98194 - What Is the Ruling on Breaking an Oath Sworn on the Mus-haf?

the question

I swore on the Mus-haf and put my hand on it, but I could not fulfill the oath. Is there any expiation?.

Summary of answer

-If swearing by the Mus-haf means the words of Allah contained therein, then it is an acceptable oath, but if what is meant is the paper and ink, then it is an oath by something other than Allah, which is an act of disbelief.
-The expiation for breaking an oath includes:

.Feeding 10 poor persons
.Clothing 10 poor people
.Freeing a believing slave
.Whoever cannot do any of the above should fast for three consecutive days.

Detailed answer

Praise be to Allah.

What Does It Mean to Swear on the Quran?

An oath is not binding unless it is sworn by one of the Names of Allah or by one of His Attributes.

Swearing on the Quran is swearing by the word of Allah which is one of His Attributes.

Is Swearing on the Mus-haf Permissible in Islam?

As for swearing by the Mus-haf , if what is meant is the words of Allah contained therein, then it is an Islamically acceptable oath, but if what is meant is the paper and ink, then it is an oath by something other than Allah, which is an act of disbelief, as the Prophet (peace and blessings of Allah be upon him) said: “Whoever swears by something other than Allah has committed an act of disbelief or polytheism.” (Narrated by At-Tirmidhi, 1535 and Abu Dawud, 3251; classed as authentic by Al-Albani in *Sahih At-Tirmidhi*)

Hence it is better not to swear by the Mus-haf, because the Mus-haf contains the words of Allah, and it contains paper and ink.

Placing One’s Hand on the Mushaf While Swearing

As for putting one’s hand on the Mus-haf or inside it, this is an innovated matter which some people do for emphasis to warn the one who is swearing the oath against lying.

Shaykh Ibn `Uthaymin (may Allah have mercy on him) was asked about the ruling on swearing by the Mus-haf.

He (may Allah have mercy on him) replied:

It is not permissible to make vows or swear oaths except by Allah or by one of His Attributes. If a person swears by Allah, may He be Glorified and Exalted, then there is no need to bring the Mus-haf for him to swear on it, because swearing on the Mus-haf was not done at the time of the Prophet (peace and blessings of Allah be upon him) or at the time of the Companions; even after the Mus-haf was compiled in book form they did not swear on it, rather a person would swear by Allah without swearing on the Mus-haf. (End quote from *Fatawa Nur ‘ala Ad-Darb*)

It says in a statement of the Islamic Fiqh Council:

2 – It is not essential for the person who is swearing the oath to place his hand on the Mus-haf,

Torah or Gospel when swearing for his oath to be valid, but it is permissible if the judge deems it essential so as to warn the one who is swearing the oath against lying.

3 – It is not permissible for the Muslim to place his hand on the Torah or Gospel when swearing an oath, because these copies that are in circulation are distorted and that are not in the original form that was revealed to Musa and `Isa (peace be upon them), and because the sharee'ah with which Allah sent His Prophet Muhammad (peace and blessings of Allah be upon him) has abrogated the laws that came before it. (End quote from *Fatawa Islamiyyah*, 3/463)

What Is the Ruling on Breaking an Oath Sworn on the Mus-haf?

If a person swears an oath then he cannot fulfil that oath , he has to offer expiation. The expiation for breaking an oath is explained in the answer to question no. 45676.

And Allah knows best.