

The Twenty-Sixth Greater Sin: Usurping the Rights of Others or Non-Fulfillment of Rights

Non-fulfillment of another's right, without a valid excuse is the twenty-sixth greater sin. If a person who has some right upon someone and demands his right but the one on whom the obligation rests does not fulfill the right, even though he is capable of it, then this person has committed a greater sin. Non-fulfillment of rights as a greater sin is according to Nass (Holy Qur'an and hadith). The frequently quoted tradition of Amash from Imam Ja'far as-Sadiq (a.s.) and the hadith of Imam Ri'za (a.s.) as narrated by Fazl ibn Shaz'an also include it in the list of greater sins.

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

“One who does not fulfill the rights of a believer (and does not repay what he owes to him), on the Day of Judgement, Allah will make him stand for five hundred years and blood or sweat will ooze through his body. An announcer from Allah will announce, ‘This is the oppressor who had not fulfilled the right of Allah.’ Then after being admonished for another forty days it will be ordered for him to be thrown into the fire (those who admonish him will be either believers or prophets).

An explanation of this hadith by Allamah Majlisi states that if the sinner's oppression is not of a very serious nature, sweat will flow from his body and if his oppression is of a serious nature, blood will seep out of him.¹

Allamah Majlisi further says, “This tradition proves that the right of a believer is the right of Allah (S.w.T.). Allah (S.w.T.) has ordered to restore a believer's right. Disobeying this command is just like usurping the right of Allah (S.w.T.). The tradition further states:

“On the Day of Qiyama a caller will announce, ‘Where are those who oppressed and tortured the friends of Allah?’ Some people will stand up. They will not be having any flesh on their faces. It will be said, ‘These are the ones who tortured the believers, bore enmity towards them, dealt harshly with them due to their belief.’”

It will be ordered that they may be thrown into Hell. Further, Imam Ja'far as-Sadiq (a.s.) swears by Allah (S.w.T.) the Almighty and says that these people had the same belief as the believers, but they did not respect their rights and also exposed the secrets of the believers.²

And Imam Ja'far as-Sadiq (a.s.) has remarked:

“A believer who has something and another believer is in need of it; if the former does not fulfill the need of the needy Mu'min he will not ever taste the food of Paradise nor drink the Rahiq-al-Makhtum (A drink of Paradise).”³

Demand for fulfillment of rights on the Day of Qiyama

Hazrat Sajjad (a.s.) says:

“On the Day of Qiyama a person will be caught by his hand and the people of Mahshar (Gathering) will be told that anyone who has any claim upon him may secure his right.”⁴

On the Day of Qiyama, this would be the most difficult ordeal to face. Every person will avoid meeting his relatives and friends and will be in constant dread of the demands they may make of him. Perhaps this is the predicament alluded to in the following Qur'anic ayat:

“The day on which a man shall fly from his brother, And his mother and his father, And his spouse and his son...” (Surah Abasa 80:34-36)

Actual poverty

The Holy Prophet (S) asked his followers,

“Do you know who is the actual destitute?”

“One who has no money, property or treasure,” they replied. The Holy Prophet (S) said,

“There is no destitute in my Umma except the one who has performed the prayers, kept fasts, paid the Zakat, performed Hajj but on the Day of Judgement a person will come whose property he has usurped, and a person whose blood he had shed and another one whom he had beaten. Then the good deeds of this man will be transferred to those who have rights upon him. If his good deeds are exhausted before all the rights are fulfilled then the sins of those who have rights upon him will be added to his sins. Then he shall be thrown into Hell.”

Non-payments of debts and transgressing of rights

Anything owed by a person is a debt incurred by him which should be repaid. The full amount of the

money loaned has to be paid as per the agreed payment schedule. The same applies to an item that is sold but not delivered. The seller is obliged to deliver the goods to the buyer on time. Similarly the one who has taken something on hire is responsible for it. A husband is indebted to his wife till he pays the dower amount. The husband is also responsible for the maintenance of his permanent wife. The laws of guarantee are numerous and available in the books of jurisprudence. We shall only discuss the topics that are relevant for our purpose.

Loan for a fixed period and loan without time limit

Loans are of two types. One that is not bound by a time limit or when the date of payment has already expired. The other type of loan has a fixed time for repayment. The creditor cannot demand the loaned property before the due date. If the loanee dies all debts owed by him become due immediately. For example if a person has borrowed something for a year, but dies before the end of the year, his heirs must pay his loan immediately. It is no excuse that the time of payment has not come. But if the creditor dies his heirs do not have the right of demanding the loan before time.

