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The discussion of this question by European scholars has been attended by a considerable exhibition of ill-feeling. They suppose the institution and very word that expresses it to have originated with the Muhammadans, whose bigotry prompted them to invent it as a mark of distinction between themselves and the followers of other faiths. It is represented as a measure so oppressive, that the subject races were forced against their will to accept Islam in order to escape the burden of this tax; and to this is attributed in large measure the spread of the Muhammadan religion. That this notion is a piece with so many other mistaken ideas about Islam, is the object of the present essay to show; and this can best be done by considering, first, the etymology and the various meanings of the word "Jizya"; secondly, the date of its institution in Persia and Arabia; and thirdly, the reasons which led the Muhammadans to adopt it.

1. The word "Jizya" has come to be generally used with a technical meaning; but originally it

was used as well in the general sense of tribute, as in the particular sense of capitation tax. According to the *Qamus* "Jizya is a tax on land and a capitation tax imposed on non-Muslim subjects". But neither the author of the *Qamus* nor *Johri* discuss the derivations. Lane (*Arabic Dictionary, sub voc.*) suggests two possible derivations: either (1) it is derived from "*Jaza*" exchange or compensation, or (2) it is the Arabic form of *gizya*". The latter derivation has been copied by Pitris in his edition of the *Muhit-ul-muhit*, though he does not consider it satisfactory. Similarly, in the Persian lexicons under the word "*gazit*," *jizya* is said to be the Arabic form.

In *Burhan-i-Qati* (*sub voc.*) "*gazit*" is money collected by the officers of a Government from its subjects, and is also called *Khiraj* (tribute.) Also it means money levied on non-Muslim subjects, as the poet Nizami says: "Sometimes Pekin sends him the tribute of China, and sometimes Caesar sends him the religious tax (*gazit-i-din*)."<sup>†</sup> The vulgar pronunciation is *gizyat*, and the word appears in Arabic under the form *jizya*". In support of the second of these meanings given in *Burhan-i-Qati*, the author of *Furhang-i-Jahangiri* quotes the following verse by Hakim Sozni; "We will not read our sacred book

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† گہش خاندان خراج چین فرستد

گہش قیصر گزیت دین فرستد

nor act in accordance with it, that *jizya* may not be imposed upon us, as on the people of the book."†

There is not the slightest doubt that *jizya* is a word of Persian origin. There is strong historical proof, besides the evidence of lexicons, &c. It is certain that the word "*jizya*" was in use in Arabia long before the appearance of Islam, and it is also certain that in the Persian language the word "*gazit*" expressed just the same meaning. From historical sources (to be given later on) it may be proved that king Noshirvan first made regulations for the collection of *jizya*; and as the rule of Persia at that time extended also over Yaman and the surrounding country, consequently the word "*gazit*" came to be introduced into Arabia in its technical legal sense and in later times assumed the more Arabic form of *jizya*. The change was effected by the alteration of a single letter and some vowel points. The Arabic tongue has borrowed more words from Persian than from any other foreign language, and a conquered people would naturally first adopt the technical administrative terms of its conquerors.

II. The laws relating to tribute and *jizya*, which we meet with in Arabia and Persia under slightly altered forms can be traced back to the reign of king Noshirvan the Just. Ibn-ul-Athir in his ac-

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† کتاب خویش انعام و روز عمل نکندیم  
کذا گوشت صدای زما چو ابل کتاب

count of the rules laid down by Noshirvan respecting the tribute and the army (Tarikh-ul-Kamil, Part I., p. 203, cairo, A. H. 1301) says that "Noshirvan caused a survey to be made of all the country, fixed the rates of the revenue and imposed *jizya* \* on each of his subjects with the exception of those who were serving in the army or were connected with the nobles of the Court. The various rates of this *jizya* were 12, 8, 6 or 4 dirhams (a dirham-about five pence) a head. † After this account of the tribute the historian adds that Omar followed the same rules. In the same author's account of *jizya* he mentions that Omar excepted from this tax all below the age of 20 and above that of 50. The same author states Noshirvan's reasons for this exception as follows:—"Those who served in the army were defenders of their

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\* The use of the word "*jizya*" in this connection shows that it is not a term peculiarly applicable either to Muslims or non-Muslims. Noshirvan and his subjects both belonged to the old Persian religion and the word was used continuously into the Muhammadan period.

† فامر الملك قباد بمسح الارضين ليصبح الخراج عليها  
فما ت قبل الفراغ من ذلك فلما ملك انوشروان \* امر باستتعام  
ذلك و وضع الخراج \* \* والزم الغلس الجزية ما خلا العظام  
و اهل البيوت \* و التجند والهربذة والكتاب و من في خدمة  
الملك - كل انسان على قدره اثنا عشر درهما و ثمانية دراهم  
و ستة دراهم - و اسقطها عمر عن من لم يبلغ عشرين سنة او  
جازر خمسين سنة - ( كامل بن الاثير النجزي ) -

country and risked their lives for its sake; it was then only right that the rest of the subjects of the crown should contribute some fixed sum in order to compensate them for their services." This account of Ibnul Athir is confirmed by the following verses of Firdousi (iv., 78):—

“ All the governors gathered themselves together and measured out the land and imposed a tax (*gazit*) in dirhams, provided that the husband man was in a prosperous condition: Six dirhams on fruitful vineyards and the same on date gardens. \* He who had wealth but no land, and had not to spend himself in tilling must pay a tax (*gazit*) of 10 to 4 dirhams every year. But the ministers and the courtiers were exempt”†. The difference between these two accounts is of no importance.

