

# Rulings and Issues Related to Ramadan

Written by: Abdulmonem Mostafa Halimah Abu Baseer Al-Tartousi

Translated by: Walaa Halimah

### **Contents**

| Con | ter                                       | its   | 1        |  |  |  |
|-----|---|---|----------|--|--|--|
| 1.  | In  | troduction  | 3        |  |  |  |
| 2.  | Вє  | efore the start of Ramadan  | 8        |  |  |  |
| 3.  | Н   | ow is the start of Ramadan established?                             | 10       |  |  |  |
| 4.  | Who can establish the start of Ramadan?11 |   |          |  |  |  |
| 5.  | W   | ho has the right to announce the establishment of the start of Ram  | adan?13  |  |  |  |
| 6.  | W   | hen the start of Ramadan is established fasting it becomes obligato | ory15    |  |  |  |
| 7.  | 7. On whom is fasting obligatory?15       |   |          |  |  |  |
| 7.  | 1   | The Muslim  | 15       |  |  |  |
| 7.  | 2   | The Sane  | 16       |  |  |  |
| 7.  | 3   | The Mature  | 16       |  |  |  |
| 7.  | 4   | The Able  | 17       |  |  |  |
| 8.  | Th  | ne virtues of fasting Ramadan                                       | 18       |  |  |  |
| 8.  | 1   | Revelation of the Qur'an  | 18       |  |  |  |
| 8.  | 2   | The Night of Glory  | 18       |  |  |  |
| 8.  | 3   | The Gates of Paradise open  | 20       |  |  |  |
| 8.  | 4   | Sins are forgiven   | 21       |  |  |  |
| 8.  | 5   | General virtues of fasting  | 22       |  |  |  |
| 9.  | Th  | ne consequences of deliberately breaking the fast during Ramadan .  | 24       |  |  |  |
| 10. |   | The meaning of 'Fasting' or 'Siyam'                                 | 25       |  |  |  |
| 11. |   | Matters that break the fast   | 25       |  |  |  |
| 1   | 1.1                                       | Apostasy  | 25       |  |  |  |
| 1   | 1.2                                       | Deliberate eating or drinking                                       | 26       |  |  |  |
| 1   | 1.3                                       | Sexual Intercourse  | 27       |  |  |  |
| 1   | 1.4                                       | Deliberate vomiting   | 27       |  |  |  |
| 1   | 1.5                                       | Menstruation and post maternal bleeding                             | 27       |  |  |  |
| 12. |   | The importance of making the intention to fast                      | 27       |  |  |  |
| 13. |   | The importance of the pre-fast meal (Sohour)                        | 28       |  |  |  |
| 14. |   | The time of Suhour  | 30       |  |  |  |
| 15. |   | The time of breaking the fast                                       | 32       |  |  |  |
| 16. |   | The desirability of breaking the fast immediately                   | 33       |  |  |  |
| 17. |   | The desirability of breaking the fast before praying the Maghrib    | prayer34 |  |  |  |
| 18. |   | The desirability of breaking the fast on dates and water            | 34       |  |  |  |

| 19. | Р  | ermissible matters whilst fasting                            | 34 |
|-----|----|--|----|
| 19. | 1  | Kissing and embracing for a married couple                   | 34 |
| 19. | 2  | Using a Siwak  | 35 |
| 19. | 3  | Cupping  | 35 |
| 19. | 4  | Rinsing the mouth and nose without exaggeration              | 36 |
| 19. | .5 | Washing the head, having a shower and swimming               | 36 |
| 19. | 6  | Tasting food without swallowing it                           | 36 |
| 19. | 7  | Using an eye-liner, perfume or an eye-drop                   | 36 |
| 19. | 8  | Injections that are not nutritious                           | 37 |
| 20. | C  | ircumstances where breaking the fast is allowed              | 37 |
| 20. | 1  | Travelling and illness that deteriorates with fasting        | 37 |
| 20. | 2  | Armed struggle or <i>Jihad</i>                               | 37 |
| 20. | 3  | Menstruation   | 39 |
| 20. | 4  | Pregnancy and breast-feeding                                 | 39 |
| 20. | .5 | Old age  | 40 |
| 21. | ٨  | Лaking up the fast   | 40 |
| 22. | ٨  | Natters that must be avoided by the fasting person           | 41 |
| 23. | H  | low to spend your day when you are fasting                   | 43 |
| 24. | Ν  | light prayers or <i>Qiyam</i>                                | 44 |
| 24. | 1  | Its Validity   | 44 |
| 24. | 2  | The Number of 'Raka'at' or Units in Night Prayers            | 44 |
| 24. | 3  | An important matter  | 45 |
| 25. | C  | Devotional Masjid retreats Or <i>I'tikaf</i>                 | 46 |
| 25. | 1  | Its Definition and Description                               | 46 |
| 25. | 2  | The type of Masjid or Mosque that one may perform I'tikaf in | 47 |
| 26. | Z  | akat Al-Fitr   | 48 |
| 26. | 1  | Its time   | 49 |
| 27. | E  | id Prayers   | 49 |
| 27. | 1  | Eating before praying  | 49 |
| 27. | 2  | Praying in a field   | 49 |
| 27. | 3  | Women should join the congregation                           | 50 |
| 27. | 4  | Choosing a different route back home                         | 50 |
| 28. | F  | asting six days of Shawal                                    | 50 |

### Rulings and issues related to Ramadan

In the name of Allah, the Merciful Lord, the Giver of Mercy

#### 1. Introduction

All Praise is to Allah, we praise Him, seek His aid and ask for His forgiveness. We seek refuge in Allah from the evil of our soul and our evil actions. Whoever Allah guides none can misguide them and whoever Allah leaves to stray none can guide them. I bear witness that nothing has the right to be worshiped except Allah alone and without any partners, and I bear witness that Muhammad peace be upon him is His slave and Messenger.

(You who believe, be mindful of Allah, as is His due, and die not except as Muslims (who are submissive to their Lord). [Al-Imran, 3: 102]

(People, be mindful of your Lord, who created you from a single soul, and from it created its mate, and from the pair of them spread countless men and women far and wide; be mindful of Allah, in whose name you make requests of one another. Beware of severing the ties of kinship: Allah is always watching over you). [Al-Nisa, 4: 1]

(Believers, be mindful of Allah, speak in a direct fashion and to good purpose, and He will put your deeds right for you and forgive your sins. Whoever obeys Allah and His Messenger will truly achieve a great triumph). [Al-Ahzab, 33: 70-71]

Indeed, the best of speech is the speech of Allah and the best of guidance is the guidance of Muhammad peace be upon him. The worst of things are the newly invented matters in religion and every newly invented matter in religion is an innovation, every innovation is deviance and every deviance is in Hellfire.

To commence, there are two points of great importance that ought to be discussed and clarified. Firstly, the importance of removing the jurisprudent and intellectual obstacles that have piled up overtime preventing people from truly practicing the Sunnah. Those are the jurisprudent verdicts that can be found in the books of jurisprudence, which have been discussed and compiled without

reference to authentic evidence from the Hadeeth and Sunnah of the prophet peace be upon him, but rather to the understanding and opinion of the scholars of jurisprudence. Overtime, people have become preoccupied with those numerous rulings, their terminologies and implications and have treated them as Islamic evidence of their own. Hence, some contemporary scholars of jurisprudence tend to refer their interpretations on certain topics to the understanding of earlier scholars of jurisprudence, without critically assessing them in the light of the Qur'an and Sunnah, thereafter contemporary scholars become the object of reference for future scholars of jurisprudence. As a result of this, it has become scarce to find discussions or verdicts pertaining to the jurisprudence that directly link you to the prophet Muhammad peace be upon him and his teachings and no other.

Indeed, this is a great problem that scholars who are sincere to Allah should address, as a true scholar is the one who connects people to the prophet Muhammad peace be upon him and his Sunnah and draws them near to it, by guiding them directly to his sayings, actions and approvals. Such is the mission of a scholar and the point for which Allah Almighty instructed us to resort to the people of knowledge. He the Almighty said:

([Prophet], all the messengers we sent before you were simply men to whom We have given the revelation: you [people], ask the people of knowledge if you do not know) [Al-Nahl, 16: 43]

That is, ask the people of knowledge so that they may direct you to the Sunnah of the prophet peace be upon him and to draw you near to his teachings and rulings. Thus, the duty and task of the scholar is to direct and guide people to the Sunnah; the more they are dutiful to this obligation the more they are deserving of such a status, the more trustworthy they are and the more they will be raised in this life and in the hereafter. Similarly, the further away they are from this methodology, the less deserving they become of the title and status of a scholar and an inheritor of the prophets.

Secondly, the pervasiveness of innovations in religion has become a widespread phenomenon to the point that many people worship and practice religious rituals away from the guidance and certification of Allah the Most High's religion. They have lost track of the Sunnah and lost track of Muhammad peace be upon him, hence they innovate matters in the religion which, Allah has revealed no approval to and yet they presume that they are among the good doers. This unfortunate phenomenon is a result of the first point described above.

Hence, we find it necessary to reiterate a fundamental principal and condition of worship; that all acts of worship and any aspect of it are in no way acceptable unless they correlate and are in line with the Sunnah. Any act of worship which is not from the Sunnah or contradicts it, is a form of deviance and every deviance is in hell.<sup>1</sup>

Allah said, in relation to the obligation of following and imitation of the Prophet peace be upon him and the warning against contradicting or rebelling against it:

<sup>&</sup>lt;sup>1</sup> Essentially all acts of worship are banned and forbidden, unless there is evidence from the Qur'an or *Sunnah* that indicates its legitimacy as an act one may worship with. On the other hand, all worldly things that are non-ritualistic or religious are fundamentally allowed and permissible, unless there is evidence from the Qur'an or the *Sunnah* that suggests otherwise.

### (And those who go against his order should beware lest a trial afflict them or they receive a painful punishment) [Al-Nur, 24:63]

Imam Ahmad said, I have looked into the Qur'an and found thirty three references to the obedience of the Messenger, and kept reciting: (And those who go against his order should beware lest a trial afflict them) and then saying, 'what trial?' 'shirk, deviance may befall his heart if he rejects some of his sayings and then be misguided and as a result perish'. It was also reported to him that some people leave *Hadeeth* and refer to the opinion of Sufian Al-Thawri, he said: I am astonished by people who leave the *Hadeeth*, having known its authentic connection with the Prophet and then leave it to go to the opinion of Sufian and others! Allah the most Exalted said: (And those who go against his order should beware lest a trial afflict them) 'do you know what trial?' 'Kufr, Allah the Most Exalted sai, (and the trial is worse than killing). They leave the sayings and practices of the Messenger of Allah -peace and blessing be upon him- and are compelled by their desires to following others' opinions!<sup>2</sup>

Allah the Exalted said:

### (Say, 'If you love Allah, follow me, and Allah will love you and forgive you your sins; Allah is most forgiving, most merciful') [Al-Imran, 3:31]

Hence, one of the signs of true love is following the prophet peace be upon him. Moreover, the extent to which one follows the prophet is an indication of how much they love Allah, and the extent to which one loves Allah should be reflected in by the extent to which they follow his Messenger peace be upon him.

Allah the Exalted also says:

(By your Lord, they will not be true believers until they let you decide between them in all matters of dispute, and find no resistance in their souls to your decisions, accepting them totally)<sup>3</sup> [Al-Nisa, 4: 65]

And He said:

<sup>&</sup>lt;sup>2</sup> Ibn Taymiyya, Alsarim Almaslool, p56

<sup>&</sup>lt;sup>3</sup> In his explanation of this verse, Ibn Al-Qayim writes: 'The most exalted swore by His own holy self -an oath that is emphasised further by the negation that comes before it- that creation shall never believe until they make His Messenger a judge in all their disputes, be they fundamental or subordinate, rulings of *Shariah*, rulings pertaining to resurrection or related to the attributes of the Lord etc. He further asserted that they will not believe either by just simply making His Messenger a judge unless their chests become clean of any discomfort but rather their chests find ease, comfort and acceptance. Furthermore, they shall not gain faith until they follow all that with absolute content, surrender and do not object nor oppose'. Kitab Altibyan Fi Agsam Al-Quran: p270.

### ﴿ ذَلِكَ بِأَنَّهُمْ شَآقُواْ اللَّهَ وَرَسُولَهُ وَمَن يُشَاقِقِ اللَّهَ وَرَسُولَهُ فَإِنَّ اللَّهَ شَدِيدُ الْعِقَابِ﴾

(That was because they opposed God and His Messenger) as in differed in their views and actions from what is pleasing to Allah and His Messenger and took the opposing and conflicting stance to theirs (and if anyone opposes God and His Messenger, God punishes them severely) [Al-Anfal, 8:13]

He also said:

(Believers, do not push yourselves forward in the presence of God and His Messenger) by putting your or anyone's understanding or opinion before those of Allah and His Messenger (be mindful of God: He hears and knows all- believers, do not raise your voices above the Prophet's, do not raise your voice when speaking to him as you do to one another, or your [good] deeds may be cancelled out without you knowing) [Al-Hujurat, 49:1-2] if simply raising one's voice over the voice of the Messenger could lead to cancellation of all their good deeds- and nothing cancels out all good deeds except *Shirk*- then surely raising one's sayings, understanding or judgment over the sayings and judgment of the prophet peace be upon him is more liable to cause one to have all their good deeds cancelled.

Furthermore, Abu Salamah reported that Abu Hurairah said to a man: 'My nephew, if I tell you a saying by the Messenger of Allah peace be upon him then do not compare his saying to other sayings' meaning; do not use the saying of the wise, the philosophers or jurists as evidence to the sayings of the prophet peace be upon him, as if his saying is in need for the support and agreement of others', for this is contradictory to manners and the respect due to the prophet peace be upon him.

