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Pluralism and Contestation in the Interpretive History of Qur'an Surah al-Anfāl: 41

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Abstract: This article investigates the enduring and multifaceted interpretive conflict surrounding the Qur'anic verse of *khums* (Q. 8:41), a foundational text for Islamic law, theology, and concepts of authority. This study employs a diachronic, historical-comparative analysis of a textual corpus from classical Islamic exegesis (*tafsir*) to contemporary scholarly and ideological works, including influential modern Indonesian commentators. The findings reveal a multi-layered evolution of interpretation. What began as a formative legal debate over the term *ghanīma* hardened into a fundamental Sunni-Shi'i schism rooted in competing political theologies of the Caliphate and the Imamate. Within Sunnism, a structured pluralism emerged, with the four primary legal schools issuing distinct rulings grounded in their respective hermeneutical principles. Beyond jurisprudence, the verse was also appropriated for non-legal ends: as an allegory for the soul's journey by Sufi mystics and as a tool of statecraft by the Ottoman and Safavid empires. In the modern era, thinkers from traditionalist, modernist, and Islamist backgrounds—such as Hamka, Quraish Shihab, and Sayyid Qutb—continue to reinterpret the verse in response to the challenges of the nation-state and contemporary ideologies. This research provides a comprehensive historical map of a single verse's interpretive life, demonstrating how a sacred text functions as a dynamic mirror reflecting the evolution of Islamic law, identity, and thought from the classical age to the present day.

Keywords: *Khums, Tafsir, Islamic Law, Doctrinal History, Contemporary Islamic Thought*

INTRODUCTION

In the legal and theological tradition of Islam, few Qur'anic verses have sparked debates as profound, extensive, and enduring as Sūrah al-Anfāl, verse 41, better known as *āyat al-khums* (the verse of the fifth). This verse establishes a specific framework for economic distribution: "Know that whatever you acquire as spoils (*ghanīmah*), a fifth of it is for Allah, for the Messenger, for the near of kin (dhawī al-qurbā), the orphans, the needy, and the wayfarer (ibn al-sabīl)." On its surface, the verse appears to be a fiscal regulation for wartime. However, in Islamic intellectual history, it has become a crucial locus of fierce contestation over concepts of authority, legitimacy, social justice, and communal identity. Its significance is deepened by the explicit mention of the Prophet's "near of kin," a phrase that became the primary theological foundation for the special status and privileges of Prophet Muhammad's descendants (*sayyids* and *sharīfs*) throughout the history of Islamic civilization (Husayn, 2020; Morimoto, 2020).

The historical background of this verse is rooted in the need of the early Islamic state to manage resources acquired through territorial expansion. Early Islamic jurists developed a fundamental conceptual distinction between *ghanīmah*, narrowly defined as wealth obtained through battle, and *fayʾ*, which is property acquired without combat, such as through peace treaties (Hayati et al., 2024; Sharif & Abdullah, 2021). Under the leadership of Caliph ʿUmar ibn al-Khaṭṭāb, the fiscal system underwent a major transformation: conquered lands were no longer distributed directly to warriors but were converted into communal property of the Muslim community, with their proceeds managed by the state treasury (Baitul Mal) as *fayʾ* for the public good (Kennedy, 2014; Muchsin & Manan, 2019). This evolution affirmed the state's role as the primary manager of public resources and laid the groundwork for a more complex taxation system, integrating practices like *kharāj* (land tax) and *jizyah* (poll tax on non-Muslims) into the framework of Islamic law (Yousefi, 2019). It is within this context that the interpretation of the *khums* verse became critically important, as it not only regulated the spoils of war but also touched upon the broader principle of state and community rights over wealth.

The central research problem driving this study is the phenomenon of extraordinarily vast disagreement (*ikhtilāf*) concerning nearly every phrase in the *khums* verse. This debate extends far beyond mere technical details; it touches the very heart of Islamic political theology. Defined here as the discursive mechanism by which theological doctrines regarding divine election and lineage are mobilized to validate specific forms of governance, this concept illuminates why a fiscal verse became a proxy for the broader rivalry over legitimate authority. Scholars have differed on the definition of *ghanīmah*—is it limited to spoils of war, or does it encompass all forms of profit, including commercial gains and mineral resources? They have debated the identity of the "near of kin"—are they the entire clans of Banū Hāshim and Banū Muṭṭalib, or only the Imams from the Ahl al-Bayt? They have also disagreed on the fate of the portions for the Prophet and his kin after his death. This phenomenon of *ikhtilāf*, however, is not a sign of intellectual failure or chaos. Instead, as modern studies have shown, *ikhtilāf* is a structured and theologically recognised mechanism within Islamic law that allows for legal pluralism and fosters the formation of different schools of law (*madhāhib*), each with its methodology and coherence (Kamali, 2015; Laabdi, 2024; Pagani, 2004).

