

# **The Rites of Hajj and 'Umrah Booklet**

**Dar al-Iftaa al-Misriyyah**

**1435 AH / 2014 C.E**



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## Preface<sup>1</sup>

*Praise be to You O Allah! We ask You for assistance and guidance towards what is good; We ask You for success in our deeds and words and peace and blessings be upon Your truthful Messenger, our master Mohammed, the seal of prophets and messengers.*

To proceed:

This is an abridged release on the rites of hajj and 'umrah intended for those upon whom Allah has destined to visit His Sacred House and perform the fifth pillar of Islam. This booklet will guide them [on the manner of] performing these rites with the facilitation and munificence afforded by Islam, following the words of Allah, Glory be to Him, Who says,

**He ... has imposed no difficulties on you.** [*Al-Hajj*, 78]

Through this work, we seek the reward of Allah and His satisfaction, as well as the prayers of the pilgrims on hajj and 'umrah whom Allah has given the bounty of answering their prayers made in the places where supplications are accepted.

*O Allah! We have wronged ourselves so forgive us and have mercy on us; You are the Lord of righteousness and the Lord of Forgiveness; there is no might or power except through Allah, the Most High, the Great.*

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<sup>1</sup>

This booklet is part of a long fatwa from the archives of Dar al-Ifta al-Misriyyah by Grand Imam Gad al-Haqq 'Ali Gad al-Haqq, former Grand Sheikh of al-Azhar and Grand Mufti of Egypt. Necessary changes were made to clarify some of the rulings and facilitate them for the pilgrims. Other rulings were added, in conformity with the legal opinion adopted by Dar al-Ifta al-Misriyyah. The booklet is supplemented with illustrations to help the reader picture the rites.

## Introduction

Hajj means going to Mecca to perform *tawaf* (circumambulating the Ka'bah) and the rest of the rites during the months of hajj in response to the command of Allah and seeking His pleasure.

It is one of the five pillars of Islam, and an obligation that is known in religion by necessity. Allah the Almighty says,

**Pilgrimage thereto is a duty men owe to Allah,--those who can afford the journey. [Al-'Imran, 97]**

**"And proclaim the Pilgrimage among men: they will come to Thee on foot and (mounted) on every camel, Lean (on account of journeys) through deep and distant mountain highways; That they may witness the benefits (provided) for them, and celebrate the name of Allah, through the days appointed." [Al-Hajj, 27-8]**

Abu Huraira (may Allah be pleased with him) narrated that the Prophet ﷺ said, "Whoever performs hajj without committing *rafath* (immorality)<sup>2</sup> or *fisq* (indecenty), returns [free from sins] as the day on which he was born" [Recorded by Bukhari, Ahmed, An-Nisa`i, and Ibn Majah].

'Abdullah Ibn Jarad reported that the Prophet ﷺ said, "Perform hajj for it removes sins as water removes dirt" [Recorded by At-Tabarani in *Al-Awsat*].

Abu Huraira reported that the Prophet ﷺ said, "Pilgrims on hajj and 'umrah are the guests of Allah; if they supplicate him, He answers their prayers and if they ask for His forgiveness, He forgives them" [Recorded by An-Nisa`i, Ibn Majah, and others].

On the virtue of spending money for [the journey of] hajj, Buraida reported that the Prophet ﷺ said, "Expenses paid during hajj are similar to those made for the sake of Allah, a dirham is seven hundred times its worth in reward" [Recorded by Ahmed, Al-Baihaqi, and others].

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<sup>2</sup> *Al-Rafath* refers to spoken immorality. It has been reported that it also refers to sexual intercourse (*Sharh An-Nawawi 'Ala Muslim*, vol. 9, p. 119).

Hajj is an obligation upon every able adult and sane Muslim, male and female. It is recommended to hasten to undertake this obligation as soon as one is able to.

### **Advice and instructions**

- 1- Every Muslim man and woman who has been called upon by Allah to make hajj or 'umrah is to make sincere repentance to Allah, Glory be to Him, ask for His forgiveness, start over a new leaf, and enter into a new covenant with his Lord without violating his pact.
- 2- From among the signs of sincerity is collecting the expenses of hajj from one's most wholesome and lawful earnings. This is because Allah is good and does not accept save what is good. Whoever performs hajj from unlawful gains and says, "Ever at Your service, O Allah, ever at Your service", Allah will respond and say (as reported in the noble hadith), "You are not accepted and you are not welcome until you return what you hold in your hands."<sup>3</sup>
- 3- Repentance and genuine sincerity include purifying the self and freeing it from any injustice to others and returning their rights if possible. A Muslim is to repent to Allah and ask for His forgiveness concerning the rights of others he is unable to return. Furthermore, he is to maintain his ties of kinship, be dutiful towards his parents, and ask his siblings and neighbors to forgive him.
- 4- Among the conditional prerequisites of hajj is a person's ability to endure the hardships of the journey. Consequently, a person is not blameworthy if he refrains from undertaking the journey due to a physical inability as it is only prescribed for those who are able.
- 5- Cleanliness must be maintained with regards to everything—clothes, food and drink, and the holy sites visited. This is because Islam is a religion that prescribes cleanliness—a person does not embark upon prayers except after making ablution or bathing.
- 6- A pilgrim is not to burden himself with more than he can bear with regards to expenses and physical effort. He should strive to provide comfort to others as he does to himself and he is to treat others as he would like to be treated.
- 7- Allah the Almighty says,

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<sup>3</sup> Recorded by Al-Dailami in a raised chain hadith from 'Umar. Al-Bazzar recorded a similar hadith through Abu Huraira.

**And make not your own hands contribute to (your) destruction.** [*Al-Baqarah*, 195]

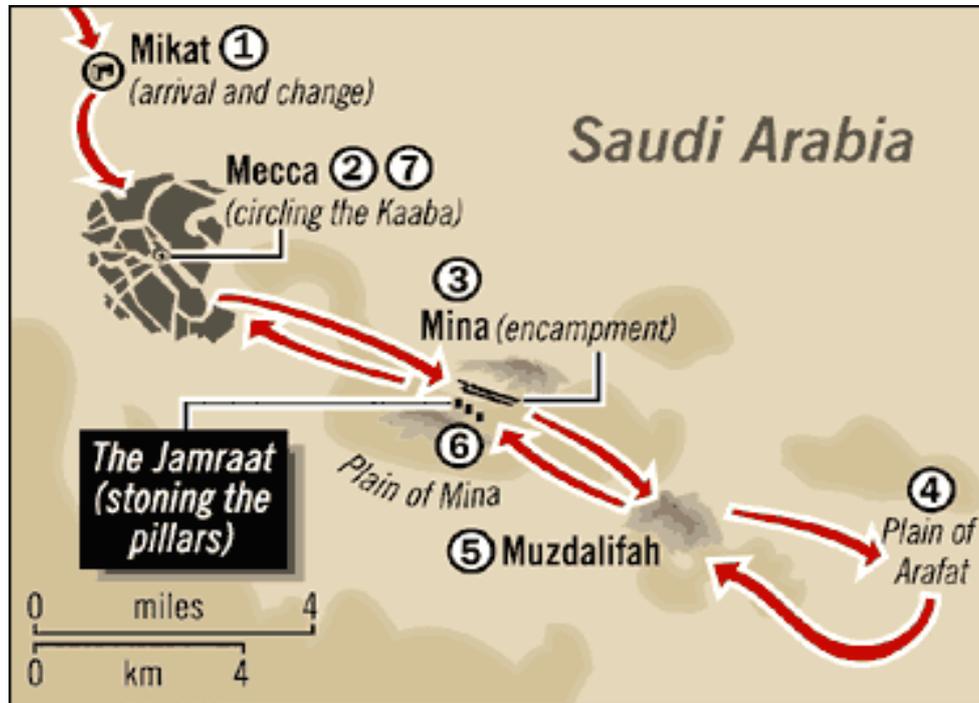
**Nor kill (or destroy) yourselves.** [*An-Nisaa`*, 29]

A pilgrim is not to subject himself to danger by climbing to mountain summits or by staying up late, even in worship. The best of deeds are those that are constant even if they are few.

8- A pilgrim is to spend as much time as possible in al- Haram (Sacred Precinct) looking at the Ka'bah, reading the Holy Qur`an, and making tawaf (circumambulating the Ka'bah) whenever he is able to.

9- A pilgrim must inform those who are closest to him of his dues and rights. He must exhort his children, family and siblings to be mindful of Allah, abide by Islamic morals, and persevere in their obligatory acts of worship.

## Beginning the rites



Map of the rites

### *Ihram*

**Here you are ready to start the blessed journey.** The following are necessary:

#### *Ihram* garments

a- The *izar* (wraparound): It is a garment that is wrapped around the waist and covers the lower part of the body from the navel to below the knees. The best *izar* is that which is new, white, and does not expose the *'awrah* (those parts of the body which must remain covered) i.e. a large towel.

b- The *rida`* (mantle): It is a garment that covers the upper part of the body from the shoulders to the navel except the head. The best *rida`* is likewise that which is new and white i.e. a large towel.

