

# THE FIQH OF SIYAAM

PREPARED BY: SHAYKH MUHAMMAD  
SAADIQ MBWANA



THE SALAFI JAMIAT - SOUTH AFRICA

# بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

## The definition of siyaam:

الصَّيَامُ As-Siyaaam is the plural of الصَّوْمُ sawm, linguistically it means to refrain. Allaah says:

﴿فَإِمَّا تَرَيَنَّ مِنَ الْبَشَرِ أَحَدًا فَقُولِي إِنَّي نَذَرْتُ لِلرَّحْمَنِ صَوْمًا فَلَنْ أَكَلِمَ الْيَوْمَ إِنْسِيًّا﴾

***“And if you see any human being, say: ‘Verily, I have vowed a fast unto the Most Gracious, so I shall not speak to any human being this day.’” [Maryam:26]***

The word (صوما fast) in the ayah means to refrain, Maryam (عليها السلام) had to refrain from speaking that is why she said: “so I shall not speak to any human being this day”. And in the Sharee-ah it means, to worship Allaah by refraining from food, drink and all those things that cause the fast to break, from the break of dawn up to sunset. It is necessary to comprehend from the above definition, the use of the word “worship” because many of the jurists do not mention the word worship in their definition. They only mention that it is to refrain from the things that break the fast, from such time to such time. And in the definition of salaah they mention it is actions and words which are known. However, it is necessary to add the word “worship” so that salaah is not understood as mere movements and fasting as merely refraining, but is must be Ibaadah. [Sharhul mumti’ pg. 298 v6 with some variations]

## The virtues of fasting

Allaah says:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا كُتِبَ عَلَيْكُمُ الصِّيَامُ كَمَا كُتِبَ عَلَى الَّذِينَ مِن قَبْلِكُمْ لَعَلَّكُمْ تَتَّقُونَ﴾

*“O, you who believe! Fasting is prescribed for you as it was prescribed for those before you, that you may acquire Taqwa.” [Baqarah:183]*

It is narrated from Abu Hurairah (رضي الله عنه) that: Allaah's Messenger ﷺ said, “Allaah said, ‘All the deeds of Adam (عليه السلام)’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 relation 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 unpleasant smell coming out from the mouth of a fasting person is better in the sight of Allaah than the 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-Bukhaari 1904]

## Fasting the month of Ramadhaan

The ruling of fasting the month of Ramadhaan is that it is waajib, meaning obligatory, upon every muslim who has not been excused by the Shaari', the legislator that refers to Allaah. Those who are excused, will be mentioned later in this article إِنَّ شَاءَ اللَّهُ.

Allaah says:

﴿يَا أَيُّهَا الَّذِينَ آمَنُوا كُتِبَ عَلَيْكُمُ الصِّيَامُ كَمَا كُتِبَ عَلَى الَّذِينَ مِن قَبْلِكُمْ لَعَلَّكُمْ تَتَّقُونَ﴾

***"O, you who believe! Fasting is prescribed for you as it was prescribed for those before you, that you may acquire Taqwa." [Baqarah:183]***

﴿فَمَن شَهِدَ مِنكُمُ الشَّهْرَ فَلْيَصُمْهُ﴾

***"So, whoever of you sights (the crescent on the first night of) the month (of Ramadhaan, i.e. is present at his home), he must observe Sawm (fasting) that month." [Baqarah:185]***

It was narrated from Talha bin 'Ubaidillaah (رضي الله عنه) that: A Bedouin with unkempt hair came to Allaah's Messenger ﷺ and said, "O Messenger of Allaah! Inform me what Allaah has made compulsory for me with regards to the prayers." He ﷺ replied: "You have to offer perfectly the five compulsory prayers in a day and night, unless you want to pray Nawafil." The Bedouin further asked, "Inform me what Allaah has made compulsory for me with regards to fasting." He ﷺ replied: "You have to fast during the whole month of Ramadhaan, unless you want to fast more as Nawafil." The Bedouin further asked, "Tell me how much Zakaah Allaah has enjoined on me." so, Allaah's Messenger ﷺ informed him about all the rules (i.e. fundamentals) of Islam. The Bedouin then said, "By Him Who has honoured you, I will neither perform any Nawafil, nor will I decrease what Allaah has enjoined on me." Allaah's Apostle ﷺ said: "If he is saying the truth, he will succeed (or he will be granted Paradise)." [Al-Bukhaari 1891]

How does the siyaam of Ramadhaan become compulsory?

The siyaam of Ramadhaan becomes compulsory when the Shahr (month) of Ramadhaan is established and the month is established by one of two ways.

- By the crescent of the month of Ramadhaan being sighted.
- Or by the month of Sha'baan ending with 30 days.

