

The Twenty-Second Greater Sin: Khayanat

The twenty-second greater sin, is defalcation or misappropriation of property. Misappropriation of property as a greater sin is stated in the Qur'an and the authentic tradition related by Abdul Azim from Imam Muhammad Taqi (a.s.) and also from the traditions of Imam Sadiq (a.s.), Imam Kadhim (a.s.) and Imam Ri'a (a.s.).

Khayanat is itself an Arabic word. In the tradition of Imam Ja'far as-Sadiq (a.s.) as related by Amash the word 'Khayanat' is used in the list of the greater sins. Another Arabic word used for misappropriation is 'ghulul.' 'Ghulul' is used in the narration of Fazl Ibn Shaz'n where he quotes Imam Ri'a (a.s.). According to some lexicographers 'ghul' denotes misappropriation of a property obtained as spoils of war against the disbelievers which is not yet been distributed among the Muslims. However other scholars maintain that 'ghulul' applies to every kind of embezzlement.

The punishment of misappropriation according to the Holy Qur'an

The Almighty Allah (S.w.T.) says

"...and he who eats unfaithfully shall bring that in respect of which he has acted unfaithfully on the Day of Resurrection; then every soul be paid fully what it has earned, and they shall not be dealt with unjustly. Is then he who follows the pleasure of Allah like him who has made himself deserving of displeasure from Allah, and his abode is hell; and it is an evil destination." (Surah *Ali-Imr'n* 3: 161-162)

In Surah at-Tahr'm we find the verse:

"Allah sets forth an example to those who disbelieve, the wife of Nuh and the wife of Lut: they were both under two of Our righteous servants, but they acted treacherously towards them so they availed them naught against Allah, and it was said: Enter both the fire with those who enter." (Surah at-Tahr'm 66: 10)

Also Allah (S.w.T.) says:

“... Surely Allah does not love the treacherous.” (Surah al-Anfal 8:58)

and

“O you who believe! Be not unfaithful to Allah and the Apostle, nor be unfaithful to your trusts while you know.” (Surah al-Anfal 8:27)

Similarly the Qur'an says,

“...but if one of you trusts another, then he who is trusted should deliver his trusts, and let him be careful (of his duty to) Allah, his Lord...” (Surah al-Baqarah 2:283)

At another place the Divine Book states,

“Surely Allah commands you to make over trusts to their owners...” (Surah an-Nisa' 4:58)

Breach of trust denounced in the traditions

The Holy Prophet (S) says:

“One who embezzles a property in his charge and does not deliver it to its owner and dies in such a condition, then he does not die in my community (he does not die a Muslim). When such a person meets Allah, He shall be infuriated with him. And one who purchases an embezzled property knowing that it is embezzled is just like the (actual) embezzler.”¹

Another tradition states,

“And it will be ordered to throw him in the fire; he will remain in the deep pit of Hell forever.”²

The Prophet (S) is also reported to have remarked,

“If one is Muslim, he must not practice deceit and defalcation. For I have heard from Jibril that deceit and cheating belong to hell.”

Then he (S) continued,

“One who cheats a Muslim is not from us, and one who embezzles the believers is (also) not from us.”³

The following tradition is recorded in the book al-Kafi:

“There are Three qualities that are the sign of a hypocrite even if he prays and fasts and calls himself a Muslim: lying, violating promises and defalcation.”

This tradition had already been mentioned in the previous discussion.

Amir ul-Mu'minin 'Ali (a.s.) says;

“There are four things and even if one of them enters a house it causes economic catastrophe and it never remains blessed: defalcation, thievery, wine and adultery.”⁴

Thus if one or more members of a household indulge in one of these sins, such a household is deprived from divine blessings. It brings about an economic ruin. It must also be clarified, however, that the house of the thief is deprived of 'barakat' (divine blessings) and not the place where robbery occurs.

Misappropriation causes misfortune

The Holy Prophet (S) remarks,

“Trustworthiness causes one to be self sufficient (financially) and misappropriation causes poverty.”⁵

The narrator says that I said to Imam Ja'far as-Sadiq (a.s.),

“There is a lady in Madinah, with whom people leave their daughters for training (and education). We have observed that she could maintain herself with so less, but we have never known her to have any financial problem.”

Imam Sadiq (a.s.) remarked,

“It is because she is truthful and trustworthy. These two qualities increase sustenance.”⁶

Another tradition from the same Imam (a.s.) is as follows:

“Do not be deceived by the prolonged sajda and Ruk'at of a man, they may be a part of his habits (that he could not avoid). See his truth and trustworthiness.”

Thus it is these qualities that prove righteousness and piety.

Anyone could be the owner of the entrusted property

We have numerous traditions dealing with this subject. They emphatically state that it is Wajib to guard the trust and Harām to misappropriate it, whether the one who entrusts it, is a Muslim or a Kafir. It is even Wajib to protect the goods entrusted by a Nasibi (those are openly inimical to Ahl ul-Bayt a.s.) in spite of the fact that the Nasibi are the worst kind of people.

Hazrat Imam Ja'far as-Sadiq (a.s.) says:

“Fear Allah! And return the entrusted thing to the owner. Even if the murderer of 'Ali (a.s.) entrusts me

with something, I shall deliver it to him (when he desires).”

