

Ushur and Jizyah in the Perspective of Islamic Economics: Their Role and Function in State Revenue

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Abstract

This study examines the role of ushur and jizyah as potential sources of state revenue within an Islamic framework. Ushur is a tax levied on agricultural products and traders who cross borders, while jizyah is a financial contribution imposed on non-Muslims residing in Islamic territories, primarily to ensure their protection and security. The research employs a literature review approach, analyzing relevant religious texts and existing scholarly works to assess the significance of these two financial contributions.

The findings highlight that both ushur and jizyah hold considerable potential as effective state revenue streams, particularly in Islamic governance systems. Ushur serves as a practical method for taxing economic activity in the form of trade and agriculture, while jizyah functions as a means of ensuring societal protection for non-Muslim citizens, contributing to state financial sustainability. However, the study notes that the success of these income sources depends on factors such as administrative efficiency, fair implementation, and the broader economic and social context.

In conclusion, while ushur and jizyah present valuable opportunities for enhancing state revenue, their real-world impact hinges on proper execution and alignment with contemporary financial systems. These contributions, when managed effectively, could provide meaningful support for government finances in an Islamic context.

Keywords - Ushur, Jizyah, Islamic Economy, State Revenue

INTRODUCTION

Thoughts on Islamic economics have existed since the time of the Prophet Muhammad, where the Prophet issued a number of policies, all of which were related to issues of the benefit of the people. Where problems regarding the people's economy became the center of attention because at that time economic problems became a supporting pillar of faith that had to be given attention, among these economic problems was fiscal policy (state revenue).(N. Hidayati, 2018, p. 74)

In Islamic history, a number of sources have become known as *al-mawarid al maliyyah li al-dawlah* (state income and finances). According to Wahhab Khalaf, based on the sources of state income, it can be categorized into two, namely those that are *dawriyyah* (routine) and *ghayr dawriyyah* (non-routine). The state's routine income consists of *zakat*, land tax (*kharaj*), security guarantee tax on non-Muslims (*jizyah*), and export and import taxes (*ushur*).(Wulandari & Mubarak, 2021) Meanwhile, non-routine income is unexpected income, such as from war booty (*ghanimah* and *fa'i*), one-fifth of mining products (*ma'adin*) and treasure (*rikaz*), as well as inheritance from heirs who have no heirs.(Irkhami, 2012, p. 2)

Then the fiscal policy during the Caliphate of Umar Bin Khattab was very innovative, especially regarding matters whose instruments were not related to *zakat*.(Mubarak et al., 2023) The policy innovations that Umar bin Khattab implemented were such as his policies on *ghanimah*, *kharaj*, *jizyah*, and *ushur*.(Syauqi & Rahmah, 2021) Although these innovations are often considered controversial, it is because of these policies that there can be an increase in welfare, benefits, and equality in the economy, so that it can produce positive changes for the economy and the welfare of both Muslims and non-Muslims.(Dahlia et al., 2023, p. 53)

Of the several policy innovations of Umar bin Khattab, the main topic of discussion here is about *ushur* and *jizyah*.(Yusuf et al., 2023) In the context of Islam, *ushur* and *jizyah* are two concepts that have important relevance in terms of taxation and regulation of relations between Muslims and non-Muslims.(Rasyid et al., 2023)

First, there is *ushur* which refers to a tax imposed on the production and trade of certain goods in Muslim society.(Hamid et al., 2023) This tax is usually imposed on commodities such as wheat, grapes, dates, and other agricultural products, *ushur* is also applied to

imported goods entering the territory of a Muslim country.(Yuliani et al., 2023) Although controversial, this tax is classified as one of the legitimate sources of state revenue according to Islamic law, with its main purpose to finance public expenditure and maintain the economic stability of the Muslim community.(Wajdi et al., 2023)

