

AN INTRODUCTION TO THE TREATISE ON RIGHTS (RISALAT AL-HUQUQ)

IMAM Zayn al-'Abidin (A.S.)

“Treatise on Rights” is attributed to Imam Zayn al-'Abidin A.S. His other works include Sahifa-e-Sajjadia supplications, sayings and letters.

The “Treatise on Rights” elaborates on a well-known saying of the Prophet (pbuh&p), which has been transmitted in several versions, because he repeated it in many different contexts. A typical version may be rendered as follows:

“Surely your Lord has a right against you, and you have a right against yourself, and your wife has a right against you.”

Other versions of the *hadith* include those who have rights as; guests, one’s own body, eyes, friends, etc. In some of the versions, another clause is included: “So give to everyone who has a right (kull dhi haqq), his right.” Shi’ite sources provide many relevant *hadith*. For example, the Prophet (pbuh&p) said:

God has made seven rights incumbent upon a person of faith (al-Mu'min) toward another person of faith, these are the following:

- ❖ To respect him
- ❖ Love him in his heart
- ❖ Have a share for him in his wealth
- ❖ Consider backbiting against him unlawful
- ❖ Visit him in his illness
- ❖ (When he dies) escort his coffin
- ❖ Say nothing but good about him after his death.

Zayn al-'Abidin's (A.S.) “Treatise on Rights” seems to have been written at the request of a disciple, because in one of its two versions it is prefaced by the words: “This is the treatise of 'Ali ibn al-Husayn to one of his companions.” In it, the Imam explains in detail what is meant by “everyone who possesses a right” as mentioned in the above *hadith*. Throughout, he provides specific examples, based upon the Qur'an, the *Sunna*, and the actions and the sayings of the earlier Imams.

Though, in the present context the word *Haqq* translates best as “right” it has a number of closely related meanings which should be kept in mind, such as suitability, justice, truth, reality, correctness, appropriateness, necessity, incumbency, obligation, due, and duty. A glance at the Treatise on Rights will quickly show that the word “rights” might better have been translated as duties, obligations, or responsibilities, since the treatise is not directly concerned with the rights of the individual, but rather with the rights of others, which the individual must observe. Nevertheless, I think it is important to preserve the term “rights”, if only to show that in considering human rights, primarily in terms of responsibilities, Islam diverges profoundly from most modern Western views, though it has deep kinships with other religious traditions of the East and the West.

Islam views the individual in his total context, which means that it considers first, his relationship with God, then his relationship with God's creatures. What is important for the individual in his relationship with God is that he attains salvation, or in other words, that he follows God's guidance, which is based upon His Mercy, and thus he is directed toward his own best interests. In short, Islam devalues the individual's perspective, since human beings on their own can see no further than their immediate interests. This devaluation of individualism is not a devaluation of the individual; on the contrary, it

raises him to the ultimate pinnacle of importance, since everything is directed toward his happiness in the next world. Islam merely recognizes the ignorance of human beings and their inability to perceive their own ultimate good without divine guidance. Then it sets about to undermine and destroy individual ignorance, a process which involves deflating the ego and eliminating all self-centered desires.

As a result, the human self or soul (*Nafs*) has few "rights", but it has many duties and obligations. Rather, the soul has only one true right, the right to salvation.

The individual's right to salvation follows naturally, upon God's right, which is worship of God without associating any partner (*Tawheed*). The way to salvation is to obey God, and hence it is the soul's right to be obedient to God. Since His Mercy precedes His Wrath, God displays Compassion and Guidance, and through obedience, the servant opens himself up to receiving the full range of Compassion. In other words, partaking of God's Mercy and Compassion depends upon following His Guidance, and following His guidance means following the *Sharia (law)* as revealed through the Qur'an and the *Sunnah*. Hence, the Imam speaks of "being employed in obedience" as the soul's key right, since only it can bring about (soul's) deliverance.

As soon as this wide context for attaining the right of the self is envisaged, dozens of duties become obligatory upon the individual. The Imam makes clear that the primary duties are toward the various organs and activities of the self, since these determine man's relationship to God. The organs have 'rights' because they share in the individual's destiny; the "resurrection of the body" is mentioned in the *Sahifa* supplication 31, verse 22. Activities have rights because they shape the destiny of the soul. Moreover, other human beings have rights because they form the context within which activity occurs. Human actions can only be correct if the rights of all of God's creatures are observed. This, in short, is the theme of the 'Treatise on Rights', a theme that is reinforced by many of the supplications of the *Sahifa Sajjadiya*, supplication number 24 (prayer for his parents) being a prime example.