While in *ihram*, a pilgrim must not wear regular sewn garments such as a vest, socks or *jilbab* (loose garment) except when forced by

necessity. In such a case it is obligatory to make a *fidya* (compensation) due to the words of Allah Who says,

**And if any of you is ill, or has an ailment in his scalp, (necessitating shaving), (he should) in compensation either fast, or feed the poor or offer sacrifice. [Al-Baqarah, 196]**

c- Footwear consists of anything that does not cover the ankles.





Ihram garments

The *ihram* garments of a female pilgrim consist of any kind of regular garments that cover her entire body from head to foot. The only parts of her body that must remain uncovered are her face and hands. A female pilgrim is not to jostle against men. Her clothes must be loose and she must refrain from wearing anything that accentuates her body contours or is eye-catching. It is recommended that they be white in color.

### Traveling to perform the rites

After determining the date and means of the journey, a pilgrim heading to al-Medina al-Munawara first is not to enter *ihram* (state of pilgrim sanctity) nor wear his *ihram* garments. He is to remain in his regular clothes until he visits the Prophet's tomb and ends his stay in al-Medina.

Upon commencing the journey from al-Medina to Mecca, a pilgrim must assume *ihram* for 'umrah only, for hajj only, or for both—as he wishes—from al-Medina or from its *miqat* site (appointed places and times from where and when pilgrims assume their *ihram* garments)—Dhul-Hulaifah—currently known as `Abar 'Ali, which is close to al-Medina on the way to Mecca, or from Rabegh.



*Miqat sites*

A pilgrim on a late journey, taking a direct route from Jeddah to Mecca, may make the intention for hajj *qiran* (wherein the actions of 'umrah and hajj are incorporated). He may also assume *ihram* for 'umrah only or for hajj only.

A pilgrim making the journey by sea from Egypt and the Levant is to prepare himself for assuming *ihram* when the ship approaches the *miqat* site of Al-Juhfa close to Rabegh. Preparations for *ihram* include removing unwanted body hair, paring nails, and bathing aboard the ship for the purpose of cleanliness and not for the duty of hajj and 'umrah. Alternatively, a pilgrim may perform ablution if bathing is not possible.

Afterwards, a pilgrim is to perfume his body with what is lawful and then wear the *ihram* garments described above.

Once in *ihram* after bathing or making ablution, a pilgrim is to offer a voluntary two *rak'ah* (unit of prayer) prayer and resolve in his heart to make 'umrah only, hajj only, or both simultaneously (if he intends to combine both) by saying, "Allahuma inni nawayt .... Fa yasirihu li wa taqabalahu minni (O Allah! I intend to perform such-and-such, so make it easy and accept it from me)". Afterwards, he is to chant the *talbiyah* which consists of the following: "*Labayk Allahuma labayk. Labayk la sharika laka labayk. Inna al hamda wa al ni`mata Laka wal mulk, la sharika Lak*" i.e. "O my Lord, here I am ever at Your service, here I am. You have no partner, here I am. Truly, all praise, blessings, and dominion are Yours. You have no partner." After making the intention and then chanting the *talbiyah*, a pilgrim is considered to have assumed *ihram* for 'umrah only, hajj only, or both, according to his intention. The *talbiyah* corresponds to *takbirat al-ihram* (opening *Allahu Akbar* that begins the prayer).

### **Restrictions of *ihram***

After entering *ihram* in the above described manner, a pilgrim must not do or approach any of the restrictions of *ihram* which include the following:

- Covering the head.
- Shaving or pulling hair from any part of the body.
- Paring nails.



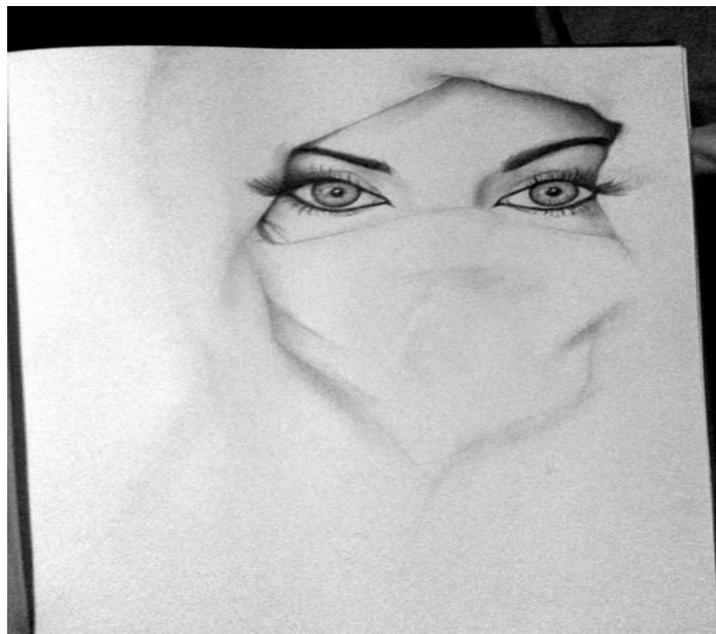
Do not pare nails

- Using perfume or scented objects.
- Engaging in conjugal relations or foreplay such as touching and kissing with desire.
- Wearing sewn garments.
- Hunting game animals or cutting down the trees of al- Haram.

If a pilgrim violates any of the above before making *al-tahallul al-awwal* (partial release from *ihram*) i.e. stoning Jamarat al-‘Aqaba on 10<sup>th</sup> Dhul-Hijjah, his hajj or 'umrah is valid but he must slaughter a sheep, feed six poor persons, or fast three days.

Sexual intercourse before stoning Jamarat al-‘Aqaba (*al-tahallul al-awwal*) nullifies hajj and whoever does so must repeat his hajj another year.

- Wearing *niqab* (covering the face) or gloves (for females).



Wearing the *niqab* violates the conditions of *ihram*

- It is prohibited for a Muslim, male or female, to fight and dispute with others due to the words of Allah, Glory be to Him, Who says,

**Let there be no obscenity, nor wickedness, nor wrangling in the hajj.**  
 [Al-Baqarah, 197]

A pilgrim traveling by plane is to enter *ihram* from his house, at the airport, or on the plane and wear his *ihram* garments if he does not have any excuse preventing him from doing so. He is then to make the intention for 'umrah or hajj and chant the *talbiyah* after wearing his *ihram* garments, after settling down in the plane, or after it moves. This applies only if a pilgrim is heading from Jeddah to Mecca directly, as stated above and if he is heading to al-Medina first, the above instructions do not apply. Once in a state of *ihram* and after making the intention and chanting the *talbiyah*, it is a condition not to violate any of the restrictions of *ihram*.

### **What is permissible for a *muhrim*?**

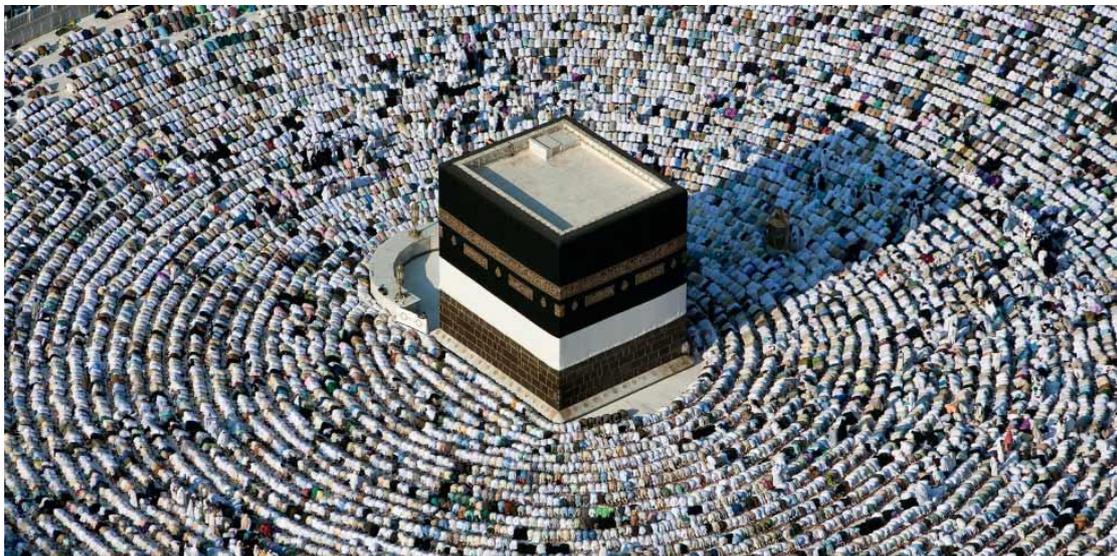
It is permissible for a *muhrim* (pilgrim in a state of *ihram*) to do the following:

- Bathe after entering *ihram*, change into another set of *ihram* garments, and use soap—even if scented—to wash for the purpose of cleanliness. It is permissible for a woman to wash, undo, and comb her hair. This is based on the words of the Prophet ﷺ who told 'A`isha, "Unbraid your hair and comb your hair" [Recorded by Muslim].
- Undergo *hijama* (wet cupping), pop pimples, have a tooth extracted, have blood withdrawn, and scratch the head and body without removing a hair.
- Look in a mirror and take medicine.
- Take shelter under an umbrella, tent, or ceiling.
- Use *kohl* or henna for treatment and not for adornment.
- Kill flies, ants, the various kinds of ticks, crows, kites, mice, scorpions, rapacious dogs, and anything that is harmful. As for insects that live on the human body such as fleas and lice, a pilgrim may either brush them off or kill them and he will not be blameworthy though it is better to do the former.

