَ تَعَالَى جَعَلَ لَنَا أَهْلَ الْبَيْتِ سَهَامًا ثَلَاثَةً فِي جَمِيعِ الْفِيءِ ثُمَّ قَالَ عَزَّ وَ جَلَّ وَ اعْلَمُوا أَنَّمَا عَنِتُّمْ مِنْ شَيْءٍ فَأَنَّ لِلَّهِ حُمُسَهُ وَ لِلرَّسُولِ وَ لِذِي الْقُرْبَى وَ الْيَتَامَى وَ الْمَسَاكِينِ وَ ابْنِ السَّبِيلِ فَنَحْنُ أَصْحَابُ الْخُمْسِ وَ الْفِيءِ وَ قَدْ حَرَّمْنَا عَلَى جَمِيعِ النَّاسِ مَا خَلَا شِيعَتَنَا

¹⁴ الكافي 1: 16 / 459

¹⁵ الكافي 1: 20 / 459

¹⁶ تفسير العياشي 2: 59 / 62

So he^{asws} said to me: ‘The Revealed Book of Allah^{azwj} has Evidences against them. Surely, Allah^{azwj} Made for us^{asws} the People^{asws} of the Household three portions in the whole of the spoils of war (Al-Fey). Then Allah^{azwj} Said: **And know that whatever booty you gain from anything, so a fifth of it is for Allah, and for the Rasool, and for the near of kin, and the orphans, and the needy and the wayfarer [8:41].** So we^{asws} are the owners of Al-Khums (the fifth), and the spoils of war (Al-Fey), and we^{asws} have made it Prohibited unto all the people except for our^{asws} Shias.

وَاللَّهُ يَا أَبَا حَمَزَةَ مَا مِنْ أَرْضٍ تُفْتَحُ وَلَا خُمْسٌ يُخْمَسُ فَيُضْرَبُ عَلَى شَيْءٍ مِنْهُ إِلَّا كَانَ حَرَامًا عَلَى مَنْ يُصِيبُهُ فَرَجًا كَانَ أَوْ مَالًا وَ لَوْ قَدْ ظَهَرَ الْحَقُّ لَقَدْ بَاعَ الرَّجُلُ الْكَرِيمَةَ عَلَيْهِ نَفْسُهُ فِيمَنْ لَا يَزِيدُ حَتَّىٰ إِنَّ الرَّجُلَ مِنْهُمْ لَيَفْتَدِي بِجَمِيعِ مَالِهِ وَ يَطْلُبُ النَّجَاةَ لِنَفْسِهِ فَلَا يَصِلُ إِلَىٰ شَيْءٍ مِنْ ذَلِكَ وَ قَدْ أَخْرَجُونَا وَ شِيعَتَنَا مِنْ حَقِّكَ بِمَا عُدِّ وَ لَا حَقَّ وَ لَا حُجَّةَ

By Allah^{azwj}, O Abu Hamza! There is no land which has been conquered, and no fifth (*Khums*) has been applied on anything from it except that it was unlawful for the one who received it for his genitals or assets. And if the truth (Al-Qaim^{asws}) were to appear the man would be desperate to sell himself cheaply to the extent that the man from among them would be prepare to ransom himself with all of his wealth, and seek the salvation for himself. So he will not achieve anything from that. And they have taken us^{asws} and our^{asws} Shias out from those rights of ours without an excuse, or right, or proof’.¹⁷

Please see the Hadeeth in the appendix II, being a letter from Imam Al Mahdi^{asws} legalizing the Al-Khums for the Shias up to the time of his^{asws} appearance.

The withholders of Al-Khums

قال سليمان: ثم أقبل عليه السلام على العباس وعلى من حوله، ثم قال: ألا تعجبون من حبسه وحبس صاحبه عنا سهم ذي القربى الذي فرضه الله لنا في القرآن؟ وقد علم الله أنهم سيظلموناه وابتزغونه منا، فقال: (إن كنتم آمنتم بالله وما أنزلنا على عبدنا يوم الفرقان يوم التقى الجمعان).

Suleym (Bin Qays) said, ‘Then he^{asws} (Amir Al-Momineen^{asws}) turned towards Al-Abbas and those who were around him, then said: ‘Do you not wonder at the one who withheld it and his companion who withheld it from us, the share for the near relatives which Allah^{azwj} had Obligated for us^{asws} in the Quran? And Allah^{azwj} Knew that they would oppress us by it and seize it from us^{asws}, so He^{azwj} Said: **[8:41] if you believe in Allah and in that which We revealed to Our servant, on the day of distinction, the day on which the two parties met’.**¹⁸

عن ابن سنان، عن أبي عبد الله (عليه السلام)، قال: سمعته يقول في الغنيمة: «يخرج منها الخمس، و يقسم ما بقي فيمن قاتل عليه و ولي ذلك، و أما الفياء و الأنفال فهو خالص لرسول الله (صلى الله عليه و آله)».

¹⁷ Al Kafi – H 14879 (Extract)

¹⁸ Kitab Suleym Bin Qays H 14

From Ibn Sinan,

'From Abu Abdullah^{asws}, he (the narrator) said, 'I heard him^{asws} saying regarding the booty: 'Extract the *Khums* from it and distribute whatever remains among the ones who fought upon it, and the ruler of that. And as for *Al Fey* and the *Anfaal*, so it is in particular for Rasool-Allah^{sawww}.¹⁹

عن سدير، عن أبي جعفر (عليه السلام)، قال: قال: «يا أبا الفضل، لنا حق في كتاب الله في الخمس، فلو محوه فقالوا: ليس من الله، أو لم يعلموا به، لكان سواء.»

From Sudeyr,

'From Abu Ja'far^{asws} having said: 'O Abu Al Fazal! For us^{asws} is a right in the Book of Allah^{azwj} regarding *Al-Khums*. So if they were to delete it and say, 'It isn't from Allah^{azwj}, they don't know of it, it would be the same'.²⁰

¹⁹ تفسير العياشي 2: 61 / 51.

²⁰ تفسير العياشي 2: 62 / 57.

Al-Anfal

However, whatever would come to Wali-Allah^{asws} without the use of force and resources (such as use of war-fares, i.e., horses and solders) is called al-Anfal. These kind of properties belong to Allah^{azwj} and His^{azwj} Messenger^{saww} only and no one else will have any share in it. Others can have shares only in what is acquired through blood shedding and fighting.

Therefore, the case of *Al-Anfal* is different from that of war-booty. It belongs to Allah^{azwj}'s Wali^{asws} only. Of such properties was Fadak that belonged exclusively to the Messenger^{saww} of Allah^{azwj}. Fadak was acquired by Rasool-Allah^{saww} and Amir Al-Momineen^{asws} without anyone else's involvement. Similar to Al-Anfal are also properties as the marshes, mines, oceans and the wilderness. They all belong to Imam^{asws}, exclusively. If people would work in them, with the permission of the Imam^{asws}, four-fifths will belong to them for labour and one fifth would belong to the Imam^{asws}. Such one fifth is like *Al-Khums*. If people would work in such properties without the permission of the Imam^{asws}, as per Islamic Law, the Imam^{asws} will have all of it and no one would have anything in them.

Definition of *Al-Anfal*:

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ حَنْصِ بْنِ الْبَحْرِيِّ عَنْ أَبِي عَبْدِ اللَّهِ (عليه السلام) قَالَ الْأَنْفَالُ مَا لَمْ يُوجِفْ عَلَيْهِ بَحِيلٌ وَلَا رِكَابٌ أَوْ قَوْمٌ صَالِحُوا أَوْ قَوْمٌ أَعْطَوْا بِأَيْدِيهِمْ وَكُلُّ أَرْضٍ خَرِبَةٍ وَبُطُونُ الْأَوْدِيَةِ فَهُوَ لِرَسُولِ اللَّهِ (صلى الله عليه وآله) وَهُوَ لِلْإِمَامِ مِنْ بَعْدِهِ يَضَعُهُ حَيْثُ يَشَاءُ .

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Hafs Bin Al Bakhtary,

(It has been narrated) from Abu Abdullah^{asws} having said: ‘The *Anfal* is what has not been attacked upon by the cavalry horse nor expeditions, or (gained from) a people reconciled (by a peace treaty), or a people who give with their own hands, and every barren land and interior of the valleys, so it would be for Rasool-Allah^{saww}, and it is for the Imam^{asws} from after him^{saww}. He^{asws} would place it wherever he^{asws} so desires to’.²¹

In another tradition, it is written, ‘Besides ‘*Al-Khums*’ for Imam^{asws} there is *Al-Anfal*. Al-Anfal is every kind of abandoned land whose owners are no more and all the lands that are acquired without the use of force and fighting but are achieved through settlement and their owners have given them to the Imam^{asws} without fight. To the Imam^{asws} belongs the mountains, inside of the valleys, marshes and undeveloped lands that has no owners. In addition, belongs to Imam^{asws}, the properties of the kings (defeated) if such properties would not be usurped. The usurped properties are all returned to the owner. The Imam^{asws} is the heir of those who have no heirs. He^{asws} supports those who have no supporters. The Imam^{asws} said, "There is no category of the properties that Allah^{azwj} may not have distributed

²¹ Al Kafi V 1 – The Book Of Divine Authority CH 130 H 3

and has given every rightful person his or her rights of the general of particular nature of the needy and the destitute and all categories of people.’²² (Hadith is given in Appendix III)

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ شُعَيْبٍ عَنْ أَبِي الصَّبَّاحِ قَالَ لِي أَبُو عَبْدِ اللَّهِ (عَلَيْهِ السَّلَامُ) نَحْنُ قَوْمٌ فَرَضَ اللَّهُ طَاعَتَنَا لَنَا الْأَنْفَالُ وَ لَنَا صَفْوُ الْمَالِ .

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Shuayb, from Abu Al Sabbah who said,

‘Abu Abdullah^{asws} said: ‘We^{asws} are a people, Allah^{azwj} has Necessitated obedience to us^{asws}. For us^{asws} is the Anfal and for us^{asws} is the clean wealth’.²³

Property left behind by Someone without inheritor goes to Imam^{asws}:

عِدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنِ الْحُسَيْنِ بْنِ سَعِيدٍ عَنِ الْقَاسِمِ بْنِ مُحَمَّدٍ عَنِ رِفَاعَةَ عَنِ ابْنِ تَعْلَبٍ عَنْ أَبِي عَبْدِ اللَّهِ (عَلَيْهِ السَّلَامُ) فِي الرَّجُلِ يَمُوتُ لَا وَارِثَ لَهُ وَ لَا مَوْلَى قَالَ هُوَ مِنْ أَهْلِ هَذِهِ الْآيَةِ يَسْتَلُونَكَ عَنِ الْأَنْفَالِ .

A number of our companions, from Ahmad Bin Muhammad, from Al Husayn Bin Saeed, from Al Qasim Bin Muhammad, from Rifa’at, from Aban Bin Taghlab,

(It has been narrated) from Abu Abdullah^{asws} regarding the man who is dying and there is no inheritor for him, nor a master. He^{asws} said: ‘He would be from the rightful ones of this Verse ***They are asking you about the spoils of war [8:1]***’.²⁴

²² Al-Kafi, Chapter 130, Tradition no. 4.

²³ Al Kafi V 1 – The Book Of Divine Authority CH 130 H 17

²⁴ Al Kafi V 1 – The Book Of Divine Authority CH 130 H 18

Additional Ahadith on Al-Khums

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ حَمَّادِ بْنِ عَيْسَى عَنْ إِبْرَاهِيمَ بْنِ عُمَرَ الْيَمَانِيِّ عَنْ أَبِي عَبْدِ اللَّهِ عَنْ أَبِي عِيَّاشٍ عَنْ سُلَيْمِ بْنِ قَيْسٍ قَالَ سَمِعْتُ أَمِيرَ الْمُؤْمِنِينَ (عَلَيْهِ السَّلَام) يَقُولُ نَحْنُ وَاللَّهِ الَّذِينَ عَنِ اللَّهِ بِذِي الْقُرْبَى الَّذِينَ قَرَنَهُمُ اللَّهُ بِنَفْسِهِ وَ نَبِيِّهِ (صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ) فَقَالَ مَا أَفَاءَ اللَّهُ عَلَى رَسُولِهِ مِنْ أَهْلِ الثَّرَى فَلِلَّهِ وَ لِلرَّسُولِ وَ لِذِي الْقُرْبَى وَ الْيَتَامَى وَ الْمَسَاكِينِ مِنَّا خَاصَّةً وَ لَمْ يَجْعَلْ لَنَا سَهْمًا فِي الصَّدَقَةِ أَكْرَمَ اللَّهُ نَبِيَّهُ وَ أَكْرَمَنَا أَنْ يُطْعِمَنَا أَوْ سَاحَ مَا فِي أَيْدِي النَّاسِ .

Ali Bin Ibrahim, from his father, from Hammad Bin Isa, from Ibrahim Bin Umar Al Yamani, from Aban Bin Abu Ayyash, from Suley Bin Qays who said,

‘I heard Amir Al-Momineen^{asws} saying: ‘By Allah^{azwj}! We (Imams^{asws}) are those Allah^{azwj} Meant by the ‘near of kin’ whom Allah^{azwj} has Paired with Himself^{azwj} and His^{azwj} Prophet^{saww}, so He^{azwj} Said [59:7] **Whatever Allah has restored to His Rasool from the people of the towns, it is for Allah and for the Rasool, and for the near of kin and the orphans and the needy** from us^{asws} in particular, and He^{azwj} did not Make for us^{asws} a share in the charities. Allah^{azwj} is more Honourable with His^{azwj} Prophet^{saww} and more Honourable with us^{asws} than that He^{azwj} should Feed us^{asws} the grime what is in the hands of the people’.²⁵

الْحُسَيْنُ بْنُ مُحَمَّدٍ عَنْ مُعَلَّى بْنِ مُحَمَّدٍ عَنِ الْوَشَّاءِ عَنْ أَبِي عَبْدِ اللَّهِ عَنْ مُسْلِمِ بْنِ أَبِي جَعْفَرٍ (عَلَيْهِ السَّلَام) فِي قَوْلِ اللَّهِ تَعَالَى وَ اعْلَمُوا أَنَّمَا غَنِمْتُمْ مِنْ شَيْءٍ فَأَنَّ لِلَّهِ خُمُسَهُ وَ لِلرَّسُولِ وَ لِذِي الْقُرْبَى قَالَ هُمْ قَرَابَةُ رَسُولِ اللَّهِ (صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ) وَ الْخُمُسُ لِلَّهِ وَ لِلرَّسُولِ وَ لَنَا .

Al Hassan Bin Muhammad, from Moalla Bin Muhammad, from Al Washha, from Aban, from Muhammad Bin Muslim,

(It has been narrated) from Abu Ja’far^{asws} regarding the Words of Allah^{azwj} the Exalted [8:41] **And know that whatever war booty you gain, a fifth of it is for Allah and for the Rasool and for the near of kin.** He^{asws} said: ‘They are the near of kin of Rasool-Allah^{saww}, and the fifth is for Allah^{azwj} and for His^{azwj} Rasool^{saww} and for us^{asws}’.²⁶

There is no Zakāt on Al-Khums Property:

Imam^{asws} say, in a tradition,

‘There is no Zakāt on Al-Khums property. It is because the shares of the needy from the masses are placed in the properties of the people in eight categories. No one of the needy in the masses is left out. The needy from the relatives of the Messenger of Allah have their

²⁵ Al Kafi V 1 – The Book Of Divine Authority CH 130 H 1

²⁶ Al Kafi V 1 – The Book Of Divine Authority CH 130 H 2

share in the fifty percent of Al-Khums. This suffices them and they do not need the charities of the masses. In this way the system neither leaves needy among the masses nor of the relatives of the Messenger^{saww} of Allah^{azwj} without proper coverage and welfare. Hence, all the basic requirements are met (respectfully). For this reason there is no tax on the properties of the Holy Prophet^{saww} or Wali^{asws} (Leadership with Divine Authority). It is because for all kinds of needs there are resources in the system to facilitate them. There are responsibilities as well as the rights.’²⁷ (see the Hadith in Appendix III).

What is Al-Khums Payable on?

There are several traditions of Masomeen^{asws} on what should be considered under Al-Khums, we present below these traditions:

Ali ibn Ibrahim ibn Hashim has narrated from his father, who from Hammad ibn ‘Isa, who from certain persons of our people, who from the virtuous servant of Allah^{azwj} who has said the following.