It has also been reported that whenever Abdullah Bin Omar said: 'The Messenger of Allah peace be upon him said...' and then somebody else said: 'but Abu Baker and Omar said...' he would say: 'the heavens are about to rain stones on you! I say to you the Messenger of Allah says something and you tell me what Abu Baker and Omar said!'

This has been said about resorting to the sayings of Abu Baker and Omar, rather than the sayings of the Messenger of Allah peace be upon him despite their great status. Henceforth what can be said of resorting to the sayings of contemporary jurists and thinkers instead of the prophet's is surely much more severe.

It has been authentically reported that the prophet peace be upon him said:

1

<sup>&</sup>lt;sup>4</sup> Authentic Sunnan of Ibn Majah, p20

<sup>&</sup>lt;sup>5</sup> Sahih Al-Jami', No. 7884

{Pray as you have seen me pray},6

{Whoever invents a matter in our religion then it is to be rejected},

{Whoever does a practice that isn't from our religion then it is to be rejected},8

{The worst of matters -in religion- are the invented ones and every innovation is deviance},9

{The worst of matters -in religion- are the invented ones, every newly invented matter is an innovation, every innovation is deviance and every deviance is in Hell}<sup>10</sup>

And he said:

{Whoever deliberately lies about me then let them await their place in Hell}.11

One form of lying about the prophet peace be upon him, is to innovate a matter in religion and then advocate it to people as part of the religion of the prophet Muhammad peace be upon him.

<sup>&</sup>lt;sup>6</sup> Sahih Al-Jami', No. 893

<sup>&</sup>lt;sup>7</sup> Bukhari and Muslim

<sup>&</sup>lt;sup>8</sup> Sahih Al-Jami', No. 6369

<sup>9</sup> Muslim

<sup>&</sup>lt;sup>10</sup> Sahih Sunan Al-Nisa'ie, No. 1487

<sup>&</sup>lt;sup>11</sup> Bukhari

Because of all the aforementioned reasons, we will strive by the Will of Allah the Exalted, to establish the *Sunnah* in all the matters related to the fasting of the month of Ramadan that are included in this brief research which, I've entitled: 'Rulings and Issues Related to Ramadan'. I ask Allah the Exalted to grant me success, accuracy and acceptance. He indeed is the most Hearing, Near and Respondent.

#### 2. Before the start of Ramadan

The month of *Shaban* is the month that precedes Ramadan, in which good deeds are raised to heaven and hence it is recommended to fast numerously in it, as the prophet peace be upon him did and in order to train oneself for fasting and worshiping during Ramadan. It has been authentically reported that the prophet peace be upon him said:

{Shaban is between Rajab and Ramadan, people tend to not take notice of it, the deeds of servants are raised during it, and I wish that my deeds are only raised whilst I am fasting}.<sup>12</sup>

Additionally, it has been reported in Bukhari and Muslim that Aisha may Allah be pleased with her said:

'I have not seen the Messenger of Allah fast in a month as much as he used to in Shaban'.

Of further importance is, that on the night of the middle of *Shaban* Allah forgives all His servants, except for those who set up partners with Him and for the hating disputers.

The prophet peace be upon him said:

{Allah looks at all His creation on the night of the middle of *Shaban*, He forgives them all, except for those who set up partners with Him and for the hating disputers}.<sup>13</sup>

He peace be upon him also said:

{Indeed Allah looks at His servants on the night of the middle of *Shaban*, He forgives the believers, extends chances to the disbelievers and leaves the haters to their hate until they call upon Him}. <sup>14</sup>

<sup>&</sup>lt;sup>12</sup> Authenticated by Al-Nisa'ie and others, Al-Silsila Al-Saheeha, No. 1898

<sup>&</sup>lt;sup>13</sup> Sahih Al-Targeeb wal Tarheeb, p1026. Among the common innovations of these days is the celebration of the mid of *Shaban* by doing extra recitation of the Qur'an, praying *qiyam*, fasting, giving out sweets, lighting fire and other innovative matters that Allah has revealed nothing of, such used to be common practices in Syria and other parts of the Muslim world.

It is not permissible however, to join the fasting of the month of *Shaban* with the fasting of the month of Ramadan and one should stop fasting on the mid of Shaban due to the following instructions from the prophet peace be upon him:

{When the mid of Shaban hits then do not fast},15

And:

{When the mid of Shaban hits then do not fast until Ramadan}.16

The prophet peace be upon him also said:

{Do not fast before Ramadan}<sup>17</sup>

And:

**{Do not fast a day or two before Ramadan except a person who must, then they may},** <sup>18</sup> meaning unless they have made a vow or are making up compulsory fasts.

In fact, fasting a day before Ramadan out of doubt that it may have been the first day of Ramadan rather than the last day of *Shaban* is extremely discouraged. Silah bin Zufr said, 'we were with Ammar bin Yasir on a day that we were doubting to be the first day of Ramadan, he brought a roast lamb and said: 'eat', but some people abstained and said they were fasting, Ammar then said:

'Whoever fasts a day in which there is doubt, as to whether it is the first day of Ramadan or not, has disobeyed Aba Al Qasim (Muhammad peace be upon him).' 19

<sup>&</sup>lt;sup>14</sup> Sahih Al-Jami, No. 1898

<sup>&</sup>lt;sup>15</sup> Sahih Sunan Abi Dawoud, No. 2049

<sup>&</sup>lt;sup>16</sup> Sahih Al-Jami, No. 397

<sup>&</sup>lt;sup>17</sup> Sahih Sunan Al-Turmuthi, No. 555

<sup>&</sup>lt;sup>18</sup> Muslim

<sup>&</sup>lt;sup>19</sup> Sahih Sunan Al-Turmuthi, No. 553

The reason for this is because fasting should never be based on doubt but rather on certainty, which can only be achieved through moon sighting.

#### 3. How is the start of Ramadan established?

It is important to count the days of *Shaban* in anticipation of Ramadan. The prophet peace be upon him said:

{Keep count of the crescent of Shaban until Ramadan}.20

Months in the Islamic calendar are twenty-nine days, as the prophet peace be upon him stated:

{A month is twenty-nine days}.21

Hence Ramadan is established subsequent to sighting the crescent of Ramadan just before sunset on the twenty-ninth evening of *Shaban*.

If the crescent could not be seen on the twenty-ninth evening of *Shaban*, due to cloudiness and denseness then the following day would be treated as the thirtieth day of *Shaban*. The evidence to this is in the saying of the prophet peace be upon him which was authentically reported in Bukhari and Muslim:

{Begin fasting after sighting the crescent and stop your fast at the sighting of the crescent, if you are unable to see the crescent then complete *Shaban* as a thirty day long month}.

The prophet peace be upon him also said:

{Do not fast unless you see the crescent and do not stop your fast unless you see the crescent, if you are unable to see the crescent then estimate}.<sup>22</sup>

The fact that the prophet peace be upon him said: {Do not fast unless you see the crescent} is a clear indication that the physical sighting of the moon is a condition to establishing the start of Ramadan, not astronomical calculations which are often produced a year in advance.

The prophet peace be upon also him said:

٠,

<sup>&</sup>lt;sup>20</sup> Sahih Sunan Al-Turmuthi, No. 554

<sup>&</sup>lt;sup>21</sup> Muslim

<sup>&</sup>lt;sup>22</sup> Bukhari and Muslim

{Allah has lengthened the crescent so it may be easy to spot it, but if you are unable to see it then complete the period} meaning the month of *Shaban* as thirty days long.

#### 4. Who can establish the start of Ramadan?

The start of Ramadan is established if the crescent is sighted by at least one just Muslim as reported in a Hadeeth reported by Ibn Abbas who said:

'A Bedouin man came to the prophet peace be upon him said, "I have seen the crescent" meaning of Ramadan, the prophet peace be upon him and said {do you witness that there is no god worthy of worship except Allah?}, the man said, "yes", the prophet said {do you witness that Muhammad is the Messenger of Allah?}, the man said, "yes". The prophet then said: {Bilal, make an announcement for people to begin their fast tomorrow}.<sup>23</sup>

Ibn Omar said: 'when people were seeking to see the crescent once, I told the Messenger of Allah that I had seen it so he began fasting and ordered people to fast'. <sup>24</sup>

As for the establishing of the end of Ramadan and the sighting of *Shawal's* crescent -which is the month that proceeds Ramadan-, the witness of two truthful individuals is required, as is stated in a Hadeeth that has been authenticated by Abu Dawoud, that a companion of the prophet peace be upon him said: 'People once disagreed about which day was to be the last day of Ramadan, then two Bedouin men came and bore witness by Allah at the presence of the prophet peace be upon him that they witnessed the crescent yesterday evening, hence the Messenger of Allah peace be upon him ordered people to break their fast and to go back to their work'.<sup>25</sup>

Additionally, Al-Hussain bin Al-Harith Al-Jadaly said that the leader of Makkah, named Al-Harith bin Hatib delivered a sermon in which he said: 'The Messenger of Allah peace be upon him advised us to begin our fast upon sighting the crescent, but if we don't see it and a trustworthy individual witnesses that they have, then we begin our fast on the basis of their testimony'. And then he said: 'There is among you somebody who is more knowledgeable about Allah and His Messenger then I am and has witnessed the Messenger of Allah peace be upon him saying this'. He then pointed to a man who was Abdullah bin Omar may Allah be pleased with him. Abdullah then said: 'That is indeed what the Messenger of Allah peace be upon him ordered us to do'.<sup>26</sup>

It has become apparent that such a reliable testimony from a single Muslim should bide all those who hear it, be they individuals or communities in the Ummah, regardless of their regions or countries. This is easily achievable - all praise is to Allah- due to the prevalence of Media that is capable of spreading news all over the globe in a matter of seconds. Therefore, there is no excuse

<sup>&</sup>lt;sup>23</sup> Reported in Sunan abi Dawaoud, No. 2340. Among the lessons of the Hadeeth is the importance of enquiring about the person's religion and reliability is they're not well-known, but if their religion and reliability is well-known –as in the case of Ibn Omar- then there is no need to enquire.

<sup>&</sup>lt;sup>24</sup> Sahih Sunan Abi Dawoud, No. 2052

<sup>&</sup>lt;sup>25</sup> Sahih Sunan Abi Dawoud, No. 2051

<sup>&</sup>lt;sup>26</sup> Sahih Sunan Abi Dawoud, No. 2050

for contemporary countries to begin or end their fast on the basis of whether they alone see the crescent or not and proclaim that they do not wish to begin or end their fast because they haven't sighted the crescent, for indeed those who see the crescent are witness against those who do not and those who know are witness against those who don't know. The proclamation of one who knows cannot be rejected on the basis of someone else's ignorance. The Messenger peace be upon him, his companions or the righteous predecessors never stated that the sighting of the crescent by all Muslims all over their regions is conditional to beginning or ending their fast, in fact this is clearly against authentic *Sunnah* and is a cause of division and separation in the religion. <sup>27</sup>

It is often observable unfortunately, that determination of those Islamically ritualistic timings are subject to the whims of political and tyrannical leaders of the Muslim countries, whose political and personal disputes sway them differ in determining the start and end of Ramadan as well as the day of Eid, which results in separation, animosity and hatred between their nations. Those political leaders have no right to be obeyed and Muslim nations must not follow them in a matter which is in breach of the *Sunnah* and the right Islamic way of determining Ramadan, because no obedience should be given to a creature in a matter that is of disobedience to the Creator, as in the authentic Hadeeth:

#### {Whoever among your leaders orders you to commit a disobedience then do not obey him}. <sup>28</sup>

People, if the tyrannical leaders of your countries announced that Asr will be prayed after sunset, would you obey them in this? If you say no, and such should be the response, then how can you obey them in forwarding or delaying Ramadan after knowing the Prophetic and Islamic way of establishing Ramadan?

However, someone may well argue that it has been authentically narrated that Mu'awiya -who was based in the region of Syria- began fasting one Ramadan on a Friday whilst Ibn Abbas and the people of Medina began their fast on Saturday, hence indicating that each party had sighted the crescent separately and fasted on that basis. In response, it should be asserted that there is no contradiction at all between this evidence and the evidences presented above. One may follow the practice of Mu'awiya in the region of Syria and Ibn Abbas in Medina if there is an impossibility of news regarding crescent sighting reaching the other region in time due to the huge travel distance between the two regions and the absence of means that transfer the testimony in the needed speed. Undoubtedly, when the people of Syria sighted the crescent on Friday they were unable to inform the people of Medina in time, due to the huge distance between them and the nature of transport and communicational means which could not deliver on time. Hence, the two regions had no choice but to sight the crescent independently. But this is not applicable to our time as the obstacle of communication is no longer present and because transmission of news and the

<sup>&</sup>lt;sup>27</sup> Among the forms of prejudice and division in the religion is that some Muslim communities living in the West or other countries, await the announcement of the start and end of Ramadan in their own separate countries of origin, despite the huge distance between the country they're living in and their country of origin. As a result of which, you find that Muslim communities living in the same country start and end their fast separately and differently from each other despite living in the same country.

Reported by Ahmad, Ibn Majah, Ibn Habban in the Authentic Series, No. 2324

testimony of the individual who sighted the crescent can be spread in a matter of seconds across the globe. Therefore, it is not permissible to compare nor evince the narration regarding Ibn Abbas and Mu'awiya, may Allah be pleased with them except in one circumstance; that being, the unfeasibility of transmitting the testimony of crescent sighting to other parties or regions on the same day in which it was sighted, which is virtually never the case in our time, all praise is to Allah.