- Smelling sweet fragrances. The ruling for this revolves between dislike and prohibition. Consequently, it is recommended for a pilgrim to avoid using fragrances deliberately. It is not prohibited or disliked to sit in or pass through a fragrant place.

- A *muhrim* who has a wet dream or thinks or looks at something that causes him to ejaculate is not blameworthy according to the opinion of Shafi'i scholars.

### **Entering Mecca**



Upon entering Mecca and after depositing his luggage in his accommodations, a pilgrim is to wash (if possible) or perform ablution.

### **Entering the Sacred Mosque**

After entering Mecca, a pilgrim is to proceed to the Ka'bah to perform *tawaf* for 'umrah if he intends to perform 'umrah, or *tawaf al-qudum* (arrival circumambulation) if he intends to perform hajj.

### **Preparing for tawaf**

When a pilgrim first sees the noble *Ka'bah*, he is to make *takbir* [glorify Allah by saying *Allahu Akbar*], *tahlil* (saying *la ilaha illa Allah*)

and say, "*Alhamdulillah allazi ballaghni baitihu al-Haram. Allahumma iftah li abwaba rahmatik wa maghfiratik. Allahumma zid baytika hadha tashrifan wa ta'ziman wa takriman wa mahaba wa zid min sharafihu wa karamatihu miman hajjahu aw i'tamarahu tashrifan wa takriman wa birran. Allahumma anta as-Salam wa minka as-salam, fa ihyina rabana bi as-salam wa adkhlilana dar as-Salam.*" i.e. "All praise be to Allah Who helped me reach His Holy Mosque. O Allah! Open for me the doors of Your mercy and forgiveness. O Allah! Increase the nobility, honor, reverence and dignity of this House. Increase the honor, reverence and piety of those who revere this House and who are on hajj or 'umrah. O Allah! You are Peace, the source of peace. O Lord! Raise us after death in peace and let us enter the abode of peace." And then he is to supplicate Allah with whatever He inspires him with since *du'a`* [supplication] made at this site is accepted by the will of Allah the Almighty.

### ■ KAABA

Built by Prophets Ebrahim and Esmail  
**610AD:** Rebuilt by Prophet Mohammad (PBUH) and Quraishi tribe  
**683AD:** Reconstruction on original foundations by Caliph Abdullah Ibn Az Zubayr after destruction by Syrian Army  
**693 AD:** Rebuilt by Caliph Abdul Malek Bin Marwan  
**1659:** Renovated after massive flood damage  
**1996:** Rebuilt using original stones

### ■ NORTH

Tomb of Hajar and Prophet Esmail, wife and son of Prophet Ebrahim

Hateem original boundary of Ka'aba

Yemeni corner

### ■ WEST

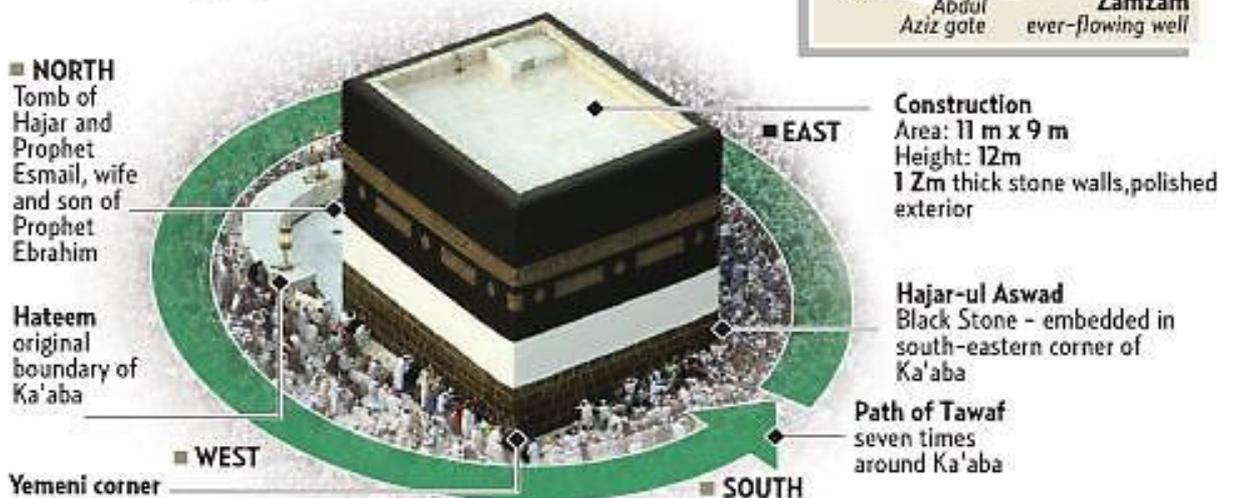
### ■ EAST

**Construction**  
 Area: 11 m x 9 m  
 Height: 12m  
 1 Zm thick stone walls, polished exterior

**Hajar-ul Aswad**  
 Black Stone - embedded in south-eastern corner of Ka'aba

**Path of Tawaf**  
 seven times around Ka'aba

### ■ SOUTH



*Parts and measurements of the noble Ka'bah*

A pilgrim who has not committed any of the traditional invocations to memory, may invoke Allah with whatever he wishes and whatever he finds in his heart. He is not to occupy himself with reading any book other than the Qur`an which is the only book he should read and recite in abundance.

***Tawaf***

A pilgrim then proceeds to make *tawaf* from its prescribed place while in a state of purity.

A pilgrim begins *tawaf* by standing facing the Ka'bah with the Black Stone to his right and passing in front of it with all of his body while facing it. According to the opinion of Hanafi scholars and al-Athram from the Hanbalis, a pilgrim is to raise his hands upon facing the Black Stone as he does when making *takbirat al-ihram* when beginning to pray; make the intention for *tawaf*; *takbir*; *tahlil*; declare that there is no god but Allah and that Muhammad is His slave and Messenger and say, "*Allahumma imanan Bik, wa tasdiqan bi kitabik, wa wafa`an bi 'ahdik, wa itiba'an li sunnat nabiyak Muhammad salla Allahu 'alayhi wa sallam.*" i.e. "O Allah! Out of faith in You and belief in Your Book, and to fulfill Your covenant and follow the *sunnah* of Your Prophet Muhammad (peace and blessings be upon him)."

Starting from the Black Stone, a pilgrim turns [from facing it] so that the Ka'bah is to his left and then proceeds to circumambulate it along with the other pilgrims until he completes seven rounds, starting and ending each round at the Black Stone.

It is recommended to touch and kiss the Black Stone at the beginning of each round if possible. If this is difficult, a pilgrim may touch the Black Stone with his hand and then kiss his hand or point to it without kissing his hand.



Touching the Black Stone

When touching the Black stone, it is desirable to say the previously mentioned *takbir*, *tahlil* and *du'a`* (*Allahumma imanan Bik, wa tasdiqan bi kitabik, wa wafa`an bi 'ahdik, wa itiba'an li sunnat nabiyak Muhammad salla Allahu 'alayhi wa sallam*).

During *tawaf*, a pilgrim must not to occupy himself with anything other than *dhikr* (making remembrance of Allah), *istighfar* (asking Allah for forgiveness), *du'a`* and reciting what he has memorized of the Qur`an with submission and humility. The best *du'a`* is that mentioned in the noble Qur`an such as,

**Our Lord, give us in this world [that which is] good and in the Hereafter [that which is] good and protect us from the punishment of the Fire. [Al-Baqarah, 201]**

A pilgrim is not to raise his voice or hurt others.



Avoid jostling or harming others

He should also maintain sincerity conforming to the words of Allah the Almighty Who says,

**Call upon your Lord in humility and privately; indeed, He does not like transgressors.** [*Al-A'raf*, 55]

### **The two *rak'ahs* after *tawaf***

After finishing the seven rounds of *tawaf*, a pilgrim proceeds to the Station of Ibrahim to perform two short *rak'ahs* individually for the *sunnah* of *tawaf*. If there is not enough space, he may pray anywhere else inside the mosque and then ask Allah for whatever he wishes with whatever Allah inspires him with.

