

and rules to it. That's very accurate. Keep in mind if someone were to read this at-Tirmidhi's opinion you might go and say, look at-Tirmidhi said you can do Salah on behalf of another person. He said Salah, but he didn't mean independent Salah on behalf of another person. He means Salah that is part of 'Umrah and Hajj, other than that you can't because when you Tawaaf seven times you have to make Salah. If you are doing Hajj or 'Umrah on behalf of someone else then that Salah is on the behalf of someone else. But not an independent Salah. So when one person is alive, you cannot fast on their behalf. Even if they're terminally ill or because of an old age and their weakness.

CLASS TWELVE

We left off yesterday talking about those who are weak and at an older age and they can't fast or those with an incurable terminal illness.

IF FASTING IS HARMFUL FOR ONE WHO IS ILL OR SICK

Today the author moves on to matters where one expects recovery and he expects to be cured, a temporary illness. He said:

وَسَنُّ لِمَرِيضٍ يَضُرُّهُ

Now he mentions those who have a hope of being cured.

وَسَنُّ

Means it's Sunnah, it's Sunnah to break the fast of one who is ill or sick. Does that mean any illness?

That's when he adds the stipulation in the sentence:

يَضُرُّهُ

If fasting harms him. We will explain the levels of harm. If it harms him, the author said it is not only permissible but it is actually Sunnah. He has the right to do it and on top of that the author adopts the opinion that it is Sunnah. Sunnah here means that he gets reward for breaking his fast if he is ill in that fasting may harm him. It's by Ijmaa', by consensus no 'Ulamaa disagree overall, that when one is ill he has the right to break his fast.

...فَمَنْ كَانَ مِنْكُمْ مَرِيضًا أَوْ عَلَى سَفَرٍ فَعِدَّةٌ مِنْ أَيَّامٍ أُخَرَ...

﴿البقرة : ١٨٤﴾

But if any of you is ill or on a journey, the same number (should be made up) from other days. (Surat al-Baqarah: 184)

If any of you are ill or on a journey then they should make up the number of days that they missed after Ramadhaan.

وَسَنْ لِمَرِيضٍ يَضرُّهُ

The author said Yadhuruh (يَضرُّهُ) means, if fasting is harmful. If it causes him harm, due to his illness. Now illness is different types, some may affect person's fast and some does not. That's why the author added the stipulation Yadhuruh. Now we need to understand here, what's the standard for an illness that permits one to break his fast.

ILLNESS IS THREE TYPES FROM A FIQH PERSPECTIVE

THE FIRST TYPE

If one fears if fasting will cause his illness to worsen or it may slow the recovery or progress, then it's Sunnah to break that fast. This is what the author was talking about. This is the category that he meant it is Sunnah to break your fast. Actually this is the opinion of a great vast majority of the 'Ulamaa.

THE SECOND TYPE

Is when fasting may cause someone to reach the level of danger, something like death or close to death or extreme hardship. Now in this one is not only Sunnah to break your fast but it is Waajib upon you to break your fast. It's the mercy of The Most Merciful Allah subhaanahu wa ta'aala that he obligated fasting and he also obligated that one breaks his fast if the fasting puts his illness at danger. Someone with a Kidney failure, diabetic, if he puts his life in danger thinking he is doing good he has in reality sinned. May gets sins because of it

...وَلَا تَقْتُلُوا أَنْفُسَكُمْ... ﴿النساء : ٢٩﴾

And do not kill yourselves (nor kill one another). (Surat an-Nisaa': 29)

Don't kill yourselves. The verse don't kill yourself applies to circumstance and situations like this. In a Hadith in Sunan Abu Dawud, Amr Ibn Al -'Aas said I was in the battle on the journey of The Battle of Dhat al-Salaasil and I had a sexual dream in one of the nights. He said I was afraid to wash myself with water because it was cold, it was freezing. So he said I performed Tayammum, instead of washing and taking a shower with water, he did Tayammum with dirt. Not only he made Salaatul Fajr but he led Salaatul Fajr. So the Companions when they reach Madinah they went to the Messenger sallallahu alayhi wa sallam. They said Amr Ibn Al -'Aas had a sexual dream and he didn't take a shower, rather he did Tayammum. The Messenger sallallahu alayhi wa sallam said, Amr you led your Companions while you were impure (the major impurity)?

