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Traveler's Taqseer And Fast Breaking

Legislating taqseer

Legislating taqseer¹

The four rak'a-prayers are shortened into two rak'as in travel whether it is in the case of fright or safety. All the umma agree upon this unanimously. Allah says:

(And when you journey in the earth, there is no blame on you if you shorten the prayer, if you fear that those who disbelieve will cause you distress 4: 101).

Ya'la bin Umayya said: "I asked Omar bin al-Khattab: is ***(there is no blame on you if you shorten the prayer, if you fear that those who disbelieve will cause you distress)*** while the people are safe now? He said: "I wondered at what you have wondered at and asked the Prophet (s) about that. He said: It is a charity that Allah has granted to you. You are to accept His charity." It was mentioned in Muslim's *Sahih*.

Ibn Omar said: "I accompanied the Prophet (s) in travel. He didn't offer more than two rak'as until he went to the better world. I accompanied Abu Bakr (in travel). He didn't offer more than two rak'as until he died. I accompanied Omar. He didn't offer more than two rak'as until he died. Then I accompanied Othman. He didn't offer more than two rak'as until he died. Allah had said: ***(Certainly you have in the Messenger of Allah an excellent exemplar)***"² 33:21.

Anass bin Malik said: "We traveled with the Prophet (s) from Medina to Mecca. He offered the prayers in two rak'as until we came back to Medina."³

Ibn Abbas said: "The Prophet (s) stayed in Mecca for nineteen days. He offered qasr prayers."⁴

The Prophet (s) offered qasr prayers although he stayed for nineteen days because he hadn't had the intent of residence.⁵

The historians confirmed that the Prophet (s) had led the people of Mecca in offering the four-rak'a prayers after the hijra. He made tasleem (to end the prayer) after two rak'as but before that he had told the people to complete their prayer until the fourth rak'a and apologized to them that he and his companions, who had come with him from Medina, were travelers.

Ibn Abu Shayba narrated that the Prophet (s) had said: "The best of my umma are those, who witness that there is no god but Allah and Muhammad is the messenger of Allah, become happy when doing benevolence, ask for forgiveness when doing badly and shorten the prayer when traveling."

Anass bin Malik said: "I offered the Dhuhr prayer with the Prophet (s) in Medina in four rak'as and offered the Assr prayer in Thil Hulayfa in two rak'as as a traveler."⁶

There were many other true traditions confirming that Allah the Almighty had legislated shortening the prayer in travel.

Legislating fast breaking

There was no doubt that Allah had legislated fast breaking in Ramadan for whoever traveled to a distance that made him/her shorten his/her prayer. The umma agreed upon this unanimously and the Quran and the Sunna confirmed it clearly.

Allah said: (***The month of Ramadan is that in which the Quran was revealed, a guidance to men and clear proofs of the guidance and the distinction; therefore whoever of you is present in the month, he shall fast therein, and whoever is sick or upon a journey, then (he shall fast) a (like) number of other days; Allah desires ease for you, and He does not desire for you difficulty, and (He desires) that you should complete the number...***) 2:185.

When the Prophet (s) traveled during Ramadan, he broke his fasting and declared to the people that he had broken his fasting. He considered fasting in travel as disobedience. He said: "It is not of piety to fast in travel." We shall quote all the tradition later on.

Abu Qulaba narrated—as it was mentioned in the Sihah—that the Prophet (s) had said to a man of bani⁷ Aamir: "Allah has freed the traveler from fasting and halved the prayer for him."

He, who investigated the Sunna and the sayings of the imams about taqseer and fast breaking in travel, would find that the fatwas and the consensus of the umma had confirmed that Allah had legislated fast breaking in Islam. If travel required one of them; taqseer or fast breaking, to be done, it would be the very reason for the other to be done undoubtedly.