The general solution for resolving textual ambiguity in Islam lies in the discipline of Qur'anic exegesis (*tafsīr*). However, rather than providing a single, unified answer, the practice of *tafsīr* became the very arena where these differences were codified and sharpened. The most fundamental schism in the exegetical tradition occurs between the Sunni and Shi'i approaches, rooted in their divergent views on the source of authority after the Prophet's death. This

difference is not merely political but permeates their hermeneutical principles or ways of approaching the sacred text. For the Sunni tradition, interpretive authority rests in a collective process involving the Qur'an itself, the Prophetic traditions (hadith), the understanding of the Companions (*ṣaḥābah*), and communal consensus (*ijmāʿ*). For Twelver Shi'ism, the supreme and infallible authority for interpreting the Qur'an lies with the Imams from the Prophet's lineage, who are considered divinely guided (*maʿṣūm*). This foundational difference in the source of authority is the starting point for the interpretive divergence regarding the *khums* verse (Esposito, 2015).

More specifically, these hermeneutical principles yield different approaches to the text. Classical Sunni exegesis tends to emphasize the text's literal or outward meaning (*ẓāhir*), supported by robust linguistic analysis and historical context based on reports deemed authentic. The use of *taʾwīl*, or allegorical/esoteric interpretation, is highly restricted and viewed with caution, lest it deviate from the understanding of the early generations (*salaf*). Coherence is maintained by connecting one verse to another (*munāsabah*) within a framework of understanding generally accepted by most scholars. With this approach, the *khums* verse tends to be understood within a specific juridical context, namely as part of the law of war and state finance under the authority of the caliph or legitimate ruler (Jalāl al-Dīn al-Suyūṭī, 2008).

On the other hand, the Twelver Shi'i exegetical tradition positions the Imams as divine interpreters who have access not only to the exoteric (*ẓāhir*) meaning of the text but also to its esoteric (*bāṭin*) layers. Therefore, *taʾwīl* becomes a central and legitimate hermeneutical tool, as it is believed that only the Imams can fully uncover the depths of the Qur'an's meaning. Their interpretations often center on the history and key figures of the Shi'i narrative, such as Imam ʿAlī and the suffering of the Ahl al-Bayt, making *tafsīr* not only an explanation of the text but also an affirmation of identity and a historical polemic. When applied to the *khums* verse, this approach allows for expanding the meaning of ghanīmah to "every profit" and for affirming that the "near of kin" refers exclusively to the Imams, who inherit the Prophet's spiritual and financial authority.

Although many studies have examined the law of *khums*, the history of the legal schools, and sectarian hermeneutics separately, a gap remains for research that undertakes a comprehensive diachronic synthesis of this specific verse. This study aims to fill that gap by continuously tracing the interpretive trajectory of Q. 8:41, connecting the formative classical debates with their reconfigurations in modern and contemporary eras. By placing legalistic exegesis in conversation with mystical and political appropriations, and by extending the analysis to include influential Southeast Asian and Islamist voices, this article offers a uniquely integrated historical narrative. While acknowledging the complex transitions of the colonial interim, this study contrasts explicitly the imperial statecraft of the early modern period with the distinct structural and ideological responses necessitated by the modern nation-state. This approach aligns with current scholarly trends emphasizing diachronic and comparative analysis to understand how Islamic doctrines adapt and respond to evolving intellectual and social contexts.

Therefore, this article aims to conduct a historical-comparative analysis of the interpretation of Q. 8:41, from the classical period to the present. Its central thesis is that interpretive differences directly reflect the commentators' foundational commitments—be it to a legal school, a political theology, a mystical path, or a modern ideology—and that these debates evolve in response to the challenges of their time. The novelty of this research lies in its chronological and thematic scope, tracing the verse's journey through the works of jurists like al-Ṭabarī, mystics like al-Qushayrī, and state ideologues of the Ottoman and Safavid

empires, all the way to contemporary thinkers such as the Islamist ideologue Sayyid Qutb and Indonesian modernists Hamka and M. Quraish Shihab. In the contemporary era, these classical debates find new relevance in discussions on governance, social justice, and the search for an authentic Muslim identity in a post-colonial world (Fadillah et al., 2024; Sumadi, 2025). By tracing this long journey, this study demonstrates how a sacred text remains a living, dynamic, and contested source of meaning for Muslim communities across generations.

METHOD

This study employs a qualitative, historical-comparative research design, an approach widely validated in religious studies for its effectiveness in systematically tracing doctrinal evolution across different eras and contextualizing interpretations within their broader socio-historical environments (Valkenberg, 2022; Zalmat, 2024). The primary data consists of a curated textual corpus spanning two major periods: the classical-medieval era (8th–17th centuries) and the modern-contemporary era (19th–21st centuries). Following established best practices for textual scholarship, this corpus was assembled based on explicit criteria to ensure comparative balance and historical depth (Brand, 2022). It includes canonical exegetical works from all primary Sunni legal schools, foundational Shi'i commentaries, and representative Sufi texts. The contemporary corpus was selected to represent key modern intellectual currents, including works by influential figures such as Syrian jurist Wahbah al-Zuhayli, Islamist ideologue Sayyid Qutb, Indonesian modernists Hamka and M. Quraish Shihab, and prominent Shi'i scholar Nāṣir Makārim al-Shirazī.

