49008 - If a traveler comes not fasting, he does not have to refrain from eating and drinking

the question

I was traveling and I broke my fast, then I came back to my city not fasting. Is it permissible for me to eat and drink when I am in my own city?.

Detailed answer

Praise be to Allah.

If a traveler comes home not fasting, or if a woman becomes pure following her period, or a sick person recovers during the day, the scholars differed as to whether these people have to refrain from eating and drinking or not?

The majority of scholars are of the view that they do not have to refrain from eating and drinking because they were not fasting for a valid reason.

But they should not eat and drink openly in front of those who do not know what their excuse is, so that will not be a cause of others thinking badly of them.

See al-Majmoo', 6/167, 168, 173/

Ibn Qudaamah said in al-Mughni:

With regard to those who are permitted not to fast at the beginning of the day – such as menstruating women, women who are bleeding following childbirth, travelers, young children, the insane, kaafirs and those who are sick – if their excuse for not fasting ceases during the day, and the menstruating woman or woman who was bleeding following childbirth becomes pure, or the traveller's journey ends, or the child reaches puberty, or the insane person comes to his senses, or the kaafir becomes a Muslim, or the sick person recovers, then there are two reports concerning their situation, one of which is that they should refrain from eating and drinking for the rest of the

day. This is the view of Abu Haneefah…. The other view is that they do not have to refrain from eating and drinking for the rest of the day. This is the view of Maalik and al-Shaafa'i. It was narrated that Ibn Mas'ood said: "Whoever eats at the beginning of the day let him eat at the end."

Shaykh Ibn 'Uthaymeen was asked: I heard that you issued a fatwa saying that if a menstruating woman becomes pure during the day in Ramadaan, she may eat and drink and need not refrain from that for the rest of the day, and the same applies to a traveler who comes home during the day. Is this correct? What is the evidence for that?

He replied:

Yes, what you have heard, that I said that if a menstruating woman becomes pure during the day, she may eat and drink and need not refrain from that for the rest of the day, and that the same applies to a traveler who comes home during the day, is correct. This is one of the two views narrated from Imam Ahmad (may Allaah have mercy on him), and it is also the view of Maalik and al-Shaafa'i (may Allaah have mercy on them).

It was narrated that 'Abd-Allaah ibn Mas'ood (may Allaah be pleased with him) said: "Whoever eats at the beginning of the day let him eat at the end." And it was narrated that the faqeeh Jaabir ibn Yazeed, Abu'l-Sha'tha', who was one of the imams of the Taabi'een, came home from a journey and found that his wife had become pure from her menses that day, so he had intercourse with her. These two reports were narrated in al-Mughni, without comment.

Because there is no point in refraining from eating or drinking, since fasting is only valid if done from Fajr.

And it is permissible for these people not to fast at the beginning of the day, even though they know that it is Ramadaan. Allaah has only commanded us to refrain from eating and drinking from the beginning of the day, from the time of Fajr (dawn), but at that time these people were not subject to this obligation, so they were not required to refrain from eating and drinking.

And Allaah has commanded travelers and menstruating women to make up the fast from other days. If we expect him to refrain from eating and drinking then we would be demanding more of him than Allaah has enjoined. because in that case we would be asking him to refrain from eating and drinking on that day as well as being required to make it up, so we would be expecting him to do two things even though only one of them is required, which is making up the number of days missed. This is the clearest evidence that we do not have to refrain from eating and drinking at this time… but we should not eat and drink openly because that may lead to negative consequences.

Fataawa al-Siyaam, p. 102.

Al-Nawawi said in al-Majmoo', 6/174.

If a traveler comes home during the day in Ramadaan and is not fasting, and finds that his wife has become pure from menses or nifaas during that day, or has recovered from sickness and is not fasting, then he may have intercourse with her and does not have to offer any expiation in our view.