Allaah says:

﴿فَمَن شَهِدَ مِنكُمُ الشَّهْرَ فَلْيَصُمْهُ﴾

***"So, whoever of you sights (the crescent on the first night of) the month (of Ramadhaan, i.e. is present at his home), he must observe Sawm (fasting) that month." [Baqarah:185]***

It was narrated by Ibn Umar (رضي الله عنه) that he said: I heard Allaah's Messenger ﷺ saying: "When you see the crescent (of the month of Ramadhaan), start fasting, and when you see the crescent (of the month of Shawwal), stop fasting; and if the sky is overcast (and you can't see It) then count for it." [Al-Bukhaari 1900]

It was narrated by Abdullah bin Umar (رضي الله عنه) that: Allaah's Messenger ﷺ said: "The month (can be) 29 nights (i.e. days), and do not fast till you see the moon, and if the sky is overcast, then complete Sha'baan as thirty days." [Al-Bukhaari 1907]

Conditions for the validity of siyaam

For the sawm to be correct the following conditions must be fulfilled:

- The niyyah (intention). Allaah says:

﴿وَمَا أُمِرُوا إِلَّا لِيَعْبُدُوا اللَّهَ مُخْلِصِينَ لَهُ الدِّينَ﴾

***"And they were commanded not, but that they should worship Allaah, making religion purely for Him alone," [Bay-yinah:5]***

It was narrated from Umar bin Al-Khattab (رضي الله عنه) that he said: I heard Allaah's Messenger ﷺ saying: "The reward of deeds depends upon the intentions and every person will get the reward according to what he has intended. So, whoever emigrated for worldly benefits or for a woman to marry, his emigration was for what he emigrated for."

[Al-Bukhaari 1]

For the fast to be correct and valid, it is obligatory for the niyyah to be made before the entering of Fajr.

It was narrated from Hafsah (رضي الله عنها) from the Messenger of Allaah ﷺ that: "whoever does not make the niyyah before Fajr then there is no fast for him." [tuhfah sharh tirmidhi 830]

The lajnatud daa'imah was asked regarding the intention of fasting and they replied in the following way.

It is compulsory to confirm the niyyah for fasting the month of Ramadhaan during the night before Fajr. And the fast will not suffice without the niyyah, so the one who finds out during the day before noon, that it is a day of Ramadhaan and then makes niyyah to fast then he must refrain (from everything that breaks the fast) from that time until sunset and there will be qadhaa (fulfilling that day after Ramadhaan) because of the narraton of ibn Umar (رضي الله عنه) from Hafsah (رضي الله عنها) saying that: I heard Allaah's Messenger ﷺ saying: "The reward of deeds depends upon the intentions and every person will get the reward according to what he has intended. So, whoever emigrated for worldly benefits or for a woman to marry, his emigration was for what he emigrated for." It was narrated by Imaam Ahmad, the ashabus sunan, ibn Khuziamah and ibn Hibbaan, and they (ibn Khuzaimah and ibn Hibbaan) authenticated it. This is with regards to the obligatory fast, as for the nawaafil (voluntary) fast it is permissible for a person to make niyyah to fast it during the day as long as he did not eat, drink or have sexual relations after Fajr. This is established in a narration from Aaishah (رضي الله عنها) she said: The Messenger ﷺ entered one day before noon and said do you have anything with you (meaning to eat). She said: I said "no" then he ﷺ said: "then I am fasting". Muslim narrated it in his Saheeh. [lajnatud daai-mah fatwa no. 4352]

As for the wording of the niyyah then no narration has come with any specific wording for it. Pronouncing it aloud is not from the sunnah. Had it been from the sunnah, then some narrations would have reached us because Allaah's Messenger ﷺ fasted and his companions fasted. So, had that been part of their fasting, it would have reached us. Imaam An-nawawi said: "the fast is not correct except with intention and its place (the niyyah) is the heart" [rawdhatut taalibeen v2 pg. 350]

- The woman must be clean from haydh (menstruation) or nifaas (post-natal bleeding).

It was narrated by Abu Saeed that the Prophet ﷺ said: "is it not true that the woman can neither pray nor fast during her menses?" [Al-Bukhaari 1951]

The أَرْكَانُ (pillars) of Siyaam

Siyaam has only one رُكْنٌ (pillar) which is to refrain from all those things which causes the fast to be nullified, from the break of dawn to sunset.

Allaah says:

﴿وَكُلُوا وَاشْرَبُوا حَتَّى يَتَبَيَّنَ لَكُمُ الْخَيْطُ الْأَبْيَضُ مِنَ الْخَيْطِ الْأَسْوَدِ مِنَ الْفَجْرِ ثُمَّ أَتِمُّوا الصِّيَامَ إِلَى اللَّيْلِ﴾

***"...and eat and drink until the white thread (light) of dawn appears to you distinct from the black thread (darkness of night), then complete your fast till the nightfall."***  
**[Baqarah:187]**

## Sunan of Siyaam

- السُّحُورُ: Suhoor the pre-dawn meal.

