

Eighteenth Greater Sin: False Oath

According to the traditions ‘false oath’ belongs to the category of greater sins. False swearing is a greater sin as mentioned in the authentic tradition recorded by Abdul Azīm and also in the tradition of Imam Riḍā (a.s.) as quoted by Fazl Ibn Shazān. There is a report from Imam Ja’far as-Sadiq (a.s.) in the book *Tuhafful Uqūl*:

“False swearing causes destruction of the faith.”¹

According to traditions a person who conveys a false report or oath will be sunk in depravity and will be surrounded by hell fire. The traditions state that false oath destroys a person’s faith just as a sharp blade removes hair from the body. To swear by Allah (S.w.T.), to convey a falsehood is a particularly detestable sin.

Punishment for a false oath

“(As for) those who take a small price for the covenant of Allah and their own oaths—surely—they shall have no portion in the hereafter, and Allah will not speak to them, nor will He look upon them on the Day of Resurrection nor will He purify them, and they shall have a painful chastisement.” (Surah ʿAlī-ʿImrān 3:77)

This same verse was quoted by Imam Ja’far as-Sadiq (a.s.) to prove that taking a false oath is one of the greater sins.

The Prophet (S) orders the taking of oath

An interesting incident is quoted in *Tafsīr al-Mizan* from the book *Amali*. Imrul Qays and another man had a dispute regarding some property. Both of them came to the Holy Prophet (S). He (S) asked Imrul Qays,

“Can you provide two just witnesses to substantiate your claim?”

He replied, “No!”

The Holy Prophet (S) said,

“Then your opponent should take an oath.”

Imrul Qays said, “But what if he swears falsely and acquires my property?”

The Holy Prophet (S) replied,

“If he swears falsely he shall be included among people who will not be eligible for Divine Mercy on the Day of Judgment and Allah shall not purify him of sins. There would be a dreadful punishment for such a man!”

When the litigant heard these statements he was filled with horror and gave up his false claim to the property of Imrul Qays.

Hazrat Imam Ja’far as-Sadiq (a.s.) is reported to have said:

“One who knowingly takes a false oath had made war upon Allah.”²

Imam Muhammad al-Baqir (a.s.) says that the Holy Prophet (S) said:

“Refrain from false oath, because it destroys inhabitations and makes the sinner helpless.”³

According to other traditions, false oath and severing relations are two such sins that cause the destruction of towns and cities. The inhabitants are eliminated and the progeny terminated.

Evil consequences of false oaths

Hazrat Imam Ja’far as-Sadiq (a.s.) says,

“One who swears falsely becomes poor within forty nights” (means forty days).⁴

Many traditions of similar connotations are available. The same Imam (a.s.) has also said:

“The false oath that takes one to the fire is the one which is taken to usurp the right of a Muslim or to usurp his property.”

And Imam Ja’far as-Sadiq (a.s.) also remarks,

“When a person says, “Allah knows!” when in fact he is speaking a lie; then Allah tells him, ‘Didn’t you find anyone other than Me to ascribe the falsehood to?’⁵

The Holy Imam (a.s.) also says:

“When a person says ‘Allah knows’ and the fact is that Allah knows contrary (to what he alludes), the heavens shudder due to the Might and Divine anger.”

Types of oaths

An oath is taken to prove some fact or report, or to relate the same with emphasis. There are four kinds of oaths:

1. Wajib (Obligatory).
2. Mustahab (Recommended).
3. Makrūh (Detestable).
4. Harām (Prohibited).

When does it become Wajib (obligatory) to swear?

It is Wajib to take an oath in a situation where one’s life or honour, or that of another Muslim, is in danger, and taking the oath can ward off the danger. When it is Wajib to protect ones property it is also Wajib to take an oath for its protection. In fact in all the above situations it is Wajib even to take a false oath, although as a precautionary measure one should first try ones best to employ Toriya.

Mustahab oath

There are situations where it is Mustahab to take an oath or to refrain from doing so. In case of very insignificant property belonging to oneself or to another Muslim it is not Wajib to swear. In this case it will be Mustahab to do so. Property that is usually considered insignificant is worth thirty Dirhams or less.

