

Shaykh Aboo `Abd-al-Mu`iz `Alee Farkous al-Qoobee

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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

In the name of Allaah, the Most Merciful, the Bestower of Mercy

**Question:** A sick girl did not fast two consecutive months of Ramadhan, and could not compensate them because of her illness in which she died. What should her family do?

**Shaykh Aboo `Abd-al-Mu`iz `Alee Farkous al-Qoobee** (May Allaah the Most High preserve him): All praise is due to Allaah, the Lord of the Worlds. Peace and blessing be upon whom Allaah sent as a mercy to the Worlds, upon his Family, his Companions and his Brothers till the Day of Resurrection.

If someone dies and has the fast of Ramadhan in debt, his guardians must feed a poor for each day not fasted by a half of a Saa` (a Saa` equals nearly 8 handfuls). It is not permissible to fast instead of him, because the obligation of fasting is as the same as prayer. As we do not pray instead of someone, we do not fast instead of him, as long as the person has not fasting in debt as the fasting of Nadhr (vow), if someone of his family makes up for him his missed days of fast as in the hadeeth reported by `Aisha (May Allaah be pleased with her) that the Prophet (May the peace and blessings of Allaah be upon him) said: **“Whoever died and he ought to have fasted then his guardian must fast on his behalf”**<sup>1</sup>. Even though this hadeeth is absolute, it is understood as meaning the fasting of Nadhr, since Nadhr is a pledge that one has to keep. It has the status of a debt. So the compensation (for the missed days) by the guardian (of the dead person) is accepted as when he compensates for him his debt. It is the view of `Aisha and Ibn `Abbaas (May Allaah be pleased with them). It is narrated that it is the view of Sa'eed Ibn Jubayr and Ahmad Ibn Hanbal (May Allaah have mercy on them), it is also the view of Ibn Qayyim Al-Jawzeeyya<sup>2</sup>, this view is supported by these two following hadeeths:

- The hadeeth of Ibn `Abbaas (May Allaah be pleased with both of them). He said: a man came to the Prophet (May the peace and blessings of Allaah be upon him) and said: O Allaah's Apostle! My mother died and she ought to have fasted one month. Shall I fast on her behalf?" The Prophet (May the peace and blessings of Allaah be upon him) replied: **“If your mother had debts,**

<sup>1</sup> Reported by Al-Bukhaaree in the chapter of “Fast” (hadeeth 1952), Muslim in the chapter of “Fast” (hadeeth 2748), Aboo Daawood in the chapter of “Fast” (hadeeth 2402), Ad-Daaraqutnee in his “Sunan” (hadeeth 2359) and Al-Baihaqee (hadeeth 8481) from the hadeeth of `Aisha (May Allaah be pleased with her).

<sup>2</sup> In “I'laam Al-Muwaqqi`iin (4/382) and in “Tahdheeb As-Sunan” (7/38).

## Making up missed days of Ramadhan for excused dead person

**would you have paid it?"** he replied in the affirmative. The Prophet (*May the peace and blessings of Allaah be upon him*) said: **"Allaah's debts are more entitled to be paid."**<sup>3</sup>.

Ibn `Abbaas reported also that Sa`d Ibn `Ubaada (*May Allaah be pleased with him*) asked the Prophet (*May the peace and blessings of Allaah be upon him*) by saying: My mother died and had in debt a Nadhr of fasting" he (*May the peace and blessings of Allaah be upon him*) then said: **"Compensate it for her"**<sup>4</sup>.

According to these hadeeths, the fast of Nadhr for a dead person is valid. The absoluteness of fasting remains included by the saying of Ibn `Umar (*May Allaah be pleased with both of them*): "None should fast on behalf of someone else"<sup>5</sup>.

The perfect knowledge belongs to Allaah (*May He be Exalted the Most High*). Our last prayer is all praise is due to Allaah, the Lord of the Worlds. Peace and blessing be upon our Prophet, his Family, his Companions and his Brothers till the Day of Resurrection.

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<sup>3</sup> Reported by Al-Bukhaaree in the chapter of "fasting" (hadeeth 1953), Muslim in the chapter of "Fast", (hadeeth 2750), from the hadeeth of Ibn `Abbaas (*May Allaah be pleased with both of them*).

<sup>4</sup> Reported by Al-Bukhaaree in the chapter of "Wills" (hadeeth 2761), Muslim in the chapter of "Vows" (hadeeth 4323), Aboo Daawood in the chapter of "Oaths and Vows" (hadeeth 3309), At-Tirmidhee in the chapter of "Oaths and Vows" and An-Nasaa'ee from the hadeeth of Ibn `Abbaas (*May Allaah be pleased with both of them*).

<sup>5</sup> Reported by Maalik in Al-Muwatta' (hadeeth 676), Al-Baihaqee (hadeeth 8475). It is authenticated by Al-Albaanee in Al-Mishkaat (hadeeth 1977), see "Nasb Ar-Raaya" of Az-Zayla'i (2/209) and "At-Talkhees Al-Habeer" of Ibn Hajar (2/209).