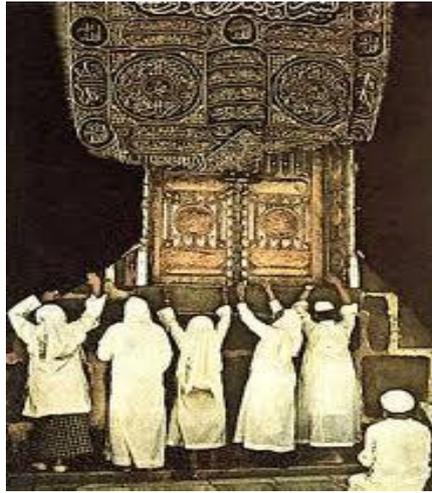


The Station of Ibrahim

After ending the two *rak'ahs*, a pilgrim goes to the Multazam (the wall between the door of the Ka'bah and the Black Stone).



If he is able to reach it, he is to press his chest against it and raise his arms while holding on to the covering of the Ka'bah. He is to ask Allah from His bounties for himself and for others since *du'a`* is always accepted at this place by the will of Allah, the Most-High.



Making *du'a`* at the Multazam

### **Drinking from the water of Zamzam**

Afterwards, a pilgrim goes to drink from the water of Zamzam as much as he can. This is based on the words of the Prophet ﷺ who said, "The water of *Zamzam* is for whatever it is drunk for."<sup>4</sup>

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<sup>4</sup> Recorded by Al-Hakim from a hadith narrated by Ibn 'Abbas. He declared it authentic through its chain of transmission if al-Garoudi is excluded. Al-Suyuti and al-Mundhiri declared it authentic.

### ***Sa'y* (traversing) between the Mount of Safa and Marwa**



After drinking from the water of Zamzam or after standing at al-Multazam, a pilgrim returns to perform *sa'y* (traversing between the mounts of Safa and Marwa) starting from as-Safa based on the words of Allah Almighty Who says,

**Indeed, as-Safa and al-Marwah are among the symbols of Allah . [Al-Baqarah, 158]**

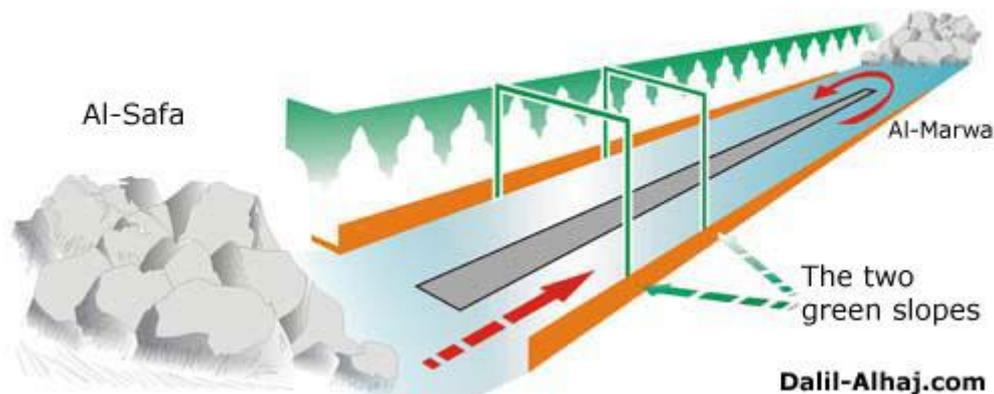
#### **Conditions of *sa'y* (traversing):**

- 1- Making *sa'y* after a valid *tawaf*
- 2- Completing seven rounds
- 3- Starting *sa'y* (traversing) at as-Safa and ending it at al-Marwa

4- Performing *sa'y* inside the *mas'a* [the area between as-Safa and al-Marwa]

When a pilgrim ascends as-Safa, he makes *tahlil*, *takbir*, faces the noble Ka'bah, invokes peace and blessings upon the Prophet ﷺ, and supplicates Allah for himself and his loved ones with whatever Allah inspires him.

A pilgrim starts the rounds of *sa'y* by walking at a normal pace starting from as-Safa until he reaches al-Marwa within the designated area while keeping order and refraining from hurting others.



A pilgrim (men only) quickens his pace inside the *mas'a* (the area between as-Safa and al-Marwa) between the two green poles.

When reaching al-Marwa, a pilgrim ascends it, remains there for some time, makes *takbir* and *tahlil*, invokes peace and blessings upon the Prophet ﷺ, faces the Ka'bah, and supplicate Allah for whatever he wishes of good in both this world and the Hereafter, for himself and for others. This constitutes one round. The rest of the rounds are made in the same manner, all the while maintaining submission, sincerity, and making

*dhikr* and *istighfar*. It is recommended to say the words that the Messenger of Allah ﷺ said at this spot, "*Rab ighfir wa irham, wa a'fu 'amma ta'lam. Anta al-A'az, al-Akram. Rab ighfir wa irham wa ihdini as-sabil al-aqwam.*"<sup>5</sup> i.e. "My Lord! Forgive, show mercy and overlook that which You know. Verily, You are the Most Powerful and Generous. O my Lord! Forgive, have mercy and guide me to the straight Path."

By finishing the seven rounds of *sa'y*, a pilgrim thus completes the rites of 'umrah for which he had made the intention when he assumed *ihram*.

### **Release from *ihram* for 'umrah**

After performing the above rites, a pilgrim is to either shave his entire head with a razor or shorten his hair or part of it. Shaving the hair is recommended for men and prohibited for women.

Shaving the head or shortening the hair accomplishes release from *ihram* for 'umrah for both males and females, rendering permissible the things that were made unlawful by *ihram*. A pilgrim may wear whatever he wishes and enjoy all the lawful things until it is time to assume *ihram* for hajj when he decides to go to 'Arafat and Mina.

### ***Hady at-Tamattu'***

It is obligatory for a pilgrim who performs hajj *tamattu'* (performing 'umrah before assuming *ihram* for *hajj*) to slaughter a animal (*hady*) after

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<sup>5</sup> The wording of this hadith was recorded by Ahmed through Umm Salamah who narrated that the Messenger of Allah ﷺ said, "My Lord, forgive, have mercy and guide me to the straight Path." Another wording of the hadith was recorded by At-Tabarani in *Ad-Du'a`* through Ibn Mas'ud who narrated that the Messenger of Allah ﷺ said when performing *sa'y*, "My Lord, forgive and have mercy. Verily, You are the Most Powerful and Most Generous." At-Tabarani declared this hadith *mawquf* [a hadith *mawquf* includes the words of a Companion of the Prophet without ascribing them to the Prophet.] with an authentic chain of transmission.

releasing himself from *ihram*, conforming to the words of Allah Almighty Who says,

**Then whoever performs 'umrah [during the Hajj months] followed by Hajj [offers] what can be obtained with ease of sacrificial animals. And whoever cannot find [or afford such an animal] - then a fast of three days during Hajj and of seven when you have returned [home]. Those are ten complete [days]. This is for those whose family is not in the area of al-Masjid al-Haram. [Al-Baqarah, 196]**

It is permissible for a pilgrim to slaughter in Mecca after releasing himself from *ihram* for 'umrah, in Mina on the day of 'Eid, on the days of *tashriq* (the 3 days following 'Eid), or in Mecca after returning from Mina. It is permissible for a pilgrim to eat from the meat of *the* sacrificed animal.

#### ***Tawaf al-qudum* for a pilgrim on hajj ifrad**

A pilgrim who assumes *ihram* for hajj only [hajj *ifrad*] or for both hajj and 'umrah [hajj *qiran*], must perform *tawaf al-qudum* (going-forth circumambulation) after arriving in Mecca in a state of *ihram* and after depositing his luggage at his accommodations. *Tawaf al-qudum* consists of seven rounds.

It is permissible for him to perform *sa'y* between as-Safa and al-Marwa in the above mentioned manner or delay it until after performing *tawaf al-ifadah* and, in this case, a pilgrim is not to release himself from *ihram* until he finishes the rites of hajj and 'umrah and stand on 'Arafat.

Afterwards, a pilgrim first makes the partial release from *ihram* and then fully releases himself from *ihram* by performing *tawaf al-ifadah*.

### **Reassuming *ihram* for hajj**

A pilgrim who performs hajj *tamattu'* is to reassume *ihram* for hajj on 8<sup>th</sup> Dhul-Hijjah which is known as *yawm at-tarwiyyah*. He is to enter *ihram* for hajj in the manner described above and wear his *ihram* garments while in a state of purity by either bathing or performing ablution. He is then to offer two *rak'ahs* inside the Sacred Mosque if possible, make the intention for hajj, and say if he wishes, "*Allahumma inni aradtu al-hajj fa yasiruhu li wa taqaballahu minni.*" i.e. "O Allah! I intend to perform hajj, so make it easy for me and accept it from me."

Next, he chants the *talbiyah* and says, "*Labayk Allahuma labayk. Labayk la sharika laka labayk. Inna al hamda wa al ni`mata Laka wal mulk, la sharika Lak*" i.e. "O my Lord! Here I am ever at Your service, here I am. You have no partner, here I am. Truly, all praise, blessings and dominion are Yours. You have no partner." In this manner and after making the intention, a pilgrim is in a state of *ihram* for hajj.

