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Akhsar al-Mukhtasarat: The Book of Fasting (Arabic)

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أَخْصَرُ الْمَخْصَرَاتِ

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<u>الحكم الشرعي</u>	
الواجب	Obligation – rewarded for doing it, under threat of punishment for not doing it
الفرض	Similar to Wajib <i>The difference that some scholars make is the Fardh is what is proven by the Qur'an</i>
آداء	To perform an act of worship in its time
قضاء	To make up the act of worship, that was an obligation, which was missed
إعادة	To repeat an action within its prescribed time due to a deficiency in it
فرض العين	Obligatory for every person
فرض الكفاية	Communal Obligation
الحرام	Rewarded for leaving it off, if done then you are under threat of punishment
المندوب	Rewarded for doing it, not penalised for leaving it off <i>Synonym: Mustahab</i>
المكروه	Rewarded for leaving it off, not penalised if you did the action
المباح	Permissible – not rewarded for doing it, not punished for leaving it
السبب	Enables an obligation
الشرط	Prerequisite
مانع	Preventative
البطلان / الفساد	Opposite of saheeh, invalid due to deficiency
الصحة	Valid, obligation is lifted
العزيمة	Default position of the Ahkam <i>e.g. Default ruling of fasting in Ramadan is Wajib, but in some cases it is lifted</i>

الرخصة	Concession, permission to resort to an easier alternative when in a situation where there are mitigating factors <i>e.g. the traveller during Ramadan – concession given. Default position however was that it is wajib for him to fast</i>
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كتاب الصيام

CONDITIONS FOR THE OBLIGATION OF FASTING:

1. Muslim
2. Mukallaf
 - a. Ijma' of all 4 Imams
3. Qudr
 - a. Ijma' of all 4 Imams

SIGHTING OF THE MOON – 3 WAYS

1. Sighting of the moon of Ramadan – even if it is a single upright person
 - a. Hanbali Position: only 1 person is required to sight the moon, and whoever that person informs, it is also an obligation upon them
 - i. Condition: adaalah (upright)
 - b. Hanafi Position: 2 upright men required (the same requirement as the rest of the lunar months)
2. Completing 30 days of Sha'ban
3. There's a preventative of the sighting (e.g. cloudy) on the night of the 30th of Sha'ban – the next day becomes Ramadan
 - a. Opinion of only the Hanbali Madhab
 - b. Remaining madahib say you complete 30 days, you don't fast ihtiyaatan

HUKM (OF THE FOLLOWING): REFRAIN FROM EATING + DRINKING AND HAVE TO MAKE UP THE DAY

1. Becoming liable for fasting during the day
2. Someone sick recovers from an illness
3. Someone becomes sane
4. A traveller becomes resident
 - a. Imam Ahmad and Imam Abu Hanifa: abstain from eating + make up the fast
 - b. Imam Malik and Imam Shafi': continue eating + make up the fast
5. A woman's menses ends
 - a. Imam Malik and Imam Shafi': continue eating + make up the fast
- Due to the sanctity of Ramadan

EXCUSES FOR A PERSON NOT TO FAST

1. Breaking your fast due to old age or a chronic illness = feed one poor person each day
 - a. Opinion of: Imam Ahmad, Imam Shafi' and Imam Abu Hanifa

RECOMMENDED TO BREAK YOUR FAST:

1. **Someone who is sick**
 - a. Condition: if fasting is difficult and makes their illness worse
2. The **traveller** (exceeded the distance of around 80km)
 - a. Condition: they are shortening their prayers
 - b. Daleel: Ibn Umar reported: The Messenger of Allah, peace and blessings be upon him, said, “**Verily, Allah loves for you to take his concessions, just as he dislikes for you to be disobedient.**” [Musnad Ahmad 5866]
 - c. The remaining a’imma: it is better for you to fast
 - d. Scholars differ on what’s better regarding fasting or not

ISSUES PERTAINING TO THE PREGNANT/ BREASTFEEDING WOMAN:

1. A woman who is pregnant/ breastfeeding:
 - a. Breaks her fast out of fear for **herself** = make up the fast
 - b. Breaks her fast out of fear for **her child** = she must make it up and the provider of the child must feed a poor person for every day missed
 - i. Also the opinion of Imam Malik
 - ii. Imam Shafi’ and Imam Abu Hanifa: you make it up, but don’t have to feed a poor person

THE ONE LOSING THEIR INTELLECT WHO MADE THE INTENTION AT NIGHT

1. **Losing consciousness of sanity for the entirety of the day** = fast is invalid
2. **The one who lost consciousness** = doesn’t have to make it up
 - a. (he was no longer mukallaf)

INTENTION

OBLIGATORY FAST: No specific intention during some part of the night for an obligatory fast = fast is invalid

- Jamhoor of Imams agree
- Another riwayat of Imam Ahmad: an intention at the beginning of the month for the whole of the month is sufficient, until he breaks that intention
 - Example: if you have a ticket booked for the middle of Ramadan, then your intention is only for that portion of the month. If it suddenly gets cancelled, then your intention must be renewed

VOLUNATRY FASTS: you can have the intention during the day

- Condition: you haven’t committed any nullifiers of fasting
- Imam Abu Hanifa and Imam Shafi’ hold the same opinion
- Imam Malik: intention must be at night for voluntary fasts too

NULLIFIERS

3 CONDITIONS FOR NULLIFIERS:

1. Deliberately
2. Voluntarily
3. Remembering – i.e. they remember it's Ramadan, if they forget then the fast is still valid

NULLIFIERS:

1. **Inserting anything into your body into any cavity from any location other than the urethra**
 - a. Not just food or drink, can be a stone, medicine, *anything*
 - b. Through *any* cavity
2. **Swallowing mucus after it reaches his mouth**
 - a. The mouth counts as an out of body part
3. **Inducing vomit *and* vomits**
 - a. All 4 Imams agree
 - b. Imam Abu Hanifa: it must also be a small mouthful
4. **Ejaculates or releases madhi (pre-ejaculation) from masturbation**
 - a. Also the opinion of Imam Malik
 - b. Imam Shafi' and Imam Abu Hanifa: doesn't invalidate
5. **Non-genital rubbing**
 - a. Example: caressing, foreplay etc.
6. **Looks repeatedly and ejaculates**
 - a. Looking once and ejaculating = doesn't invalidate
 - b. Opinion of all 4 Imams
7. **Intending to break your fast**
8. **Cupped or cups someone else**
 - a. Specific to the **Hanbali Madhab** (mufradaat of the madhab of Imam Ahmad)

FAST IS NOT BROKEN:

1. **If a thought leads to ejaculation**
2. **Water from rinsing the mouth/ nostrils enters his throat –**
 - a. even if done so vigorously
 - b. or if he exceeded 3 times
 - c. even if not done for purification

BREAKS THE FAST – KAFARAH IS REQUIRED

1. **Having intercourse during the day**
 - a. Without an overwhelming need for sex and the like such as a sickness that is improved through sex

HUKM: make up the fast and do kafarah

- **There is no kafarah for the woman if she has an excuse:**
 - o She is asleep

- She is pressured
- Forgetful
 - She must make up the fast, but there is no kafarah
 - Also the opinion of Imam Abu Hanifa and Imam Shafi'
 - Imam Malik: she has to do kafarah

KAFARAH

1. **Freeing a slave**
2. (If he cannot free a slave) **Fast consecutively for 2 months**
3. (If he cannot do 2 months) **Feed 60 poor people**
4. (If he cannot feed 60 poor people) **Obligation is dropped**

Imam Malik: gives a choice to choose between these options

Imam Shafi' and Imam Abu Hanifa: you go through the list in order for kafarah

MAKRUHAT

1. To gather spit and to then swallow it
2. To taste food and gum if the taste reaches the throat
3. Foreplay e.g. kissing, touching – if they are aroused easily

HARAM

1. Foreplay if he thinks he is going to ejaculate
2. To chew gum that dissolves
3. Lying, gossiping, tale-bearing, abusing and the like
 - a. 3: Agreement of all 4 Imams