† همه بان شاهان شدند انجمن

زمین را بسنجیدند و بر زن رسن

گزیدند نهادند بر یک درم

گزیدین که دینقان فبرده دژم

گزیت رز باروز شش درم

بخترما سقان بر همین زد رقم

کسی کش درم بود و دینقان نموده

فبرده غم و رنج کشت و دروه

گذارنده از ده درم تا چهار

بهاله ازو بستندی کار دار

دباره پورستند شهر یاز

فبرده به دیزبان کسی را شمار

( شاهنامه فردوسی )

III.—According to the laws of Islam, every Musalman might at any time be called upon to serve in the army. As the burden that such service involved was very heavy, it naturally happened that attempts were often made to escape it. Such a case once occurred in the history of Sicily † when an exception had been made in favour of School Masters in that island, whereupon many persons abandoned their former occupations and adopted the scholastic profession. This being the case, and all Musalmans being looked upon as belonging *ipse facto* to the army, on this account they were exempted from the payment of jizya just as the soldiers of Noshirvan had been. Islam claimed no right to forcibly lay the burden of military service on any non-Musalman who happened to be a subject of any Musalman state and whose life and property were under its protection. Then, provided that these persons were not desirous of service in the army, it was only just that they should pay some tax for their protection, and this tax was the *jizya*. But if any non-Musalman tribe joined the army or promised to so, it was at once released from the payment of jizya, as will be seen from the historical instances quoted below.

Both in theory and practice protection was looked upon by the Musalmans as the legitimate equivalent of the jizya. This may explain why etymologists never looked to Persian for any historical explana-

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† See *Mo'ajam-ul-Baldan af Yaquit Hamvi* under the description of Sicily.

tion of the word : they derived it from "jaza", (exchange or compensation), and explained it as being the tax taken in compensation for certain services rendered. However incorrect this may be from a philological point of view, yet it certainly harmonises with historical facts. Many treaties drawn up by the Prophet and the Caliphs which have been preserved to us *verbatim* in historical works show clearly that jizya was given in return for protection. The Prophet himself, in an order addressed to the Governor of Kiltab, states that "the inhabitants should be protected and defended against their enemies." \* Among the admonitions given by Omar on his death bed was the principle that "non-Musalmans who are our subjects are under the protection of God and of His Prophet and it is the duty of Musalmans to resist their enemies in their defence." The translation of the following treaties will go further to prove most clearly that jizya was a tax paid in return for protection given, and that non-Musalman tribes paid it upon this very assumption ;—

"These are words of Khalid-Ibu Walid to Saloba bin Nastona and his tribe :—I have made an agreement with you in respect of jizya and protection. The responsibility of protecting you lies upon us. So long as this protection is given you, we have

— جازا، و يمانه، \*

\* See *Fatah-ul-Buldan of Balazari* p. 69.



right to receive jizya : otherwise we have not. This was written in the month of Safar, A. H. 12." †

The following extract is from an agreement which bears the signatures of several of the companions of the Prophet, which was drawn up between the Governor of Mesopotamia and the people of that district :—

“To those who have consented to pay jizya at such and such rates and with whom Khalid Ibn Walid has made peace, this is a charter of freedom. The sum agreed upon by Khalid and the other Musalmans in the treaty has been duly received. If any other governor attempt to alter the terms of peace laid down by Khalid, do you compel him to desist, on condition that you continue to pay the jizya. To those to whom you grant quarter, we will grant quarter also ; with those with whom you make peace, we will make peace also.” †

† Tabari : Annales, ed. Rosegarten, vol. II., p. 46.

† هذا كتاب من خالد بن الوليد لصلوبا بن نسطونا و  
قومة اني عاهدتكم على الجزية والمنعة فلك الذمة والمنعة -  
ما منعناكم فلنا الجزية والا فلا - كتب سنة اثنى عشرة في صفر -  
( تاريخ كبير طبري ) -

† Tabari : Annales, ed. Rosegarten, vol. II. p. 54.

