

PILLARS — of — mercy

The Fiqh of the Zakat & Ramadan





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The Fiqh of the Zakat & Ramadan

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PILLARS — of — mercy

The Fiqh of the Zakat & Ramadan

Part 1:

The Fiqh of zakāt

Importance of seeking knowledge about zakāt

The importance of learning about zakāt	<ul style="list-style-type: none"> • There are many misconceptions and a prevalence of misinformation and general ignorance regarding this pillar. • The importance of understanding financial and social responsibility in Islam as against socialism and communism. • New issues that have arisen in finance and wealth, such as superannuation and the issue of taxes. • Increases in the amount of <i>ḥarām</i> wealth. • Zakāt plays a part in assisting those in Muslim society, who suffer poverty and are unable to meet their essential needs on account of financial constraints.
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Definitions

Linguistically	<p>‘Zakāt’ originates from the verb <i>zakā</i> [زَكَ] which literally means ‘to increase and grow’.</p> <p>The linguistic meaning of <i>zakāt</i> is ‘blessing’, ‘increase’, ‘purity’ and ‘rectification’.</p>
Legally	<p>Zakāt is a monetary <i>obligation</i> upon <i>specific types of wealth</i> for <i>specified recipients</i> due at a <i>specific time</i>.</p>
Note	<p>Zakāt is synonymous with [صَدَقَةٌ] in the Qur’an, because it is a token of [صِدْقٌ] truthfulness to one’s faith.</p>

The Wisdom of zakāt:

Zakāt is based on the fact that Allah is the original and ultimate owner of all things in the heavens and the earth.

وَلِلَّهِ مُلْكُ السَّمَوَاتِ وَالْأَرْضِ وَإِلَى اللَّهِ الْمَصِيرُ

And to Allah belongs the dominion of the heavens and the earth; and to Allah is the return (of all). (Sūrat al-Nūr, 24:42)

The Benefits of zakāt for the individual and the society:


1. Proves the faith and belief of the Muslims because it is an important pillar of Islam.
2. Shows the truthfulness of faith of the one who gives away zakāt because man loves money, so when he gives it for the cause of Allah, he proves that he sacrifices his love for the sake of Allah, this is why it is also called ‘*ṣadaqah*’ (the truth) because it shows the truthfulness of a person regarding his *īmān*.
3. Purifies character by protecting one against the vice of miserliness and egotism and training him in generosity and kindness.
4. Fulfills the need of the poor in society, and facilitates –in terms of practice– the concept of brotherhood in Muslim society in practice
5. Causes social stability. Zakāt protects society from crimes and social class clashes, when the poor realise they have a rightful portion in the financial income of the rich.
6. It drives a Muslim to learn his duties towards Allah, so he increases his religious knowledge because he cannot give away zakāt until he has asked and learned all the rules and regulations of this important pillar of Islam.
7. It blesses wealth by the will of Allah.
8. Circulates wealth in the society so nobody can hold and monopolise it against the social interest of the people.

The Ruling of zakāt

Hukm

Generally...	it is obligatory on every believer to know about the obligation of zakāt.
Specifically...	upon every believer who has wealth , in any form, beyond a minimum level.

Proofs

Qur'an	<p>﴿وَأَقِيمُوا الصَّلَاةَ وَآتُوا الزَّكَاةَ وَارْكَعُوا مَعَ الرَّاكِعِينَ﴾  <i>And establish the prayer and pay the zakāt and bow (in prayer) with those who bow. (Sūrat al-Baqarah, 2:43)</i></p>
Sunnah	<p>الإِسْلَامُ أَنْ تَشْهَدَ أَنْ لَا إِلَهَ إِلَّا اللَّهُ، وَأَنَّ مُحَمَّدًا رَسُولُ اللَّهِ، وَتُقِيمَ الصَّلَاةَ، وَتُؤْتِيَ الزَّكَاةَ، وَتَصُومَ رَمَضَانَ، وَتَحُجَّ الْبَيْتَ إِنْ اسْتَطَعْتَ إِلَيْهِ سَبِيلًا.</p> <p>Islam is to testify that there is no god but Allah, and that Muhammad is the Messenger of Allah, to establish the prayer, to pay the zakāt, to fast Ramaḍān and to perform Hajj if you are able. (Muslim, Ḥadīth Jibrāʾīl)</p>
Ijmāʿ	The scholars have complete consensus on the obligation of zakāt; however, they have differences with regards to upon whom it is obligatory.

