

2587 - Different types of vows (nadhr) and the rulings concerning them

the question

Assalam-o-alaikum,

what is the ruling of shariah on nazr wa niaz.

Detailed answer

Praise be to Allah.

There follows an explanation of the issue of vows, describing different kinds of vows and the basic rules concerning them, so that you and other readers may benefit from this information, in sha Allaah.

Al-Isfahaani (may Allaah have mercy on him) says, in his book Mufradaat Alfaaz al-Qur'aan (Vocabulary of the Qur'aan), p. 797:

“Al-Nadhr (vow): when you oblige yourself to do something that is not obligatory because of something that you want to happen. Allaah says (interpretation of the meaning): ‘[Maryam said:] I have vowed a fast unto the Most Beneficent (Allaah)...’ [Maryam 19:26].”

So a vow is the action, on the part of a person who is adult and of sound mind (mukallaf), of obliging himself to do something that is not obligatory, whether he intends to do it straight away or makes his doing it conditional upon something else.

Vows are mentioned in the Qur'aan in approving terms. Allaah says (interpretation of the meaning): “Verily, the abraar (pious, who fear Allaah and avoid evil), shall drink a cup (of wine)

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mixed with water from a spring in Paradise called Kaafoor, a spring wherefrom the slaves of Allaah will drink, causing it to gush forth abundantly. They (are those who) fulfil their vows, and they fear a Day whose evil will be widespreading.” [al-Dahr 76:5-7]. So Allaah makes their fear of the horrors of the Day of Resurrection and their fulfilment of their vows some of the reasons for their salvation and admittance to Paradise.

Ruling on vows. Fulfilling legitimate (shar’i) vows is obligatory according to sharee’ah. Allaah says (interpretation of the meaning): “Then let them complete the prescribed duties (manaasik of Hajj) for them, and perform their vows...” [al-Hajj 22:29]. Imaam al-Shawkaani said: “This means that they have to do this.”

Numerous ahaadeeth have been reported from the Prophet (peace and blessings of Allaah be upon him) discouraging vows and describing them as makrooh. Abu Hurayrah said: “The Messenger of Allaah (peace and blessings of Allaah be upon him) said: ‘Do not make vows, for vows do not change qadar (the divine decree) in the slightest, but they make the stingy person give something up.’” (Reported by Muslim).

‘Abd-Allaah ibn ‘Umar (may Allaah be pleased with them both) said: “The Messenger of Allaah (peace and blessings of Allaah be upon him) began to discourage us from making vows, and said, ‘They do not change anything, although they may make the miser give up something.’” (Reported by al-Bukhaari and Muslim).

One might ask, how is it that those who fulfil their vows are praised, then making vows is discouraged? The answer is that the kind of vow that is praised is the vow to do acts of worship that are not connected to anything – i.e., not conditional upon anything – which makes a man force himself to do acts of worship and prevent himself from being lazy, or in thanksgiving for some blessing. The kinds of vow which are discouraged are of different types, including vows that are made in return for something, whereby a person makes his doing an act of worship conditional

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upon attaining something or warding off something, and if that does not happen, he does not do the act of worship. This is what is discouraged, perhaps for the following reasons:

1. because then the person who made the vow would be doing the act of worship reluctantly, because it has become something he cannot avoid or get out of.
2. Because when the person making the vow makes the act of worship conditional upon his getting what he wants, his vow becomes a kind of exchange or barter which corrupts his intention; if the sick person is not cured, he will not give the charity which he vowed to give if the sick person was healed. This is miserliness, because the miser will not give anything except for something in return in this life (as opposed to the Hereafter), and what he gains is more than what he gives.
3. Some people ignorantly believe that making a vow guarantees that they will get whatever they made the vow for, or that Allaah will make it happen for them because of the vow.
4. Another ignorant belief is the idea that making a vow can change qadaa' (the divine decree), or that it can bring them some immediate benefit or ward off some harm. So vows were discouraged lest ignorant people believe such things, and as a warning of the danger that such attitudes present to sound belief.

Types of vows and their fulfilment

1 - Vows which must be fulfilled (vows to do acts of worship and obedience to Allaah)

This includes every vow which involves a promise to do some kind of act of worship, such as praying, fasting, performing 'Umrah or Hajj, upholding family ties, doing I'tikaaf (retreat for

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worship in the mosque), jihaad, enjoining what is good and forbidding what is evil. For example, a person may say, "It is my duty towards Allaah to fast such-and-such (days)" or to give such-and-such in charity, or to go for Hajj this year, or to pray two rak'ahs in al-Masjid al-Haraam [in Makkah] in thanksgiving to Allaah for curing a sick person. Or he may make a vow of doing some act of worship conditional upon something that will benefit him if it happens, so he says, "If my absent loved one returns or Allaah protects me from the evil of my enemy, I will fast such-and-such (days) or give such-and-such in charity."