Second, there is jizyah, which is a form of financial contribution imposed on non-Muslims living in countries whose territories use the Islamic economic system.(Kusumadewi et al., 2022) This jizyah is usually imposed on non-Muslims who have sufficient economy as an obligation that must be paid for the protection and security provided by the State to them.(Hidayatullah et al., 2024) Income from jizyah is used to finance various public needs and support the justice and social welfare system in the State.(Muhaimin et al., 2023)

From both concepts, ushur and jizyah contribute to state revenue in the Islamic economic system. These sources of income play an important role in financing public needs, both in terms of infrastructure, social services, and security.(Makiah et al., 2022) In addition, ushur and jizyah taxes can help achieve broader Islamic economic goals, such as encouraging fair distribution of wealth and improving overall social welfare.(Makiah, 2021)

DISCUSSION

Definition of Ushur and Jizyah

1. Ushur

The definition of Ushur in language comes from the word **عَشْرًا - عَشْرًا - يَعْتَرُ - عَشْرًا** which can also be interpreted as **أَخَذَ** (taking) and **زَادَ** (adding). The meaning of ushur in terms is trade property taken from the dzimmah and harbi people who cross the borders of the Khilafah State. In the context of the modern economy, ushur is more identical to the term export-import tax or also called customs.

According to Hasanuzzaman, ushur is the plural form of the word ushr which comes from the expression of a ten percent tax, but some also say it is one dirham per transaction of goods imposed on traders in the pre-Islamic era, and people who usually collect this ushur tax are called 'Asyir. Some hadiths mention that the Prophet Muhammad SAW forbade the practice of 'Asyir, although during the reign of Umar bin Khattab this practice was carried out again but the principles and forms were different from those in the pre-Islamic era. Abu Ubayd once said that during the time of the Prophet this practice was replaced with zakat,

so that this ushur was only imposed on infidel Harbi traders (infidels who oppose and fight Islam) by 10%, and infidel Dhimmi (infidels who do not oppose and comply with Islam) by 5%, and for Muslim traders it was imposed by 2.5%, where the amount of ushur paid by Muslims is calculated as an expenditure (payment) of zakat for them. (N. Hidayati, 2018)

2. Definition of Jizyah

Jizyah comes from the word جَزَى - يَجْزِي - جَزَاءٌ which means كَفَا (sufficient) and عَاقَبَ (punish). Meanwhile, according to the term jizyah is a portion of the property charged to people who are under the protection of Muslims and they have an agreement with Muslims. Jizyah is a right that Allah SWT gives to Muslims from the infidels as a form of their submission to Islam. However, in return Muslims must provide protection for the lives and property of the infidels who have paid the jizyah. The provisions of this jizyah are based on the word of Allah SWT contained in the At-Taubah verse 29.

الَّذِينَ مِنَ الْحَقِّ دِينَ يَدِينُونَ وَلَا رَسُولَهُ وَاللَّهُ حَرَّمَ مَا يُحَرِّمُونَ وَلَا خِرَ الْأَلْيَوْمِ بِأِ وَلَا لِلَّهِ بِأِ يُؤْمِنُونَ لَا الَّذِينَ تَلُوا
صَلُّوا وَهُمْ بَدَّ عَنِ الْجِزْيَةِ يُعْطُوا حَتَّى الْكِتَابِ أَوْثُوا

"Fight those who do not believe in Allah and the Last Day, those who do not forbid what Allah and His Messenger have forbidden and those who do not believe in the true religion (the religion of Allah), (i.e. those) who have been given the book, until they pay the jizyah (tax) obediently while they are in a state of submission." (QS. At-Taubah 9: Verse 29).(N. Hidayati, 2018)

Amount of Payment and Time of Collection of Ushur and Jizyah

1. Amount of Payment and Collection Time for Ushur

Ziyad bin Hudair narrated, "That Umar bin Khattab sent him regarding the issue of Ushur to Iraq and Syria, then ordered him to take 2.5% from the Muslims, 5% from the Dhimmi infidels, and 10% from the Harbi infidels. So from this narration it can be concluded that there are three groups of traders who are affected by ushur, namely Muslim traders, Dhimmi traders, and Harbi traders.