Punishment of those who abstain from zakāt

<p>In the Hereafter</p>	<p>وَالَّذِينَ يَكْنِزُونَ الذَّهَبَ وَالْفِضَّةَ وَلَا يُنفِقُونَهَا فِي سَبِيلِ اللَّهِ فَبَشِّرْهُمْ بِعَذَابٍ أَلِيمٍ ﴿٣٤﴾ يَوْمَ تُحْمَىٰ عَلَيْهَا فِي نَارِ جَهَنَّمَ فَتُكْوَىٰ بِهَا جِبَاهُهُمْ وَجُنُوبُهُمْ وَظُهُورُهُمْ هَذَا مَا كَنْزْتُمْ لِأَنفُسِكُمْ فَذُوقُوا مَا كُنْتُمْ تَكْنِزُونَ ﴿٣٥﴾</p> <p>...and those who hoard gold and silver and do not give it in the path of Allah then give them the glad tidings of a severe punishment. A day on which, it (gold and silver) will be heated from the fire of Jahannam and their forehead their flanks and their backs will be branded and it will be said to them: 'This is the treasure which you used to hoard for yourselves, now taste of what you used to hoard'. (Sūrat al-Tawbah, 9:34–5)</p> <p>مَا مِنْ صَاحِبِ ذَهَبٍ وَلَا فِضَّةٍ لَا يُؤَدِّي حَقَّهَا إِلَّا جُعِلَتْ لَهُ يَوْمَ الْقِيَامَةِ صَفَائِحٌ، ثُمَّ أُحْمِيَ عَلَيْهَا فِي نَارِ جَهَنَّمَ، فَيَكْوَىٰ لَهَا جَنْبُهُ وَجَبْهَتُهُ وَظَهْرُهُ، فِي يَوْمٍ كَانَ مِقْدَارُهُ خَمْسِينَ أَلْفَ سَنَةٍ، حَتَّىٰ يَقْضِيَ بَيْنَ النَّاسِ فَيَرَىٰ سَبِيلَهُ، إِمَّا إِلَى الْجَنَّةِ وَإِمَّا إِلَى النَّارِ.</p> <p>There is no person who owns some gold or silver who does not give its proper due except that it will be beaten out into plates on the Day of Judgment and then heated in the fire of Hell. His sides, forehead and back will be cauterised with it, on a day the duration of which is fifty thousand years, until judgement is pronounced among the servants, and he sees whether his path is to take him to Paradise or to Hell. (Muslim)</p>
<p>The legal punishment</p>	<p>If a person does not pay the zakāt disbelieving in its obligation, then such a person is a disbeliever.</p> <p>On the other hand, if a person does not pay it due to laziness, arrogance, ignorance etc... then it is to be taken from him forcefully.</p> <p>The Muslim authority has been ordered to fight those under them who do not pay the zakāt.</p>

Important points about the Islamic zakāt system

Pillar	Zakāt is not simply a good deed or a sign of righteousness. Rather, it has been made into a pillar of the religion itself.
Right	Zakāt is seen as the right of the poor in our wealth, ordained by the true owner of the wealth – Allah the Most High.
Specified	It has been specified and the amount of it that is due has been clarified and not left to individual goodness.
Responsibility	This matter has not been put on the individual to assess and left up to the individual to be punctual in paying, rather the government and country has been made responsible for it.
Punishment	The Islamic government has been authorized to punish those who withhold zakāt – such as by taking half of his wealth.
Fight	It is the right of the Imām to fight those who do not pay the zakāt. It is thus enforced from the highest means.
Recipients	The recipients of zakāt are not left to the limited wisdom of mankind, rather to the limitless wisdom of Allah where He specifies the recipients of zakāt.
Intention	The intention behind zakāt is not merely to decrease the burden and difficulty of poverty. Rather, it is to seek to eradicate poverty itself and replace it and help the poor so that they become self sufficient.
Goal	With reference to the recipients of zakāt, the Shari'ah has tried to address a number of spiritual, societal, political and individual goals and ideals that have not been addressed by the religions of the past.

The central principle to remember:
Zakāt is the right of the poor to our wealth

Studying zakāt

The study of zakāt entails a study of the following important matters:	<ol style="list-style-type: none">1. The types of people upon whom zakāt is obligatory.2. The types of wealth upon which zakāt is obligatory and its quantity.3. The recipients of zakāt.4. When zakāt should be paid on each of its types.
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Conditions obligating zakāt

1. Muslim
2. Free
3. Wealth exceeds *niṣāb*
4. Complete ownership
5. After the annual cycle

Condition 1 : Upon every Muslim

Proof	<p>﴿ فَإِنْ تَابُوا وَأَقَامُوا الصَّلَاةَ وَآتَوْا الزَّكَاةَ فَإِخْوَانُكُمْ فِي الدِّينِ وَنُفَصِّلُ الْآيَاتِ لِقَوْمٍ يَعْلَمُونَ ﴾</p> <p><i>So if they repent and establish the prayer and pay the zakāt, then they are your brothers in the religion. In this way, we explain the signs for people who know. (Sūrat al-Tawbah, 9:11)</i></p>
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The Child and the Insane	The scholars have differed on the rulings regarding these two groups of people.
	<p>First opinion: They don't have to pay because the pen has been lifted from them.</p> <p>This is the opinion of the Ḥanafī madhhab (May Allah have mercy on them).</p>
	<p>Second opinion: They must still pay the zakāt because it is the right on the wealth and the right of the poor upon their wealth.</p> <p>It is similar to the case of the right of people to seek payment for any damages that these types of people may have done to their wealth and property. The mere fact of them being non-obliged by the rulings of Islam does not mean that they are free from the obligations of paying for any harm or damages.</p> <p>Zakāt is the right of the poor and so falls under the category of the 'rights of mankind' (which are still applicable even if the pen has been lifted) rather than 'the rights of Allah' (which are not applicable if the pen has been lifted).</p> <p>This is the opinion of the Mālīki, Shāfi'i and Ḥanbalī madhhabs (may Allah have mercy on them all).</p>

Important consequences	<p>Zakāt needs to be paid upon:</p> <ul style="list-style-type: none"> • Children’s accounts • Children’s investment funds • An insane person’s pensions and investment • An orphan’s investment and wealth
Miscellaneous issues	<ul style="list-style-type: none"> • Zakāt that is due from previous years when its payment was neglected for whatever reason: this unpaid zakāt remains a debt until it is paid. • Zakāt that is due upon a person who has passed away: the zakāt in this case must be paid before the inheritance is divided. If the inheritance has already been divided, then the debt remains on the inheritors.