"Al-Khums (one fifth) is due on five categories of properties. (1) Cattle; (2) Properties acquired from diving into deep waters; (3) The treasures; (4) The mines; and (5) Salts. On each of these categories Al-Khums is due; one fifth is distributed just as Allah^{azwj} has asked for. The remaining four portions are to be distributed among those who have taken part in the actual fighting or those lending support behind the front. (See the complete Hadith in Appendix III)

عَلِيُّ بْنُ إِبْرَاهِيمَ بْنِ هَاشِمٍ عَنْ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنْ جَمِيلِ بْنِ دَرَّاجٍ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ أَبِي جَعْفَرٍ (عَلَيْهِ السَّلَام) أَنَّهُ سُئِلَ عَنْ مَعَادِنِ الذَّهَبِ وَ الْفِضَّةِ وَ الْحَدِيدِ وَ الرَّصَاصِ وَ الصُّفْرِ فَقَالَ عَلَيْهَا الْخُمْسُ .

Ali Bin Ibrahim Bin Hashim, from his father, from Ibn Abu Umeyr, from Jameel Bin Darraj, from Muhammad Bin Muslim,

(It has been narrated) from Abu Ja’far^{asws} having been asked about the mines of gold, and the silver, and the iron, and the brass, and the zinc. So he^{asws} said: ‘Upon it is the Khums (the fifth)’.²⁸

عَلِيُّ بْنُ إِبْرَاهِيمَ بْنِ أَبِيهِ عَنِ ابْنِ أَبِي عُمَيْرٍ عَنِ الْحُسَيْنِ بْنِ عُثْمَانَ عَنْ سَمَاعَةَ قَالَ سَأَلْتُ أَبَا الْحَسَنِ (عَلَيْهِ السَّلَام) عَنِ الْخُمْسِ فَقَالَ فِي كُلِّ مَا أَفَادَ النَّاسُ مِنْ قَلِيلٍ أَوْ كَثِيرٍ .

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Al Husayn Bin Usman, from Sama’at who said,

‘I asked Abu Al-Hassan^{asws} about the Khums, so he^{asws} said: ‘In everything what the people profit from a little or a lot’.²⁹

²⁷ Al-Kafi, Chapter 130, and extract from Tradition no. 4.

²⁸ Al Kafi V 1 – The Book Of Divine Authority CH 130 H 8

²⁹ Al Kafi V 1 – The Book Of Divine Authority CH 130 H 11

عِدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ بْنِ عِيسَى بْنِ يَزِيدَ قَالَ كَتَبْتُ لَكَ الْفِدَاءَ تُعَلِّمُنِي مَا الْفَائِدَةُ وَ مَا حَدُّهَا رَأَيْتَكَ أَنْبَأَكَ اللَّهُ تَعَالَى أَنْ تَمَنَّ عَلَيَّ بَيِّنَانِ ذَلِكَ لِكَيْلَا أَكُونَ مُقِيمًا عَلَى حَرَامٍ لَا صَلَاةَ لِي وَ لَا صَوْمَ فَكَتَبَ الْفَائِدَةَ مِمَّا يُفِيدُ إِلَيْكَ فِي تِجَارَةٍ مِنْ رِجْحِهَا وَ حَزْرٍ بَعْدَ الْعَرَامِ أَوْ جَائِزَةٍ .

A number of our companions, from Ahmad Bin Muhammad Bin Isa Bin Yazeed who said,

‘I wrote, ‘May I be sacrificed for you^{asws}! Teach me what is a profit and what are its limits in your^{asws} view. May Allah^{azwj} Exalted Keep you^{asws} remaining, if you^{asws} could favour upon me with an explanation of that, perhaps I might be staying upon a Prohibition, there neither being a Salat for me nor a Soam (Accepted)’. So he^{asws} wrote: ‘The profit is what is gained to you during a trade, from its profits and farming, after the (payment of) the taxes or allowances’.³⁰

عِدَّةٌ مِنْ أَصْحَابِنَا عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنِ ابْنِ أَبِي نَصْرِ قَالَ كَتَبْتُ إِلَى أَبِي جَعْفَرٍ (عَلَيْهِ السَّلَام) الْخُمْسُ أُخْرِجُهُ قَبْلَ الْمَثُونَةِ أَوْ بَعْدَ الْمَثُونَةِ فَكَتَبَ بَعْدَ الْمَثُونَةِ .

A number of our companions, from Ahmad Bin Muhammad, from Ibn Abu Nasr who said,

‘I wrote to Abu Ja’far^{asws}, ‘The Khums, shall I extract it before the provisions or after the provisions?’ So he^{asws} wrote: ‘After the provisions’.³¹

أَحْمَدُ بْنُ مُحَمَّدٍ عَنِ عَلِيِّ بْنِ الْحَكَمِ عَنِ عَلِيِّ بْنِ أَبِي حَمَزَةَ عَنْ أَبِي بَصِيرٍ عَنْ أَبِي جَعْفَرٍ (عَلَيْهِ السَّلَام) قَالَ كُلُّ شَيْءٍ قُوتَلِ عَلَيْهِ عَلَى شَهَادَةِ أَنْ لَا إِلَهَ إِلَّا اللَّهُ وَ أَنَّ مُحَمَّدًا رَسُولُ اللَّهِ فَإِنَّ لَنَا خُمْسَهُ وَ لَا يَجِلُّ لِأَحَدٍ أَنْ يَشْتَرِيَ مِنَ الْخُمْسِ شَيْئًا حَتَّى يَصِلَ إِلَيْنَا حَقَّنَا .

Ahmad Bin Muhammad, from Ali Bin Al Hakam, from Ali Bin Abu Hamza, from Abu Baseer,

(It has been narrated) from Abu Ja’far^{asws} having said: ‘Everything fought over upon the testimony that there is no god except for Allah^{azwj} and that Muhammad^{saww} is Rasool-Allah^{saww}, so it’s fifth would be for us^{asws}, and it is not Permissible for anyone that he buys anything from the fifth (Khums) until he sends across our^{asws} rights to us^{asws}}.³²

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنْ ابْنِ أَبِي عُمَيْرٍ عَنْ حَمَّادٍ عَنِ الْحَلْبِيِّ عَنْ أَبِي عَبْدِ اللَّهِ (عَلَيْهِ السَّلَام) عَنِ الْكَنْزِ كَمْ فِيهِ قَالَ الْخُمْسُ وَ عَنِ الْمَعَادِنِ كَمْ فِيهَا قَالَ الْخُمْسُ وَ كَذَلِكَ الرِّصَاصُ وَ الصُّفْرُ وَ الْحَدِيدُ وَ كُلُّ مَا كَانَ مِنَ الْمَعَادِنِ يُؤْخَذُ مِنْهَا مَا يُؤْخَذُ مِنَ الذَّهَبِ وَ الْفِضَّةِ .

Ali Bin Ibrahim, from his father, from Ibn Abu Umeyr, from Hammad, from Al Halby,

(It has been narrated) from Abu Abdullah^{asws} about the treasure, ‘How much (is due) regarding it?’ He^{asws} said: ‘The one-fifth’. And (I asked) about the mines, ‘How much (is due)

³⁰ Al Kafi V 1 – The Book Of Divine Authority CH 130 H 12

³¹ Al Kafi V 1 – The Book Of Divine Authority CH 130 H 13

³² Al Kafi V 1 – The Book Of Divine Authority CH 130 H 14

regarding it?’ He^{asws} said: ‘The one-fifth; and similar to that are the lead, and the zinc, and the iron, and everything what was in the mine there would be taken from it what would be taken from the gold and the silver’.³³

مُحَمَّدُ بْنُ يَحْيَى عَنْ مُحَمَّدِ بْنِ الْحُسَيْنِ عَنْ أَحْمَدَ بْنِ مُحَمَّدِ بْنِ أَبِي نَصْرِ عَنْ مُحَمَّدِ بْنِ عَلِيٍّ عَنْ أَبِي الْحَسَنِ (عليه السلام) قَالَ سَأَلْتُهُ عَمَّا يُخْرَجُ مِنَ الْبَحْرِ مِنَ اللُّؤْلُؤِ وَ الْيَاقُوتِ وَ الزَّبَرْجَدِ وَ عَنْ مَعَادِنِ الذَّهَبِ وَ الْفِضَّةِ مَا فِيهِ قَالَ إِذَا بَلَغَ ثَمَنُهُ دِينَارًا فَفِيهِ الْخُمْسُ .

Muhammad Bin Yahya, from Muhammad Bin Al Husayn, from Ahmad Bin Muhammad Bin Abu Nasr, from Muhammad Bin Ali,

(It has been narrated) from Abu Al-Hassan^{asws}, said, ‘I asked about what comes out from the sea, from the pearls and the sapphire and the aquamarine, and from the mines, the gold and the silver, what (is due) regarding it?’ He^{asws} said: ‘When its prices reach a Dinar, so regarding it is the Khums (fifth)’.³⁴

عَلِيٌّ عَنْ أَبِيهِ عَنْ ابْنِ أَبِي عُمَيْرٍ عَنْ حَمَّادِ بْنِ الْحَلْبِيِّ قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ (عليه السلام) عَنِ الْعَنْبَرِ وَ عَوَاصِ اللُّؤْلُؤِ فَقَالَ (عليه السلام) عَلَيْهِ الْخُمْسُ .

Ali, from his father, from Ibn Abu Umeyr, from Hammad, from Al Halby who said,

‘I asked Abu Abdullah^{asws} about the ambergris (corral) and diving for pearls, so he^{asws} said: ‘Upon it is the Khums (fifth)’.³⁵

How to Calculate *Al-Khums*:

سَهْلٌ عَنْ إِبْرَاهِيمَ بْنِ مُحَمَّدِ بْنِ الْمُطَّلِبِ قَالَ كَتَبْتُ إِلَى أَبِي الْحَسَنِ (عليه السلام) أَقْرَأْنِي عَلِيٌّ بْنُ مَهْرَبَارٍ كِتَابَ أَبِيكَ (عليه السلام) فِيمَا أَوْجَبَهُ عَلَى أَصْحَابِ الضِّيَاعِ نِصْفُ السُّدُسِ بَعْدَ الْمُتُونَةِ وَ أَنَّهُ لَيْسَ عَلَى مَنْ لَمْ تَكُنْ ضَيْعَتُهُ بِمُتُونَتِهِ نِصْفُ السُّدُسِ وَ لَا غَيْرُ ذَلِكَ فَاخْتَلَفَ مَنْ قَبْلَنَا فِي ذَلِكَ فَقَالُوا يَجِبُ عَلَى الضِّيَاعِ الْخُمْسُ بَعْدَ الْمُتُونَةِ مُتُونَةَ الضَّيْعَةِ وَ خَرَجَهَا لَا مُتُونَةَ الرَّجُلِ وَ عِيَالِهِ فَكَتَبَ (عليه السلام) بَعْدَ مُتُونَتِهِ وَ مُتُونَةَ عِيَالِهِ وَ بَعْدَ خَرَجِ السُّلْطَانِ .

Sahl, from Ibrahim Bin Muhammad Al Hamdany who said,

‘I wrote to Abu Al-Hassan^{asws}, ‘Ali Bin Mahziyar read out a letter of your^{asws} father^{asws} to me regarding what is Obligated upon the owner of the estate as being half of the sixth, and that there isn’t upon the one who oversees his estate with his expenses, neither half of the sixth nor other than that. So the ones before us differed in regards to that and they said, ‘The Khums is Obligated upon the estate after the expenditure, the expenses of the estate and its yield, not the expenses of the man and his dependants’. So he^{asws} wrote to him, ‘After its

³³ Al Kafi V 1 – The Book Of Divine Authority CH 130 H 19

³⁴ Al Kafi V 1 – The Book Of Divine Authority CH 130 H 21

³⁵ Al Kafi V 1 – The Book Of Divine Authority CH 130 H 28

expenditure and his expenditure and of his dependants, and after the taxation of the ruling authorities’.³⁶

Al-Khums is not Payable on Money Dedicated for Hajj or on the Recipient of Al-Khums:

مُحَمَّدُ بْنُ الْحُسَيْنِ وَ عَلِيُّ بْنُ مُحَمَّدٍ عَنْ سَهْلِ بْنِ زِيَادٍ عَنْ عَلِيِّ بْنِ مَهْزِيَارٍ قَالَ كَتَبْتُ إِلَيْهِ يَا سَيِّدِي رَجُلٌ دَفَعَ إِلَيْهِ مَالٌ يُحُجُّ بِهِ هَلْ عَلَيْهِ فِي ذَلِكَ الْمَالِ حِينَ يَصِيرُ إِلَيْهِ الْخُمْسُ أَوْ عَلَى مَا فَضَلَ فِي يَدِهِ بَعْدَ الْحُجِّ فَكَتَبَ (عليه السلام) لَيْسَ عَلَيْهِ الْخُمْسُ .

Muhammad Bin Al Husayn, and Ali Bin Muhammad, from Sahl Bin Ziyad, from Ali Bin Mahziyar who said,

‘I wrote to him^{asws}, ‘O my Master^{asws}! A man is handed over some wealth to a man to perform Hajj with. Would there be the Khums (fifth) upon him in that wealth when it comes to him, or would it be upon what is excess after the performance of the Hajj?’ So he^{asws} wrote: ‘There isn’t the Khums upon it’.³⁷

سَهْلُ بْنُ زِيَادٍ عَنْ مُحَمَّدِ بْنِ عَيْسَى عَنْ عَلِيِّ بْنِ الْحُسَيْنِ بْنِ عَبْدِ رَبِّهِ قَالَ قَالَ سَرَّحَ الرَّضَا (عليه السلام) بِصَلَّةٍ إِلَى أَبِي فَكَتَبَ إِلَيْهِ أَبِي هَلْ عَلَىَّ فِيمَا سَرَّحْتَ إِلَيَّ خُمْسٌ فَكَتَبَ إِلَيْهِ لَا خُمْسَ عَلَيْكَ فِيمَا سَرَّحَ بِهِ صَاحِبُ الْخُمْسِ .

Sahl Bin Ziyad, from Muhammad Bin Isa, from Ali Bin Al Husayn Bin Abdul Rabbih who said,

‘Al-Reza^{asws} sent a monetary gift to my father, so my father wrote to him^{asws}, ‘Is there any Khums (payable) regarding what you^{asws} sent to me?’ He^{asws} wrote to him: ‘There is no Khums upon you regarding what owner of the Khums sends to you’.³⁸

The Rights of Wasi^{asws} to Take the Best Portion from Al-Khums

The properties of the best quality of such properties should go to Imam^{asws}, as his^{asws} portion, including the female slave, the best horse, the best cloths and other items that are liked and desired for. Such items go to him^{asws} before the distribution and before the subtraction of Al-Khums.³⁹ (See complete Hadith Appendix III)

Imam^{asws} will pay for and maintain properties (from Khums), the causes where he^{asws} would need to pay such as grants to people who are inclined to the system of faith. If anything would be left extra then Al-Khums is taken out there from and is distributed to the causes

³⁶ Al Kafi V 1 – The Book Of Divine Authority CH 130 H 24

³⁷ Al Kafi V 1 – The Book Of Divine Authority CH 130 H 22

³⁸ Al Kafi V 1 – The Book Of Divine Authority CH 130 H 23

³⁹ Al-Kafi, Chapter 130, and extract from Tradition no. 4.

for which it is. If anything is left extra then it is to be given to the Wali^{asws} (Leadership with Divine Authority). If nothing is left after the expenses then there is nothing for the Wali^{asws}. Nothing from the land goes to the fighters. So also is the properties that are acquire by overwhelming except for what the army has physically captured.

The Bedouins have no share in the distribution even if they would take part in fighting with the Wali^{asws} (Leadership with Divine Authority). It is because the Messenger^{saww} of Allah^{azwj} reached a settlement with them. It is written in the document, "They will not be exiled and that if the Messenger^{saww} of Allah^{azwj} will be attacked by his enemies they will come to help to fight the enemy but will have no share in the properties of the enemies confiscated." This practice has been continuous ever since about them and others.

The lands that were captured by the forces of the army will remain in the public domain. The developers may keep them and reach a settlement with the Wali^{asws} who would use his discretion in the matter. And may find a fair and proportionate agreement on the basis of proper protection of all parties' rights and interests. The apportionment may take shape in the form of a third, two thirds (or as agreed). The tax on whatever is harvested will be ten percent if the plantation is irrigated by rain. It is five percent if irrigation is from mechanical means. Wali^{asws} collects this tax and spends on the causes that Allah^{azwj} has described which are eight categories. 1) The needy, 2) the destitute, 3) the employees of the taxation office, 4) the people who sympathise with the faith, 5) to set free the slaves, 6) to help the bankrupt, 7) for the cause of Allah and 8) to help those who become needy on a journey.⁴⁰ (see the complete Hadith Appendix III).

