Figh of Fasting







AN OBLIGATION فَمَن شَهِدَ مِنكُمُ الشَّهْرَ فَلْيَصُهُ.

"So, whoever sights [the new moon of] the month, let him fast." {Al-Baqarah: 185}

A PILLAR OF ISLAM بُنِيَ الإسْلاَمُ عَلَى خَمْسٍ شَهَادَةِ أَنْ لاَ إِلَهَ إِلاَّ اللَّهُ وَأَنَّ مُحَمَّدًا رَسُولُ اللَّهِ، وَإِقَامِ الصَّلاَةِ، وَإِيتَاءِ الزَّكَاةِ، وَالحُبِّ، وَصَوْمِ رَمَضَانَ. "Islām is built upon five: to testify that there is none

"Islam is built upon five: to testify that there is none worthy of worship besides Allāh and that Muḥammad is His Messenger, to establish ṣalāh, to give zakāh, to perform Ḥajj and to fast in Ramaḍān."

[Ṣaḥīḥ al-Bukhārī #8]

A MISSED FAST WITHOUT A CONCESSION CANNOT BE COMPENSATED

مَنْ أَفْطَرَ يَوْمًا مِنْ رَمَضَانَ مِنْ غَيْرِ رُخْصَةٍ لَمْ يُجْزِهِ صِيَامُ الدَّهْرِ. "Whoever does not fast one day in Ramadān without having a concession allowing that, fasting for a lifetime will not make up for that." [Sunan 'Abī Dāwūd #2396]



Literal Definition: Restraint.

<u>Shar'ī Definition</u>: To refrain from eating, drinking, sexual intercourse and all other breakers of fasting from true dawn until sunset with the intention of fasting.

[Durr Mukhtār with Raddul Muḥtar 6/180-182, Al-Lubāb 2/374]

ON WHOM IS FASTING FARD?

Fasting is fard during Ramadān on:





[Fatāwā Tātarkhāniyyah 3/351, Kitābul Masā'il 2/146]

MUST POSTPONE FASTING

Although *fard*, it is **NOT** permissible for a woman to fast in *Ramadān* during:

woman to fast in Kumugun uurn

- Hayd (menstruation)
- Nifās (postnatal bleeding)

It is necessary to do qaḍā' of them.

[Fatāwā Tātarkhāniyyah 3/351, Kitābul Masā'il 2/146]

PERMITTED TO POSTPONE FASTING

It is permitted to postpone or break the fast without being sinful and make up for it after overcoming the situation.

- 1. Illness
- 2. Travel
- **3.** Coercion
- 4. Pregnancy
- 5. Breast-feeding
- 6. Hunger
- 7. Thirst
- 8. Old Age

[Nūrul Īḍāḥ]

PERMITTED TO POSTPONE FASTING

<u>Illness</u>: If one fears aggravation in his illness or a delay in his recovery. Genuine fear: Based upon one's predominant belief through past experience or on notification from a Muslim doctor who is skillful and upright.

<u>Pregnancy & Nursing:</u> If she fears a loss of mind, death, or illness upon herself or child (regardless of if the child is her own or a child she nurses).

However, if there is no fear, then she must fast.

Thirst & Hunger: If unbearable and one fears demise or that one may lose one's mind or senses.

[Nūrul Īḍāḥ]

PERMITTED TO POSTPONE FASTING

Travel:

- One who is undertaking a journey of more than 48 miles and does not intend staying more than 14 days at his destination.
- However, it is better for him to fast in *Ramaḍān* than do *qaḍā*' later, provided the journey is not a tiresome one.
- If a person decides to undertake a journey, and is departing <u>after</u> the break of dawn, then he must fast that day.
- If a person undertakes a journey in *Ramaḍān* for leisure/entertainment, then he still has the choice of keeping the fast or not.

N.B

1. If a person dies before his excuse ends such as: illness and travel, he is not required to make a will instructing his heirs to make up for the days he lost.

2. If his excuse ends and there were other days in which he can make up the missed days, he must do so (when he regains sound health or after becoming a resident). However, if he does not make up the days, then he is required to leave a will instructing his heirs to redeem the days he was healthy for and the days he was a resident for. [Nūrul Īdāh]

N.B

- An individual whose job is laborious and demands physical strength is **NOT** absolved from fasting.
- He/She should make special arrangements to facilitate the month of *Ramadān*, catering etc.
 Students writing/studying preparing for exams
 - are NOT excused from fasting.