The Prophet (peace and blessings of Allaah be upon him) said: "Whoever vows to do some act of worship and obedience to Allaah, then let him do it, and whoever vows to do some sin, let him not do it." (Reported by al-Bukhaari, 6202).

If a man vows to do some act of worship then circumstances change and prevent him from fulfilling his vow, such as he vows to fast for a month or to go for Hajj or 'Umrah, then he falls sick and is unable to fast or travel, or he vows to give charity, then he becomes poor and is unable to give what he promised, then in such cases he must offer expiation (kafaarah) for breaking his vow, which is the same as kafaarat yameen (expiation for breaking an oath). Ibn 'Abbaas (may Allaah be pleased with them both) said, "Whoever makes a vow and is then unable to fulfil it, his expiation is kafaarat yameen." (Reported by Abu Dawood. Al-Haafiz Ibn Hajar said in Buloogh al-Maraam, Its isnaad is saheeh, and some huffaaz thought it was mawqoof.).

Shaykh al-Islam Ibn Taymiyah said in al-Fataawa (33/49): "If a man intends to vow to do some act of worship and obedience to Allaah, then he must fulfil it. If he does not fulfil his vow to Allaah, then he must offer kafaarat yameen, according to the majority of the salaf (early generations of Islam)."

2 - Vows which it is forbidden to fulfil, and for which kafaarat yameen must be offered

This includes different types of vows:

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1. Vows to commit sin:

This is every vow which involves disobedience to Allaah, such as vows to bring oil, candles or money to graves or shrines (mashhads), or to visit tombs and shrines of shirk. This is in some ways like making vows to idols. It is also forbidden to fulfil vows which promise to do some sin, like committing zinaa (adultery, fornication), drinking alcohol, stealing, taking orphans' property, denying someone's rights, or cutting family ties by cutting a certain relative off or not entering his house for no shar'i reason. All of these are not permitted at all, and (the person who makes such a vow) must offer kafaarat yameen in expiation for his vow. The evidence (daleel) that it is not permissible to fulfil this kind of vow is the hadeeth of 'Aa'ishah (may Allaah be pleased with her) who reported that the Prophet (peace and blessings of Allaah be upon him) said: "Whoever vows to do some act of worship and obedience to Allaah, then let him do it, and whoever vows to do some sin, let him not do it." (Reported by al-Bukhaari). 'Imraan ibn Husayn reported that the Messenger of Allaah (peace and blessings of Allaah be upon him) said: "There should be no fulfilment of a vow to commit sin." (Reported by Muslim, 3099).

Vows that go against a shar'i text (of the Qur'aan or Sunnah)

If a Muslim makes a vow then it becomes clear to him that this vow of his goes against a clear, saheeh text that contains some command or prohibition, then he must refrain from fulfilling his vow, and offer kafaarat yameen for it. The evidence for this is the report of al-Bukhaari (may Allaah have mercy on him) from Ziyaad ibn Jubayr, who said: "I was with Ibn 'Umar and a man asked him, 'I made a vow to fast every Tuesday or Wednesday as long as I live, and it so happens that this day is Yawm al-Nahr (the Day of Sacrifice, i.e., the first day of Eid al-Adha).' He said, 'Allaah has commanded us to fulfil vows and we are forbidden to fast on Yawm al-Nahr.' He repeated this to him, and said no more and no less." (Saheeh al-Bukhaari, 6212).

Imaam Ahmad reported that Ziyaad ibn Jubayr said: "A man asked Ibn 'Umar, whilst he was

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walking in Mina, 'I made a vow to fast every Tuesday or Wednesday, and it so happens that this day is Yawm al-Nahr, so what do you think?' He said, 'Allaah, may He be exalted, has commanded us to fulfil our vows, and the Messenger of Allaah (peace and blessings of Allaah be upon him) forbade us [or he said: we were forbidden] to fast on Yawm al-Nahr.' The man thought that he had not heard him properly, so he said, 'I made a vow to fast every Tuesday or Wednesday, and it so happens that this day is Yawm al-Nahr.' [Ibn 'Umar] said, 'Allaah, may He be exalted, has commanded us to fulfil our vows, and the Messenger of Allaah (peace and blessings of Allaah be upon him) forbade us [or he said: we were forbidden] to fast on Yawm al-Nahr.' They kept repeating this exchange until they reached the mountain."