## 5. Who has the right to announce the establishment of the start of Ramadan?

It has been shown above that the start of Ramadan can be established by one Muslim individual who witnesses the crescent. But who has the right to announce the start of Ramadan and proclaim its first day and then subsequent to that, endorse their findings on the entire Muslim nation worldwide?

The one who has the right to announce the first and last day of Ramadan and then endorse this on the Muslims worldwide is the Muslim Caliph or Ruler, or powerful leaders with authority who deputise for him. This right is not for individual Muslims. This is what the Sunnah has evinced and what the companions of the prophet peace be upon him and the Caliphs after them acted upon.

However, whoever sights the crescent among Muslims and then the Ruler did not take their testimony or was unable to report his testimony to the Ruler; they will be required to start fasting alone, be they a man or a woman, because Allah says:

(So anyone of you who witnesses the month should fast) [Al-Baqarah, 2: 185]

Whoever witnesses the crescent has witnessed the month or the start of it.

Sayyid Saabiq stated in Fiqh Al-Sunnah that 'scholars of jurisprudence have agreed that whoever sees the crescent of Ramadan on their own should start fasting'.<sup>29</sup>

Similarly, if they see the crescent of the month of *Shawal* they should also end their fast, because seeing of the crescent is a matter of certainty for him or her and because the Messenger of Allah peace be upon him said:

{Begin your fast after seeing the crescent and end it after seeing it}.30

This opinion applies to the individual and groups who sight the crescent, and it is the opinion of Imam Al-Shaafi'ee, Abu Thawr and Ibn Hazm.

Below I will list several questions that may arise and the answer to them:

**Q1)** Contemporary countries differ regarding the first and last day of Ramadan, which country should we follow?

<sup>&</sup>lt;sup>29</sup> Figh Al-Sunnah, Vol.1, p 386.

<sup>30</sup> Bukhari and Muslim

**Answer:** This is an uneasy issue and a contemporary matter. I will try to address it via the points below. We would follow the testimony of the state or country that fulfils four conditions which are:

- 1- It should be of the ones that confirm the seeing of the crescent, because the ones who claim seeing the crescent are evidence against those who have not seen it, and those who know something are evidence against those who do not know, as has been explained earlier.
- 2- It should be known about that state and its Muslim citizens their attentiveness and keen interest in observing and documenting the crescents and Arabic months.
- 3- It should be announced that the Muslims of that state have witnessed the crescent; hence the testimony would be that of the Muslims and not for the ruling tyrant.
- 4- It should be fairly acceptable to us that the ruling tyrant of that state does not misuse such religious rituals for their whims and the interests of their regime or governance and that it is unlikely that they would do that for political purposes. Some tyrants do not mind committing this as retribution against another ruler or regime for political or personal goals. We would be very cautious against following the announcement of a state with this kind of ruler if the proclamation came at odds with popular opinions.

There are two reasons for placing those four conditions to this issue; the first is because the testimony of the disbeliever in proclaiming the timing of religious rituals and acts of worship is not to be considered. Secondly, because we live in times where honesty has been lost and lies have become rampant as has been prophesised by the prophet peace be upon him in several *Hadeeth*, therefore it is important for one to be extra cautious in matters of their religion as much as they can. And Allah the most exalted knows best.

**Q2)** In the case of a country deliberately insisting to differ in its proclamation of the first and last day of Ramadan to appease the whims of the ruling tyrant, what should the citizens of that state do?

**Answer:** The Muslim citizens of that state should not follow their state, rather they should fast with the Muslims across the globe, because the Messenger of Allah peace be upon him said:

{Whoever among your leaders orders you to commit a disobedience then do not obey him}<sup>31</sup>

Let alone if the leader was a tyrant and an apostate, it is undoubtedly even more important to disobey and differ from them and to not follow them in matters of worship and religion. Additionally, this goes towards manifesting the saying of the prophet peace be upon him when he said: {Your fast is the day you fast}<sup>32</sup> meaning that your fast begins when the Muslims across the world who have correctly established and proclaimed sighting the crescent begin their fast. And Allah the most exalted knows best.

\_

<sup>&</sup>lt;sup>31</sup> Reported by Ahmad, Ibn Majah, Ibn Habban in the Authentic Series, No. 2324

<sup>&</sup>lt;sup>32</sup> Sahih Al-Jami', No. 3807

# 6. When the start of Ramadan is established fasting it becomes obligatory

This is due to Allah's sayings, most exalted He is:

(It was in the month of Ramadan that the Qur'an was revealed as guidance for mankind, clear messages giving guidance and distinguishing between right and wrong. So any one of you who is present that month should fast) [Al-Baqarah, 2: 185]

And:

(You who believe, fasting is prescribed for you, as it was prescribed for those before you, so that you may be mindful of Allah) [Al-Baqarah, 2: 183]

Fasting Ramadan is a pillar of the five pillars of Islam, as in the Hadeeth, the Messenger of Allah peace be upon him said:

{Islam has been built on five pillars: the testimony that there is no god but Allah and that Muhammad is the Messenger of Allah, establishing prayer, offering alms giving, pilgrimage to the House and fasting of Ramadan}<sup>33</sup>

Hence whoever denies that Ramadan is obligatory then they have disbelieved.

#### 7. On whom is fasting obligatory?

Fasting is obligatory on the sane, mature and able Muslim, male or female.

#### 7.1 The Muslim

It is compulsory on the Muslim because deeds and actions will not be accepted from a disbeliever, as *Shirk* or worshiping with Allah another entity or entities cancels out all deeds and is an obstacle to the acceptance of any deed. Allah, exalted He is says:

(If they had associated other gods with Him, all their deeds would have come to nothing) [Al-Ann'am, 6: 88]

<sup>33</sup> Bukhari and Muslim

(It has already been revealed to you [Prophet] and to those before you: 'If you ascribe any partner to God, all your work will come to nothing: you will be one of the losers) [Al-Zumr, 39: 65]

And:

(And We shall turn to the deeds they have done and scatter them like dust) [Al-Furgan, 25: 23]

#### 7.2 The Sane

It is compulsory on the sane because the insane is not accountable and is not under an obligation to do anything. The prophet peace be upon him said:

{The pen [writing of deeds] has been lifted in the case of three types of people, [of whom is] the insane until they become sane or they gain consciousness}<sup>34</sup>

In another narration:

{...the crazy until they become sane}, in another narration as well: {...the crazy and impelled above their will until they gain consciousness}.<sup>35</sup>

#### 7.3 The Mature

Fasting is compulsory on the one who reaches puberty, because the recording of boys or girls deeds begins when they reach puberty. The prophet peace be upon him said:

{The pen [writing of deeds] has been lifted in the case of three types of people, [of whom is] the child until they reach puberty}.<sup>36</sup>

In another narration:

{The child until they mature to adolescence}.  $^{37}$ 

<sup>35</sup> Sahih Sunan Abi Dawoud, No. 3700

<sup>&</sup>lt;sup>34</sup> Sahih Sunan Al-Nisa'ie, No. 3211

<sup>&</sup>lt;sup>36</sup> Sahih Sunan Abi Dawoud, No. 3700

<sup>&</sup>lt;sup>37</sup> Sahih Al-Jami', No. 3513

Hence coercing children to fast in the early years of childhood is highly discouraged and should never happen. It gives a wrong impression of Islam and Muslims to others, who might presume that Islam —rather than the parents or guardians of the child- oppresses children and childhood and forces children to suffer something beyond their physical capability.

It is preferable nevertheless to gradually train children with minimum experiences of fasting the closer they get to adolescence so that they may be ready and well prepared as soon as have they matured into puberty.

#### 7.4 The Able

Fasting is compulsory only upon the one who is capable, because 'inability' according to the consensus of all scholars is a valid and permissible excuse for not practicing what is obligatory. This remains to be the case until 'inability' or its cause are removed. Allah the most exalted says:

(God does not burden any soul with more than it can bear) [Al-Bagarah, 2: 286]

(Be mindful of God as much as you can) [Al-Taghabun, 64: 16]

And:

(God does not burden any soul with more than He has given it) [Al-Talaq, 65: 7]

Additionally, in an authentic Hadeeth, the prophet peace be upon him said:

{Whenever I have asked you to do something, do only what you are able to do}.  $^{38}$ 

There are two types of 'inabilities'; the first is permanent inability and the second is temporary inability. Examples of the former include: a lasting illness that one has no hope of curing and which forms an obstacle to fasting, another example is old age. These kinds of obstacles to fasting require one to feed a poor person per day for thirty days, as Allah the most exalted said:

(For those who can fast only with extreme difficulty, there is a way to compensate—feed a needy person) [Al-Baqarah, 2: 184]

Ibn Abbas said regarding this verse: 'It is not abrogated; it is referring to the old man or woman who are unable to fast, so they could feed a poor person for everyday'<sup>39</sup>.

<sup>38</sup> Bukhari and Muslim

As for temporary 'inability', it is short-term illness, such as curable illnesses. Whoever is inflicted with this in Ramadan should make up the days they miss after Ramadan. Allah the most exalted said:

(Fast for a specific number of days, but if one of you is ill, or on a journey, on other days later)

[Al-Bagarah, 2: 184]

One should record the days they have missed during Ramadan and make them up after Ramadan.

#### 8. The virtues of fasting Ramadan

Ramadan is a great month, if anyone fasts and worships sincerely and patiently for Allah during it, they will be forgiven all their past sins. The prophet peace be upon him said:

'Whoever fasts and prays the night prayers during Ramadan out of faith, sincerity and patience, they will be forgiven their past sins'. 40

#### 8.1 Revelation of the Qur'an

During this noble month, the noble Qur'an was revealed, as Allah has stated:

(It was in the month of Ramadan that the Qur'an was revealed as guidance for mankind, clear messages giving guidance and distinguishing between right and wrong) [Al-Baqarah, 2: 185]

#### 8.2 The Night of Glory

The Qur'an was sent down in a night of Ramadan that is better than a thousand months, as Allah the most exalted stated:

(We sent it down on the Night of Glory. What will explain to you what that Night of Glory is? The Night of Glory is better than a thousand months) [Al-Qadr, 97:1-3]

Meaning if worship during this night is accepted, it supersedes the worship of thirty three years and three months. Ibn Katheer said in his explanation of the Qur'an: 'Mujahid said, the Night of Glory supersedes one thousand months that do not include the Night of Glory in them, this is also the saying of Qatadah bin Da'amah, Al-Shafi'y and others'.

What is meant by the revealing of the Qur'an is that it was sent down completely as a whole to the closest heaven on the Night of Glory. Later it was sent down to the prophet peace be upon him in sections depending on the incidents and events and stages that the message of Islam faced.

20

<sup>&</sup>lt;sup>39</sup> Bukhari

<sup>&</sup>lt;sup>40</sup> Bukhari and Muslim

Ibn Katheer said in his explanation of the Qur'an: 'The Qur'an was revealed as a whole to the House of Honour in the closest heaven to the earth, this was during the Night of Glory during Ramadan, as Allah the most exalted said: **(We sent it down on the Night of Glory)**. It was later revealed separated based on the events that befell the Messenger of Allah peace be upon him.

Similarly, Ibn Abbas said: 'It was revealed all at once in Ramadan during the Night of Glory, subsequently it was sent down in parts over a consecutive sequence of days and months'.

Also in the narration of Ikrimah that Ibn Abbas said: 'The whole Qur'an was sent down in Ramadan during the Night of Glory to the closest heaven to the earth, and then Allah ordained certain incidents to occur to the prophet peace be upon him; and whenever the pagans brought up an argument Allah would bring forth its answer'. This is because Allah knows what has passed, what is to be and what will be before it comes to pass.

#### 8.2.1 Identifying the Night of Glory

We may anticipate the Night of Glory in the odd days of the last ten days of Ramadan due to the saying of the prophet peace be upon him:

{Look out for the Night of Glory in the odd days of the last ten days of Ramadan}. $^{41}$ 

It has also been authentically reported that some men of the companions of the prophet peace be upon him were made to see in their dreams that the Night of Glory will be in one of the final seven days of Ramadan, the prophet peace be upon him then said:

{It seems all your dreams point to the last seven days, whoever is looking out for the Night of Glory, let them do so on the last seven days} of Ramadan.<sup>42</sup>

Due to the usual disagreements surrounding the sighting of the crescent, a group might be delaying or forwarding Ramadan by a day and hence muddle the odd numbers and the accurate start and end of the last ten days. Therefore in order to be on the safe side and to ensure that one does not miss this night and mistake it for an even day, it is recommended to anticipate it on every day of the last ten days of Ramadan both odd and even days. And Allah knows best.

#### 8.2.2 The virtue of worshiping in the Night of Glory

It has been authentically reported that the Messenger of Allah peace be upon him said:

{Whoever worships during the whole night of Glory out of faith, patience and hope for Reward with Allah, all their past sins will be forgiven}. 43

<sup>&</sup>lt;sup>41</sup> Bukhari

<sup>&</sup>lt;sup>42</sup> Bukhari

It is indeed a short season of abundant goodness that gives its farewell very soon.

#### 8.3 The Gates of Paradise open

In this magnificent month, the Gates of Paradise open, and those of Hell are shut and Satans are restrained up, as has authentically been reported, that the prophet peace be upon him said:

{If Ramadan comes, the Gates of Paradise open, those of Hell are shut and Satans are restrained up}. 44

What is meant here by 'restrained' is that they will be manacled with chains.

The Messenger of Allah peace be upon him also said:

{On the first night of Ramadan, Satans and rebellious Jinn are restrained, the Gates of Hell are closed, not a single Gate is left open, and the Gates of Paradise are opened, not a Gate is left locked. A caller then calls: 'Seeker of good come forth, seeker of evil move away and withhold yourself'. Allah frees souls from Hell, every night}.

