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Fatwa no. 16989

Q: A married woman vowed that if Allah would restore her son to health, she would observe Sawm (Fasting) every Monday and Thursday of every week of her life. However, her husband did not give her permission to do so, for he feared that her Sawm could have a negative effect on him, as it might subject him to Fitnah (temptation).

- **Does she have to make Kaffarah (expiation) for her vow due to her husband's rights, as he may be harmed by her Sawm or not?**
- **If she has to make Kaffarah, should she offer a general one for her vow or one for every day she does not observe Sawm?**
- **What type of Kaffarah should she offer: the one for breaking Sawm or other than that?**
- **If she is allowed to make Kaffarah and she is able to observe Sawm for a few days, will it be necessary for her to do so on days that her husband permits her to do so or when he is traveling?**
- **If it is obligatory on her to fulfill the vow she made, will her husband be sinful if he forces her not to fast or has conjugal intercourse with her while she is fasting?**

A: If the reality is as was mentioned and the woman vowed to observe Sawm every Monday and Thursday of every week if Allah would restore her son to health and Allah has cured her son, and if she is married, and her husband has not given his permission, as this vow will harm the lawful marital rights of her husband - the Shar'y (Islamic legal) ruling is that it is obligatory on her to fulfill the vow she made as it is a vow of obedience.

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However, since her husband's right has priority over the fulfillment of the vow mentioned above, as some of his marital rights will be wasted, she can absolve herself from the vow by offering the Kaffarah for breaking an oath. That is done by freeing a believing slave, or feeding ten Miskins (needy people) - giving each one half a Sa' (1 Sa' = 2.172 kg) of wheat, rice or other staple food of her country, which equals 1.5 kg - or clothing ten Miskins. If she cannot do this, she can observe Sawm for three days.

May Allah grant us success! May peace and blessings be upon our Prophet Muhammad, his family, and Companions!

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Source: Fatwas of the Permanent Committee

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