Condition 2: Free (i.e. not a slave)

Explanation	<p>This is a matter of consensus, because slaves do not own their property. Their property becomes the possession of their masters.</p>
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Condition 3: Owned wealth exceeds the Nisāb (threshold)

Proof	<p>The Messenger ﷺ has stated “There is no zakāt on silver under five uqiyah” (Muslim)</p> <p>There is consensus that the <i>niṣāb</i> for gold is twenty <i>mithqāl</i> and for silver it is two hundred dirhams. (Ibn Mundhir)</p>
	<p>If anyone has less than the threshold then zakāt is not due from him.</p> <ol style="list-style-type: none"> 1. Gold - 2. Silver - 3. Currencies - 4. Agricultural produce 5. Livestock: Cattle 5. Livestock: Sheep/goats 6. Livestock: Camels

Condition 4: Complete ownership over the wealth

Proof	<p>﴿ خُذْ مِنْ أَمْوَالِهِمْ صَدَقَةً تُطَهِّرُهُمْ وَتُزَكِّيهِمْ بِهَا وَصَلِّ عَلَيْهِمْ إِنَّ صَلَاتَكَ سَكَنٌ لَهُمْ وَاللَّهُ سَمِيعٌ عَلِيمٌ ﴾</p> <p><i>Take from their wealth a charity to cleanse and purify them through it and pray for them. Indeed your prayer gives them tranquillity. And indeed Allah is All-Hearing, All-Knowing. (Sūrat al-Tawbah, 9:103)</i></p>
	<p>Firstly, it is important to remember that all wealth is in reality, the possession of Allah.</p> <p>﴿ وَءَاتَوْهُمْ مِنْ مَالِ اللَّهِ الَّذِي آتَانَكُمْ ﴾</p> <p><i>And give them from the money that Allah has given you. (Sūrat al-Nūr, 24:33)</i></p>
	<p>﴿ آمِنُوا بِاللَّهِ وَرَسُولِهِ وَأَنْفِقُوا مِمَّا جَعَلَكُمْ مُسْتَخْلَفِينَ فِيهِ ﴾</p> <p><i>And believe in Allah and His Messenger and give from that which Allah has put you in charge of. (Sūrat al-Hadīd, 57:7)</i></p>
	<p>However, we have been made de facto ‘owners’ of the property due to Allah’s mercy and bounty, even though Allah is the complete owner of it.</p>

Rulings on different types of ownership


- That wealth which does not have any *specific* owner, such as the money of the government that has been collected for collective good, money of charity organisations, money belonging to mosques etc: there is no zakāt on this type of wealth.
- The money that has been earned through *ḥarām* means: there is no zakāt on this type of wealth. Thus the wealth of thieves and robbers, money procured through selling *ḥarām* materials, money from drugs trafficking etc, does not have any zakāt due upon it, in fact the ruling here is that all of this wealth, in its entirety, should be given to the poor.

<p>Debt owed to oneself</p>	<p>The scholars have disagreed as regards the issues of debt.</p> <p>Some have divided debt - that is the right of the creditor, into two different types:</p> <p>a. Good debt [دَيْنٌ مَرْجُو الْأَدَاء]: Where the debtor is willing to give the money back in time.</p> <ul style="list-style-type: none"> • Zakāt should be paid by the creditor on this type of debt annually, <i>or</i> when he receives the money he pays for all the past years. <p>b. Bad debt [دَيْنٌ غَيْرُ مَرْجُو أَخْذُهُ]: Where the debtor is unable or not willing to give back the money in time, or to give back the money at all, or denies the debt in the first place, or is careless in returning it.</p> <ul style="list-style-type: none"> • First opinion: There is no zakāt on this wealth. This is the opinion of the Ḥanafī madhhab. • Second opinion: full zakāt should be paid on this wealth. This is the opinion of Ibn ʿAbbās and ʿAlī (ؓ). • Third opinion: The creditor should pay zakāt – once - after having taken back the debt into his possession. This is the opinion of the Mālikī madhhab.
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<p>Debt owed to others</p>	<p>If the person in question owes money to others, does he need to pay zakāt?</p> <p>The scholars have differed on this matter and have five different opinions, two of which are:</p> <ul style="list-style-type: none"> • First opinion: Debt would affect zakāt because the debtor doesn't really own his money. His money in reality belongs to someone else. <p>This is the opinion of the Ḥanafī madhhab. The Mālikī and Ḥanbalī madhabs mentioned that debt affects hidden wealth (gold and silver and business commodity) but not openly seen wealth (such as cattle, crops etc...).</p> <ul style="list-style-type: none"> • Second opinion: Debt does not have an effect on zakāt because The Messenger of Allah ﷺ never ordered the zakāt collectors to ask about debt. <p>Also, not paying the zakāt if you have debt removes the right of the poor on your wealth and this is against the goals and purposes of the Sharī'ah. Also this excuse will become a means to cancel a lot of zakāt because most people have debts of some sort.</p>
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Condition 5: After the passing of the *ḥawl* [annual cycle]

Proof	The Messenger ﷺ has stated “There is no zakāt on the wealth until the year passes” (Abū Dāwūd)
Exceptions	<p>This condition does not apply to all types of wealth upon which zakāt is levied.</p> <p>This condition is required for: Cattle, money and business goods</p> <p>This condition is not required for: Agricultural produce, mineral ores and treasures and extracted minerals</p>
Ibn Qudāmah (raḥimahu’llāh)...	<p>...mentions that the reason why the <i>ḥawl</i> (passing of one year) is a condition for some types of wealth as against others is because some types of wealth by their nature can increase, whereas others cannot increase after their existence.</p> <p>So - gold, silver, money, cattle can continue to grow and increase – as a result, a <i>ḥawl</i> is made a condition for the zakāt of this type of wealth.</p> <p>As for crops and produce and mineral ores, then they do not increase in quantity thereafter and as a result, a <i>ḥawl</i> is not made a condition for them (<i>al-Mughnī</i>, 1/625),</p>

 This is a condition according to the vast majority of the scholars of Islam.