Imam (a.s.) also says,

“Then fear Allah! And guard the trusts (placed by) the white as well as the black (people). Even if the one who entrusts is from the Khwarij or a Syrian (those who hate ‘Ali [a.s.]).” That is, even if he is a confirmed enemy of the Ahl ul-Bayt (a.s.).

A man inquired from Imam Ja’far as-Sadiq (a.s.),

“Is it allowed to misappropriate the property of a Nasibi?”

Imam (a.s.) replied,

“Honour the trust of every person who entrusts you with it, or seeks your advice. Even if it is the killer of Imam Husain (a.s.).”⁷

Another similar narration is as follows:

Husain Shabani says that he asked Imam Ja’far as-Sadiq (a.s.), “One of your followers considers the property and blood of Bani Umayya permissible for himself. He is also in possession of some property entrusted to him by the Bani Umayya?”

Imam (a.s.) replied,

“Restore the entrusted property to its owner even if they are Majūs (fireworshippers).”

Imam Ja’far as-Sadiq (a.s.) is also reported to have said,

“Allah has not sent any messenger but with (the order to propagate) truth and restoring of trust, whether of a righteous man or a sinner.”⁸

Muhammad Bin Qasim says that he mentioned to Abul Hasan, Imam Musa al-Kadhim (a.s.) regarding the person who had entrusted someone with something valuable. “The trustee is an Arab and he is competent enough not to return the trust. Whereas the one who entrusts is a wretched Khariji (enemy of Ahl ul-Bayt)?”

Imam (a.s.) said,

“Tell him to return the trust; because it is a divine trust that he is entrusted with.” (Meaning that it is a trust, which is to be restored according to divine command).

Hazrat Imam Zayn ul-’Abidin (a.s.) advises his Shias:

“You must return the trusts when required. By the One who has sent Muhammad (S) as a messenger

with trust, even if the killer of my father Husain (a.s.) had entrusted me with the sword with which he had slain him, I would have delivered it back to him.”

Satan instigates

The greater the importance of a duty in Islamic law, the greater is the effect put in by Shaitan to deviate a person from fulfilling it.

Hazrat Imam Ja'far as-Sadiq (a.s.) says,

“If a person makes good the trust in his possession, he unties a thousand knots that had tied him to Hell. So, do not be sluggish in delivering trusts. When one becomes a trustee, Iblis orders a hundred of his assistants to follow him so that they may deviate him and suggest him to defalcate. They continue to pursue him till he is doomed. Except the one who is saved by Allah .”

Amān (Trustworthy): A Title of the Holy Prophet (S)

Every historian has recorded that even prior to the declaration of his prophethood, the disbelievers of Quraish addressed the Holy Prophet (S) by the title of ‘Amān’. The disbelievers trusted him to the extent that even though they did not heed his call and did not profess Islam, they deposited their valuables with him. The trust in the Prophet’s trustworthiness was not restricted to the Quraish tribe, but was shared by the people of other tribes and areas as well. When these people came to Mecca during the Hajj season they used to put their belongings in the safe custody of the Holy Prophet (S). This continued after the declaration of prophethood. When the Prophet (S) migrated to Madinah he gave all the things that were in his custody to Hazrat ‘Ali (a.s.) and said:

“Proclaim loudly, every morning and evening in Mecca that whoever had kept anything with Muhammad (S) may collect it.”

Types of misappropriations

Defalcation the opposite of safekeeping is of Three types: Breach of trust with Allah (S.w.T.), with the Holy Prophet (S) and with people.

The trust of Allah (S.w.T.)

“Surely We offered the trust to the heavens and the earth and the mountains, but they refused to be unfaithful to it and feared from it, and man has turned unfaithful to it; surely he is unjust, ignorant.” (Surah Ahzāb 33:72)

What is meant by Divine trust? The scholars have a variety of opinions in this regard. Some opine that it denotes the grace of intellect given by Allah (S.w.T.) . The safeguarding of this trust (intellect) means

that man should employ it to recognise and obey his Creator. According to other scholars this trust consists of the laws of Islam that Allah (S.w.T.) has sent through His Prophet (S). These laws are a Divine trust. To guard these laws means to obey them faithfully. It is obvious that the heaven, the earth and the mountains did not possess the ability to protect these trusts and hence they refrained from accepting them. Man was competent to obey the command of his creator and therefore he accepted the trust. But he allows his emotions to subvert his intellect and permits his desires to override reason. He therefore ignores the laws he had agreed to obey oblivious of divine retribution. This is breach of trust with Allah (S.w.T.) .

The blessings of intellect and trustworthiness

Intellect or the faculty of reasoning is one of the greatest trusts that Allah (S.w.T.) has bestowed upon man and this trust demands that man continually honours it. We must not say or do anything that is against reason. If we allow our desire to conquer reason we would have committed a breach of trust with Allah (S.w.T.) .