It is Compulsory to repay a Debt

If the time of payment is due or if the creditor demands back his loan the debtor is obliged to repay immediately. The loan must be repaid even if the debtor has to sell his excess belongings or even if he has to sell his things at less than the market value. However if he is compelled to sell at a throwaway price then it is not obligatory for the debtor to sell those things. If the debtor does not have anything like a carpet, clothes, household items, shop etc. that he can sell and repay the loan, then he must take up a job that is suitable for his position. In any case he is under an obligation to clear his due.

Carelessness and sloth with regard to the repayment of loan are absolutely *Harām*; and a greater sin. If the debtor possesses only those things that are necessary for his life; like a modest house, carpets and clothes etc, then it is not necessary for him to sell them to repay his loan. The creditor cannot compel the debtor to sell off these things. However, if the debtor wishes to sell them of his own accord, he can do so, and the creditor is allowed to accept the loan. But it is desirable that the creditor respites the debtor till the time Allah (S.w.T.) makes him capable of repaying his debts.

It is related by Uthman bin Ziyad: "I informed Imam as-Sadiq (a.s.) that a person owed money to me and wished to dispose off his residence to repay me. Upon hearing this Imam (a.s.) said thrice:

"I seek Allah's refuge for you." (That you cause this poor man to sacrifice his dwelling place to pay).

Many similar traditions have been recorded in books of hadith. It is narrated that a famous companion of Imam Musa al-Kadhim (a.s.) and Imam Riḍā (a.s.), by the name of Muhammad bin Abi Umair traded in cloth. It so happened that mounting losses pushed him to the brink of poverty. One of his debtors owed him 10,000 dirhams. When he learnt of the companion's misfortune, he sold his house and brought the

money to repay the amount that he owed. Muhammad bin Umair inquired if he had received the amount of 10,000 dirhams as inheritance. When he replied in the negative, he asked if he had received it as a gift from someone. Again he replied, “No, but I have sold the house where I lived, so that I can repay my debt to you.”

Muhammad bin Umair related a saying of Imam Ja’far as-Sadiq (a.s.), prohibiting a creditor to force his debtor to sell his house and said, “By Allah, at present I am in need of each and every dirham but I cannot take a single dirham from this.”

Actually Muhammad bin Abi Umair was a rich man having assets worth over 500,000 dirhams. His present state of poverty was because of his closeness to Imam Musa al-Kadhim (a.s.). Due to this he was imprisoned for four years and lashed mercilessly. The tyrant Caliph confiscated whatever he had. May Allah have mercy upon such oppressed people. It is an established fact that if someone deprives a person of his rights then each day that passes makes him liable to a sin which is equal to collecting Ethesher (a 10% tax collected on orders of tyrant ruler).

Imam Muhammad al-Baqir (a.s.) says:

“The martyr in Allah’s way is absolved of every sin except for the unpaid debt; which has no substitute. Repaying the debt is a must; or the creditor may forgo it. (otherwise even the martyr will be interrogated regarding his debts).”⁵

Moreover, he (a.s.) has remarked:

“As soon as the first drop of a martyr’s blood is spilled all his sins are forgiven. Except for the unpaid debt, which is not excused. Its forgiveness can be achieved only by repaying (the debt).”⁶

The gravity of all this can be ascertained from the incident when a person from the Ansars departed from this world. He had left behind an unpaid debt of two dinars. The Holy Prophet (S) refused to pray the Salāt al-Janaza till some of the relatives undertook the responsibility to repay the deceased’s debt.

When Muawiya bin Wahab questioned Imam Ja’far as-Sadiq (a.s.) regarding this tradition, he (a.s.) replied:

“This is an authentic tradition and the Prophet’s saying conveys the same meaning that people should derive lesson from it and understand the seriousness of debt. They should not regard it insignificant and must make it a point to repay their debts.”⁷

The Holy Prophet (S), Hazrat ‘Ali (a.s.), Imam Hasan (a.s.) and Imam Husain (a.s.) were all having some debts when they departed from this world but they appointed their legatees who repaid their debts after their passing away. This hadith signifies that it is not prohibited to be in debt but to ignore or to delay the repayment of debt is Harām. It is not even advisable to travel (for pilgrimage) to Mecca and Madinah without first clearing one’s debts.