Wealth that comes into one’s possession in the interim	<p>Ibn Qudāmah (raḥimahu’llāh) mentions that this can be either one of three types:</p> <ol style="list-style-type: none"> The new wealth is a return of the wealth that was already with a person for one complete <i>ḥawl</i>. <p>Example: Zayd has 60 sheep which he grazes, from the beginning of the year. 9 months later, his sheep give birth to another 60 sheep. Thus at the end of the year, he now has 120 sheep.</p> <p>Ruling: The new wealth that is a return follows the same <i>ḥawl</i> as the capital wealth itself.</p> The new wealth is of a different species to that wealth that is with him. <p>Example: Zayd has 60 sheep which he grazes, from the beginning of the year. 9 months later, his uncle who sells camels, gives him 4 camels. Thus at the end of the year, he now has 60 sheep and 4 camels.</p>
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	<p>Ruling: This new wealth has its own new ḥawl starting from the time of possession.</p> <p>3. The new wealth is of the same species but is not a return from the previous wealth, rather it is an increase originating from a gift or new earning.</p> <p>Example: Zayd has 60 sheep which he grazes, from the beginning of the year. 9 months later, his father passes away and he gets another 60 sheep from the inheritance. He now has 120 sheep at the end of the year.</p> <p>Ruling: The scholars have differences on this matter.</p> <ul style="list-style-type: none"> • First opinion: The ḥawl for each of them is different and individual. This is the opinion of the Shāfiʿī and Ḥanbalī schools (may Allah have mercy on them). • Second opinion: The wealth should be mixed with the new wealth and the ḥawl of the previous wealth should be considered the common ḥawl. This is because the other way proposed by the first opinion causes a lot of difficulty. This is the opinion of the Mālikī and Ḥanafī schools (may Allah have mercy on them).
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This is the preferred opinion in this matter. *Wa'llāhu a'lam.*

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The Fiqh of the Zakat & Ramadan

Part 2:

The Fiqh of Ramadān






Fasting (ṣiyām)

Linguistically	‘Ṣawm’ (pl. ṣiyām) means abstinence (الإِمْسَاكُ).
Legally	<p>إِمْسَاكُ مَخْصُوصٍ فِي زَمَنٍ مَخْصُوصٍ مِنَ الْفَجْرِ الصَّادِقِ إِلَى غُرُوبِ الشَّمْسِ بِنِيَّةٍ مَخْصُوصَةٍ</p> <p>Withholding from something specified, during a specified time which is from the true fajr until sunset, with a specific intention.</p>

Proofs for the obligation to fast

Qur'an	<p>﴿يَا أَيُّهَا الَّذِينَ ءَامَنُوا كُتِبَ عَلَيْكُمُ الصِّيَامُ كَمَا كُتِبَ عَلَى الَّذِينَ مِن قَبْلِكُمْ لَعَلَّكُمْ تَتَّقُونَ﴾</p> <p><i>O you who believe! Fasting is prescribed upon you as it was obligated upon those before you so that you may attain Taqwā. (Sūrat al-Baqarah, 2:183)</i></p>
Sunnah	<p>[مِنْ حَدِيثِ جِبْرِيلَ] قَالَ: يَا مُحَمَّدُ، أَخْبِرْنِي عَنِ الْإِسْلَامِ. فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: الْإِسْلَامُ أَنْ تَشْهَدَ أَنْ لَا إِلَهَ إِلَّا اللَّهُ، وَأَنَّ مُحَمَّدًا رَسُولُ اللَّهِ، وَتُقِيمَ الصَّلَاةَ، وَتُؤْتِيَ الزَّكَاةَ، وَتَصُومَ رَمَضَانَ، وَتَحُجَّ الْبَيْتَ إِنْ اسْتَطَعْتَ إِلَيْهِ سَبِيلًا</p> <p>[Ḥadīth Jibrīl:] He said: ‘O Muḥammad, tell me about Islam’. So he ﷺ said: ‘Islam is to testify that there is no deity worthy of worship except Allah, and that Muḥammad is the Messenger of Allah and that you establish the prayer, give the zakāt, fast the month of Ramaḍān and perform Ḥajj if you are able to’ (al-Bukhārī).</p>

The Merit of Ramaḍān and fasting in it:

<p>Ramaḍān is the month of the Qur'an, as it was revealed in this month.</p>	<p>شَهْرُ رَمَضَانَ الَّذِي أُنْزِلَ فِيهِ الْقُرْآنُ هُدًى لِّلنَّاسِ وَبَيِّنَاتٍ مِّنَ الْهُدَى وَالْفُرْقَانِ...  <i>Ramaḍān is the (month) in which was sent down the Qur'an, as a guide to mankind, also clear (signs) for guidance and judgement (between right and wrong)...</i> (Sūrat al-Baqarah, 2:185)</p>
<p>In it the gates of paradise are opened, the gates of Hell closed, and devils chained</p>	<p>حَدِيثُ أَبِي هُرَيْرَةَ رَضِيَ اللَّهُ عَنْهُ : أَنَّ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ قَالَ (إِذَا جَاءَ رَمَضَانُ فَتُحْتَفَتُ أَبْوَابُ الْجَنَّةِ وَغُلِقَتْ أَبْوَابُ النَّارِ وَصُفِّدَتِ الشَّيَاطِينُ) متفق عليه Abū Hurayrah  reported: Allah's Messenger  said: When there comes the month of Ramaḍān, the gates of mercy are opened, and the gates of Hell are locked and the devils are chained (al-Bukhārī & Muslim).</p>
<p>Fasting is a shield or protection from the fire and from committing sins</p>	<p>Fasting is an act of worship that is highly rewarded by Allah, this is confirmed in many <i>aḥādīth</i>. حديث أبي هُرَيْرَةَ رضي الله عنه, قَالَ: قَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: قَالَ اللَّهُ: كُلَّ عَمَلٍ ابْنِ آدَمَ لَهُ إِلَّا الصَّيَامَ, فَإِنَّهُ لِي وَأَنَا أَجْزِي بِهِ, وَالصَّيَامُ جَنَّةٌ, وَإِذَا كَانَ يَوْمُ صَوْمٍ أَحَدِكُمْ فَلَا يَرُفْتُ وَلَا يَصْنَعُ, فَإِنْ سَابَهُ أَحَدٌ أَوْ قَاتَلَهُ فَلْيَقُلْ إِنِّي امْرُؤٌ صَائِمٌ, وَالَّذِي نَفْسُ مُحَمَّدٍ بِيَدِهِ لَخُلُوفٌ فَمِ الصَّائِمِ أَطْيَبُ عِنْدَ اللَّهِ مِنْ رِيحِ الْمِسْكِ لِلصَّائِمِ فَرْحَتَانِ يَفْرَحُهُمَا: إِذَا أَفْطَرَ فَرِحَ, وَإِذَا لَقِيَ رَبَّهُ فَرِحَ بِصَوْمِهِ أَخْرَجَهُ الْبُخَارِيُّ Narrated Abū Hurayrah  Allah's Messenger  said, 'Allah said, "All the deeds of Ādam's sons (people) are for them, except fasting which is for Me, and I will give the reward for it. Fasting is a shield or protection from the Fire and from committing sins. If one of you is fasting, he should avoid sexual relations with his wife and quarrelling, and if somebody should fight or quarrel with him, he should say, 'I am fasting.' By Him in whose Hands my soul is! The smell coming out from the mouth of a fasting person is better to Allah than the</p>

	<p>smell of musk. There are two pleasures for the fasting person, one at the time of breaking his fast, and the other at the time when he will meet his Lord; then he will be pleased because of his fasting.’ (al-Bukhārī)</p>
<p>A gate in Paradise called al-Rayyān, for those who observe fasts</p>	<p>حديث سهل رضي الله عنه، عَنِ النَّبِيِّ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ، قَالَ: إِنَّ فِي الْجَنَّةِ بَابًا يُقَالُ لَهُ: الرَّيَّانُ، يَدْخُلُ مِنْهُ الصَّائِمُونَ يَوْمَ الْقِيَامَةِ، لَا يَدْخُلُ مِنْهُ أَحَدٌ غَيْرُهُمْ، يُقَالُ: أَيْنَ الصَّائِمُونَ، فَيَقُومُونَ، لَا يَدْخُلُ مِنْهُ أَحَدٌ غَيْرُهُمْ، فَإِذَا دَخَلُوا أُغْلِقَ فَلَمْ يَدْخُلْ مِنْهُ أَحَدٌ</p> <p>أَخْرَجَهُ الْبُخَارِيُّ</p> <p>Narrated Sahl (رضي الله عنه), the Prophet (ﷺ) said, ‘There is a gate in Paradise called al-Rayyān, and those who observe fasts will enter through it on the Day of Resurrection, none except them will enter through it. It will be said, “Where are those who used to observe fasts?” They will get up, none except them will enter through it. After their entry the gate will be closed and nobody else will enter through it.’ (al-Bukhārī)</p>
<p>Fasting Ramaḍān is an expiation for previous sins</p>	<p>It was narrated from Abū Salamah that Abū Hurayrah said: ‘The Messenger of Allah (ﷺ) said: “Whoever fasts Ramaḍān out of faith and seeking reward, his previous sins will be forgiven”’ (al-Bukhārī).</p>

The Wisdom and fruits of fasting:

<p>The main purpose of Fasting is to achieve piety</p>	<p>يَا أَيُّهَا الَّذِينَ ءَامَنُوا كُتِبَ عَلَيْكُمُ الصِّيَامُ كَمَا كُتِبَ عَلَى الَّذِينَ مِن قَبْلِكُمْ لَعَلَّكُمْ تَتَّقُونَ</p> <p><i>O you who believe! Fasting is prescribed for you as it was prescribed to those before you, that you may (learn) al-Muttaqūn. (Sūrat al-Baqarah, 2:183)</i></p>
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Fasting Ramaḍān is obligatory: It should be noted that Muslims should fast as complying to the command of Allah. So much so that regardless of whether he knows the wisdom behind this command or not, he is required to fulfil the fast because his Lord has commanded him to do it.

This does not mean that he desist from looking for the wisdoms in this command. The believer is certain that any obligation from Allah involves wisdom and cannot be irreconcilable with logic. However we may not fully comprehend these and some might even be discovered in later generations.