Amr Ibn Al -'Aas explained to the Messenger sallallahu alayhi wa sallam what had happened, and he was afraid that it might cause extreme hardships to him. Then he told the Messenger sallallahu alayhi wa sallam and I heard Allah say:

...وَلَا تَقْتُلُوا أَنْفُسَكُمْ إِنَّ اللَّهَ كَانَ بِكُمْ رَحِيمًا ﴿النساء : ٢٩﴾

And do not kill yourselves (nor kill one another). Surely, Allah is Most Merciful to you. (Surat an-Nisaa': 29)

Don't kill yourself, verily Allah is Merciful with you. This is Amr explaining to the Messenger sallallahu alayhi wa sallam. The Messenger sallallahu alayhi wa sallam began to laugh and didn't say anything. When the Messenger laughs, he didn't say anything that implies approval, that's approval. Had he been silent that would have been approval. When he laughed, that's additional confirmation of the approval. Not only did he approve what he did, but he approved his usage of the verse, Don't kill yourself in circumstances like that. Using Tayammum of dirt instead of water when he fears that it may cause him some kind of harm.

THE THIRD TYPE

The third type of illness is that which does not affect a person. Like a little pain you got in your finger, a toothache, a little head, a cough or some mild form of allergy. If it is something that has no affect with fast, it does not affect your fast the 'Ulamaa disputed if one can break his fast in this type or not.

The majority of the Fuqahaa' say, the illness in the verse that exempts one from fasting is not any type of illness. It's an illness that has to be in category one or category two that we mentioned. Something like this category is Haraam to break your fast for.

Number two opinions, some of the Salaf disagreed. They said one can break his fast even if it is a small pain on the tip of your finger or a little toothache.

Their proof is that, the main proof that they use is; when Allah subhaanahu wa ta'aala said:

...فَمَنْ كَانَ مِنْكُمْ مَرِيضًا أَوْ عَلَى سَفَرٍ فَعِدَّةٌ مِنْ أَيَّامٍ أُخَرَ...

البقرة : ١٨٤ ﴿﴾

But if any of you is ill or on a journey, the same number (should be made up) from other days. (Surat al-Baqarah: 184)

They said it is not specified that it has to extreme illness. So any type of illness is sufficient.

Al-Adharidi said, I entered up Muhammad Ibn Sirin when he was eating in Ramadhaan. It appears from the story that it did look like Ibn Sirin was ill, otherwise he wouldn't have asked him. Al-Adharidi asked Ibn Sirin, why are you eating in Ramadhaan? Muhammad Ibn Sirin Rahimahullah said, because I hurt my finger. Al-Qurtubi the 'Aalim, the Mufasssir, the Fiqhih. Al-Qurtubi commenting on this and says; this is the best opinion on this matter in this situation. A little tiny pain in his finger. Now Ibn Jurayj also said I asked 'Aadha, what illnesses can I break my fast for? 'Aadha said, any type of illness. This was actually the opinion of Bukhari Rahimahullah. He said I was ill in Nisabur and Ishaq Ibn Rahway came in. He (Ishaq Ibn Rahway) asked, did you break you fast? Bukhari said, yes. He said that's good because I thought you wouldn't take the Rukhsah meaning I didn't think you wouldn't take the permission of Allah excusing you and allowing you to break your fast.

Another proof is they said the traveller and ill are combined in the Ayah. Just like one can break is fast for any type of travel, they can break their fast for any type of illness.

