

# FIQH ISLAMIC JURISPRUDENCE

## FASTING

# Sighting of the moon

The Prophet (p.b.u.h.) said:

“Begin the fast at the sighting of the moon (new crescent) and end the fast (at the end of the month) at its sighting”.

According to Hanafiyyah and also the opinion of the Shafiyyah, every country is to see its own moon and not necessarily follow another country. But from the Hadith stated: If anyone of you sees the moon in any place, it is the sighting for all people, i.e. internationally.

# *Sighting of the moon*

- ⊕ 1. International sighting
- ⊕ 2. Local
- ⊕ 3. Astronomical calculation (not astrological-using the celestial bodies to predict the future) mutarrif ibn shikheer min kibaarittabieen and ibn Suraij from the Shafi

# Evidence

⊕ O ye who believe! Fasting is prescribed to you as it was prescribed to those before you, that ye may (learn) self-restraint, - *al-Qur'an 2:183*

يَأْتِيهَا الَّذِينَ ءَامَنُوا كُنِبَ عَلَيْكُمُ الصِّيَامُ كَمَا كُنِبَ عَلَى

الَّذِينَ مِنْ قَبْلِكُمْ لَعَلَّكُمْ تَتَّقُونَ



# Evidence

(Fasting) for a fixed number of days; but if any of you is ill, or on a journey, the prescribed number (Should be made up) from days later. For those who can do it (With hardship), is a ransom, the feeding of one that is indigent. But he that will give more, of his own free will, - it is better for him. And it is better for you that ye fast, if ye only knew. *al-Qur'an 2:184*

أَيَّامًا مَّعْدُودَاتٍ فَمَنْ كَانَ مِنْكُمْ مَّرِيضًا أَوْ عَلَى سَفَرٍ فَعِدَّةٌ  
مِّنْ أَيَّامٍ أُخَرَ وَعَلَى الَّذِينَ يُطِيقُونَهُ فِدْيَةٌ طَعَامُ مِسْكِينٍ فَمَنْ  
تَطَوَّعَ خَيْرًا فَهُوَ خَيْرٌ لَهُ، وَأَنْ تَصُومُوا خَيْرٌ لَّكُمْ إِنْ كُنْتُمْ

تَعْلَمُونَ



# Proofs

⊕ Ramadan is the (month) in which was sent down the Qur'an, as a guide to mankind, also clear (signs) for guidance and judgment. So every one of you who is present during that month should spend it in fasting, but if any one is ill, or on a journey,

# Quran 2:185

✦ the prescribed period (should be made up) by days later. Allah intends every facility for you; He does not want to put to difficulties. (He wants you) to complete the prescribed period, and to glorify Him in that He has guided you; and perchance ye shall be grateful. ... *al-Qur'an 2:185*

شَهْرُ رَمَضَانَ الَّذِي أُنزِلَ فِيهِ الْقُرْآنُ هُدًى لِّلنَّاسِ  
وَبَيِّنَاتٍ مِّنَ الْهُدَىٰ وَالْفُرْقَانِ فَمَن شَهِدَ مِنْكُمُ الشَّهْرَ  
فَلْيَصُمْهُ وَمَن كَانَ مَرِيضًا أَوْ عَلَىٰ سَفَرٍ فَعِدَّةٌ مِّنْ أَيَّامٍ  
أُخْرٍ يُرِيدُ اللَّهُ بِكُمُ الْيُسْرَ وَلَا يُرِيدُ بِكُمُ الْعُسْرَ  
وَلِتُكْمِلُوا الْعِدَّةَ وَلِتُكَبِّرُوا اللَّهَ عَلَىٰ مَا هَدَانَكُمْ  
وَلَعَلَّكُمْ تَشْكُرُونَ

⊕ Indeed the men who have submitted [to God] and the women who have submitted [to God], and the believing men and the believing women, and the obedient men and the obedient women, and the men who are truthful and the women who are truthful, in their faith,

# Quran

⊕ and the patient men and the patient women, [steadfast] in [performing] acts of obedience, and the humble men and the humble women, and the charitable men and the charitable women, and the men who fast and the women who fast, and the men who guard their private parts