As regards the safekeeping of trust with reference to the rules of Shari'a,

Imam Muhammad Baqir (a.s.) says:

“Misappropriating the trust of Allah and His Prophet (S) is their disobedience. As far as the breach of trust is concerned, every person is the trustee of the laws revealed by Allah.”⁹

It is clear from this tradition that the Divine laws promulgated for men are Allah (S.w.T.)'s trust. The safekeeping of these trusts means the acceptance of these laws and implicit obedience to them. Every individual is expected to study these rules of Shari'a and not to remain ignorant of these. Every individual has to make a point to learn and understand the obligations and be fully conversant with all the laws governing every aspect of his or her life. After learning these laws the individual is further obliged to accept them and follow them in all sincerity.

It is said that when it was the time for prayers, Amir ul-Mu'minin 'Ali (a.s.) became fearful and restless and his face became pale. People were shocked to see him thus, and asked him the reason for it. He replied,

“It is the time for prayers! It is the time of delivering the trust that Allah had offered to the heavens, the earth and the mountains, which they had refused. This is what I fear!”

However, this is not restricted to prayers. All the laws of Shari'a are the trust of Allah (S.w.T.) and prayers occupy a lofty position among them.

Propagating the laws of religion

It is pathetic that most of the people of our time are committing breach of Divine trust. People are so

engrossed in the materialistic world that they have no time to learn the basic laws of religion, or to act upon them. Day by day religion is given less and less importance although more than before, the need of the day is that people should learn about religion and propagate it to others. We must ourselves act upon the laws of Shari'a faithfully and also exhort others to do the same.

2. Trust of the Holy Prophet (S)

Both Shias as well as Sunnis agree that before his passing away the Holy Prophet (S) had said,

“I leave among you two weighty things, the Book of Allah and my Progeny.”

The Prophet's words after this, according to history are,

“On the Day of Qiyāma I will question you concerning them (as to how you have safeguarded them)”

According to Tafsīr Majmaul Bayan: The Qur'an and the Progeny have been referred to as “two weighty things” because to follow them is a very difficult task indeed. A true Muslim is one who is able to carry the weight of this responsibility. A Muslim must obey the Qur'anic orders and follow the Ahl ul-Bayt (a.s.). Alas! The followers of Muhammad (S) did not safeguard the important trusts.

“And the Apostle cried out: O my Lord! Surely my people have treated this Qur'an as a forsaken thing.” (Surah al-Furqān 25:30)

May Allah (S.w.T.) not include us in that majority of people about whom the Prophet (S) shall complain to Allah (S.w.T.).

Ahl ul-Bayt (a.s.) are the Trust of the Holy Prophet (S)

Ahl ul-Bayt (a.s.) are themselves a trust that the Holy Prophet (S) has left with us. To honour this trust is to love them (Ahl ul-Bayt), and believe in their truth with sincerity. We must obey their commands because their orders are the commands of Allah (S.w.T.) and the Holy Prophet (S). They are the Hujjat (proof) of Allah (S.w.T.). By sending them to us Allah (S.w.T.) has completed His proof, so we cannot say that there was no one to lead us after the death of the Holy Prophet (S). The Ahl ul-Bayt (a.s.) are the link between Allah (S.w.T.) and us. We must also respect the Sadīq (the Sayyids) as they are from the Progeny of Ahl ul-Bayt (a.s.), and fulfill their needs, for in this way we would be safeguarding the trust of their ancestors. On one hand the Ahl ul-Bayt (a.s.) are the trustees of Divine laws from the time of the Prophet's death till the Day of Judgement, on the other hand they themselves (a.s.) are a valuable trust of the Prophet with us, like the Holy Qur'an. One of their rights upon us is that we consider their grief and sorrow as our own, rejoice in their happiness and joy and honour them by going for Ziarat to their holy shrines.

3. Trust of the people

Trust of the people is divided into two categories:

(1) Trust of Property and

(2) Trust of the Shari'a.

The first one denotes any goods or property that a person keeps with someone for safe custody. This can be in various forms. Sometimes one keeps a valuable with another person solely for its safekeeping. Sometimes a thing is given for use but it must be returned after the use is over. This is also known as Ariya or Musta'ar. Another form of trust is when a particular thing is given on hire and its rent is collected, for example a house.

A loan is also a trust. Sometimes a valuable is pledged as the surety for some loan. If the loan taken against this surety is not repaid this item is sold to recover the dues. In the same way in transactions of Mudarabba (partnership) the property given out for trading is also a trust.

Trusts of Shari'a

By trust of Shari'a we mean property which is in possession of a person who is not its actual owner. This property may not have been handed over to him by the owner, but he may come to acquire it through circumstances. For example, a strong wind blows a cloth from a house to the neighbours, or someone's lost domestic animal may stray into somebody's house, or one may buy something and find later that the seller has given an extra item by mistake, or the buyer may pay the seller more than the prescribed rate, or one may find some money on the way, or one may come to acquire some stolen goods or those belonging to someone else. All these things are considered as trusts according to Shari'a. It is Wajib to restore them to the rightful owners, those who have them in their possession should not use such items. Another example of such a trust is a letter addressed to another person. It is Wajib upon the person to send it to its rightful addressee. It is Harām to open or read a letter addressed to someone else.

Misappropriating other's property

If one is in possession of a person's property through circumstances, it is Harām to embezzle it. As we have already stated, misappropriation is a greater sin.