The Messenger of Allah peace be upon him also said:

{In Ramadan, the Gates of Heaven are opened, the Gates of Hell are shut, every rebellious Satan is restrained and then a caller calls every night: 'Seeker of good come forth, seeker of evil move away and withhold yourself'}.

The Messenger of Allah peace be upon him also said:

44 Sahih Jami', No. 470

<sup>45</sup> Sahih Sunan Al-Turmuthi, No. 549

<sup>46</sup> Sahih Sunan Al-Nisa'ie, No. 1994

<sup>&</sup>lt;sup>43</sup> Bukhari

{Upon you has come Ramadan, a blessed month which Allah the Exalted and Majestic has ordered you to fast, in it the Gates of Heaven are opened, the Gates of Hell are shut, rebellious Satans are chained, there is a Night in it for Allah better than a thousand months, whoever has been deprived of its goodness then they have truly been deprived}.

He peace be upon him also said:

{When Ramadan comes, the Gates of Heaven are opened, the Gates of Hell are shut, and rebellious Satans are chained}.

In another narration:

{When Ramadan comes, the Gates of Mercy are opened, the Gates of Hell are shut, rebellious Satans are chained}.<sup>48</sup>

The Satans of Jinn kind are restrained but those of human kind will still be out on the lose doubling their efforts to make up for the mischief of their brothers of the Jinn kind and to ruin the fast of the Muslims in the blessed and great month. We find them working twice as hard in Ramadan than what they used to do before Ramadan, hence they produce new series of movies and soaps that are pathetic and indecent to distance people from their religion and to decrease and weaken their faith in Ramadan, which is meant to rise and strengthen. Hence one must be very cautious!

#### 8.4 Sins are forgiven

The prophet peace be upon him said:

{Whoever fasts Ramadan with faith, patience and hope in Allah's reward will be forgiven all their past sins}.<sup>49</sup>

He peace be upon him also said:

{Ramadan until the next Ramadan erases all the sins between them, if major sins are to be avoided}. 50

Additionally, he peace be upon him said:

<sup>&</sup>lt;sup>47</sup> Sahih Sunan Al-Nisa'ie, No. 1992

<sup>&</sup>lt;sup>48</sup> Sahih Sunan Al-Nisa'ie, No. 1991

<sup>&</sup>lt;sup>49</sup> Bukhari and Muslim

<sup>&</sup>lt;sup>50</sup> Sahih Al-Jami, No. 3875

{Gabriel peace be upon him came to me and said 'whoever reaches Ramadan but is not forgiven and enters Hell may Allah distance him, say Ameen' I said 'Ameen'}. This is because such a person must have been an extremely evil doer; if he could not be forgiven during Ramadan, when will he be forgiven? And if the month of mercy could not encompass him then no other month will.

#### 8.5 General virtues of fasting

There are numerous Hadeeth on the virtues of fasting, the Messenger of Allah peace be upon him said:

{Whoever fasts a day for the sake of Allah, Allah will distance his face from Hell for seventy years}.<sup>52</sup>

He peace be upon him also said:

{Whoever fasts a day for the sake of Allah, Allah will place a trench between him and Hell that is the size of the distance between the heaven and the earth}. 53

And:

{Whoever fasts a day for the sake of Allah, Allah will move them from Fire the distance of seventy vears}.<sup>54</sup>

Furthermore, Abi Umamah may Allah be pleased with him said: I said 'Messenger of Allah, tell me about an action that I may enter paradise for doing' he said: {I recommend fasting to you, there is nothing like it}. In another narration, he asked him 'what is the best of deeds?' he peace be upon him said: {I recommend fasting to you, nothing is equivalent to it}.<sup>55</sup>

The Messenger of Allah peace be upon him said:

<sup>53</sup> Sahih Sunan Al-Turmuthi, No. 1325

<sup>&</sup>lt;sup>51</sup> Sahih Al-Targeeb wal Tarheeb, No. 1679

<sup>52</sup> Bukhari and Muslim

<sup>&</sup>lt;sup>54</sup> Sahih Sunan Al-Turmuthi, No. 1323

<sup>&</sup>lt;sup>55</sup> Sahih Sunan Al-Nisa'ie, No. 2099

**{Fasting is protection from Hell}**,<sup>56</sup> meaning that it prevents the person from Hell.

He peace be upon him also said:

"كل عمل ابن آدم يُضاعف الحسنةُ بعشر أمثالها، إلى سبعمائة ضعف، قال الله تعالى: إلا الصوم فإنه لي وأنا أجزي به، يدعُ شهوته وطعامه من أجلي، وللصائم فرحتان: فرحةٌ عند فطره، وفرحة عند لقاء ربه، ولخلوف فم الصائم عند الله أطيب من ريح المسك "

{Regarding the deeds of the son of Adam, every single good deed is multiplied by ten to seven hundred. Allah the most exalted said: 'Except fasting, it is for me and I reward for it; he leaves his desires and food for my sake'. The fasting person has two joys; one joy when he breaks his fast and a joy when he meets his Lord and verily the smell of the fasting person's breath is purer to Allah than the smell of musk}.<sup>57</sup>

A deed that is left for the direct reward of Allah the Almighty, Exalted and Generous is better for you than a good deed of yours which is multiplied by millions.

The Messenger of Allah peace be upon him also said:

{Fasting and Qur'an intercede for the servant on the Day of Resurrection; Fasting will say: 'My Lord I prevented him from his food and fulfilling his desire - in another narration: 'I prevented him from eating and drinking during the day'- so allow me to be his intercessor; the Qur'an will say: 'I prevented him from sleeping at night, allow me to be his intercessor', they will both be granted permission to intercede}. 58

He peace be upon him also said:

{In Paradise there is a Gate called Al-Rayyan, on the Day of Resurrection, those who used to fast will enter through it, nobody else will enter except them. It will be said: 'where are those who used to fast, they will come, nobody will enter other than them, when they all have entered, the Gate will be shut and no one else will enter from it}. 59

He peace be upon him also said:

<sup>&</sup>lt;sup>56</sup> Sahih Sunan Al-Nisa'ie, No. 2108

<sup>57</sup> Muslim

Authenticated by Al-Haithamy in the book of Zawa'id, Vol.3, p184. He stated: 'the narrators listed by Al-Tabarani -for this Hadeeth- are reliable'. You may also look in Sahih Al-Targeeb, No. 1429.

<sup>&</sup>lt;sup>59</sup> Bukhari and Muslim

{In Paradise there is a Gate called Al-Rayyan, on the Day of Resurrection, those who used to fast will enter from it, nobody else will enter except them. When the last one of them enters, it will be shut, whoever enters it will have its drink and whoever has its drink will never suffer thirst ever again}. <sup>60</sup>

These Hadeeth and others are extremely encouraging for Muslims to make gain the most of the worship of fasting, especially during winter; where days are short and nights are long and because it is usually cold, causing less thirst. It has been authentically narrated that the prophet peace be upon him said:

{The cold booty is fasting in winter}.61

He peace be upon him said:

{Whoever says 'there is no god but Allah' seeking the Face of Allah and it was the last thing they say of this world, then they will enter Paradise; whoever fasts a day seeking the Face of Allah and it was the last thing they do of this world, then they will enter Paradise, and whoever gives in to charity seeking the Face of Allah and it was the last thing they do of this world, then they will enter Paradise}.

#### 9. The consequences of deliberately breaking the fast during Ramadan

Whoever deliberately breaks their fast during Ramadan without a valid excuse licenced by the religion then they have committed a great sin and one of the major kinds of sins, to which they deserve severe admonishment on the Day of Judgement.

This has been stated in a Hadeeth that was narrated by Abi Ummamah Al-Bihali may Allah be pleased with him. He said, I have heard the Messenger of Allah peace be upon him say:

<sup>&</sup>lt;sup>60</sup> Sahih Al-Targeeb, No. 979

<sup>&</sup>lt;sup>61</sup> Sahih Sunan Al-Turmuthi, No. 639

<sup>&</sup>lt;sup>62</sup> Al-Haithamy said in the book of Zawa'd, Vol. 2, p324: 'it has been narrated by Ahmad, and its narrators are reliable'.

النار، ثم انطلق بي، فإذا أنا بقومٍ معلقين بعراقيبهم، مشققة أشداقهم، تسيل أشداقهم دماً، قال: قلت: من هؤلاء ؟ قال: الذين يفطرون قبل تجِلَّة صومهم .."

{Whilst I was asleep, two men came to me in my dream and held me from my arms and took me to a steep and rough mountain. They ordered me to ascend, I said 'I cannot bear to climb it', they said 'we will make it easy for you', so I ascended, when I reached the peak of the mountain there were loud piercing noises, I asked 'what are these noises?', they said 'these are the barks of the people of Hell', they walked me on, until I saw people that had been hung from their larynx; their jaws torn and bleeding, I asked 'who are these?', they said 'these are those who break their fast before it is permissible for them to break it'...}<sup>63</sup>

#### Adam's apple

This punishment is for those who break their fast before it is permissible for them to break it, let alone those who deliberately break their fast during the day of Ramadan, or those who do not fast at all!

It may be asked however, 'can the one who deliberately breaks their fast by eating in Ramadan make up for it afterwards by fasting or feeding the poor?' some scholars have compared the penalty of breaking one's fast deliberately with that of the one who indulges in sexual intercourse during the daytime of Ramadan. Such comparison is wrong due to difference in the cause of breaking the fast and due to the lack of evidence suggesting that the one who deliberately breaks their fast by eating should make up for it either by fasting or feeding the poor. The strongest opinion on this matter is that one cannot make up a day of fasting they broke deliberately by eating without a valid excuse, even if they were to fast their entire life; it will never be equivalent to a day of Ramadan. This person is advised to repent sincerely and it is highly recommended that they increase their voluntary fasting, praying and giving in to charity. And Allah knows best.

#### 10. The meaning of 'Fasting' or 'Siyam'

After clarifying the obligation of fasting Ramadan, the virtues of fasting it and the punishment of those who deliberately break their fast without a religiously licensed excuse; we will, by the permission and blessing of success clarify some of the detailed rulings and issues regarding fasting.

Initially, fasting linguistically means 'to abstain' and Islamically to 'abstain from the causes that break the fast from the time of true dawn until sunset with an intention'.

#### 11. Matters that break the fast

#### 11.1 Apostasy

If a Muslim who is fasting apostates, either by form of speech they utter, action they undergo or conviction, their fast is invalidated, because Allah the most exalted said:

<sup>&</sup>lt;sup>63</sup> Sahih Al-Targeeb, No. 1005

#### (If they had associated other gods with Him, all their deeds would have come to nothing) [Al-Ann'am, 6: 88]

And:

(And We shall turn to the deeds they have done and scatter them like dust) [Al-Furqan, 25: 23]

Similarly, fasting is not accepted from those who abandon obligatory prayers, because the prophet peace be upon him said:

{Between man and Shirk (associating with Allah other partners) and disbelief is abandoning of

He peace be upon him also said:

{There is nothing between the servant and Shirk except abandoning of prayer, if he leaves it then he has committed Shirk}<sup>65</sup> and whoever commits Shirk then all their good deeds are cancelled out.

#### 11.2 Deliberate eating or drinking

Whoever deliberately takes in food, drink or other things, they have broken and invalidated their fast. Similarly taking nutritious injections has the same ruling as food and drink and it breaks and invalidates one's fast.

However, if one eats or drinks forgetfully, then they need not worry and can resume their fast and do not need to do anything. The Messenger of Allah peace be upon him said:

{My Ummah has been excused its accidental mistakes, forgetfulness and what they are coerced to

Similarly, he peace be upon him said:

{If he forgets and eats and drinks then he should resume his fast, it is Allah that fed him and gave him drink}.67

<sup>&</sup>lt;sup>64</sup> Muslim

<sup>&</sup>lt;sup>65</sup> Sahih Sunan Ibn Majah, No. 885

<sup>&</sup>lt;sup>66</sup> Sahih Al-Jami, No. 3515

<sup>&</sup>lt;sup>67</sup> Bukhari and Muslim

#### 11.3 Sexual Intercourse

If a man committed sexual intercourse with is wife during the day of Ramadan, his fast is invalidated according to the consensus of the scholars of the Ummah. Its expiation is to free a salve; if this could not be attained, then to fast two months consecutively, if this is not possible, then to feed sixty poor people. This has been clarified in a Hadeeth that was reported by Abu Hurairah who said: 'whilst we were seated with the prophet peace be upon him, a man came and said: 'Messenger of Allah, I am destroyed', the prophet said: {what happened to you?} he said, 'I slept with my wife whilst I was fasting', the Messenger of Allah peace be upon him said: {are you able to find a salve to free?} the man said, 'no', he said: {are you able to fast two consecutive months?} the man said, 'no', he said: {are you able to feed sixty poor people?} the man said, 'no'. Then the prophet peace be upon him waited for some time and whilst he was in this state he was given a huge basket of dates. Then the prophet said {where is the questioner?}, 'here I am' said the man, the prophet said: {take this and give it out in charity}, the man said 'to someone who is poorer than I Messenger of Allah? By Allah there is no household in between its two Lava fields (i.e. Madina) that is poorer than my household} the prophet peace be upon him laughed until his premolars showed and he said: {feed it to your family}, and in another narration {and fast a day in its place}.<sup>68</sup> He was ordered to fast a day in the place of the fast he broke because he could not fulfil the other expiations.

