

# Islamic Legal Rulings on Fasting (Siyam)

أحكام الصيام - انجليزي



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## Islamic Legal Rulings on Fasting (Siyam)

### The Legal ruling on Fasting

Fasting the month of Ramadan is one of the five pillars of Islam, as the Prophet (may the blessings and peace of Allah be upon him) said, *“Islam is based on five (principles): to testify that none has the right to be worshipped but Allah and Muhammad is Allah's Messenger, to establish the (obligatory) prayers dutifully and perfectly, to pay Zakah (i.e. obligatory charity), to perform Hajj. (i.e. Pilgrimage to Makkah), to observe fast during the month of Ramadan.”* [Agreed upon: 8, 16].

*Sawm* or fast is the act of abstinence from food, drink, sex and all other things that vitiate fast, right from dawn to sunset, with the intention of getting closer to Allah the Most High. Its obligation is unanimously agreed upon by learned scholars in view of the saying of Allah the Most High,

﴿فَمَنْ شَهِدَ مِنْكُمُ الشَّهْرَ فَلْيَصُمْهُ﴾ [البقرة: 185]

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**So whoever of you sights (the crescent on the first night of) the month (of Ramadan i.e. is present at his home), he must observe Sawm (fasts) that month. [Al-Baqarah: 185].**

It is compulsory on every sane and adult Muslim. Adulthood occurs at the attainment of puberty, which is at the age of fifteen or the growth of pubic hair or the discharge of semen through dreams or otherwise. Females have an additional sign, which is menstrual discharge. Whenever any of these signs occur, a person is considered to have attained adulthood.

### **Virtues of the Month of Ramadan**

Allah has singled out the month of Ramadan with many virtues, and these virtues are specific to the month of Ramadan. These include:

1. The angels seek forgiveness on behalf of those fasting until they break their fast.
  2. In this month, recalcitrant devils are put to shackles.
  3. It contains Lailatul-Qadr (night of power or decree) which is better than a thousand nights.
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4. People observing fast are granted forgiveness at the last night of the month of Ramadan.
5. Every night in Ramadan Allah redeems some people from the Hellfire.
6. Performing 'Umrah in Ramadan is equivalent to a Hajj.

Moreover, regarding the virtue of this noble month, Abu Hurairah (May Allah be pleased with him) reported the Prophet (peace and blessings of Allaah be upon him) to have said, ***“Whoever fasts Ramadaan out of faith and in the hope of reward, his previous sins will be forgiven.”*** [Agreed upon: 38, 760].

In another tradition, the Messenger of Allah (May the blessings and peace of Allah be upon him) said, ***“Every deed of the son of Adam will be multiplied for him, between ten and seven hundred times for each merit. Allah said: 'Except for fasting, for it is for Me and I shall reward for it.'”*** [Agreed upon: 5927, 1151].

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## **Confirmation of the Beginning of Ramadan**

The following two methods confirm the month of Ramadan:

1. The sighting of the crescent of Ramadan. When the crescent is sighted, it becomes compulsory to fast. The Prophet (May the blessings and peace of Allah be upon him) said, *“When you see the crescent then fast, and when you see it (at the end of the month), then stop fasting.”* [Agreed upon: 1900, 1080].

The sighting of one trustworthy and adult Muslim is adequate to prove and confirm the month of Ramadan. However, the confirmation of the sighting of the crescent of the month of Shawwal must be through the testimony of two trustworthy and adult Muslims.

2. If the crescent is not sighted the night before the 30<sup>th</sup> of Sha’ban, then we complete the month of Sha’ban thirty days. When it is completed, the thirty-first day becomes the first day of the month of Ramadan due to the saying of the Messenger of

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Allah (may the blessings and peace of Allah be upon him), *“If the new moon is obscured from you (i.e. if it is cloudy), then complete a full thirty days.”* [Agreed upon: 1907, 1081].

### **Those permitted not to observe fast:**

1. Someone who is sick with a non-chronic illness, but fasting is too difficult for him is permitted to not fast and to make up the days he did not fast. The one who is ill *with a chronic illness* that does not permit him to fast is not obliged to fast. However, he should feed a needy person giving a kilogram and a half of rice or any other food per person. He may also prepare food and invite needy people according to the number of days he did not fast.
  2. A traveler is allowed not to fast right from when he leaves his home until he returns as long as he did not intend residing there.
  3. Likewise, a pregnant or nursing woman is allowed to break fast if she fears for herself or her baby. However, when this excuse is over, she should make up for the days she did not fast.
  4. An elderly person who finds fasting very difficult is allowed not to fast. He does not need to
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make up missed days. He only needs to feed a needy person for every day he did not fast.

## **That which invalidates the Fast**

1. Deliberate eating or drinking. Eating out of forgetfulness does not affect one's fast, as the Prophet said, *“Whoever forgets that he is fasting, and eats or drinks, is to complete his fast...”* [Sahih Muslim: 1155 ].

