100322 - Should she sell some of her jewellery to offer expiation for breaking an oath or is it permissible for her to fast instead?

the question

I have a number of broken oaths; I do not know how many they are. How can I offer expiation for them? Is the husband obliged to offer expiation on behalf of his wife if she does not have any money? Should I wait until I get some money, then offer expiation, or can I fast? Please note that I have some jewellery; do I have to sell it in order to get money??

Detailed answer

Praise be to Allah.

Firstly:

If there are a number of oaths, but they are all concerning the same thing, then expiation should be offered only once, such as if someone says, “By Allah, I shall not speak to So-and-so,” and swears that oath repeatedly, then speaks to him. In this case, he only has to offer expiation once.

But if the oaths have to do with several matters, then for each broken oath expiation must be offered, such as if someone says, “By Allah, I shall not speak to So-and-so,” then he speaks to him, and he says, “By Allah, I shall not travel to such and such a place,” then he travels there, and so on. In that case, he has to offer expiation twice.

If you do not know how many times that happened, then you should err on the side of caution, and offer expiation for what you think most likely to be the case, so as to discharge your responsibility.

Please see the answer to question no. 36749 .

The husband is not obliged to pay his wife’s debts, whether the debts are owed to Allah, may He

be exalted, such as zakaah and expiations, or they are debts owed to people. It is the wife who should offer expiation for oaths that she swore, but if her husband voluntarily offers expiation on her behalf, there is nothing wrong with that, and this comes under the heading of good manners and kindness towards his wife, but he is not obliged to do that.

Thirdly:

The expiation for breaking an oath is to free a slave, or to feed or clothe ten poor persons. The one who is unable to do any of these things may fast for three days, because Allah, may He be exalted, says (interpretation of the meaning):

{Allah will not impose blame upon you for what is meaningless in your oaths, but He will impose blame upon you for [breaking] what you intended of oaths. So its expiation is the feeding of ten needy people from the average of that which you feed your [own] families or clothing them or the freeing of a slave. But whoever cannot find [or afford it] - then a fast of three days [is required]. That is the expiation for oaths when you have sworn. But guard your oaths. Thus does Allah make clear to you His verses that you may be grateful}

[al-Maa'idah 5:39].

The amount of food to be given is half a saa' for each poor person, which is equivalent to approximately one and a half kilograms, of rice and the like. If that is accompanied by any kind of sauce, that is better. In that regard, it is acceptable for you to give lunch or dinner to 10 poor persons.

In terms of clothing, it is acceptable to give a chemise (thobe) to each poor person.

Please see the answer to question no. 45676 .

If you do not have enough money to feed or clothe ten poor persons, then you should fast for three days, and you do not have to wait until you get money; rather it is better to hasten to offer expiation for breaking an oath, and not delay it.

The guideline regarding it being permissible to move to the option of fasting is: if a person does not have anything surplus to his food and basic needs – such as accommodation, transportation and a servant whom he needs – for one day and one night.

Ibn Qudaamah (may Allah have mercy on him) said in *al-Mughni* (10/18-20): The one who has nothing surplus to the food he needs for himself and his family for one day and for one night that is sufficient to offer as expiation may offer expiation by fasting.

… Expiation is to be given only for what is surplus to one's basic needs, and accommodation is a basic need, as is the mount that he needs and the servant whose service he needs.

Once this is established, then if he has anything of that that is surplus to his needs, such as a big house that is of higher value than what is sufficient for a man of his standing, or a mount that is of higher value than what is sufficient for a man of his standing, or a servant who is more skilled than what is sufficient for a man of his standing, to the extent that it is possible for him to acquire what is sufficient for his needs, and the surplus may be used to offer expiation, then he should sell what is surplus to his needs, or sell all of it, then buy for himself what is sufficient for his needs and use the rest to offer expiation. If he is not able to sell it, or he is able to sell it but is not able to buy what he needs, then he should refrain from that and move on to the option of fasting. End quote.

Basic needs for a woman include the jewellery with which she adorns herself. If she has as much jewellery as she needs, without any excess or extravagance, then she is not obliged to sell it in order to offer expiation for breaking her oath, and in this case it is valid for her to offer expiation for breaking her oath by fasting.

But if she has more jewellery than she needs, then she should sell the excess jewellery and offer expiation for breaking her oath.

And Allah knows best.