# Quran

✦ and the women who guard their private parts, from what is unlawful, and the men who remember God often and the women who remember God often — for them God has prepared forgiveness, of [their] acts of disobedience, and a great reward, for their acts of obedience.....*al-Qur'an*  
**33:35**

إِنَّ الْمُسْلِمِينَ وَالْمُسْلِمَاتِ وَالْمُؤْمِنِينَ وَالْمُؤْمِنَاتِ  
وَالْقَانِنِينَ وَالْقَانِنَاتِ وَالصَّادِقِينَ وَالصَّادِقَاتِ وَالصَّابِرِينَ  
وَالصَّابِرَاتِ وَالْخَشِيعِينَ وَالْخَشِيعَاتِ وَالْمُتَصَدِّقِينَ  
وَالْمُتَصَدِّقَاتِ وَالصَّائِمِينَ وَالصَّائِمَاتِ وَالْحَافِظِينَ  
فُرُوجَهُمْ وَالْحَافِظَاتِ وَالذَّاكِرِينَ اللَّهَ كَثِيرًا  
وَالذَّاكِرَاتِ أَعَدَّ اللَّهُ لَهُمْ مَغْفِرَةً وَأَجْرًا عَظِيمًا ﴿٣٥﴾

# What is Fasting?

The meaning of fasting is Abstinence i.e. staying away from food, drink, sex, smoking etc.

## Essential Aspects of Fasting

1. Staying away from those acts that break the fast from Dawn to Sunset.
2. Intention - The Prophet (p.b.u.h.) stated: "Whosoever does not make the intention to fast before Fajr will have no fast". However, the Hanafiyyah and Shafiyyah stipulate that the niyah could be made before noon for voluntary fast (Nafil).

# Upon who it is Fard

- ✦ It is Fard upon every sane, healthy, adult Muslim male who is not travelling at the time (Muqem).
- ✦ As for a woman, she must be in the state of purity i.e. not menstruating (Hayd) or having post childbirth bleeding (Nifaas).
- ✦ Exception to this rule could be: one who is insane, a minor, those travelling, Hayd, Nifaas, the elderly, breastfeeding mothers, the sick and pregnant women.
- ✦ For young people, parents should encourage them to fast. For an insane person, it is not obligatory.

# FIQH ISLAMIC JURISPRUDENCE

## FASTING

If a person did not fast or has broken his fast, he may perform one of the following acts:

1. Khada (past): making up for missed fasts.
2. Fidyah (atonement): This applies only to elderly or terminally-ill people. In this case, the person must feed one poor person (Miskeen) a day for every day of fasting. ONE SA3 or half or one mudd (handful with 2 hands of barley)  
Also to breast-feeding mothers and pregnant mother
3. Kaffarah (expiation): If somebody intentionally breaks his fast by sexual intercourse, then that person must free a slave or must fast for 2 months consecutively. If he cannot do this, he must feed 60 poor people. (The amount of food = 1 sa`a = 4 madd.  
1 madd = 4 handful)

أَيَّامًا مَّعْدُودَاتٍ فَمَنْ كَانَ مِنْكُمْ مَّرِيضًا أَوْ عَلَى سَفَرٍ فَعِدَّةٌ  
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تَعْلَمُونَ



# Fidyah for murdi3/hamil

- ⊕ Hanafi -qada
- ⊕ Shafi - if it's the fear for the child qada and fidyah if it includes herself fidyah only
- ⊕ Generally fidyah only` wa alal lazina yutiqunahi fidyatun ta a3mu miskeen' (and on those who can afford it and cannot fast then they should feed the poor)

# Those who are permitted to break the fast

- ⊞ Elderly men or women;
- ⊞ Chronically ill;
- ⊞ One who performs a difficult job in harsh circumstances.

These may entail Khada or Fidyah.

