

What is the Ruling on Giving the Sadaqah al-Fitr for the Kaffarah of Two Oaths to the Same Faqir on the Same Day?

Darulifta Ahlesunnat (Dawateislami)

Question

What do the noble scholars and jurists of Islamic law say about the following: When paying the kaffarah (expiation) of an oath, it is only allowed to give a shar'i faqir the amount equivalent to one sadaqah al-fitr in a single day; giving more is not allowed. But the question is, if one is liable for the kaffarah of multiple oaths, is it permissible for him to give a sadaqah al-fitr for each kaffarah separately to the same shar'i faqir on the same day? In other words, after giving a shar'i faqir the sadaqah al-fitr for the first kaffarah, can he be given the sadaqah al-fitr for the second kaffarah on the same day?

Answer

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ
الْجَوَابُ بِعَوْنِ الْمَلِكِ الْوَهَّابِ اللَّهُمَّ هِدَايَةَ الْحَقِّ وَالصَّوَابِ

Yes! If one is liable for the kaffarah of multiple oaths, he can give the sadaqah al-fitr for the second kaffarah to the same shar'i faqir on the same day after having given him the sadaqah al-fitr for the first kaffarah. However, the condition is that he must give the sadaqah al-fitr for each kaffarah separately. If he gives the sadaqah al-fitr for both kaffarahs together, it will be regarded as the fulfillment of only one kaffarah. But when he gives the sadaqah al-fitr of each kaffarah separately, the payment for each kaffarah will be considered valid.

Thus, it is stated in al-Hidayah, Kanz, al-Bahr al-Ra'iq, al-Nahr al-Fa'iq, etc. (the following is cited from al-Nahr):

(ولو أطلعتم) المظاهر أي: ملك ما يطعم ناويا عن كونه (عن ظهارين) لمتحدة أو متعددة (ستين فقيرا كل فقير صاعا) من البر (صح عن) ظهار (واحد) عندهما --- وقال محمد: يجوز عنهما، وعلى هذا الخلاف لو أعطى عشرة كل واحد صاعا عن يمينين والخلاف مقيد بما إذا كان دفعة واحدة فإن كان بدفعات جاز اتفاقا ذكره الشارح وغيره

(Al-Nahr al-Fa'iq, Vol. 2, p. 461, Publ. Dar al-Kutub al-'Ilmiyah)

This is permissible when they are given separately. Mentioning this, it is stated in al-Hindiyah:

لو أعطاه نصف الصاع عن إحدى الكفارتين، ثم أعطى النصف الآخرياه عن الكفارة الأخرى جاز بالاتفاق كذا في غاية البيان (Al-Fatawa al-Hindiyah, Vol. 1, p. 514, Publ. Dar al-Fikr)

It is stated in Bahar-e-Shari'at:

اس کے ذمہ دو ظہار تھے خواہ ایک ہی عورت سے دونوں ظہار کیے یا دو عورتوں سے اور دونوں کے کفارہ میں ساٹھ مسکین کو ایک ایک صاع گہوں دیدیے تو صرف ایک کفارہ ادا ہوا اور اگر پہلے نصف نصف صاع ایک کفارہ میں دیے پھر انھیں کو نصف نصف صاع دوسرے کفارہ میں دیے تو دونوں ادا ہو گئے۔

Translation: If one was liable for two zihar, whether both were with the same wife or with two different wives, and he gave one saa' of wheat to sixty miskeen for both

kaffarahs, then only one kaffarah was fulfilled. But, if he first gave a half saa' for one kaffarah and then gave the same miskeens a half saa' for the second kaffarah, then both were fulfilled. (Bahar-e-Sharī'at, Vol. 2, sect. 8, p. 216, Publ. Maktaba-Tul-Madinah, Karachi)

وَاللَّهُ أَعْلَمُ عَزَّ وَجَلَّ وَرَسُولُهُ أَعْلَمَ صَلَّى اللَّهُ تَعَالَى عَلَيْهِ وَآلِهِ وَسَلَّمَ

(Allah Almighty knows best and His Messenger صَلَّى اللَّهُ عَلَيْهِ وَآلِهِ وَسَلَّمَ knows best.)

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Dar-ul-IftaAhlesunnat (Dawat-e-Islami)



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