Hamka and Shihab were specifically selected to represent the Southeast Asian response; their monumental works (*Tafsir al-Azhar* and *Tafsir al-Mishbah*) offer unique insight into how classical *khums* debates are recontextualized to address the specific anxieties of the post-colonial nation-state and to critique hereditary privilege. This selection reflects doctrinal diversity, from traditionalist restatements to modernist and ideological reinterpretations and significant regional perspectives (Alsaied, 2025). The analytical process involves a close comparative reading of each source's exegesis of Q. 8:41. This analysis focuses on key variables—including the definition of *ghanīmah*, the use of hadith, and the underlying legal or ideological reasoning—to connect specific textual interpretations to the larger doctrinal and historical shifts under investigation.

FINDING AND DISCUSSION

The Genesis of Disagreement: Early Exegesis and the Problem of *Ghanīmah*

The interpretive history of the Qur'anic verse of *khums* did not begin with fully formed, rigid legal doctrines. Instead, its early life in the 8th and 9th centuries unfolded within a dynamic and intellectually fertile environment, which modern scholarship has characterized as a period marked by a rational, flexible, and humanistic spirit in the compilation of Islamic law (Fachrurozi & Subhi, 2024). Before the great legal schools (*madhāhib*) were fully crystallized, early exegesis (*tafsīr*) often took the form of direct, sometimes terse, glosses on the sacred text. The primary challenge for the first generations of Muslim scholars was not to defend a pre-existing school doctrine, but to grapple with the verse's foundational ambiguities. This formative period was crucial, for it was here that the core questions were first articulated and the lexical and legal fault lines were drawn, setting the stage for centuries of structured disagreement to come.

At the heart of the initial controversy lay the definition of a single, pivotal term: *ghanīma*. The debate over its scope—whether it referred narrowly to spoils acquired exclusively through armed conflict or broadly to any form of gain, profit, or acquisition—was the semantic spark that ignited the entire interpretive fire. This was not a mere lexicographical exercise; the implications were profound. A narrow definition would confine the application of the *khums* levy to the relatively infrequent context of war, making it a specific chapter within the laws of *jihād*. A broad definition, however, would transform the verse into a cornerstone of Islamic fiscal law, a continuous religious tax applicable to commerce, agriculture, mining, and other economic activities. Modern scholarship has shown that these nascent interpretive differences reflected differing legal philosophies. Some early jurists leaned towards a more tradition-bound reading, adhering closely to the term's most common usage. In contrast, others employed a form of analogical reasoning (*qiyās*) that could extend the principle of the verse to other types of acquired wealth, thus planting the seeds for the methodological differences that would later define the major schools (Sachedina, 1980).

The ambiguity of *ghanīmah* inevitably led to a cascade of further questions that demanded resolution. If a fifth were to be set aside, what was the precise mechanism for its allocation? What was the legal status of the share designated "for Allah," and what became of the Prophet's share after his death? Most contentiously, who precisely were the "near of kin" (*dhawī al-qurbā*)? Was this an honorific for a specific lineage, and did they have the right to a perpetual share? It was in response to this growing complexity that figures like Imām al-Shāfiʿī (d. 820) began to apply a more systematic legal methodology, famously distinguishing between *ghanīmah* (spoils of war) and *fayʾ* (property gained without fighting). This act of juristic systematization was a critical step, moving the discourse from simple commentary to sophisticated legal theory and establishing the foundational terms of debate for all subsequent jurists.

The watershed moment in this formative period arrived with the monumental exegetical work of Abū Jaʿfar Muḥammad ibn Jarīr al-Ṭabarī (d. 923). His commentary, *Jāmiʿ al-bayān*, marks a crucial pivot from scattered opinions to a structured, comprehensive "authoritative text." Al-Ṭabarī's genius lay not in imposing a single interpretation, but in his systematic compilation and critical evaluation of the entire spectrum of existing views, from the Companions of the Prophet to the leading jurists of his own time. In doing so, he played a pivotal role in the standardization and canonization of Sunni interpretation, creating a reference point with which all later commentators would have to engage (Fachrurozi & Subhi, 2024). His method, which masterfully balanced the citation of transmitted reports (*tafsīr bi-l-maʾthūr*) with reasoned analysis and linguistic critique (*tafsīr bi-l-raʾy*), embodied the rational and flexible spirit of early Islamic scholarship and became a model for the Sunni exegetical tradition.

Al-Ṭabarī's treatment of Q. 8:41 is a perfect case study of his method. He meticulously lays out the different scholarly opinions on each point of contention: the definition of *ghanīmah*, the allocation of the six shares, and the identity of the kin. To navigate this field of *ikhtilāf*, he employs evidence-based reasoning. For instance, in determining the identity of the "near of kin," he cites and validates the famous hadith of Jubayr ibn Muṭʿim, which specifies that the Prophet only distributed this share to the clans of Banū Hāshim and Banū Muṭṭalib (al-Bukhārī, 1981). By judging this report to be sound and making it the basis of his own preferred opinion (*tarjīḥ*), al-Ṭabarī demonstrates the process of weighing evidence that was becoming central to the maturation of Islamic jurisprudence. At the same time, his work serves a canonizing function; by documenting and often refuting other views, such as the emerging

positions of the Iraqi school (proto-Ḥanafīs) or the nascent claims of the Shi'a, he effectively delineates the boundaries of what would be considered mainstream Sunni thought.