SUNNAH

1. To hasten breaking one's fast
2. To delay suhoor
3. To recite what has been authentically narrated
4. To make up fasts consecutively and immediately
 - a. Hanbali Madhab: you can't make sunan fasts until you have made up the obligatory ones

HARAM

1. **To delay making up fasts right up until the next Ramadan without an excuse**
 - a. Delaying without an excuse, to the extent that next Ramadan has come in, you must make up the previous fasts and you must feed one poor person for each day
 - i. Also the opinion of Imam Malik and Imam Shafi'
 - ii. Imam Abu Hanifa: no need to feed a poor person

THE ONE WHO HAS DIED

1. **If someone died with fasts to make up due to being neglectful – even if it is before another Ramadan:**
 - a. Food is given on his behalf from his estate
 - b. Fasting is not performed on his behalf
2. **If someone died having vowed to perform Hajj or Siyam:**
 - a. Recommended for his guardian to make it up

The guardian can feed on the deceased's behalf or someone else can do it

RECOMMENDED FASTS

1. The White Days
 - a. 13th, 14th, 15th of the Islamic Month
2. Thursdays
3. Mondays
4. 6 days of Shawwal
 - a. Imam Malik and Imam Abu Hanifa: these 6 days are disliked
5. Muharram
6. 9th of Dhul Hijjah
7. Day of Arafah (most emphasised for the one not performing Hajj)
8. The best fast is fasting one day and not fasting the next day – Fast of Dawud

MAKRUH TO FAST– if it doesn't match your usual fasting routine

1. Singling out the month of Rajab
2. Friday
 - a. Also, the opinion of Imam Shafi' and Imam Abu Hanifa
3. Saturday
4. Day of Doubt
 - a. 30th of Sha'ban
 - b. The remaining a'imma say it isn't makruh to fast
5. Celebration of disbelievers
6. 1 or 2 days before Ramadan

HARAM TO FAST ON THE FOLLOWING DAYS:

1. **2 days of Eid (mutlaqan)**
 - a. Ijma' of the scholars
2. **Days of Tashriq**
 - a. 3 days after main rites of Hajj have been performed
 - b. Unless if making a blood sacrifice for performing Umrah and then Hajj or performing them both together

HARAM:

1. To interrupt an obligatory act of ibadah without having a valid excuse
 - a. No khilaf of this issue

MAKRUH

1. To interrupt a voluntary act other than Hajj or Umrah without an excuse
 - a. Imam Shafi' also has this opinion
 - b. Imam Malik and Imam Abu Hanifa say even a voluntary act of worship must be completed, if there is no excuse

الاعتكاف

DEFINITION: To stay in the masjid for the purpose of obedience

- Least amount of time: (Hanbali) an hour in the day or night

HUKM: Sunnah (at any time of the year – more emphasised in Ramadan, even more so in the last 10 nights)

- a. Ijma' of the scholars

Imam Ahmad and Imam Shafi': you can perform I'tikaaf even if you are not fasting and it is valid

Imam Malik and Imam Abu Hanifa: you must be fasting for your I'tikaaf to be valid

- It is not valid from the one who is required to attend congregational prayers except in a mosque where congregational prayers are held (during the time of his I'tikaaf)
 - o Example: a woman would be able to perform I'tikaaf in a place where jama'ah isn't established as praying in a congregation isn't wajib upon her
- If he intended to perform it in a time where salah isn't going to be wajib
 - o Example: he performs it for an hour between prayer times) then it isn't a requirement for him to perform it in a masjid where a jama'ah is established, his I'tikaaf will still be valid)

A WOMAN PERFORMING I'TIKAAF IN THE MASJID IN HER HOUSE:

- a. Imam Malik, Imam Ahmad and Imam Shafi': it is not valid for her to perform I'tikaaf here – she must perform it in a masjid
- b. Imam Abu Hanifa: it is valid for her

CONDITION:

1. **Ghusl** i.e. must not be in a state of junub
 - a. If he falls into a state of janabah then he must go and perform ghusl

TAKING AN OATH TO PERFORM I'TIKAAF:

- In a specific masjid other than the 3 (Masjid al-Haram, Masjid an-Nabawi and Masjid al-Aqsa) then you don't have to perform it in the masjid – can perform it in any
 - o They are both suitable for I'tikaaf
- Making an oath to perform I'tikaaf in one of the 3 Masajid, he must do it in that masjid or a masjid that is better than it
 - o Example: if you took an oath to perform it in Masjid al-Nabawi, performing it in Masjid al-Haram is okay, but you cannot perform it in Masjid al-Aqsa

LEAVING THE MASJID WHILST IN I'TIKAAF:

- **Impermissible to leave except if there is a need**
 - o Example: need food, need to perform ghusl, safety reasons
 - According to all 4 Imams
 - o You cannot leave for any need such as visiting the ill, or attending a Janazah unless if you stipulate the condition beforehand
 - Imam Malik and Imam Abu Hanifa say this condition is not valid

NULLIFIERS:

1. Intercourse – even if you don't ejaculate
2. Ejaculating through foreplay – even if you don't have intercourse
 - a. All 4 Madahib agree

1. Apostasy
2. An intention to leave, without necessity
3. Intercourse
4. Ejaculation through foreplay
5. Intoxication

If nullified = must do kafarah:

- a. Feed 10 poor people (if you can't then)
- b. Clothe 10 poor people (if you can't then)
- c. Free a slave (if you can't then)
- d. Fast 3 days consecutively

SUNNAH:

1. To busy oneself with acts of worship
2. Avoid whatever doesn't concern you
 - a. Example: debating, arguing

MAKRUH: to say you won't talk to anyone at all

7 CONDITIONS FOR THE VALIDITY OF I'TIKAAF:

1. Niyyah
2. Islam
3. Aql
4. Tamyiz (age of distinction)
5. In the Masjid
6. Doesn't do anything that required Ghusl – state of purity
7. For the one it is obligatory upon to pray in a Masjid for Jama'ah → must perform I'tikaaf

زكاة الفطر

HUKM: **Wajib** upon every Muslim – even if below the age of bulugh and if they have wealth that is more than his necessary expenses for the day and night of Eid

- **One pays it on behalf of himself and every Muslim he is responsible for**
 - o The remaining 3 Madahib say each person will give it from their own wealth – not an obligation for him

SUNNAH: To pay it on behalf of the unborn child

WHEN DOES IT BECOME AN OBLIGATION?

1. **The night of Eid** – from Maghreb when the following day is Eid
 - a. ^ Imam Shafi's opinion too
 - b. Imam Abu Hanifa and Imam Malik: it becomes an obligation on the Fajr on the day of Eid

PERMISSIBLE: To pay a day or 2 days before (max)

- a. Imam Shafi': any time from the beginning of the month it can be given
- b. Imam Malik has the same saying as Imam Ahmad

SUNNAH: To pay it on the day of Eid, before Salat al-Eid ← best time

MAKRUH: To give it after Salat al-Eid

HARAM: After the day of Eid

- a. You still have to pay it → qadaa'
 - a. All 4 a'imma agree

HOW MUCH IS AN OBLIGATION TO GIVE?

1. **1 saa' of any of the following:**
 - a. Wheat
 - b. Barley
 - c. Porridge
 - d. Flour
 - e. Dried dates
 - f. Raisins
 - g. Cottage cheese
 - i. In the absence of these, any stored grain is sufficient
 1. Must be (1) grains and can be (2) stored
 - ii. Another riwayat of the madhab → give whatever is the 'urf of the country

Opinion of Imam Abu Hanifa and Shaykh al-Islam → Half a saa' is valid

Dates are best → then raisins → then wheat → then whatever is most beneficial
It is **permissible** to give 1 person what you'd give to a group – and vice versa

Can you give the monetary value of the food to the poor?