Al-Haafiz Ibn Hajar said: "The scholars agree that it is not permitted to fast on Yawm al-Fitr and Yawm al-Nahr, neither as an act of worship nor in fulfilment of a vow."

3 - Vows concerning which there is no ruling other than kafaarat yameen

There are some vows concerning which there is no ruling other than that the one who makes such a vow must offer kafaarat yameen in expiation for his vow. These include:

- Non-specific vows

If a Muslim makes a vow but does not specify what the vow is about, such as saying, "I make a vow if Allaah heals this sick person" - but does not specify anything, then he must offer kafaarat yameen. 'Uqbah ibn 'Aamir reported that the Messenger of Allaah (peace and blessings of Allaah be upon him) said: "The expiation for a vow is kafaarat yameen." (Reported by Muslim). Imaam al-Nawawi said: "Maalik and many others - indeed the majority - interpreted this as meaning absolute vows, such as saying 'I vow' [without being specific]." (Sharh Muslim li'l-Nawawi, 11/104).

- Vows concerning things that one does not possess.

If a person makes a vow concerning something that is not his, then he has no option but to offer

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kafaarat yameen. For example, if he vows to give charity from someone else's wealth, or to free someone else's slave, or to give a garden that he does not own to someone. The evidence for this ruling is the hadeeth of 'Amr ibn Shu'ayb from his father from his grandfather, who said: "The Messenger of Allaah (peace and blessings of Allaah be upon him) said: 'The son of Adam cannot make any vow concerning that which is not his, he cannot free (any slave) who is not his, and he cannot divorce any wife who is not his.'" (Reported by al-Tirmidhi, 1101. He said: The hadeeth of 'Abd-Allaah ibn 'Amr is a saheeh hasan hadeeth).

4 - Vows where one has the option of fulfilling the vow or of offering kafaarat yameen

There are vows where a person has the option of fulfilling the vow or of offering kafaarat yameen. This kind of vow includes:

- Vows made in desperation or in anger:

This means every vow that comes in the form of an oath made to urge for something to be done or to stop something from being done, or to swear that something is true or not true, where the person does not really intend to make a vow to do some act of worship. For example, a man might say in anger, 'If I ever do such-and-such I have to go for Hajj, or fast for a month, or give one thousand dinars in charity' or, 'If I ever speak to So-and-so I have to free a slave, or divorce my wife,' and so on, then he does the thing he said he would not do, but all he really meant by his words was that he would not do that thing - he had no intention of either doing it or the thing he vowed to do if he did.

In such a case, this person - who made the vow for argument's sake or to express the urgency of doing or refraining from something - has the choice of either fulfilling the vow, or expiating for it by offering kafaarat yameen, because his vow was essentially an oath (yameen).

Ibn Taymiyah said: "If a vow is made in the form of an oath, such as saying, 'If I travel with you

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then I have to go for Hajj, or give all my wealth in charity, or free a slave,' in the opinion of the Sahaabah and the majority of the scholars this is hilf al-nadhr (an oath by vowing), it is not a vow. If he does not do what he promised to do, it is sufficient for him to offer kafaarat yameen." Elsewhere, he said, "The obligation of vows made in anger or desperation is one of two things, according to the majority: either expiation, or doing the thing promised. If he does not fulfil the vow, he must offer expiation (kafaarah)."

- Vows concerning permissible things.

This means every vow that includes permissible things, such as vowing to wear a certain type of clothes, eat special foods, ride a certain animal, enter a certain house, and so on.

Thaabit ibn al-Dahhaak said: "A man vowed to sacrifice a camel in Bawaanah (according to one report: because a male child had been born to him). He came to the Prophet (peace and blessings of Allaah be upon him) and said: 'I have vowed to sacrifice a camel in Bawaanah.' The Prophet (peace and blessings of Allaah be upon him) said: 'Was there one of the idols of the Jaahiliyyah there that people used to worship?' They said, 'No.' He asked, 'Did they used to celebrate any of their festivals there?' They said, 'No.' The Messenger of Allaah (peace and blessings of Allaah be upon him) said: 'Then fulfil your vow, for there is no fulfilment of vows that involve disobedience to Allaah, or that concern things that the son of Adam does not possess.'" (Reported by Abu Dawood, 2881).

This man had vowed to sacrifice a camel in Bawaanah (a place beyond Yanboo') in thanksgiving to Allaah, may He be exalted, because He had blessed him with a male child. The Prophet (peace and blessings of Allaah be upon him) allowed him to fulfil his vow, so he sacrificed a camel in that place.

We ask Allaah to help us to do that which He loves and will please Him. May Allaah bless our Prophet Muhammad.