...وَمَنْ كَانَ مَرِيضًا أَوْ عَلَى سَفَرٍ فَعِدَّةٌ مِّنْ أَيَّامٍ أُخَرَ... ﴿البقرة : ١٨٥﴾

And whoever is ill or on a journey, the same number [of days which one did not observe Sawm (fasts) must be made up] from other days. (Surat al-Baqarah: 185)

And then they said, in the verse:

...يُرِيدُ اللَّهُ بِكُمْ الْيُسْرَ وَلَا يُرِيدُ بِكُمْ الْعُسْرَ... ﴿البقرة : ١٨٥﴾

Allah intends for you ease, and He does not want to make things difficult for you. (Surat al-Baqarah: 185)

The other 'Ulamaa responded to this. They said just like we don't consider a short travel a reason for you to break your fast, a minor illness is also not a reason to break your fast. A short journey from a Fiqh perspective is not considered a journey, they said. And likewise a minor illness an illness from a Fiqh perspective.

So as you see there is two opinions on this matter, an illness which is considered minor illness. However is probably safer and closer to the truth not to adopt the opinion that any illness constitutes an exemption from fasting. Yes, the verse is broad and it's mentioned just illness but that illness is tied to a reason, which is making it easy for you. If it is not making it easier for you then it probably more correct to say it is Haraam to break your fast. The excuse for the ill should only be what falls under the first two categories. If one fears that fasting will make his illness worst or slow the recovery or progress then that's Sunnah. If it causes extreme hardship something like death or near death or very extreme hardships then it's Waajib upon you and you must break your fast.

Normal day to day illness will not affect your fast and therefore one should not break his fast. In fact the correct opinion that I believe is Haraam. However one must know that, that opinion, the opinion of the little pain in your finger or your tooth is adopted by giants of the 'Ulamaa and the Salaf and that's why it should be respected. Like we said Ibn Sirin, Bukhari and others.

One matter worthy of noting is that Ibn Hazm adopted the opinion and he said, that if one is ill, under category one or two, it's Haraam for him to fast and his fasting is rejected, because Allah said;

...فَعِدَّةٌ مِّنْ أَيَّامٍ أُخَرَ... ﴿البقرة : ١٨٥﴾

The same number [of days which one did not observe Sawm (fasts) must be made up] from other days. (Surat al-Baqarah: 185)

So he considered first of all Haraam, it's sinful but also it's not valid, because a sick person according to him should not be fasting in Ramadhan.

That's of course an extreme opinion, some said also the timing of the fast for one who is ill is not even in Ramadhan, if you are sick and you are in Ramadhan, you are not supposed to be fasting because that's not the timing.

Allah said:

...فَعِدَّةٌ مِّنْ أَيَّامٍ أُخَرَ... ﴿البقرة : ١٨٥﴾

The same number [of days which one did not observe Sawm (fasts) must be made up] from other days. (Surat al-Baqarah: 185)

Make up from other days. That's like me praying before the time, I get up before Asr ten, fifteen minutes and I make the Asr. They said the timing of one who is ill is not during Ramadhaan, he fast after Ramadhaan if he's ill.

WHO JUDGES THE ILLNESS?

Some matter they are obvious, you can judge for yourself. You know your illness yourself. Sometimes it's a doctor who can advice you and tell you because sometimes you may not even feel it and they can tell you there is something wrong. It can even be the 'Ulamaa said a Kaafir doctor.

A PERSON ON A JOURNEY

Then he mentions after this:

وَلِلسَّافِرِ يَقْصُرُ

After the person who is ill, he said a person on a journey.

That's in the same verse:

...فَمَنْ كَانَ مِنْكُمْ مَّرِيضًا أَوْ عَلَى سَفَرٍ فَعِدَّةٌ مِّنْ أَيَّامٍ أُخَرَ...

﴿البقرة : ١٨٤﴾

But if any of you is ill or on a journey, the same number (should be made up) from other days. (Surat al-Baqarah: 184)

The proof is in the same verse. He said it's Sunnah to break the fast for one who's travelling, the distance that he is permitted to shorten his prayer. Notice he said for a traveler who travels the distance of one who is allowed to shorten his prayer.

The term Safar (سفر) in Arabic means linguistically, one who clears away from his city. One who leave his vicinity or city and clears away from it he is called a Musaafir. Just like a Mufassir comes from the same root word. A Mufassir clears the meaning of the Qur'an for us and a Musaafir clears away from his town or vicinity. That's the linguistic, figurative meaning of Safar.