The conditions of taqseer

The Muslim scholars disagreed upon the conditions of taqseer. Some of them thought that taqseer was obligatory for the traveler. This was the belief of the Shia according to their imams. So was the belief of Abu Haneefa, his companions and all the people of Kufa.[8](#)

Some scholars thought that both qasr and tamam (complete) prayers were optional for the traveler like the optionality of kaffara.[9](#) This was the belief of some companions of ash-Shafi'iy.

Some thought that qasr prayer was a certain rubric of the Prophet (s). This was the belief of Malik according to the most famous saying narrated from him.

Some thought that taqseer was a concession (granted by Allah) and offering tamam prayer would be better. Ash-Shafi'iy thought so according to his most famous sayings. So it seemed to his companions.

The Hanbalites said that qasr was permissible and was better than tamam but tamam prayer was not makrooh.[10](#)

Our evidence

The Shia believed that qasr was wajib depending upon true prophetic traditions mentioned in the Sunni books of Hadith and upon the certain traditions of the infallible imams of Ahlul Bayt (s).

From among the traditions mentioned in the Sihah of the public (the Sunni sects) was this tradition mentioned by Muslim in his *Sahih* that ibn Abbas had said: "Allah obligated via your prophet's tongue that the prayer was to be four rak'as in residence and two rak'as in travel." This showed clearly that the traveler was ordered to offer Dhuhr, Assr and Isha' prayers in two rak'as and that the resident was ordered to offer them in four rak'as; therefore the prayer of the traveler wouldn't be valid unless it was two rak'as and the prayer of the resident wouldn't be valid unless it was four rak'as because worship wouldn't be valid unless it was performed according to the divine orders.

Muslim mentioned another tradition in his *Sahih* that Musa bin Salama al-Huthali said: "I asked ibn Abbas how to offer my prayer in Mecca (he was a traveler in Mecca). He said: Two rak'as; it is the Sunna of Abul-Qassim[11](#) (s)."

He certified that the prayer of the traveler was to be two rak'as according to the Prophet's Sunna.

Muslim mentioned another tradition in his *Sahih* that az-Zuhri narrated from Orwa that Aa'isha had said: "The prayer had been legislated firstly as two rak'as and then the prayer in travel was fixed and the prayer in residence was completed (became tamam)." Az-Zuhri said: "I said to Orwa: Then why does Aa'isha offer tamam prayer in travel? He said: She interpreted[12](#) as Othman did."

Muslim mentioned Aa'isha's tradition from another way that she said: "Allah had legislated the prayer as two rak'as and then He made it tamam in residence and it was fixed in travel as it had been legislated firstly."

If this tradition was true so it would be naturally that the prayer of the traveler when it was offered in four rak'as wouldn't be valid if there was no divine order about that. From the first, Allah had legislated the prayer to be two rak'as and then He fixed it for the traveler, so if the traveler offered it in four rak'as, he would be heretic exactly as if he had offered the Fajr prayer in four rak'as or offered the four-rak'a prayer in residence in two rak'as.

From among the sayings of the infallible imams was this tradition narrated by Zurara bin A'yun and Muhammad bin Muslim. They asked Imam Baqir (s): "What do you say about the prayer in travel? How and how many (rak'as) is it?" He said: "Allah says: (***And when you journey in the earth, there is no blame on you if you shorten the prayer...*** 4: 101) so taqseer is wajib in travel as tamam is wajib in residence." They said: "We said to him: Allah says: (***there is no blame on you if you shorten the prayer***) and doesn't say: (Shorten the prayer!) So how does it become wajib like tamam prayer?" He said: "Doesn't Allah say: (***Surely the Safa and the Marwa are among the signs appointed by Allah; so whoever makes a pilgrimage to the House or pays a visit (to it), there is no blame on him if he goes round them both...*** 2: 158) Don't you see that tawaf¹³ is obligatory because Allah has mentioned it in His book and the Prophet (s) has done it? So is about taqseer in travel. Allah has mentioned it in His book and the Prophet (s) has done it." They said: "Then did he, who offered four rak'as in travel, have to offer his prayer again (in two rak'as)?" He said: "If the Quranic verse of taqseer had been recited and interpreted to him and he offered four rak'as, then he had to offer his prayer again but if the verse hadn't been recited to him and he hadn't known about it, then he didn't have to offer his prayer again." Imam Baqir (s) added: "All the prayers in travel are to be two rak'as except Maghrib prayer, which is three rak'as and has no taqseer, because the Prophet (s) has left it three rak'as whether in travel or residence."