Zurara asked Imam Muhammad al-Baqir (a.s.): “The oppressive rulers forcefully collect taxes from us. Can we swear falsely that we have nothing to give tax on when it is not possible to save our money without swearing falsely?”

Imam (a.s.) said,

“Take such oaths! Such oaths are more sweet than dates and butter.”⁶

However if the property is not worth much, especially if its value is less than thirty Dirhams, then it is Mustahab not to swear falsely, even if it may be necessary to save oneself from the oppressor.

Hazrat Imam Ja’far as-Sadiq (a.s.) has quoted the following tradition from the Holy Prophet (S):

“Respecting the Greatness of Allah if one refrains from swearing, Allah shall give him much better than

whatever he has lost.”⁷

Imam Ja’far as-Sadiq (a.s.) says:

“If there is claim against you regarding some property and the claimant does not have any right upon you, and desires to make you take an oath, then if the claim is for something worth less than thirty Dirhams, hand it over to him and do not take an oath. But if it is worth more than thirty Dirhams, take the oath and do not give him anything.”⁸

The Holy Prophet (S) says:

“If a person takes his debtor (or one who owes him something) to the court of the ruler; and the king asks him to swear; and knowing that he is on the right he respects the Greatness of Allah and refrains from swearing, then on the Day of Qiyāma Allah shall not desire for him a position less than that of Hazrat Ibrahim (a.s.).”

Imam Sajjad (a.s.) avoids swearing

In the book al-Kāfi there is a tradition, which says that a wife of Imam Sajjad (a.s.) had some connection with the tribe of Bani Hanifa. A Shia of Imam (a.s.) informed him that this wife of his bore enmity to Amir ul-Mu’minīn (a.s.). After investigating the matter Imam (a.s.) divorced her. She had already received the Meher amount (Dower), but she filed a claim for it against Imam (a.s.) in the court of the ruler of Madinah. She demanded four hundred Dirhams as Meher from him. The ruler of Madinah told Imam Sajjad (a.s.), “Either you swear that you have already paid her or you pay the amount of Meher (now).” Hazrat Sayyid al-Sajjad (a.s.) did not swear, but ordered his son Hazrat Muhammad al-Baqir (a.s.) to pay four hundred Dirhams to the woman. Hazrat Baqir (a.s.) said, “*May I be sacrificed for you! Are you not on the right?*”

Imam (a.s.) replied,

“Why not? But I consider Allah to be much more honourable than this matter, that I swear by His name for some petty worldly property.”

Swearing for the sake of emphasis

Not only it is permitted but it is mustahab to swear in order to emphasize on a true fact, or to prove some fact, or to show its importance. For example the Holy Prophet (S) speaks after taking the oath:

“By Allah! Allah does not delay in forgiving, Though you may be lazy in seeking it.”⁹

Another example of an oath is the following saying of Amir ul-Mu’minīn (a.s.):

“By Allah! If people knew what I know then very few would have laughed and many more would have

wept.”¹⁰

There are numerous Qur’anic verses and the traditions of Ma’sūmīn (a.s.) where oath is taken. All of them are of this same type. They are for emphasis and for proving particular facts.

A person wrote a letter to Imam Muhammad Baqir (a.s.) and asked about something which was being wrongly attributed to him (Imam a.s.).

Imam Baqir (a.s.) wrote the following reply,

“By Allah! What is being attributed is not correct. But under no circumstance do I like to say “By Allah” to disprove it. Yet I regret that such a thing is being said when it really isn’t so.”¹¹

Swearing is Makrūh

We have already described the Wajib and Mustahab oaths. Apart from these, in all other situations, it is Makrūh (detestable) to swear. It is irrelevant whether the oath is for something past, present or future. In ordinary situations, for ordinary matters, taking an oath is Makrūh. Swearing for a false thing is certainly Harām. It is the command of Imam Ja’far as-Sadiq (a.s.):

“Do not swear by the name of Allah, whether you are speaking the truth or lying.”¹²

“Because Allah says in the Holy Qur’an,

“And make not Allah because of your swearing (by Him) an obstacle to your doing good...”
(Surah al-Baqarah 2:224)