Abu Samaniya asked Imam Muhammad al-Baqir (a.s.) regarding this, "I wish to go and settle down in Mecca or Madinah but I am in debt to some of the people here." Imam (a.s.) replied:

"Go home! First repay your debts. It must not be that you die in this condition and meet your Lord while you are in debt. For a believer never does Khayanat (misappropriation of trust)."8

Not repaying debts is Khayanat to all

The above hadith makes it amply clear that not fulfilling someone's right or delaying the repayment of debt is equal to Khayanat. Consequently, all the traditions that are recorded in the chapter on Khayanat are equally applicable here and the Prophetic traditions have described Khayanat as a kind of oppression.

The Holy Prophet (S) has announced:

"A Muslim who inspite of being capable delays the repayment of debt has committed oppression upon all the Muslims."9

Not repaying a debt is a kind of oppression upon the creditor. In fact such an act is an oppression upon the Muslims in general. This is so because, upon seeing, that this person inspite of being capable is not repaying the debt, others who are capable of lending money will be disinclined to do so, for fear of meeting with a similar fate. Lending is a meritorious act and anyone who is responsible for discouraging it, has indeed oppressed all Muslims.

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

"May Allah curse the one who closed the door of good actions. And it is the one who is not thankful to the one who has done some good towards him. Consequently the doer of good refrains from doing the same favour towards someone else in the future."10

Certainly, lending is an act of goodness. Not repaying or causing undue delay in the repayment is disregarding this favour. Also it can result in the creditor avoiding lending his money to anyone else in future.

Method of lending and borrowing

Authentic traditions have greatly emphasised the rewards that are promised for the one who lends. On the other hand, those who avoid this good deed have severe punishment in store. Sometimes it is obligatory to lend and not prohibited to lend. And sometimes it is Mustahab (recommended) to lend and Makr^h (detestable) not to lend.

Generally it is detestable to borrow but if the need to do so is genuine the detestibility is scaled down.

The magnitude of detestibility is directly proportional to the actual gravity of the situation. In fact under some circumstances it is obligatory to borrow. For example it becomes obligatory to borrow to save one's life or honour. If a person knows that he will not be able to repay the loan, then precaution demands that he should refrain from borrowing unless he is in dire need.

Rewards for lending–punishment for not lending

The blessed Prophet of Allah (S) said:

“One who lends to his believing brother and gives him respite till he is capable of repaying it, the amount that he has lent is considered as Zakat and the Angels pray for him and seek Divine mercy for him till this (amount) is returned.”¹¹

The Messenger of Allah (S) has also remarked:

“If one lends to his Muslim brother, it is for his own (good). Every Dirham that he lends will qualify him for a reward equivalent to Mount Ohud (which is in Mecca) and Mount Sinai. And if he is lenient in collecting his debt he shall cross the bridge of Sirat like a stroke of lightning. And if a Muslim brother relates his woes before a person and this person does not lend him any money, the Heaven shall be denied to him on the Day of recompensing good doers.”¹²

It is obligatory to have the intention of repaying ones debt

The person who is not in a position to repay his debt must necessarily have the intention to repay it as soon as he is capable of doing so. This intention should have the first priority with him. In fact the intention to repay should be there right at the outset. A person who takes a loan without having the intention to repay it is considered a thief. The following are the traditions of Imam Ja'far as-Sadiq (a.s.) regarding the intention of a person who takes a loan:

“One who takes a loan but does not care to repay it, is a thief.”¹³

He (a.s.) has also said:

“There are Three kinds of thieves, one who does not pay Zakat, secondly one who does not consider the amount of Meher (dower) payable to the wife as an obligatory debt and one who takes a loan but does not intend to repay it.”

The respected Imam (a.s.) further said,

“If the debtor intends to repay the loan, the Almighty Allah appoints two angels to help him till the loan is repaid. But if he becomes careless of this intention he becomes deprived of Allah's blessings.”¹⁴

The Incapable Debtor Must be given Respite

Although it is allowed for a debtor to sell off his unnecessary belongings to repay his debts, the creditor is under divine obligation not to cause undue trouble. The creditor should give respite so that the loanee can easily repay the dues. Under these conditions if he condones his loan altogether, it will be considered a Sadaqah which will remain with Allah (S.w.T.) as his trust and he will continue to benefit from it forever.

