22960 - Ruling on one who has intercourse with his wife during the day in Ramadaan a number of times, not knowing the ruling

the question

What Ruling on one who has intercourse with his wife during the day in Ramadaan a number of times, not knowing the ruling?

Detailed answer

Praise be to Allah.

Undoubtedly Allaah has forbidden His slaves to eat, drink or have intercourse during the day in Ramadaan, or to do anything that might break the fast. He has enjoined that the one who has intercourse during the day in Ramadaan, who is accountable, of good health and settled, not sick or traveling, has to offer expiation (kafaarah), which is freeing a slave; if he cannot afford that, then he must fast two consecutive months. If he is unable to do that then he must feed sixty poor persons, giving each one half a saa' of the staple food of the country. But with regard to one who has intercourse during the day in Ramadaan, and who is one of those who are obliged to fast because he is an adult, in good health and settled (not traveling), but he was ignorant of the ruling – there is a difference of opinion among the scholars in this case. Some of them said that he has to offer the expiation because he was negligent and did not bother to ask and find out about the religion. Other scholars said that he does not have to offer expiation because of ignorance. From this you can know that in order to be on the safe side, you should offer the expiation, because of your negligence and not asking about what is forbidden for you before you did what you did. If you cannot free a slave or fast, it is sufficient for you to feed sixty poor persons for each day that you had intercourse. So if you had intercourse on two days, you have to offer two expiations; if you had intercourse on three days, you have to offer three expiations, and so on, one expiation for each day you had intercourse. But if you had intercourse several times on one day, one expiation is enough for that. This is so as to be on the safe side and this is better for you, so that you will be

free of blame and will avoid an area concerning which there is scholarly dispute, and to make up for your fasts. If you do not remember the number of days on which you had intercourse, then do what is on the safe side, which is the higher number – so if you are not sure whether it was three or four days, assume it was four, and so on. But you should not do anything except what you are sure about. May Allaah help us and you to do that which pleases Him, and frees us from blame.