Some of the wisdoms the scholars discuss as relating to fasting the month of Ramaḍān include:

<p>It teaches a Muslim the principle of sincere love</p>	<p>Ramaḍān teaches principles of sincere love: because when a Muslim observes the fast s/he does it out of deep love for Allah. And the person who loves Allah truly is a person who really knows what love is.</p>
<p>Engenders hope and optimism</p>	<p>It equips a person with a creative sense of hope and an optimistic outlook on life because when he/she Fasts he/she is hoping to please Allah and is seeking His Grace.</p>
<p>Imbues virtue of effective devotion</p>	<p>It imbues in a Muslim the genuine virtue of effective devotion, honest dedication and closeness to Allah; because when he/she fasts s/he does so for Allah and for His sake alone.</p>
<p>Cultivates vigilance and conscience</p>	<p>It cultivates in a Muslim a vigilant and sound conscience because the fasting person keeps his/her fast in private as well as in public.</p> <p>In fasting, especially, there is no mundane authority to check a person's behavior or compel him/her to observe fasting. He/she keeps it to please Allah and satisfy his/her own conscience by being faithful in secret and in public. There is no better way to cultivate a sound conscience in a person.</p>

Instils patience and selflessness	It instils in a person patience and selflessness, as through fasting he/she feels the pains of deprivation but he/she endures them patiently.
Teaches moderation and will power	It is an effective lesson in applied moderation and willpower.
Is a spiritual cleansing	Fasting also provides a Muslim with a transparent soul, a clear mind and a light body.
Saving / budgeting	It shows one a new way of wise savings and sound budgeting.
Improves adaptability	It enables a person to master the art of mature adaptability: we can easily understand the point once we realise that fasting makes a Muslim change the entire course of his/her daily life.
Disciplining	It grounds a Muslim in discipline and healthy survival.
Unites the ummah	It engenders in a Muslim the real spirit of social belonging, unity and brotherhood, of equality before Allah as well as before the law.
A cure and aid from Allah	It is a Godly prescription for self-reassurance and self-control.

Conditions obligating the fast

Fasting is obligatory on the	<ol style="list-style-type: none"> 1. Muslim 2. <i>Bāligh</i> (attained physical maturity) 3. Sane 4. Resident (not travelling) 5. Able 6. Free of valid Sharʿī excuse(s)
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As regards those who do not fall in the above categories...

Disbeliever	Fasting is not obligatory on him but he will be punished for not accepting Islam and fasting.
Pre-pubert (minor)	Not obligatory but recommended if they are able to.
Insane	None of the Islamic pillars are obligatory on them with the exception <i>zakāt</i> – according to the majority view – which is levied on wealth and not the person.
Traveller	Allowed to break his fast: however he must make up for it later.
Unable	Such as the sick, old etc.
Mentruation / postpartum bleeding / breast-feeding etc.	Those who have a valid excuse: such as the menstruating female or the one experiencing post-partum bleeding etc. is excused from fasting during the afflicted period and is required to make up the missed fasts later on.



Why do you think that menstruating women were told to make up their fasts, but not their prayers?

Excuses for not fasting in Ramaḍān

﴿...فَمَنْ كَانَ مِنْكُمْ مَّرِيضًا أَوْ عَلَى سَفَرٍ فَعِدَّةٌ مِنْ أَيَّامٍ أُخَرَ وَعَلَى الَّذِينَ يُطِيقُونَهُ فِدْيَةٌ طَعَامُ مِسْكِينٍ...﴾

...So whoever from you is sick or travelling, then the numbers should be made up from other days. As for those who find it difficult, then they should feed a poor person (for every day)... (Sūrat al-Baqarah, 2:184)

Those who have a temporary excuse

These are people who have a temporary excuse from fasting in Ramaḍān.

<p>Temporarily sick person:</p>	<p>This is of three levels:</p> <ol style="list-style-type: none"> 1. If fasting will not affect his illness at all, he must fast. An example of this is a person who has a light cold, fasting will not affect his condition at all. 2. If fasting will affect the person's illness or is difficult for him – but it will not harm him – then it is disliked (<i>makrūh</i>) for him to fast and it is recommended that he does not fast. 3. If fasting is going to harm the person, such as a person who suffers from severe diabetes, then he is not allowed to fast as it is not permissible to do things that will harm oneself. The Prophet ﷺ said, 'There should be no harm nor reciprocating harm.'
<p>Traveller</p>	<p>Likewise the person who is travelling has the option to fast or not and there are a number of situations:</p> <ul style="list-style-type: none"> – If it will not be difficult for him and will be quite easy for him to fast: in this case it is better for him to fast based on the fact that the Prophet ﷺ did this. Abū Dardā' said, "We were with the Prophet ﷺ on an extremely hot day in Ramaḍān such that one of us would put his hand on his head because of the severity of the heat. None among us were fasting but the Messenger of Allah ﷺ and 'Abd Allah b. Rawāḥah." (al-Bukhārī and Muslim) So the Prophet ﷺ fasted as it was easy upon him, because he would choose that which is easier upon himself. Also, it is better because he would have completed his fasts quicker without having to be indebted by having to make up the fasts later. Also, he gets to fast