How are the Six Portions of *Al-Khums* divided?

The distribution of *Al-Khums* is explained in the following tradition from Masoom Imam^{asws}:

'The one-fifth is distributed as: One portion for Allah^{azwj}, one for Messenger^{saww} of Allah^{azwj}, one for Prophet^{saww}'s relatives, (the rest) is further divided as one for the orphans, one for the destitute and one portion for those who become needy during a journey. Thus, the portion for Allah^{azwj} and the Messenger^{saww} of Allah^{azwj} belong to Leadership with Divine Authority after the Messenger of Allah as the portion of inheritance. Thus, the wali^{asws} (Leadership with Divine Authority) will have three portions. Two portions as inheritance and one is that which Allah^{azwj} has granted to him.

Fifty percent of *Al-Khums* belongs to Wali^{asws}, the Imam^{asws} (Leader with Divine Authority). The other fifty percent of *Al-Khums* belongs to his^{asws} family members (orphans, poor and wayfarer). One portion is for the orphans thereof, one portion for the destitute thereof, one portion for those of them who become needy while on a journey. It is distributed among them according to the rules in the book and the Sunnah. The limit on it is an amount that would suffice their expenses for a whole year. If anything is left extra it will go to the Wali^{asws}, (Leadership with Divine Authority). In the case of deficit, the Wali^{asws} (Leadership

⁴⁰ Al-Kafi, Chapter 130, and extract from Tradition no. 4.

with Divine Authority) is responsible to provide and pay the deficit and as much as it would fulfil their needs. *Walli*^{asws} is responsible to pay the deficit because the extra is given to him. Allah^{azwj} has given this one fifth exclusively to them and not the destitute from the masses and those of them who become needy on a journey as a replacement for the charities which may be given to other people. It is a sign of honour for them (Ahl Al Bayt^{asws}) because of their being the relatives of the Messenger of Allah and an honour from Allah^{azwj} to keep them secure from the filth off the hands of people. Thus, (Khums) is for them only as sustenance and save them from humiliation and destitution. They may receive other forms of charities from each other.⁴¹ (see the complete Hadith Appendix III).

Who are Eligible for Al-Khums?

The eligible for 'Al-Khums' are the relatives of the Holy Prophet^{saww} whom Allah^{azwj} has mentioned in His words. **"Warn your close relatives."** (26:214) They are the sons of 'Abd al-Muttalib^{asws} themselves, the males and the females. No one, belonging to the families of Quraysh or the Arabs (has the privilege) to be considered among them. Among them or from them also is none of their slave, to have a portion in Al-Khums. The charities of the masses of people have been made lawful for their^{asws} slaves to consume. Their slaves and the masses of people are of the same status. Such charities are, lawful to the family of that whose mother is from the family of Hashim and his father comes from the masses of people. Such person is not entitled to receive from Al-Khums because Allah^{azwj}, the Most High has said, **"Call them sons of their own fathers."** (33:5).⁴² (see the complete Hadith Appendix III).

Only Masomeen^{asws} can Collect and Distribute Al-Khums:

عَلِيٌّ عَنْ أَبِيهِ عَنْ ابْنِ أَبِي عُمَيْرٍ عَنْ جَمِيلٍ عَنْ زُرَّارَةَ قَالَ قَالَ الْإِمَامُ يُجْرِي وَ يُنْفَلُ وَ يُعْطِي مَا شَاءَ قَبْلَ أَنْ تَقَعَ السَّهْمُ وَ قَدْ قَاتَلَ رَسُولُ اللَّهِ (صلى الله عليه وآله) لَمْ يَجْعَلْ لَهُمْ فِي الْفَيْءِ نَصِيْبًا وَ إِنْ شَاءَ فَسَمَ ذَلِكَ بَيْنَهُمْ .

Ali, from his father, from Ibn Abu Umeyr, from Jameel, from Zurara who said,

"The Imam has the right before the distribution, to spend from (booties of war), give as gift, grants and other causes. The Messenger^{saww} of Allah^{azwj} had been confronted by some people but Prophet^{saww} did not leave anything for them from Al-Fay'. Prophet^{saww} may have given them a share if he^{saww} would have wanted to."⁴³

The Imam^{asws} said, "If people are fairly treated then they would not require any external help and become self-sufficient." The Imam^{asws} then said, "Justice is sweeter than the honey.

⁴¹ Al-Kafi, Chapter 130, Extract from Tradition no. 4.

⁴² Al-Kafi, Chapter 130, Extract from Tradition no. 4.

⁴³ Al-Kafi, Chapter 130, Tradition no. 9.

No one practices it properly except only those who were created to establish justice (The Divine Authority)." The Imam^{asws} continued, "The Messenger^{saww} of Allah^{azwj} would distribute the charities of the rural areas in the rural areas and the charities of the towns to the people of the towns. He^{saww} would not divide every amount of charity received into eight portions. He^{saww} would divide it proportionate to the categories of the causes present before him^{saww} and to the degree that for each cause that would suffice it for one year. There was no limit of time or a certain date or the combination of the both. He^{saww} would base it on what was available and who was present and how much of need of each category could have been fulfilled. He^{saww} would offer the remaining to other people.⁴⁴ (see the complete Hadith Appendix III).

أَحْمَدُ عَنْ أَحْمَدَ بْنِ مُحَمَّدَ بْنِ أَبِي نَصْرِ عَنِ الرَّضَا (عَلَيْهِ السَّلَام) قَالَ سُئِلَ عَنْ قَوْلِ اللَّهِ عَزَّ وَ جَلَّ وَ اعْلَمُوا أَنَّمَا غَنِمْتُمْ مِنْ شَيْءٍ فَأَنَّ لِلَّهِ خُمُسَهُ وَ لِلرَّسُولِ وَ لِذِي الْقُرْبَى فَقِيلَ لَهُ فَمَا كَانَ لِلَّهِ فَلِمَنْ هُوَ فَقَالَ لِلرَّسُولِ اللَّهِ (صلى الله عليه وآله) وَ مَا كَانَ لِلرَّسُولِ
اللَّهُ فَهُوَ لِلْإِمَامِ

Ahmad, from Ahmad Bin Muhammad Bin Abu Nasr, from Al Reza^{asws}, said,

‘He^{asws} was asked about the Words of Allah^{azwj} Mighty and Majestic [8:41] **And know that whatever war booty you gain, a fifth of it is for Allah and for the Rasool and for the near of kin**, and it was said to him^{asws}, ‘So whatever was for Allah^{azwj}, who was it for?’ So he^{asws} said: ‘For Rasool-Allah^{saww}, and whatever was for Rasool-Allah^{saww}, so it would be for the Imam^{asws}’.

فَقِيلَ لَهُ أَ فَرَأَيْتَ إِنْ كَانَ صِنْفٌ مِنَ الْأَصْنَافِ أَكْثَرَ وَ صِنْفٌ أَقَلَّ مَا يُصْنَعُ بِهِ قَالَ ذَلِكَ إِلَى الْإِمَامِ أَرَأَيْتَ رَسُولَ اللَّهِ (صلى الله عليه وآله) كَيْفَ يُصْنَعُ أَلَيْسَ إِمَّا كَانَ يُعْطَى عَلَى مَا يَرَى كَذَلِكَ الْإِمَامُ .

It was said to him^{asws}, ‘What is your^{asws} view if there was more of a category from the categories, and less of a category, what would be done with it?’ He^{asws} said: ‘That is up to the Imam^{asws}. Did you not see how Rasool-Allah^{azwj} dealt (with it)? Wasn’t it so that he^{saww} gave upon what he^{saww} saw (as proper)? Like that is the Imam^{asws}’.⁴⁵

Al-Khums is Waived only for Shias and those who believe in Wilayah:

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ مُحَمَّدِ بْنِ سِنَانٍ عَنْ عَبْدِ الصَّمَدِ بْنِ بَشِيرٍ عَنْ حُكَيْمِ بْنِ مُوَدَّانِ بْنِ عَيْسَى قَالَ سَأَلْتُ أَبَا عَبْدِ اللَّهِ (عَلَيْهِ السَّلَام) عَنْ قَوْلِ اللَّهِ تَعَالَى وَ اعْلَمُوا أَنَّمَا غَنِمْتُمْ مِنْ شَيْءٍ فَأَنَّ لِلَّهِ خُمُسَهُ وَ لِلرَّسُولِ وَ لِذِي الْقُرْبَى فَقَالَ أَبُو عَبْدِ اللَّهِ (عَلَيْهِ السَّلَام) بِمَرْفُوعِهِ عَلَى رُكْبَتَيْهِ ثُمَّ أَشَارَ بِيَدِهِ ثُمَّ قَالَ هِيَ وَ اللَّهُ الْإِفَادَةُ يَوْمًا يَبْعَثُ إِلَّا أَنْ أَبِي جَعَلَ شِيعَتَهُ فِي حِلِّ لِيَرْكُوا .

⁴⁴ Al-Kafi, Chapter 130, An extract from Tradition no. 4.

⁴⁵ Al Kafi V 1 – The Book Of Divine Authority CH 130 H 7

Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Muhammad Bin Sinan, from Abdul Samad Bin Bashir, from Hukeym Mouwazzin Ibn Isa who said,

‘I asked Abu Abdullah^{asws} about the Words of Allah^{azwj} the Exalted [8:41] **And know that whatever war booty you gain, a fifth of it is for Allah and for the Rasool and for the near of kin.** So Abu Abdullah^{asws} said by his^{asws} elbows upon his^{asws} knees, then gestured by his^{asws} hand, then said: ‘By Allah^{azwj}! It is the profit day by day, except that my^{asws} father^{asws} made our^{asws} Shias to be in an ease (not obliged to pay Khums) in order to purify them’.⁴⁶

أَحْمَدُ بْنُ مُحَمَّدٍ عَنْ مُحَمَّدِ بْنِ سِنَانَ عَنْ يُونُسَ بْنِ يَعْقُوبَ عَنْ عَبْدِ الْعَزِيزِ بْنِ نَافِعٍ قَالَ طَلَبْنَا الْإِذْنَ عَلَى أَبِي عَبْدِ اللَّهِ (عَلَيْهِ السَّلَام) وَ أَرْسَلْنَا إِلَيْهِ فَأَرْسَلَ إِلَيْنَا اذْخُلُوا ائْتِنَا ائْتِنَا فَدَخَلْتُ أَنَا وَ رَجُلٌ مَعِيَ فَعُلْتُ لِلرَّجُلِ أَحَبُّ أَنْ تَسْتَأْذِنَ بِالسَّأَلَةِ فَقَالَ نَعَمْ

Ahmad Bin Muhammad, from Muhammad Bin Sinan, from Yunus Bin Yaqoub, from Abdul Aziz Bin Nafiu who said,

‘We sought the permission to see Abu Abdullah^{asws} and sent a message to him^{asws}. So he^{asws} sent a message to us: ‘Come over, two by two’. So I went over and there was a man with me, and I said to the man, ‘I would love it if you would ask permission for the questions’. He said, ‘Yes’.

فَقَالَ لَهُ جُعِلْتُ فِدَاكَ إِنَّ أَبِي كَانَ مِمَّنْ سَبَاهُ بَنُو أُمَيَّةَ قَدْ عَلِمْتُ أَنَّ بَنِي أُمَيَّةَ لَمْ يَكُنْ هُمْ أَنْ يُحْرَمُوا وَ لَا يُجَلَّلُوا وَ لَمْ يَكُنْ هُمْ مِمَّا فِي أَيْدِيهِمْ قَلِيلٌ وَ لَا كَثِيرٌ وَ إِنَّمَا ذَلِكَ لَكُمْ فَإِذَا دَكَرْتُ رَدَّ الَّذِي كُنْتُ فِيهِ دَخَلَنِي مِنْ ذَلِكَ مَا يَكَادُ يُفْسِدُ عَلَيَّ عَقْلِي مَا أَنَا فِيهِ

So he said to him^{asws}, ‘May I be sacrificed for you^{asws}! My father was from the ones who was a captive of the Clan of Umayya, and I have known that the Clan of Umayya did not have (the right) for them that they should be prohibiting nor that they should be permitting, and they did not have for them, from whatever was in their hands, be it little or more, and rather (all) that was for you (Imam^{asws}). So whenever I remember the return of that which I was in, there enters into me due to that what almost spoils my intellect upon me, what I am in (at the moment)’.

فَقَالَ لَهُ أَنْتَ فِي حِلٍّ مِمَّا كَانَ مِنْ ذَلِكَ وَ كُلُّ مَنْ كَانَ فِي مِثْلِ خَالِكَ مِنْ وَرَائِي فَهُوَ فِي حِلٍّ مِنْ ذَلِكَ

So he^{asws} said to him: ‘You are in an ease (without obligation) from whatever was from that, and everyone who was in a state similar to yours from after me^{asws}, so he (also) would be in an ease from that’.

قَالَ فَقُمْنَا وَ خَرَجْنَا فَسَبَقْنَا مُعْتَبٌ إِلَى النَّعْرِ الْمُعْوَدِ الَّذِينَ يَنْتَظِرُونَ إِذْنَ أَبِي عَبْدِ اللَّهِ (عَلَيْهِ السَّلَام) فَقَالَ هُمْ قَدْ ظَفِرَ عَبْدُ الْعَزِيزِ بْنُ نَافِعٍ بِشَيْءٍ مَا ظَفِرَ بِمِثْلِهِ أَحَدٌ قَطُّ قَدْ قِيلَ لَهُ وَ مَا ذَلِكَ فَفَسَّرَهُ هُمْ

He (the narrator) said, ‘So we arose and went out and we preceded Mo’tab (the servant) to the number (of people) who were sitting awaiting the permission to see Abu Abdullah^{asws}’.

⁴⁶ Al Kafi V 1 – The Book Of Divine Authority CH 130 H 10

So he (Mo’tab) said to him, ‘Abdul Aziz Bin Nafiu has succeeded with something what no one has succeeded at all’. (They) said to him, ‘And what is that?’ So he explained it to them’.

فَقَامَ اثْنَانِ فَدَخَلَا عَلَى أَبِي عَبْدِ اللَّهِ (عَلَيْهِ السَّلَامُ) فَقَالَ أَحَدُهُمَا جُعِلْتُ فِدَاكَ إِنَّ أَبِي كَانَ مِنْ سَبَائِكَ بَنِي أُمَيَّةَ وَ قَدْ عَلِمْتُ أَنَّ بَنِي أُمَيَّةَ لَمْ يَكُنْ لَهُمْ مِنْ ذَلِكَ قَلِيلٌ وَ لَا كَثِيرٌ وَ أَنَا أَحِبُّ أَنْ تَجْعَلَنِي مِنْ ذَلِكَ فِي حَالٍ فَقَالَ وَ ذَلِكَ إِنِّي مَا ذَاكَ إِنِّي مَا لَنَا أَنْ نُحِلَّ وَ لَا أَنْ نُحَرِّمَ

So two (persons) stood up and went over to Abu Abdullah^{asws}, and one of the two said, ‘May I be sacrificed for you^{asws}! My father was from the captives of the Clan of Umayya, and I have known that the Clan of Umayya did not happen to have (the right) for them from that, neither little nor more, and I would love it if you^{asws} could make for me an ease from that’. So he^{asws} said: ‘And is that up to us^{asws}? That is not for us^{asws} that we^{asws} Permit nor that we^{asws} Prohibit!’

فَخَرَجَ الرَّجُلَانِ وَ غَضِبَ أَبُو عَبْدِ اللَّهِ (عَلَيْهِ السَّلَامُ) فَلَمْ يَدْخُلْ عَلَيْهِ أَحَدٌ فِي تِلْكَ اللَّيْلَةِ إِلَّا بَدَأَهُ أَبُو عَبْدِ اللَّهِ (عَلَيْهِ السَّلَامُ) فَقَالَ أَلَا تَعْجَبُونَ مِنْ فُلَانٍ يَجِيئُنِي فَيَسْتَحِلُّنِي بِمَا صَنَعَتْ بَنُو أُمَيَّةَ كَأَنَّهُ يَرَى أَنَّ ذَلِكَ لَنَا وَ لَمْ يَنْتَفِعْ أَحَدٌ فِي تِلْكَ اللَّيْلَةِ بِقَلِيلٍ وَ لَا كَثِيرٍ إِلَّا الْأَوْلَيْنِ فَإِنَّهُمَا غَنِيَا بِحَاجَتِهِمَا .