The treatise has been transmitted in two versions, one in *Al-Khisal* and *Al-Amali*, both by Shaykh al-Saduq (d. 581/991), and the other in *Tuhaf al-'uqul*, by his contemporary Ibn Shu'ba. Perhaps one half of the text of the two versions is identical, but Ibn Shu'ba's version adds a good deal of material that shows it to be a later recension, perhaps by the Imam himself, or more likely by a later author trying to clarify the meaning. The translation follows the earlier version, with a minor addition from the second version that seems to be demanded by the context.

INTRODUCTION

Know that God has Mercy upon you, and that God has rights against you, and that these encompass you in every movement through which you move, every rest through which you rest, every way station in which you reside, every limb which you employ, and every instrument which you put to work. Some of these rights are greater than other rights.

[A] [1] The greatest of God's rights against you is the right which He has made incumbent upon you for Himself and which is the root of all rights, then [2] those which He has made incumbent upon you in yourself, from your crown to your foot, in keeping with the diversity of your organs. He has given [3] your tongue a right against you, [4] your hearing a right against you, [5] your sight a right against you, [6] your hand a right against you, [7] your leg a right against you, [8] your stomach a right against you, [9] and your private part a right against you. Acts (a'fal) take place through these seven organs.

[B] Then He gave your acts rights against you: He gave [10] your ritual prayer a right against you, [12] your fasting a right against you, [13] your charity a right against you, [14] your offering a right against you, and your acts a right against you.

[C] Then these rights extend out from you to others who have rights against you. The most incumbent of them against you are the rights toward your leaders (*a'imma*), then the rights toward your subjects (*ra'iyya*), then the rights toward your womb [relatives] (*rahim*).

From these rights branch out other rights. [C1] The rights of your leaders are three: The most incumbent upon you is [15] the right of him who trains you through authority, then [16] of him who trains you through knowledge, then [17] of him who trains you through property.

[C2] The rights of your subjects are three: The most incumbent upon you is [18] the right of those who are your subjects through authority, then [19] the right of those who are your subjects through knowledge for the man of ignorance is the subject of the man of knowledge. The right of those who are your subjects through property, such as [20] wives and [21] what is owned by the right hand.

[C3] The rights of your womb relatives are many; they are connected to you in the measure of the connection of the womb relationship. The most incumbent upon you is [22] the right of your mother, then [23] the right of your father, then [24] the right of your child, then [25] the right of your brother, then the next nearest, then the next nearest - the most worthy, then the next most worthy.

[D] There is [26] the right of your master who favors you [by freeing you from slavery]. [27] The right of the slave whose favors reach you (by the fact that you free him). [28] The right of him who does a kindly act toward you. [29] The right of the muezzin who calls you to the ritual prayer. [30] The right of the imam who leads the prayer. [31] The right of your sitting companion. [32] The right of your neighbor. [33] The right of your companion. [34] The right of your partner. [35] The right of your property and the right of him who has a debt that he must pay back to you. [36] The right of him to whom you owe a debt. [37] The right of your associate. [38] The right of your adversary who has a claim against you. [39] The right of your adversary against whom you have a claim. [40] The right of him who asks you for advice. [41] The right of him whom you ask for advice. [42] The right of him who asks your counsel. [43] The right of him who counsels you. [44] The right of him who is older than you. [45] The right of him who is younger than you. [46] The right of him who asks from you. [47] The right of him from whom you ask. [48] The right of him who does something evil to you through word or deed or [49] him who makes you happy through word or deed, intentionally or unintentionally. [50] The right of the people of your creed. [51] The right of the people under your protection. All these rights are in the measure of the causes of the states and the occurrence of events.

Therefore, happy is he, whom God aids in (fulfilling) the rights that He has made incumbent upon him, and whom He gives success therein and points in the proper direction!

A. RIGHTS OF GOD AGAINST HIS SERVANTS

[1] The greatest right of God against you is that you worship Him without associating anything with Him. When you do that with sincerity (*ikhlas*), He has made it binding upon Himself to give you sufficiency in the affair of this world and the next.

[2] The right of your soul (*nafs*) against you is that you employ it in obeying God; then you deliver to your tongue its right, to your hearing its right, to your sight its right, to your hand its right, to your leg its right, to your stomach its right, to your private parts their right, and you seek help from God in all these.