	<p>during Ramaḍān, which is a virtuous and blessed month. Because of these reasons it is better for the one who finds fasting easy during travelling to fast. However, if he does not wish to fast, he still has the option not to. This is the opinion of Imam al-Shāfiʿī.</p> <ul style="list-style-type: none"> – If fasting will be difficult for him but will not harm him; in other words, it is easier for him not to fast while travelling: in this case, it is better for him to break the fast and make it up later on, after Ramaḍān. This is because Allah has given a concession to travellers and they should accept that. – If the fasting will harm him or will be extremely difficult for him: in this case it is not permissible for the traveller to fast and he should break his fast and make up for it after Ramaḍān. The proof of this is that when the people complained to the Prophet ﷺ that fasting was difficult for them and that they were waiting to see what he does. He then called for a container of water after ʿAṣr while he was on his camel. He took the container and drank the water while the people were watching him. Then it was said to him that some people are still fasting. He replied, “They are the sinners; they are the sinners.¹” So the Prophet called them sinners for fasting when it was very difficult for them. <p>Questions related to fasting of the traveller:</p> <ul style="list-style-type: none"> (a) When does a person become a traveller? (b) Can he break his fast if he is leaving later that day? (c) Does he have to start fasting when he arrives back home later in the day? (d) Jobs that require travelling: Eg: pilots, captains of ships, truck and bus drivers – can they take advantage of the concession while travelling in their jobs?
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¹ Muslim

Menstruating / post-childbirth bleeding	<p>It is <i>ḥarām</i> for them to fast in Ramaḍān.</p> <p>If a menstruating woman becomes pure in the middle of the day, then she doesn't need to fast for the rest of the day, but should make up for it later on.</p>
Pregnant and breast feeding woman	<p>According to the majority of the scholars of Islam, these women are similar to those who have a temporary lack of ability to fast in Ramaḍān. As a result, they should make up for the fast when able.</p>
Miscellaneous temporary excuses	<ul style="list-style-type: none"> – Those who are fighting. – Those who are deeply in need. Eg: doctor performing a long and serious operation etc.

Those who have a permanent excuse

The elderly and frail of health, and the terminally sick etc.	<p>The elderly and fragile or the terminally sick person (analogy upon the former), who may never recover from his sickness, must feed a poor person for every day that he does not fast.</p> <p>If he dies before the people have been fed, then the money for feeding the poor must be taken out of his estate before his inheritance is distributed.</p> <p>This is because they cannot make up their fasts as they do not expect to recover from their illness or be 'cured' from their old age. Therefore, they should feed a poor person for every fast that is missed. It has been reported that when Anas ؓ grew old and he was over 100 years old he would not fast but, instead, on the first night of Ramaḍān he would get together thirty poor people and feed them dinner.² This shows permissibility to feed all thirty poor people in one go, either at the beginning of Ramaḍān or the end.</p>
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² Abu Dawud, Al-Tirmidhi, Ibn Majah; authenticated by Al-Albani

Important women's issues concerning fasting

Major issues in making up previous fasts:

- If a person comes upon the recommended fasts of Shawwāl, the day of ʿArafāt, day of Muḥarrām etc whilst s/he still owes obligatory fasts from their previous Ramaḍān, they should – by way of recommendation – make up obligatory fasts first.
- Pregnant and breast-feeding women who may end up having to delay their fasts years on end should fast when ability is granted them.

Women's excuses that prohibit the fast on her:

Excuse and ruling	Fast	No fast
Menstruation		
a. Blood at the time of period (is menstrual blood and has its own particular characteristics)		✓
b. Period pain leading up to menstrual cycle	✓	OR ✓
Defective bleeding		
a. It is blood that comes in other than times of period and it has its own characteristics	✓	
Doubtful bleeding that is uncertain		
a. blood comes at the times of period		✓
b. bleeding at other than normal period time	✓	
Bleeding from childbirth / miscarriage		✓

Commencement of the obligation to fast...

Fasting Ramaḍān becomes obligatory on all those who fulfilled the conditions (already mentioned) when one of two things happen:

1. The crescent of Ramaḍān has been sighted on the night before the 30th of Shaʿbān, OR
2. A full 30 days of Shaʿbān have passed

Either of the above two pre-requisites marks the 1st of Ramaḍān and the commencement of the obligatory fasts, however, establishing the month of Ramaḍān is based primarily on sighting of the moon, then secondarily on completing the month of Shaʿbān if the crescent was not seen.

صُومُوا لِرُؤْيَيْهِ وَأَفْطِرُوا لِرُؤْيَيْهِ فَإِنْ عُمَّ عَلَيْكُمْ فَعُدُّوا ثَلَاثِينَ

Fast upon sighting it [the moon] and break your fast upon sighting it, and if the sky is overcast, then count thirty [days for Shaʿbān] (al-Bukhārī, no. 1909 and Muslim, no. 672)

Relying on mathematical calculations to mark the start and end of Ramaḍān...

1. Imam al-Nawawī *rahimahu'llah* said: “It [fasting] does not become obligatory upon the astronomer by his calculations, nor upon others.” (*Rawḍat al-Tālibīn*, 2/347)
2. Ibn Taymiyyah *rahimahu'llah* said: “We know by obligation from the religion of Islam: that the act (of worship) is [obligated] upon the sighting of the moon for fasting, Ḥajj, waiting period (from divorce), ‘ilā’ or any other rulings that are attached to sighting of the moon. And to base it on the information of a mathematician, that the moon can be seen or cannot be seen, is not permissible. The texts from the Prophet ﷺ regarding this are numerous.” (*Majmūʿ al-Fatāwā*, 25/132)
3. Ibn Qudāmah: As for if someone were to fast based on mathematical calculations alone without recourse to sighting to back it up, then Ibn Qudāmah mentions in his *Mughni*, that the fast of such a person is invalid.

Despite these reports, there are some scholars who hold it permissible to use mathematical calculations. The stronger opinion seems to be to use mathematical calculations in denying, but not in affirming. The witness would still need to have actually sighted the moon to establish the beginning or end of Ramaḍān.