Hazrat Imam Ja’far as-Sadiq (a.s.) also says,

“One who swears falsely by Allah for a lie has disbelieved, and one who swear by Allah for truth has sinned, because Allah says: “Do not use Allah for (taking of) your oaths.”¹³

The above quoted traditions could be simply explained thus:

To swear falsely in the name of Allah (S.w.T.) is definitely a greater sin and one who indulges in a greater sin, falls down from the highest position of Faith. Due to this some amount of disbelief comes to his heart. Imam (a.s.) has also called a true oath a sin and he has used the word “*lthm*” (sin). Since it is well known among the Mujtahids that a true oath is Makrūh the word “*lthm*” would imply something which is very very undesirable.

A Lesson from Hazrat Isa (a.s.)

The book Furu al-Kāfi also contains the following report from Imam Ja’far as-Sadiq (a.s.):

“The apostles of Hazrat Isa (a.s.) came to him and said, “O the teacher of good, give us some advice.”

He (a.s.) said, “Certainly, Musa, the Prophet of Allah commanded you not to swear falsely by Allah. And I order you not to swear falsely and (nor) truly.”¹⁴

Oath of respectable objects and personalities

Wherever it is permitted to swear by Allah (S.w.T.), it is also permitted to swear by other honourable personalities or respectable objects. In such situations it is allowed to take an oath by the Qur’an, the Ka’ba, the Prophet (S) or the Imam (a.s.). In the same way oath upon any other respectable object is also permissible. For example a person may swear by his father or son etc.

Those traditions that prohibit swearing by Allah (S.w.T.)’s name prohibit it for proving ones right. They do not prohibit the proving of a true fact by oath. However when a situation arises where it becomes obligatory to take an oath, then one must swear only by Allah (S.w.T.). Oath by any other object or personality will not be absolutely correct and from the Shari’a point of view the matter will not end conclusively. Similarly if one has to take an oath for performing a particular action in the future, in this case too, one must swear only by Allah (S.w.T.). Any other vow does not have any legal standing.

The oath that is Harām under all circumstances

The oath which is Harām under all circumstances and which one can never take is that of dissociating with Allah (S.w.T.) and His religion. For example a man says;

“If I do not perform this particular action, I shall be dissociated with Allah (S.w.T.) and His religion.” Such an oath is certainly Harām.

In the same way if one says:

“If I do not do this, I would have disbelieved in the Holy Prophet (S), or I would have rejected the Mastership of ‘Ali (a.s.), or I would become a disbeliever.” Such a vow is also Harām. It is Harām whether one wishes to prove the truth or to lay emphasis upon a fact.

The Holy Prophet (S) heard a person taking such an oath. He (S) said, *“Woe be unto you, if you leave the religion of Muhammad (S) then which religion would you follow?”*

The narrator says that the Holy Prophet (S) did not speak to this man till the end of his life.¹⁵

Imam Ja’far as-Sadiq (a.s.) informed Yūnus Ibn Zabyan:

“O Yūnus! Do not speak about dissociating from us in an oath. One who takes oath from it, whether for a true thing or a falsehood, he really becomes dissociated from us.”¹⁶

Expiation for a Harām oath

The expiation for an oath which is Harām, (the oath which states dissociation with divine personalities), according to a group of Mujtahids is equal to expiation of Zihar (when one vows to abstain from one's wife, sexually). Another group of Mujtahids has prescribed its expiation to be equal to that of breaking a vow and it is the same as the penalty of breaking or not keeping a Wajib fast of Ramadhan. 17

However, Shaykh Mufīd (r.a.) says that expiation of vow of dissociation is to feed to satiation, ten poor people and also to repent. The same decree is proved from a letter of Imam Hasan al-Askari (a.s.), which is quoted in the book Mas'lik.

Imam (a.s.) says,

“He shall feed ten poor people with a ‘Madd’ (approximately ¾ of a kilo) of food and seek forgiveness from Allah.”

In this penalty, the following edibles can be given: wheat, wheat flour, barley, rice or any other cooked food.

Since the chain of narrators for this tradition is authentic, one must act upon it as a precautionary measure.