# Forbidden days to fast

1. Days of Eid
2. Days of Tashreeq (3 days following Eid-al-Adha)
3. To single out Friday or Saturday
4. Day of Doubt (i.e. in doubt whether it is the last day of Sha'ban or 1<sup>st</sup> day of Ramadan, so fast just to be on the safe side)
5. To fast every day of year
6. A woman is not allowed to fast except with her husband's permission (nafl).
7. Al-Wisal : Fasting day and night without eating at all

# Voluntary Fast

1. 6 days in the month of Shawal
2. First 10 days of Dhul Hijjah
3. Day of Ashurah
4. Day before Ashurah
5. Day after Ashurah
6. Fasting during "forbidden months": Dhul Quidah, Dhul Hijjah, Muharram, Rajab
7. Fasting in the month of Sha'baan
8. Fasting on Mondays and Thursdays
9. Fasting 3 days every month
10. Fasting one day and not fasting the next
11. Note: In voluntary fasting, one is allowed to break the fast. No Khaza, Fidyah or Kaffara is necessary.

# Recommended Acts during Fasting

1. Studying the Qur'an and being generous
2. Using tooth stick (cleaning the teeth)
3. Ibadaat
4. Make Du'a. The Prophet (p.b.u.h.) said: "3 people will not have their du'a rejected: a fasting person until he breaks his fast, a just ruler and an oppressed person".
5. Refrain from any act that does not benefit fasting
6. Taking Suhoor
7. Hastening to break fast

# Acts that are permissible during Fasting

1. Applying Kohl or eye drops or anything else to eyes
2. Kissing one's wife/husband
3. No Injection
4. Cupping (process of draining blood from body)
5. Rinsing mouth and nose
6. Any unavoidable situation e.g. swallowing one's saliva, dust from road, sifting flour
7. Using perfume or oil
8. Eating, drinking, sexual intercourse before Fajr
9. Eating or drinking during Hayd and Nifaas

# Actions that nullify Fast

1. Intentional eating/drinking
2. Intentional/Induced vomiting
3. Commencement of Hayd or Nifaas
4. Ejaculation of sperm of any type e.g. due to excitement (except wet dream or merely looking)
5. Eating something that is not nourishing, e.g. chewing gum, tobacco, salt
6. If one has intention to break fast while one is fasting

# STATE WHETHER TRUE OR FALSE (T/F)

- ⊕ 1. Its permissible to fast although one may awake in the state of janaba (T/F)
  
- ⊕ 2. Brushing your teeth with toothpaste breaks your fast (T/F)

# Questions

- ⊕ 3. Injection of any kind is permissible (T/F)
- ⊕ 4. Sipping a few drops of water does not break fast (T/F)
- ⊕ 5. Forgetfully eating breaks fast (T/F)

# Questions

- ⊕ 6. Ramadhan is not the only wajib fast (T/F)
- ⊕ 7. Christians and Jews also fast (T/F)
- ⊕ 8. In some countries it is not permissible to fast (T/F)

# Questions

- ⊕ 9. Fast of expiation (kaffaara) and fulfilling a vow are obligatory (T/F)
- ⊕ 10. Niyyah is made at night before fasting (T/F)
- ⊕ 11. Minors are not allowed to fast (T/F)

# Questions

- ⊕ 12. It's always best for travellers to fast in Ramadhan (T/F)
- ⊕ 13. Elderly people are not permitted to fast (T/F)
- ⊕ 14. Pregnant women are not allowed to fast (T/F)

# Questions

- ⊕ 15. Both international and local sightings of the moon are permissible to begin Ramadhan (T/F)
- ⊕ 16. There are no forbidden days of fasting (T/F)
- ⊕ 17. Blood test is not permissible (T/F)

# Questions

- ⊕ 18. Not ascertaining the right time for Iftar, kaffaara is necessary (T/F)
- ⊕ 19. Vomiting breaks fasting (T/F)
- ⊕ 20. Dua is encouraged during fasting (T/F)
- ⊕ 21. Using kohl is permissible and the wearing of perfume (T/F)

# Questions

- ⊕ 22. Kissing one's husband/wife during fasting is not permissible (T/F)
- ⊕ 23. Fasting protects us from shaitan (T/F)
- ⊕ 24. Suhur may be omitted (T/F)