It is recommended for a pilgrim to chant the *talbiyah* as much possible while walking, standing and sitting and to raise his voice without disturbing others; a woman is to chant silently. A pilgrim is to continue chanting the *talbiyah* on the way to Mina and 'Arafat, at 'Arafat, when leaving 'Arafat for Muzdalifah, at Muzdalifah and upon reaching Mina on *yawm an-nahr* (the day of slaughter). A pilgrim continues chanting until he starts stoning Jamarat al-'Aqaba.

### **Staying overnight at Mina on the eve of 'Arafat**

On *yawm at-tarwiyyah*, a pilgrim proceeds to Mina where he is to pray *dhuhr* (noon). He is to spend the night there and pray the *fajr* (dawn) prayer of the day of 'Arafat. Spending the night at Mina is a *sunnah* and omitting the overnight stay does not entail any consequences. A pilgrim is

not blameworthy if he does not spend the night at Mina. If he spends the night at 'Arafat instead, his hajj is valid and he is not blameworthy especially if this is the course taken by his companions in his group.

A pilgrim prepares himself to stand on the plain of 'Arafat on 9<sup>th</sup> Dhul-Hijjah because this is the major pillar of hajj according to the words of the Prophet ﷺ who said, "Hajj is 'Arafat."<sup>6</sup> Consequently, whoever misses standing at 'Arafat has missed his hajj.



This rite is accomplished by being present, even for a brief moment, on 'Arafat whether standing, sitting, walking, or riding at any time after midday of 9<sup>th</sup> Dhul-Hijjah until dawn of the following day (10<sup>th</sup> Dhul-Hijjah). It is preferable to combine the latter part of 9<sup>th</sup> Dhul-Hijjah and the night (the beginning of the eve of 10<sup>th</sup> Dhul-Hijjah) i.e. before sunset of the 9<sup>th</sup> until sometime after it sets.

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<sup>6</sup> Recorded by Al-Tirmidhi in his *Sunan* from a hadith narrated by Abdul Rahman Ibn Ya'mar. Ibn al-Mulaqin declared it authentic in *Al-Badr Al-Munir* (6/230).



It is recommended to stand at 'Arafat in a state of purity. The best *du'a`* to make at this place is that of the Prophet ﷺ who said, "The best *du'a`* to make on the day of 'Arafat and the best words which the previous prophets and I said are: *La ilaha illah Allah wahdahu la sharika lah, lahu al-mulk wa lahu al-hamd wa huwa 'ala kul shay`in qadir*<sup>7</sup> i.e. There is no god but Allah, without partner. His is the dominion, and to Him alone is praise, and He has power over all things."

At 'Arafat, a pilgrim must humble himself before Allah, regret his sins, ask for His forgiveness, seek His mercy and pleasure, and remember the Day of Gathering (the Day of Judgment). This is because the Day of Gathering (Judgment) is similar to the day of 'Arafat when people assemble from all corners of the globe to perform hajj.

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<sup>7</sup> Recorded by At-Tirmidhi in his *Sunan* (3585). Imam Al-Mundhiri said in *At-Tarhib wa At-Tarhib* (2/345). Ibn Hajar al-'Asqalani declared it fair in *Mishkat al-Masabih* (3/74).

## Praying in Namira mosque



A pilgrim is to join and shorten *dhuhr* (noon) and *'asr* (mid-afternoon) prayers (two *rak`ahs* for each) at the time of *dhuhr* on 9<sup>th</sup> Dhul-Hijjah, following the imam if possible in Namira mosque, without offering any non-obligatory prayer in-between. Otherwise, it is permissible for him to pray in his tent, each prayer at its prescribed time, or join them at the time of *dhuhr* prayer.



## The way to Muzdalifah



After sunset of 9<sup>th</sup> Dhul-Hijjah, a pilgrim proceeds to Muzdalifah.



After arriving in Muzdalifah, a pilgrim joins the *maghrib* (sunset) and *'isha* (night) prayers and offers them at the time of *'isha*.

A pilgrim may spend the night at Muzdalifah until he performs the *fajr* (dawn) prayer before proceeding to Mina, depending on his ability. If this is not possible, the obligation to be present at Muzdalifah is met by staying there for the time it takes a pilgrim to deposit his luggage according to the opinion of Maliki scholars or by being present, even for a moment after midnight, according to the opinion of Shafi`i scholars, whichever is easier for him.

All of Muzdalifah is considered the stopping place of Mash'ar al-Haram.



Mash'ar al-Haram Mosque

At Muzdalifah, a pilgrim is to make *dhikr*, *du'a`*, and *istighfar* in abundance, and ask Allah for whatever he wishes.

He is to collect seven bean-sized pebbles to stone Jamrat al-'Aqaba on the morning of *yawm an-nahr* at Mina.



It is permissible to collect the pebbles from any place other than Muzdalifah and to collect all of them for the three days of stoning. The

total number of pebbles is forty nine—seven for stoning Jamarat al-'Aqaba on *yawm an-nahr*, twenty one for the three stoning sites on the second day of 'Eid, and the same number of pebbles for the third day of 'Eid.



Pebble size

A pilgrim who remains in Mina until the fourth day of 'Eid, is to stone the three stoning sites, each with seven pebbles as he did on the second and third days of stoning.

### Leaving for Mina and stoning Jamarat al-'Aqaba al-Kubra

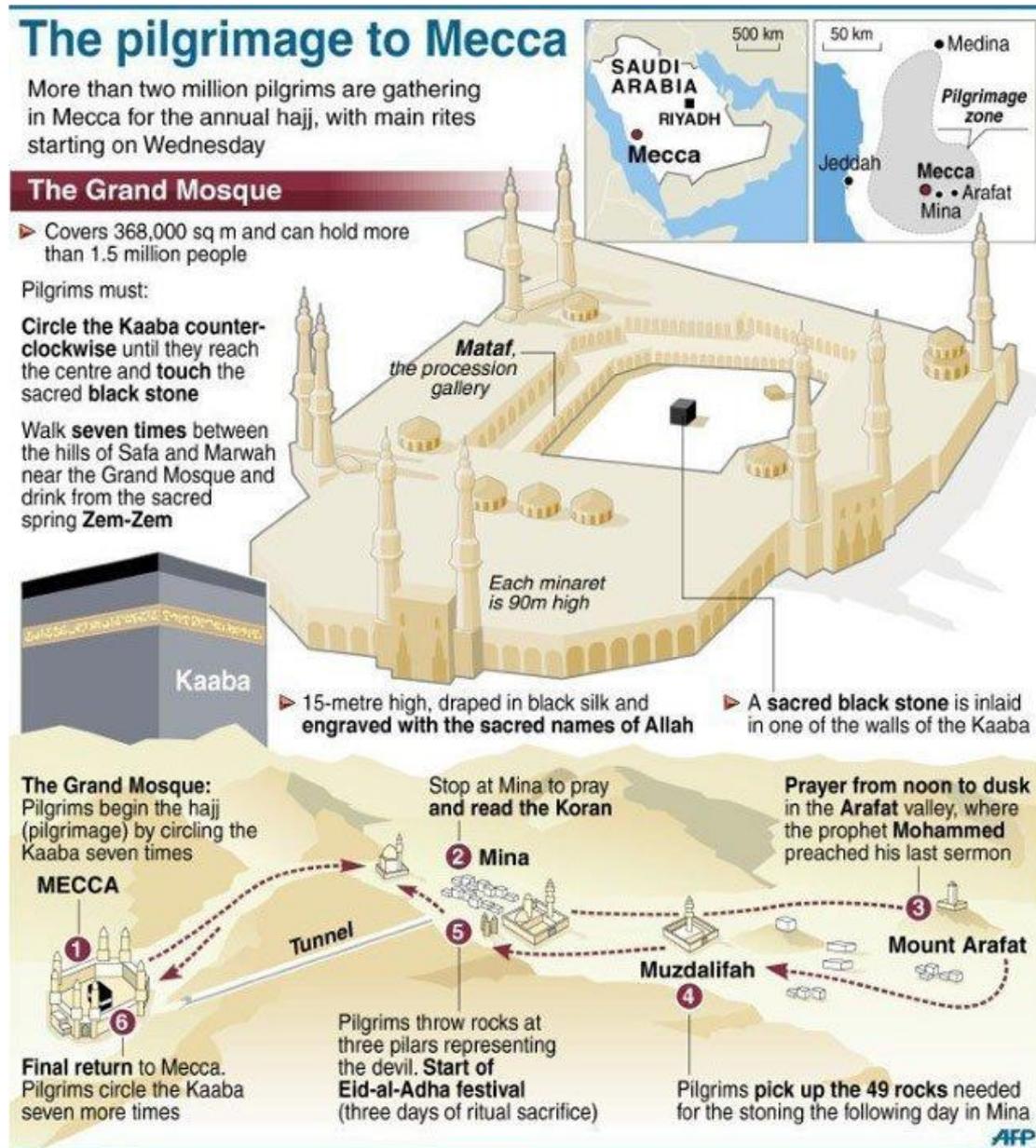


After spending the night and performing the *fajr* prayer at Muzdalifah, a pilgrim heads to Jamarat al-'Aqaba at Mina to stone it with seven pebbles one after the other.