Imam Ja'far as-Sadiq (a.s.) and Mansur Dawaniqi

A man came to the Abbaside king Mansur Dawaniqi and began to instigate him against Imam Ja'far as-Sadiq (a.s.). He said, “He desires to launch an attack upon you. He has sent money to different places for this and continues to do so. He has always supported the sons of Abdullah Ibn Hasan, Muhammad and Ibrahim, and these two have confronted you.”

Mansur summoned Imam Ja'far as-Sadiq (a.s.) from Madinah. When Imam (a.s.) reached the court of Mansur, he quoted the false allegations and severely criticised the Imam (a.s.).

Imam (a.s.) replied,

“I seek the refuge of Allah from such things. All these are false allegations.”

Mansur called the man who had laid these false allegations against Imam (a.s.). The accused man came and repeated his accusations. Imam as-Sadiq (a.s.) asked him,

“Can you swear for the truth of your statements?”

This accused person began to say, “By Allah! The one besides whom there is no god, He is the...”

Imam (a.s.) interrupted him,

“Do not make haste in taking the oath, say as I command you.”

Mansur asked, “Is there any defect in the oath which he has taken?”

Imam replied,

“When a man swears by Allah, praising the Divine qualities, Allah refrains from sending an immediate retribution. So he should say like this, ‘I swear by Allah ignoring His Might and Power and seek the refuge on my own might and power that whatever I have said is the truth.’”

Mansur ordered that man to swear in this manner. The man began to take the oath and had not even completed it when his tongue rolled out like a dog and he fell down dead.

Is it against a prohibited oath?

Someone may think that this narration mentions the prohibited form of oath. It is not so. Muhaqqiqe-Qummi says that in the first place the chain of narrators of this tradition is weak. Secondly it may be that ordering such an oath may be the sole prerogative of an Imam. The Imam (a.s.) knew that the one taking such an oath is not a believer. He was an enemy of Ahl ul-Bayt (a.s.) and it was necessary to resort to such means in order to clear himself of the false allegations.¹⁸

From the explanation of this tradition by Muhaqqiq it is clear that Imam (a.s.) considered that accursed man deserving of death and his death only depended upon the oath of dissociation. It was also necessary that Imam (a.s.) was not disrespected and that the Imam (a.s.) could save himself from being unjustly persecuted at the hands of Mansur. Another benefit that accrued was that, Mansur for the time being, refrained from oppressing the other Sad^{iq} (descendants of Holy Prophet) and believers.

Repenting for a false oath

The method of repenting for a false oath is that one must feel extremely remorseful for it. He should know that he has considered the Divine name of Allah (S.w.T.) to be a plaything, and that he has committed a grave sin. The more remorse one feels and the more serious he considers his sin, the closer he shall be to Allah (S.w.T.)’s Divine Mercy and Forgiveness. If due to this false oath some monetary loss has occurred to a believer or a believer has been insulted, then the one who had taken the false oath must compensate for the monetary loss and apologise to the believer, and as far as possible try to make up for the harm that has been caused due to his false swearing.

When is the vow correct?

There are some requirements for the correctness of a vow that a person takes for performing or avoiding particular actions in the future. If all the requirements are fulfilled then it is *Harām* to break this vow. If it is broken, expiation becomes *Wajib*.

The following are the conditions for such vows:

1. The vow should be with regard to a *Wajib* or a *Mustahab* act. For example, he can vow that he shall not intentionally avoid the Morning Prayer, he will make it a point to say *Salāt al-Shab*. In the same way if one vows to abstain from a particular act, this act has to be either *Harām* or *Makrūh* in nature. For example he can vow that he shall not speak a lie in future or he can vow to refrain from spitting in the mosque. A vow to refrain from a *Mubah* (permitted) act or thing should only be taken when there is some benefit in it. For example it is *Mubah* to smoke. So one can take a vow in order to give up this habit.
2. Vows with regard to all the five types of actions, i.e. *Wajib*, *Mustahab*, *Harām*, *Makrūh* and *Mubah* are valid only when the name of Allah (S.w.T.) is uttered with a firm intention to do or to refrain from a particular thing. One must not swear by Allah (S.w.T.) in jest. If one is in a habit of saying, "By Allah I shall do this." or "By Allah I shall not do it" then unless he seriously means it, such a vow is not considered valid.