The Almighty says in the Holy Qur'an:

“And if (the debtor) is in straitness, then let there be postponement until (he is in) ease, and that you remit (it) as alms is better for you, if you knew.” (Surah al-Baqarah 2:280)

Two important points can be derived from the Qur'anic verse quoted above. One, it is obligatory to give respite to a debtor who is incapable of repaying the loan. Secondly, it is more meritorious for the creditor to condone the loan completely.

Numerous traditions have mentioned these two points.

The Holy Prophet (S) has said:

“Your debtor is not permitted to delay in repaying the loan if he is capable to pay it. In the same way you are not permitted to pressurise him unduly when you know that he is not in a position to repay you immediately.”¹⁵

The honourable Imam Ja'far as-Sadiq (a.s.) has been recorded to have said:

“Do not harass your Muslim brother with a demand to the repayment of debt when you know that he is not able to repay it. Because our exalted grandfather the Messenger of Allah has said that it is not permitted for a Muslim to harass his Muslim brother. And if a creditor gives respite to a loanee he shall become qualified to receive the shade (and protection) of the Almighty on the day when there will be no other shade.”¹⁶

It means that on the Day of Judgement such a person will receive special favours from the Almighty. The Mas'um (a.s.) has also remarked:

“If one wishes that he be given refuge under Divine shade on the day when there will be no other shade, he should grant respite to his debtor and must not demand it (immediately), or should condone his loan completely.”¹⁷

Hazrat Imam Muhammad al-Baqir (a.s.) has said:

“There would be some people under the shade of the Arsh on the Day of Qiyama such that their faces

will be bright, their dresses and their chairs shall be glittering. Then an announcer will call: These are the people who did good towards the believers and gave respite to the incapable debtor till the time he could repay the debt.”¹⁸

Each Day of Respite Brings Rewards of Sadaqah

The trustworthy scholar of the Shias, Shaykh Kulayni (r.a.) has recorded that Imam Ja'far as-Sadiq (a.s.) is reported to have said:

“One day the Holy Prophet (S) mounted the pulpit and after glorifying Allah and praising the prophets (a.s.) said: ‘Those who are present are under the obligation to convey (what I say now) to those who are not present (in the assembly).’

Then He (S) said:

‘If one gives respite to his helpless debtor then till the time he receives his loan it is upon Allah to record the reward of Sadaqah in his scroll of deeds.’”¹⁹

For each day of respite that a person gives his debtor he receives divine reward equivalent to the spending of the loan amount as Sadaqah. Several traditions on this subject could be quoted but the ones mentioned should suffice. It must be remembered that avoiding or delaying the payment of Khums and Zakat is also considered a failure to restore rights. Not paying Zakat is also a Greater sin according to the rulings of the Qur'an and hadith. We shall deal with it in a separate chapter.

Allah (S.w.T.) will Forgive

If a person dies before he has repaid his debt and the creditor has not been compensated for it from the belongings left by him; the creditor has not forgiven him his debt and provided the debtor has not been negligent about repaying, nor was the loan taken for an illegal purpose and also the person had every intention of repaying but was unable to do so. Under these circumstances according to traditions Allah (S.w.T.) by His Grace will compensate the creditor on the Day of Judgement.

Muhammad Bin Bashir came to Imam Ja'far as-Sadiq (a.s.) and told him that he owed a thousand Dinars to Shahab. He requested the Imam to persuade Shahab to respite him till the days of Hajj. So Imam (a.s.) summoned Shahab and said:

“You know that Muhammad Bin Bashir is among our followers. He owes you a thousand Dinars. This amount was not spent by him on himself. Rather it remained as a debt upon some people and he had to bear the loss. I wish that you will forgo your thousand Dinars.”

Then he (a.s.) said,

“Maybe you are under the impression that his good deeds will be given to you in return of your loan?”

Shahab said, “Yes, I am under this impression.” Imam (a.s.) told him,

“The Almighty Allah is Merciful and Just. If someone, in order to achieve Allah’s nearness, worships Him on cold winter nights and fasts on hot summer days, circles the Holy Ka’ba. Then do you think after all this Allah will take away his good deeds and give them to you? It is not so, His mercy is much more. By His munificence He recompenses the good deeds of a believer.”

After listening to these words Shahab said that he has condoned his loan forever.