The genesis of disagreement surrounding the *khums* verse was a process of intellectual evolution, moving from simple textual glosses to a highly structured and sophisticated field of legal and exegetical debate. This period did not ultimately resolve the core controversies. Instead, its most significant achievement, epitomized by al-Ṭabarī's work, was to *structure* the disagreement itself. By the end of this formative era, the key questions had been framed, the primary proof-texts had been identified, and the major interpretive camps—the seeds of the later schools and sects—had taken root. This structured intellectual landscape provided the shared vocabulary and the set of unresolved problems that would directly fuel the next stage of development: the great doctrinal schism between the Sunni and Shi'i traditions.

Shi'i Imamate versus Sunni Caliphate in Interpreting *Khums*

While the formative period of Islamic exegesis structured the field of disagreement surrounding the *khums* verse, the subsequent centuries witnessed these differences crystallizing into an irreconcilable doctrinal schism between the emerging Sunni and Shi'i communities. This was not merely a legal dispute over fiscal policy but a profound theological-political conflict, with the interpretation of Q. 8:41 serving as a key battleground. The divergence in understanding this single verse became a direct symptom of a more fundamental disagreement over the nature of legitimate authority after the death of the Prophet Muhammad. At its core, the schism reflected two competing models of leadership: the Sunni conception of the Caliphate, based on communal consensus and political stewardship, and the Shi'i doctrine of the Imamate, which posits a divinely appointed and hereditary spiritual authority vested exclusively in the Prophet's family, the Ahl al-Bayt (Myaskur et al., 2024).

The mainstream Sunni position, as consolidated by exegetes like al-Ṭabarī, effectively domesticated the *khums* verse within the framework of the existing state apparatus. By generally confining the meaning of *ghanīmah* to the spoils of war and affirming the caliph's or ruler's ultimate discretion over its distribution, the Sunni interpretation integrated the Prophet's relatives into the broader community of dependents on the state treasury. This view granted them honor and respect but crucially denied them an independent financial base that could be leveraged to assert a rival claim to political power. This interpretation served the political logic of the centralized caliphates (Umayyad and Abbasid), which sought to maintain stability by ensuring that no single lineage, including that of the Prophet, could command the resources necessary to mount a serious challenge to the ruling authority. In this reading, the verse became an instrument of state fiscal management rather than a charter for a hereditary spiritual elite.

In stark contrast, the Shi'i tradition constructed a comprehensive counter-doctrine that placed the Ahl al-Bayt at the center of the verse's meaning and application. This interpretation was not primarily juristic but theological, flowing directly from the core Shi'i belief in the Imamate. According to this doctrine, leadership of the Muslim community is a divine station (*manṣab ilāhī*) reserved exclusively for the Imams of the Prophet's lineage, who are considered infallible (*maʿṣūm*) and possessors of esoteric knowledge. This inherent spiritual supremacy, supported by other Qur'anic verses like the "Verse of Affection" (Q. 42:23), was seen to confer upon them unique rights and responsibilities (Af et al., 2023). Early Shi'i exegetes, such as al-ʿAyyāshī (d. 932), explicitly articulate this by transmitting the Imams' traditions (ʿAyyāshī &

Rasūlī Maḥallātī, 2010). He quotes the Fifth Imam, Muḥammad al-Bāqir, who frames *khums* not as mere charity but as a divinely ordained right (*farīḍah*) and a mark of honor (*karāmah*) given to the Ahl al-Bayt as compensation for their being forbidden from receiving general alms (*ṣadaqah*) (Majlisī, 2011).

This radical reinterpretation was made possible by a hermeneutical approach distinct from that of the Sunnis. While Sunni exegesis was bound by the collective authority of the early community (*salaf*) and the apparent (*ẓāhir*) meaning of the text, Shi'i hermeneutics was guided by the ultimate authority of the living Imam. The Imam was not simply one interpreter among many; he was the divinely sanctioned "speaking Qur'an," capable of unveiling the text's true, inner meaning (*bāṭin*). This principle of *taʾwīl* (esoteric interpretation), under the Imam's guidance, legitimized a reading of the verse that sharply diverged from the consensus of the Sunni schools. It allowed for key terms to be redefined and the verse's scope to be fundamentally transformed.

The most critical hermeneutical move was the redefinition of *ghanīmah*. Liberated from the constraints of historical context and Sunni consensus, Shi'i jurists expanded its meaning from "spoils of war" to encompass any "gain," "profit," or "benefit" (*fāʾidat al-māl*). This single move transformed *khums* from an occasional wartime levy into a continuous and obligatory 20% tax on all surplus income, including profits from trade, agriculture, salaries, and other earnings. The influential early Shi'i commentator ʿAlī ibn Ibrāhīm al-Qummī (fl. c. 910) systematically laid out the institutional implications of this doctrine. He explains that the *khums* is divided into six portions. The first three—the shares of God, the Prophet, and the "near of kin"—are consolidated into a single half belonging directly to the ruling Imam, who stands in the Prophet's place. The remaining half is designated for the orphans, the poor, and the wayfarers *exclusively* from among the Prophet's descendants (the Hashimites), to be distributed by the Imam or his representatives (Qummī, 2014).