Anas (رضي الله عنه) reported Allaah's Messenger ﷺ as saying: "Have suhoor, for indeed in suhoor there is barakah (blessings)." [Al-Bukhaari 1923]

'Amr bin al- 'Aas (رضي الله عنه) reported Allaah's Messenger ﷺ as saying: "The difference between our fasting and that of the people of the Book is eating shortly before dawn."  
 [Saheeh Muslim 1096]

- Delaying the suhoor (pre-dawn meal).

Anas (رضي الله عنه) narrated from Zaid bin Thaabit (رضي الله عنه) as saying: We had suhoor with the Messenger of Allaah ﷺ. We then stood up for salaah. I (Anas) said (to Zaid): How much time was there between the two (acts, i.e. taking of Suhoor and salaah)? He (Zaid) said: (the amount of time it takes to recite) fifty verses. [Al-Bukhaari 1921]

When the Athaan is heard and the person has food in his hand, he should finish it. Because of the saying of the Messenger ﷺ:

Narrated by Abu Hurairah (رضي الله عنه) that the Messenger ﷺ said: "When one of you hears the nidaa (the call to prayer) while the utensil is in his hand, he should not put it down until he fulfils his need." [Abu Dawood 2333; Saheehul Jaami' 607]

• **Hastening the إِفْطَارُ (breaking the fast).**

Sahl bin Sa'd (رضي الله عنه) reported Allaah's Messenger ﷺ as saying: "The people will continue to prosper as long as they hasten the breaking of the fast." [Al-Bukhaari 1957]

• **Breaking the fast with dates and water.**

Narrated by Anas bin Maalik (رضي الله عنه) he said: "The Messenger ﷺ used to break his fast with زُطَبٍ (ripe dates) and if he did not get زُطَبٍ then with تَمْرَاتٍ (dried dates), and if he did not, then with some sips of water." [Abu Dawood 2356; As-saheehah 2065]

• **Dua at the time of breaking the fast, with the following words:**

Ibn 'Umar narrates when the Messenger ﷺ would break his fast, he would say:

دَهَبَ الظَّمَأُ وَ ابْتَلَّتِ الْعُرُوقُ وَ ثَبَتَ الْأَجْرُ إِنْ شَاءَ اللَّهُ

*Translation: "thirst has gone, the arteries are moist, and the reward is sure, if Allaah wills."*[Abu Dawood 2357; Al-albani graded it as hasan al-irwaa 920]

• **Generosity, reciting the Quraan and learning it with each other.**

Ibn Abbaas (رضي الله عنه) reported that: The Prophet ﷺ was the most generous amongst the people, and he used to be more so in the month of Ramadhaan, when Jibreel would visit him and Jibreel would meet with him every night in Ramadhaan until it ends. The Prophet ﷺ used to recite the Quraan to Jibreel and when Jibreel met him he used to be more generous than the fast wind (which brings rain and good). [Al-Bukhaari 1902]

• **Avoiding those things which minimise and nullify the ثَوَاب (reward) of fasting, from hidden and apparent sins.**

It is narrated from Abu Hurairah (رضي الله عنه) that: Allaah's Messenger ﷺ said: "Allaah said, 'All the deeds of Adam'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 relation 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 unpleasant smell coming out from the mouth of a fasting person is better in the sight of Allaah than the smell of musk. There are two pleasures for the fasting person, one at the time of breaking

### • Eating or drinking intentionally.

If a person eats or drinks by unintentionally, then there will be no Qadhaa (to fast the missed fasts after Ramadhaan) and no kafaarah (atonement).

Narrated by Abu Hurairah (رضي الله عنه) that the Prophet ﷺ said: "if someone eats or drinks forgetfully then he should complete his fast, for what he has eaten or drunk, has been given to him by Allaah" [Al-Bukhaari 1933]

### • Vomiting intentionally, however if the person is over powered by the vomiting, there is also no qadhaa (to fast the missed fasts after Ramadhaan) or kafaarah (atonement) on him.

It was narrated by Abu Hurairah (رضي الله عنه) that the Messenger ﷺ said: "Whosoever has an attack of vomiting, then no atonement is required of him, but whoever intentionally vomits, then he should atone for it." [At-Tirmidhi 720]

### • Haydh (menses) and nifaas (post-natal bleeding).

If a woman experiences her menses during the time of fasting, then her fast will be nullified and she will have to fulfil that after Ramadhaan.