[3] The right of the tongue is that you consider it too noble for obscenity, accustom it to the good, refrain from any meddling in which there is nothing to be gained, express kindness to the people, and speak well concerning them.

[4] The right of hearing is to keep it pure from listening to backbiting (*ghiba*) and listening to that to which it is unlawful to listen.

[5] The right of sight is that you lower it before everything that is unlawful to you, and that you take heed when you look at anything.

[6] The right of your hand is that you stretch it not toward that which is unlawful to you.

[7] The right of your two legs is that you walk not with them toward that which is unlawful to you. You have no escape from standing upon the narrow bridge (*Al-Siraat*) over the Hell, so you should see to it that your legs do not slip and cause you to fall into the Fire.

[8] The right of your stomach is that you make it not into a container for that, which is unlawful to you and you eat no more than your fill (*shib'*).

[9] The right of your private part (*farj*) is that you protect it from fornication and guard it against being exposed.

B. RIGHTS OF ACTIONS

[10] The right of your ritual prayer (*Salaat*) is that you know that it is an audience before God and that through it you are standing before Him. When you know this, then you will stand (before Him) as one who is lowly, abased, fearful, trembling, beseeching Him, hopeful, and you will magnify Him through stillness and dignity. You will approach the prayer with your heart and you will perform it according to its bounds and its rights.

[11] The right of the *Hajj* is that you know it is an arrival before your Lord and a flight to Him from your sins. Through it, your repentance is accepted and you perform an obligation made incumbent upon you by God.

[12] The right of fasting is that you know it is a veil that God has set up over your tongue, your hearing, your sight, your stomach, and your private part to protect you from the Fire. If you abandon the fast, you will have torn God's protective covering away from yourself.

[13] The right of charity (*Sadaqa*) is that you know it is a deposit with your Lord, for which you will have no need for witnesses. If you deposit it in secret, you will be more confident of it (the returns) than if you deposit it in public. You should know that it repels afflictions and illnesses from you in this world and it will repel the Fire from you in the next world.

[14] The right of the offering (*Hadya*) is that through it you desire God and you do not desire His creation; through it you desire only the exposure of your soul to God's Mercy and the deliverance of your soul on the Day you encounter Him.

C1. RIGHTS OF LEADERS

[15] The right of the possessor of authority (*Sultan*) is that you know that God has made you a trial (*Fitna*) for him. God is testing him through the authority He has given him over you. You should not expose yourself to his displeasure, for thereby you cast yourself by your own hands into destruction and become his partner in his sins when he brings down evil upon you.

[16] The right of the one who teaches you (*sa'is*) through knowledge is, by magnifying him, respecting his sessions, listening well to him, and attending to him with devotion. You should not raise your voice to him. You should never answer anyone who asks him (a question) about something, but let him answer. You should not speak to anyone in his session nor speak ill of anyone with him. If anyone ever speaks ill of him in your presence, you should defend him. You should conceal his faults and make manifest his virtues. You should not sit with him in enmity or show hostility toward him in friendship. If you do all of this, God's angels will testify on your behalf that you approached him properly and acquired knowledge from him for God's sake, not for the sake of the people.

[17] The right of him who teaches and trains you through property is that you should obey him, unless obeying would displease God, for there can be no obedience to a creature when it causes disobedience to God.

C2. RIGHTS OF SUBJECTS

[18] The right of your subjects under your authority is that you should know that they have been made subjects through their weakness and through your strength. Hence, it is incumbent upon you to act with justice toward them and to be like a "compassionate father" toward them. You should forgive them because of their ignorance and not hurry to punish them, and you should thank God for the power, which He has given to you over them.

[19] The right of your subjects through the knowledge, is that you should know that God made you a caretaker over them because of the knowledge He has given you, and because of His storehouses which He has opened up to you. If you do well in teaching the people, not treating them roughly or annoying them, then God will increase His bounties to you. However, if you withhold your knowledge from people or treat them roughly when they come to you seeking knowledge from you, then it will be God's right to deprive you of that knowledge and its splendor, and to make you fall from your place in people's hearts.

[20] The right of your wife (*zawja*) is that you know that God has made her repose and a comfort for you; you should know that she is God's favour toward you, so you should honor her and treat her gently. Though her right toward you is more incumbent, you must treat her with compassion, since she is your prisoner (*asir*) whom you feed and clothe. If she acts ignorant, you should pardon her.

