



وليتفقها (٧)

Ruling on Making up Fasts (Qada') for Pregnant and Breastfeeding Women



Prepared by
The General Iftaa' Department
In The Hashemite Kingdom of Jordan

In The Name Of ALLAH, The Entirely Merciful, The Especially Merciful
All perfect praise be to Allah the Lord of The Worlds. May His peace
and blessings be upon our Prophet Mohammad and upon all his family
and companions.

This is a pamphlet addressing the most important jurisprudential questions commonly raised regarding the ruling of Islamic Law on making up fasts for pregnant and breastfeeding women. Its content is derived from authoritative legal rulings (fatāwā) issued by the General Iftaa' Department, drawing upon the established juristic principles documented in the texts of the Shāfi'ī school in particular, and the recognized texts of the four major Sunni schools of thought in general.

Fasting is one of the greatest blessings of Allah the Almighty upon His servant; indeed, it is the only act of worship that Allah the Almighty has singled out for reward among all other acts of worship. Allah the Almighty says {what means}: «O ye who believe! Fasting is prescribed to you as it was prescribed to those before you, that ye may (learn) self-restraint». [Al-Baqarah/183]. The Messenger of Allah (peace and blessings be upon him) said, in what he relates from his Lord, the Almighty and Majestic, in a Hadith Qudsi: «Every good deed of Adam's son is for him except fasting; it is for Me. and I shall reward (the fasting person) for it». [Sahih al-Bukhari]. If the recompense is from Allah the Almighty, then what a magnificent reward it is, for Allah the Exalted is Great and only rewards with what is great.

Qaḍā' (making up missed acts of worship) is a permissible matter in Islam to enable the Muslim to compensate for what he missed of acts of worship, and it is a manifestation of Allah's mercy upon His servants. Allah the Exalted says {what means}: «God intends every facility for you; He does not want to put to difficulties». [Al-Baqarah/185].

Qaḍā' of an act of worship is the performance of that act by the Muslim outside its prescribed time, as he was unable to perform it within its time as determined by Islamic Law.

Qaḍā' of fasting is its performance outside the days of Ramadan as compensation for the fast missed during the days of Ramadan. The evidence for the obligation of Qaḍā' is the saying of Allah the Almighty {which means}: «(Fasting) for a fixed number of days; but if any of you is ill, or on a journey, the prescribed number (Should be made up) from days later. For those who can do it (With hardship), is a ransom, the feeding of one that is indigent. But he that will give more, of his own free will,- it is better for him. And it is better for you that ye fast, if ye only knew». [Al-Baqarah: 184].

Ruling on Fasting for Pregnant and Breastfeeding Women

According to the general rule, fasting is obligatory upon the pregnant and breastfeeding woman. If the hardship of fasting is normal and bearable, and neither the mother nor the fetus is harmed by the fast, then it is not permissible for the pregnant or breastfeeding woman to break her fast.

Ruling on Breaking the Fast for Pregnant and Breastfeeding Women

If the pregnant or breastfeeding woman fears for her own health—meaning that she is afflicted by harm or unusual hardship due to abstaining from food and drink or taking a specific medication, or if a trustworthy, specialized doctor advises against fasting—she should break her fast, and she is required to perform Qaḍā' only. Paying the Fidyah (ransom) is not sufficient in place of Qaḍā'.

What is Required of the Pregnant or Breastfeeding Woman if She Breaks Her Fast Due to Fear for the Fetus?

If the pregnant or breastfeeding woman breaks her fast only out of fear for the fetus, she is required to do two things: 1) Qaḍā' (making up the missed days) and 2) Paying the Fidyah (ransom). The Fidyah is the feeding of one poor person with a Mudd of food, which is estimated at 600 grams of wheat or rice for every day the fast was broken. It is permissible to pay its monetary value, which varies according to time and place. The Iftaa' Board in Jordan estimates this value annually based on the market price of wheat and rice. This value is paid for each day, and whoever increases the amount, Allah will increase his good deeds.

Al-Khatib al-Shirbini (may Allah have mercy on him) said in his book Mughni al-Muhtaj (Vol.2/P.174): «If they break their fast out of fear of

harm from fasting—like the harm that afflicts the sick person—upon themselves, even if with the child, then Qaḍā' is obligatory without Fidyah, just like the sick person. But if they fear for the child alone—such that the pregnant woman fears miscarriage, or the breastfeeding woman fears that the milk will decrease and the child will perish—then Fidyah from their own wealth is obligatory along with Qaḍā', according to the more apparent opinion».

When Should the Pregnant or Breastfeeding Woman Intend the Qaḍā' Fast, and is Tabyīt (To intend the fast before Fajr) Required?

The ruling regarding the intention varies according to the type of fast. If the fast is obligatory (Farḍ), Qaḍā', or a vowed fast (Naḍr), then Tabyīt (intending from the night before Fajr) is required for the validity of these acts. Moreover, it isn't valid to delay the intention; rather, the intention must be made from the night because it is an obligatory fast.

Al-Khatib al-Shirbini (may Allah have mercy on him) said in his book *Mughni al-Muhtaj* (Vol.2/P.149): «For an obligatory fast—whether Ramadan or other obligatory fasts like Qaḍā' or a vowed fast—Tabyīt is required, which is the making of the intention at night, based on the saying of the Prophet (peace and blessings be upon him): «Whoever does not intend the fast before Fajr, his/her fasting will not be accepted». [Reported by Al-Daraqutni and others, who authenticated it]».

In conclusion, the pregnant and breastfeeding woman must make the intention for the Qaḍā' fast from the night before, and the intention must be for the obligatory Qaḍā' fast.