Imam at-Tabarsi said in Majma'ul Bayan after mentioning this tradition: "In this tradition there is a certain evidence showing that the prayer of the traveler is not like the prayer of the resident. The entire sect (the Shia) agreed upon this and agreed upon that the prayer of the traveler was not qasr. It was mentioned that the Prophet (s) had said: "The prayer of the traveler is two rak'as but not qasr."

The author of al-Kashshaf said when talking about the verse of taqseer: "Abu Haneefa considered taqseer in travel as obligatory and not concession and doing other than it was not permissible. Omar bin al-Khattab said: The prayer in travel is two rak'as. It is tamam and not qasr according to the Prophet (s)." ¹⁴

The excuse of ash-Shafi'iyy and those who consider taqseer as not wajib

They justified their belief in some ways:

First: the apparent meaning of the Quranic verse (***there is no blame on you if you shorten the prayer***) showed permissibility and not obligation.

The answer: the previous saying of Imam Baqir (s) was sufficient to refute this excuse. Imam az-Zamakhshari said in his Kashshaf: "As if people at those days got used to tamam prayers so in order not to think that there would be a defect in their prayers if they offered them in shortened form, the verse denied that they might be blamed so that they were to feel assured and satisfied when offering qasr prayers."

Second: Othman and Aa'isha used to offer tamam prayers in travel.

The answer: Othman and Aa'isha interpreted the evidences of taqseer and they mistook.

Some Sunni scholars justified that by saying: "Othman was ameerul mo'mineen (the commander of the believers) and Aa'isha was the mother of the believers so they both were in continuous residence because wherever they traveled they would be among their family and in their home and country."

What a funny justification it was! Did they consider the Prophet (s) as a stranger to the world of the believers? No one had narrated that the Prophet (s) offered tamam prayers in his travels. Neither did Abu Bakr, Omar or Ali. So all of them were strangers according to this justification. Might Allah be with them!

Third: famous traditions mentioned by Muslim in his *Sahih* showing that the companions often traveled with the Prophet (s). Some of them offered qasr prayers and some offered tamam prayers. Some of them remained fasting and some broke their fasting. They didn't criticize each other.

The answer: nothing of these traditions was proved by the Shia besides that they objected to the certain traditions narrated from our infallible imams, who were equal to the Quran. In fact these traditions contradicted themselves. You will see the details soon inshallah.

No doubt that the traditions of the infallible imams of the Prophet's progeny would be preferred to the others' traditions when there was any objection between them especially when they were confirmed by some traditions narrated by the Sunni.

The conditions of fast breaking

The Muslim jurists disagreed upon the conditions of fast breaking in travel. The Sunni jurists thought that fast breaking in travel was a concession and if the traveler kept on his fasting, his fasting would be valid. They depended upon some traditions mentioned by Muslim in his *Sahih*;

Abu Sa'eed al-Khidri said: "We went to fight with the Prophet (s) in one of the battles on the sixteenth of Ramadan. Some of us kept on fasting and some broke fasting. Neither the faster criticized that, who broke his fasting, nor that who broke fasting criticized the faster."

From another way that Abu Sa'eed said: "We traveled with the Prophet (s) in Ramadan. Neither the faster criticized that, who broke fasting, nor that, who broke fasting, criticized the faster."

The answer: these traditions, if we supposed that they were true, were annulled by traditions narrated by the Sunni and other traditions narrated by the Shia from the infallible imams (s).

