

European Council for Fatwa and Research-Ramadan, Eid, Hajj During Pandemic Q&A

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Drinking Liquids during the Days of Ramadan, a Preventive Measure against <u>COVID-19</u>

Question: Some news agencies and social media outlets promulgated that Muslims should consume liquids during the month of Ramadan in order to avoid having a dry throat and to push the virus to the stomach and then dispose of it. They added that it helps maintaining balance and hence it is a preventive measure against COVID-19. In light of this, is it permissible for Muslims to drink water during the period of fasting?

Answer: Based on consultations with doctors, experts and accredited medical studies, the argument that fasting that requires refraining from drinking liquids during the day time makes people more susceptible to COVID-19 is definitely untrue and is not founded on any scientific evidence. On the contrary, many academic studies attest to the fact that fasting is a healthy practice in a number of ways. It improves humans' immunity needed in light of the current health situations.

However, there is a concession for patients advised by doctors to avoid fasting since it postpones their recovery or leads to complications in their health situations. Muslim jurists state that good health and freedom from diseases are prerequisites for fasting. Ibn Qudamah states, "The scholars consensually state that in general being unwell is a genuine reason for the permissibility of not observing fasting. It is founded on the verse that reads, "but if any of you is ill, or on a journey, the prescribed number (Should be made up) from days later." (2:184) People suffering from chronic diseases should offer a Fidya i.e. feeding one poor person per day. If it is not a chronic disease, yet one cannot observe fasting as stated by one's doctor, one has a concession to avoid fasting but the missed number of days should be made up later on.

Acting in consistency with this concession, when its stipulations are fulfilled, represents the accomplishment of the principle of flexibility and removing hardship stated by Shari'ah. Allah says," On no soul does Allah Place a burden greater than it can bear." (2:286) Also, Allah states: "Allah intends for you ease and does not intend for you hardship." (2:185)

Two points to remember

First: In the case of being infected by COVID-19, one should break one's fast because the concession is directed to you. In return, dependent on one's case one should give Fidya (ransom) or make up the same number of the missed days. When recovered, one is to observe fasting.

Second: In light of the spread of COVID-19, Muslims should adhere to the health instructions that require social distancing, refrain from congregational Iftar and inviting others for Iftar, practiced in usual circumstances, until official authorities remove restrictions. Muslims should also adopt a well-balanced healthy diet during the month of fasting; since it reinforces one's health and allows fasting increase one's immunity.

Adjourning Fasting Due to COVID-19

Question: Is it permissible to postpone fasting during Ramadan this year and when one is safe from COVID-19, one would fast for thirty days?

Answer: Allah prescribes fasting during a specific month i.e. the month of Ramadan. Allah says, "The month of Ramadhan [is that] in which was revealed the Qur'an, a guidance for the people and clear proofs of guidance and criterion. So whoever sights [the new moon of] the month, let him fast it; and whoever is ill or on a journey - then an equal number of other days. Allah intends for you ease and does not intend for you hardship and [wants] for you to complete the period and to glorify Allah for that [to] which He has guided you; and perhaps you will be grateful. (2:185)

In a number of hadiths, the Prophet Muhammad, peace be upon him, explains that the obligatory fasting is during the month of Ramadan. For instance, in a hadith narrated by 'Umar Ibn, the Prophet Muhammad, peace be upon him, says: "Islam is based on five (pillars): testifying that there is no god save God and that Muhammad is His Messenger; performing Salah; the payment of Zakat; performing Hajj to the House [of Allah (Ka'bah)]; and Saum (fasting) during the month of Ramadan." Agreed upon

The prescription of fasting during the month of Ramadan is confirmed by a hadith narrated by Abu Hurairah in which the Prophet Muhammad, peace be upon him, says: "Do not observe Saum (fasting) for a day or two days preceding Ramadan.

However, if a person is in the habit of observing Saum on a particular day (which may fall on these dates), he may fast on that day." Bukhari, v₃, p₂8 This hadith gives a number of instructions. It forbids observing voluntary fasting during Sha'ban when followed successively by the obligatory fasting during Ramadan, the prescription of which coincides with the commencement of the month of Ramadan. It also forbids fasting during Shawwal successively after fasting during Ramadan. Hence, fasting during the day of doubt is forbidden and fasting during the day of Eid (festival) is forbidden also. The commencement of the prescribed fasting and its conclusion are to be marked distinctively during one month, the month of Ramadan- no more and no less.

The timing of the prescribed fasting i.e. the month of Ramadan has been expressed in word and action by the entire nation of Islam in all times.

Based on the above-mentioned argument, **it is not permissible to adjourn the fasting during Ramadan**. The methodology and the timing of the Islamic rituals are determined solely by the divine revelation and Muslims should abide thereby. Moreover, the excuse i.e. adjourning to avoid being infected by COVID-19 is not genuine, since fasting, in addition to other benefits, reinforces one's immunity.

Eid (Festival) Prayers in Light of the Spread of COVID-19

Question: Is it valid if I offer Eid prayers at home in a congregation made of my family due to the plague? If missed, is there another prayer that one could offer in return?