#### 11.4 Deliberate vomiting

Whoever vomits deliberately has invalidated their fast and they must make up for it by fasting another day. But if vomiting could not be helped, then it does not invalidate the fast. The Messenger of Allah peace be upon him said:

{Whoever is beaten by the urge to vomit then they need not make up their fast, but if they deliberately vomit then they should make up their fast}. 69

#### 11.5 Menstruation and post maternal bleeding

If a woman discovers the excretion of menstruation blood during the day then her fast is invalidated and she should break her fast and then make it up later. In a Hadeeth that was narrated by Aisha may Allah be pleased with her, she said: 'this used to happen to us -meaning menstruation- we were ordered to make up our fast, but we were not ordered to make up prayers'.<sup>70</sup>

#### 12. The importance of making the intention to fast

Making the intention to fast an obligatory fast since the night or before dawn is a requirement. The prophet peace be upon him said:

27

<sup>&</sup>lt;sup>68</sup> Bukhari and Muslim

<sup>&</sup>lt;sup>69</sup> Sahih Sunan Abi Dawoud, No. 2084

<sup>&</sup>lt;sup>70</sup> Muslim

{Whoever does not make the intention of fasting since night time, then his fast is invalid}. $^{71}$ 

And in another narration:

{Whoever does not make the intention of fasting before dawn then his fast is invalid}.<sup>72</sup>

The prophet peace be upon him also said:

{Actions are by intentions, every person gets what they intend}.<sup>73</sup>

Making the intention is achieved by simply bearing awareness in one's mind or heart and there is no need to utter it verbally.

It is important to note that the Hadeeth above indicate that making an intention to fast the whole month of Ramadan without renewing this intention every night is not enough. They clearly specify that one must make an intention throughout the night and before dawn. This is especially beneficial to prevent forgetting the initial intention for fasting made at the start of the month, particularly for the one who spends their nights watching soaps and on wasteful amusements and their days in sleep, how can such a person remember an intention they made at the start of a month?

Optional fasting is different however, as one may make the intention during the day, as was reported by Aisha may Allah be pleased with her; she said: 'The prophet peace be upon him used to come and say: {do you have a meal}, they would say 'no', so he would say: {I am fasting}'.<sup>74</sup> In another narration, he would say: {Is there anything with you this morning that you could feed me?} we would say: 'no' and then he would say: {I am fasting}'.<sup>75</sup>

#### 13. The importance of the pre-fast meal (Sohour)

The pre-fast meal is a highly recommended and favoured Sunnah and practice of the prophet peace be upon him. In a Hadeeth reported by Al-Irbbad bin Saryah, he said: 'I heard the Messenger of Allah peace be upon him calling people to *Suhour* during the month of Ramadan, he would say:

{Come forth to the blessed meal}.76

The prophet peace be upon him said:

<sup>&</sup>lt;sup>71</sup> Sahih Sunan Al-Nisa'ie, No. 2199

<sup>&</sup>lt;sup>72</sup> Sahih Sunan Al-Nisa'ie, No. 2196

<sup>&</sup>lt;sup>73</sup> Bukhari

<sup>&</sup>lt;sup>74</sup> Sahih Sunan Al-Nisa'ie, No. 2190

<sup>&</sup>lt;sup>75</sup> Sahih Sunan Al-Nisa'ie, No. 2192

<sup>&</sup>lt;sup>76</sup> Sahih Sunan Al-Nisa'ie, No. 2043

{Have the pre-dawn meal; for it is the blessed meal}. 77

And he peace be upon him said regarding it:

{It is a blessing that Allah has given to you, so do not leave it}. $^{78}$ 

And he peace be upon him said:

{Have the pre-dawn meal for there is a blessing in it}.<sup>79</sup>

{Verily Allah and His angels send blessings upon those who have their pre-dawn meal}.80

And:

{The pre-dawn meal is a blessed meal, do not leave it, even if one of you only drank a gulp of water, for Allah and His angels send their blessings on those who have their pre-dawn meal}.

In addition, the *Suhour* is what distinguishes the fast of Muslims from the fast of the People of the Book, as was authentically narrated in a Hadeeth, that the prophet peace be upon him said:

{The separation between our fast and the fast of the people of the book is the pre-dawn meal}.  $^{81}$ 

This form of distinction is one that Muslims should maintain in order to be different and to stand out.

<sup>&</sup>lt;sup>77</sup> Sahih Sunan Al-Nisa'ie, No. 2044

<sup>&</sup>lt;sup>78</sup> Sahih Sunan Al-Nisa'ie, No. 2142

<sup>&</sup>lt;sup>79</sup> Bukhari and Muslim

<sup>&</sup>lt;sup>80</sup> Sahih Al-Jami', No. 3683

<sup>81</sup> Muslim

#### 14. The time of Suhour

It is recommended that the Suhour meal is eaten just before the appearance of the true dawn by a little because Allah the most exalted said:

(Eat and drink until the white thread of dawn becomes distinct from the black. Then fast until nightfall) [Al-Bagarah, 2:187]

The prophet explained (the white thread of dawn becomes distinct from the black) by saying: {It is the contrast between the darkness of the night and the brightness of the day\.82

Anas reported that Zaid bin Harith may Allah be pleased with him said: 'we had our pre-dawn meal with the prophet peace be upon him and then he got up to pray' I said: 'how long was there between the Adhan -call to prayer- and the Suhour?' he said: 'the duration of the recitation of fifty verses (from the Qur'an)'.83

Keep in mind that there are two types of 'dawn'; a False Dawn and a True Dawn. The former is not an indication of the start of Fajr or Dawn prayer; neither does it mark the time to stop eating. It appears as whiteness gleaming in the sky but it descends after. The True Dawn however, indicates the start of Fajr or Dawn prayer and marks the time when eating and sexual intercourse become forbidden. It appears as redness spread across the sky and it precedes the sunrise from the East.

It has been authentically reported that the prophet peace be upon him said:

{Eat and drink and do not be bothered by the rising gleam. Eat and drink until the redness -in the sky- becomes apparent} 84

He peace be upon him also said:

{Do not be deceived by Bilal's Adhan -call of prayer- nor the whiteness of the dawn until it spreads across the sky\.85

He peace be upon him also said:

<sup>82</sup> Bukhari and Muslim

<sup>&</sup>lt;sup>83</sup> Bukhari

<sup>&</sup>lt;sup>84</sup> This Hadeeth has been authenticated by Abu Dawoud, Al-Turmuthi and others according to Al-Silsilah Al-Saheeha, p2031, where Sheikh Nasir Deen Al-Albany may Allah have mercy on him states: 'There is no contradiction between the prophet's description of the True Dawn as 'reddish' and Allah's description of it as a (white thread) because what is apparently intended is whiteness intertwined with redness, or that the appearance of it is either red or white depending on the various seasons and appearances of the sun. Allah knows best. '

<sup>&</sup>lt;sup>85</sup> Muslim

## {Do not be deceived by Bilal's *Adhan* -call of prayer- nor that whiteness until it is shattered here and there}, <sup>86</sup> meaning across the sky.

Abu Dawoud added: 'He – the prophet peace be upon him- spread his hands out right and left' to illustrate.

If you suspect whether the True Dawn has begun or not and if you were unable to differentiate between the True and the False Dawn, then you may eat until you become certain of the appearance of the True Dawn. It has been authentically reported that Ibn Abbas said: 'Allah has permitted eating and drinking so long as you are still doubtful'. This is because the True Dawn does not appear at once but gradually and slowly; and during this process its whiteness intertwines with the blackness of the night and as a result the True Dawn appears.

Additionally if you hear the morning *Adhan* or the call to prayer and you happen to be still chewing on some food or finishing a drink, then you should calmly swallow your food and drink what you wish from the glass. The matter is not as some extreme and rather ignorant Sheikhs describe it; who say that if one hears the call to prayer they should instantly spit out any food or drink they have in their mouth. In fact it has authentically been reported that the prophet peace be upon him said:

### {If any of you hears the call to prayer and there is a vessel in their hands, they must not put it down until they have drunk what they want from it}. 88

Additionally, Abu Umammah may Allah be pleased with him said: 'Prayer was announced once and there was still a vessel in Omar's hand, he said: 'do I drink it Messenger of Allah?' he replied: {yes}, and Omar drank it'.

From the aforementioned, it becomes apparent that the so called 'Imsak' time that some countries troublesomely abide by is false; people in those countries are forced to abstain from matters that break the fast at least twenty minutes before the second Adhan and they do so 'just in case' they fall into the wrong time. Contrastively, those twenty minutes or so are in fact the perfect time for a blessed Suhour.

As evidence to this, Al-Bukhari authenticated the narration from Ibn Omar and Al-Qassim bin Muhammad that Aisha may Allah be pleased with her narrated that Bilal used to call for prayer whilst it was still night and the Messenger of Allah peace be upon him would say:

<sup>&</sup>lt;sup>86</sup> Sahih Sunan Al-Nisa'ie, No. 2051. This requires the Muslim to learn about and investigate Islamic timings by observing the sun's rise and setting. One must not rely on a personal watch to determine timings pertaining to ritualistic acts of worship such as prayer, fasting or breaking of fast because it does not usually give accurate timings and may go over or below the correct Islamic timing.

<sup>&</sup>lt;sup>87</sup> Ibn Hajar said: 'Abd Al-Razaq reported it with an authentic chain of narration', Vol.4, p161.

<sup>&</sup>lt;sup>88</sup> Reported by Abu Dawoud, Sahih Al-Jami', p607.

### {Eat and drink until Ibn Umm Maktoum announces the call to prayer for he does so only when Dawn appears}.

Al-Qassim said: 'The interval between them was the time that takes one of them to ascend and the other descend'. Interestingly, despite the short time between the *Adhan* of Bilal and the *Adhan* of Ibn Umm Maktoum, the prophet peace be upon him used to order the Muslims to eat and drink whilst hearing the *Adhan* of Bilal and would regard his *Adhan* as being at night.

We also learn from this Hadeeth that the accurate time for abstention from matters that break the fast and the accurate time for announcing the dawn *Adhan* is the advent of the True Dawn and not the times that are produced via astronomical calculations that are conducted a year in advance by individuals whose reliability and faith are unknown and which often force people to abstain from matters that break the fast, call to dawn prayer and pray before the advent of the True Dawn in twenty or more minutes.

Consider this; at the first *Adhan* they ban Muslims from eating and drinking 'in case' they go beyond the permitted time and falsely call it the *Adhan* of abstention. At the sounding of the second *Adhan* they call for dawn prayer twenty minutes even before the advent of the True Dawn. In total they prevent Muslims from eating and drinking approximately forty minutes before the advent of the True Dawn.

#### 15. The time of breaking the fast

The Islamic timing for breaking the fast is the setting of the sun's disc. As soon as this happens then the fasting person should break their fast. This is for the following saying of the prophet peace be upon him:

{If the night advances from this end and forth to that end and the sun sets, this is when the fasting person should break their fast}.<sup>89</sup>

Additionally, when the prophet peace be upon him used to be fasting, he used to ask a man to stand at a hill; when he says the sun has set, the prophet peace be upon him breaks his fast. 90

To reiterate, this is the Islamic method for determining the time of breaking the fast and not the astronomical method whose errors are more than its accuracies. Despite this, you find many Muslims preferring calendar timings over Islamic timings, in spite of knowing their tendency to be inaccurate and that they tend to forward the time of breaking fast by at least ten minutes.

Nevertheless, if it was not possible for one to observe the sunset in person or through others due to the presence of tall buildings that prevent sun sighting or for other reasons, then they may use astronomical timings and I hope that there would be nothing wrong with this, God willing.

<sup>&</sup>lt;sup>89</sup> Bukahri and Muslim

<sup>90</sup> Authenticated by Al-Hakim in Al-Silsilah Al-Saheeha, No. 2081

#### 16. The desirability of breaking the fast immediately

Breaking the fast as soon as its time has ended is Sunnah and the practice of the prophet peace be upon him, who said:

{My Ummah is still upon goodness, so long as they hurry in breaking their fast}.91

He peace be upon him also said:

{This religion will continue to prevail so long as people hurry to breaking their fast because the Jews and Christians delay it \( \). 92

The Messenger of Allah peace be upon him said in a Qudsi Hadeeth:

{Allah the most Exalted and Almighty said: (The most loveable to me of my servants are those who are quickest to breaking their fast}.93

This however should not be understood to mean that one should hurry in breaking their fast before the time for doing so is due; which is the complete setting of the sun's disc.

He peace be upon him also said:

{Three characteristics are of the characteristics of prophethood: Swiftness to breaking the fast, delaying of the Suhour and placing the right hand over the left hand in prayer}.94

He peace be upon him said:

{My Ummah is still upon my Sunnah so long as they do not await the stars for breaking their

This is what the Shia do; they delay breaking their fast in emulation of the Jews and Christians and in contradiction of the people of Sunnah and Jam'ah, much after sunset and until stars become apparent in the sky.

<sup>91</sup> Sahih Al-Jami', No. 7284

<sup>92</sup> Reported by Abu Dawoud in Sahih Al-Jami', No. 7689

 $<sup>^{93}</sup>$  Reported by Ahmad. Sheikh Shakir said in his discussion of this Hadeeth: 'its chain is authentic'. Vol.16, p154

<sup>94</sup> Sahih Al-Jami', No. 3038

<sup>95</sup> Sahih Al-Targeeb, No. 1074

# 17. The desirability of breaking the fast before praying the *Maghrib* prayer

Breaking the fast before praying *Maghrib* or the Sunset prayer is a Sunnah and practice of the prophet peace be upon him. This is exemplified in a Hadeeth narrated by Anas bin Malik may Allah be pleased with him, who said: 'I have never ever seen the prophet peace be upon him pray *Maghrib* before breaking his fast first; he had to have even a small drink of water'. <sup>96</sup>

#### 18. The desirability of breaking the fast on dates and water

The prophet peace be upon him said:

{Whoever finds dates, let them break their fast on it, if not then on water, for it is a purification}. <sup>97</sup>
And then he would get up to pray.