So the two men exited and Abu Abdullah^{asws} was angered. So, not one went over to him^{asws} during that night except Abu Abdullah^{asws} initiated him saying: ‘Are you not wondering from so and so? He comes to me^{asws} for me to legalise from what the Clan of Umayya have done. It is as if he sees that, that is for us^{asws} (to do)’. And no one benefitted during that night, neither by a little nor by more except for the two first ones, for they both became needless of their needs’.⁴⁷

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ عَنِ ابْنِ مَجْبُوبٍ عَنْ ضُرَيْسِ الْكُنَاسِيِّ قَالَ قَالَ أَبُو عَبْدِ اللَّهِ (عَلَيْهِ السَّلَامُ) مِنْ أَيِّنَ دَخَلَ عَلَى النَّاسِ الرَّزَا قُلْتُ لَا أَدْرِي جُعِلْتُ فِدَاكَ قَالَ مِنْ قَبْلِ خُمْسِنَا أَهْلَ الْبَيْتِ إِلَّا شِيعَتَنَا الْأَطْيَبِينَ فَإِنَّهُ مُحَلَّلٌ لَهُمْ لِمِيلَادِهِمْ .

Ali Bin Ibrahim, from his father, from Ibn Mahboub, from Zureys Al Kunasy who said,

"Abu ‘Abdullah^{asws} said, "Why do people get the course of adultery?" I said, "I do not know, May Allah take my soul in service for your cause." Imam^{asws} replied, "It is because of not paying our Al-Khums (one fifth religious dues) except our pure Shi’a. It helps (its waiver for them) them to keep their births legitimate."⁴⁸

مُحَمَّدُ بْنُ يَحْيَى عَنْ أَحْمَدَ بْنِ مُحَمَّدٍ عَنْ مُحَمَّدِ بْنِ سِنَانٍ عَنْ صَبَّاحِ الْأَزْرَقِيِّ عَنْ مُحَمَّدِ بْنِ مُسْلِمٍ عَنْ أَحَدِهِمَا (عَلَيْهِمَا السَّلَامُ) قَالَ إِنَّ أَشَدَّ مَا فِيهِ النَّاسُ يَوْمَ الْقِيَامَةِ أَنْ يَقُومَ صَاحِبُ الْخُمْسِ فَيَقُولُ يَا رَبِّ خُمْسِي وَ قَدْ طَيَّبْنَا ذَلِكَ لِشِيعَتِنَا لِتَطْيِبِ وَلَا دَتُّهُمْ وَ لَتَرْكُو وَلَا دَتُّهُمْ .

Muhammad Bin Yahya, from Ahmad Bin Muhammad, from Muhammad Bin Sinan, from Sabbah Al Azraq, from Muhammad Bin Muslim,

⁴⁷ Al Kafi V 1 – The Book Of Divine Authority CH 130 H 15

⁴⁸ Al-Kafi, Chapter 130, Tradition no. 16.

(It has been narrated) from one of the two (5th or 6th Imam^{asws}) having said: ‘The most difficult (of the circumstances) what the people would be in on the Day of Judgment is when the owner of the Khums would be standing, so he^{asws} would be saying: ‘O Lord^{azwj}! My^{asws} Khums’. And we^{asws} have waived that for our^{asws} Shias in order for their births to be cleaned, and for their births to be purified’.⁴⁹

حَدَّثَنَا مُحَمَّدُ بْنُ الْحَسَنِ رَضِيَ اللَّهُ عَنْهُ قَالَ حَدَّثَنَا مُحَمَّدُ بْنُ الْحَسَنِ الصَّفَّارُ عَنِ الْعَبَّاسِ بْنِ مَعْرُوفٍ عَنْ حَمَّادِ بْنِ عَيْسَى عَنْ حَرِينِ عَنْ زُرَّارَةَ عَنْ أَبِي جَعْفَرٍ ع أَنَّهُ قَالَ: إِنَّ أَمِيرَ الْمُؤْمِنِينَ ع حَلَّلَهُمْ مِنَ الْخُمْسِ يَعْني الشَّيْعَةَ لِطَيْبِ مَوْلَاهُمْ.

It is narrated from Muhammad Ibn Al-Hassan, who heard it from Mohammed Ibn Al-Hassan Al-Safar, who from Al-Abbas Ibn Mauroof, who from Hammad Ibn Isa, who from Hareez, from Zarah, who from;

Imam Mohammed Baqir^{asws} narrated that Amir Al-Momineen^{asws} has waived Al-Khums for his Shias so that their children are born clean/legitimate.⁵⁰

وَ هَذَا الْإِسْنَادِ عَنْ زُرَّارَةَ وَ مُحَمَّدِ بْنِ مُسْلِمٍ وَ أَبِي بَصِيرٍ عَنْ أَبِي جَعْفَرٍ ع قَالَ قَالَ أَمِيرُ الْمُؤْمِنِينَ ع هَلَكَ النَّاسُ فِي بُطُونِهِمْ وَ فُرُوجِهِمْ لِأَنَّهُمْ لَا يُؤَدُّونَ إِلَيْنَا حَقَّنَا أَلَا وَ إِنَّ شَيْعَتَنَا مِنْ ذَلِكَ وَ أَبْنَاءَهُمْ فِي حِلٍّ.

It is narrated from above chain of narrators that,

Amir Al-Momineen^{asws} said: People are being punished and killed because they do not pay our rights, through suffering from what they eat and involving in disrespectful acts. But be aware, we have lifted our rights on our Shias and their children.⁵¹

حَدَّثَنَا أَحْمَدُ بْنُ مُحَمَّدٍ رَضِيَ اللَّهُ عَنْهُ عَنْ أَبِيهِ عَنْ مُحَمَّدِ بْنِ أَحْمَدَ عَنِ الْهَيْثَمِ النَّهْدِيِّ عَنِ السُّنْدِيِّ بْنِ مُحَمَّدٍ عَنْ يَحْيَى بْنِ عِمْرَانَ الرَّيَّاتِ عَنْ دَاوُدَ الرَّقِّيِّ قَالَ سَمِعْتُ أَبَا عَبْدِ اللَّهِ ع يَقُولُ النَّاسُ كُلُّهُمْ يَعْشُونَ فِي فَضْلِ مَظْلَمَتِنَا إِلَّا أَنَا أَحَلَّلْنَا شَيْعَتَنَا مِنْ ذَلِكَ.

It is reported by Ahmed bin Mohammed may Allah be pleased with him from his father Muhammad ibn Ahmad al-Haytham Nahdi from Sindi bin Mohammed Yahya bin Imran Dawood from Zayat he said ,

Imam Jafar-e-Sadiq^{asws} said: Everyone is living off what they have usurped from us but we have made it permissible for our Shias.⁵²

⁴⁹ Al Kafi V 1 – The Book Of Divine Authority CH 130 H 20

⁵⁰ 377 Chapter 106, H. 1, علل الشرائع، ج 2، ص: 377

⁵¹ 377 Chapter 106, H. 2, علل الشرائع، ج 2، ص: 377

⁵² 377 Chapter 106, H. 3, علل الشرائع، ج 2، ص: 377

Al-Khums is not Waived to Muslims or Those not liked by Imam^{asws}:

سَهْلٌ عَنْ أَحْمَدَ بْنِ الْمُثَنَّى قَالَ حَدَّثَنِي مُحَمَّدُ بْنُ زَيْدِ الطَّرِيفِيِّ قَالَ كَتَبَ رَجُلٌ مِنْ بُحَّارِ فَارِسَ مِنْ بَعْضِ مَوَالِي أَبِي الْحَسَنِ الرِّضَا (عليه السلام) يَسْأَلُهُ الْإِذْنَ فِي الْخُمْسِ فَكَتَبَ إِلَيْهِ بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ إِنَّ اللَّهَ وَاسِعٌ كَرِيمٌ ضَمِنَ عَلَى الْعَمَلِ الثَّوَابَ وَ عَلَى الصَّيْقِ الْهَمَّ لَا يَحُلُّ مَالٌ إِلَّا مِنْ وَجْهِ أَحَلَّهُ اللَّهُ وَ إِنَّ الْخُمْسَ عَوْنُنَا عَلَى دِينِنَا وَ عَلَى عِيَالِنَا وَ عَلَى مَوَالِينَا وَ مَا نَبْدُلُهُ وَ نَشْتَرِي مِنْ أَعْرَاضِنَا بِمَنْ نَخَافُ سَطْوَتَهُ

Sahl, from Ahmad Bin Al Musna who said, ‘Muhammad Bin Zayd Al Tabary narrated to me saying,

‘A man from the traders of Persia from some of the friends of Al-Reza^{asws} wrote asking him^{asws} the permission regarding the *Khums*. So he^{asws} wrote to him: ‘In the Name of Allah^{azwj} the Beneficent, the Merciful. Allah^{azwj} is Capaciously Benevolent Guaranteeing the Rewards upon the deeds, and the worries upon the constraints. The wealth is not Permissible except from the aspect which Allah^{azwj} has Permitted it; and that the *Khums* is our^{asws} support upon our^{asws} Religion and upon our^{asws} dependants and the ones in our^{asws} Wilayah, and whatever we^{asws} extend and we^{asws} buy from the ones whose prevailing we^{asws} fear.

فَلَا تَزُووْهُ عَنَّا وَ لَا تَحْرِمُوا أَنْفُسَكُمْ دُعَاءِنَا مَا قَدَرْتُمْ عَلَيْهِ فَإِنَّ إِخْرَاجَهُ مِفْتَاحُ رِزْقِكُمْ وَ تَمْحِصُ دُنُوبَكُمْ وَ مَا تُمْهَدُونَ لِأَنْفُسِكُمْ لِيَوْمٍ فَاقْتَبِكُمْ وَ الْمُسْلِمُ مَنْ يَفِي لِلَّهِ بِمَا عَاهَدَ إِلَيْهِ وَ لَيْسَ الْمُسْلِمُ مَنْ أَحَابَ بِاللِّسَانِ وَ خَالَفَ بِالْقَلْبِ وَ السَّلَامُ .

Therefore neither impede it from us^{asws} nor prohibit yourselves from supplicating for us^{asws} whatever you are able upon, for its extraction is the key to your sustenance, and a cleansing for your sins, and whatever you are paving out for yourselves for the day of your destitution, and a Muslim is one who fulfils to Allah^{azwj} with whatever he Promises to him, and isn't a Muslim, the one who responds with the tongue and opposes with the heart. And the greetings (be upon you)⁵³.

وَ هَذَا الْإِسْنَادِ عَنْ مُحَمَّدِ بْنِ زَيْدٍ قَالَ قَدِمَ قَوْمٌ مِنْ خُرَّاسَانَ عَلَى أَبِي الْحَسَنِ الرِّضَا (عليه السلام) فَسَأَلُوهُ أَنْ يَجْعَلَهُمْ فِي حِلٍّ مِنَ الْخُمْسِ فَقَالَ مَا أَحَلَّ هَذَا تَمْحِصُونَ بِالْمَوَدَّةِ بِالْإِسْتِئْذَانِ وَ تَزُوُونَ عَنَّا حَقًّا جَعَلَهُ اللَّهُ لَنَا وَ جَعَلْنَا لَهُ وَ هُوَ الْخُمْسُ لَا يَجْعَلُ لَا يَجْعَلُ لَا يَجْعَلُ لِأَحَدٍ مِنْكُمْ فِي حِلٍّ .

And by this chain, from Muhammad Bin Zayd who said,

‘A group from Khurasan proceeded to Abu Al-Hassan Al-Reza^{asws}, and they asked him^{asws} and he^{asws} makes an ease for them from the *Khums*, but he^{asws} said: ‘What need is this? You are being pure with the cordiality by your tongues and you are impeding from us^{asws} a right which Allah^{azwj} Made it to be for us^{asws} and we^{asws} make it to be for Him^{azwj}, and it is the

⁵³ Al Kafi V 1 – The Book Of Divine Authority CH 130 H 25

Khums. We^{asws} do not make, we^{asws} do not make, we^{asws} do not make it for anyone of you to be in an ease’.⁵⁴

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ أَبِيهِ قَالَ كُنْتُ عِنْدَ أَبِي جَعْفَرٍ النَّبِيِّ (عَلَيْهِ السَّلَام) إِذْ دَخَلَ عَلَيْهِ صَالِحُ بْنُ مُحَمَّدٍ بْنِ سَهْلٍ وَكَانَ يَتَوَلَّى لَهُ الْوَقْفَ بِمَمِّ فَقَالَ يَا سَيِّدِي اجْعَلْنِي مِنْ عَشْرَةِ آلَافٍ فِي حِلٍّ فَإِنِّي أَنْفَقْتُهَا فَقَالَ لَهُ أَنْتَ فِي حِلٍّ

Ali Bin Ibrahim, from his father who said,

‘I was in the presence of Abu Ja’far^{asws} the 2nd when Salih Bin Muhammad Bin Sahl came over to him^{asws}, and he used to administer the dedications (Waqf) for him^{asws} at Qumm. So he said, ‘O my Master^{asws}! Make me to be in ease from ten thousand for I have spent it’. So he^{asws} to him: ‘You are in an ease (i.e. you don’t have to pay)’.

فَلَمَّا خَرَجَ صَالِحٌ قَالَ أَبُو جَعْفَرٍ (عَلَيْهِ السَّلَام) أَحَدُهُمْ يَتَّبِعُ عَلَى أَمْوَالِ حَقِّ آلِ مُحَمَّدٍ وَ أَيْتَامِهِمْ وَ مَسَاكِينِهِمْ وَ فُقَرَائِهِمْ وَ أَبْنَاءَ سَبِيلِهِمْ فَيَأْخُذُهُ ثُمَّ يَجِيءُ فَيَقُولُ اجْعَلْنِي فِي حِلٍّ أَوْ تَرَاهُ ظَنَّ أَنِّي أَقُولُ لَا أَفْعَلُ وَ اللَّهُ لَيَسْأَلَنَّ اللَّهُ يَوْمَ الْقِيَامَةِ عَنْ ذَلِكَ سُؤلاً حَثِيثاً .

So when Salih went out, Abu Ja’far^{asws} said: ‘One of you leaps upon the wealth of the right of the Progeny^{asws} of Muhammad^{saww}, and their^{asws} orphans, and their^{asws} needy ones, and their^{asws} poor ones, and their^{asws} needy travellers, so he takes it, then he comes over to me^{asws} and he is saying, ‘Make me to be in ease’. Do you view him guessing that I^{asws} would be saying: ‘Don’t do it?’ By Allah^{azwj}! Allah^{azwj} will be Questioning them on the Day of Judgment about that, a vigorous Questioning’.⁵⁵

The (minimum) Amount on Which Zakāt and Al-Khums is Due:

وَ رَوَى أَحْمَدُ بْنُ مُحَمَّدٍ بْنِ أَبِي نَصْرِ عَنْ أَبِي الْحَسَنِ الرَّضَا ع قَالَ: سَأَلْتُهُ عَمَّا يَجِبُ فِيهِ الْخُمْسُ مِنَ الْكَنْزِ فَقَالَ مَا يَجِبُ الزَّكَاةُ فِي مِثْلِهِ فَفِيهِ الْخُمْسُ.

Ahmed bin Mohammed bin Nasar asked from Imam Abul-Hassan Imam Reza^{asws}, ‘On what amount Al-Khums become due from treasures? Imam^{asws} replied it will be the same amount on which Zakāt becomes due.’⁵⁶

وَ سُئِلَ أَبُو الْحَسَنِ ع عَنِ الرَّجُلِ يَأْخُذُ مِنْهُ هَوْلَاءَ زَكَاةَ مَالِهِ أَوْ خُمْسَ غَنِيمَتِهِ أَوْ خُمْسَ مَا يَخْرُجُ لَهُ مِنَ الْمَعَادِنِ أَوْ يُحْسَبُ ذَلِكَ لَهُ فِي زَكَاةِهِ وَ خُمْسِهِ فَقَالَ نَعَمْ.

⁵⁴ Al Kafi V 1 – The Book Of Divine Authority CH 130 H 26

⁵⁵ Al Kafi V 1 – The Book Of Divine Authority CH 130 H 27

⁵⁶ Manla Yahzar-ul-Faqi, vol.2, tradition 1647.