The author said you can break your fast if the distance of your journey is the distance of one who is allowed and permitted to shorten his Salah.

THE DISTANCE ONE IS PERMITTED TO SHORTEN HIS SALAH

If we know that distance, that's the type of journey one is allowed to break his fasting. This is a greatly disputed issue and it is not the core of our fasting and it would take more than double this Halaqah to explain the opinions with proves. Some specified a wide range of distances like eighty-three kilometers, a little bit less or a little bit more and they went by the distance. Some went by days and they said three days, a little bit less than that, some said more than that. Some when by the distances of night and day, this was large group of 'Ulamaa because the Hadith:

لا يحل لامرأة تسافر مسؤ مسافة يومًا وليلةً إلا مع ذي محرم

The Messenger said a woman can't travel in distances of night and day without a Mahram. And he called night and day Safar (journey), so they adopted that.

Ibn Taymiyyah adopted the opinion that, the correct opinion on this is based on 'Urf. If one leaves his area, vicinity and what's commonly widespread and known as travel, then that's travel. I love that opinion and that's what I go by. Many who I studied with also like that opinion, but when they'll be asked they would go by eighty or eighty-five kilometers to be safe.

Now keep in mind, breaking fast is your right even if there's no hardship. Even if there's no Mashaqah, that's not a condition. So if you are travelling First Class on a journey and there's no hardship, you can still break your fast if it is considered travel.

IS IT BETTER TO FAST OR NOT?

There's numerous Ahaadith that the Messenger sallallahu alayhi wa sallam and the Sahaabah fasted in their journey. And there's other Ahaadith where the Messenger sallallahu alayhi wa sallam and the Sahaabah broke their fast while they were travelling. Now let go through the details of it.

The first one is if you are on a journey and if you were to fast on that journey would cause severe hardship or death, this is similar to what we took just moments ago in the second category of someone who fast while he is ill and it causes severe hardship or death. It would be Haraam because the Hadith of Amr Ibn Al -'Aas radhiallahu 'anhu and the understanding of the verse:

...وَلَا تَقْتُلُوا أَنْفُسَكُمْ... ﴿النساء : ٢٩﴾

And do not kill yourselves (nor kill one another). (Surat an-Nisaa': 29)

In fact the Messenger sallallahu alayhi wa sallam when he left to Makkah during the year of conquest, it was in Ramadhaan, he was fasting. And he and the people fasted until they reached a town on their way there. From the mercy of the Messenger sallallahu alayhi wa sallam is that he must have seen the Sahaabah were in a hardship and yet they didn't want to break their fast. So he went and asked for a cup of water and then he elevated it so people could see and then he began to drink. He was informed later on some refused or continued to fast, they continued their fast. So the Messenger sallallahu alayhi wa sallam said- those who continued to fast: those are the disobedience ones, those are the disobedience ones.

أولئك هم العصاة ، أولئك هم العصاة

That's the ruling if it is difficult or causes one harm.

WHAT IF IT IS NOT DIFFICULT?

Assume your journey is not difficult. Here are the opinions on that.

THE FIRST OPINION

The first opinion according to this book and it is the opinion of the Hanbali Madhab and it is also the opinion of Ibn Umar, Ibn Abbaas, Sa'eed Ibn Al-Musayyib, ash-Shabi, al-Awza'i that it is better not to fast. The Messenger sallallahu alayhi wa sallam seen people gathered around a man. So he asked them what was happening. They said it's a man who exhausted because of his fasting.

The Messenger sallallahu alayhi wa sallam said, it's not righteousness to fast when travelling:

لَيْسَ مِنَ الْبِرِّ الصَّيَّامُ فِي السَّفَرِ

This Hadith applies to the previous scenario when fasting is exhausting to that point, where he must have passed out.

However, this group took what the Messenger sallallahu alayhi wa sallam said:

لَيْسَ مِنَ الْبِرِّ الصَّيَّامُ فِي السَّفَرِ

It is not righteousness for one fast while he is travelling.