THE NIYYAH [INTENTION]

- The intention of fasting is necessary. If a person stays away from all those things that break one's fast without an intention the fast will not be valid.
- One can set an intention from after sunset until before mid-day for a Ramaḍān farḍ muʿayyin fast.

MID-DAY: True dawn until sunset-halfway point. [Not zawāl]

- It is NOT necessary to express the intention verbally. The intention at heart will suffice.
- **NOT** necessary to verbalise intention in Arabic.
- The intention should be: "I intend fasting this fard Ramadān fast today/ tomorrow for the sake of Allah Taʿālā."

[Raddul Muḥtār 6/201-202,211,213, Kitābul Masāʾil 2/147]

SUNAN & MUSTAHABBAT

To partake of the pre-dawn meal (sahūr).
تَسَحَّرُوا فَإِنَّ فِي السَّحُورِ برَكَة.

Have saḥūr as there is blessing in it. [Ṣaḥīḥ al-Bukhārī #575]

If fast kept without *saḥūr*, it is valid. However, one will be deprived of the blessings.

To delay the pre-dawn meal up to a little before true dawn.
 However, it is *makrūh* (disliked) to delay it to the extent that one becomes doubtful regarding the time.

Eating Dates is sunnah for saḥūr as well

SUNAN & MUSTAHABBAT

To break the fast immediately after sunset is sunnah. To delay without a need, is disliked.

لا يزال الناس بخير ما عجلوا الفطر.

"The people will remain on goodness as long as they hasten to break the fast."

[Ṣaḥīḥ al-Bukhārī #1957]

قَالَ اللَّهُ عَزَّ وَجَلَّ أَحَبُّ عِبَادِي إِلَىَّ أَعْجَلُهُمْ فِطْرًا. "The most beloved of My servants to Me are those who are quickest in breaking the fast." [Sunan Tirmidhī #500]

SUNAN & MUSTAHABBAT

To break one's fast with dates if available. If dates are not available, then with water. إذا أفطر أحدكم، فليفطر على تمر فإن لم يجد فليفطر على ماء فإنه طهور . "When any of you breaks fast, he should do so with a date because there is blessing in it. If he does not have a date, he should do so with water because it is a purifier."

[Sunan Tirmidhī #695]

To supplicate (du'ā') at the time of ifțār. (listed on the card)
[Kitābul Masā'il 2/148,149,172]

IFTAR AD'IYAH

[Abu Dāwūd #2358]

This and all others listed on the card can be read before or during or after *ifțār*

However, it is best to recite those with forgiveness before *ifțār*.

[Abū Dāwūd #2357]

This is to be read AFTER iftar

MAKRŪHĀT [REPREHENSIBLE ACTS]

- **1.** To taste something without a valid reason is disliked.
- \odot If a woman has a harsh husband who will rebuke her for an increase of salt
- in the food, then she may taste it. If he will not, then it is **NOT** permitted. <u>Note</u>: Taste means without swallowing.
- 2. Chewing something without an excuse, like a piece of cloth, thread, plastic etc. which is tasteless, void of flavour/inedible, as long as the item is not swallowed, is disliked.
- It is permitted if there is a need for it, such as chewing a small child's food when feeding. However, this is provided nothing reaches the inside of the body with the saliva, and there was no one else available who was not fasting to do it.
- **3.** To gargle more than necessary.

MAKRŪHĀT [REPREHENSIBLE ACTS]

- 4. To use paste or tooth powder to clean one's teeth. However, if it is swallowed it will break the fast.
- **5.** Rinsing the mouth using mouthwash provided nothing enters the throat.
- 6. Wearing lip balm/lipstick provided that it is not swallowed.
- 7. To take the water too much up the nostrils when cleaning the nose.
- N.B- The above mentioned are categorized 'disliked' as they can nullify one's fast if any substance slips down the throat, even if this occurs accidently or unintentionally.