Number of witness required for the sighting of the moon

<p>Two witnesses required to establish commencement of Ramaḍān and one is sufficient to end it</p>	<p>Ibn ʿAbd al-Barr <i>raḥimahu’llah</i> said: “The scholars have complete consensus that they do not accept, other than two upright witnesses, for the sighting of the moon of Shawwāl. However, they differed as to the number required to establish Ramaḍān” (al-Tamhīd, 14/354)</p> <p>فَإِنْ شَهِدَ شَاهِدَانِ [مُسْلِمَانِ] فَصُومُوا وَأَفْطِرُوا</p> <p>‘So if two [Muslim] witnesses testify then [you should] fast and break your fast.’ (Aḥmad, 5/264 and Nasāʾī and reported authentic by al-Albānī in <i>Irwāʾ al-Ghalīl</i>, no. 909)</p>
<p>One witness sufficient to establish Ramaḍān, two required to lift the obligation to fast</p>	<p>According to some scholars Ramaḍān is established if a single witness testifies to it, whereas it is considered to have ended only if at least two witnesses testify to it. The evidence is the ḥadīth of Ibn ʿUmar <small>رضي الله عنه</small>:</p> <p>تَرَأَى النَّاسُ الْهَيْلَالَ فَأَخْبَرْتُ رَسُولَ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ أَنِّي رَأَيْتُهُ فَصَامَ وَأَمَرَ النَّاسَ بِصِيَامِهِ</p> <p>‘The people went out to see the moon, so I informed Rasūl Allāh <small>ﷺ</small> that I had seen it, so he fasted and ordered the people to fast.’ (Abū Dāwūd, no. 2342 and al-Ḥākim, 1/423, who graded it authentic and al-Dhahabī agreed. Other scholars have disputed its authenticity)</p>

Important point:

It is important to note that in countries in which there is no Islamic Law, there is a great difference of opinion among the people about when to begin and end the fast. Some follow the opinion that the moon must be sighted locally for Ramaḍān to commence – and this seems to be the strongest opinion; others say that if the moon is sighted anywhere in the world this is sufficient; yet others say that we should use astronomical calculations and a further group say that we should follow Makkah, and so on.

This leads to a great deal of disunity among the Muslims as there is no one opinion that is implemented nationally. As such, sometimes we find that in one household, some members are celebrating ʿEīd on one day while others are celebrating it the next day!

Disunity in the ummah – a Ramaḍān problem:

There is no doubt that the greater benefit lies in the Muslims of one land fasting as one body, starting the same day and celebrating °Eīd on the same day so as to display unity. Unity is one of the greatest features and benefits that Islam calls to, and this is why some of the scholars were of the opinion that it would be good for Muslims living in non-Muslim lands to appoint one leader/body who would determine the likes of these matters for them.

However, at a practical level unfortunately this is absent and the Muslims remain in confusion as to when to start fasting, when to celebrate °Eīd al-Fitr and the likes of this. As this is the current state of affairs it is advised that the generality of Muslims in this land should follow the opinion of the Muslim majority of the non-Muslim land with regards to the starting and ending of the month, even if this opinion oppose an individual's opinion or the opinion of an organisation.

Proofs

Leaving individual opinion and following the opinion of the majority in matters of *ijtihād* for the sake of the benefit of unity is something that is well established in the Islamic Law.

°Abd Allah b. Mas°ūd prayed zuhr behind °Uthmān b. °Affān in Minā as four rak°ahs despite his opinion and the fact that the Messenger of Allah ﷺ had prayed two, as had Abū Bakr ؓ and °Umar ؓ. When asked why he did this, he replied, 'differing is evil'.

Moreover the Sharī°ah has enjoined one to stick firmly to the general body of the Muslims:

وَأَطِيعُوا اللَّهَ وَرَسُولَهُ، وَلَا تَنَازَعُوا فَتَفْشَلُوا وَتَذْهَبَ رِيحُكُمْ، وَأَصْبِرُوا إِنَّ اللَّهَ مَعَ الصَّابِرِينَ ﴿٤٦﴾

Obey Allah and His Messenger and do not differ such that you lose courage and your strength depart. Be patient for Allah is with the patient (Sūrat al-Anfāl, 8:46) and

وَأَعْتَصِمُوا بِحَبْلِ اللَّهِ جَمِيعًا وَلَا تَفَرَّقُوا ... ﴿١٠٣﴾

Hold fast to the rope of Allah, all of you, and do not be divided... (Sūrat Āl-°Imrān, 3:103).

To summarise, it is important that the Muslims living in western countries appoint an Imam/body that they can follow, and follow them in starting and concluding the fast and other such matters of *ijtihād*. If this is not possible (or is not the case) the individual Muslim should follow the majority of Muslims who live among them in this matter, even if that individual has an opinion that opposes the majority.

Fasting immediately before Ramaḍān

It is recommended not to precede the obligatory fasts of Ramaḍān with non-habitual *nafl* fasting in Shaʿbān so as to demarcate between the two fasts.

لَا تُقَدِّمُوا صَوْمَ رَمَضَانَ بِيَوْمٍ أَوْ يَوْمَيْنِ إِلَّا أَنْ يَكُونَ صَوْمٌ يَصُومُهُ رَجُلٌ، فَيَصُومَ ذَلِكَ الْيَوْمَ

‘Do not anticipate Ramaḍān by fasting a day or two before it, except if it is a fast that a person is following on from (i.e. by way of fasting every second day for example) then let him fast it.’ (Reported by al-Bukhārī (No. 1914), Muslim (No. 1082) and others).