A pilgrim is to throw the pebbles with some force and say, "*Bismillah, Allahu akbar raghman lil Shaytan wa hizbuhu. Allahuma ij'alahu hajjan mabruran wa dhamban maghfuran*" i.e. "In the

name of Allah, Allah is the greatest despite Satan and his followers. O Allah! Make this a blessed hajj and forgive my sins."



At this point, a pilgrim ceases chanting the *talbiyah* which he started when he first entered *ihram*.

A pilgrim is not to follow the example of those who use large pebbles, sticks, glass, or shoes to stone the stoning sites as this contravenes the *sunnah*. There is no harm if a pilgrim delays stoning until late into the day.

### **Commissioning another to stone on one's behalf**

It is permissible for a pilgrim who is unable to stone for himself due to an illness or an excuse that prevents him from stoning at the prescribed time, to commission another to stone on his behalf. The person commissioned must have done his own stoning first.

### **Release from *ihram* for hajj**

After throwing Jamarat al-'Aqaba, a pilgrim shaves his head or shortens his hair. A female pilgrim trims off the ends of her hair and does not shave her head.

Shaving or trimming the hair accomplishes release from *ihram* for hajj, rendering permissible all the things that were unlawful during *ihram* except for sexual relations which becomes permissible after *tawaf al-ifada*. Allah the Almighty says,

**Then let them complete the rites prescribed for them, fulfill their vows, and (again) circumambulate the Ancient House. [Al-Hajj, 29]**

### ***Tawaf al-ifada***

After throwing Jamarat al-'Aqaba and release from *ihram* by shaving the head or shortening the hair, a pilgrim heads to Mecca to perform the seven rounds of the obligatory *tawaf*, also known as *tawaf al-ifada* or *tawaf az-ziyarah* (the rulings for *tawaf* are outlined above). He then offers two *rak'ahs* at the Station of Ibrahim, drinks from the water of Zamzam, and makes *sa'y* between as-Safa and al-Marwa in the aforementioned manner.

### **Spending the night at Mina and throwing the remaining pebbles**

After a pilgrim finishes *tawaf al-ifada*, he returns to Mina on the same day where he is to spend the eve of 11<sup>th</sup> and the eve of 12<sup>th</sup> Dhul-Hijjah.



It is permissible for a pilgrim to stay in Mecca and spend the night at Mina and vice-versa. He is free not to spend the night at Mina although this is disliked without an excuse. Among the excuses that allow a pilgrim not to spend the night at Mina is lack of accommodations. If he does not spend the night at Mina, he is obliged to go there to stone.

### **The three sites and times for stoning**



Jamarat as-Sughra is situated close to al-Khayf mosque. This is followed at a close distance by Jamarat al-Wusta which in turn is followed by the last stoning site, Jamarat al-'Aqaba. A pilgrim stones each stoning site with seven pebbles on each of the second and third days following 'Eid as he did with Jamarat al-'Aqaba on the first day of 'Eid.

The time for stoning extends from midday until the sun sets, although it is also permissible to stone after sunset. Whenever possible and if it does not constitute any hardship, it is recommended to stone after midday conforming to the *sunnah* of our Prophet ﷺ. Imams 'Ataa`, Tawus and others have maintained the permissibility of stoning before midday. The Shafi'i scholar, imam Raf'i, maintained the permissibility of stoning starting at *fajr* and all of this conforms to one of the reports from imam Abu Hanifa.

Allah Almighty says,

**Allah intends every facility for you; He does not want to put to difficulties.** [*Al-Baqarah*, 185]

**On no soul doth Allah Pplace a burden greater than it can bear.** [*Al-Baqarah*, 286]

### **When a woman experiences menstruation before *tawaf al-ifada***

It is permissible for a woman who experiences menstruation before *tawaf al-ifada* and cannot stay behind to perform the *rite*, to use medicine to stop her menstrual flow. She is to bathe and then make *tawaf*. If the bleeding stops occasionally during her menstrual cycle, it is permissible for her to perform *tawaf* on the days when she is not bleeding following one of the opinions of imam al-Shafi'i who said, "[A woman is] pure on the days when her menstrual flow is interrupted." This opinion agrees with that of imams Malik and Ahmed.

Some Hanbali and Shafi'i scholars permit a woman in a state of menstruation to enter the Sacred Mosque to perform *tawaf* after bathing and wearing a sanitary pad to prevent leakage that may harm others and to avoid soiling the mosque. In this case, she is not obliged to make *fidya* [compensation] because menstruation, along with time constraints and travel, is among of the excuses recognized by Islamic law.

Sheikhs Ibn Taymiyyah and Ibn al-Qayyim have both maintained the validity of *tawaf al-ifada* performed by a menstruating woman who is compelled to travel with her companions. The same ruling applies to a woman in post natal bleeding.

### ***Tawaf al-wada' (farewell circumambulation)***

The name signifies its purpose since it comprises a pilgrim's farewell to the House of Allah and is the last thing a pilgrim does before leaving Mecca after finishing all the rites. Scholars agree that *tawaf al-wada'* is permissible when it is performed immediately before a pilgrim leaves. However, they differed over its ruling and whether it is a duty or a *sunnah*.

Proponents of the first opinion include Hanafi and Hanbali scholars and imam al-Shafi'i in one report. Imams Malik, Dawud, Ibn al-Mundhir and al-Shafi'i, in one of his opinions, maintained that it is a *sunnah*. Dar al-Ifta al-Misriyyah adopts the latter opinion.

### **It is recommended for a pilgrim to hasten his return**

'A`isha (may Allah be pleased with her) reported that the Prophet ﷺ said, "Whoever completes his hajj should hasten to the return to his family and he will be rewarded abundantly" [Recorded by al-Darqutuni].

## Visiting al-Medina al-Munawara



It is a sunnah for a pilgrim who did not start this blessed journey with a visit to the Prophet's tomb, to make it after finishing the rites of hajj. Visiting the Prophet's tomb is considered one of the best acts of worship a person can do to gain the pleasure of Allah the Almighty and one that will likely be accepted by Him. There are numerous hadiths on the virtue of visiting al-Medina al-Munawara for the purpose of visiting the Prophet's noble grave and praying in his mosque, earning rewards. The Prophet ﷺ said, "One prayer in my mosque is better than a thousand prayers in any other mosque except for al-Masjid al-Haram" [Recorded by Ahmed in his *Musnad* through 'Abdullah Ibn al-Zubayr].



### **Manner and etiquette for visiting Medina**

After settling down in his accommodations, it is desirable for a visitor to bathe, wear his best clothes, and use perfume. If bathing is not possible, it is sufficient to perform ablution. Afterwards, he is to proceed to the Prophet's mosque in humility, tranquility, and with reverence. Once past the gate of the mosque, he is to go to the noble Rawda (the space between the chamber containing the Prophet's tomb and the pulpit) and offer the two *rak'ahs* of greeting the mosque and then make *du'a`* with earnestness. This is because al-Rawda is one of the gardens of Paradise, it is a spot upon which the mercy of Allah descends, and is likewise a place where supplications are accepted by the will of Allah.



Al-Rawda

When a visitor finishes greeting the mosque and sitting in al-Rawda, he is to approach the tomb where the body of our beloved Prophet ﷺ lies, stand at its head, bow his head, stand with great humility and veneration, and greet the Prophet ﷺ in a soft voice and say, "*As-salam 'alayka ya rasul Allah wa rahmat Allahu wa barakatu. As-Salam 'alayka ya nabi Allah, as-salam 'alayka ya khayrat Allah min khalqahi, as-Salam 'alayka ya sayyid al-mursaleen wa imam al-mutaqeen. Ash-had annak ballaghat ar-reesala wa adayt al-amana wa nasaht al-ummah, wa jahadt fi Allah haqq jihadu*" i.e. "[May] peace, blessings, and the mercy of Allah be upon you, O Messenger of Allah! Peace be upon you, O Prophet! Peace be upon you, O the best of Allah's creation! Peace be upon you O master of messengers, O leader of the pious! I bear witness that you have conveyed the message, fulfilled the trust, advised the Community, and strived for the sake of Allah as He deserves to be strived for." He is then to invoke blessings upon the Prophet ﷺ and greet him on our behalf and on behalf of those who asked him to convey their greetings to him.