MAKRŪHĀT [REPREHENSIBLE ACTS]

- 8. Kissing and caressing while fasting is disliked if one is not sure these will not cause an orgasm or sexual intercourse.
- **9.** Gathering the saliva in the mouth and then swallowing it.
- **10.**Any act which is believed to weaken one from fasting, such as cupping, acupuncture and bloodletting.
- **11.**To quarrel, argue, use filthy indecent words.
- 12.To backbite, lie, swear etc.
- **13.** Committing any sin.
- **Note:** 11-13 are always prohibited, however, they cause the fast to lose its rewards and spiritual benefits.

[Nūrul Īḍāḥ, Kitābul Masāʾil 2/175-177, Raddul Muḥtār 6/329]

NOT MAKRŪĻ

- **1.**Kissing without the exchange of saliva and caressing is not disliked provided one is sure and in control of himself that it will not lead to ejaculation or intercourse.
- 2.Using eye drops or the application of kuḥl (antimony/eyeliner).
- **3.**Applying perfume or inhaling it.

NOT MÅKRŪH

- 4. Swallowing one's own saliva.
- **5.** Cupping, bloodletting or acupuncture is not disliked, provided that one believes he will not tire from such a thing.
- 6.Using the *miswāk* even if the *miswāk* is damp or wet with water.(avoid using the flavoured ones)
- 7. Rinsing the mouth or nostrils for other than wuda, is not disliked, and neither is taking a bath, or dressing in wet clothes to cool down.

Two Categories:1. Only Qaḍā' necessary.2. Qaḍā' and Kaffārah necessary.



To keep one fast in place of the one that breaks or is broken intentionally.

Kaffārah:

- **1.** The freeing of a slave, male or female, who is physically and mentally sound, even if the slave is a non-believer.
- 2. If unable to free a slave, then he has to fast two consecutive months. These two months must not coincide with the two '*Ī*d days or the days of *Tashrīq* (11^{th,} 12th and 13th of *Dhul-Ḥijjah*) or *nifās* [lochia], for there must be no break between the sixty days, including sick days or travel days, otherwise the expiation will be invalid.
- 3. If unable to fast for two consecutive months, then the expiation is to feed sixty poor people who are to be treated to lunch and dinner at their respective time, so that they are content.

Kaffārah:

N.B.

- The same sixty people must be fed twice.
 Alternatives
- Feeding one poor person for sixty days.
- Giving each poor person half $s\bar{a}^{c}$ of wheat or flour (1.75kg), or one $s\bar{a}^{c}$ of dates or barley (3.5kg), or the value equal to the above may be given to each of the sixty persons.

[Amount of Ṣadqatul Fițr] [Nūrul Īdāh]

ONLY QẠ ĐĀ' WĀJIB

MOUTH

- **1.** Eating things not normally eaten nor used for medical purposes (raw rice, flour, wheat grain, mouthful of salt, soil that contains no medical benefit and not being in the habit of eating it, cotton or paper).
- **2.** Swallowing rain water by accident. **Note**: there is a difference between forgetfulness and accidental. If one swallows forgetfully, the fast does not break.
- **3.** Accidentally breaking the fast while gargling, i.e., water accidentally seeps down one's throat. [Not the wetness which remains in the mouth after gargling.]
- 4. Eating thinking that it is still night when in reality, true dawn broke.
- **5.** Breaking the fast believing that the sun had set, when it had not.

ONLÝ QẠ ĐĀ' WĀJIB

MOUTH

- **6.**Eating on purpose after eating forgetfully.
- **7.**Eating the food stuck between the teeth, the size of a chickpea.
- 8.Vomiting intentionally, a mouthful or more.
- **9.**Intentionally returning a mouthful of vomit back inside (the stomach) after it had forcefully risen, and he remembers he was fasting.
- **10.**Swallowing blood from the gums if it is equal to or more than the saliva. [If this happens in tooth extraction, filling, cleaning etc. it will break the fast.]

ONLÝ QẠ ĐĀ' WĀJIB

NOSE & THROAT

- **1.**Pouring drops (of medicine) through the nostrils.
- 2.Inhaling stuff into the nostrils. It is not permitted to inhale the smoke of *lobaan* or *agar batti* (incense sticks) while fasting. It is also not permitted to smoke cigarettes, hookah or inhale its smoke.
- **3.**Usage of mist, steam, Ventolin inhaler, nebulizer.