He peace be upon him used to say when breaking his fast:

{Thirst has been quenched, veins have become moist and reward has been secured by Allah's willing}. 98

#### 19. Permissible matters whilst fasting

#### 19.1 Kissing and embracing for a married couple

There are matters which are permissible for the fasting person, among which is kissing and playfulness for married couples but without getting carried away in case of committing sexual intercourse. It has been authentically reported in a Hadeeth that Aisha may Allah be pleased with her said: 'the prophet peace be upon him used to kiss and embrace (his wives) whilst fasting, and he had more power to control his desires than any of you'. <sup>99</sup>

Furthermore, Hakeem bin Aqqal said: 'I asked Aisha, 'What is forbidden for me from my wife when I am fasting?' she said: 'her private part' meaning sexual intercourse.<sup>100</sup> In another narration she said: 'everything is permissible except sexual intercourse'.

 $<sup>^{96}</sup>$  Reported by Abu Ya'la, Ibn Khazeema and Ibn Habban according to Sahih Al-Targeeb, p1076

<sup>&</sup>lt;sup>97</sup> Sahih Al-Jami', No. 6583. By 'purification' he means purification from diseases.

<sup>98</sup> Reported by Ibn Dawoud, Sahih Al-Jami', No. 4678

<sup>99</sup> Bukhari and Muslim

 $<sup>^{100}</sup>$  Ibn Hajr said in Al-Fath, 'the chain of narration to Hakeem is authentic'. Vol. 4, p177

Omar bin Al-Khattab may Allah be pleased with him said: 'I became joyful and happy, so I kissed while I was fasting, I then said: 'Messenger of Allah, I have done a big deed; I kissed while I was fasting'. He said: {what do you think if you rinse your mouth with water while you are fasting?}. I said to him: 'There is no harm in it'. He said: {then what?}, <sup>101</sup> meaning that it is similar to this matter.

Nevertheless, as a form of taking precautions, the youth and the newly married couples are not recommended to kiss or embrace whilst fasting, due to the Hadeeth that was narrated by Abu Hurrairah may Allah be pleased with him; 'that a man asked the prophet peace be upon him about embracing whilst fasting, the prophet allowed him, and then another man came to him but he forbade him. It was apparent that the man who was allowed was an old man, and the one whom he forbade was a youth'. <sup>102</sup>

#### 19.2 Using a Siwak

Another matter that is permissible for a fasting person is the use of *Siwak* or a toothbrush without overdoing it. Bukhari reported in an authentic Hadeeth that the prophet peace be upon him used a *Siwak* whilst he was fasting. Ibn Omar said: 'He used to use the *Siwak* at the beginning and end of the day without swallowing his saliva.

Atta said: 'if he did swallow his saliva I would not say he broke his fast'. Additionally Ibn Sireen said: 'There is no harm in using a moist *Siwak'*, it was said to him: 'but it has a taste', he replied: 'so does water and yet you rinse your mouth with it'.

#### 19.3 Cupping

Other matters that are permissible for a fasting person include cupping, removal of impure blood, donating blood and dialysis for those afflicted with kidney failure. Al-Bukhari reported in an authentic Hadeeth that Ibn Abbas said: 'The prophet peace be upon him had cupping done for him whilst he was fasting'.

Additionally, Ibn Abbas and Ikrimah said: 'Fasting is from what enters the body, not from what exits it'.

As for the saying of the prophet peace be upon him that {the one who carries out cupping and the one who is has it done to him have broken their fast}, it has been abrogated by his action, which is established in the Hadeeth reported by Al-Bukhari above, as well as by the Hadeeth that was narrated by Sa'eed Al-Khudrai, who said: 'The prophet peace be upon him gave concession to kissing and cupping for a fasting person', and 'concession' often comes prior to stressing of prohibition.

Furthermore, Al-Shaf'ie also regarded cupping as permissible for a fasting person, he argued that: 'the prophet peace be upon him had cupping done to him during the Farewell Pilgrimage, whilst he was in a state of consecration and was fasting'. <sup>103</sup>

<sup>&</sup>lt;sup>101</sup> Sahih Sunan Abi Dawoud, No. 2089

<sup>&</sup>lt;sup>102</sup> Sahih Sunan Abi Dawoud, No. 2090. This Hadeeth is also evidence to the importance of considering the consequences of a verdict, how it will be applied and what it will lead to. Hence if a permissible matter is sure to lead to something impermissible then it should be avoided.

<sup>&</sup>lt;sup>103</sup> Sahih Sunan Al-Turmuthi, Vol.1, p 234

#### 19.4 Rinsing the mouth and nose without exaggeration

Another matter which does not affect fasting is the brief rinsing of mouth and inhalation of water into nose without exaggeration. The evidence to this is in the saying of the prophet peace be upon him: {Exaggerate in inhaling water into your nose unless you are fasting}, <sup>104</sup>The Hadeeth implies that it is permissible for a fasting person to inhale water but it must be without exaggeration.

Al-Bukhari said, Al-Hassan Al-Bassrei said: 'There is no harm in rinsing of mouth or washing oneself in cold water for a person who is fasting'. Additionally, we have come across the Hadeeth of Omar bin Al-Khattab above which indicated the permissibility of rinsing the mouth for a fasting person.

#### 19.5 Washing the head, having a shower and swimming

Al-Bukhari authentically reported that Aisha may Allah be pleased with her said: 'The prophet peace be upon him used to at times reach *Fajr* in a state of ritual impurity that is not the result of wet dream, he used to have a shower and fast'.

Additionally, it was related that Ibn Omar once wetted his clothes and then put them on whilst he was fasting in order to cool down. Furthermore, it was said that a scholar called Al-Shu'abie entered the Hammam whilst fasting. Also, Anas bin Malik said: 'I have a curved rock that I swim in whilst I am fasting'.

But what is the ruling if water enters the throat accidentally; the answer is that it does not affect the fast, because Allah the most Exalted said:

(You will not be blamed if you make a mistake, only for what your hearts deliberately intend; God is most forgiving and merciful) [Al-Ahzab, 33:5]

And because the prophet peace be upon him said:

# {My Ummah has been overlooked its accidental mistakes}.

Al-Bukhari authentically reported that Atta said: 'If one inhaled water but it accidentally entered their throat, then there is no problem in that, so long as they could not help it'.

#### 19.6 Tasting food without swallowing it

Al-Bukahri authentically reported that Ibn Abbas may Allah be pleased with him said: 'There is no harm -for the fasting person- to taste a dish or thing'. And he said: 'There is no harm -for the fasting person- to taste vinegar or something so long as it does not enter their throat'.

#### 19.7 Using an eye-liner, perfume or an eye-drop

Al-Bukhari said in his authentic collection: 'Anas -bin Malik-, Al-Hassan -Al-Bassrei- and Ibrahim never minded eye Kohl for a fasting person'. In fact, Ibn Masoud said: 'When you wake up to a day of fast apply oil and style your hair'. Ibn Masoud also said: 'The righteous predecessors used to find seeking

<sup>&</sup>lt;sup>104</sup> Sahih Sunan Abi Dawoud, No. 2073

entertainment and beautification by means of styling hair, applying oil and Kohl and various other things desirable for a fasting person'. <sup>105</sup>

## 19.8 Injections that are not nutritious

Injections that do not reach the stomach or intestines and do not carry any nutritious values do not affect fasting. The general rule with regards to contemporary issues is that they are permissible unless there are evidences that indicate otherwise. Allah knows best.

## 20. Circumstances where breaking the fast is allowed

#### 20.1 Travelling and illness that deteriorates with fasting

It is allowed to break the fast during Ramadan for the ill and traveller. Allah the most Exalted said:

(So any one of you who is present that month should fast, and anyone who is ill or on a journey should make up for the lost days by fasting on other days later. God wants ease for you, not hardship) [Al-Baqarah, 2: 185]

Additionally, it has been authentically reported in a Hadeeth that the prophet peace be upon him said:

In addition, Ammru bin Ummaiah Al-Dummari said: 'I came to the Messenger of Allah peace be upon him after a journey, he said: {Wouldn't you await the meal Abu Ummaiah?}, I said: 'I am fasting', the prophet peace be upon him said:

{Come, get closer to me so that I may tell you about the traveller; Allah the Almighty and most Exalted has dropped fasting off a traveller and half of prayers}. 107

## 20.2 Armed struggle or Jihad

Breaking of fast is also permissible for the *Mujahid* or one who partakes in an armed struggle for the cause of Allah when they are facing their enemy and fighting. The prophet peace be upon him said:

{You will be meeting your enemy and breaking your fast will give you more strength, so break your fast}<sup>108</sup>

\_

<sup>105</sup> Ibn Hajar, 'Al-Fath Al-Rabani', Vol.4, p183

<sup>&</sup>lt;sup>106</sup> Bukhari and Muslim

<sup>107</sup> Sahih Sunan Al-Nisa'ie, No.2140

A question might arise as to the nature of the illness or travelling that permit breaking the fast, and as to whether breaking the fast in those situations is recommended or obligatory.

The answer to this is that any type of illness that places hardship on the fasting person is sufficient justification for breaking the fast, and the ill person has the choice and the permission to break their fast if they so wish. However, if the illness is increased and worsened as a result of fasting then breaking the fast becomes obligatory. This is concluded from the Islamic principle that states: 'No to harm and to being subjected to harm'.

Similarly in the case of what is culturally and societally known as travelling -regardless of the distance undertaken-, it is permissible for a traveller to break their fast and they have the choice as to whether to break it or not. However, if the hardships caused by travelling are likely to lead to the death or exhaustion of the fasting person, then breaking the fast becomes obligatory and it is highly stressed.

This has been exemplified in a Hadeeth that was reported by Jabir may Allah be pleased with him, that the Messenger of Allah peace be upon him went past a man that laid in the shade of a tree and had people around him spraying water on him, the prophet peace be upon him said: {what is the matter with your companion?}, they said: 'he is fasting Messenger of Allah. He replied:

{It is not of piety to fast while travelling, you should take on the licences that Allah has permitted for you}.  $^{109}$ 

Additionally, the prophet peace be upon him said:

{Allah loves his licences to be used just as He hates sins to be indulged in}. 110

Similarly, in the case of *Jihad* or armed struggle, the greater the chance that breaking the fast will give the person energy and strength to face their enemy, the closer it will be to being obligatory. This is indicated in a Hadeeth that was reported by Abi Sa'eed Al-Khudrie, may Allah be pleased with him, who said: 'we travelled with the Messenger of Allah peace be upon him to Makah while fasting, then we stopped at a certain point, when the Messenger of Allah peace be upon him said: {You have come closer to your enemy, breaking your fast will make you stronger}. Hence, breaking the fast was an option, some of us fasted and some of us broke their fast. We then stopped at another point, when the Messenger of Allah peace be upon him said: {You will face your enemy tomorrow, breaking your fast will make you stronger so break your fast}. Hence, it became obligatory. But we did fast with the Messenger of Allah peace be upon him on other travels.'<sup>111</sup>

<sup>108</sup> Muslim

<sup>&</sup>lt;sup>109</sup> Reported by Al-Nisa'ie in Sahih Al-Targeeb, No. 1054

<sup>&</sup>lt;sup>110</sup> Sahih Al-Jami'e, No.1885

<sup>&</sup>lt;sup>111</sup> Muslim

On the other hand, Hamzah bin Amro Al-Aslami was known for fasting a lot, one day he asked the prophet peace be upon him, 'shall I fast while travelling?', the prophet peace be upon him replied: {If you wish to fast then you may do so and if you wish to break your fast then you may do so too}. 112

From the above it becomes apparent that the deciding factor is the extent and nature of the hardships inflicted as a result of fasting; based on that we may determine when breaking the fast is an option and when it becomes an obligation.

Finally, it is also of the Sunnah to break one's fast before setting on a journey, as has been indicated in a narration; that Muhammad bin Ka'b said: 'I came to Anas bin Malik during Ramadan, while he was preparing to travel and his camel had been prepared for him -i.e. for travel-. He then requested that some food be brought to him and he ate. I asked: 'Is this a Sunnah?' he said: 'yes' and then he rode away'. 113

#### 20.3 Menstruation

If a woman is menstruating while fasting, it is mandatory upon her to break her fast and then to make up for it after Ramadan, as was narrated by Aisha may Allah be pleased with her, who said: 'this used to happen to us -meaning menstruation- we were ordered to make up our fast, but we were not ordered to make up prayers'. 114 The same applies to women who get postnatal bleeding.

#### 20.4 Pregnancy and breast-feeding

Similarly, women who are pregnant or breast-feeding may break their fast. They will need to feed a poor person for every day of fasting they miss, but they are not required to make up their fast. This is due to the saying of the prophet peace be upon him that:

{Allah has pardoned the traveller from fasting and praying half of prayers, He also pardoned women who are pregnant or breast-feeding from fasting}. 115

Ibn Omar, Ibn Abbas are supporters of this opinion. Ibn Abbas said: 'If a pregnant woman feared for herself, or a woman who breastfeeds feared for her baby during Ramadan, they may break their fast and feed a poor person in place of every day they miss, they are not to make up their fast}.