This doctrine had profound socio-political functions. It effectively established an independent financial system for the Shi'i community, centered entirely on the authority of the Imam. The payment of *khums* became more than a religious obligation; it was a tangible act of political and spiritual allegiance, channeling the community's resources directly to its chosen leadership and bypassing the fiscal apparatus of the ruling Sunni state. This financial autonomy was essential for the survival, cohesion, and institutional development of a community that often defined itself in opposition to the political establishment (Morimoto, 2020; Reichmuth, 2017). It allowed the Imams and, later, the clerical establishment (*marjaʿiyya*) that succeeded them, to fund scholars, build religious institutions, and provide social welfare for their followers, thereby strengthening communal solidarity and identity.

The great schism in the interpretation of the *khums* verse was an inevitable consequence of the larger schism over legitimate authority in Islam. It was a clash between two irreconcilable political theologies. In its various forms, the Sunni interpretation ultimately served to subordinate the verse's financial prescriptions to the authority of the established caliphal state. The Shi'i interpretation, in contrast, weaponized the verse, transforming it into the financial and ideological charter for a distinct community organized around the hereditary and divine authority of the Imam.

Juristic Pluralism within Sunni Islam

While the great schism created a deep and lasting chasm between the Sunni and Shi'i worlds, it would be a mistake to view the Sunni tradition itself as a monolithic entity. On the

contrary, having established a broad consensus on the foundational principles of political authority that rejected the Shi'i doctrine of Imamate, Sunni Islam fostered a remarkable environment of internal legal pluralism (*ikhtilāf*). The debate over the *khums* verse is a paradigmatic case study of this phenomenon. The varying interpretations found within the four primary Sunni schools of law—the Shāfiʿī, Ḥanbalī, Ḥanafī, and Mālikī schools—were not random or arbitrary. Instead, they were the coherent and predictable outcomes of each school's legal methodology (*uṣūl al-fiqh*). This internal diversity demonstrates a "spectrum of orthodoxy," in which different, and sometimes conflicting, legal rulings can coexist as legitimate expressions of Sunni jurisprudence, each derived from a valid, albeit different, set of interpretive principles (Ṭūsī, 1998).

At one end of this spectrum lies the textualist approach, most prominently championed by the Shāfiʿī and Ḥanbalī schools. For exegetes and jurists from these traditions, the primary commitment is to the explicit word (*naṣṣ*) of the Qur'an and the authority of authenticated hadith. Their conclusion regarding the *khums* verse directly reflects this principle. They maintained that the share designated for the "near of kin" (*dhawī al-qurbā*)—whom they, following specific hadith reports like that of Jubayr ibn Muṭʿim, identified as the clans of Banū Hāshim and Banū Muṭṭalib—is a permanent and obligatory right. This entitlement, they argued, is an honorific tied to their lineage and is therefore not contingent upon their financial need; it must be given to them whether they are rich or poor. As for the Prophet's personal share, they concluded that after his death, it should be allocated to the public treasury (*Bait al-Māl*) for the Muslim community's general welfare (*maṣāliḥ*), such as funding defense or public works. This entire framework is built on rigorous adherence to the hierarchy of legal sources, in which the clear text of the Qur'an cannot be easily set aside by juristic reasoning. Exegetes like the hadith-oriented Shāfiʿī scholar Ibn Kathīr (d. 1373) meticulously defend this position by foregrounding the soundness of the prophetic reports that support it, illustrating a methodology where textual evidence is paramount (Ibn Kathīr, 1980).

In stark contrast to this textualist fidelity stands the rationalist approach of the Ḥanafī school. The Ḥanafīs are renowned for their sophisticated use of juristic reasoning (*raʾy*) and analogical deduction (*qiyās*), which allows them to look beyond the literal text to its underlying rationale or effective cause (*ʿilla*). Applying this methodology to the *khums* verse, influential Ḥanafī jurists like al-Jaṣṣāṣ (d. 981) reached a radically different conclusion. They argued that the shares for the Prophet and his kin were intrinsically linked to the person and function of the Prophet himself (Jaṣṣāṣ & Shāhīn, 1994). His personal share was intended to support him, and the share for his relatives was an honorific granted in recognition of their connection to him during his lifetime. Consequently, with the death of the Prophet, the *ʿilla* for these two specific shares ceased to exist. In a powerful application of legal reasoning, they ruled that these two shares lapse and are to be merged with the portions for the three timeless categories of the needy: orphans, the poor, and the wayfarer. This interpretation prioritizes a more rational, socially utilitarian outcome in the post-prophetic era over strict adherence to the verse's literal enumeration. It is a classic example of the Ḥanafī legal philosophy, which often values logical consistency and practical applicability in its rulings.

The Mālikī school carved out a distinct third path, described as pragmatic and state-centric. The Mālikī position, articulated clearly by the great Andalusian commentator al-Qurṭubī (d. 1272), grants the leader of the Muslim community (*imām* or ruler) ultimate discretion (*ikhtiyār*) over the distribution of the entire one-fifth portion. This approach is deeply rooted in two core Mālikī principles: *maṣlaḥah* (public interest) and *ʿamal ahl al-madīnah* (the normative practice of the people of Medina). Mālikī jurists gave significant weight to the

precedent set by the early Rightly Guided Caliphs, particularly Abū Bakr and ʿUmar, who were observed to have managed state funds with a high degree of discretion in response to the community's shifting needs. Instead of being bound by a fixed, unchanging formula, the ruler, in the Mālikī view, is empowered to act as a steward, allocating khums funds flexibly to address the state's most pressing issues, whether military expenditure, famine relief, or judicial salaries. This pragmatic stance empowers the executive authority and allows Islamic law to remain adaptable to the diverse and evolving governance challenges (Al-Qurṭubī, 1967).