Misappropriation is a compound of Three sins:

(1) Injustice

(2) Disregard of an obligatory act and

(3) Illegally using someone's property

Illegally using someone's property

It is a sort of injustice to use the property or a thing belonging to someone else without his permission. It is Harām even to borrow something without the permission of the owner. It is Harām to use the thing even for a moment. In fact, even displacing a thing without permission is Harām when there is no valid excuse.

A person using an article without the owner's permission has to give it back immediately or ask permission for its use. If any damage has occurred to the property the user has to make good the loss.

If one expects that the owner will permit the use of his property, then its use without permission is allowed. But the user will have to compensate in case there is any damage to the property.

A user is not accountable if a property is damaged despite his best efforts to safeguard it, but he will be responsible if the damage is the result of his carelessness.

The 91st verse of Surah at-Tawba says,

"...there is no way (to blame) against the doers of good..."

According to this ayat the trustee who has done a good deed by guarding a property will not be liable for any loss or damage. The one who entrusts has no lawful recourse against the trustee.

Carelessness in guarding the trust

A trustee shall be made to pay for any loss or damage that occurs to the good entrusted to him, if he has not taken reasonable care of the goods or has kept them in an unsafe place. It is also not allowed to hand over the property in ones trust to someone else for safekeeping without the owner's permission. If the trust is transferred to another person and a loss occurs, then the first trustee shall be held responsible. It will amount to a sort of carelessness on his part. Even if he considers someone else to be a better trustee he cannot move the goods to him without the permission of the owner. In the same way the trustee cannot carry the trust with him when he goes on a journey. The owner's permission has to be sought in this case also. If the trustee intends to travel, he can keep the property in a safe place, or he can hand it over to another person only with the permission of the owner. However if there is a risk of loss or damage in his absence he must return the trust to its owner or his representatives. If the owner or his representatives are not available, he can surrender the trust property to the Mujtahid or the religious judge or he may avoid travel altogether. But if the journey is more important than the safe-keeping of this trust, and the owner nor representative nor a Mujtahid is available then he can, to ensure its safety keep it with someone reliable. He may even carry it with himself on the journey in such circumstances.

If one is sure that he will not be able to take care of the trust, it is Wajib for him to refuse to accept it. If such a person has already taken it, it is Wajib for him to return it but if in spite of his inability to safeguard the trust property, the owner insists on handing it to him he is allowed to accept it. In this case the trustee cannot be held responsible, and the owner would bear the loss in the event of the goods being lost or damaged. Even if one is compelled to be a trustee against one wishes, it is better to take care of the goods entrusted, as a moral obligation.

It is apparent that this transaction (of one who entrusts and the trustee) is a legal transaction. Either party may terminate the agreement whenever he or she desires. That is, the owner may ask for his property whenever he likes. In the same way the trustee can return the goods in his trust to the owner whenever he wishes. However, it is Wajib for the trustee to return the trust when the owner demands it and the one who entrusts cannot insist upon the trustee to continue to safeguard his goods when he (the trustee) wishes to relieve himself of the responsibility.

Delay in returning the trust

Under special circumstances it is permitted to appropriate the property of a Kafir, not living under the protection of Islamic government. But if such a person gives his property as a trust, it is not permitted to misappropriate this property. If the property to be entrusted is stolen or acquired by illegal means, it is Wajib to accept it and restore it to its rightful owner.

As we have already mentioned, anything that is maintained as trust must be restored to the owner or his representative; like some responsible member of his family, if they are not available, the trust could be given in charge of a Mujtahid or his representative. If even these are not available the trust must be handed over to a reliable person. Especially when one perceives the approach of death one should immediately arrange to return the trusts. If none of the above persons are available then it is Wajib upon the dying person to make a will and provide the address of the owner so that the property may be restored to him.

In the same way if the owner learns that the trustee is dead, it is Wajib for him to go and collect the things that he had deposited as trust. If the heirs of the deceased do not recognise him he can describe the distinguishing features of the trust property and obtain it from them. Similarly if the owner dies, the trustee is under obligation to return the trust to the heirs of the deceased.

Transactions of hire, ariya (free loan), mortgage and partnership

As we have already mentioned, all the goods that are the basis of the above transactions constitute a trust. Whenever the owner demands the property, it has to be restored immediately. However, if a period has been agreed upon, the owner cannot demand his property before the end of the stipulated period. For example, the landlord cannot expel his tenant before the expiry of the agreement of tenancy. Similarly the pledged article cannot be taken back without the repayment of loan. The same is the case

with a loaned article.

At the end of the stipulated period the trustees are obliged to return the property that had been in their possession even if the owner has not demanded it back, but if the owner extends the period the trustees can continue to retain the property.

However, 'Ariya' is a transaction where the owner is at liberty to demand back his property whenever he likes. For example, someone has borrowed a book for a week but the owner demands it the same day. The borrower, in this case, is obliged to return the book immediately. 'Ariya' is just like the keeping of some trust. The owner can ask for it whenever he wants. Even though he may have given it for sometime, he can demand it whenever he likes.

Search for the owner : Sadaqah on his behalf

The above discussion was regarding the property trusts. If someone is in possession of a Sharaii trust and the owner is not known, the finder of a property has to search for him for one whole year. He must publicise it from masjids etc. If the owner is still unlocated he must give all of the found property in charity on behalf of the owner.