Here are some of the traditions narrated by the Sunni;

Muslim mentioned in his *Sahih* that Jabir bin Abdullah had said: "The Prophet (s) went to Mecca in Ramadan of (Aamul Fat-h; the year of conquest). He fasted until he reached Kira'ul Ghameem and the people fasted with him. Then he asked for a cup of water. He lifted the cup until the people saw it and then he drank of the water. Then it was said to him: "Some people are still fasting." He said: "They are disobedient. They are disobedient."

Muslim mentioned another tradition narrated by Jabir saying: "Once the Prophet (s) was in travel when he saw a man surrounded by some people and it was shadowed over him. The Prophet (s) asked: "What's the matter of him?" They said: "He is fasting." The Prophet (s) said: "It is not righteousness to fast in travel."

These traditions annulled those ones because these traditions came after those ones according to the witness of the Sunni. What confirmed this was a tradition mentioned by Muslim in his *Sahih* and by others that Obaydillah bin Abdullah bin Otba said that ibn Abbas had told him that the Prophet (s) traveled (to Mecca) in the year of conquest. He fasted until he reached al-Qadeed and then he broke his fasting. Then he said: "The Prophet's companions followed the most recent of his affairs."

Muslim mentioned in his *Sahih* that az-Zuhri had said: "Fast breaking was the most recent act of the two acts and certainly the most recent and the most recent of the Prophet's acts would be followed."

Muslim mentioned in his *Sahih* that ibn Shihab had said: "The Muslims followed the most recent of the Prophet's acts and believed that they annulled the previous ones."

If it was supposed that the fasting of some of the Prophet's companions in travel was valid, certainly that

would be before their submission to fast breaking and before his saying “it is not righteousness to fast in travel” and his saying about the fasting ones “they are disobedient! They are disobedient!”

As for the Shia, they agreed upon that fast breaking in travel was obligatory. This was the belief of Dawood bin Ali al-Isfahani and his companions. So was the belief of a number of the Prophet’s companions like Omar bin al-Khattab, his son Abdullah, Abdullah bin Abbas, Abdur Rahman bin Ouff, Abu Hurayra, Orwa bin az-Zubayr and the infallible imams of the Prophet’s progeny (s).

It was mentioned that Omar bin al-Khattab had ordered a man, who had fasted in travel, to fast again (in residence because fasting in travel wouldn’t be valid). So were the belief of the Shia and the belief of Dawood.

Yousuf bin al-Hakam said: “I asked ibn Omar about fasting in travel. He said: If you give a man an alms and he returns it to you, won’t you become angry? It is an alms from Allah to you. Don’t return it!”

Abdur Rahman bin Ouff said: “The Prophet (s) said: He, who fasts in travel, is like him, who breaks his fasting in residence.”

Ibn Abbas said: “Fast breaking in travel is obligatory.” Imam Sadiq (s) said: “He, who fasts during Ramadan in travel, is like that, who breaks fasting during Ramadan in residence.”

Imam Sadiq (s) also said: “If a man dies during fasting in travel, I won’t pray for him.” He also said: “Whoever travels has to break his fasting and to shorten his prayer except when his travel is for disobeying Allah.”

Al-Ayyashi narrated from Muhammad bin Muslim that Imam Sadiq (s) had said: “This Quranic verse (*...but whoever among you is sick or on a journey...2:184*) was revealed in Kira’ul Ghameem at the time of the midday prayer. The Prophet (s) asked for a vessel of water. He drank of it and ordered the people to break their fasting. Some people said: “The day is about to elapse. Would we complete our day on fasting!” The Prophet (s) called them the disobedient. They were still called the disobedient until the Prophet (s) went to the better world.”

The saying of Allah suffices us as evidence confirming the obligation of breaking fast during travel. Allah says: (*...therefore whoever of you is present in the month, he shall fast therein, and whoever is sick or upon a journey, then (he shall fast) a (like) number of other days; Allah desires ease for you, and He does not desire for you difficulty...2:185*). The verse confirms the obligation of breaking fast in some ways;

First: the order of fasting mentioned in the verse is addressed to the resident and not to the traveler. The verse says: (*therefore whoever of you is present in the month, he shall fast therein*) so the traveler is not ordered to fast. If he fasts, his fasting will be not of the religion and will be a heresy.