ONLY QẠĐĀ' WĀJIB

Application of Vicks:

There are three (3) scenarios to this issue. The first two (2) breaks the fast while the third does not:

- **1.** Putting Vicks in <u>boiling water</u> and thereafter deliberately inhaling the steam (while fasting), will break one's fast.
- **2.** Fast will be broken by the <u>inhaler</u> whether taken thorough the mouth or nose.

3. The <u>topical</u> application of Vicks does not invalidate one's fast. A substance with a discernable body must enter a valid entry point to potentially break the fast. Merely smelling or feeling the effects of Vicks within oneself will have no implications on one's fast.

ONLY QADA' WAJIB

PRIVATE PARTS

- **1.** Engaging in sexual intercourse thinking that it is still night when in reality, true dawn broke.
- **2.** Engaging in sexual intercourse after doing so forgetfully.
- 3. Taking an enema.
- **4.** If a person has an orgasm caused by rubbing the genitals between thighs of someone or by rubbing them on the abdomen of someone, or due to kissing, touching or masturbation. [N.B. Masturbation is a sin]
- **5.** Inserting a finger which is wet with water or oil into the anus.
- **6.** If a female is coerced to indulge in sexual intercourse [*Nūrul Īdāh*, *Kitābul Masā'i*]

QADĀ' AND KAFFĀRAH WĀJIB

Ramadan fasts ONLY

- **1.** Having intercourse intentionally and out of free will in either of the passageways (vagina or anus) (just mere penetration, even if emission of fluids did not occur).
- 2. Eating and drinking intentionally whether it is for nourishment, medical benefit or that which is usually consumed while one is fully aware that he is fasting.
- **3.** To swallow rain water intentionally after it enters the mouth.
- 4. Eating raw meat or raw fat.
- **5.** If one swallows a seed grain, sesame or something of the like, things from outside of the mouth (not stuck between teeth).
- **6.** Swallowing the saliva of one's spouse.

- 1. To eat, drink or have sexual intercourse, out of forgetfulness.
- **2.** If a person has an orgasm because of looking or thinking about the sexual area of a female, it does not break the fast, even if he stared or thought about it for a while.
- **3.** Applying medicine/oil/drops in the ear (unless there is a hole in the eardrum, it is perforated)

N.B. - Modern day medical research shows there is no connection from the ear to the throat. [Muftī Rafi Usmani]

- 4. Smoke entering the throat unintentionally.
- 5. Taking an injection, vaccination, IV drips, insulin.
- **6.** Applying of *surma* (*kuḥl*) into the eyes does not break the fast even if the taste appears in the throat. Eye drops.
- **7.** If one intends to break his/her fast but does not do so.

- 8. (a) To vomit unintentionally whether a mouthful or less.
 - (b) To unintentionally swallow vomit even if a mouthful.
 - (c) To intentionally vomit less than a mouthful.
- **9.** If a person swallows the traces of food that remain between the teeth from the predawn meal, provided it is less than the size of a chickpea.
- **10.** Acid reflux, if acidity remains in the oesophagus, even though the bitterness could be tasted. If however, the substance enters the mouth it must be expelled. The fast will be broken if it is swallowed deliberately.
- **11.** If nasal mucus enters the nasal passage and is sniffed back into the throat and swallowed on purpose, the fast remains sound.
- 12. Breastfeeding

- **13.**Blood discharged by a pregnant woman.
- 14.Vaginal discharge in other than menstrual period and *nifās*.
- **15.**Usage of tampons, *kursuf*, contraceptive coils.
- **16.**Swimming with the condition that water does not enter the throat (it should be avoided).
- **17.**Tablets/Pills/spray placed under the tongue to treat angina or other medical cases, with the condition that it does not enter the throat.
- **18.**Dialysis
- 19.Use of Oxygen

- 20. Dental fillings/tooth extractions cleaning, as long as one does not swallow any particles.(Should be avoided.)
- **21.** Cervical smear test /Pap smear [with an instrument or manually by a midwife].
- **22.** Internal Ultrasound Examination.