I would argue that this is applicable only to mothers who breastfeed their baby for a whole year or for two years, Allah said:

(Mothers suckle their children for two whole years, if they wish to complete the term) [Al-Bagarah, 2:233]

<sup>&</sup>lt;sup>112</sup> Bukhari and Muslim

<sup>&</sup>lt;sup>113</sup> Sahih Sunan Al-Turmuthie, No. 641. With regards to shortening of prayers, it is not permitted until the person actually sets out on their journey and leaves his home and family behind. Al-Turmuthie said in his book: 'The traveller may break his fast at his house before leaving, but they may not shorten Salah until they exit the walls and villages of their place of residency. This is also the opinion of Ishaq bin Ibrahim.' 114 Muslim

<sup>&</sup>lt;sup>115</sup> Sahih Sunan Al-Turmuthie, No. 575

Hence her days are spent between pregnancy or breastfeeding, and the year ends whilst she is still breastfeeding. Such mothers are exempted from fasting because there is no time for them to make up the days they have missed and they are the ones that are allowed to feed a poor person for everyday they miss without making up the fast later. However if the mother breastfed her baby for a couple of months -which is what most mothers do these days- and then replaced that with cow or sheep milk, then she is required to make up the days of fasting she missed during Ramadan and feeding poor people is not applicable to her, because she has the time and ability to make up the fasts she missed whilst she's neither pregnant nor breastfeeding. Allah knows best.

#### **20.5** Old age

If an old man or woman could not bear to fast, then they may break their fast and feed a poor person for everyday they miss. This is the opinion held by Ibn Abbas and other people of knowledge.

Atta related that he once heard Ibn Abbas recite:

(For those who can fast only with extreme difficulty, there is a way to compensate—feed a needy person) [Al-Bagarah, 2: 184]

And then say, 'it has not been abrogated, it refers to the old man or woman who are unable to fast, they should feed a poor person in place of everyday'. $^{116}$ 

# 21. Making up the fast

One may make up the days they have missed during Ramadan separately or consecutively.

Aisha may Allah be pleased with her said: 'I used to have days from Ramadan which I needed to make up but only get the chance to do so during *Shaban*'.

Additionally, Imam Ahmad -may Allah have mercy on him- was asked about the making up of days that were missed during Ramadan, he said: 'he may fast those days separately if he wishes and he may fast them consecutively'.

If a person dies before completing the fasts they have missed during Ramadan or fasts they vowed to complete, then their guardian must fast on their behalf, for the following saying of the prophet peace be upon him:

{Whoever dies while there are days of fasting obligatory upon them which they have not fasted, then their guardian must fast on their behalf}. 117

.

<sup>116</sup> Bukhari

<sup>117</sup> Bukhari and Muslim

Additionally, Ibn Abbas said: 'A woman took off to sea and then vowed to fast a whole month but died before fasting, her sister came to the prophet peace be upon him and told him about this and he ordered her to fast on her behalf'. <sup>118</sup>

However, if the individual was of those exempted from fasting for a long term obstacle and are required to feed a poor person for everyday they have missed but dies before feeding in place of everyday they have missed, then it becomes obligatory upon their guardian to feed a poor person in place of those days. They are not required to fast on behalf of the deceased, because they are only required to make up for what the deceased was required to complete.

# 22. Matters that must be avoided by the fasting person

In order for a fasting person to truly benefit from their fast, along with abstaining from food and drink, they must also refrain from all obscenities, sins, ill-manners, and verbal rudeness. Though one ought to avoid those destructive traits at all times and throughout every month of the year, it is further stressed that one does so during Ramadan so they may benefit from their fast.

The prophet peace be upon him said:

{Whoever does not leave false testimony, acting upon it or transgression against others, then there surely is no need for Allah in them leaving their food or drink} meaning that Allah will not accept their fast.<sup>119</sup>

What is meant by 'transgression' here is foolishness and imprudence that allow somebody to insult others and treat them horribly.

He peace be upon him also said:

{Whoever does not leave obscene speech and lying, then there surely is no need for Allah in them leaving their food and drink}, meaning that Allah will not accept their fast. 120

The prophet peace be upon him also said:

<sup>&</sup>lt;sup>118</sup> Sahih Sunan Al-Nisa'ie

<sup>119</sup> Bukhari

<sup>120</sup> Ibn Hajar in Fath Al-Bari, Vol.4, p140

{Fasting is not from food nor drink, fasting is from idle talk and indecent speech, if somebody swore at you or transgressed their limits with you, then say: 'I am fasting, I am fasting'}. 121

This is such an effective expression to say and has a good impact on the person who swore, as it reminds them of the manners and etiquettes they ought to abide by during Ramadan. It also helps to restrain anger on both parties. Additionally, it also sends out a powerful message to the opposing individual that the one they have attacked is able to reply back to what was said and is able to stand up for themselves, but the only thing stopping them is that they are fasting, hence, it's an expression that defends the one who says it indirectly. Furthermore it is a greater way of defeating and silencing Satan.

The prophet peace be upon him also said:

{Do not swear while fasting, if anyone swears at you then say: 'I am fasting' and if you are standing then sit down}<sup>122</sup>

He peace be upon him also said:

{How many a person prays the night but gets nothing out of it except wakefulness. How many a fasting person gets nothing from their fast except hunger and thirst}. 123

He peace be upon him also said:

{Fasting is protectiveness from the Fire. Whoever wakes up to a day of fast then they are not to transgress against others, if somebody else was to transgress their limits with them then they must not swear at them or insult them back and let them say: 'I am fasting'}. 124

In another narration, the prophet peace be upon him also said:

{Fasting is protectiveness so long as it is not violated}.  $^{\rm 125}$ 

<sup>122</sup> Sahih Al-Targeeb, No.1082

<sup>&</sup>lt;sup>121</sup> Sahih Al-Jami', No.5376

<sup>&</sup>lt;sup>123</sup> Sahih Al-Jami', No.3490. They do not benefit from their fast because they give out their reward to the people the insult either verbally or physically.

<sup>&</sup>lt;sup>124</sup> Sahih Sunan Al-Nisa'ie, No.2108

<sup>125</sup> Sahih Sunan Al-Nisa'ie, No.2109

In conclusion, along with abstaining from food and drink, the complete, correct and praised fast that is Islamically intended is the fast of the external and internal body organs from every act that is considered shameful Islamically. The one who fasts should be alert to this especially if they hope to be among the souls that will be freed from Hell during the blessed month.

Additionally, the one who disciplines their external and internal organs to abstain from sins during Ramadan will have gained sufficient training to keep this positive trait even after Ramadan. The goodness of Ramadan is not restricted to Ramadan alone but it is passes over to all the other months of the following year.

# 23. How to spend your day when you are fasting

Abstaining from sins alone during Ramadan is not enough as the fasting person should endeavour to perform extra good acts of worship and obedience to Allah; from recitation of the Qur'an, to charity and feeding of the poor.

It was narrated in a Hadeeth that Ibn Abbas may Allah be pleased with him said: 'The prophet peace be upon him used to be the most generous of people, he used to be most generous during Ramadan when he used to meet Gabriel and Gabriel peace be upon him used to meet him every night of Ramadan until it ceased, the prophet peace be upon him used to recite the Qur'an over to Gabriel. When Gabriel peace be upon him used to meet him he used to be more bountiful than the speedy winds'. <sup>126</sup>

Aisha may Allah be pleased with her said: 'When the last ten days of Ramadan started, the prophet peace be upon him used to tighten his waist-belt and used to pray all the night, and he used to keep his family awake for prayers'. <sup>127</sup> The phrase 'tighten his waist-belt' is an expression that indicates his abstention from intimacy with his wives -peace be upon him- and also his endeavour to strive harder by being devoted to worship and praying at night.

She also said: 'The Messenger of Allah peace be upon him used to strive during the last ten days of Ramadan more than he used to at any other time'. <sup>128</sup> This is unfortunately not the state of many Muslims, whom will endeavour at the beginning of Ramadan but lose the zeal towards its end.

The prophet peace be upon him also said:

{Whoever provides food for a fasting person to break their fast will receive the exact same reward as the fasting person, without any of the reward being taking away from the fasting person}. 129

Once Ramadan begins, Imam Malik may Allah have mercy on him used to stop teaching and used to leave studying and teaching Jurisprudence and Hadeeth and issuing verdicts, and would become preoccupied with studying the Qur'an and used to say: 'This is the month of the Qur'an'.

-

<sup>126</sup> Bukhari and Muslim

Bukahri and Muslim

<sup>128</sup> Muslim

<sup>129</sup> Sahih Sunan Al-Turmuthi, No.647

Having known that O Muslim, you may now ponder upon the ways many Muslims over the world spend Ramadan. You will find many preparing in advance for it by preparing series of soaps, competitions and reality shows and other amusements and distractions from the remembrance of Allah, as if Ramadan was not ordained except for those obscene things. Indeed, there is no power or strength except through Allah.

It seems as if what the oppressive ruling tyrants intend behind this, is to rob the effect of Ramadan and its impact on the faith of people. While people's faith increases and is elevated through acts of worship, they on the other hand strive to decrease and invalidate it by broadcasting obscene soaps on television screens that have invaded almost every household. This is because it is not for the advantage of the tyrants that the people's faith is elevated and that they break the shackles of desires and whims, and enjoy a clear mind and thinking, not even for a single month. They know that Satans of the Jinn kind are restrained in Ramadan, hence the Satans of human kind intensify their corruptive efforts to make up for the input of their brothers of the Jinn.

## 24. Night prayers or Qiyam

## 24.1 Its Validity

Al-Nouman bin Al-Basheer said: 'We prayed behind the Messneger of Allah peace be upon him on the twenty third night of Ramadan until the end of the first third of the night, we prayed behind him again on the twenty fifth night of Ramadan until the end of the first half of the night, we then prayed behind him on the twenty seventh night of Ramadan until we thought we could not reach the 'Success'- we used to call *Suhour* 'Success'. <sup>130</sup>

#### 24.2 The Number of 'Raka'at' or Units in Night Prayers

People have differed regarding the number of 'raka'at' or Units during night prayers or Taraweeh during Ramadan. We see as the correct opinion that complies with the Sunnah is that the number of 'raka'at' or Units should not exceed eleven 'raka'at', due to the Hadeeth which is reported by Bukhari and Muslim, that Aisha may Allah be pleased with her said: 'The prophet peace be upon him never used to add to eleven 'raka'at' in Ramadan or any other month'. 131

Additionally, Jabir bin Abdullah may Allah be pleased with him said: 'The prophet peace be upon him led us in prayer during Ramadan on eight 'raka'at', he then prayed witr. On the second night, we gathered in the Masjid and we were hoping that he would come out. We remained in the Masjid until the morning, we then entered before the prophet peace be upon him and said: 'Messenger of Allah, we gathered yesterday in the Masjid and hoped that you would lead us in prayer', he said: {I feared that it would become obligatory upon you}.

\_\_\_

<sup>&</sup>lt;sup>130</sup> Sheikh Nasir Deen Al-Albany said in his book 'The Taraweeh prayers': 'This Hadeeth was reported by Ibn Abi Shayba in the Musanaf and in the collection of Ahmad. Its chain of narration is authentic. It has also been authenticated by Al-Hakim who said in Vol. 1, p440: 'There is in this Hadeeth clear evidence that performing night prayers in Masjids is an established Sunnah. Ali bin Abi Talib may Allah be pleased with him used to urge Omar to establish this Sunnah until he did'', p10.

<sup>131</sup> Bukhari and Muslim

<sup>&</sup>lt;sup>132</sup> Sheikh Nasir Deen Al-Albany said in his book 'The Taraweeh prayers': 'It has been reported by Ibn Nasr and Al-Tabarani in the Mu'jam Al-Sagheer, its chain of narration is good considering what has been related before it. Additionally, Al-Hafiz pointed out its strength in Al-Fath and Al-Talkhees'.

Furthermore, Al-Sa'ib bin Yazeed said: 'Omar bin Al-Khatab ordered Ubay bin Ka'b and Tameem A-Dariy to lead people in eleven 'raka'at". He also said: 'the reciter used to recite in the hundreds until we used to lean on sticks and leave just before Fajr'. 133

#### 24.3 An important matter

'Swine flu' is an epidemic and fatal disease that has become quite widespread these days. It is contagious and spreads through breathing and sneezing and is often difficult to differentiate from the ordinary flu, except after few days. I deem it obligatory on whoever suffers from flu that they should stop attending Masjids especially during *Taraweeh* or night prayers, as Masjids then are usually fully packed with worshipers. This is so that the illness does not spread to the other Muslims in the Masjid and in compliance with the prophets Hadeeth:

{No to harm and to being subjected to harm}.

And his saying peace be upon him:

{Do not pass the ill person by the healthy}. 134

There is also a similar narration recorded by Muslim, which is:

{The ill person is not to be passed by the healthy}. 135

In addition, it was reported that a man who was suffering from leprosy came with the representatives of the tribe of Thaqeef to pay their allegiance to the prophet peace be upon him. The prophet peace be upon him wrote to him that: {we have accepted you allegiance, so you may return}. <sup>136</sup>

It is also possible to compare the contagiousness of Swine flu with the contagiousness of plague. With regards to the latter, the Sunnah overly stressed that residents of an infected land must never travel to an uninfected land and that residents of the uninfected land must never travel to an infected land. This is indicated in an authentic Hadeeth in Al-Bukhari; that the prophet peace be upon said:

<sup>&</sup>lt;sup>133</sup> Sheikh Nasir Deen Al-Albany said in his book 'The Taraweeh prayers': 'Its chain of narration is very authentic'. Additionally, in his book the sheikh —as well as other people of knowledge- has declared the weakness of the narrations attributed to Omar bin Al-Khatab that claimed that he prayed — or ordered others to pray- twenty one *rik'a* or units of prayer during *Taraweeh* or night prayers.

<sup>134</sup> Al-Bukhari

<sup>135</sup> Muslim

<sup>136</sup> Muslim

{Indeed plague is loathsome, it was sent upon a group of sons of Israel or upon those before you. If you hear of it in a land, then do not approach it and if it struck in a land in which you are living then do not leave it in an attempt to escape it}.