Answer: The majority of the Shafi'i School, Hanbali Schools and some of the Maliki school state that if one offers Eid Salah individually or in a congregation at home in the way explained i.e. two Rak'ahs and Takbeers but not a sermon, the prayer is valid. Whenever Anas Ibn Malik missed Eid prayer, he offered it at home with his family. Due to the current circumstances where people have to remain at home and they cannot offer it in a mosque, every family may offer it at home. Eid prayer, similar to Taraweeh prayer, is a confirmed Sunnah valid if offered at home. However, it is not valid if offered at home while following an Imam through a live broadcast.

Paying Fidya (ransom) prior to Ramadan

Question: By means of analogy of paying Zakah before its due term, in the case of having a chronic disease, is it valid if one pays Fidya (ransom) prior to Ramadan?

Answer: In the case of having a chronic disease one should give the Fidya (ransom) of feeding one poor person per day. Allah says: "And upon those who are able [to fast, but with hardship] - a ransom [as substitute] of feeding a poor person [each day]." (2:184) According to the Hanafi School, it is valid to pay Fidya for the entire month of Ramadan on the first day of Ramadan. Ibn Abdeen, may Allah be pleased with him, says: "An elderly person unable to observe fasting has the concession to break fasting and in return they give the prescribed ransom even on the commencement of the month i.e. s/he has the option of giving it at the beginning or the end of the month." (Al-Dur Al-Mulhtar and Hashiyat Ibn Abdeen V2, p427)

The Fidya is not valid if given prior to the month of Ramadan, since fasting is prescribed for being present during the month of Ramadan. Allah says: "So every one of you who is present during that month should spend it in fasting." (2:185). Incapability is not recognized until the prescription becomes due and no performance is done prior to prescription. Establishing a link between Fidya and Zakah is invalid, since Zakah is valid if paid prior to its due term since the prescription of Zakah is dependent on the ownership of a given minimum. Once one owns the minimum, one could pay Zakah before its due term whereas paying Zakah before owning the minimum is invalid.

Paying Hospitals and Old Folks' Homes Zakah of Wealth and Zakah of Ramadan

Question: In light of the COVID-19, what is the Islamic rule regarding paying hospitals and old folks' homes Zakah of wealth and Zakah of Ramadan?

Answer: Muslims are urged to hasten to help in facing this crisis and this critical period confronting Europe and most of the countries due to the spread of the pandemic COVID-19 and its serious repercussions e.g. the financial needs of hospitals, old folks' homes, families and individuals. Muslims should save no possible efforts to provide financial support for institutions in need. Allah says: "And cooperate in righteousness and piety." (5:2) Also, Allah says: "do good - that you may succeed." (22:77) Supporting hospitals is certainly a type of cooperation in righteousness. It is a form of good practice. This could be entitled as charity, a

prescribed duty. There is neither minimum nor maximum for charity. One may give in charity more than the specified amount of Zakah provided that it does not lead to compromising one's duties towards his dependent family members.

As for Zakah of wealth, the rule is that it should be spent on one or more of the eight expenditures stated in the verse in which Allah says, "Zakah expenditures are only for the poor and for the needy and for those employed to collect [zakah] and for bringing hearts together [for Islam] and for freeing captives [or slaves] and for those in debt and for the cause of Allah and for the [stranded] traveler - an obligation [imposed] by Allah . And Allah is Knowing and Wise." (9:60)

The rule is that Zakah of Ramadan is given to the poor as Ibn Abbas says: "The Messenger of Allah, peace be upon him, enjoined Zakat-ul-fitr on the one who fasts (i.e. fasted during the month of Ramadan) to purify him from any indecent act or speech and for the purpose of providing food for the needy. It is accepted as Zakah for the person who pays it before the Eid prayer and it is Sadaqah (i.e. voluntary charity) for the person who pays it after the Eid prayer." Reported by Abu Dauud and Ibn Majjah. According to the Hanafi School and Ibn Sirin, it is permissible to give it to non-Muslim poor people.

Based on the above-mentioned argument, since there are several types of needs we recommend people to have their priorities in the right order in order to set equilibrium among these types of needs and avoid helping some and ignoring others. Donations for hospitals could be made of general charity, whereas Zakah could be used to satisfy the needs of the poor individuals and families especially as the crisis increased the numbers of the poor and the needy. In addition, part of the Zakah could be used to cover the need of Islamic centers as stated in a previous Fatwa issued by the ECFR.

Adjourning Hajj for Fear of COVID-19

Question: I am determined to go for hajj this year as long as the Saudi authorities do not suspend hajj, but I am afraid that I could be infected by COVID-19. Is it a sin if I adjourn it for next year?

<u>Answer:</u> We pray to Allah to remove this adversity before the time of hajj and that you could perform hajj in peace and security. Allah prescribes hajj on those who can make it. Allah says, "pilgrimage to the House - for whoever is able to find

thereto a way. But whoever disbelieves - then indeed, Allah is free from need of the worlds." (3:97) Affording the journey refers to financial and physical abilities and the absence of anything threatening one's life, as it is the current case due to COVID-19. If hajj is suspended due to the severity of the pandemic COVID-19 and the possibility of its spread, there is no harm in postponing it for next year.