† بوارثا لمن كان من كذا وكذا من الجزية التي صالحهم  
عليها الامير خالد بن الراوند و قد قبضت الذي صالحهم عليه  
خالد والمسلمون - لكم يد على من بدل صلح خالد ما اقررتكم  
بالجزية - و كتتم ايمانكم امان و صلحتكم صلح - و نحن لكم  
بالوفاء =

To which the people of Mesopotamia returned the following answer :—

“ We have paid the amount of jizya which was agreed upon with Khalid, on condition that if any Musalmans or the people of any other nation do us any wrong, the Musalman people with its General will be responsible for our protection.” †

From these and other historical instances that might be adduced, it is clear that the institution of jizya as it is found in Muslim times rested on the very same principle as Noshirvan had laid down. If any doubts on the question yet remain, the following instance cannot but put them to rest. In the reign of Omar, when Abu 'Ubaidah Jarrah had gained several victories in Syria, the Emperor Heraclius raised an enormous army to crush the rising Muslim power. The Musalmans had to march to meet this attack without delay, and all their attention had to be directed to this campaign and the army which was to conduct it. Abu 'Ubaidah Amin, the General of the army, wrote at once to the governors of the conquered towns of Syria to the following effect :—

“ Refund to the people all the money that has been collected as tribute and jizya, and tell them that all that we took in this way was taken on the

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† انا قد ادينا الجزية التي اعدونا عليها خالد \* على  
ابن زمعه وناو اميرهم الرقي من المسلمين وغيرهم — ( تاريخ  
كثير طبري ) =

condition that we should protect them against their enemies, but owing to our present circumstances we are unable any longer to undertake such a charge."

Abu 'Ubaidah also addressed the Christians in the following terms :—

"The money which we took from you we return, because we have heard that a strong force is advancing against us. The agreement between us was that we should protect you from your enemies, but as we are no longer able to fulfil our part of the agreement, we return what money we took from you."

This order was fully carried out and large sums from the State treasury were returned to the people. The enormous sums received for taxes can well be guessed from the fact that eight lakhs of rupees were raised from Hims alone. When these sums were returned the Christians called down blessings on the Muhammadans and said : "May God give you rule over our towns again. The Romans on such an occasion, instead of giving us back our money, would have robbed us of all our possession." †

Again the correctness of the assertion that jizya was a compensation for protection is well proved

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\* إنما رددنا عليكم أموالكم لأنه قد بلغنا ما جمعنا  
 من التبرع وإنكم قد اشترطتم علينا أن نمنعكم وإنا لانقدر  
 على ذلك وقد رددنا عليكم ما أخذنا منكم—

† See *Kitab-u'-Khiraq* of Imam Abu Yusuf, p. p.  
 80-83 (Bulaq, 1302).

from the fact that if any non-Muslim tribe accepted military service, it was made as free from jizya as any Musalman tribe. In the reign of 'Uthman, when Habib Ibn Muslimah conquered the Jarajimah † tribe, they of their own accord elected to join the Muslim army in times of emergency, and for this reason the whole tribe was exempted from the payment of jizya. Not only the Jarajimah but many other tribes and clans of the surrounding country joined the army and thus released themselves from the payment of jizya. In the reign of the Caliph Wathiq Billah Abbasi, the Governor of these territories imposed jizya on these tribes by mistake. They accordingly laid a complaint before the Caliph, who gave a decision in their favour ‡. When it has thus been shown that jizya was taken from non-Muslims in exchange for the protection given them against their enemies, both internal and external, that when the Muslims were no longer able to give that protection they returned the money; and that tribes taking military service, thereby made themselves exempt from the payment of jizya, can any doubt remain as to the correction of the interpretation given of this word in the beginning of this essay?

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† The Jarajimah was a Christian tribe which lived in the town and district of Jurjome, a description of which is given by Mu'jam-ul-Baldan. Jurjoma was situated in the valley of Lakkaw, near Antioch.

‡ See *Fatah-ul-Baldan* Balazari, Ed. de Gorge, p. p. 159-161.

The objects on which the sums of money raised by the jizya were spent, were (1) the equipment of the army ; (2) the defence of the frontier ; (3) the erection of forts ; and whatever remained was spent on the building of bridges, making of roads and the promotion of education. There is no doubt that employed in this way jizya was useful to the Musalmans, as indeed was only right. The Musalmans fought the battles and sacrificed their lives to save the countries subject to them from all manner of dangers, and as non-Muslim nations benefitted, from the blood their rulers shed in these wars, it was not at all unjustifiable for the latter to reap some benefit from the property of the former which was thus assured to them. Besides, in the sum raised exclusively from Musalmans for alms (*sadqa*), non-Musalmans shared equally with Musalmans. Omar gave instructions to the chief officer of the State treasury to remember that in the words of God, viz., " Alms are for the poor and the needy," the word "needy" included both Christians and Jews. †

The largest sum taken annually as jizya from each person was never greater than 30 francs a head. Even a millionaire had never to pay more than this. The common rates of jizya were from 9 to 4½ francs annually. Persons below 20 and above

† *kitab-ul-khraj* of Imam Abu Yusuf (Egypt, A. H. 1302) p. 72.

50 years of age, women, the palsied, the maimed, the blind, the insane and the poor who possessed not more than 200 dirhams were entirely exempt from the payment of this tax.

Now we ask : Can a tax so light, the payment of which relieved men from the dangers of military service—the institutions of which can be traced back to Noshirvan the Just— be the object of so much hatred and the cause of so much oppression as some Europeans have imagined it to be? Would any one abandon his religion merely to gain exemption from so light a tax? Could any man think his religion worth less than so trifling an impost? If there were any such, his conversion to another faith seems hardly to be a matter of regret. We believe that no other nation could bestow such favours as Musalmans did on those who paid them jizya. But as this point lies beyond the scope of our present subject we will not discuss it here.

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