The Debtor Whose Good Deeds are Given to the Creditor

If the debtor is guilty of being lazy in repaying, or if he had taken the loan for an illegal purpose, or if he has delayed the repayment inspite of being capable of doing so, and if after his death his debt has not been paid nor has the creditor condoned him. Then on the Day of Qiyāma his good deeds equivalent to the loan amount shall be given to the creditor and if his good deeds are exhausted or insufficient to cover the amount, sins from the scroll of deeds of the creditor will be transferred to the scroll of the guilty debtor.

Some narrations have described this phenomena in clear words.

Imam Ja’far as-Sadiq (a.s.) has been recorded to have said:

“The most difficult time on the Day of Qiyāma will be when those eligible to receive Khums and Zakat will rise up and besiege the one who has not paid it. They will complain to Allah that this person has not paid the amount due to them from Khums and Zakat. Then Allah will transfer the good deeds of that person and give them to those who were eligible (for Zakat and Khums).”

Imam Ja’far as-Sadiq (a.s.) has also said that on the Day of Qiyāma the creditor will complain against his debtor. Then if the debtor would have good deeds to his credit, they will be taken away for the creditor and if there are no good deeds for this purpose, the sins of the creditor will be added in the scroll of deeds of the debtor.

It is amply evident from the various traditions that if a person dies before fulfilling the rights of others upon him he will not achieve salvation till the rights are restored to the owner or the owner condones him. Or till his good deeds are given to the one who had the right upon him or if there are no good deeds for this purpose the sins of the latter are transferred to the scroll of deeds of the former. Or lastly, until the Ahl ul-Bayt (a.s.) intercede on his behalf.

Amount of Compensation

Exactly how many of the good deeds will be required to compensate for an unpaid debt is a matter known by Allah (S.w.T.) and the Holy Prophet (S). Neither we have any knowledge of it nor is it necessary for us to know. However, some traditions do mention some equivalents. For example in a tradition the Holy Prophet (S) said that in lieu of each dirham 600 prayers of the debtor will be paid to the creditor.²⁰

And if 1/6 Dirham is of silver, then seven hundred accepted prayers of the debtor will be transferred to the rightful owner. (Each silver dirham is equal to the weight of 18 grains of gram). Thus, one who departs from this world while yet in debt will be under very difficult circumstances. Everyone must be very particular to repay one's debt as soon as possible. If a person is unable to repay his debts he must establish contact with Ahl ul-Bayt (a.s.) and seek their intercession to obtain the forgiveness of the creditor.

The Messenger of Allah (S) says,

“Nothing is more serious after the Greater sins than the fact that a person dies while he is in debt to people and there is nothing to (sell to) repay his debt.”²¹

Moreover, the Prophet of Allah (S) told his companions after prayers one day:

“Such and such person who was martyred is still waiting outside Paradise. He cannot enter it because he still owes Three dirhams to a Jew.”

Haste in Repaying Debt is Mustahab (Recommended)

It has been made amply clear that not repaying debt, or returning the rights is *Harām* and a Greater sin. Depending upon the demand of the creditor and the ability of the debtor it becomes obligatory to repay the debt as soon as possible. Too much divine reward is promised for this.

Allamah Nūrī has quoted in his book *Darūs Salām* an incident from the book *Nurul Uyūn*. He writes that Sayyid Hashmi, the pious and well known scholar said that he had taken a hundred dinars as loan from a Jew and promised to return them within a period of twenty days. “I returned half the amount to him and then did not see him for some days. People told me that he had gone to Baghdad. One night I dreamt that it was the Day of Qiyāma. I was summoned with the other people to account for my deeds. And Allah (S.w.T.), in His Infinite Mercy allowed me to enter Paradise. So I decided to cross the bridge of Sirat as soon as possible. However, the scream of Hell made me fearful. While I was crossing the bridge, all of a sudden my Jew creditor leapt up from below the Hell, engulfed in flames of fire and blocked my way and said, ‘Give me 50 Dinar and I’ll let you go.’ I pleaded to him that I had always been on the look out for him to repay the amount but was unable to find him. He said, ‘You are right, but till

you repay me you will not be able to traverse this bridge of Sirat.’ I said, ‘I don’t have anything to give.’ So in return for his debt he asked me to allow him to put a finger on my body. I gave him the permission and he put his finger on my chest. Just as his finger touched my chest I screamed due to the burning pain and awoke from the dream. The place where the Jew had touched my chest was burnt too.” After this he opened his chest to the audience and they saw that there was a terrible wound on it. He said that he was still having it treated, but it did not seem to be cured. When the audience heard all this, they began to wail loudly.