The one who entrusts and the trustee should be adults

A transaction of trust is valid only when both the parties are sane and adult. So a child or an insane person cannot entrust their property nor can they act as trustees. However, if the guardian of a child or an insane person permits, the property can be held in trust. Whether the guardian permits or not, if the property of a minor or an insane person held in trust suffer some loss or damage, the trustee has to make good the loss. He has to return it to the guardian and not directly to the minor or insane person. If one finds a minor child or an insane person in possession of something and there is a risk of it being lost or damaged, he can take it from him and deliver it to his guardian.

These are thus some laws regarding trusts. For detailed laws one can refer to the books of jurisprudence. The important thing is to understand the significance of trusts and to avoid the pitfalls of a sin like misappropriation. We shall present one more ayat and a few traditions before closing this chapter.

Trustworthy people praised in the Qur'an

It is mentioned in Surah ʿAlī-ʾImrān:

“And among the followers of the Book there are some such that if you entrust one (of them) with a heap of wealth, he shall pay it back to you; and among them there are some such that if you entrust one (of them) with a dinār he shall not pay it back to you except so long as you remain

firm in demanding it; this is because they say: There is not upon us in the matter of the unlearned people any way (reproach); and they tell a lie against Allah while they know.” (Surah ^{٤١}li-’Imr^{٤١}n 3:75)

This verse praises those Christians who do not embezzle when non-Christians entrust something to them and it denounces the Jews who consider it permissible to misappropriate the property of anyone who is not a Jew. They falsely claim that they have been given a licence by Allah (S.w.T.) to do so.

When the Holy Prophet (S) recited this ayat, he said:

“The enemies of Allah lie! I have corrected every custom and belief of the age of Jahilya (ignorance) but (the matter of) trust is as it was. Whether the trust belongs to a righteous person or an evil one, it has to be returned.”¹⁰

According to the ayat the embezzlers are like those Jews who defalcated and if a Muslim considers embezzlement to be permissible, he is included among the enemies of Allah (S.w.T.).

Recovery of damages from a property in trust

The Qur’an and Hadith clearly state that under no circumstances is it allowed to pilfer a property held in trust. Shaykh Tusi in his book, Nihaya and other Mujtahids have also mentioned this fact.

Narrators of traditions have mentioned the following from Imam Ja’far as-Sadiq (a.s.):

“One person sends another with money to purchase a cloth. When the latter goes to the market he sees that he already has the same type of cloth at home. So can he come back and without saying anything give him the cloth that he was already having and retain the money?”

Imam (a.s.) continued, “He should not even think of doing this and make himself contaminated with such a sin.” Then Imam (a.s.) recited the 72nd ayat of Surah Ahz^{٤١}b:

“Surely We offered the trust to the heavens and the earth and the mountains, but they refused to be unfaithful to it and feared from it, and man has turned unfaithful to it; Surely he is unjust, ignorant.”

Then the Imam (a.s.) further said:

“Even if this man has something better than what is available in the market, he must not give it to the buyer without informing him of the fact.”¹¹

This is because the actual transaction consisted of taking the person’s money to the market and purchasing a cloth. Anything contrary to this is ‘Khayanat’.

Sulayman Bin Khalid says,

I inquired from Imam Ja'far as-Sadiq (a.s.): "A man had borrowed some money from me. Not only did he not repay the loan but he also took an oath that he did not owe me anything. Later he kept some of his money with me as a trust. Can I recover my debt from this money?"

Imam (a.s.) replied, "*Certainly that person has betrayed you but you should not betray trust. You must not commit the same sin.*"¹²

As we have already mentioned, Shaykh Tusi and the other great Mujtahids have given a clear verdict in the light of the Qur'anic verses and clear ahadith, that Khayanat is totally prohibited.

But in the book Milhiqat Urwatul Wuthqa, the late Kadhim Tabatabai says, "It is commonly believed by the Mujtahids that to recover one's legal dues from a property held in trust is permitted."

The fatwa of Late Kadhim Tabatabai was also to this effect, but precaution dictates that one must refrain from such a course of action.

If a person is given money on the undertaking that he should give it to a poor Sadiq, he cannot keep this money, even if he himself happens to be a poor Sadiq, without informing the owner. But if it is certain that the owner will agree to his keeping it for himself then doing so is not breach of trust.

The burden of Khayanat and the Day of Judgement

The Messenger of Allah (S) has said,

"Beware! One should not commit Khayanat of even one camel! Otherwise, he will be summoned on the Day of Qiyama riding the same camel and bleating like a camel.

Beware! One should not commit Khayanat of even one horse! Otherwise he will be summoned on the Day of Qiyama riding the same horse and neighing like a horse.

He will be calling me for help, 'O Muhammad! O Muhammad!' I will tell him that I had already warned him. Now I have no responsibility concerning him against Allah."¹³

Allamah Majlisi has recorded a tradition from the Holy Prophet (S):

"You must return even a needle and thread. For Khayanat will cause untold degradation and exposure of defects on the Day of Qiyama."

A man came to the Holy Prophet (S) with a needle that he had taken without permission. He said, "I had taken this needle to sew a pack saddle for my camel."

The Holy Prophet (S) told him,

“If this needle belongs to me I have forgiven you. However, if it belongs to the other Muslims you must pay for it so that it could be included in the public treasury for equal distribution.”