The Qur'an says:

"Allah does not call you to account for what is vain in your oaths, but he calls you to account for the making of deliberate oaths; so its expiation is feeding of ten poor men out of the middling (food) you feed your families with, or their clothing, or the freeing of a neck; but whosoever cannot find (means) then fasting for Three days; this is the expiation of your oaths when you swear; and guard your oaths. Thus does Allah make clear to you His communications, that you may be grateful. (Surah al-Mā'idā 5:89)

Useless Vow

From the foregoing discussion we can conclude that a vow is only valid when there is some inherent good or evil in the concerned action. Therefore one can take a vow only for acts that one is inclined towards or those that are *Wajib* or *mustahab*. Similarly if a person vows to refrain from a particular action he must feel an aversion to it or it should be something *makrūh* or *Harām*. Hence to vow to perform some lewd action is itself lewdness. Such a vow is invalid from *Shari'a* point of view. We must never vow to perform evil acts whether it is evil according to reason or according to *Shari'a*.

It is *Harām* for one to vow to omit *Wajib* or *mustahab* prayers or vow not to speak to ones mother or any other relative. It is also not allowed to vow against performing *Hajj* if one is capable of doing so. To vow that one would never mediate between two believers is also *Harām*. All such vows are invalid. Hence if

one has ever taken such vows one must repent for them.

Hazrat Imam Ja'far as-Sadiq (a.s.) says,

“If one takes a vow to refrain from a beneficial act he must perform it (and disregard the vow). There is no kaffarah for breaking such a vow. It is only a satanic instigation.”¹⁹

Although apparently the above tradition and other such reports imply that a vow for a mubah act which is beneficial is invalid, the mujtahids are of the opinion that one must exercise caution and in case such a vow is broken, kaffarah should be paid. According to the majority of the jurists a mubah thing becomes Wajib if one takes a vow for it. Thus the best thing is to follow the path of precaution.

Sa'īd Aerājī, a narrator of traditions says that he asked Imam Ja'far as-Sadiq (a.s.) about a person who had vowed to do a particular thing, whereas the avoidance of that was more beneficial, and now the person himself was worried to disregard his vow. Imam (a.s.) said,

“Have you not heard the Messenger of Allah (S) say that whenever you find that you have vowed against doing something that is better to be done, you must ignore your vow?”²⁰

Types of Vows

In the same book, al-Kāfi we have a tradition of Imam as-Sadiq (a.s.) that he said,

There are Three types of Vows:

1. *A vow that makes hell incumbent.*
2. *A vow that makes kaffarah Wajib.*
3. *A vow that neither earns hell nor entails kaffarah.*

A vow that makes hell incumbent is a false one. It is a vow that proves harmful to the Muslims. It is called ‘Yaman Ghamīs’ in the religious terminology.

A vow that entails Kaffarah is one that is taken to perform a charitable act or taken to refrain from an evil act. If a person breaks such a vow he is liable to pay kaffarah for the same. In addition he must feel remorse for it and repent.

Lastly, a vow that neither earns hell nor makes kaffarah *Wajib* is the vow of doing Qat al-Rehmi taken under duress before a tyrant ruler, parents or ones spouse. Other vows like the doing of some evil act or to refrain from a *Wajib* are also included in this category. Those who wish to study in detail may refer to the comprehensive books of jurisprudence. Those who wish to study in detail may refer to the comprehensive books of jurisprudence.

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1. Bihār al-Anwār
 2. al-Kāfi
 3. al-Kāfi
 4. al-Kāfi
 5. al-Kāfi
 6. Wasa'il ul-Shia
 7. Furu al-Kāfi
 8. Furu al-Kāfi
 9. Mas'lik
 10. Mas'lik
 11. Mustadrak ul-Wasa'il
 12. Furu al-Kāfi
 13. Furu al-Kāfi
 14. Furu al-Kāfi
 15. al-Kāfi
 16. al-Kāfi
 17. Refer Shariyatul Islam
 18. Jame ush-shat'it
 19. al-Kāfi
 20. al-Kāfi

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