The difference in the amount of ushur taken from the Muslims and that taken from the dhimmi and harbi infidels is because it is seen that they need protection from the gang of robbers more than the Muslims. This difference is also because the tax collected by Asyir

from the Muslims consists of the obligation to zakat, while that from the dhimmi and harbi infidels is actually only an ushur tax.

The essence taken from each group is as follows:

First: Muslim Traders

There are several hadiths which say that it is not permissible to take ushur from Muslim traders. One of the authentic hadiths regarding this is the hadith narrated by Imam Muslim regarding the story of a woman who committed adultery and then she repented and had the hadith law enforced against her, then the Prophet said:

لَهُ لَغُورَ مَكْسٍ صَاحِبُ تَابَهَا لَوْ تَوْبَةً تَابَتْ لَقَدْ

"Indeed he has repented, and if the tax officer repents like him then surely Allah will forgive him."

In another hadith it is also mentioned

مَكْسٍ صَاحِبُ الْجَنَّةِ يَدْخُلُ لَا

“Not entering the tax officer's heaven”

From the hadith above, scholars interpret that what is meant by a tax officer is a person whose job is to take ushur from the property of Muslims who pass through an area by taking it by force and in the name of ushur. Another history that also shows the prohibition on taking ushur from Muslims and dhimmis includes the words of Ziyad bin Hudair who said to Umar bin Khattab "in the past we did not take ushur from Muslims and dhimmi infidels. Umar said, "Then whose ushur did you take?" Ziyad answered "the traders from the Harbi infidels, just as they also took ushur from us when we came to trade at their place."

These stories are what make a Muslim not obliged to pay ushur on his merchandise, except to pay zakat of ¼ Ushur or 2.5%. Where the payment is not entirely payment for ushur but payment for trade zakat from Muslims collected by Umar bin Khattab.

Second: Ahlu Dzimmah Traders

There are differences of opinion among scholars regarding taking ushur from the property of the people of dhimmah, where the Shafi'iyah scholars and Ibn Hazm are of the opinion

that it is forbidden to take ushur from the people of dhimmah as long as there are no conditions for peace, however the Shafi'iyah scholars exclude the Hijaz region where the people of dhimmah who pass through the region may take ushur from the merchandise they carry.

The Maliki Madzhab allows ushur to be taken from ahlu dhimmi who cross the boundaries of the settlement area, but if the ahlu dhimmi continues to trade in his own settlement area then ushur cannot be taken from him. Meanwhile, Hambali ulama and Hanafi ulama are of the opinion that it is permissible to take authority over ahlu dhimmi absolutely, whether he trades in his own area or trades beyond the boundaries of his home.

Third: Ahlu Harbi Traders

The origin of the existence of ushur for Ahlu Harbi is because traders from Ahlu Harbi took ushur from Muslims who entered their area, so Umar bin Khattab also instructed to do the same thing to Harbi traders who asked for trade compensation from Muslims, after discussing the matter with Muslims and reaching a consensus. (Faridah et al., 2023)

In general, it is permissible for the Islamic jurists to determine ushur for the Harbi infidels, both when they enter with their merchandise into the Muslim area, or when they leave the Muslim area with merchandise. (Huda et al., 2023) However, the Shafi'iyah and Ibn Hazm scholars have different opinions on this matter, where they are of the opinion that if the Harbi infidels enter the Muslim area with merchandise with certainty of security, then nothing may be taken from them as long as it is not stipulated in the security agreement. (Miles et al., 2014)

Ushur is collected only once a year for one type of merchandise, even if the merchant crosses the border many times. However, if the merchandise is different each time they cross the border, then the ushur will be collected each time they cross the border with different merchandise. (N. Hidayati, 2018)