Imaam Ahmad Rahimahullah said Ibn Umar and Abu Hurairah the opinion that if one were to fast while he is travelling, then he needs to make it up. That's another way of saying that his Siyaam while travelling is invalid. It is said that Ibn Umar also adopted that opinion. Ibn Hazm Rahimahullah said al-Zuhri narrated that Abdur-Rahman Ibn 'Awf radhiallahu 'anhu said, one who fast while he is travelling on a journey it's like one who break his while he is at home. You know are sinful it is for some to be sitting at home and break his fast, while he has no excuse. Abdur-Rahman Ibn Awf said he gets the same amount of sin for one who travels and fast.

THE SECOND OPINION

It is by the majority of the 'Ulamaa. They said it is permissible to fast while you are travelling unless of course it falls under the category of being exhaustive or causes extreme hardship or death. Ibn Abdul Barr responded to the previous opinion, like that of which Abdur-Rahman Ibn Awf said and others said, we will considered it prohibited or invalid to fast while you are travelling; Ibn Abdul Barr said is this opinion been abandoned by the 'Ulamaa. That it is Haraam or in valid to fast while you are travelling and it has been by the Hadith in Bukhari and Muslim. Where a man asked the Messenger sallallahu alayhi wa sallam; shall I fast while travelling?

He said sallallahu alayhi wa sallam, if you would like to fast, fast. And if you would like to break your fast, break it.

إِنْ شِئْتَ فَصُمْ ، وَإِنْ شِئْتَ فَأَفْطِرْ

That's the answer to this matter. That's the correct opinion. If you wish then fast, and if you wish then don't fast. That's the opinion on this matter. In another narration in Sunan al-Nisa'i that man who asked was Amr Al-Aslami, he said O Messenger of Allah if I am able, if I

am able to fast while I am travelling, can I fast? He said, if you wish then fast and if you wish don't fast.

More so in Bukhari and Muslim Anas Ibn Maalik said we travelled with the Messenger sallallahu alayhi wa sallam during the month of Ramadhaan. Those who observe the fast found not fault with the breaker of the fast and those who broke their fast found no fault with the one who observe the fast.

So the first opinion is that is Haraam to fast even if it is not difficult. The second opinion is a matter of preference.

THE THIRD OPINION

The third opinion is that by Abu Haneefah, Maalik, Ash-Shaafi'ee, Anas, Uthman Ibn Abi al-'As, 'Umar Ibn 'Abdul Aziz, Mujahid, Qutaadah and others. They said it is better to fast while you are on your journey.

The correct opinion on this what Qutaadah Rahimahullah said. He said the best choice for one traveling, it's what's easier for him because Allah said:

...يُرِيدُ اللَّهُ بِكُمْ الْيُسْرَ... ﴿البقرة : ١٨٥﴾

Allah intends for you ease. (Surat al-Baqarah: 185)

The hardship and it is not that difficult then it is a matter of preference. Some who likes to fast to get it over with in Ramadhaan. They don't feel good about delaying Ramadhaan or making up days, they'd rather fast it in Ramadhaan, then the can do it in Ramadhaan while they are traveling. Some don't like to miss days of Ramadhaan because they're a blessing and if they travel they don't want to take off days of Ramadhaan day. They're blessed days, they're cherished days, so they like to do it in Ramadhaan. They don't want to the make up day. Some it may be easier for them to fast in Ramadhaan because everyone is fasting in whatever Muslim country that you go to. Wherever you have relative they're all fasting. So it is easier to do it in Ramadhaan. When the Messenger sallallahu alayhi wa sallam ordered them, it was because of a hardships.

What it boils down to is as long as one doesn't cause him some harm, then it is a matter of preference. Ibn Abdul Barr Rahimahullah said and he responded to those who consider it invalid or Haraam, he said that's been an opinion that has been abandon by the Fuqahaa' for the Hadith in Bukhari and Muslim where the Messenger gave Al Aslami the choice between fasting or not when he said he is able to fast if he travels.