“I was not aware that it was such a serious matter,” the Arab remarked, “If it is so, I will not keep the needle with me.” He handed over the needle to the Holy Prophet (S) and went away.

The guilty shall be recognised by their marks

According to Allamah Majlisi, on the Day of Qiyāma the sinner shall carry the pilfered property on his shoulders. Every type of sinner will have specific distinguishing marks, by which everyone will know what sin the sinner had committed. One who commits a greater sin and dies without repenting for it, the Almighty Allah (S.w.T.) will deal with him with justice on the Day of Qiyāma. So much so that the mark of the sin that he committed most will be attached to him. For example, the drunkard will be holding a wine bottle, the terrible stench of which will cause discomfort to the people. Similarly, the musician will have the instrument stuck to his hands. The gamblers will be having the instrument of gambling with them. The same thing is alluded to in the verse:

“The guilty shall be recognised by their marks.” (Surah ar-Rahmān 55:41)

The Holy Prophet (S) and his trustworthiness

One day a poor man came to the Holy Prophet (S) and told him of his poverty. The Prophet (S) said, “Sit down! Allah is most Powerful.”

Another beggar came and the Holy Prophet (S) told him to sit down too. Then a third destitute arrived and the Prophet (S) told him also to sit down. After some time a person came and presented four s^q (approximately 12 kilos) of wheat as Zakat to the Holy Prophet (S). The Holy Prophet (S) distributed one s^q (3 kilos) of wheat to each of the poor men. One s^q of it remained. After the Maghrib and Isha prayers the Holy Prophet (S) announced that a s^q of wheat is remaining with him. Any needy person can come and collect it from him; but no one came forward. The Holy Prophet (S) was compelled to take this trust home. Ayesha says that, that night the Holy Prophet (S) was very restless. When she inquired the reason of his restlessness he replied,

“I am fearful of the consequences in case I die today and this trust is not delivered to a deserving person.”

It is also mentioned that when the Holy Prophet (S) was on his deathbed, he had an amount of six or seven dinars for the poor and the needy, remaining with him. He sent for the money and after counting it, said,

“It is possible that Muhammad (S) may reach the presence of his Lord while these dinars are still in his

custody!”

Then he (S) summoned Amir ul-Mu'minīn Hazrat 'Ali (a.s.), and gave him the dinars for the poor and the destitutes and then said,

“Now I can rest in peace.”¹⁴

Secrets are also trusts

Sometimes a person is told a secret and asked not to divulge it to others. This secret is also a kind of trust. It may also be that one learns of a secret regarding another person and is sure that that person would prefer that it is not made known to others. This secret is a trust according to Shari'a. To divulge a secret that one has come to know is Khayanat. The following saying of 'Ali (a.s.) is present in Ghurarul Hikam:

“To divulge a secret that you are supposed to guard is Khayanat and betrayal.”

It is absolutely Harām to betray a secret which is a trust, whether of a friend or an enemy, of a righteous person or an evil one.

Private discussion is also a trust

The Holy Prophet (S) mentions that:

“People who sit together must be careful of safe-guarding the trust. It is not permitted for a believer to expose a secret of his believing brother.”¹⁵

Abu Zar has related from the Holy Prophet (S) that he said:

“O Abu Zar, one who sits in company must be cautious of safeguarding trust. For if you expose a secret of your believing brother, you would have committed Khayanat. So, keep away from such things.”¹⁶

Whatever is discussed in a meeting is also a trust with the participants. Anything that is to be kept confidential must not be divulged. It is recorded in the traditions:

“One who sits in company must be careful of maintaining the trust but it is not Harām to expose the secret of Three kinds of meetings: One, where an unlawful murder is planned; two, where fornication is planned; Three, where it is planned to loot someone's property. The facts of such meetings could be presented in the court for proving someone's right. In some cases it assumes such importance that it becomes necessary to expose a secret.”¹⁷

In Surah at-Tahrīm the Almighty Allah flays some of the Prophet's wives (Ayesha and Hafasa) for betraying a secret of the Holy Prophet (S). Allah (S.w.T.) has advised them to repent.

“If you both turn to Allah, then indeed your hearts are already inclined (to this).” (Surah at-Tahrīm 66:4)

The same chapter also mentions the wives of Hazrat Lut (a.s.) and Hazrat Nuh (a.s.) in the following words:

“Allah sets forth an example to those who disbelieve the wife of Nuh and the wife of Lut; they were both under two of Our righteous servants, but they acted treacherously towards them so they availed them naught against Allah, and it was said: Enter both the Fire with those who enter.” (Surah at-Tahrīm 66: 10)

Divulging secrets is Khayanat

Abdullah Ibn Sinan says that he inquired from Imam Ja’far as-Sadiq (a.s.), “Is it Harām for a believer to expose some things of another believer that deserve to be kept secret?”

“Yes,” the Imam (a.s.) replied.

The narrator further asked, “Do you mean by this the ‘private parts’?”

Imam (a.s.) explained, *“It is not what you think, (Though it is also Harām to view the private parts), what I meant were the confidential matters.”*¹⁸

Imam (a.s.) has also said:

“One who washes a dead body of a believer and observes caution with regard to the trust is absolved of all his sins.”

