

106476 - When is expiation required for one who broke the fast in Ramadaan without an excuse?

the question

I would like to ask about what makes making up missed days of fasting in Ramadan as well as expiation obligatory? I have searched about the answer and found that there are two opinions:

1- Only intercourse requires making up missed day of fasting as well as expiating. The evidence for this is known from the Sunnah.

2- Intercourse and also taking anything that reaches the stomach intentionally, makes making up missed days and expiating obligatory. I did not find an evidence for this from Quran or Sunnah.

Please provide us with a detailed answer clarifying the evidence from Quran and Sunnah.

Detailed answer

The Prophet (peace and blessings of Allah be upon him) stated that a Bedouin was obliged to offer expiation because he had intercourse with his wife deliberately during the day in Ramadan whilst fasting. Thus he (peace and blessings of Allah be upon him) explained the basis for the ruling and stated the reason for it. The fuqaha' are unanimously agreed that his being a Bedouin was merely a description and does not affect the ruling. So it is also obligatory for a Turk or Persian to offer expiation if they have intercourse with their wives. They are also agreed that the fact that the woman with whom he had intercourse was his wife was also merely a description and does not affect the ruling, so expiation must also be offered for intercourse with a slave woman or zina. They are also agreed that the fact that the man regretted it had nothing to do with making expiation obligatory, so it has nothing to do with the basis of the ruling. But they differed as to whether intercourse was the only reason why expiation was required because the fast was invalidated only by that, or is the issue that the sanctity of Ramadan was violated, even if it was done by breaking the fast deliberately by eating or drinking? Al-Shaafa'i

and Ahmad held the former view, and Abu Haneefah, Malik and those who agreed with them held the latter view. The difference between the two groups stems from their understanding of the basis of the ruling: is the ruling based on the violation of the sanctity of the Ramadan fast violated by intercourse only or the violation of the sanctity of the Ramadan fast by the spoiling of the fast in all cases, even if it is by eating or drinking? The correct view is the former, based on the apparent meaning of the text, and because the basic principle is that there is no expiation unless there is a clear text to prove that it is required.

Standing Committee for Academic Research and Issuing Fatwas