Must a Woman Who Broke Her Fast in Ramadan Due to Pregnancy or Breastfeeding Make up the Missed Days before the Next Ramadan, and What is the Fidyah (Ransom) for Delaying Qaḍā'?

The Qaḍā' fast for the pregnant and breastfeeding woman must be performed before the next Ramadan if possible. If the next Ramadan begins and she has not made up the fasts despite being able to do so during the year, then Qaḍā' is obligatory, and a Fidyah is also obligatory for every day the Qaḍā' was delayed, which is the feeding of one poor person. If she was unable to perform the Qaḍā' during the year, she

only performs Qaḍā' for each day and no Fidyah is due.

If the Pregnant or Breastfeeding Woman Delays Qaḍā' Due to Ignorance of the Prohibition of Delay, is Fidyah Required?

If the delay of Qaḍā' occurred due to a valid excuse, such as illness, travel, preoccupation, or if she was ignorant of the prohibition of delaying it until after the next Ramadan, then the Fidyah is not obligatory upon her; only the Qaḍā' is required.

It is stated in Bushra al-Karim (Vol.1/P.580) from the Shafi'i books:

«As for delaying it (i.e., Qaḍā') with an excuse, such as travel, breastfeeding, forgetfulness, or ignorance of the prohibition of delay, even if she was not isolated from scholars... then there is no Fidyah in it, because delaying the performance is permissible with the excuse, so Qaḍā' is more deserving [of being delayed with an excuse], even if it continues for years».

Is it Permissible for the Pregnant or Breastfeeding Woman to Fast the Six Days of Shawwal Before Qaḍā', and Will She Receive the Same Reward as One Who Fasts a Complete Ramadan Followed by the Six Days of Shawwal?

If the breaking of the fast was due to a valid Sharia excuse, it is permissible for the woman to fast the Six Days of Shawwal first, and then make up the fasts she missed in Ramadan. This is because Qaḍā' is an obligation with an extended time limit until the next Ramadan. The reward is based on fasting the number of days of the month (Ramadan) plus the six days (of Shaawwal), and not on the condition that Shawwal follows the completion of Ramadan.

However, if the fast was broken without a valid Sharia excuse, she must immediately hasten to perform Qaḍā' after Eid and before fasting the Six Days of Shawwal. Nevertheless, if she fasts the Six Days of Shawwal, the fast is valid, but she is sinful for the delay, and she must perform Qaḍā' for the missed fasts afterward.

Imam al-Dimyati al-Shafi'i said in I'ānat al-Talibin (Vol.2/P.268):

«It is obligatory to make up the missed obligatory fasts—immediately if they were missed without an excuse, and with an extended time

limit if they were missed with an excuse».

Is it Permissible for the Pregnant or Breastfeeding Woman to Combine the Intention of the Qaḍā' Fast with the Intention of Fasting Shawwal or Dhul-Hijjah?

Whoever performs his Qaḍā' fast during the days of Shawwal achieves the Qaḍā', and it is hoped that he will also attain the reward of the Six Days of Shawwal, if Allah wills. The noble Hadith regarding its virtue is the saying of the Messenger of Allah (peace and blessings be upon him):

«Whoever fasts during the month of Ramadan and then follows it with six days of Shawwal will be (rewarded) as if he had fasted the entire year». [Reported by Muslim (No. 11654)]. This is an absolute Hadith that indicates that what is required is to occupy these days with fasting, whether it is a supererogatory fast (Nāfilah), a vowed fast (Naḍr), or a Qaḍā' fast. All of these allow for the overlapping of intentions and rewards.

What is the Ruling on the Qaḍā' Fast for the Pregnant or Breastfeeding Woman After the Second Half of Sha`ban?

Whoever misses any days of Ramadan must make them up before the next Ramadan, whether that is before the middle of Sha`ban or after it. The prohibition mentioned in the Hadith that forbids fasting after the middle of Sha`ban is understood to apply to absolute supererogatory fasting (Nāfilah Muṭlaqah). The fast of the pregnant and breastfeeding woman is an obligatory fast, as it is Qaḍā' for what was missed.

What is the Ruling on a Woman Who Dies Without Making Up the Days She Missed in Ramadan Due to Pregnancy or Breastfeeding?

A woman who broke her fast in Ramadan due to pregnancy or breastfeeding, and was able to perform Qaḍā' after Ramadan but died without making it up, falls into two categories:

1. Her guardian (Waliyy) may fast on her behalf, or a Mudd of food may be given for every day, estimated at 600 grams, and its price is estimated on that day.
2. If she died before she was able to perform Qaḍā', then there is nothing upon her or her guardians.

Imam al-Nawawi (may Allah have mercy on him) said in Al-Majmu' (Vol.6/P.368): «Whoever dies and has Qaḍā' of Ramadan or part of it

upon him, has two situations:

The first: That he had a valid excuse for missing the performance, and his excuse continued until his death, such as one whose illness, travel, unconsciousness, menstruation, post-natal bleeding, pregnancy, breastfeeding, or the like continued until death: nothing is obligatory upon his heirs or from his estate, neither fasting nor feeding. There is no disagreement on this among us (Shafi` scholars).

The second: That he was able to perform the Qaḍā', whether he missed it with or without an excuse, but did not make it up until he died. There are two well-known opinions regarding this: The correct opinion according to a group of our scholars of verification, and the one (opinion) we chose, is that it is permissible for his guardian to fast on his behalf, and this is valid and suffices for the feeding, and the deceased is cleared from the liability before Allah the Almighty. They used as evidence the Hadith of Aishah from the Prophet (peace and blessings be upon him): «Whoever dies and has a fast due upon him, his guardian should fast on his behalf». [Reported by Al-Bukhari and Muslim]. The second opinion is that food should be given for every day he did not fast». And Allah the Almighty knows best.

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