311990 - Does emission of maniy as a result of talking spoil the fast, or does it come under the same ruling as ejaculation as a result of thinking?

the question

Does emission of maniy as a result of talking come under the same ruling as repeatedly looking, or does it come under the same ruling as ejaculation as a result of thinking?

Detailed answer

Praise be to Allah.

Firstly:

Emission of maniy as a result of looking repeatedly spoils the fast, according to the Maalikis and Hanbalis, and the one who does that is sinning.

As for emission of maniy as a result of thinking, it does not spoil the fast, according to the majority of scholars, in contrast to the Maaliki view.

It says in Sharh Muntaha al-Iraadaat (1/481): … or he looks repeatedly, and emits maniy – not madhiy – then he has spoiled his fast, because he ejaculated as a result of a pleasurable action that could have been avoided; this is similar to ejaculating as a result of touching. End quote.

It says in Kashshaaf al-Qinaa‘ (2/321): … or he thinks and emits maniy or madhiy, then he has not broken his fast, because the Prophet (blessings and peace of Allah be upon him) said: “My ummah has been pardoned for what they think of to themselves, so long as they do not act upon it or speak of it.”

And because there is no religious text concerning that, and no scholarly consensus.

Comparing that to repeatedly looking is not a valid analogy, because it is less provocative and less

likely to lead to ejaculation. If ejaculation occurs as a result of overwhelming dominant thoughts, that is usually involuntary, in that he was not the cause of it. End quote.

It says in al-Mawsoo'ah al-Fiqhiyyah (26/267).

The Hanafis and Shaafa'is are of the view that emission of maniy or madhiy through looking or thinking does not invalidate the fast.

On the other hand, what is more likely to be correct according to the Shaafa'is, is that if a person usually ejaculates as a result of looking, or he looks repeatedly and then ejaculates, that does spoil the fast. The Maalikis and Hanbalis are of the view that emission of maniy as a result of persistent looking spoils the fast, because it is ejaculation that occurs as a result of a pleasurable action, and it is possible to avoid that.

As for ejaculation as a result of thinking, it invalidates the fast according to the Maalikis, but according to the Hanbalis it does not invalidate the fast, because it is not possible to avoid it. End quote.

Secondly:

If talking is via a video link, then this comes under the heading of ejaculation as a result of repeatedly looking.

If it is via voice only, then it seems that emission of maniy in this case also invalidates the fast, and that talking comes under the same ruling as looking repeatedly, because it is possible to avoid it, and it is not merely the matter of thinking or imagining; rather it is accompanied by speaking and listening to a voice, and the like, which provokes desire. Therefore repeatedly listening in this case is like repeatedly looking.

Shaykh Ibn 'Uthaymeen (may Allah have mercy on him) said: Question: if a man talks to his wife until he ejaculates, does that come under the same ruling as physical intimacy, so that we might say that it spoils his fast, or does it come under the same ruling as looking?

What appears to be the case is that it comes under the same ruling as looking, so it is less serious than physical intimacy.

Based on that, repeatedly talking comes under the same ruling as repeatedly looking, because when speaking a person may feel more pleasure than when looking.

End quote from ash-Sharh al-Mumti‘ (6/378).

The fasting person should avoid anything that will spoil his fast or could spoil it, such as this kind of talking, and the like.

Abu Dawood (2387) narrated from Abu Hurayrah that a man asked the Prophet (blessings and peace of Allah be upon him) about physical intimacy when one is fasting, and he granted him a concession allowing that. Another man came to him and asked (a similar question) and he told him not to do that.

The one to whom he granted a concession was an old man, and the one he told not to do that was a young man.

This report was classed as saheeh by al-Albaani in Saheeh Abi Dawood.

The same applies to anything that could lead to spoiling the fast. For the one who thinks it most likely that he will ejaculate as a result of kissing or physical intimacy, it is haraam for him to do that.

At-Tirmidhi (may Allah have mercy on him) said: The scholars among the companions of the Prophet (blessings and peace of Allah be upon him) and others differed concerning the issue of kissing for one who is fasting. Some of the companions of the Prophet (blessings and peace of Allah be upon him) allowed kissing for an old man, but they did not allow it for a young man, for fear that he would spoil his fast, and in their view, physical intimacy is more serious.

Some of the scholars said that kissing detracts from the reward, but it does not break the fast. They thought that if the fasting person is able to control himself, he may kiss his wife, but if he

does not trust himself, he should refrain from kissing, in order to maintain the soundness of his fast. This is the view of Sufyaan ath-Thawri and ash-Shaafa'i. End quote.

Ibn Qudaamah (may Allah have mercy on him) said: If this is proven, then if the one who wants to kiss has strong desire, such that he thinks it most likely that if he kisses, he will ejaculate, it is not permissible for him to kiss, because it will invalidate his fast; therefore it is prohibited, like eating.

If he has desire, but does not think it likely [that kissing will lead to ejaculation], it is makrooh [disliked] for him to kiss, because he is exposing his fast to the risk of being broken, and cannot be sure that he will not spoil it.

End quote from al-Mughni (3/127).

The Shaytaan is keen to spoil a person's fast or detract from his reward, and fasting is based on giving up food and desire for the sake of Allah, as al-Bukhaari (1894) narrated from Abu Hurayrah (may Allah be pleased with him) that the Messenger of Allah (blessings and peace of Allah be upon him) said: "Fasting is a shield. So the fasting person should avoid obscene speech and should not behave foolishly and ignorantly, and if somebody fights with him or insults him, he should tell him twice, 'I am fasting.' By the One in Whose hand is my soul, the smell that comes from the mouth of a fasting person is better in the sight of Allah, may He be exalted, than the scent of musk. [Allah says about the fasting person], 'He has given up his food, drink and desires for My sake. The fast is for Me and I will reward [the fasting person] for it and the reward of good deeds is multiplied ten times."

And Allah knows best.