[21] The right of your slave (*mamluk*) is that you should know that he is the creature of your Lord, the son of your father and mother (Adam and Eve), and your flesh and blood. You own him, but you did not make him; God made him. You did not create any one of his limbs, nor do you provide him with his sustenance; on the contrary, God gives you the sufficiency for his sustenance. Then He subjugated him to you, entrusted him to you, and deposited him with you so that you may be safeguarded by the goodness you give to him. So act well toward him, just as God has acted well toward you. If you dislike him, replace him, but do not torment a creature of God. And there is no strength save in God.

C3. RIGHTS OF WOMB RELATIVES

[22] The right of your mother is that you know that she carried you where no one carries anyone, gave to you of the fruit of her heart that which no one gives to anyone, and protected you with all her organs. She did not care if she went hungry as long as you ate, if she was thirsty as long as you drank, if she was deprived as long as you were clothed, if she was in the sun as long as you were in

the shade. She gave up sleep for your sake; she protected you from heat and cold, all in order that you might belong to her. You will not be able to show her gratitude, unless through God's help and giving success.

[23] The right of your father is that you know that he is your root (Nourisher). Without him, you would not be (in existence). Whenever you see anything in yourself that pleases you, know that your father is the root of its blessing upon you. So praise God and thank Him in due measure. And there is no strength save in God.

[24] The right of your child is that you should know that he is from you and will be ascribed to you through his/ her good and evil, in the immediate affairs of this world. You are responsible for what has been entrusted to you, such as educating him/ her in good conduct (*husn al-adab*), pointing him in the direction of his Lord, and helping him to obey Him. So act toward him as one who knows that he will be rewarded for doing good to him and will be punished for evildoing.

[25] The right of your brother is that you know that he is your hand, your might and your strength. Take him not as a weapon with which to disobey God, nor as equipment with which to wrong God's creatures. Do not neglect to help him against his enemy or to give him good counsel. If he obeys God, well and good, if not, you should honor God more than him. And there is no strength save in God.

D. RIGHTS OF OTHERS

[26] The right of your master (*Mawla*) who has favored you [by freeing you from slavery] is that you know that he has spent his property for you and brought you out of the abasement and estrangement of bondage to the exaltation and comfort of freedom. He has freed you from the captivity of possession and loosened the bonds of slavery from you. He has brought you out of prison, given you ownership of yourself, and given you leisure to worship your Lord. You should know that he is the closest of God's creatures to you in your life and your death and that aiding him with your life and what he needs from you is incumbent upon you. And there is no strength save in God.

[27] The right of the slave (*mawla*) whom you have favored [by freeing him] is that you know that God has made your freeing him a means of nearness to Him and a veil against the Fire. Your immediate reward is to inherit from him, if he does not have any maternal relatives, by way of compensation, what you have spent on him, and your ultimate reward is the Garden.

[28] The right of him who does a kindly act (*dhu l-ma'ruf*) toward you is that you thank him and mention his kindness; you reward him with beautiful words and you supplicate for him sincerely in that which is between you and God. If you do that, you have thanked him secretly and openly. Then, if you are able to repay him some day, you repay him.

[29] The right of the Muezzin is that you know that he is reminding you of your Lord, calling you to your good fortune, and helping you to accomplish what God has made obligatory upon you. So thank him for that just as you thank one who does good to you.

[30] The right of your imam in your ritual prayer is that you know that he has taken on the role of mediator between you and your Lord. He speaks for you, but you do not speak for him; he supplicates for you, but you do not supplicate for him. He has spared you the terror of standing before God. If he performs the prayer imperfectly, that belongs to him and not to you; but if he performs it perfectly, you are his partner, and he has no excellence over you. So protect yourself through him, protect your prayer through his prayer, and thank him in that measure.

[31] The right of your sitting companion (*Jalees*) is that you treat him mildly, show fairness toward him while vying with him in discourse, and do not stand up from sitting with him without his permission.

But it is permissible for him who sits with you to leave without asking your permission. You should forget his slips and remember his good qualities, and you should tell nothing about him but good.

[32] The right of your neighbor (*Jar*) is that you guard him when he is absent, honor him when he is present, and aid him when he is wronged. You do not pursue anything of his that is shameful; if you know of any evil from him, you conceal it. If you know that he will accept your counsel, you counsel him in that which is between him and you. You do not forsake him in difficulty, you release him from his stumble, you forgive his mistake, and you associate with him generously. And there is no strength save in God.