Likewise, because Swine flu is contagious and spreads through breathing and contact, I urge the infected person to not come near Masjids, especially at peak times. I strongly hope that my Muslim brothers and sisters will be aware of this. Those who are prevented from attending *Taraweeh* due to an illness can find comfort in knowing that if it used to be their habit to attend *Taraweeh* in the Masjid, then they will receive the reward of praying in the Masjid even if they end up praying at home, because the prophet peace be upon him said:

{If a servant fell ill or travelled, all the deeds that they used to do when they were at home and in good health will continue to be written for them}.<sup>137</sup>

# 25. Devotional Masjid retreats Or I'tikaf

#### 25.1 Its Definition and Description

I'tikaf is when a Muslim retreats to the Masjid for the specific period of time that he or she intended, during which they may not leave the Masjid except for an urgent need. It is referred to in the Qur'an in the following verse:

(Do not lie with them during the nights of your devotional retreat in the mosques) [Al-Baqarah, 2: 187]

Aisha may Allah be pleased with her said: 'The Messenger of Allah peace be upon him used to peak into the house while his feet are in the Masjid. He used to never enter the house while he used to be on a devotional Masjid retreat unless there was a need'. 138

She also said: 'It is the Sunnah for the person observing a devotional retreat in the Masjid to not visit an ill person, witness a funeral, touch or sleep with a woman nor exit the Masjid expect for an urgent need. Moreover, fasting is a condition to *l'tikaf* and *l'tikaf* is only such when it takes place in a Masjid where congregational prayers are performed'. <sup>139</sup>

\_

<sup>&</sup>lt;sup>137</sup> Al-Bukhari

<sup>138</sup> Bukhari and Muslim

<sup>&</sup>lt;sup>139</sup> Sahih Sunan Abi Dawoud, No. 2160

It is permissible on all days because the prophet peace be upon him performed it on the last ten days of *Shawal*. But it is best performed on the last ten days of Ramadan because the prophet peace be upon used to constantly perform it during this period.

Aisha may Allah be pleased with her said: 'The prophet peace be upon him used to go on a devotional retreat at the Masjid during the last ten days of Ramadan until Allah took him, and then his wives went on devotional retreats at the Masjid after him'.

This Hadeeth is evidence to the permissibility of women going on devotional retreats at Masjids.

## 25.2 The type of Masjid or Mosque that one may perform I'tikaf in

There has been a strong dispute around this issue. What seems to me to be the strongest opinion is that it is permissible to perform *l'tikaf* in any Masjid so long as it is the type where all obligatory prayers are performed in congregation, including Friday prayers, as indicated by the aforementioned Hadeeth by Aisha. This is an important condition so that the person on *l'tikaf* does not miss obligatory prayers with a congregation and is not required to leave for another Masjid, which would invalidate their *l'tikaf*. This opinion is held by several righteous predecessors.

However, a question might arise as to how we understand the following Hadeeth by the prophet peace be upon him:

# {No *l'tikaf* except in the three Masjids}. 140

This Hadeeth should be interpreted to be referring to the best and more ideal kind of *l'tikaf*, meaning that there is no supreme and complete *l'tikaf* except in three Masjids: The Sacred Masjid in Makah, The Prophet's Masjid peace be upon him and the Masjid of Jerusalem.

This understanding is taken from the fact that Ibn Masoud corrected Huthaifah when he used the above Hadeeth to object to Muslims performing *l'tikaf* in the big Masjid of Kufah in Iraq. In the full Hadeeth, 'Huthaifah said to Abdullah bin Masoud may Allah be pleased with him: 'people are performing *l'tikaf* between your house and Abu Musa's house and you do not object to them! You heard the Messenger of Allah saying: {No *l'tikaf* except in the three Masjids}', Abdullah replied: 'perhaps you have forgotten and they remembered or that you have been mistaken while they were right'.

Al-Tahawie expressed the opinion in 'Mishkil Al-Athar' that Ibn Masoud's disapproval of Huthaifah's saying and his response to him, is evidence that the Hadeeth is abrogated and that people remembered that but Huthaifah forgot. He said: 'We have pondered on the Hadeeth and found that Huthaifah's reiterating the Hadeeth to Ibn Masoud and reminding him that he had heard it from the prophet peace be upon him, and then subsequent to this, Ibn Masoud's reaction of not responding to Huthaifa's request and his response to him that 'perhaps they have remembered' is evidence that the Hadeeth has been abrogated and that the actions of the people of Kufah were correct. In fact

47

<sup>&</sup>lt;sup>140</sup> 'Authenticated by Al-Isma'eeli in Al-Mujam and by Al-Bayhaqi in the Sunan', Al-Silsilah Al-Saheeha, No.2786. What is meant by the three Masjids are: The Sacred Masjid in Makah, The prophet's Masjid and the Masjid in Jerusalem.

the apparent expression of the Qur'an points to this: (Do not lie with them during the nights of your devotional retreat in the mosques) [Al-Bagarah, 2: 187]'. 141

Furthermore, Huthaifah's silence -may Allah be pleased with him- and that he did not respond back nor object in person to the I'tikaf of the people in the Masjid is an indication that he agreed that the Hadeeth does not forbid I'tikaf in Masjids other than the three. If Ibn Masoud was wrong in his response to Huthaifah or in his understanding of the Hadeeth, then Huthaifah would have corrected him and would have gone to the Masjid in person to object to the people's I'tikaf.

Strangely enough, Sheikh Nasir Deen Al-Albany, may Allah have mercy on him, agreed to Ibn Masoud's rejection of Huthaifah's understanding of the Hadeeth, i.e. that it forbids from performing I'tikaf in Masjids other than the three aforementioned ones. But then he disagreed with Ibn Masoud's opinion and rejected his interpretation, which Huthaifah eventually agreed to. He regarded the Hadeeth to be practical elaboration and specification of the verse which made a general reference to the permissibility of practicing I'tikaf in Masjids in general. He said: 'Ibn Masoud's saying is not evidence that Huthaifah's narration of the Hadeeth is wrong, but rather it could indicate disapproval of Huthaifah's application of the Hadeeth to performing I'tikaf in the Masjid, because to Ibn Masoud, the Hadeeth could mean that 'no complete or ideal' I'tikaf can be except in the three Masjids... The verse is general and the Hadeeth is a specification of it. In the fundamentals of Jurisprudence, it is a practice to apply the general on the more specific. The Hadeeth is an elaboration and specification of the verse. Based on this, the validity of Huthaifah's remark can be affirmed'. 142

Finally, it is of the Sunnah to start I'tikaf after praying the Morning Prayer. Aisha may Allah be pleased with her said: 'When the Messenger of Allah wanted to go on a devotional retreat at the Masjid, he would pray Fajr and then enter to the place where he wants to do I'tikaf'. 143

#### 26. Zakat Al-Fitr

It is obligatory to donate a portion of food -not money- as means of purification for the person who is fasting, hence the term 'Zakat' meaning 'purification'. It is to be donated on behalf of the Muslim free and slave person, the woman and the man, the young and the old. Ibn Abbas may Allah be pleased with him narrated: 'The Messenger of Allah peace be upon him made the charity of Al-Fitr obligatory and as means of purification for the fasting person from idle and indecent speech and as food gift for the poor, whoever provides it before prayer -meaning Eid prayer- then it is an accepted Zakat, but whoever provides it after prayer, then it is regarded as an ordinary charity'. 144

Ibn Omar may Allah be pleased with him said: 'The Messenger of Allah peace be upon him made the charity of Al-Fitr after Ramadan obligatory, it was either one Sa' of barley or one Sa' of dates and it

<sup>&</sup>lt;sup>141</sup> Mishkil Al-Athar, Vol.6, p 205

<sup>&</sup>lt;sup>142</sup> Al-Silsilah Al-Saheeha, Vol.6, p667-670

<sup>&</sup>lt;sup>143</sup> Muslim

<sup>&</sup>lt;sup>144</sup> Sahih Al-Targeeb, No.1085

was enjoined on Muslim slaves as well as free people, males and females, young and old'. Another narration also reported in A-Bukhari added: 'or a Sa' of raisins'.

Abu Sa'eed Al-Khudrai reported: 'In the lifetime of Allah's Messenger peace be upon him, we used to give the Sa' of food as a charity of Al-Fitr. Our food used to be a Sa' of barely, of dates, dried yoghurt or cottage cheese or a Sa' of raisins'.<sup>146</sup>

Sa' is the equivalent of eight handfuls of an average sized man.

As shown in the Hadeeth above, the food that may be donated are: flour, wheat, barley, dates, raisins, rice, sweet corn, dried yoghurt or cottage cheese.

#### **26.1** Its time

It is to be donated before Eid prayer and not after it, as mentioned in a Hadeeth by Ibn Omar, who said: 'Allah's Messenger peace be upon him ordered us to give Zakat Al-Fitr before people start going to -Eid- prayers'. <sup>147</sup>

It has been authentically reported that Ibn Omar used to give it before Eid Al-Fitr by one or two days.

If it has been decided to donate Zakat Al-Fitr to another country because there is more need there than there is in the country of residency; then it is advisable to send it early to ensure its arrival to the needy people in time for Eid. If Zakat Al-Fitr is sent a couple of hours or days before Eid prayer, then it may arrive days or weeks after Eid prayer. If this happened then it would count as an ordinary charity and not as Zakat Al-Fitr. This is because the wisdom behind this specific kind of charity is, so that it may be delivered to the poor people as food gifts before Eid; so that they may enjoy it during Eid, not so that it may leave one person's possession to go to another, until the latter decides to give it out whenever they want. Allah knows best.

## 27. Eid Prayers

When the sighting of *Shawal's* crescent is established then Ramadan ends. As explained above in chapter 4, its sighting is established when it is sighted by two reliable witnesses. On the following morning Muslims perform Eid prayer.

#### 27.1 Eating before praying

It is the Sunnah to have some dates before heading to perform Eid prayers. Anas bin Malik said: 'Allah's Messenger peace be upon him never used to go out on Eid Al-Fitr's days before having a few odd number of dates'.<sup>148</sup>

#### 27.2 Praying in a field

It is also of the Sunnah to perform Eid prayer in a field. Abi Sa'eed Al-Khudriy may Allah be pleased with him said: 'Allah's messenger peace be upon him used to proceed to the praying place on the days of Eid Al-Fitr and Eid Al-Adha; the first thing he used to begin with was prayer and after that he

<sup>&</sup>lt;sup>145</sup> Al-Bukhari.

<sup>146</sup> Muslim

<sup>&</sup>lt;sup>147</sup> Al-Bukhari

<sup>148</sup> Al-Bukhari

would stand in front of the people while the people would remain seated in their rows. Then he would remind, advise and instruct them'. <sup>149</sup>

Abdullah bin Omar may Allah be pleased with him said: 'Allah's Messenger used to proceed to the prayer place on an Eid day with a spear like stick in his hand, he used to place it in front of him as he prayed because the prayer place was very wide and there was nothing else he could use as a barrier'. <sup>150</sup>

## 27.3 Women should join the congregation

Umm U'tiya said, on Eid day: 'we were ordered to come out, so we used to bring out the ladies who were on their menstruation cycle, the young girls who recently reached puberty and the virgin girls. Those who were on their menstruation cycle would not join the prayer'.

Ibn Awan said: 'women on their menstruation cycle used to witness the congregation of the Muslims and their invitations but would not join the prayer'.

Ibn Abbas said: 'I accompanied the prophet peace be upon him on Eid Al-Fitr and Eid Al-Adha; he prayed, delivered a sermon and then came to the women, he preached to them, reminded them and ordered them to give to charity'. <sup>151</sup>

# 27.4 Choosing a different route back home

Jabir bin Abdullah said: 'On the day of Eid, the prophet peace be upon him used to take a different route home to the one he took to come to the Masjid'. <sup>152</sup>

Abu Hurairrah said: 'When the prophet peace be upon him used to go out on the two Eids, he would take a different route home to the one he took to come to the Masjid'. 153

## 28. Fasting six days of *Shawal*

When Ramadan ends and *Shawal* commences, it is the Sunnah to fast six days during *Shawal*. The prophet peace be upon him said:

{Whoever fasts Ramadan and follows it up with six days from *Shawal*, then it is as if they have fasted the whole year}. <sup>154</sup>

One may fast straight after Eid, i.e. on the second day of *Shawal*, but it is prohibited to fast on the day of Eid. Allah knows best.

<sup>&</sup>lt;sup>149</sup> Bukhari and Muslim

<sup>&</sup>lt;sup>150</sup> Bukhari and Muslim. The Sunnah of praying in a field is forbidden and fought against in many Arabic countries because it leads to the congregation of a large number of Muslims in one place at the same time, which scares regimes, even if it were just for prayer.

<sup>&</sup>lt;sup>151</sup> Al-Bukhari

<sup>&</sup>lt;sup>152</sup> Al-Bukhari

<sup>&</sup>lt;sup>153</sup> This Hadeeth has been reported by Imam Ahmad. Ahmad Shaker said in his discussion of it: 'Its chain of narration is authentic'. Vol.16, p192

<sup>154</sup> Muslim

By completing this paragraph, we complete this brief research into 'Rulings and issues related to Ramadan' by the Kindness and Generosity of Allah the most exalted. I ask Allah to accept it and to make it of benefit to those who fast across the globe, He the most Exalted is most Hearing, Near and Responsive.

And may the peace and blessings of Allah be upon the unread Prophet, his family and companions. And our last prayer is: all praise is to Allah, Lord of the worlds.

Abdulmonem Mostafa Halimah 25/8/1424
Abu Baseer Al-Tartousi 21/10/2003

Translated by: Walaa Halimah

On 23<sup>rd</sup> July 2013

www.abubaseer.bizland.com