These three distinct positions within Sunni Islam highlight the sophisticated nature of its legal pluralism. They are not merely three different opinions, but the products of three different legal philosophies confronting the same textual problem. The Shāfiʿī/Ḥanbalī approach asks, "What does the text explicitly command?" and derives its answer from a literal reading of the verse and supporting hadith. The Ḥanafī school asks, "What was the underlying purpose of this command, and how can we best fulfill that purpose now?" leading to a rational re-evaluation of the ruling's applicability. The Mālikī school asks, "What is the most beneficial and pragmatic course of action for the community as a whole, as guided by the precedent of the early leaders and determined by the current ruler?" This results in a doctrine of executive discretion.

This spectrum of orthodoxy demonstrates the intellectual vitality and adaptability of the Sunni legal tradition. While united in their theological rejection of the Shi'i doctrine of the Imamate and its financial implications, the Sunni schools developed a range of legitimate interpretations that enabled diverse socio-political applications. This structured *ikhtilāf* provided a toolkit of legal options that could be deployed in various contexts—from the text-centric communities that followed the Shāfiʿī school to the great bureaucratic empires that adopted Ḥanafī law, and the pragmatic states where the Mālikī school held sway. This internal diversity was not a weakness but a strength, allowing Sunnism to maintain doctrinal coherence and practical flexibility. Having mapped this internal legal spectrum, the analysis can now consider interpretations outside this juristic framework altogether.

Allegorical and Political Appropriations of the Verse

While the jurists (*fuqahāʾ*) were meticulously debating the legal intricacies of the *khums* verse, a parallel interpretive tradition was unfolding in circles that approached the Qur'an with different objectives. Beyond the legalistic framework of rights and obligations, the verse was read through the inward-looking, allegorical lens of Sufi mysticism and the pragmatic, outward-looking lens of state ideology. For the Sufis, the verse was not a legal code but a map of the human soul and its journey toward purification. For the great empires of the early modern period, it became an instrument of state policy and a potent weapon in their ideological conflicts. These appropriations demonstrate the remarkable plasticity of the sacred text, revealing how its meaning could be extended far beyond the confines of jurisprudence to address the individual's spiritual needs and the state's political necessities.

The Sufi hermeneutical approach, often termed *taʾwīl isyārī* (allegorical interpretation), seeks to uncover the inner, esoteric meaning (*bāṭin*) hidden beneath the literal, exoteric surface (*ẓāhir*) of the text. This method is not concerned with deriving practical laws for society, but with providing spiritual insights for transforming the individual soul. The celebrated mystic Abū al-Qāsim al-Qushayrī (d. 1072) offers a classic example of this approach in his commentary, *Laṭāʾif al-Ishārāt*. For him, the "battle" implied in the verse is the greater *jihād* against the self, and the *ghanīma* is not material wealth, but the "recapture of the self or soul

from desire and Satan." In this spiritual economy, the distribution of the "fifth" symbolizes the ultimate act of renunciation, where the servant of God is "freed from the slavery of owning any share," thereby achieving true spiritual poverty and dependence on God alone (al-Qushayrī, 1981). The legal categories are thus transformed into stations on the mystical path.

This allegorical mode is developed with even greater philosophical depth in the commentary attributed to the great master of the Akbarī school, Ibn al-ʿArabī, and penned by his follower ʿAbd al-Razzāq al-Kāshānī (d. 1336). Here, the verse is read as a sophisticated blueprint of mystical anthropology, mapping the beneficiaries of *khums* onto the faculties of the "comprehensive unicity of man" (*al-tawḥīd al-jamʿī*). In this reading, the share "for the Prophet" belongs to the heart (*qalb*), the locus of revelation. The share of the "near of kin" represents the most intimate part of the soul, "the secret" (*al-sirr*). The "orphans" symbolize the theoretical and practical rational faculties, while the "poor" are the faculties of sense perception (al-Fayḍ al-Kāshānī, 1998). Finally, the "wayfarer" is the inner self, exiled from its divine origin and journeying back toward God (Ibn al-ʿArabī, 1968). This highly intricate interpretation illustrates how, for the Sufis, the Qur'an served as a cosmic mirror reflecting the most profound truths of the human condition, far removed from the jurists' legal debates.

If the Sufis turned the verse inward, the great empires of the 16th and 17th centuries turned it outward, transforming it into an instrument of statecraft. In the context of the intense ideological and military rivalry between the Sunni Ottoman Empire and the Shi'i Safavid Empire, Qur'anic exegesis often became inseparable from political necessity. The influential Ottoman Shaykh al-Islām, Abū al-Suʿūd (d. 1574), a preeminent Ḥanafī jurist, provides a clear example of this politicized reading. In his commentary, he affirms the ruler's right to dispose of movable plunder, seized land, and prisoners. This interpretation, while rooted in Ḥanafī legal thought, had immediate political utility, providing a crucial religious justification for the controversial Ottoman practice of *devşirme*—the levy of Christian youths from the Balkans to serve in the elite Janissary corps—by framing them as a legitimate part of the ruler's share of the "spoils." Furthermore, his commentary contains a subtle polemic against the Safavids. He cites a tradition from the ʿAlid figure Zayd ibn ʿAlī, who allegedly stated that the Prophet's family did not have the right to use *khums* funds to build fortifications or buy mounts, implying that the defense of the state takes precedence over the financial claims of the Prophet's lineage—a direct ideological counter to the Safavid dynasty, whose entire legitimacy rested on those very claims (Abū al-Suʿūd, 1994).