[33] The right of the companion (*sahib*) is that you act as his companion with bounty and in fairness. You honor him as he honors you and you do not let him be the first to act with generosity. If he is the first, you repay him. You wish for him as he wishes for you and you dissuade him from any act of disobedience (to God) that he might be tempted. Be a mercy for him, not a (source of) chastisement. And there is no strength save in God.

[34] The right of the partner (*sharik*) is that if he should be absent, you suffice him in his affairs, and if he should be present, you show regard for him. You make no decision without his consent, and you do nothing on the basis of your own opinion, but you exchange views with him. You guard his property for him, and you do not betray him in his major or minor affairs, for God's hand is above the hands of two partners, as long as they do not betray each other. And there is no strength save in God.

[35] The right of your property (*Maal*) is that you take from it only what is lawful and you spend it only in what is proper. Through it, you should not prefer above yourself those who will not praise you. You should act with it in obedience to your Lord and not be miserly with it, lest you fall back into regret and remorse while suffering the ill consequence. And there is no strength save in God.

[36] The right of him to whom you owe a debt (*al-gharim alladhi yutalibuka*) is that, if you have the means, you pay him back, and if you are in straitened circumstances, you satisfy him with good words and you send him away with gentleness.

[37] The right of the associate (*khalit*) is that you neither mislead him, nor act dishonestly toward him, nor deceive him, and you fear God in his affair.

[38] The right of the adversary (*khasm*) who has a claim against you is that, if what he claims against you is true, you give witness to it against yourself. You do not wrong him and you give him his full due. If what he claims against you is false, you act with kindness toward him and you show nothing in his affair other than kindness; you do not displease your Lord in his affair. And there is no strength save in God.

[39] The right of the adversary against whom you have a claim is that, if your claim against him is true, you maintain politeness and moderation in speaking to him and you do not deny his right. If your claim is false, you fear God, repent to Him, and abandon your claim.

[40] The right of him who asks you for advice (*mustashir*) is that, if you concur that he has a correct opinion, you advise him to follow it, and if you are not able to consider (i.e. unable to help him), then you direct him to someone who will.

[41] The right of him whom you ask for advice (*mushir*) is that you do not make accusations against him for an opinion that does not conform to your own opinion. If it conforms to it, you praise God.

[42] The right of him who asks your counsel (*mustansih*) is that you give him your counsel, but you conduct yourself toward him with compassion and kindness.

[43] The right of your counselor (*naasih*) is that you act gently toward him and listen to him. If he presents you with the right course (of action), you praise God, but if he does not agree with you, you show compassion toward him and make no accusations against him; you consider him to have made a mistake, and you do not take him to task for that, unless he should be deserving of accusation. Then attach no more importance to his affair. And there is no strength save in God.

[44] The right of him who is older than you (*kabir*) is that you show reverence toward him because of his age and you honor him because he entered Islam before you. You avoid confronting him in a dispute, you do not take precedence over him, you do not stay ahead of him (while walking), and you do not consider him foolish. If he should act foolishly toward you, you put up with him and you honor him because of the right of Islam and the respect that is due.

[45] The right of him who is younger (*saghir*) is that you show compassion toward him through teaching him, pardoning him, covering his faults, kindness toward him, and helping him.

[46] The right of him who asks (*sa'il*) from you is that you give to him in the measure of his need.

[47] The right of him from whom you ask is that you accept from him with gratitude and recognition of the bounty if he gives, and you accept his excuse if he withholds.

[48] The right of him through whom God makes you happy (*surur*) is that you first praise God, and then you thank the person.

[49] The right of him who does evil to you is that you pardon him. But if you know that your pardon will harm him, you defend yourself. God says: "*whosoever defends himself after he has been wronged - against them there is no way (to blame).*" (42:41).

[50] The right of the people of your creed (*Millat*) is your harboring safety for them, showing compassion toward them, kindness toward their evildoers (misdeeds), treating them with friendliness, seeking their well-being, thanking their good-doers (good deeds), and keeping harm away from them. You should love for them what you love for yourself and dislike for them what you dislike for yourself. Their old men stand in the place of your father, their youths in the place of your brothers, their old women in the place of your mother, and their young ones in the place of your children.

[51] The right of the people under the protection [of Islam] (*dhimma*) is that you accept from them what God has accepted from them and you do no wrong to them as long as they fulfil God's covenant.

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