Someone asked, “How can one maintain secrecy with regard to the washing of a believer’s corpse?”

The Imam (a.s.) answered,

“He must not tell anyone of the deformities that he might see in the dead body.”¹⁹

From this discussion we can be certain that exposing a secret amounts to committing Khayanat. Under all circumstances a secret is a trust, whether the person concerned himself takes you in confidence or you come to know of the secrets by yourself, it is Harām to betray it. If the one whom the secret concerns does not wish his secret to be divulged, then it is Harām and a kind of Khayanat to expose it. Such types of trusts that involve secrets have various grades and are of different types. Certain types of Khayanat are termed as tale telling and others are called backbiting. Each of these shall be elaborated ahead.

Informing disbelievers about the military secrets of the Muslims

Khayanat can be with Allah (S.w.T.) , the Holy Prophet (S) and Muslims. One can also commit Khayanat with ones own self. When a person reveals the political secrets or the military strategies of the Muslims to the disbelieving opponents, he commits Khayanat which includes all the above. He is the cause of strengthening the enemy and responsible for the defeat of the Muslims. Perhaps it is this type of Khayanat that is alluded too in the following ayat:

“O you who believe! Be not unfaithful to Allah and the Apostle, nor be unfaithful to your trusts while you know.” (Surah al-Anfal 8:27)

In the Sh^hne NuzUs^h al-K^hfil (circumstances of revelation) of this verse Jabir Ibn Abdullah Ansari says: One day Jibr^hl (a.s.) informed the Holy Prophet (S) of the fact that Abu Sufyan was camping at a particular place with an army of polytheists. The Prophet (S) made preparation to fight with him and kept this secret so that the enemies would be taken by surprise. However, one of the hypocrites wrote to Abu Sufyan and informed him of the Muslim plan. The explanation of the verse (8:27) mentions the Khayanat of Abu Lababa and his subsequent repenting.

Divine mercy upon those who maintain trusts

Maintaining a secret is however, a formidable task. Only those with a high sense of honour are unflinching, and succeed in strictly maintaining secrets. It is a virtue with which very few good actions can compare and is deserving of high rewards and Divine blessings. The person is protected from fear on the Day of Qiy^hma. On the day when all the people will be gathered for accounting, the trustworthy people shall be placed at the safest and the best place under the shade of Divine mercy.

Imam Musa al-Kadhim (a.s.) says,

“Three types of people will be under the shade of Divine mercy when there will be no other shade:

(One), the person who arranges the marriage of his believing brother. (Two), the person who procures a servant for his believing brother. (Three), the person who has maintained a secret of his believing brother.”

Restrain from divulging your own secrets

According to the traditions we must not inform anyone of our own secrets. Even if those people are our closest relatives or friends. It is possible that their friendship may not last forever. They might become our enemies in the future. It is very rare for an enemy not to expose the secrets of his opponent.

Imam Ja'far as-Sadiq (a.s.) has advised one of his followers:

“Do not tell your secrets even to your friend. But only tell him those things that will not cause any harm even if your enemy comes to know of it. Because even a friend could become your enemy one day.”²⁰

A reliable and pious person has related that when he intended to divorce his wife, he was asked about her defect; that had made him take such a decision. He replied, “An intelligent person never exposes his wife and never reveals her secrets.”

Subsequently the divorce was completed and even the Iddah came to an end. Again some people asked him, “Now she is no more your wife. What was the actual defect in her, that you had to divorce?” He said, “I am not concerned with other women.” It means that it is the right of a wife upon her husband that he maintains her secrets even after separation and divorce.

Revealing a secret is a kind of Khayanat and all types of people consider it to be evil. It is mentioned in the book Uqudul Farid that even a filthy man like Ziyad (May Allah (S.w.T.)’s curse be upon him) had criticised Umar Ibn S’ad (May Allah’s curse be upon him too) for revealing the last wishes and the secret of Hazrat Muslim Ibn Aq’l. Ibn Ziyad (I.a.) had written to Umar Ibn S’ad. “O Umar Ibn S’ad! Because you yourself have revealed the secret of Husain’s coming towards Kufa, you would have to go and fight against him.”

The detail of this incident are from the book Nafasul Mahmum and other books of Islamic history, and are as follows.

When Ibn Ziyad had Muslim Ibn Aq’l arrested, Muslim asked, “Would you murder me?”

“Yes,” replied Ibn Ziyad.

“Give me some time so that I can express my last wishes to a relative of mine.”

The accursed Ibn Ziyad permitted him to do so. Muslim searched among the people present in the court and saw Umar Ibn S’ad. He told Umar Ibn S’ad, “O Umar! We are related to each other. I wish something from you. It is obligatory for you to fulfill it and it is a secret that I cannot reveal to everyone.”

Umar Ibn S’ad tried to shirk the responsibility but Ibn Ziyad told him, “Do not try to avoid this. Listen to what your cousin wishes.” So Umar Ibn S’ad and Muslim Ibn Aq’l went into a corner.