Nullifications of the fast include when water reaches the abdomen through the nose, the act of taking drips via the veins and injecting blood. All these invalidate the fast because they are means of nutrition for the fasting person.

2. Engaging in sexual intercourse: when a fasting person has sexual intercourse, his fast becomes invalid and he must make up that day, as well as perform a specific expiation for it. The expiation is to free a slave. If he cannot find one, he should fast for two months consecutively. During these two months, he is not allowed to break the fast except for a legal excuse such as the days of the two Eids, Tashreeq (the 11<sup>th</sup>, 12<sup>th</sup>, 13<sup>th</sup> of Dhul-Hijjah) or for some perceivable excuse like a sickness or a journey

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that is not meant just for the purpose of breaking the fast. If he breaks his fast even for a day without any legal reason, he should begin the fast again to achieve the consecutiveness. However, if he is unable to fast for two consecutive months, he should feed sixty needy people.

3. Premeditated discharge of semen through kissing or masturbation or any other means. All these invalidate the fast and he must make up for those days. There is no expiation for such an act, but he must repent to Allah. A wet dream does not invalidate the fast.

4. Extracting blood from the body through cupping or for donation invalidates the fast, though. Extracting little blood for clinical test does not invalidate the fast. Similarly is the unintentional emission of blood like in the case of a nose bleed or wound, or doffing of a tooth. Such does not invalidate fast.

5. Deliberate vomiting. If someone vomits unintentionally, there is no problem.

None of these invalidators renders one's fast invalid except when he does them knowingly and

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intentionally. If he is ignorant of their legal ruling or ignorant of the time, such as when he thinks that the dawn has not yet broken or thinks that the sun has set and the like, then his fast remains valid. Similarly, when he forgets, his fast remains valid.

It is only when he intends breaking the fast that the fasting becomes invalid. However, if he is obliged or compelled, his fasting remains valid and he does not have to make it up.

6. Invalidators of the fast also include the emission of menstrual blood or postpartum bleeding. Whenever a woman notices the blood, her fast becomes invalid. Moreover, it is prohibited for her to fast in the state of menstruation or postnatal bleeding but she must make up for those days after the month of Ramadan.

## **Things That Do Not Invalidate the Fast**

1. Showering, swimming and cooling oneself with water.
  2. Eating, drinking or having sexual intercourse at night (after sunset) until the break of dawn is verified.
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3. Using a *siwaak* or tooth stick. This does not affect fasting at any time of the day. It is rather a desirable act.

4. Receiving any medical treatment that does not provide nutrients to the body. It is permissible to take non-nutritious injections, or eye or nose drops, even if it leaves a taste in the throat, though postponing such a treatment to a time when one is not fasting is better. It is allowed to use the inhaler for asthma. One's fast does not become invalid by tasting food if it is not swallowed. There is no problem with rinsing the mouth and inhaling water into the nostrils, but it should not be done excessively, to avoid water getting into the abdomen. Perfumes and scents are also permissible and do not break the fast.

5. Women who are menstruating and women who are experiencing postpartum bleeding, and it ends before dawn, or men or women in the state of *janabah* (sexually-caused impurity) may delay taking the ritual bath until after the dawn has broken.

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## Important Points

1. If a non-Muslim embraces Islam during the day of Ramadan, he must abstain from food, drink and the like for the rest of the day, but he would not have to make up for that day.
2. One must make an intention to fast at any time in the night before dawn before making up an obligatory fast or a voluntary but time-restricted fast, such as the six days of Shawwal, the Day of Arafah, and Day of 'Ashura. The intention for the fasts that are not time-restricted, such as fasting three days every month, can be made after the dawn has broken, even if it is after the sun has risen high in the sky, as long as he has not committed any invalidator of the fast.
3. It is desirable for the one fasting to make any supplication of his choice upon breaking the fast. This is based on the saying of the Prophet (may the blessings and peace of Allah be upon him), ***“When the fasting person breaks his fast, his supplication is not rejected.”*** [Transmitted by Ibn Majah: 1743].  
Some of the recorded invocations include:

ذَهَبَ الظَّمَأُ وَابْتَلَّتِ الْعُرُوقُ وَثَبَتَ الْأَجْرُ إِنْ شَاءَ اللَّهُ

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*Dhahabath-thama-o wabtallatil-'urooq, wathabatal-ajru in sha' Allah—*

Meaning: “*The thirst has gone and the veins are quenched, and the reward is confirmed, if Allah wills.*” [Abu Dawud: 2010].

4. Anyone who realizes that the beginning of the month of Ramadan has begun during the day must abstain from eating, drinking and the like, and should make up that day.

5. It is desirable for anyone liable of making up some days of Ramadan to hasten to do that, although he may delay that, but it is not permissible for him to delay that until the next Ramadan without a valid excuse.

