1672 - Expiation for one who had intercourse with his wife during the day in Ramadan

the question

My question is complex. First, during the first Ramadan that my wife and I were married, we did something that we are ashamed of and have sincerely repented for; and that is have intercourse while fasting. Unfortunately, this occured 2 or 3 times.
I have come to know that the correct action for this is to: first free a slave or second, fast for 60 days continuously. The first option of freeing a slave is not possible, so my question is about fasting.
I could fast for sixty days but since it is continuous, I believe that I would not be able to provide for my family (fasting weakens me, and my job is a physical one, without energy, It becomes unbelievably difficult). It is hard enough to make it through Ramadan and earn enough money (with Allah's will) to provide for my family. What options are left to me. I am aware of the hadith were a poor man came to the prophet (pbuh) and he was given the options free a slave, fast, and he couldn't do either, so he was given dates to give to the poorest family, which was his, so he took them to his family. How does this apply to me? I alhamdulilah, am not rich, but am not poor either (mostly pay check to pay check) - my wife and I feel tremendous guilt about this. Please help! Also, if one is to fast is that 60 days for each time one had intercourse during Ramadans fast?

Detailed answer

Praise be to Allah.

Our advice is that you should try to fast the two consecutive months during cold or temperate days when the days will be shorter and it will be less difficult for you, or during the annual leave which your employer gives you, and other opportunities which you can make use of for this

purpose. If you really and truly cannot fast, then it is permissible for you to feed sixty poor persons. You could give them food in stages – according to what you are able to do – until you have fed the complete number. Your wife also has to make a similar expiation if she was a willing partner in the act of intercourse during the day in Ramadan. If the number of times that intercourse took place happened on different days, then you have to offer expiation for each day on which the sanctity of the sacred month was broken. The author of Kifaayat al-Taalib said: "The number of expiations corresponds to the number of days, not to the number of times the act was repeated on one day before the payment of any expiation. This is by consensus (of the scholars)." It was said in Haashiyat al-Dasooqi: "It is not counted by the number of times a person ate or had intercourse in one day." The author of Mughni al-Muhtaaj said: "Expiation is counted by the number of misdeeds… (whoever had intercourse on two different days must pay expiation twice)… because each day is a separate, independent act of worship, so the expiation for both cannot be combined… If the act of intercourse happened several times in one day, the separate acts are not counted [i.e. one expiation is sufficient]." Allah burdens not any person, but that which he can bear.

The hadeeth to which you refer in your question was narrated by Abu Hurayrah (may Allah be pleased with him) who said: "Whilst we were sitting with the Prophet (peace and blessings of Allah be upon him), a man came to him and said: 'O Messenger of Allah, I am doomed!' He said, 'What happened to you?' He said: 'I had intercourse with my wife whilst I was fasting.' The Messenger of Allah (peace and blessings of Allah be upon him) asked: 'Could you find a slave you could set free?' He said, 'No.' He asked, 'Are you able to fast for two consecutive months?' He said, 'No.' He asked, 'Can you feed sixty poor persons?' He said, 'No.' The Prophet (peace and blessings of Allah be upon him) fell silent. Whilst we were (sitting) like that, the Prophet (peace and blessings of Allah be upon him) was brought a container of dates. He said, 'Where is the one who was asking?' The man said, 'I (am here).' He said, 'Take these and give them in charity.' The man said, 'Who is poorer than I, O Messenger of Allah? There is no household between the two lava fields (i.e., in Madeenah) that is poorer than my household.' The Prophet (peace and blessings of Allah be upon him) smiled until his back teeth could be seen, then he said: 'Feed it to your family.'" (Reported by al-Bukhaari, Fath, 1936).

According to a report narrated by Ahmad from ‘Aa’ishah (may Allah be pleased with her), whilst the Prophet (peace and blessings of Allah be upon him) was sitting in the shade of the fortress of Hassaan, a man came to him and said, “I have been burnt, O Messenger of Allah!” He asked, “What is wrong with you?” He said, “I had intercourse with my wife whilst I was fasting.” She [‘Aa’ishah] said: that was in Ramadaan. The Messenger of Allah (peace and blessings of Allah be upon him) said to him, “Sit down,” so he sat down at the back of the gathering. Then a man came with a donkey on whose back was a basket of dates, and said: “This is my sadaqah (charity) O Messenger of Allah.” The Messenger of Allah (peace and blessings of Allah be upon him) said, “Where is the burnt one who just came?” He said: “Here I am, O Messenger of Allah.” He said: “Take this and give it in charity.” He said, “Where should it go except to me and my family, O Messenger of Allah? By Him Who sent you with the truth, I cannot find anything for me and my family.” He said: “Take it.” So he took it. (al-Musnad 6/276).

We ask Allah, may He be glorified and exalted, to forgive us our sins and transgressions and to accept our repentance, for He is the Acceptor of Repentance, the Most Merciful.