
Drinking, eating and sexual intercourse out of forgetfulness while fasting

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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Question: If a man eats or drinks while he is observing a supererogatory fast, what does he have to do? And what is the ruling with regard to someone who has sexual intercourse out of forgetfulness while performing an obligatory fast?

Answer: Shaykh al-Albaanee (رَحِمَهُ اللهُ)¹: With regard to drinking and eating out of forgetfulness, there is no difference between the obligatory and the supererogatory fasts. And it is as the Prophet (صلى الله عليه)² said: "...Indeed it is only Allaah who has fed him and given him to drink."

As for having sexual intercourse out of forgetfulness, then I cannot imagine it occurring between two spouses. I can imagine it occurring with respect to one of the two spouses, who is immersed in heedlessness, but what is the condition of the other spouse, regardless of whether it is a male or a female?

Therefore, I must assume that this question is with regard to it occurring to one of the two spouses. So based on this, if we were to say that one of them is forgetful while the other is taking advantage of this forgetfulness (from his/her mate), then the one who is forgetful, there is no difference between his eating, his drinking and his having sexual intercourse (in that it is out of forgetfulness). As for the one who remembers and is aware, then he must perform the great expiation (Kafaara).

¹ (رَحِمَهُ اللهُ) (rahimahullaah) May Allaah have mercy on him

² (صلى الله عليه وسلم) May the peace and blessings of Allaah be upon him