Imam Abul-Hassan^{asws} was asked about a person, from whom others (non-shia) would deduct Zakāt from his earnings or deduct Al-Khums from his portion of ‘war booty’ or take away by force what he gets from mining. Would these be accounted for his contributions towards Zakāt and Al-Khums? Imam^{asws} replied, Yes.⁵⁷

عَلِيُّ بْنُ إِبْرَاهِيمَ عَنْ سَلْمَةَ بْنِ الْحَطَّابِ عَنِ الْحَسَنِ بْنِ رَاشِدٍ عَنْ عَلِيِّ بْنِ إِسْمَاعِيلَ الْمِشْكِيِّ عَنْ حَبِيبِ الْخُثْعَمِيِّ قَالَ كَتَبَ أَبُو جَعْفَرٍ الْمَنْصُورُ إِلَى مُحَمَّدِ بْنِ خَالِدٍ وَكَانَ عَامِلَهُ عَلَى الْمَدِينَةِ أَنْ يَسْأَلَ أَهْلَ الْمَدِينَةِ عَنِ الْخُمْسَةِ فِي الرِّكَاتِ مِنَ الْمَائَتَيْنِ كَيْفَ صَارَتْ وَزْنَ سَبْعَةٍ وَ لَمْ يَكُنْ هَذَا عَلَى عَهْدِ رَسُولِ اللَّهِ (صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ) وَ أَمْرُهُ أَنْ يَسْأَلَ فِيمَنْ يَسْأَلُ عَبْدَ اللَّهِ بْنِ الْحَسَنِ وَ جَعْفَرَ بْنَ مُحَمَّدٍ (عَلَيْهِ السَّلَام)

Ali Bin Ibrahim, from Salma Bin Al Khattab, from Al Hassan Bin Rashid, from Ali Bin Ismail Al Maysami, from Habeeb Al Khash’amy who said,

‘Abu Ja’far Al Mansour wrote to Muhammad Bin Khalid, and he was his office bearer upon Al-Medina, that he should ask the people of Al-Medina about the five from the two hundred regarding the *Zakāt*, how it came to be seven, and this did not happen to be in the era of Rasool-Allah^{saww}, and instructed him that among the ones he asks should be Abdullah Bin Al-Hassan, and Ja’far^{asws} Bin Muhammad^{asws}.

قَالَ فَسَأَلَ أَهْلَ الْمَدِينَةِ فَقَالُوا أَذْرَكُنَا مَنْ كَانَ قَبْلَنَا عَلَى هَذَا فَبَعَثَ إِلَى عَبْدِ اللَّهِ بْنِ الْحَسَنِ وَ جَعْفَرَ بْنَ مُحَمَّدٍ (عَلَيْهِ السَّلَام) فَسَأَلَ عَبْدَ اللَّهِ بْنِ الْحَسَنِ فَقَالَ كَمَا قَالَ الْمُسْتَفْتُونَ مِنْ أَهْلِ الْمَدِينَةِ قَالَ فَقَالَ مَا تَقُولُ يَا أَبَا عَبْدِ اللَّهِ فَقَالَ إِنَّ رَسُولَ اللَّهِ (صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ) جَعَلَ فِي كُلِّ أَرْبَعِينَ أُوقِيَةً أَوْ قِيَّةً فَإِذَا حَسِبْتَ ذَلِكَ كَانَ عَلَى وَزْنِ سَبْعَةٍ وَ قَدْ كَانَتْ وَزْنَ سِتَّةٍ وَ كَانَتْ الدَّرَاهِمُ خُمْسَةَ دَوَانِيْقَ

He (Muhammad Bin Khalid) said, ‘So I asked the people of Al-Medina, and they said, ‘We came across the ones who were before us to be upon this’. So he sent for Abdullah Bin Al-Hassan and Ja’far Bin Muhammad^{asws}. So he asked Abdullah Bin Al-Hassan, and he said just as the Fatwa issuers from the people of Al-Medina. So he said, ‘What are you^{asws} saying, O Abu Abdullah^{asws}?’ So he^{asws} said: ‘Rasool-Allah^{saww} made to be in every forty Owqiyas, one Owqiya (unit of weight – forty Dirhams). So when that was counted, it was upon the weight of seven, and it had been weighed at six, and the Dirham was of five Dawaneeqs (units of weight)’.

قَالَ حَبِيبٌ فَحَسِبْنَاهُ فَوَجَدْنَاهُ كَمَا قَالَ فَأَقْبَلَ عَلَيْهِ عَبْدُ اللَّهِ بْنُ الْحَسَنِ فَقَالَ مَنْ أَيْنَ أَخَذْتَ هَذَا قَالَ قَرَأْتُ فِي كِتَابِ أُمَّكَ فَاطِمَةَ

Habeeb (the narrator) said, ‘So we counted it and found it to be just as he^{asws} had said it to be. So Abdullah Bin Al-Hassan turned towards him^{asws} and said: ‘From where did you^{asws} take this?’ He^{asws} said: ‘I^{asws} read it in the Book of your mother^{asws} Syeda Fatima^{asws}’.

⁵⁷ Manla Yahzar-ul-Faqi, vol.2, tradition 1656, 43: ص: من لا يحضره الفقيه، ج2، ص: 43

قَالَ ثُمَّ انْصَرَفَ فَبَعَثَ إِلَيْهِ مُحَمَّدُ بْنُ خَالِدٍ ابْعَثْ إِلَيَّ بِكِتَابِ فَاطِمَةَ (عَلَيْهَا السَّلَام) فَأَرْسَلَ إِلَيْهِ أَبُو عَبْدِ اللَّهِ (عَلَيْهِ السَّلَام)
إِلَيَّ إِنَّمَا أَخْبَرْتَنِي أَنِّي قَرَأْتُهُ وَ لَمْ أُخْبِرْكَ أَنَّهُ عِنْدِي

He (the narrator) said, ‘Then they left. So Muhammad Bin Khalid sent a message to him^{asws}, ‘Send the Book of Syeda Fatima^{asws} over to me’. So Abu Abdullah^{asws} sent a message to him: ‘But rather, I^{asws} informed you that I^{asws} had read it and did not inform you that it was with me^{asws}’.

قَالَ حَبِيبٌ فَحَجَّلَ مُحَمَّدُ بْنُ خَالِدٍ يُقُولُ لِي مَا رَأَيْتُ مِثْلَ هَذَا قَطُّ .

Habeeb (the narrator) said, ‘So Muhammad Bin Khalid went on to say to me, ‘I have not seen the likes of this, at all!’⁵⁸

Estimation of Minimum Amount for *Al-Khums*:

See Appendix IV.

⁵⁸ Al Kafi V 3 – The Book Of *Zakat* CH 3 H 2

Summary: Al-Khums

From the presented traditions of Masomeen^{asws} regarding both *Zakat* and *Al-Khums* articles, a brief summary of the traditions is presented:

- Zakat and Al-Khums both are due on savings, after deduction of all expenses from earnings.⁵⁹
- The minimum amount on which Zakat (2.5%) and Al-Khums (20%) become payable is 200 Dirhams (see Appendix IV for conversion) but inflation must be taken into account, see the calculations in appendix.
- The government taxes on income may be counted in *Zakat* and *Al-Khums*.⁶⁰
- Collection and distribution of *Al-Khums* can only be executed by Allah^{azwj} s' Wali^{asws}. No one else can fulfil it justifiably, particularly during our time, its collection and distribution is not possible by those who claim to be the representatives of Imam-e-Zaman^{ajfj}.⁶¹
- Shias, including all those who believe in the Wilayah of Masomeen^{asws}, are not obliged to distribute *Al-Khums*, however, they are encouraged to do so for gains in this world as well as in the hereafter.⁶²

Now the question would be, how we should act these days? Especially as we are conscious that some Sadaat families are unable to make both their ends meet. In the light of Masomeen^{asws}'s traditions, *Al-Khums* is still wajib but its non-payment has been waived for their^{asws} shias so that their^{asws} follower's children would born on Mola Ali^{asws}'s Wilayah (legitimate). In other words, it becomes *mustahab* for shias, as there will be rewards in this as well as in the next world, but others would be penalised for not paying it.

However, *Al-Khums* cannot be collected and managed by a non-masoom person, so it will be the responsibility of a well-off shia to divide his/her savings (if he/she would like to), after taking out expenses, into two parts. One may be used for deserving sadaat whereas Mola^{ajfj}'s share could be spend on those acts where Niaz/Imam Zamin funds are spent. The best option would be to take Divine permission on its use through 'Istikhara' prior to committing either portion (Siam-e-Imam and Siam-e-Sadaat). On Istikhara, see <http://www.hubeali.com/articles/Seeking-Divine-Guidance-Istikhara.pdf>

⁵⁹ Al Kafi, vol, 3, chapter 6, hadith 2. and Al-Kafi, Chapter 130, Tradition no. 12.13

⁶⁰ Al Kafi, vol, 3, chapter 30, hadith 1-2 and Al Kafi, vol, 3, chapter 25, hadith 1. and Al-Kafi, Chapter 130, Tradition no. 15.

⁶¹ Al-Kafi, Chapter 130, An extract from Tradition no. 4.

⁶² Al-Kafi, Chapter 130, Tradition no. 25.

We would like to end this article with the following traditions of Masomeen^{asws}:

وَ بِإِسْنَادِهِ عَنْ سَعْدٍ عَنْ بَعْضِ أَصْحَابِنَا عَنْ مُحَمَّدِ بْنِ جُمُحُورٍ عَنْ إِبْرَاهِيمَ الْأَوْسِيِّ عَنِ الرَّضَا ع قَالَ سَمِعْتُ أَبِي يَقُولُ كُنْتُ عِنْدَ أَبِي يَوْمًا فَأَتَاهُ رَجُلٌ فَقَالَ إِنِّي رَجُلٌ مِنْ أَهْلِ الرَّيِّ - وَ لِي زَكَاةٌ فَلِي مَنْ أَدْفَعُهَا

And by his chain from Sa’ad, from one of our companions, from Muhammad Bin Jamhour, from Ibrahim Al Awsy,

‘From Al-Reza^{asws} having said: ‘I was in the presence of my^{asws} father^{asws} one day. A man came to him^{asws} and said, ‘I am from the people of Al-Rayy, and there is Zakat (money) for me, whom should I hand it over to?’

فَقَالَ إِنِّي فَقَالَ أَلَيْسَ الصَّدَقَةُ مُحَرَّمَةً عَلَيْكُمْ فَقَالَ بَلَى إِذَا دَفَعْتَهَا إِلَى شِيعَتِنَا فَقَدْ دَفَعْتَهَا إِلَيْنَا

He^{asws} said: ‘To us^{asws}’. He said, ‘Isn’t the charity prohibited unto you^{asws} all?’ He^{asws} said: ‘Yes, when you hand it to our^{asws} Shias, so you have handed it to us^{asws}’.

فَقَالَ إِنِّي لَا أَعْرِفُ لَهَا أَحَدًا قَالَ فَانْتَظِرْ بِهَا سَنَةً فَقَالَ فَإِنْ لَمْ أَصِبْ لَهَا أَحَدًا قَالَ انْتَظِرْ بِهَا سَنَتَيْنِ حَتَّى بَلَغَ أَرْبَعِ سِنِينَ

He said, ‘I do not know anyone for it’. He^{asws} said: ‘Then wait with it for a year’. He said, ‘Supposing I do not find anyone for it?’ He^{asws} said: ‘Wait with it for two years’. Until it reached four years.

ثُمَّ قَالَ لَهُ إِنَّ لَمْ تُصِيبْ لَهَا أَحَدًا فَصُرِّهَا صُرْرًا وَ اطْرَحْهَا فِي الْبَحْرِ فَإِنَّ اللَّهَ عَزَّ وَ جَلَّ حَرَّمَ أَمْوَالَنَا وَ أَمْوَالَ شِيعَتِنَا عَلَى عَدُوِّنَا.

Then he^{asws} said to him: ‘If you do not find anyone for it, then pack it in a package and drop it in the sea, for Allah^{azwj} Mighty and Majestic has Prohibited our^{asws} wealth and wealth of our^{asws} Shias unto our^{asws} enemies’⁶³.

مُحَمَّدُ بْنُ عَلِيِّ بْنِ الْحُسَيْنِ فِي الْعِلَلِ عَنْ أَبِيهِ عَنْ سَعْدِ بْنِ عَبْدِ اللَّهِ عَنِ الْحَسَنِ بْنِ عَلِيٍّ الْكُوفِيِّ عَنْ عَبْدِ اللَّهِ بْنِ الْمُغِيرَةِ عَنْ سُفْيَانَ بْنِ عَبْدِ الْمُؤْمِنِ الْأَنْصَارِيِّ عَنْ عَمْرِو بْنِ شَمْرٍ عَنْ جَابِرٍ قَالَ:

Muhammad Bin Ali Bin Al-Husayn in (the book) ‘Al Illal’, from his father, from Sa’ad Bin Abdullah, from Al Hassan Bin Ali Al Kufy, from Abdullah Bin Al Mugheira, from Sufyan Bin Abdul Momin Al Ansari, from Amro Bin SHimr, from Jaber who said,

أَقْبَلَ رَجُلٌ إِلَى أَبِي جَعْفَرٍ ع وَ أَنَا حَاضِرٌ فَقَالَ رَجَمَكَ اللَّهُ أَفِيضْ مِنِّي هَذِهِ الْخَمْسِمِائَةَ دِرْهَمٍ فَضَعُهَا فِي مَوَاضِعِهَا فَإِنَّهَا زَكَاةٌ مَالِي

‘A man came to Abu Ja’far^{asws} and I was present. He said, ‘May Allah^{azwj} have Mercy on you^{asws}! Take possession from me these five hundred Dirhams, and place these is their (rightful) place for this is Zakat of my wealth’.

⁶³ Wasail-ul-Shia, vol 6, pp. 141, 223 وسائل الشيعة، ج9، ص:

فَقَالَ أَبُو جَعْفَرٍ ع بَلْ خُذْهَا أَنْتَ فَضَعِّهَا فِي جِيرَانِكَ وَ الْأَيْتَامِ وَ الْمَسَاكِينِ وَ فِي إِخْوَانِكَ مِنَ الْمُسْلِمِينَ إِنَّمَا يَكُونُ هَذَا إِذَا قَامَ قَائِمُنَا - فَإِنَّهُ يُقْسِمُ بِالسَّوِيَّةِ وَ يَعْدِلُ فِي خَلْقِ الرَّحْمَنِ الْبَرِّ مِنْهُمْ وَ الْفَاجِرِ الْحَدِيثِ.