2. Amount of Payment and Time of Collection for Jizyah

According to Imam Hanafi and Hanbali, the amount of payment for jizyah is according to the ability of the individual who is burdened, where the rich will be required to pay 48 dirhams, for the middle class they are required to pay 24 dirhams, while the poor are

required to pay only 12 dirhams. This provision is based on what was done by Umar bin Khattab.(Amalia, 2010)

The People of Sunan narrated from Muaz RA that the Prophet SAW when sending him to Yemen gave him the order to take jizyah from people who were old enough and sane in the amount of one dinar or equivalent to mu'afirah (a type of clothing found in Yemen). Some other opinions are, the opinion of Imam Syafi'i and also some opinions from the narration of Ahmad "That the existing provisions only concern the minimum, which is one dinar, while the maximum is not determined. This is then returned to the ijtiḥad of the governors".(Anshary et al., 2023) There is also the opinion of Imam Malik and one of the narrations of Ahmad which is strong "actually there is no minimum and maximum limit, and this matter is left to the ijtiḥad of the governors to determine the obligations for each individual according to the circumstances".(T. Hidayati et al., 2023)

With the difference in the amount of jizyah expenditure collected, it can be concluded that the amount of jizyah levied is based on the ijtiḥad of the caliphs and governors in power in the area. Where the amount taken is also in accordance with the ability of each individual, and there is no minimum and maximum limit.(Apriyani et al., 2023)

As for income regarding when to spend or pay the jizyah, according to Imam Hanafi, it must be paid at the beginning of the year, because it is to protect the dhimmis. Meanwhile, other opinions besides Imam Hanafi say that the payment is paid at the end of the year if the haul has been reached as per zakat.(N. Hidayati, 2018)

Then the conditions for people who are required to pay jizyah are as follows:

- a) Man
- b) Baligh is a person who is an adult
- c) Being sane means that the person who pays the jizyah is not insane.
- d) The meaning here is that people who do not have any wealth or money are not required to pay the jizyah.

From the conditions above, it can be seen that the things that can cause an obligation to pay jizyah to be cancelled or void are as follows:

- a) Death
- b) Islam
- c) Poverty and destitution
- d) Crazy

And in the practice of collecting jizyah, Umar bin Khattab did not do the same thing as the collection of kharaj, namely the collection of jizyah was done gently and politely. So it is certain that no one is hurt from those who pay the jizyah tribute. (Habie, 2022, p. 19)

Basic Thoughts Regarding Ushur and Jizyah

The policy regarding ushur and jizyah was determined by Caliph Umar bin Khattab, where in determining it Umar bin Khattab used the Koran and Hadith as guidelines. Apart from that, Caliph Umar bin Khattab also continued what Rasulullah Saw and Caliph Abu Bakar As-Siddiq had done. However, in this policy he also added updates to the provisions therein by reflecting on the benefit of the people at that time. (Khofifah, n.d.)

In the ushur of the caliph Umar bin Khattab, a certain percentage of payment was given to focus more on the condition of the people who would pay taxes and would see what was needed by his people at that time. Unlike the determination of jizyah which is certainly found in the Qur'an and Sunnah, the determination of ushur is an ijihad carried out by Umar bin Khattab in front of his friends and no one refuted or rejected the ijihad, so it can be said that ushur is an ijma (consensus). (Khofifah, n.d.) Thus it can be said that Umar bin Khattab was the first person to have determined ushur in Islam, including all the details of its law, technical instructions for its implementation, and appointing employees in handling ushur. (Suparno et al., 2023)

Rasulullah Saw and Abu Bakar As-Siddiq had previously carried out jizyah based on the hadith and Al-Qur'an as in surah At-Taubah verse 29 and Al-Ankabut verse 46.