Across the border, Safavid scholars similarly leveraged the *khums* verse to consolidate their state and its distinct Shi'i identity. The commentary of the great Safavid intellectual, al-Fayḍ al-Kāshānī (d. 1680), shows substantial continuity with the established Twelver Shi'i doctrine articulated by classical scholars such as al-Ṭūsī. He forcefully reiterates that *ghanīma* encompasses "income from wealth of any sort whatever" (al-Fayḍ al-Kāshānī, 1998). However, in the Safavid context, this was not just a legal opinion but state ideology. The enforcement of this comprehensive 20% tax was a primary mechanism for funding the new state, its military, and its clerical establishment. Al-Fayḍ al-Kāshānī reinforces its importance by linking the payment of *khums* directly to individual salvation and piety, writing, "If you have believed in God, know that the *khums* is obligatory in order to draw near to Him, and be satisfied with the four-fifths [that remain for you]." This transforms a fiscal obligation into a personal act of faith and loyalty to the Safavid religio-political project, ensuring compliance and strengthening the state's foundations.

The interpretive life of the *khums* verse was never confined to the jurists' exclusive domain. Other powerful intellectual and political currents within the Islamic tradition actively

shaped and appropriated its meaning. The Sufis deconstructed their legal framework and reassembled it into an intricate allegory of the soul's inner life, providing a guide to personal spiritual transformation. In parallel, the great early modern empires, locked in an existential struggle, instrumentalized the verse, turning its prescriptions on wealth and lineage into potent justifications for state policy and powerful weapons in their ideological wars. These mystical and political readings demonstrate the immense interpretive plasticity of the Qur'an, showing how a single verse could simultaneously chart a path to God for the individual mystic and provide a charter of legitimacy for an imperial dynasty.

Reinterpretations in the Age of Nation-States and Ideology

The intricate legal debates surrounding the *khums* verse did not cease with the end of the classical era. Instead, they were reconfigured and imbued with new urgency in the 20th and 21st centuries, as Muslim thinkers grappled with the realities of colonialism, the rise of the nation-state, new economic systems, and modern critiques of hereditary privilege. Contemporary interpretations of Q. 8:41 reveal a fascinating fragmentation of authority and approach. The discourse has expanded beyond the classical jurists to include modernist reformers, Islamist ideologues, and state-aligned scholars, each reading the verse through their unique concerns. This period is marked less by the formation of new legal schools and more by the re-articulation of classical positions for a modern audience, the rationalization of rulings to align with contemporary ethics, and the ideological reframing of the verse's entire purpose.

One prominent approach in the contemporary era is the careful restatement and systematization of classical *madhhab* positions for a modern readership. The renowned Syrian scholar Wahbah al-Zuḥaylī exemplifies this traditionalist-jurist methodology in his encyclopedic *Tafsir al-Munīr*. He presents the Shāfiʿī position with systematic clarity: *ghanīma* is harta from war, four-fifths of which goes to the combatants. The remaining one-fifth is divided into five parts, with a permanent share allocated for the kin of the Prophet, defined as the Banū Hāshim and Banū Muṭṭalib (Al-Zuḥaylī, 1991). This approach demonstrates the enduring power and continuity of the classical legal schools, whose doctrines are preserved and transmitted by modern jurists as the established, authoritative understanding. Similarly, Indonesian Qur'anic scholar M. Quraish Shihab, in his *Tafsir al-Mishbah*, adheres to the classical framework of *ghanīma* as wartime spoils but introduces a distinctly modernist emphasis on rational purpose. He frames the share for Allah and the Prophet as being for the "common interest", to be managed for public welfare, thus highlighting a rational and utilitarian justification that resonates with modern sensibilities about governance (Shihab, 2002).

A more critical and historically conscious modernist approach is found in the work of the Indonesian intellectual Haji Abdul Malik Karim Amrullah, better known as Hamka. In his *Tafsir al-Azhar*, Hamka serves as both a commentator and a historian, meticulously summarizing the six major classical opinions on the matter for his audience, from the Shāfiʿī to the Mālikī to the Shi'i. However, he does not stop at mere presentation. Hamka adopts a critical stance, expressing a clear preference for the Ḥanafī position that the kin's share lapsed after the Prophet's death. His reasoning is explicitly modernist: he warns that a perpetual, hereditary right for the Prophet's family could transform Islam into a "feudal theocracy," an outcome he deems antithetical to the faith's egalitarian spirit. In a striking move, he compares the practice to the stipends given to the royal family in Great Britain, using a contemporary Western parallel to critique what he sees as an outdated and potentially corruptible model.

For Hamka, the primary concern is not just legal precision, but good governance and the prevention of a religiously sanctioned aristocracy (Hamka, 1982).