After greeting the Prophet ﷺ, a visitor moves an arm's length (less than one meter) to the right and greet Abu Bakr as-Siddiq (may Allah be pleased with him), praise him as he deserves to be praised and say, "As-

*salam 'alayka ya khalifat rasul Allah; as-salam 'alayka ya sahib rasul Allah fi al-ghar; as-salam 'alayka ya aminahu fi al-asrar. Jazaka Allah 'anna afdal ma jaza imaman 'an ummat nabiiyu" i.e. "Peace be upon you, O successor of the Messenger of Allah! Peace be upon you, O you who accompanied the Prophet in the cave! Peace be upon you, O keeper of the secrets of the Prophet! May Allah reward you on our behalf with the best of which He bestows upon a leader of his Prophet's community!"*



He then moves another arm's length to the right and stands at the head of 'Umar's tomb and say, "*As salam 'alayka ya amir al-mu`mineen! As-salam 'alayka ya madhhar al-islam! As-salam 'alayka ya mukassir al-asmam! Jazaka Allah 'anna afdal al-jaza`!"* i.e. "Peace be upon you, O leader of the believers! Peace be upon you, O you who are a manifestation of Islam! Peace be upon you, O you who smashed the idols! May Allah reward you on our behalf with the best!"

Next, it is recommended for a person who is visiting the tomb of the Prophet ﷺ to step back and face the *qiblah* and supplicate Allah with whatever he wishes for himself, his parents, family, those who asked him to greet the Prophet ﷺ on their behalf, and all Muslims.

## The recommendation of praying in abundance in the Prophet's mosque

A visitor is to seize the opportunity of being present in al-Medina and offer the prescribed prayers in the Prophet's mosque. He must pray voluntary prayers in abundance in the noble Rawda as well as recite the Holy Qur`an, supplicate Allah, seek His forgiveness, and glorify Him in abundance.

It is recommended to visit al-Baqi' where the Companions of the Prophet ﷺ from among the *Muhajirun* (the Emigrants), the *Ansar* (the Helpers), and the righteous are buried.

It is also recommended for a visitor to al-Medina to visit the graves of the martyrs of Uhud; the grave of Hamza, the master of martyrs and the Prophet's uncle; and Quba' Mosque, the first mosque that the Prophet ﷺ built.



Qiba` Mosque

At the end of his stay in al-Medina, a visitor offers two *rak'ahs* in the Prophet's mosque, visits him and his Companions (may Allah be pleased with them) once again and asks Allah to facilitate another visit for him.

### Summary

- 1- A pilgrim who wishes to make 'umrah only, hajj only or both simultaneously, is not to go beyond the *miqat* site for his country except after he assumes *ihram* with the aforementioned conditions.
- 2- A person in *ihram* may wear glasses, a wrist watch, rings (men must only wear rings that are made of metals that are permissible for them to wear), belts and the like. A woman may wear regular jewelry, silk, socks, and whatever colors she wishes without *tabarruj* (displaying her beauty) although it is preferable for her to refrain from wearing eye catching colors and adornments.
- 3- There is no harm in using soap, even if scented, because it not from among the scented objects that are prohibited.
- 4- Men are forbidden to wear sewn garments and those which cling to the body and encircle the body parts they are designed to cover even if they are not sewn. Examples include socks, vests, underpants, and pullovers .
- 5- After assuming *ihram*, a pilgrim may fix his *izar* and *rida`*, and pin the two pieces together to cover those parts of his body which must not remain exposed; this is not considered stitching nor are the two pieces of clothing considered to encircle the body.
- 6- Menstruation and post natal bleeding do not prevent a woman from entering *ihram*. A woman in either state may enter *ihram* and perform all of the rites of hajj such as standing at 'Arafat, stoning, and the like. However she is not to make *tawaf* because she is not allowed to enter the mosque. But if she does not have time to stay in Mecca to perform *tawaf al-ifada* until her bleeding ceases, she may wash her private parts and use sanitary pads to prevent any leakage of blood and proceed to make *tawaf* in the aforementioned manner. A woman in menstruation or post natal bleeding is not to make *tawaf al-wada'*. A woman who experiences menstruation during or before *tawaf al-wada'*, is not blameworthy if she leaves without making it.

7- It is recommended for pilgrims (males only) in *ihram* to expose their right shoulders "*idtiba*" when embarking on *tawaf* that is followed by *sa'y*. *Refraining from doing so does not entail any consequences.*

8- Greeting the Ka'bah consists of circumambulating it upon entering if a pilgrim so wishes. If not, he is to pray the two *rak'ahs* of greeting the mosque before sitting down. It is preferable for those who are able to make *tawaf*.

9- It is disliked for men to jostle to touch the Black Stone; it is prohibited for women to do this to avoid physical contact with men.

10- If the call to commence prayer is made when a pilgrim is making *tawaf* or *sa'y*, he is to pray behind the *imam* in congregation to obtain the reward of a group prayer and then resume his *tawaf* or *sa'y* from where he left off. It is permissible for a pilgrim who is unable to make the rounds of *tawaf* or *sa'y* consecutively to rest between the rounds for the time it takes him to regain his energy.

11- Ablution is a condition for the obligatory *tawaf* for both hajj and 'umrah but not for *sa'y*. However it is preferable to make *sa'y* while in a state of ablution.

12- Whoever is obliged to slaughter an animal for hajj *qiran* and *tamattu'* and cannot find an animal to slaughter, does not own its price or needs it for his travel expenses or for other necessary expenses associated with hajj, is obliged to do the alternative which consists of fasting three consecutive days after he enters *ihram* for hajj that do not go beyond

the Day of 'Arafat. It is likewise preferable not to fast on the day of 'Arafat and to fast seven consecutive days after returning from hajj. If a pilgrim misses fasting the three days during hajj or is unable to fast them during that time, he is to fast the ten days after he returns from hajj.

13- Whoever violates any of the restrictions of *ihram* mentioned above (except for engaging in sexual relations or killing game animals) such as paring nails or using perfume is obliged [to make expiation] by choosing to do any of the following:

- Fast three days wherever he wishes;

- Give out three *sa's* of food (7.5 kg app.) to six poor persons anywhere he wishes. This is the opinion of the Hanafis and Malikis.

- Slaughter a sheep. The majority of scholars have maintained that the slaughter should be inside al-Haram while Maliki scholars maintained that it should take place wherever a pilgrim wishes and this is the opinion we choose for fatwa.

14- If a woman who has assumed *ihram* for 'umrah only enters Mecca and then experiences menstruation and fears missing entering *ihram* for hajj i.e. on 8<sup>th</sup> Dhul-Hijjah, she is to enter *ihram* for hajj and is considered to be on hajj *qiran*. She is obliged to slaughter an animal for hajj *qiran*.

15- There is no harm in passing in front of those praying in al-Haram. It is permissible to perform non-obligatory prayers in al-Haram at any time i.e. it is not impermissible to pray at the times when prayers are disliked.

**Allah the Almighty is the One Who grants us success to walk the straight path.**

**O Allah! Accept [our deeds] for You are the All-Hearing, the All-Knowing. Forgive us for You are the Ever-Forgiving, the Ever-Merciful. And peace and blessings be upon our master, Mohammed the messenger of Allah, and upon his family, Companions and those who follow his religion and path.**

## Selected Fatwas

### **The hajj of individuals with special needs**

#### **Question**

What is the opinion of Islamic law concerning the hajj of special needs individuals and those with intellectual and physical disabilities?

#### **Answer**

The ruling for Muslims who suffer from physical disabilities only is the same as that for healthy individuals. Hajj is obligatory upon those of them who have the ability to fulfill this duty. They are either to undertake the journey themselves or commission someone to do it on their behalf. This is due to the words of Allah Who says:

**Pilgrimage to the House is a duty owed to God by people who are able to undertake it.** [*Al- 'Imran*, 97]

The same ruling applies to individuals with intellectual disabilities that do not waive their moral responsibilities. This includes those whose mental (not chronological) age is equivalent to that of a discerning adult i.e. the age of a 15-year-old or more or less than a 15-year-old but who is, according to specialist, aware of the physical matters associated with the opposite sex such as the matters experienced by those who have reached puberty. This applies whether these individuals suffer from both physical disabilities and this kind of intellectual disability or from intellectual disabilities only.

The hajj of these individuals is valid and fulfills the obligation of hajj whether they make the journey from their own money or from the money of others.

As for those who have intellectual disabilities that waive their moral responsibilities as determined above, then hajj and 'umrah is valid from them if they are accompanied to the holy sites and they perform the rites and observe their pillars and conditions with the help of others. This means that they will receive a reward although this neither fulfills the

duty of obligatory hajj nor that of the obligatory ‘umrah (for those who maintain the obligatoriness of ‘umrah such as the Shafi’is). A person who suffers from a mental disability that waives his moral responsibility is obliged to perform the obligatory hajj and ‘umrah once he recovers.

## **The time for standing at ‘Arafat**

### **Question**

Is it permissible in Islamic law to phase the departure of the great and increasing number of pilgrims for the purpose of facilitation? Is this considered changing the rites of hajj?

### **Answer**

There is a consensus among the majority of scholars that the time after *zawal* (midday) is a valid time for standing at ‘Arafat and that the time for standing on the plain ends with the rise of dawn of *yawm al-nahr*. They maintained that whoever combines between a portion of the night and a portion of the day after midday has accomplished the rite and his action does not entail any consequences. However, they differed on two matters:

- The ruling for standing at ‘Arafat and departing before *midday* and whether this fulfills the obligation of standing after *midday*.