Second: what is understood from Allah’s saying (*therefore whoever of you is present in the month,*

he shall fast therein) is that whoever is not present (in his residence) doesn't have to fast. So the verse shows clearly that fasting in travel is not obligatory at all.

Third: the saying of Allah (**and whoever is sick or upon a journey, then (he shall fast) a (like) number of other days**) shows that he, who is sick or upon a journey, has to fast other days as equal as the days of his sickness or travel. This requires to break fasting during travel because no one says that the traveler has to gather between fasting during travel and later on to fast in lieu of the days he spends in travel. This contradicts the ease that Allah desires for His people according to the verse (**Allah desires ease for you, and He does not desire for you difficulty**).

Fourth: Allah's saying (**Allah desires ease for you, and He does not desire for you difficulty**). Ease here refers to fast breaking and difficulty refers to fasting during travel. Hence the meaning of the verse is that Allah wants from you to break fasting (in travel) and He doesn't want from you to fast (in travel).

The distance that determines taqseer and fast breaking

The Muslim scholars disagreed upon the distance that made it obligatory for a traveler to shorten the prayer and to break the fasting.

Abu Haneefa, his companions and the people of Kufa said that the least distance for the traveler to shorten his prayer and to break his fasting was a three-day travel. [15](#)

Ash-Shafi'i, Malik, Ahmad and many others said: "The prayer is shortened and fasting is broken in Ramadan after passing a distance of sixteen farsakhs [16](#) going only (not the total distance of going and coming back."

The Zahirites [17](#) said: "Taqseer and fast breaking is in every travel even in near travels."

Ibn Rushd said in his book al-Bidaya wen Nihaya when talking about the prayer in travel: "The reason behind their disagreement is because the reasonable meaning of taqseer and fast breaking in travel objects to the reported sayings in this concern. The effect of travel on taqseer and fast breaking is because of the hardship travel causes to the traveler.

If it is so, then taqseer and fast breaking will be wherever hardship is. According to Abu Haneefa hardship doesn't happen except after passing three stages (three-day travel) and according to ash-Shafi'i, Malik and Ahmad it happens after passing sixteen farsakhs. As for those, who didn't care but to the wording like the Zahirites, they said: "The Prophet (s) said that Allah had made the traveler free from fasting and halved the prayer for him. Hence whoever is called a traveler may shorten the prayer and break fasting." They evidenced their thought by a tradition mentioned by Muslim that Omar bin al-Khattab had said that the Prophet (s) used to shorten the prayer after about seventeen miles."

Hence the imams of the four Sunni sects didn't depend, when specifying the distance, upon an evidence

out of the Prophet's sayings or doings but they depended upon a philosophy called "the reasonable meaning". This would satisfy neither the infallible imams of the Prophet's progeny nor the Shia in deducing the legal laws.

When the people of Mecca, during the age of the Prophet (s), Abu Bakr and Omar, went out of Mecca towards Arafat, they offered qasr prayer in Arafat, al-Muzdalifa and Mina.¹⁸ This was confirmed by the all with no doubt.

Al-Bukhari and Muslim mentioned in their *Sahih*s that the Prophet (s) offered qasr prayer when he went out of Mecca to Arafat. So did Abu Bakr and Omar after the Prophet (s). Othman offered qasr prayer and then offered tamam prayer after six years of his caliphate and the people denied that of him.¹⁹

Imam Malik said that offering qasr prayer by the pilgrims in these places was a certain Sunna whether for the people of Mecca or the people of the distant countries.²⁰ You might refer to the jurisprudence of the Malikites.