The influential Egyptian Islamist thinker Sayyid Qutb offers a radical departure from the legalistic debate. In his seminal commentary, *Fī Ẓilāl al-Qurʾān* (In the Shade of the Qur'an), Quṭb reframes the *khums* verse almost entirely, shifting its focus from *fiqh* (jurisprudence) to *ʿaqīdah* (creed) and *tarbiyah* (moral and spiritual education). For Quṭb, the intricate distribution details are secondary to the verse's profound psychological and theological lesson. The entire process—collecting all spoils, submitting them to God and His Messenger, and then receiving back four-fifths—is a divine training exercise designed to purify the souls of the believers. It teaches them detachment from material gain and clarifies their intention for engaging in *jihād*: they fight purely for the sake of Allah, not for wealth. The spoils are Allah's, and their share is merely a gift from Him. In this powerful ideological reading, Quṭb bypasses centuries of juristic debate to extract what he sees as the verse's core purpose: forging the ideal Islamic personality, free from greed and wholly devoted to God's cause (Quṭb, 2005).

On the Shi'i side, contemporary scholars have engaged in a sophisticated defense and re-articulation of their classical doctrine to address modern critiques. The prominent Iranian cleric Nāṣir Makārim Shīrāzī, in his *Tafsīr al-Amthal*, provides a robust two-pronged argument. First, he mounts a linguistic offensive, arguing that the literal meaning of *ghanīmah* is "any gain or profit," and that Sunni jurists have invalidly restricted its meaning based on contextual clues, a hermeneutical move he deems illegitimate. Second, he offers a robust apologetic defense against the modern charge that Shi'i doctrine amounts to nepotism or hereditary privilege. He argues that the system is, in fact, equitable and designed to preserve the integrity of the faith. Shirazi explains that the kin's share is (1) only for their needy members, not an unconditional stipend; (2) it is a necessary substitute, as they are forbidden from receiving public Zakat to protect their honor; and (3) any surplus from the *khums* fund is returned to the public treasury. He brilliantly reframes the doctrine not as a privilege, but as a special responsibility placed upon the Prophet's family to keep them above the fray of public charity, thereby protecting the religion itself from any accusation that the Prophet sought to enrich his own family (Makārim Shīrāzī, 2002).

In synthesizing these contemporary views, it becomes clear that the debate over *khums* is as vibrant and relevant as ever, serving as a mirror reflecting the major intellectual currents of the modern Muslim world. We see at least four distinct approaches: the Traditionalist Jurists (like al-Zuḥaylī) who meticulously preserve and transmit the authority of the classical schools; the Modernist Reformers (like Hamka and Shihab) who rationalize the rulings through the lens of public welfare, good governance, and a critique of inherited privilege; the Islamist Ideologues (like Quṭb) who bypass legalism to reframe the verse as a tool for ideological and spiritual formation; and the Shi'i Apologists (like Shīrāzī) who defend their classical doctrine using modern arguments to counter contemporary critiques. The verse of *khums* thus remains a living text, its interpretation continuing to evolve as Muslims navigate the complex relationship between divine revelation, historical tradition, and the pressing realities of the modern age.

CONCLUSION

This historical-comparative study has traced the long and multifaceted interpretive life of the Qur'anic verse of *khums* (Q. 8:41), demonstrating how a single fiscal regulation evolved into a profound marker of theological, legal, and political identity within the Islamic tradition.

The core finding of this research is that the foundational commitments of its exegetes have consistently driven the interpretation of this verse. The initial disagreements over the meaning of *ghanīma* in the classical era quickly hardened into a fundamental schism between the Sunni and Shi'i traditions, a split rooted in competing political theologies of post-prophetic authority. Within Sunnism, a vibrant spectrum of orthodoxy emerged, in which the distinct legal methodologies of the four major schools produced a range of legitimate, though different, rulings. Furthermore, the verse's meaning was appropriated by non-juristic traditions, transformed by the Sufis into an allegory for the soul's inner journey, and instrumentalized by early modern empires as a tool of statecraft. In the contemporary era, these classical debates continue to resonate, reconfigured by modernists, Islamists, and traditionalists in response to the challenges of the nation-state and modern ideologies.

The primary academic contribution of this article lies in its comprehensive diachronic synthesis. This study provides a unique, integrated narrative of doctrinal evolution by mapping the interpretive trajectory of a single verse across sectarian lines and through multiple historical periods—from the 8th-century jurists to contemporary Indonesian scholars. It moves beyond a simple summary of legal opinions to reveal the intricate interplay between hermeneutics, theology, and power in the construction of Islamic thought. This work illuminates how a sacred text can serve as a durable yet flexible resource for communities to define their identities, legitimize their authority, and navigate their ever-changing historical realities.

This research opens several promising avenues for future inquiry. While this study has focused on textual traditions, an ethnographic investigation of *khums'* lived practice across contemporary Muslim communities would offer invaluable insight into the relationship between doctrine and social reality. Further research could also take a deeper dive into a specific interpretive stream, such as the evolution of the khums debate within Southeast Asian modernism or the responses of Salafi movements. Finally, a broader comparative theological study, examining how other world religions have legally and theologically managed the concept of financial support for a sacred lineage, could provide a rich framework for understanding the unique endurance of this institution within Islam.

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