It is also narrated in the 17th volume of *Bihar al-Anwar* that the First Martyr (Shahid al-Awwal) quoted Ahmad bin Abil Jawzi that he said: “It was my wish to see Abu Sulaiman Durrani, who was considered to be a pious and a God-fearing person. Thus, I saw him in a dream after a year of his death. I asked as to how Allah (S.w.T.) had dealt with him?” He said, “O Ahmed! When I was passing through Bebe Saghir one day, I saw a camel laden with hay and grass, I plucked a twig from this and do not remember whether I picked it with it or threw it away just like that. But a year has passed and I am still occupied in accounting for that twig.”

The below Qur’anic verse also supports this fact:

“O my son! Surely if it is the very weight of the grain of a mustard seed, even though it is in (the heart of) rock, or (high above) in the heaven or (deep down) in the earth, Allah will bring it (to light)..” (Surah Luqman 31: 16)

Thus one who has done an iota of good will see it and one who does an iota of evil will see it on the Day of Qiyama. In the letter to Muhammad bin Abi Bakr, ‘Ali (a.s.) says, “O creatures of Allah (S.w.T.)! Know that Allah (S.w.T.) the Gracious shall question you about your every small and big deed.” The following verse is a sufficient proof for this:

“Then one who does an iota of good shall see it and one who does an iota of evil shall see.” (Surah Zilzila 99:7-8)

It is mentioned in *Bihar al-Anwar* that Sayyid Hasan bin Sayyid ‘Ali Isfahani said: “At the time of my father’s demise I was studying in Najaf al-Ashraf. The responsibilities of my father fell upon some of my brothers. I was unaware of this fact. Seven months after the death of my father, my mother also passed away at Isfahan. Her last remains were brought to Najaf al-Ashraf. On one of those nights I saw my father in dream. I asked him that he had died in Isfahan so how did he reach Najaf? He said, “Yes! Though I died in Isfahan, I was given a place in Najaf.” I asked if mother was also with him?

“She is in Najaf, but in a different house,” he replied. So, I surmised that she was not given a position equal to my father. Then I asked him as to how he was. He said that though previously he was in severe pain now by the grace of Almighty he is comfortable. I was surprised that how a pious and religious person like him could suffer pain. He said that it was due to the fact that he was in debt to Hij Raza the son of Babaj alias Nalband. “Though he had demanded the payment I was unable to repay it. I was

suffering torture for this default.” I awoke with a start. I wrote to my brother, the legatee of my father and told him about my dream so that he will make enquiries if my father owed some money to such a person. My brother wrote back that he had gone through all the books of account but could not locate a creditor by that name.

Again I wrote to my brother to find this person and ask him directly if he was having a debt upon my deceased father. My brother replied after sometime and said that he had found that person and questioned him about my father’s debt. He was told that my father did owe him 18 tomans but except Allah (S.w.T.) no one knew about it. He said that after the death of father he had approached my brother and asked him if his name appeared in the list of my father’s creditors. When my brother told him that it was not so, he was perturbed as to how my father failed to note down his name among the creditors. Since he did not have any proof he did not see any way to acquire his money. Upon hearing this my brother offered him the amount of outstanding debt. But he refused to accept it. He said that he had already condoned the amount to my late father.

Imam Muhammad al-Baqir (a.s.) has said:

“Oppression is of Three types. One that Allah will not forgive, second which is He will forgive and lastly one which he will ‘take away’.

1. The oppression Allah will never forgive is Shirk.
2. The oppression that Allah forgives is one that a person does upon himself and it is a sin between that person and Allah.
3. The oppression that Allah ‘takes away’ is that one that a person does by not repaying his debts.²²

The Holy Prophet (S) has remarked,

“One who is able to satisfy (please) his creditors will certainly enter Paradise without any delay in accounting. He will be in the Garden, in the company of Ismail (a.s.) the son of Ibrahim (a.s.).”²³

The Messenger of Allah (S) has also said,

The debt which is returned by the debtor is more superior to the worship of a thousand years and the emancipation of a thousand slaves and performing Hajj and Umrah a thousand times.”²⁴

Prophet Muhammad (S) has also said,

“If someone restores a single dirham to its rightful owner, the Almighty Allah will save him from the fire of Hell and for each Daniq (1/6 of a Dirham) he will get rewards of a prophet and for each Dirham he will get a palace of Red Pearls (in Paradise).”²⁵

He (S) has also said,

“Returning a right to its owner is better than fasting during the day and the prayers of the night. If a person returns a debt an angel cries out from below the Arsh: O servant (of Allah) from the time you began this good deed, Allah has forgiven all your past sins.