Muslim said, “There is debt upon my neck. When I had reached Kufa, I had borrowed seven hundred Dirhams. Please sell my armour and repay the loan. When I am killed take my last remains from Ibn Ziyad and perform a proper funeral and bury me. You must also send someone to Imam Husain (a.s.) so that he can stop him from coming to Kufa. I had myself invited him to Kufa and written that the people of Kufa are on his side. So he must have started his journey towards Kufa. Inform him of my arrest and execution so that he may turn back.”

Umar Ibn S’ad immediately told Ibn Ziyad all the Three things (the debt of Muslim, the burying of his

corpse and the warning for Imam Husain (a.s.). Ibn Ziyad (l.a.) said to Muslim Ibn Aqṣī, “A trustworthy person can never betray you but the thing is that you have considered a betrayer to be your confidant.”

An exemplary confidant

It is appropriate to mention an exemplary trustworthiness at this point. When Hazrat Imam Husain (a.s.) reached a spot called, ‘Hajjiz’ he wrote a letter to Muslim Ibn Aqṣī and the Shias of Kufa. He wrote:

“From Husain Ibn ‘Ali (a.s.) to his Muslim and Mu’min brothers. Peace be upon you all. Praise be to Allah besides Him there is no deity. I have received Muslim’s letter. He has informed me of the glad news that you all are united to support me and prepared to fight for my right. I pray to Allah for your favourable consequences. May He reward you for this stand of yours. I have left Mecca on Tuesday the eighth of Zilhajj and started moving towards you. When my messenger reaches you, you must become serious and concerned in your mission. I shall come to you within a few days, Inshā‘illah. Peace be upon you and the Divine Mercy.”

Imam Husain (a.s.) gave this letter to Qays Ibn Musher Saidawi who set out immediately and soon reached the outskirts of Kufa. An officer of Ibn Ziyad, by the name of Hasṣīn Ibn Tamim tried to arrest him there. He at once tore up the letter of Imam Husain (a.s.). He was then taken to Ibn Ziyad. When Ibn Ziyad told him to surrender the letter he said, “I have torn it into pieces.”

“Why?” asked Ibn Ziyad.

“So that you may not come to know what was written in it.”

“To whom was it addressed?”

“To some people I am not familiar with.”

Ibn Ziyad ordered, “If you do not reveal the name, you shall have to mount the pulpit and invoke curse upon the liars.” [Ibn Ziyad was actually referring to Imam Husain (a.s.).]

Qays Ibn Musher went to the pulpit and announced, “O people! Husain Ibn ‘Ali is the best creature of Allah (S.w.T.), and the son of Fatemah (S) the daughter of the Holy Prophet (S). I am his messenger. I have left him at a place called ‘Hajjiz’. I have come to you so that you may respond to his call and support him wholeheartedly.”

Then Qays invoked curse upon Ibn Ziyad and his father. He then showered praises upon Amir ul-Mu’minīn Hazrat ‘Ali (a.s.).

Ibn Ziyad ordered that Qays be taken to the wall of the palace and then thrown down. When Qays was thrown from such a height, his bones shattered but he was alive when Abdul Malik Ibn Amir beheaded him.

When Imam Husain (a.s.) learnt of Qays' murder, his eyes were filled with tears. He recited the following ayat of the Qur'an:

“Of the believers are men who are true to the covenant which they made with Allah: so of them is he who accomplished his vow, and of them is he who yet waits, and they have not changed in the least.” (Surah Ahzāb 33:23)

An interesting incident of trustworthiness is also recorded in the book, Riyazul Hikayāt:

A man had one thousand Tumans in a bag. He was going to the public bath, early in the morning. On the way he met a friend who was also heading towards the public bath. When they came to a junction this person separated without informing his companion. Perchance a robber was pursuing them with the intention of stealing the moneybag. When this man reached the bath the robber followed suit. The man deposited the moneybag with the bath keeper and went inside to take a bath. The bath-keeper himself thought of taking a bath. He thought that the robber who had followed the man was the latter's friend. So he handed him the money bag and said,

“Keep this in your custody till I return after taking a bath.”

The thief remained sitting till the bath-keeper returned. Then he gave back the moneybag to him. When the bath-keeper learnt that he was not a friend of the first person he asked, “Then who are you?”

He replied, “I am a thief.”

“Then why did you not steal the money bag?”

The thief answered, “I may be a thief, but betraying trust is against manliness. While safeguarding this trust I have also remained aloof from robbery.”

This nobility impressed the owner of the moneybag, and he opened the bag and gave some money to the robber as a reward.

However, stealing is also Harām and it shall be discussed in the forthcoming chapter. An object may be expensive or worthless, but stealing it is absolutely Harām.

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1. Wasa'il ul-Shia
 2. Wasa'il ul-Shia
 3. Wasa'il ul-Shia
 4. Wasa'il ul-Shia
 5. Wasa'il ul-Shia
 6. Wasa'il ul-Shia
 7. Wasa'il ul-Shia
 8. Wasa'il ul-Shia

9. Tafsīr Safi
10. Tafsīr Majmaul Bayan
11. Tafsīr Safi
12. Nihaya of Shaykh Tusi
13. al-Kāfi
14. Nisēekhut Tawarikh Vol.3, Pg544
15. Bihār al-Anwār Vol.16
16. Wasa'il ul-Shia
17. Bihār al-Anwār
18. al-Kāfi
19. Amālī
20. Bihār al-Anwār

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