- Abu Hanifa: permissible
- Remaining 3: impermissible

صلاة العيدين

HUKM: Fardh Kifayah

- a. Abu Hanifa + Ibn Taymiyyah: Fardh Ayn
- b. Imam Malik and Imam Shafi': Sunnah mu'akadah

TIME BEGINS: Time of Duha

- a. Once the sun has risen a spear's length above the horizon

END: before the time of Dhuhr time

- a. When the sun reaches its' zenith

If Eid is not known (to the entire community) until the time has passed → pray it the next day as qadaa'

- a. Imam Malik and Imam Shafi': you don't make it up

CONDITIONS FOR ITS OBLIGATION (same as Jumu'ah):

1. Muslim
2. Male
3. Takleef
4. Muqem
5. Free

CONDITONS FOR VALIDITY:

1. Resident
2. 40 people

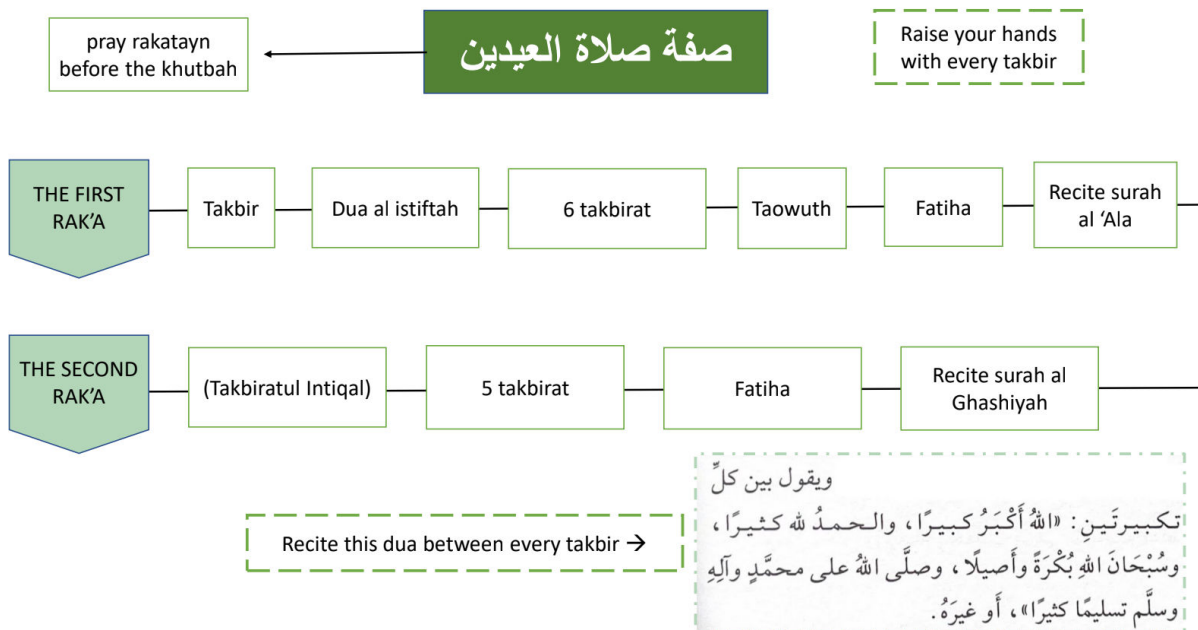
Recommended for the one who missed it to make it up and do it according to the way Salah is performed is better

SUNNAH

1. To perform it outdoors in the open
2. To delay the salat for Eid al Fitr and to eat before it
3. To pray the salat for Eid al Adha earlier and to eat after it

HOW TO PERFORM SALAT AL EID:

1. Before the Khutbah



1. Begin the first Sermon with 9 takbirat
2. Begin the second sermon with 7 takbirat
 - Apart from this, it should be like the khutbah on jumu'ah
3. The Khateeb should give a reminder about Zakat al Fitr
4. He should also remind them on Eid al-Adha about sacrifices

TAKBIRAT ON EID

TWO TYPES:

1. **Takbirat al-Mutlaq** – not restricted to any time
 - a. Sunnah: on the nights before both Eids
 - b. More emphasised for Eid al-Fitr and from the beginning of Dhul Hijjah until the end of the Khutbah
2. **Takbirat al Muqayyid**
 - a. Sunnah: At the end of every obligatory prayer prayed in Jama'ah starting at Fajr prayer on the Day of Arafah (for the non-pilgrim)
 - b. For the pilgrim: from Dhuhr on Yawm al-Nahr until the last Day of Tashreeq