N.B. The verdict of early Hanafī scholars was based on the impression that there is a connection between a woman's vagina and urinary system and her digestive system, and as such, anything inserted into the vagina would inevitably reach her stomach. However, modern medical research clearly denies there being any connection between the two. Medical research proves that there is no direct connection between the uterus and the intestine. [Mufti Rafi Usmani] However, due to the difference of opinion, it would be best to delay the tests until after *Ramaḍān*, if possible

- 23. Inhaling fumes from paint, glue, gasoline, chemicals, substances which does not have a perceptible body.
- 24. Acupuncture.
- **25.** Blood tests.

WOMEN RELATED-MISCELLANEOUS

- **1.** If a woman experiences the signs and symptoms of her menstrual cycle, but has not seen any blood, her fast will remain intact.
- 2. If she bleeds over ten days, it will be considered abnormal bleeding after her menstrual habit days, hence the fasts of those days are compulsory on her.
- **3.** A woman should accept the decree of Allah Taʿālā by not taking any medication to prevent her menses.
- **4.** A woman does not need to seek permission from her husband to fast in the month of *Ramaḍān*, if the husband does not consent, she is still obliged to fast.

NECESSARY TO REFRAIN FROM EATING

- It is necessary for the following to remain like a fasting person and refrain from all the prohibited actions for the remainder of the day:
- 1.If a person breaks his fast.
- 2.A woman who becomes pure from hayd or nifās after subh sādiq.
 N.B. She will have to do qadā' of this fast.
- **3.** An immature child becomes mature after *şubḥ ṣādiq*.
- 4. A non-believer accepts Islām after șubh șādiq.
- **N.B.** No $qada^{c}$ in case 3 and 4.

BECOMING PURE FROM HAYD

If she becomes pure before *şubḥ ṣādiq*: SCENARIO 1: Her *ḥayḍ* 10 days were completed. 40 days *nifās* completed. RULE: She must fast that day regardless of if she has time to do *ghusl* or not.

SCENARIO 2: It was less than 10 or 40 days.

RULE: If she has time before *subh sādiq* to perform *ghusl*, she must fast that day whether she actually did the *ghusl* or not.

If there is not enough time for *ghusl* before *şubḥ sādiq*, she cannot fast on that day. Even if she kept it, it would not have counted. $Qada^{3}$ of it is *wājib*.

[Fatāwā Tātarkhāniyah 3/429, Kitābul Masā'il 2/149-150]

HAYD/NIFAS BEGINNING

- When hayd or nifās begins at any time before sunset, that day's fast breaks and does not count.
- ✤ Qaḍā³ will be wājib.
- She can eat and drink for the remainder of the day.
- Record the total number of days and it is wājib to do qadā' of them.

QAĐĀ'

1. It is not a stipulation to make up the fast of Ramadān successively, i.e. one day straight after the other, joining all the days together. However, it is permitted to do so. It is also permitted to make up the missed fasts intermittently from time to time.

2. If another *Ramaḍān* comes along, yet one has not fasted the previous *Ramaḍān*, then one is to perform the current one and thereafter make up the unperformed *Ramaḍān*. And there is no fidyah (penalty fee) for delaying these missed fasts up to the current *Ramaḍān*. [Nūrul Īdāh]

FIDYAH (COMPENSATION)

- A very old person who does not have the strength to fast or a very sickly or terminally ill person who has no hope of recovering after *Ramaḍān*, should give *fidyah* for each fast missed in *Ramaḍān*.
 The *fidyah* for a fast is:
- 1.75kg = 3.85 lbs of wheat, or 3.5kg = 7.72 lbs of barley
- OR the equivalent of the above in cash or kind. Amount of Ṣadaqatul Fiṭr However, if an old or sick person gains strength or recovers after Ramaḍān, she must keep the missed number of fasts and whatever was given as fidyah will be a reward for her from Allah Taʾālā.
- **N.B.** No one is allowed to fast on behalf of another (sick or fit) person.

[Nūrul Īḍāḥ]

IMMATURE CHILDREN

Children seven years of age should be encouraged to fast but should not be forced to complete the fast up to sunset if they are unable to bear the hunger or thirst. They should be instructed to fast when they are 10 years of age and disciplined if they do not.

[Kitābul Masā'il 2/151]

6 FASTS OF SHAWWAL

"Whoever fasts the month of *Ramadān* and then follows it with six days of fasting in the month of *Shawwāl*, it will be as if he has fasted for a lifetime."