Abu Ja'far^{asws} said: 'But you take it and place it among your neighbours, and the orphans, and the poor, and among your brothers from the Muslims. But rather, this (it's just distribution) would happen when our^{asws} Qaim^{asws} rises, then he^{asws} will distribute with the equality and justice among the creatures of the Beneficent, the righteous ones from them and the immoral ones' – the Hadith".⁶⁴

⁶⁴ وسائل الشيعة، ج9، ص: 282

Appendix I:

Explanation of 8:41 - The Authorisation of Al-Khums

حَدَّثَنَا مُحَمَّدُ بْنُ عَبْدِ اللَّهِ بْنِ جَعْفَرِ الْحَمَيْرِيِّ عَنْ أَبِيهِ عَنِ الرَّيَّانِ بْنِ الصَّلْتِ قَالَ:

It was narrated to us by Muhammad Bin Abdullah Bin Ja'far Al Humeiry, from his father, from Al Rayyan Bin Al Salt who said,

حَضَرَ الرَّضَا عَ مَجْلِسِ الْمَأْمُونِ بِمَرْوٍ وَ قَدْ اجْتَمَعَ فِي مَجْلِسِهِ جَمَاعَةٌ مِنْ عُلَمَاءِ الْعِرَاقِ وَ خُرَاسَانَ فَقَالَ الْمَأْمُونُ أَخْبِرُونِي عَنْ مَعْنَى هَذِهِ الْآيَةِ ثُمَّ أَوْرَثْنَا الْكِتَابَ الَّذِينَ اصْطَفَيْنَا مِنْ عِبَادِنَا فَقَالَتِ الْعُلَمَاءُ أَرَادَ اللَّهُ عَزَّ وَ جَلَّ بِذَلِكَ الْأُمَّةَ كُلَّهَا فَقَالَ الْمَأْمُونُ مَا تَقُولُ يَا أَبَا الْحَسَنِ فَقَالَ الرَّضَا عَ لَا أَقُولُ كَمَا قَالُوا وَ لَكِنِّي أَقُولُ أَرَادَ اللَّهُ عَزَّ وَ جَلَّ بِذَلِكَ الْعِتْرَةَ الطَّاهِرَةَ

'Al-Reza^{asws} attended the gathering of Al-Mamoun at Merv, and he had gathered in his gathering a group of scholars of Al-Iraq and Khurasan. (Among the proofs he^{asws} presented was):

وَ أَمَّا التَّامِنَةُ فَقَوْلُ اللَّهِ عَزَّ وَ جَلَّ وَ اعْلَمُوا أَنَّمَا عَمِلْتُمْ مِنْ شَيْءٍ فَإِنَّ لِلَّهِ حُصَّةً وَ لِلرَّسُولِ وَ لِذِي الْقُرْبَى فَقَرَنَ سَهْمَ ذِي الْقُرْبَى مَعَ سَهْمِهِ وَ سَهْمِ رَسُولِهِ فَهَذَا فَضْلٌ أَيْضاً بَيْنَ الْأَلِّ وَ الْأُمَّةِ لِأَنَّ اللَّهَ تَعَالَى جَعَلَهُمْ فِي خَيْرٍ وَ جَعَلَ النَّاسَ فِي خَيْرٍ دُونَ ذَلِكَ وَ رَضِيَ لَهُمْ بِمَا رَضِيَ لِنَفْسِهِ وَ اصْطَفَاهُمْ فِيهِ فَبَدَأَ بِنَفْسِهِ ثُمَّ بِرَسُولِهِ ثُمَّ بِذِي الْقُرْبَى

'And as for the eighth, so Allah^{azwj} Mighty and Majestic is Saying: **And know that whatever booty you gain from anything, so a fifth of it is for Allah, and for the Rasool, and for the near of kin [8:41].** Thus He^{azwj} Paired the portion of the relatives with His^{azwj} Portion and the portion of His^{azwj} Rasool^{saww}. So this is a merit as well between the Progeny^{asws} and the people, because Allah^{azwj} Exalted Made them^{asws} to be in goodness and Made the people to be in goodness besides that, and was Pleased for them^{asws} what He^{azwj} was Pleased for Himself, and Chose them^{asws} with regards to it. So He^{azwj} Began with Himself^{azwj}, then with His^{azwj} Rasool^{saww}, then with the relatives.

فَكُلُّ مَا كَانَ مِنَ الْفَيْءِ وَ الْعَنِيمَةِ وَ غَيْرِ ذَلِكَ مِمَّا رَضِيَهُ جَلَّ وَ عَزَّ لِنَفْسِهِ فَرَضِيَهُ لَهُمْ فَقَالَ وَ قَوْلُهُ الْحَقُّ وَ اعْلَمُوا أَنَّمَا عَمِلْتُمْ مِنْ شَيْءٍ فَإِنَّ لِلَّهِ حُصَّةً وَ لِلرَّسُولِ وَ لِذِي الْقُرْبَى فَهَذَا تَأْكِيدٌ مُؤَكَّدٌ وَ أَثَرٌ قَائِمٌ لَهُمْ إِلَى يَوْمِ الْقِيَامَةِ فِي كِتَابِ اللَّهِ النَّاطِقِ الَّذِي لَا يَأْتِيهِ الْبَاطِلُ مِنْ بَيْنِ يَدَيْهِ وَ لَا مِنْ خَلْفِهِ تَنْزِيلٌ مِنْ حَكِيمٍ حَمِيدٍ

Therefore, everything which was from Al-Fey and the booty and other than that from what the Majestic and Mighty is Pleased for Himself^{azwj}, Necessitated for them. So He^{azwj} Said and His^{azwj} Word is the Truth [8:41] **And know that whatever booty you gain, a fifth of it is for Allah and for the Rasool and for the near of kin.** This is an emphatic confirmation, and an impact established for them up to the Day of Judgment in the Speaking Book of Allah^{azwj} which **Neither did the falsehood come from before it, nor (would it come) from after it. (It is) a Revelation from the most Wise, the most Praised [41:42].**

وَأَمَّا قَوْلُهُ وَ الْيَتَامَى وَ الْمَسَاكِينَ فَإِنَّ الْيَتِيمَ إِذَا انْقَطَعَ قِيمَةُ سَهْمِهِ [يُنْمُهُ] خَرَجَ مِنَ الْغَنَائِمِ وَ لَمْ يَكُنْ لَهُ فِيهَا نَصِيبٌ وَ كَذَلِكَ الْمَسْكِينُ إِذَا انْقَطَعَ مَسْكِنَتُهُ لَمْ يَكُنْ لَهُ نَصِيبٌ مِنَ الْمَغْنَمِ وَ لَا يَجِلُّ لَهُ أَخْذُهُ وَ سَهْمُ ذِي الْقُرْبَى إِلَى يَوْمِ الْقِيَامَةِ قَائِمٌ فِيهِمْ لِلْغِيِّ وَ الْفَقِيرِ مِنْهُمْ لِأَنَّهُ لَا أَحَدٌ أَعْنَى مِنَ اللَّهِ عَزَّ وَ جَلَّ وَ لَا مِنْ رَسُولِهِ ص

And as for His^{azwj} Words: **and the orphans and the needy [8:41]**, so the orphan is when the amount of his share is cut off (when his orphan-hood is cut off), he is exited from the war booty and there would not happen to be a share for him in it, and similar to that is the need, when his neediness is cut off, there would not happen to be a share for him from the war booty, nor would it be Permissible for him to take it, and the share of the near relatives is up to the Day of Judgment, established regarding them, for the rich and the poor from them, because there is no one richer than Allah^{azwj} Mighty and Majestic, nor (richer) than His^{azwj} Rasool^{saww}.

فَجَعَلَ لِنَفْسِهِ سَهْمًا مِنْهَا وَ لِرَسُولِهِ سَهْمًا مِمَّا رَضِيَهِ لِنَفْسِهِ وَ لِرَسُولِهِ رَضِيَهِ لَهُمْ وَ كَذَلِكَ الْقُرْبَى مَا رَضِيَهِ مِنْهُ لِنَفْسِهِ وَ لِنَبِيِّهِ رَضِيَهِ لِذِي الْقُرْبَى كَمَا أَجْرَاهُمْ فِي الْغَنِيمَةِ فَبَدَأَ بِنَفْسِهِ جَلَّ جَلَالُهُ ثُمَّ بِرَسُولِهِ ثُمَّ بِهِمْ وَ قَرَنَ سَهْمَهُ بِسَهْمِ اللَّهِ وَ سَهْمِ رَسُولِهِ

So He^{azwj} Made a share for Himself^{azwj} from it and a share for His^{azwj} Rasool^{saww}. Whatever He^{azwj} was Pleased for Himself^{azwj}, and for His^{azwj} Rasool^{saww}, He^{azwj} was Pleased for them^{asws}. And similar to that is *Al-Fey*. Whatever He^{azwj} was Pleased from it for Himself^{azwj} and for His^{azwj} Prophet^{saww}, He^{azwj} was Pleased for the near relatives, just as He^{azwj} Informed them regarding the booty. So He^{azwj} Began with Himself^{azwj}, Majestic is His^{azwj} Majesty, then with His^{azwj} Rasool^{saww}, then with them^{asws}, and their^{asws} share is Paired with the Share of Allah^{azwj} and the share of His^{azwj} Rasool^{saww}.

كَذَلِكَ فِي الطَّاعَةِ قَالَ يَا أَيُّهَا الَّذِينَ آمَنُوا أَطِيعُوا اللَّهَ وَ أَطِيعُوا الرَّسُولَ وَ أُولِي الْأَمْرِ مِنْكُمْ فَبَدَأَ قَبْلًا بِنَفْسِهِ ثُمَّ بِرَسُولِهِ ثُمَّ بِأَهْلِ بَيْتِهِ وَ كَذَلِكَ آيَةُ الْوَلَايَةِ إِنَّمَا وَلِيُّكُمُ اللَّهُ وَ رَسُولُهُ وَ الَّذِينَ آمَنُوا فَجَعَلَ وَلَا يَتَّبِعُهُمْ مَعَ طَاعَةِ الرَّسُولِ مَقْرُونَةً بِطَاعَتِهِ كَمَا جَعَلَ سَهْمَهُمْ مَعَ سَهْمِ الرَّسُولِ مَقْرُونًا بِسَهْمِهِ فِي الْغَنِيمَةِ وَ الْقِيَاءِ

Similar to that is the obedience. He^{azwj} Said [4:59] **O you who believe! Obey Allah and obey the Rasool and those with Divine authority from among you.** He^{azwj} Began with Himself^{azwj} before, then with His^{azwj} Rasool^{saww}, then with the People^{asws} of his^{saww} Household. And similar to that is the Verse of the Wilayah [5:55] **But rather, only Allah is your Guardian and His Rasool and those who believe.** So He^{azwj} Made their^{asws} Wilayah with the obedience to the Rasool^{saww}, being paired with His^{azwj} obedience, just as He^{azwj} Made their^{asws} share with the share of the Rasool^{saww} paired with His^{azwj} Share in the booty and *Al-Fey*.

فَبَارَكَ اللَّهُ وَ تَعَالَى مَا أَعْظَمَ نِعْمَتَهُ عَلَى أَهْلِ هَذَا الْبَيْتِ فَلَمَّا جَاءَتْ قِصَّةُ الصَّدَقَةِ نَزَّ رَسُولُهُ وَ نَزَّ أَهْلُ بَيْتِهِ فَقَالَ إِنَّمَا الصَّدَقَاتُ لِلْفُقَرَاءِ وَ الْمَسَاكِينِ وَ الْعَامِلِينَ عَلَيْهَا وَ الْمُؤَلَّفَةَ قُلُوبُهُمْ وَ فِي الرِّقَابِ وَ فِي سَبِيلِ اللَّهِ وَ ابْنِ السَّبِيلِ فَرِيضَةً مِنَ اللَّهِ

So the Blessed and High, how great is His^{azwj} Bounty upon the People^{asws} of this Household. So when the story of the charity came, He^{azwj} Removed His^{azwj} Rasool^{saww} and Removed the People^{asws} of his^{saww} Household, and He^{azwj} Said **But rather, the charities are for the poor and the needy, and the office bearers upon it, and the ones (recently) inclined of their**

hearts (to Al Islam), and ones in bondage, and the ones in debt, and in the Way of Allah, and the wayfarer. Being an Ordinance from Allah; and Allah is Knowing, Wise [9:60].

فَهَلْ بَجِدُ فِي شَيْءٍ مِنْ ذَلِكَ أَنَّهُ جَعَلَ عَزْرَ وَ جَلَّ سَهْمًا لِنَفْسِهِ أَوْ لِرَسُولِهِ أَوْ لِذِي الْقُرْبَىٰ لِأَنَّهُ لَمَّا نَزَّ نَفْسَهُ عَنِ الصَّدَقَةِ وَ نَزَّ رَسُولَهُ نَزَّ أَهْلَ بَيْتِهِ لَا بَلْ حَرَّمَ عَلَيْهِمْ لِأَنَّ الصَّدَقَةَ مُحَرَّمَةٌ عَلَى مُحَمَّدٍ وَ آلِهِ وَ هِيَ أَوْسَاخُ النَّاسِ لَا تَحِلُّ لَهُمْ لِأَنَّهُمْ طَهَّرُوا مِنْ كُلِّ دَنَسٍ وَ وَسَخٍ فَلَمَّا طَهَّرَهُمُ اللَّهُ وَ اصْطَفَاهُمْ رَضِيَ لَهُمْ مَا رَضِيَ لِنَفْسِهِ وَ كَرِهَ لَهُمْ مَا كَرِهَ لِنَفْسِهِ عَزْرَ وَ جَلَّ فَهَذِهِ الثَّامِنَةُ

So, can you find in anything from that, that the Mighty and Majestic Made a Share to be for Himself^{azwj}, or for His^{azwj} Rasool^{saww}, or for the relatives? Because, when He^{azwj} Removed Himself^{azwj} from the Charity, and Removed His^{azwj} Rasool^{saww}, (also) Removed the People^{asws} of his^{saww} Household. No! But, He^{azwj} Prohibited upon them^{asws}, because the charity is Prohibited upon Muhammad^{saww} and the his^{saww} Progeny^{asws}, and it is the dirt of the people. It is not Permissible for them^{asws} because they^{asws} are clean from every filth and grime. So when Allah^{azwj} Cleaned them^{asws} and Chose them^{asws}, was Pleased for them^{asws} what He^{azwj} was Pleased for Himself^{azwj}, and Disliked for them^{asws} whatever He^{azwj} Disliked for Himself^{azwj}, Mighty and Majestic. So this is the eighth.

فَقَالَ الْمَأْمُونُ وَ الْعُلَمَاءُ جَزَاكُمْ اللَّهُ أَهْلَ بَيْتِ نَبِيِّكُمْ عَنِ الْأُمَّةِ خَيْرًا فَمَا بَجِدُ الشَّرْحَ وَ الْبَيَانَ فِيمَا اشْتَبَهَ عَلَيْنَا إِلَّا عِنْدَكُمْ.

So Al-Mamoun and the scholars said, ‘May Allah^{azwj} Recompense you^{asws} all, the People^{asws} of the Household of your^{asws} Prophet^{saww} with goodness on behalf of the community. So we cannot find the explanations and the clarifications with regards to what is confusing upon us except with you^{asws} all’.⁶⁵

⁶⁵ Bashaarat Al Mustafa^{saww} Li Shia Al Murtaza^{asws} - P 7 H 42

Appendix II:

Letter of the 12th Imam^{ajfj} in the explanation of Verse 8:41

محمد بن يعقوب الكليني، عن إسحاق بن يعقوب قال: سألت محمد بن عثمان العمري رحمه الله أن يوصل لي كتابا قد سألت فيه عن مسائل أشكلت علي، فورد التوقيع بخط مولانا صاحب الزمان عليه السلام:

Muhammad Bin Yaqoub Al Kulayni, from Is'haq Bin Yaqoub who said,

'I asked Muhammad Bin Usma Al-Amari^{ra} that he connects a letter for me wherein I had asked certain questions which were difficult upon me. So the letter arrived in the handwriting of our Master^{asws}, the Master^{asws} of the Time: -

أما ما سألت عنه أرشدك الله وثبتك من أمر المنكرين لي من أهل بيتنا وبني عمنا، فاعلم أنه ليس بين الله عزوجل وبين أحد قرابة، من أنكرني فليس مني وسبيله سبيل ابن نوح، وأما سبيل عمي جعفر وولده، فسبيل إخوة يوسف عليه السلام

As for what you asked about, may Allah^{azwj} Guide you and Affirm you from the matters of the deniers of me^{asws} from the people of our^{asws} Household and the sons of our^{asws} uncle. Know that it is such, there isn't any relationship between Allah^{azwj} Mighty and Majestic and anyone. The one who denies me^{asws}, so he isn't from me^{asws}, and his way is the way of the son of Noah^{as}. And as for the way of my^{asws} uncle Ja'far and his son, so it is the way of the brothers of Yusuf^{as}.

وأما الفقاع فشربه حرام ولا بأس بالشلماب وأما أموالكم فما قبلها إلا لتطهروا فمن شاء فليصل، ومن شاء فليقطع فما آتانا الله خير مما آتاكم.

And as for Al-Faqa'a (a fermented drink), so drinking it is Prohibited, and there is no problem with Al-Shalmab (juice of cooked turnip), and as for your wealth, for whatever we^{asws} do not accept it except to purify you, so the one who so desires to, let him send, and the one who so desires to, let him cut off, for whatever Allah^{azwj} Gives us is better than what He^{azwj} Gave you all.

وأما ظهور الفرج فانه إلى الله وكذب الوقاتون. وأما قول من زعم أن الحسين عليه السلام لم يقتل، فكفر وتكذيب وضلال.

And as for the appearance of the Relief, so it is up to Allah^{azwj}, and the timers are lying. And as for the word of the one who claims that Al-Husayn^{asws} was not killed, so he has blasphemed, and is lying, and has strayed.

وأما الحوادث الواقعة فارجعوا فيها إلى رواة حديثنا فانهم حجتي عليكم وأنا حجة الله عليكم.

And as for the newly occurring events, so refer regarding these to the reporters of our^{asws} Ahadeeth, for they are my^{asws} authority upon you all and I^{asws} am the Divine Authority of Allah^{azwj} upon you all.

وأما محمد بن عثمان العمري رضي الله عنه وعن أبيه من قبل فانه ثقني وكتابه كتابي.

And as for Muhammad Bin Usman Al-Amiry, may Allah^{azwj} be Pleased from him and from his father from before, so he is my^{asws} trustworthy one, and his letter is my letter.

