

Oaths and their Atonement

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Oaths and their Atonement¹

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Allah will not hold you accountable for your inadvertent oaths, but He will definitely hold you accountable for oaths you swear with solemn intention. If such an oath is broken, its atonement is the feeding of ten needy persons of a standard with which you normally feed your own families or the clothing of ten needy people or the freeing of one slave. But whosoever cannot afford these should fast for three days. That is the atonement for the oaths when you have sworn. And be true to that which you have sworn. Thus Allah explains to you His verses that you may be grateful. (5:89)

Pledging oaths carries a great significance in Islam. Keeping one's word is a fundamental part of Islamic ethics. Oaths emphasize an assertion to the ultimate extent. When a Muslim swears by the Almighty on an intention or a plan that he wishes to carry out, it is as if he has called the Creator of the heavens and the earth to be a witness over his word. In a society, oaths have always remained the real means of stability regarding various contracts as well as various social, political and cultural affairs. Owing to this very reason, the Israelites were reminded by the Almighty in the Qur'ān of the covenant they had made with Him through an oath they had pledged. They were warned

1. This article appears as a booklet: Ghāmiḍī, Javed Ahmad, *Qasam awr Kaffārah-i Qasam*, 1st ed. Lahore: Al-Mawrid Institute of Islamic Sciences, 2005.

that they must not break this oath – something over which they have made the Almighty as witness:

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Fulfill the covenant of Allah when you have entered into it, and break not your oaths after you have confirmed them: indeed you have made Allah your witness over yourselves; for Allah knows all that you do. (16:91)

In spite of this importance that oaths and covenants occupy, many a time it becomes impossible for a person to honour his word or may feel that fulfilling a certain oath might be instrumental in infringing the rights of the Almighty or of his own self or even of others. In such cases, one can break one's oath. In fact, in some cases, breaking an oath becomes a moral necessity. In the Islamic *shari'ah*, an atonement (*kaffarah*) has been prescribed for a broken oath.

Following is a summary of the Qur'anic *shari'ah* regarding oaths and their atonement which has been outlined in verse 5:89 quoted in the beginning:

1. At times, an oath is totally absurd, nonsensical and meaningless. No doubt, a believer should refrain from pledging such oaths; however, it is a great favour and blessing of the Almighty that He will not hold people accountable for the fulfillment of such oaths, neither in this world nor in the Hereafter.

2. On the other hand, if an oath is pledged with a solemn will and intention or if some contract has been made on its basis or it has an affect on the rights and obligations of the parties involved or infringes upon the injunctions of the *shari'ah*, the Almighty would definitely hold a person responsible for it. So a person must not be careless and indiscreet in this matter. On the contrary, he should act in a very responsible manner in this regard.

3. If, owing to some reason, a person is forced to break such an oath, then he must atone for it. For this, he is required to feed ten poor people with the standard of food he normally feeds his own family or to give them clothes to wear or to liberate a slave. If he is unable to do either of these, he must fast for three days.

The above discussion summarizes the Qur'anic directives

regarding oaths. While explaining these directives, the Prophet (sww) has reported to have stressed the following three things:

Firstly, *nadhr* (vow) is also a form of an oath. So it will also be atoned in a similar manner in case it is broken:

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A *nadhr* that necessitates disobedience to the Almighty is not valid, and the atonement of a [valid] *nadhr* is the same as that of an oath. (*Abū Dā'ūd*, No: 3290)

Secondly, an oath should never impede good deeds:

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If you pledge an oath for something and a better alternative comes your way, break the oath and atone for it and do what is better. (*Bukhārī*, No: 6727)

Thirdly, swearing by any one other than the Almighty is an act of *shirk* (polytheism); so, one should swear by the Almighty only:

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He who swore by any one other than Allah has committed an act of polytheism. (*Abū Dā'ūd*, No: 3251)