[Ṣaḥīḥ Muslim #1164]

Each good deed = 10 rewards

30 fasts of *Ramadān* x **10** = **300**

6 fasts of Shawwāl x 10 = 60

300 + 60 = 360 days [LUNAR YEAR]

[Fathul Mulhim]

6 FASTS OF SHAWWAL

Mustahab to fast the 6 fasts of Shawwāl.

They can be kept continuously or separated.

[Raddul Muḥtār 2/435, Fatāwā Dārul ʿUlūm Zakariyyā 3/312-316]

6 FASTS OF SHAWWAL & QADA'

- A specific intention is required for a $qada^{2}$ fast.
- Therefore, if a person keeps the six fasts of Shawwāl solely with the intention of it being mustahab and not qaḍā', it will not suffice for the qaḍā' fast.
- However, if the primary intention is made for qaḍā' fast and one also intends to receive the rewards mentioned in the hadīth for keeping the six fasts of Shawwāl, there are three opinions:
- 1.According to some *fuqahā*², both intentions will be valid.
 2.According to Imām Abū Yūsuf ﷺ, only the *qaḍā*² fast will be counted.
 3.According to Imām Muḥammad ﷺ, only the optional fast will be counted.
- Due to these conflicting opinions, *Muftī Ahmed* Khanpūrī Ṣāḥib dāmat barakātuhum states that as a precaution, it is best to make a specific, separate intention for the qaḍā' fast alone. [*In shā' Allāh*, through His mercy Allāh will reward us for both.]

[Al-Hidāyah 1/339, Badāʿeʿ waṣ Ṣanāeʿ 2/228-229, Aḥsanul Fatāwā 4/440, Fatāwā Dārul ʿUlūm Deoband 6/306, Maḥmūdul Fatāwā 4/381]

Fiqh of Tarāwīh



TARĀWĪĻ

To offer Tarāwīḥ Ṣalāh in the month of Ramaḍān is Sunnah Mu'akkadah for both men and women.

- It consists of twenty rak'ahs performed in sets of two with ten salāms. (Sunnah) It is Makrūh to perform them in sets of four.
- They are valid only after the 'Īshā' prayer (until Fajr), and it is Sunnah to perform before the witr prayer.
- After every four rak'ahs it is mustahab to rest, for as long as it took the person to read the four rak'ahs and engage in dhikr, tasbīh tilāwah, nafl ṣalāh etc. [No specific 'ibādah, du'ā' or tasbīh]

[*Kitābul Masā*'*il* 1/515-522]

Fiqh of I'tikāf (Spiritual Retreat)



I'TIKĀF

- It is sunnah kifāyah in the last ten nights of Ramadān.
- ✤ A married woman needs the permission of the husband to sit in *i'tikāf*. He can refuse permission. However, once he has given permission, he cannot retract.
- I'tikāf starts: Before the end of the 20th day of Ramadān (before sunset) till the moon of 'Id ul Fiţr is sighted.
- She will have to perform *i'tikāf* in the specific place where she prays her salāh at home. If there is no such specific area, then she can appoint a specific place in her home and sit in *i'tikāf* in that area.
- ♦ Once a woman starts her i'tikāf, she can only leave the area to use the washroom or for the purpose of eating and drinking. If someone can bring the food/drink for her then she cannot leave.

I'TIKĀF

- She remains there the entire time and sleeps there as well.
- She should occupy herself in reading Qur'ān, Dhikr, Nafl Ṣalāh.
- It is Makrūh to remain completely silent if she thinks that it is a form of 'ibādah. If she does so to safe-guard her tongue, then it would not be makrūh.
- According to need it will be permissible to have some worldly discussions, however, she should try and maintain the true spirit of *i*'*tikāf* by turning towards Allāh and cutting herself off from unnecessary worldly talk.
- It is *harām* for her to have intercourse with her husband or anything that will lead to it (foreplay).
- If she experiences hayd or nifās, she must abandon her i'tikāf. Make up qadā' for 1 day on which the hayd started. Not qadā' of all 10 days.

May Allāh 🗱 grant us the true understanding and ability to perform our 'ibādah and spend Ramadān in a manner most pleasing to him. Āmīn.