Fulfillment of the Rights of People

When a person has something in his possession it can be one of two cases. The first case is the person knows that whatever he has is not fully his own, but a part of it belongs to someone else. The second case is that a person owes another person, but this person has no share in the actual goods or property in possession of the former. For example the thing he had borrowed is already used up but he is in debt to the one who had lent it. In the same way there are various types of sureties and compulsory maintenance that a person is responsible, for these should be disbursed with great care.

The first case includes the following four categories.

a) To know the quantity and the owner.

When it is known that a particular quantity of a thing rightfully belongs to such and such person, it is obligatory to return that same amount to whom it belongs and in case he is dead, to his successors.

b) When the quantity is known but not the owner.

If the exact quantity owed is known but there is a doubt regarding to whom it is owed to the extent that one feels the concerned quantity rightfully belongs to one of Three or five people. Then on the basis of precaution it is necessary to satisfy all of these people. If it is not possible to satisfy all of them, then there are Three rulings: 1. Lots should be drawn between them and one of them to be given that thing. 2. The goods should be equally distributed among all the possible owners. 3. If the doubt is with reference to a hundred and more people or if the owner is completely unknown then as a precautionary measure, by the permission of Marja al-Taqlīd the holder of these goods should give it away as charity. (Everyone has to follow his own Marja al-Taqlīd in this matter).

c) When the quantity is not known but the owner is.

Under the circumstances that a person knows that he owes some of the goods in his possession to a particular person, but does not know the exact quantity owed, it is incumbent upon him to give at least a third of the goods to the owner. As a precautionary measure he should give something more and satisfy the owner.

d) When both the owner and the exact quantity are unknown.

A person knows that he owes some of the goods he has to someone. It is Harām for him to use these goods, but he does not know the exact quantity of the goods prohibited for him nor its rightful owner. He

may consider a few persons as probable owners but he is unaware as to how much of it belongs to whom. In these circumstances it is incumbent on him to give Khums (1/5) on the total goods. After this the rest of the goods or property becomes totally permissible. (For details refer to the section on Khums in the books of Practical Laws).

In the second condition something is owed by a person but it is not in the form of a tangible good or property. There are four circumstances of this type:

- 1) If the exact quantity and the rightful owner, are known, then without any doubt that quantity has to be returned to the owner.
- 2) If the exact quantity is known but not a particular owner, and there is doubt between some selected people that it could belong to anyone of them. In this case it is incumbent to satisfy each of them in the way described in the rules regarding tangible goods. But if the doubt is between a large number of people the value of the goods must be given to the Qazi or given as charity by his permission on behalf of the rightful owner.
- 3) If the value is not known but the person to whom it is owed is known; the duty of the one who owes it is to restore the minimum quantity supposed and also to persuade the owner to forgo the rest of it.
- 4) When neither the exact quantity nor the owner is known the law states that an estimate has to be made and the average of the minimum and the maximum amount paid as charity after the permission of the Qazi.

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1. Miratul Uqūl page 361
 2. Wasa'il ul-Shia
 3. Bihār al-Anwār
 4. Layali Al Akhbār
 5. Wasa'il ul-Shia Chap 4, vol. 13, page 83
 6. Wasa'il ul-Shia chap.4, Vol. 13, page 85
 7. Wasa'il ul-Shia
 8. al-Kāfi vol.5 page 94
 9. Wasa'il ul-Shia Vol. 13 page 97
 10. Bihār al-Anwār, Wasa'il ul-Shia
 11. Wasa'il ul-Shia Chap.6 Vol. 13 page 86
 12. Wasa'il ul-Shia
 13. Wasa'il ul-Shia chapter of Tejārat
 14. Wasa'il ul-Shia
 15. Wasa'il ul-Shia
 16. Wasa'il ul-Shia
 17. Wasa'il ul-Shia
 18. Wasa'il ul-Shia
 19. Wasa'il ul-Shia

20. Layali Akhbār
21. Mustadrak ul-Wasa'il
22. Wasa'il ul-Shia
23. Mustadrak
24. Mustadrak
25. Mustadrak

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