This is because of the hadith of Aaishah (رضي الله عنها) in which she says that: "we used to experience our menses in the time of the Messenger, then we would become clean from it then he would command us to fulfil the fast but not the Salaah". [Saheehun Nasaai 2317]

### • Sexual intercourse.

There is kafaarah (an atonement) because of the following hadeeth:

Abu Hurairah (رضي الله عنه) said, while we were sitting with the Prophet ﷺ a man came and said, "O Messenger of Allaah, I am ruined!" The Messenger of Allaah ﷺ asked: "What is the matter with you?" He replied, "I had sexual intercourse with my wife while I was fasting." The Messenger of Allaah ﷺ asked him: "Can you afford to manumit a slave?" He replied in the negative. The Messenger of Allaah ﷺ asked him: "Can you fast for two successive months?" He replied in the negative. The Prophet ﷺ asked him: "Can you afford to feed sixty poor persons?" He replied in the negative. The Prophet ﷺ remained silent and while we were in that state, a big basket full of dates was brought to the Prophet ﷺ. He asked: "Where is the questioner?" He replied, "It is me." The Prophet ﷺ said [to him]: "Take this (basket of dates) and distribute it in charity." The man said, "Should I give it to a person poorer than I? By Allaah, there is no household between its (i.e. Madeenah's) two mountains that is poorer than my household." The Prophet ﷺ smiled until his pre-molar teeth became visible and then said, "Feed your family with it." [Al-Bukhaari and Muslim]

## **The following are permissible for the صَائِم saa-im and they do not cause the fast to be nullified.**

### **• Bathing and pouring water on the head to cool off.**

Narrated 'Aaisha (رضي الله عنها): At times Allaah's Messenger ﷺ used to get up in the morning in the state of janaabah after having sexual relations with his wives. He would then take a bath and fast. [Al-Bukhaari 1930]

Abu Bakrah bin Abdirrahmaan (رضي الله عنه) narrated from some of the companions of the Messenger ﷺ saying: "I had seen the Messenger ﷺ at Al-Arj pouring water on his head while he was fasting, because of thirst or heat." [Abu Dawood 2348 Saheeh Al-Albani]

### **• Being in the state of janaabah at the time of fajr.**

The evidence is the hadeeth of 'Aaisha (رضي الله عنها): At times Allaah's Messenger ﷺ used to get up in the morning in the state of janaabah after having sexual relations with his wives. He would then take a bath and fast. [Al-Bukhaari 1930]

### **• Gargling the mouth and sniffing water in the nose without being excessive.**

Laqeeat bin Sabirah (رضي الله عنه) narrated that the Messenger ﷺ said: "be excessive in sniffing the water except for the one who is fasting." [At-Tirmidhi 788]

### **• Kissing the wife and touching her, for the who can control himself.**

Narrated by 'Aaisha (رضي الله عنها): The Prophet ﷺ used to kiss and embrace (his wives) while he was fasting, and he had more power to control his desires than any of you. [Al-Bukhaari 1927]

### **• Tasting food when it is necessary, if it does not go to the stomach.**

'Ataa bin Abi Rabaah ((رضي الله عنه) narrated that ibn Abbaaas (رضي الله عنه) said: "there is no problem with the person tasting the vinegar and other things while he is fasting as long as it does not go down the throat." [ibn Abi Shaybah/ Irwaa 937]

The Ijnatud daa-imah was asked about tasting food while the person is fasting. And they answered as follows:

There is no problem for the person to taste the food during the day of fasting, if it is necessary to do so and his fast will be correct as long he does not intentionally swallow any of it. [Ijnatud daa-imah fatwah no. 9845]

### **• Using the miswaak.**

The origin is that it is permissible to use the سيوَاك (siwaak) whilst fasting, as there are no authentic narrations prohibiting it.

### **• Hijaamah for the one who does not fear of becoming weak.**

Ibn 'Abbaas (رضي الله عنه) narrated that the Prophet ﷺ did cupping whilst fasting. [Al-Bukhaari 1939]



• **Perfumes, oils, drops, injections and kohl.**

Shaykh-ul-Islam ibn Taymiyyah said about using kohl, injections, drops, curing Al-ma'mumah (a wound in the brain) and Al-jaa-ifah (a penetrating thrust).

He said: "The most relevant is that fasting is not broken with such things, because fasting is an integral part of the religion of Islaam, which the elite and the ordinary need to know. So, if these matters were from that which Allaah and His Messenger ﷺ prohibited during fast, and if fasting would be nullified through them, then it would have been from those things, which were compulsory upon the Messenger ﷺ to clarify. Had he ﷺ mentioned it, then the companions would have known and conveyed it to the ummah, as they conveyed the rest of his ﷺ sharee'ah." [Majmoo'ul fataawa 25/234]

And he (Shaykh-ul-Islam) said: "It is known that kohl and its like is from that which is used extensively, just as oils, bathing, incense and perfume is wide spread. So, had this been from that which breaks the fast, the Prophet ﷺ would have clarified it. As he had clarified other things that break the fast. [Majmoo'ul fataawa 25/242]