وأما محمد بن علي بن مهزيار الأهوازي فسيصلح الله قلبه، ويزيل عنه شكه.

And as for Muhammad Bin Ali Bin Mahziyar Al-Ahwazy, so Allah^{azwj} has Corrected his heart, and has Removed his doubts from him.

وأما ما وصلتنا به فلا قبول عندنا إلا لما طاب وطهر، وثن المغنية حرام.

And as for what (wealth) arrives to us^{asws}, so it is not acceptable in our^{asws} presence except of what is good and clean, and the price (earnings) of the female singer is Prohibited.

وأما محمد بن شاذان بن نعيم فانه رجل من شيعتنا أهل البيت. وأما أبو الخطاب محمد بن أبي زينب الأجدع فانه ملعون وأصحابه ملعونون فلا تجالس أهل مقاتلهم فاني منهم برئ وآبائي عليهم السلام منهم براء.

And as for Muhammad Bin Shazan Bin Naeem, so he is a man from our^{asws} Shias, the People^{asws} of the Household. And as for Abu Al-Khatib Muhammad Bin Abu Zaynab Al-Agdy, so he is an Accursed and his companions are (also) Accursed, therefore do not sit with the people of their words, for I^{asws} am disavowing from them and my^{asws} forefathers^{asws} are disavowed from them (as well).

وأما المتلبسون بأموالنا فمن استحل شيئاً منها فأكله فانما يأكل النيران.

And as for the ones clothing with our^{asws} wealth, so the one who permits anything from it and consumes it, so rather he is consuming the fires.

وأما الخمس فقد ابيح لشيعتنا وجعلوا منه في حل إلى وقت ظهور أمرنا لتطيب ولادتهم ولا تحبث.

And as for the *Al-Khums*, so it has been Permitted for our^{asws} Shias and they have been made to be in an ease from it up to the time of the appearance of our^{asws} matter, in order to purify their births, and it would not be wicked.

وأما ندامة قوم شكوا في دين الله على ما وصلونا به، فقد أقلنا من استقال ولا حاجة لنا إلى صلة الشاكين.

And as for the regret of a people who complained regarding the Religion of Allah^{azwj} upon what we^{asws} are being sent with, so we had resigned from the accepting and there is no need for us^{asws} to the connection of the complainers.

وأما علة ما وقع من الغيبة فان الله عزوجل يقول: " يا أيها الذين آمنوا لا تسألوا عن أشياء إن تبدلكن تسؤكن " إنه لم يكن أحد من آبائي إلا وقد وقعت في عنقه بيعة لطاغية زمانه وإني أخرج حين أخرج ولا بيعة لأحد من الطواغيت في عنقي.

And as for the reason of what occurred from the Occultation, so Allah^{azwj} Mighty and Majestic is Saying: ***‘O you who believe! Do not ask about things, if it is declared to you it would offend you [5:101].*** It is such that there has not been anyone from my^{asws} forefathers^{asws} except and there has fallen in his^{asws} neck, allegiance to tyrants of his^{asws} era, and I^{asws} will come out when I^{asws} will rise, and there would be no allegiance to anyone from the tyrants in my^{asws} neck.

وأما وجه الانتفاع بي في غيبيتي فكالانتفاع بالشمس إذا غيبتها عن الأبصار السحاب، وإني لأمان لأهل الأرض كما أن النجوم أمان لأهل السماء، فاغلقوا ابواب السؤال عما لا يعينكم ولا تتكلفوا علم ما قد كفيتم وأكثروا الدعاء بتعجيل الفرج، فان ذلك فرجكم،

And as for the aspect of the benefit with me^{asws} during my^{asws} Occultation, so it is like the benefit with the sun when it disappears from the visions by the clouds, and I^{asws} am the security for the inhabitants of the earth just as the stars are a security for the inhabitants of the sky. Therefore close the doors of the questions about what does not concern you and do not encumber for a knowledge, (when it has already) sufficed you, and frequent the supplications with the hastening of the Relief, for in that is your Relief.

والسلام عليك يا إسحاق بن يعقوب وعلى من اتبع الهدى.

And the greeting be upon you, O Is’haq Bin Yaqoub, and upon the one who follows the Guidance’.⁶⁶

⁶⁶ Bihar Al Anwaar – V 53 P 181 H 10

Appendix III:

A Detailed Hadith on Al-Khums

عَلِيُّ بْنُ إِبْرَاهِيمَ بْنِ هَاشِمٍ عَنْ أَبِيهِ عَنْ حَمَّادِ بْنِ عَيْسَى عَنْ بَعْضِ أَصْحَابِنَا عَنِ الْعَبْدِ الصَّالِحِ (عَلَيْهِ السَّلَام) قَالَ الْخُمْسُ مِنْ خَمْسَةِ أَشْيَاءَ مِنَ الْعَنَائِمِ وَالْعَوَصِ وَمِنَ الْكُنُوزِ وَمِنَ الْمَعَادِنِ وَالْمَلَاخَةِ يُؤْخَذُ مِنْ كُلِّ هَذِهِ الصُّنُوفِ الْخُمْسُ فَيُجْعَلُ لِمَنْ جَعَلَهُ اللَّهُ تَعَالَى لَهُ وَ يُقَسَّمُ الْأَرْبَعَةُ الْأَخْمَاسِ بَيْنَ مَنْ قَاتَلَ عَلَيْهِ وَ وَليَ ذَلِكَ

Ali Bin Ibrahim Bin Hashim, from his father, from Hammad Bin Isa, from some of our companions,

(It has been narrated) from Al-Abd Al-Salih^{asws} (7th Imam^{asws}) having said: ‘The fifth (Al-Khums) is from five things – from the spoils (of war), and the diving, and from treasures, and from the mines and the salt-works. The fifth (Khums) would be taken from all of these types and it would be made to be for the ones whom Allah^{azwj} the Exalted Made it to be for, and four-fifths would be distributed upon the ones who fought upon it and the ones who supported that.

وَ يُقَسَّمُ بَيْنَهُمُ الْخُمْسُ عَلَى سِتَّةِ أَشْهُمٍ سَهْمٌ لِلَّهِ وَ سَهْمٌ لِرَسُولِ اللَّهِ وَ سَهْمٌ لِذِي الْقُرْبَى وَ سَهْمٌ لِلْيَتَامَى وَ سَهْمٌ لِلْمَسْكِينِ وَ سَهْمٌ لِابْنَاءِ السَّبِيلِ

And the fifth would be distributed upon six shares – a share being for Allah^{azwj}, and a share for Rasool-Allah^{saww}, and a share for the near of kin, and a share for the orphans, and a share for the poor, and a share for the children of the way (needy travellers).

فَسَهْمٌ لِلَّهِ وَ سَهْمٌ لِرَسُولِ اللَّهِ لِأُولَى الْأَمْرِ مِنْ بَعْدِ رَسُولِ اللَّهِ (صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ) وَرَأْتَهُ فَلَهُ ثَلَاثَةٌ أَشْهُمٍ سَهْمَانِ وَرَأْتَهُ وَ سَهْمٌ مَقْسُومٌ لَهُ مِنَ اللَّهِ وَ لَهُ نِصْفُ الْخُمْسِ كَمَلًا وَ نِصْفُ الْخُمْسِ الْبَاقِي بَيْنَ أَهْلِ بَيْتِهِ

So the share of Allah^{azwj} and the share of Rasool-Allah^{saww} is for the Master^{asws} of the Command (Wali Al-Amr) from after Rasool-Allah^{saww} as an inheritance. Thus, for him^{asws} would be three shares, two share as an inheritance and a share distributed for him^{asws} (being near of kin) from Allah^{azwj}, and for him^{asws} would be half of the complete Khums; and the remaining half of the Khums would be between his^{asws} family members.

فَسَهْمٌ لِيَتَامَاهُمْ وَ سَهْمٌ لِمَسْكِينِهِمْ وَ سَهْمٌ لِابْنَاءِ سَبِيلِهِمْ يُقَسَّمُ بَيْنَهُمْ عَلَى الْكِتَابِ وَ السُّنَّةِ مَا يَسْتَعْتُونَ بِهِ فِي سَنَتِهِمْ فَإِنْ فَضَّلَ عَنْهُمْ شَيْءٌ فَهُوَ لِلْوَالِي وَ إِنْ عَجَزَ أَوْ نَقَصَ عَنِ اسْتِعْنَائِهِمْ كَانَ عَلَى الْوَالِي أَنْ يُنْفِقَ مِنْ عِنْدِهِ بِقَدْرِ مَا يَسْتَعْتُونَ بِهِ

Therefore, the share of the orphans, and the share of the poor, and the share of the children of the way (needy travellers), he^{asws} would distribute between them based upon the Book and the Sunnah what they would become needless with during their year. So if there is anything excess from them, so it would be for the Guardian^{asws}, and if there is frustration or a deficiency from their becoming needless, it would be upon the Guardian^{asws}

that he^{asws} spends from him^{asws} by a measurement of what they could become needless with.

وَ إِنَّمَا صَارَ عَلَيْهِ أَنْ يُمُونَهُمْ لِأَنَّ لَهُ مَا فَضَلَ عَنْهُمْ وَ إِنَّمَا جَعَلَ اللَّهُ هَذَا الْخُمْسَ خَاصَّةً لَهُمْ دُونَ مَسَاكِينِ النَّاسِ وَ أَنْبَاءِ سَبِيلِهِمْ عَوْضاً لَهُمْ مِنْ صَدَقَاتِ النَّاسِ تَنْزِيهاً مِنَ اللَّهِ لَهُمْ لِقَرَابَتِهِمْ بِرَسُولِ اللَّهِ (صلى الله عليه وآله) وَ كَرَامَةً مِنَ اللَّهِ لَهُمْ عَنْ أَوْسَاخِ النَّاسِ

And rather, it has come to be upon him^{asws} that he^{asws} prevents them, because for him^{asws} is what is excess from them, and rather Allah^{azwj} has Made the Khums to be especially for them, besides the poor ones of the people and their needy travellers as an alternate for them from the charities of the people as a distinction from Allah^{azwj} for them due to their near relationship with Rasool-Allah^{saww} and a Prestige from Allah^{azwj} for them, from the grime of the people.

فَجَعَلَ لَهُمْ خَاصَّةً مِنْ عِنْدِهِ مَا يُعِينُهُمْ بِهِ عَنْ أَنْ يُصَيِّرَهُمْ فِي مَوْضِعِ الدُّلِّ وَ الْمَسْكِنَةِ وَ لَا بَأْسَ بِصَدَقَاتِ بَعْضِهِمْ عَلَى بَعْضٍ وَ هَؤُلَاءِ الَّذِينَ جَعَلَ اللَّهُ لَهُمْ الْخُمْسَ هُمْ قَرَابَةُ النَّبِيِّ (صلى الله عليه وآله) الَّذِينَ ذَكَرَهُمُ اللَّهُ فَقَالَ وَ أَنْذِرْ عَشِيرَتَكَ الْأَقْرَبِينَ وَ هُمْ بَنُو عَبْدِ الْمُطَّلِبِ أَنْفُسُهُمْ الذِّكْرُ مِنْهُمْ وَ الْأُنْثَى لَيْسَ فِيهِمْ مِنْ أَهْلِ بِيُوتَاتِ قُرَيْشٍ وَ لَا مِنَ الْعَرَبِ أَحَدٌ وَ لَا فِيهِمْ وَ لَا مِنْهُمْ فِي هَذَا الْخُمْسِ مِنْ مَوَالِيهِمْ وَ قَدْ نَحَلُّ صَدَقَاتِ النَّاسِ لِمَوَالِيهِمْ وَ هُمْ وَ النَّاسُ سَوَاءٌ

Thus, he^{asws} makes it to be for them in particular, from Him^{azwj} what they could be needless with that from coming into a place of disgrace and neediness. And there is no problem with the charities of some of them upon the others, and they are those for whom Allah^{azwj} has Made the Khums. They are the near of kin of the Prophet^{saww} whom Allah^{azwj} has Mentioned, and He^{azwj} Said **[26:214] And warn your nearest relations**, and they are the Clan of Abdul Muttalib^{asws} themselves, the males from them and the females. There aren't among them from the people of the households of the Quraysh, nor from the Arabs anyone, nor among them, nor from them in this Khums from any of their friends, and the charities of the people has been Made permissible for their friends, and they and the people are equal.

وَ مَنْ كَانَتْ أُمُّهُ مِنْ بَنِي هَاشِمٍ وَ أَبُوهُ مِنْ سَائِرِ قُرَيْشٍ فَإِنَّ الصَّدَقَاتِ نَحْلٌ لَهُ وَ لَيْسَ لَهُ مِنَ الْخُمْسِ شَيْءٌ لِأَنَّ اللَّهَ تَعَالَى يَقُولُ ادْعُوهُمْ لِآبَائِهِمْ

The one whose mother was from the Clan of Hashim and his father was from the rest of the Quraysh, so the charities would be Permissible for him and there wouldn't be anything for him from the Khums because Allah^{azwj} the Exalted is Saying **[33:5] Assert their relationship to their fathers**.

وَ لِلْإِمَامِ صَفْوُ الْمَالِ أَنْ يَأْخُذَ مِنْ هَذِهِ الْأَمْوَالِ صَفْوَهَا الْجَارِيَةَ الْفَارِهَةَ وَ الدَّابَّةَ الْفَارِهَةَ وَ الثَّوْبَ وَ الْمَتَاعَ بِمَا يُحِبُّ أَوْ يَشْتَهِي فَذَلِكَ لَهُ قَبْلَ الْقِسْمَةِ وَ قَبْلَ إِخْرَاجِ الْخُمْسِ وَ لَهُ أَنْ يَسُدَّ بِذَلِكَ الْمَالَ جَمِيعَ مَا يُتَوَبُّهُ مِنْ مِثْلِ إِعْطَاءِ الْمُؤَلَّفَةِ قُلُوبُهُمْ وَ غَيْرِ ذَلِكَ بِمَا يُتَوَبُّهُ

And for the Imam^{asws} is the clean wealth that he^{asws} should take from these wealth, the cleanest of it – the luxurious maid, and the luxurious animal, and the clothes and the chattels. Whatever he^{asws} loves or desires, so that is for him before the distribution and before the extraction of the Khums. And for him^{asws} is that he^{asws} supports with that wealth the entirety of what he^{asws} is represented with from the likes of grants to incline their hearts and other than that from what he^{asws} is represented with.

فَإِنْ بَقِيَ بَعْدَ ذَلِكَ شَيْءٌ أَخْرَجَ الْخُمْسَ مِنْهُ فَقَسَمَهُ فِي أَهْلِهِ وَ قَسَمَ الْبَاقِيَ عَلَى مَنْ وُلِيَ ذَلِكَ وَإِنْ لَمْ يَبْقَ بَعْدَ سَدِّ النَّوَائِبِ شَيْءٌ فَلَا شَيْءَ لَهُمْ وَ لَيْسَ لِمَنْ قَاتَلَ شَيْءٌ مِنَ الْأَرْضِينَ وَ لَا مَا غَلَبُوا عَلَيْهِ إِلَّا مَا احتوى عَلَيْهِ الْعَسْكَرُ

So if something were to remain after that, the Khums would be extracted from it and it would be distributed among his^{asws} family and the remainder would be distributed upon the ones who is the governor of that, and if there does not remain anything after the support of the representatives, then there would not be anything for them. And there isn't anything for the fighter from the (captured) lands, nor what they overcome upon except for what the army encompasses upon.

وَ لَيْسَ لِلْأَعْرَابِ مِنَ الْقِسْمَةِ شَيْءٌ وَ إِنْ قَاتَلُوا مَعَ الْوَالِي لِأَنَّ رَسُولَ اللَّهِ (صلى الله عليه وآله) صَالِحَ الْأَعْرَابِ أَنْ يَدْعَهُمْ فِي دِيَارِهِمْ وَ لَا يُهَاجِرُوا عَلَى أَنَّهُ إِنْ دَهَمَ رَسُولَ اللَّهِ (صلى الله عليه وآله) مِنْ عَدُوِّهِمْ أَنَّهُمْ أَنْ يَسْتَنْفِرَهُمْ فَيُقَاتِلَ بِهِمْ وَ لَيْسَ لَهُمْ فِي الْغَنِيمَةِ نَصِيبٌ وَ سُنَّتُهُ جَارِيَةٌ فِيهِمْ وَ فِي غَيْرِهِمْ

And there isn't anything for the Bedouins from the distribution and even though they may have found along with the administrator, because Rasool-Allah^{saww} reconciled with the Bedouins that he^{saww} would leave them to be in their houses and they would not emigrate upon the stipulation that if Rasool-Allah^{saww} is ever raided from his^{saww} enemies with a raid, they would make them flee and fight with them and there wouldn't be a share for them in the spoils, and his^{saww} Sunnah flows in them and in the others.