الَّذِينَ مِنَ الْحَقِّ دِينٍ يَدِينُونَ وَلَا رَسُولُهُ وَاللَّهُ حَرَّمَ مَا يُحَرِّمُونَ وَلَا خِرَ الْأَلْيَوْمِ بِأَوْ لَا لِلَّهِ بِأَيُّومِنُونَ لَا الَّذِينَ تَلُوا قَا
صَلِحُونَ وَهُمْ يَدِّ عَنِ الْجَزِيَّةِ يُعْطُوا حَتَّى الْكَيْتَبِ أُوتُوا

"Fight those who do not believe in Allah and the Last Day, those who do not forbid what Allah and His Messenger have forbidden and those who do not believe in the true religion

based on political considerations (security guarantees) but in fact jizyah is an economic issue related to guaranteeing the welfare of citizens.(Fajri, 2007)

Caliph Umar bin Khattab did not only continue what had been carried out by the previous leader, but Caliph Umar also saw the developing conditions of society so that Umar also made several arrangements by paying attention to the safety and comfort of non-Muslims.(Alfiah, 2017, p. 67)

The Role and Function of Ushur and Jizyah in Fiscal Policy

In the perspective of Islamic economics, fiscal policy has two instruments. The first is income policy reflected in tax policy, where the instruments consist of zakat, kharaj, ushur, jizyah, ghanimah, khums, fai, kafarat and other income sourced from halal businesses. The second is spending policy (expenditure)(Alfiah, 2017). The thing that can be underlined in this paragraph is ushur and jizyah which are part of income policy, where the collection is based on Islamic teachings. So that the payment of these taxes can create welfare for all levels of society, both Muslim and non-Muslim.(Aini, 2019)

The institution specifically for managing all income and expenditure of assets that are the rights of Muslims is Baitul Mal. Baitul Malialah's permanent sources of income are fa'i, ghanimah, anfal, kharaj, jizyah, ushur, khums, rikaz, mining and zakat. If these assets are not sufficient to meet the needs of the people, the State will require a tax (dharibah) on all Muslims. This tax is collected to finance activities carried out by the State.(N. Hidayati, 2018) In collecting taxes, the State must follow the applicable provisions as follows:

1. To meet the mandatory expenses for Baitul Mal, namely,
 - a). For the poor, Ibn Sabil, and people who carry out jihad.
 - b). As compensation, for example expenses for civil servant salaries, military salaries, and so on.
 - c). For the construction of roads, construction of mosques, irrigation, hospitals, schools and other needs whose existence can be considered urgent and important for the people.
 - d). Due to emergency conditions, for example, famine, earthquake, enemy attack, or any other incident that befalls the Muslims.

2. To pay off state debts in order to carry out the state's obligations towards Muslims.

However, in fact, among the fuqaha there are differences of opinion regarding the permissibility of tax collection by the State. Those who do not allow tax collection are afraid that there are government officials who commit corruption, illegitimate and unrecognized governments, and governments that are not responsible to the people and spend state money excessively.(Habie, 2022)

Meanwhile, there is also a group of fuqaha who realize that the right of the Islamic State to increase income, one of which is through taxes, so that it is possible to carry out its functions effectively.(Fajri, 2007) Yusuf Qaradhawi argued that considering the increasing responsibility of the State, "where will the State finance the needs of the State if not obtained from the results of tax collection". Thus it can be concluded that the right of the Islamic State to increase its resources through taxes cannot be rejected, provided that the collection is carried out in the right way and within limits that can be borne by the community (Fajri, 2007)

In the early days of Islam, ushur and jizyah were one of the sources of income for state finances. The Islamic government took advantage of ushur and jizyah to be able to realize many goals in the state's economic activities, including:

1. Import restrictions, namely by raising the ushur on imported goods that are not liked to limit them. And vice versa, namely lowering the ushur on goods that are liked. In this case, the Islamic State must use the ushur policy and other policies that will be useful in limiting imported goods that are not liked, so that it can motivate imported goods that have strong benefits for Muslims.
2. The annual taking of ushur from non-Muslim traders can provide an opportunity for the Islamic State to take advantage of the benefits that exist in non-Muslim traders in marketing their products. The importance of this can be clearly seen today as a means for the Islamic State to take advantage of non-Muslims who have been allowed to trade in Islamic territory.(Irkhami, 2012)
3. In terms of Islamic brotherhood, Islam basically believes in brotherhood between fellow human beings. However, when viewed from the perspective of the benefits obtained from the existence of customs in a developing Islamic country, then the modern system

of customs and tariffs should be maintained. According to MA Manan, an Islamic country has the right to set a number of customs duties, but so that the income will later be used for the prosperity of the people fairly and evenly. And whatever the purpose, it does not encourage the growth of a monopoly or the like. Therefore, customs officers must be honest people and there must be strict supervision.

4. In the socio-economic environment system, the existence of jizyah may be the best choice, because it is consistent with the principle of justice. Where every citizen must pay his obligations to maintain domestic security and the existence of measures that can withstand an attack from outside parties, regardless of whether he is a Muslim or a non-Muslim.
5. There is justice for every level of society, where Islam requires jizyah for dhimmi infidels just as Islam also requires zakat for Muslims. Because Muslims and dhimmis belong to the same flag, they enjoy various rights and benefit from the same state. That is why Allah requires the collection of jizyah to be carried out by Muslims in return for the protection that dhimmis receive under Islamic territory.(N. Hidayati, 2018)

CLOSING AND CONCLUSION

Thoughts on the topic of Islamic economics have certainly existed since the time of the Prophet Muhammad SAW, where at that time the Prophet issued a number of policies that were all aimed at achieving the welfare of the people. In Islamic history, several policy innovations were recorded that were put forward by Umar bin Khattab regarding the economy, among these policies the discussion of ushur and jizyah which is the topic of discussion this time.

Ushur is a tax collected from traders who cross the borders of an area, the person who collects the ushur tax is called 'Asyir. The amount of ushur tax that must be paid varies according to what has been determined by the Caliph Umar bin Khattab, namely for Muslims 2.5%, dhimmi infidels 5%, and harbi infidels 10%. In the context of today's economy, this ushur is better known as export-import tax or customs duty.

Jizyah is a tax that must be paid by infidels who are under the protection of Muslims as a form of their submission to Islam. As stated by Imam Hanafi and Imam Hanbali, the amount of this jizyah tax has been set by Umar bin Khattab, namely, for the rich it is 48 dirhams, for people with a middle economy it is 24 dirhams, and for the poor it is 12 dirhams.

Then the conditions for people who are required to pay jizyah are as follows:

- e) Man
- f) Baligh is a person who is an adult
- g) Being sane means that the person who pays the jizyah is not insane.
- h) The meaning here is that people who do not have any wealth or money are not required to pay the jizyah.

The basic ideas regarding ushur and ijthad were basically obtained by Umar bin Khattab from the Al-Qur'an and hadith, especially for ushur Umar bin Khattab carried out ijthad regarding this matter directly in front of other friends and no one disputed his opinion regarding ushur. Meanwhile, for jizyah, the verses from the Qur'an that are the basis are surah At-Taubah verse 29 and surah Al-Ankabut verse 46.

There is an institution that specializes in managing existing tax revenues, namely the Baitul Mal institution, where the sources of income include fa'i, ghanimah, anfal, kharaj, jizyah, ushur, khums, rikaz, mining and zakat. From the collection of these taxes, the funds obtained will be distributed as follows:

1. To meet the mandatory expenses for Baitul Mal, namely,
 - a). For the poor, Ibn Sabil, and people who carry out jihad.
 - b). As compensation, for example expenses for civil servant salaries, military salaries, and so on.
 - c). For the construction of roads, construction of mosques, irrigation, hospitals, schools and other needs whose existence can be considered urgent and important for the people.
 - d). Due to emergency conditions, for example, famine, earthquake, enemy attack, or any other incident that befalls the Muslims.
2. To pay off state debts in order to carry out the state's obligations towards Muslims.

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