## **Supererogatory elements (Sunan) of fasting**

1. The pre-dawn meal (*suhoor*). This is based on the saying of the Prophet (May the blessings and peace of Allah be upon him), “*Eat the suhoor (predawn meal). Surely, there is a blessing in suhoor.*” [Agreed upon: 1923, 1095].

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The established practice of the Prophet (may the blessings and peace of Allah be upon him) is to delay eating *suhoor* until the last part of the night according to the tradition: ***“My nation will remain well, so long as it hastens to break the fast and delay the dawn meal (suhoor).”*** [Sahih Al-Jami': 2835]

2. Hastening to break the fast when sunset is verified. The *sunnah* is to break the fast with fresh dates. If one cannot get fresh dates, he can eat dry dates. If he cannot get dry dates, it's better to break the fast with water. However, if he could not get any of the above, he should break his fast with anything that is available.

3. Supplicating while fasting particularly while breaking the fast, due to the saying of the Prophet (may the blessings and peace of Allah be upon him), ***“Three supplications are accepted: The supplication of the fasting person, the supplication of the oppressed, and the supplication of the traveler.”*** [Transmitted by Al-Bayhaqi and others].

It is also necessary for the one fasting to observe *taraweeh* (voluntary night prayers during Ramadan) according to the saying of the Messenger of Allah,

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*“He who observes the voluntary night prayer (taraweeh) throughout Ramadan out of sincerity of faith and in the hope of earning reward, will have his past sins pardoned.”* [Agreed upon: 2009, 759].

A Muslim should complete the *taraweeh* prayers with the *imam* due to the saying of the Prophet (may the blessings and peace of Allah be upon him), *“Whoever stands (praying) with the imam until he finishes, it would be recorded for him that he prayed the whole night.”* [Transmitted by the transmitters of Sunan].

It is also greatly encouraged for him to give a lot in charity during the month of Ramadan. He should strive to recite the Glorious Qur'an, because the month of Ramadan is the month of Qur'an. Every reciter of the Glorious Qur'an will be rewarded with a good deed for each letter he recites, and a good deed is multiplied ten times.

## **The Taraweeh Prayer**

*Taraweeh* is the night prayer (*qiyamullail*) observed in congregation during Ramadan from after the *'isha*

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prayer until dawn. The Prophet (May the blessings and peace of Allah be upon him) has enjoined night prayer during Ramadan. The *sunnah* is to observe eleven *rak'ahs*, making *tasleem* at the end of each two *rak'ahs*. However, there is no problem if he adds up to the eleven *rak'ahs*. Part of the *sunnah* practices of *taraweeh* prayer is to observe it with deliberation and elongation that does not cause hardship to the worshipers. There is nothing wrong if women attend *Taraweeh* prayers as long as their temptation is averted and secured on condition that they attend it bashfully with decency and without adornment nor application of perfume.

### **Supererogatory fast**

The Messenger of Allah (May the blessings and peace of Allah be upon him) enjoined and encouraged fasting the following days:

1. The six days of the month of Shawwal according to his saying (may the blessings and peace of Allah be upon him), ***“Whoever fasts during the month of Ramadan and then follows it with six days of Shawwal will be (rewarded) as if he had***
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*fasted the entire year.*” [Transmitted by Muslim: 1164].

2. On Mondays and Thursdays.

3. Three days every month. It is good if he fasts them on the “white” (full-moon) days (13<sup>th</sup>, 14<sup>th</sup> and 15<sup>th</sup> of every month).

4. The day of ‘*Ashura* (10<sup>th</sup> of Muharram). It is desirable to fast one day before or after it in order to be different from the Jews. Abu Qatadah narrated that the Messenger of Allah (may the blessings and peace of Allah be upon him) said, “*Fasting the day of ‘Ashura’, I hope, will expiate for the sins of the previous year.*” [Transmitted by Muslim: 1162].

5. The day of ‘*Arafah*: It is the (9<sup>th</sup> day of Dhul-Hijjah) based on the Hadith: “*Fasting on the Day of ‘Arafah, I hope from Allah that it expiates for the sins of the year before it and the year after.*” [Transmitted by Muslim: 1162].

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## **Days in Which Fasting is Prohibited**

1. The two days of Eid: *Eid Al-Fitr* (1<sup>st</sup> of Shawal) and *Eid Al-Adha* (10<sup>th</sup> of Dhul-Hijjah).
  2. The three days of *Tashreeq* (the 11<sup>th</sup>, 12<sup>th</sup> and 13<sup>th</sup> of Dhul-Hijjah). However, one performing *Hajj Qiran* or *Tamattu'* is exempted from this, if he cannot afford to slaughter the *hadi* (sacrificial animal).
  3. The days of menstruation and postpartum bleeding for a woman.
  4. For a woman to observe supererogatory fast in the presence of her husband without his prior permission. This is based on the saying of the Prophet (May the blessings and peace of Allah be upon him), “*A woman should not fast (optional fasts) except with her husband's permission if he is at home (staying with her).*” [Agreed upon: 5192, 1026].
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