وَ الْأَرْضُونَ الَّتِي أُخِذَتْ عَنْوَهُ بِحَيْلٍ وَ رِجَالٍ فِيهِمْ مَوْفُوتَةٌ مَشْرُوكَةٌ فِي يَدِ مَنْ يَعْمُرُهَا وَ يُحْيِيهَا وَ يَثْمُومُ عَلَيْهَا عَلَى مَا يُصَالِحُهُمُ الْوَالِي عَلَى قَدْرِ طَاقَتِهِمْ مِنَ الْحَقِّ النَّصْفِ أَوْ الثُّلُثِ أَوْ الثُّلُثَيْنِ وَ عَلَى قَدْرِ مَا يَكُونُ لَهُمْ صَالِحاً وَ لَا يَضُرُّهُمْ

And the lands which are seized forcibly by cavalry horses and (infantry) men, so it would be suspended, left in the hands of the one who would build these and revive these, and look after upon these upon what the administrator would reconcile with them in accordance of their strength from the right, the half or the third or the two-third, and upon a measurement of what would happen to be correct for them, and he would not harm them.

فَإِذَا أُخْرِجَ مِنْهَا مَا أُخْرِجَ بَدَأَ فَأَخْرَجَ مِنْهُ الْعُشْرَ مِنَ الْجَمِيعِ بِمَا سَقَتِ السَّمَاءُ أَوْ سُقِيَ سَيْحاً وَ نِصْفَ الْعُشْرِ بِمَا سُقِيَ بِالذَّوَالِي وَ النَّوَاضِحِ فَأَخَذَهُ الْوَالِي فَوَجَّهَهُ فِي الْجِهَةِ الَّتِي وَجَّهَهَا اللَّهُ عَلَى ثَمَانِيَةِ أَصْهُمٍ لِلْفُقَرَاءِ وَ الْمَسَاكِينِ وَ الْعَامِلِينَ عَلَيْهَا وَ الْمُؤَلَّفَةَ قُلُوبُهُمْ وَ فِي الرِّقَابِ وَ الْعَامِرِينَ وَ فِي سَبِيلِ اللَّهِ وَ ابْنِ السَّبِيلِ

So if there comes forth from it what comes forth (harvest), so a tenth would be taken out from the entirety of what the sky has irrigated, or the clouds irrigate, and (it would be) half

of the tenth (5%) from what is irrigated by the buckets or the dams. So the administrator would take it and divert it in the perspective which Allah^{azwj} has Diverted, upon eight shares – for the poor, and the needy, and the workers upon it, and the ones inclined of hearts, and regarding (freeing) of the slaves, and the creditors, and in the Way of Allah^{azwj}, and the needy traveller.

ثَمَانِيَةَ أَشْهُمٍ يَفْسِمُ بَيْنَهُمْ فِي مَوَاضِعِهِمْ بِقَدْرِ مَا يَسْتَغْنُونَ بِهِ فِي سَنَتِهِمْ بِلَا ضَيْقٍ وَلَا تَقْتِيرٍ فَإِنْ فَضَلَ مِنْ ذَلِكَ شَيْءٌ رُدَّ إِلَى الْوَالِي
وَإِنْ نَقَصَ مِنْ ذَلِكَ شَيْءٌ وَلَمْ يَكْتَفُوا بِهِ كَانَ عَلَى الْوَالِي أَنْ يَمُونَهُمْ مِنْ عِنْدِهِ بِقَدْرِ سَعَتِهِمْ حَتَّى يَسْتَعْنُوا

(These) eight shares being distributed between them in their places by a measurement of what they could become needless with it during their years with neither being constricted nor being thrifty. So if there is anything excess from that, it would be returned to the administrator, and if something is deficient from that and they are not sufficed with it, it would be upon the administrator that he gifts it from him in accordance with their capacity until they become needless.

وَ يُؤْخَذُ بَعْدَ مَا بَقِيَ مِنَ الْعَشْرِ فَيُفْسَمُ بَيْنَ الْوَالِي وَ بَيْنَ شُرَكَائِهِ الَّذِينَ هُمْ عُمَّالُ الْأَرْضِ وَ أَكْرَتْهَا فَيُدْفَعُ إِلَيْهِمْ أَنْصَابُهُمْ عَلَى مَا صَالَحَهُمْ عَلَيْهِ وَ يُؤْخَذُ الْبَاقِي فَيَكُونُ بَعْدَ ذَلِكَ أَزْرَاقَ أَعْوَانِهِ عَلَى دِينِ اللَّهِ وَ فِي مَصْلَحَةِ مَا يُؤْتِيهِ مِنَ تَقْوِيَةِ الْإِسْلَامِ وَ تَقْوِيَةِ الدِّينِ فِي وُجُوهِ الْجِهَادِ وَ غَيْرِ ذَلِكَ مِمَّا فِيهِ مَصْلَحَةُ الْعَامَّةِ لَيْسَ لِنَفْسِهِ مِنْ ذَلِكَ قَلِيلٌ وَ لَا كَثِيرٌ

And he (the administrator) would take afterwards, whatever remains from the tenth, and it would be distributed between the administrator and his associated, those who work the earth and supervise it. So he would hand their shares to them upon what he can reconcile them upon, and he would take the remainder, so that it would happen to be a sustenance for his supporters upon the Religion of Allah^{azwj} and in the interests of what he is represented from the strengthening of Al-Islam and the strengthening of the Religion in its aspects of the Jihad and other than that, from what therein is the general interest of the people, and there isn't anything for himself from that, be it little of more.

وَ لَهُ بَعْدَ الْخُمْسِ الْأَنْقَالُ وَ الْأَنْقَالُ كُلُّ أَرْضٍ خَرِبَةٍ قَدْ بَادَ أَهْلُهَا وَ كُلُّ أَرْضٍ لَمْ يُوجَفْ عَلَيْهَا بِحَيْلٍ وَ لَا رِكَابٍ وَ لَكِنْ صَالِحُوا صُلْحًا وَ أَعْطُوا بِأَيْدِيهِمْ عَلَى غَيْرِ قِتَالٍ وَ لَهُ رُءُوسُ الْجِبَالِ وَ بُطُونُ الْأُودِيَةِ وَ الْأَحَامُ وَ كُلُّ أَرْضٍ مَيْتَةٍ لَا رَبَّ لَهَا وَ لَهُ صَوَابِي الْمُلُوكِ مَا كَانَ فِي أَيْدِيهِمْ مِنْ غَيْرِ وَجْهِ الْعَصَبِ لِأَنَّ الْعَصَبَ كُلَّهُ مَرْدُودٌ وَ هُوَ وَارِثٌ مَنْ لَا وَارِثَ لَهُ يَفْعَلُ مَنْ لَا حِيلَةَ لَهُ

And for him, after the Khums, is the Anfal, and the Anfal is every barren land which its people have perished, and every land not seized upon neither by a cavalry nor an infantry, but they have reconciled with a reconciliation and they have given with their own hands without any fighting. And for him (the administrator) would be the peaks of the mountains and the interior of the valleys, and the bushes, and every dead land with no owner for it; and for him would be the properties of the kings what was in their hands from without an aspect of usurpation, because the usurpation, all of it is returnable, and he would be an inheritor of the one who has no inheritor for him, and a supporter for whom there is no supporter for him.

وَقَالَ إِنَّ اللَّهَ لَمْ يَتْرُكْ شَيْئاً مِنْ صُنُوفِ الْأَمْوَالِ إِلَّا وَ قَدْ قَسَمَهُ وَ أَعْطَى كُلَّ ذِي حَقِّ حَقَّهُ الْخَاصَّةَ وَ الْعَامَّةَ وَ الْفُقَرَاءَ وَ الْمَسَاكِينَ وَ كُلَّ صِنْفٍ مِنْ صُنُوفِ النَّاسِ

And he^{asws} said: 'Allah^{azwj} did not neglects anything from the varieties of the wealth except and He^{azwj} has Apportioned it and Given it to every one with a right, his right, the special and the general, and the poor and the needy, and every variety from the varieties of the people'.

فَقَالَ لَوْ عُدِلَ فِي النَّاسِ لَأَسْتَعْنَوْا ثُمَّ قَالَ إِنَّ الْعَدْلَ أَخْلَى مِنَ الْعَسَلِ وَ لَا يَعْدِلُ إِلَّا مَنْ يُحْسِنُ الْعَدْلَ قَالَ وَ كَانَ رَسُولُ اللَّهِ (صلى الله عليه وآله) يُقْسِمُ صَدَقَاتِ الْبُؤَادِي فِي الْبُؤَادِي وَ صَدَقَاتِ أَهْلِ الْخَضِرِ فِي أَهْلِ الْخَضِرِ وَ لَا يُقْسِمُ بَيْنَهُمْ بِالسَّوِيَّةِ عَلَى تَمَانِيَةٍ حَتَّى يُعْطِيَ أَهْلَ كُلِّ سَهْمٍ تَمَاناً وَ لَكِنْ يُقْسِمُهَا عَلَى قَدْرِ مَنْ يَحْضُرُهُ مِنْ أَصْنَافِ التَّمَانِيَةِ عَلَى قَدْرِ مَا يُقِيمُ كُلَّ صِنْفٍ مِنْهُمْ يُقَدِّرُ لِسَنَّتِهِ

He^{asws} said: 'If justice is done among the people, they would become needless'. Then he^{asws} said: 'The justice is sweeter than the honey, and he cannot do justice except the one who is good of justice. And it was so that Rasool-Allah^{saww} distributed the charities of the people of the valleys among the people of the valleys, and the charities of the people of the towns among the people of the towns, and he^{saww} did not apportion between them with the equalness upon the eight (categories) until he^{saww} gave the people of each share, an eighth (of the total), but he^{saww} distributed it upon a measurement of the ones who were present from the eight varieties, upon a measurement of what each category from them could be able to stay for his year.

لَيْسَ فِي ذَلِكَ شَيْءٌ مَوْثُوتٌ وَ لَا مُسَمَّى وَ لَا مُؤَلَّفٌ إِذَا بَضِعَ ذَلِكَ عَلَى قَدْرِ مَا يَرَى وَ مَا يَحْضُرُهُ حَتَّى يَسُدَّ فَاقَةَ كُلِّ قَوْمٍ مِنْهُمْ وَ إِنْ فَضَلَ مِنْ ذَلِكَ فَضْلاً عَرَضُوا الْمَالَ جُمْلَةً إِلَى غَيْرِهِمْ

There isn't anything dedicated nor specified, nor written. But rather, that is upon a measurement of what he^{saww} saw and what was presented to him^{saww} until he^{saww} eliminated the destitution of every people from them. And if there was an excess from that, he^{saww} distributed the total wealth upon the others'.

وَ الْأَنْفَالُ إِلَى الْوَالِي وَ كُلُّ أَرْضٍ فُتِحَتْ فِي أَيَّامِ النَّبِيِّ (صلى الله عليه وآله) إِلَى آخِرِ الْأَبَدِ وَ مَا كَانَ افْتِتَاحاً بِدَعْوَةِ أَهْلِ الْجُورِ وَ أَهْلِ الْعَدْلِ لِأَنَّ دِمَّةَ رَسُولِ اللَّهِ فِي الْأَوَّلِينَ وَ الْآخِرِينَ دِمَّةٌ وَاحِدَةٌ لِأَنَّ رَسُولَ اللَّهِ (صلى الله عليه وآله) قَالَ الْمُسْلِمُونَ إِخْوَةٌ تَتَكَافَى دِمَاؤُهُمْ وَ يَسْعَى بِدِمَّتِهِمْ أَذْنَاهُمْ

And the Anfal is to the administrator, and every land conquered during the days of the Prophet^{saww} up to the last, for ever. And whatever was conquered by the calling of the people of tyranny and people of the justice, because the responsibility of Rasool-Allah^{saww} among the former ones and the later ones, is one (and the same), because Rasool-Allah^{saww} said: 'The Muslims are brethren. Their bloods are sufficed with and their responsibilities are strived for by the lowest of them'.

وَلَيْسَ فِي مَالِ الْخُمْسِ زَكَاةٌ لِأَنَّ فُقَرَاءَ النَّاسِ جُعِلَ أَرْزَاقُهُمْ فِي أَمْوَالِ النَّاسِ عَلَى تَمَانِيَةِ أَسْهُمٍ فَلَمْ يَبْقَ مِنْهُمْ أَحَدٌ وَ جَعَلَ لِلْفُقَرَاءِ قَرَابَةَ الرَّسُولِ (صلى الله عليه وآله) نِصْفَ الْخُمْسِ فَأَعْنَاهُمْ بِهِ عَنْ صَدَقَاتِ النَّاسِ وَ صَدَقَاتِ النَّبِيِّ (صلى الله عليه وآله) وَ وَرَى الْأَمْرَ

And there isn't any Zakāt in the wealth of the Khums, because the poor people, their sustenance is made to be in the wealth of the people upon eight portions, therefore there does not remain even one of them. And for the poor of the relatives of Rasool-Allah^{saww} is half the Khums, so they are needless by it from the charities of the people, and the charities of the Prophet^{saww} and the Master^{asws} of the Command (Wali Al-Amr).

فَلَمْ يَبْقَ فَقِيرٌ مِنْ فُقَرَاءِ النَّاسِ وَ لَمْ يَبْقَ فَقِيرٌ مِنْ فُقَرَاءِ قَرَابَةِ رَسُولِ اللَّهِ (صلى الله عليه وآله) إِلَّا وَ قَدْ اسْتَعْنَى فَلَا فَقِيرَ وَ لِذَلِكَ لَمْ يَكُنْ عَلَى مَالِ النَّبِيِّ (صلى الله عليه وآله) وَ الْوَالِي زَكَاةٌ لِأَنَّهُ لَمْ يَبْقَ فَقِيرٌ مُخْتِاجٌ وَ لَكِنْ عَلَيْهِمْ أَشْيَاءٌ تَنْوِبُهُمْ مِنْ وُجُودِ وَ هُمْ مِنْ تِلْكَ الْوُجُودِ كَمَا عَلَيْهِمْ .

Thus, there does not remain a poor one from the poor of the people, and there does not remain a poor one from the poor relatives of Rasool-Allah^{saww} but they have been made needless. Therefore, there would be no poor ones due to that. The Zakāt does not happen to be upon the wealth of the Prophet^{saww} and the administrator because there does not remain a poor needy one, but upon them are things given to them from its perspective, and for them, from that perspective is like what is upon them'.⁶⁷

⁶⁷ Al Kafi V 1 – The Book Of Divine Authority CH 130 H 4

Appendix IV:

Estimation of Minimum Amount for *Al-Khums*:

The minimum amount of savings kept over one year on which *Al-Khums* can be paid is the same as for Zakāt - 200 dirhams. *Al-Khums* is taken as 20%, **20% of 200 dirhams = 40 dirhams.**

Assumption: 1 dirham silver coin is equal to about 3 grams of silver⁶⁸.



As per today, 20th April 2020, the rate of silver is as follows:⁶⁹

Approximately £396.00 per kilogram of silver.

Per gram, this is = $396 \times 1 / 1000 = \text{£}0.396$

Therefore, 1 gram of silver is approximately £0.40

1 dirham (which is of 3 grams) is $\text{£}0.40 \times 3 = \text{£}1.20$ pounds

Therefore, 200 dirhams = £1.20 x 200 = £240

Therefore, upon savings of £240, £48 (20% of 240) may be paid as *Al-Khums*.

Below are minimum savings (held for one year) after which Zakāt is payable for other currencies:

GBP.1 = 200 Pakistani rupee $200 \times 240 = 48\,000$ (of which 20% = 9600)

GBP.1 = 95.29 Indian rupee $95 \times 240 = 22\,800$ (of which 20% = 4560)

GBP.1 = 1.24 American dollars $1.24 \times 240 = 297.60$ (of which 20% = 59.52)

Minimum of savings in Pakistan is 48,000 rupees

Minimum of savings in India is 22,800 rupees

Minimum savings of American dollars is \$297.60

⁶⁸ <https://en.wikipedia.org/wiki/Nisab>

⁶⁹ <https://silverprice.org/silver-price-uk.html>