The Shia says that the traveler has to offer qasr prayer after passing eight farsakhs²¹ whether going or four farsakhs going and four farsakhs coming back like the distance between Mecca and Arafat. It was the least distance, in which the Prophet (s) had offered qasr prayer and this was the most certain evidence. Praise be to Allah.

- ^{1.} Qasr is a shortened form of prayer. Taqseer (infinitive) is offering the shortened form of prayer (two rak'as instead of four) by a traveler.
- ^{2.} It was mentioned in Muslim's Sahih.
- ^{3.} Al-Bukhari's Sahih and Muslim's Sahih.
- ^{4.} Al-Bukhari's Sahih.
- ^{5.} If a Muslim intends (it is called the intent of residence) to stay for ten days or more, he will offer full prayers.
- ^{6.} Muslim's Sahih.
- ^{7.} The family of.
- ^{8.} The Hanafites agreed upon that qasr prayer was wajib for the traveler and if he offered tamam (full) prayer, he would be sinful because he delayed tasleem, which had to be done at the end of the second rak'a. They considered the other two rak'as as mustahab prayer because the wajib prayer must be the first two rak'as and so they considered the full prayer in travel as invalid.
- ^{9.} Atonement or expiation: making repayment for some failure to act, harm done to another, etc.
- ^{10.} Makrooh means undesirable act.
- ^{11.} A surname of Prophet Muhammad (s).
- ^{12.} She interpreted the verdict according to her own thinking.
- ^{13.} Tawaf is circumambulation; turning seven times around the Kaaba.
- ^{14.} If the prayer of the traveler was two rak'as and this two-rak'a prayer was tamam and not qasr and that was said by the Prophet (s) as Omar witnessed, then how would it be valid when it was offered in four rak'as? Would worship be valid if it was opposite to the law of Allah?
- ^{15.} Refer to al-Bidaya wen Nihaya by ibn Rushd.
- ^{16.} Farsakh is a unit of measurement. This distance is equal to eighty kilometers and six hundred and forty meters. It is equal to a travel of a day and a night according to the moderate movement of camels burdened with baggage. It is no matter for them if the distance is a little less in a mile or two.
- ^{17.} Zahirites in Arabic means "Literalists"), followers of an Islamic legal school that insisted on strict adherence to the literal

text of the Quran and Hadith as the only source of Muslim law.

[18.](#) Arafat, Muzdalifa and Mina are names of places near Mecca.

[19.](#) Al-Bukhari's Sahih vol. 1 chap. Prayer in Mina, Muslims Sahih, chap. Traveler's prayer.

Dr. Taha Husayn said in his book al-Fitnatul Kubra p. 178: "...then the Muslims criticized Othman when he violated the certain Sunna of the Prophet (s) and of Abu Bakr and Omar and of Othman himself in the first years of his caliphate. The Muslims criticized him when he offered tamam prayer in Mina whereas the Prophet (s) had offered qasr prayer. So had Abu Bakr and Omar. Othman himself offered qasr prayer in Mina some years of his caliphate. The Muslims discussed the matter with each other until Abdur Rahman bin Ouff came to Othman and said to him: "Didn't you offer two rak'as with the Prophet (s) here?" He said: "Yes, I did." Abdur Rahman said: "Didn't you offer two rak'as with Abu Bakr and Omar here?" He said: "Yes, I did." Abdur Rahman said: "Didn't you offer two rak'as when leading people in prayer here?" Othman said: "Yes, I did." Abdur Rahman said: "Then why did you change the Sunna?" Othman said: "I was informed that the nomads and rude people of Yemen said that the prayer of the resident was two rak'as." Abdur Rahman said to him: "Your fear is not justifiable. The Prophet (s) had offered two rak'as when Islam was still weak. Now Islam has spread everywhere, so you don't have to fear anything."

[20.](#) An-Nawawi mentioned this saying of Malik in his book Sharh Sahih Muslim when talking about the traveler's prayer.

[21.](#) The distance of eight farsakhs is about forty-four kilometers.

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