The majority of scholars have maintained that this does not fulfill the obligation and that whoever departs from the plain of ‘Arafat before *midday* must go back and stand at ‘Arafat after *midday* or stand at night before dawn or else he would miss his hajj.

In Hanbali jurisprudence, standing at ‘Arafat before midday fulfills the obligation and the hajj of whoever does so is valid.

- Does standing at ‘Arafat and departing before sunset fulfill the obligation?

Hanafi scholars and those who agree with them, maintain the obligatoriness of standing at ‘Arafat until the sun sets. The most correct opinion of the Shafi’is and those who maintain their same opinion is that this is recommended and not a duty. According to them, it is permissible to for a pilgrim who has stood at ‘Arafat before *midday* to depart from ‘Arafat before sunset.

Proponents of the second opinion in both matters substantiate their opinions by the hadith narrated by ‘Urwa ibn al-Madarras (may Allah be

pleased with him) who said, "I approached the Messenger of Allah [pbuh] at Muzdalifa when he was going to pray and said, 'O Messenger of Allah! I have come from the mountains of Tayi`. My mount is exhausted and so am I. By Allah, I did not come across any hill without halting there. Have I thus completed my hajj?' The Prophet [pbuh] said, 'Whoever has offered this prayer of ours and has stood with us until we have left and has stood at 'Arafat beforehand, whether by night or day, has completed his hajj and its rites" [Recorded by Imam Ahmed and the authors of the *Sunan* (Imams Bukhari, Muslim, al-Tirmidhi, Abu Dawud, al-Nisa`i and Ibn Majah). Al-Tirmidhi, Ibn Haban, al-Daraqutuni and al-Hakim declared it authentic].

Based on this, the concerned authorities must regulate the pilgrims' departure from 'Arafat based on the volume of pilgrims to prevent congestion. It is likewise permissible to phase the pilgrims' departure into two or more stages according to what is in the best interest of the pilgrims.

### **The time allotted to spend in Muzdalifa**

#### **Question**

It is permissible to stay in Muzdalifa for the time it takes to unload luggage and pray the shortened maghreb and 'isha prayers at the time of 'isha? Or does it suffice to merely pass through Muzdalifa according to the opinion of Imam Malik?

#### **Answer**

The established opinion for fatwa during our times when the volume of pilgrims has greatly increased, is the recommendation of staying overnight in Muzdalifa; this is the opinion of Imam al-Shafi'i as expressed in his books *Al-Umm* and *Al-Imla`* and is likewise the opinion of Imam Ahmed. The Malikis find it sufficient to obligate staying in Muzdalifa for the time it takes a pilgrim to deposit his luggage and pray the maghrib and 'isha prayers together.

The majority of scholars who obligate staying overnight in Muzdalifa waive this obligation in the existence of an excuse. Examples includes preserving lives from actual or possible danger. According to the opinion

of scholars who find this obligatory, heavy crowding which is a characteristic of present day hajj is considered a legal dispensation for omitting the overnight stay in Muzdalifa.

## **The ruling for stoning before midday**

### **Question**

Is it permissible to stone after midnight and what is the manner of determining the time of midnight?

### **Answer**

Several scholars such as the Shafi'is, Hanbalis, and others have permitted stoning Jamarat al-‘Aqaba al-Kubra on *yawm al-nahr* after midnight of *yawm al-nahr* for the able and unable alike. They based their opinion on the hadith narrated by the Mother of Believers, ‘A`isha (may Allah be pleased with her), who said, “The Prophet ﷺ sent Umm Salama to stone on the eve of *yawm al-nahr*; she stoned before dawn (of 10<sup>th</sup> Dhul-Hijja), returned and then performed tawaf al-ifafda” [recorded by Abu Dawud. The hadith meets the criteria laid down by Muslim].

## **Stoning on the days of *tashriq***

### The reliable opinion for fatwa

It is permissible for a pilgrim to stone before midday on all of the days of *tashriq*. This is the opinion and later scholars from among the Successors and later scholars. Proponents of this opinion based their argument on the hadith narrated by Ibn Abbas who said, “On *yawm al-nahr* at Mina, the Prophet was asked [several questions] to which he replied, ‘There is no harm.’ A man told him, I shaved my hair before slaughtering.” The Prophet replied, ‘Slaughter and there is no harm [in this].’ Another man said, ‘I stoned after sunset.’ The Prophet told him, ‘There is no harm [in this].’ He was not asked about anything on that day that has been done either before or after its time to which he did not say, ‘Do so and there is

no harm in it.<sup>8</sup> The hadith evidences the necessity of lifting harm at the time of stoning.

### The ruling

Based on the above, it is permissible to stone on the days of tashriq starting from midnight. Those who wish to leave on the second and third nights may do so afterwards.

### **Manner of determining midnight**

Since night starts after the sun sets and ends at true dawn, midnight is calculated by dividing this period (by 2) and adding the result to the beginning of the time of *maghrib*.

### **The ruling for commissioning another to stone on one's behalf**

#### **Question**

What is the ruling for women, the ill, and weak on commissioning others to stone on their behalf?

#### **Answer**

It is permissible for women, the weak, and the ill to commission others to stone on their behalf. The evidence for this is the permissibility of performing hajj on behalf of another. If this is so, the commissioning another to stone on one's behalf is of greater precedence. This is because hajj includes stoning as well as other rites. Moreover, this is a dispensation for those who have an excuse [that prevents them from performing the rite themselves]. For this reason, several jurists mentioned grounds other than those mentioned in the hadith by applying a new circumstance on evidence from a primary source. This includes those who fear for themselves or their property or caregivers.

### **The ruling**

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<sup>8</sup> Recorded in the *Sahih* of Bukhari and the *Sahih* of Muslim. The hadith is in the words of al-Bukhari.

Based on the above, it is permissible for women, the ill, and the weak to commission others to stone on their behalf. They will not be blameworthy and they are not obliged to make expiation.

### **The ruling for expanding the *mas'a***

#### **Question**

What is the ruling for performing *sa'y* in the new *mas'a* [area specified for *sa'y*] that was established by the Saudi government with the purpose of expanding the area between the mounts of as-Safa and al-Marwa?

What is the ruling regarding this expansion? Some people say that the width of the *mas'a* is defined and known and that any expansion is impermissible and considered a violation and modification of Islamic law.

#### **Answer**

It is valid to perform *sa'y* in the new *mas'a* and this fulfills the obligation of the rite. Allah the Almighty says,

**Behold! Safa and Marwa are among the Symbols of Allah. So if those who visit the House in the Season or at other times, should compass them round, it is no sin in them. And if any one obeyeth his own impulse to good,— be sure that Allah is He Who recogniseth and knoweth. [Al-Baqarah, 158]**

Through this holy verse, Allah commands pilgrims to perform *sa'y* between as-Safa and al-Marwa. This demonstrates that the whole area between the two mounts is a place for *sa'y*. This is because the verse is general and does not specify or exclude a certain area between as-Safa and al-Marwa—the new *mas'a* lies between the two mounts.

## **Departing from Arafat in stages to facilitate the departure of the crowd**

### **Question**

Is it legally permissible for pilgrims to depart from 'Arafat in stages to facilitate the departure of their increasingly great numbers? Is this considered changing the rites of hajj?

### **Answer**

The majority of scholars have concurred that:

- It is valid to stand at 'Arafat any time after midday.
- The time for standing there ends by the break of dawn of *yawm an-nahr*.
- It is valid to stand at 'Arafat for part of the day and night after midday and there is no problem for a person who does this.

They differed on two issues:

1- The ruling for standing at 'Arafat and departing before midday and whether this is a valid substitute for standing until after midday.

The majority of scholars have maintained that this does not suffice and that whoever does so must go back and stand on the plain of 'Arafat after midday (*zawal*) or spend a portion of that night until before dawn, otherwise he will have forfeited his hajj.

Hanbali scholars have maintained in their legal school that this suffices and that the hajj of a pilgrim who does so is valid.

2- Whether it is sufficient to stand on the plain of 'Arafat and depart before sunset.

Hanafi scholars and those who agree with them, consider it obligatory to stand at 'Arafat until sunset. The most valid opinion for the Shafi'is and those who agree with them is that standing at 'Arafat until sunset is recommended and not obligatory. They maintained that it is permissible

for a pilgrim who was standing at 'Arafat before the sun has passed its zenith to depart before sunset.

Proponents of the second opinion of both matters substantiate their opinions with the hadith narrated by 'Urwa Ibn Madras (may Allah be pleased with him) who said, "I approached the Messenger of Allah ﷺ at Muzdalifa when he was going for [the 'Eid] prayer and said, 'O Messenger of Allah! I have come from the mountains of Tayi`. I have exhausted my mount and worn myself out! By Allah, I did not come across any hill without halting there. Have I therefore accomplished my hajj?' The Prophet ﷺ said, 'Whoever offers this prayer of ours, stands with us until we depart (and had stood at 'Arafat beforehand, whether by night or day), has accomplished his hajj and performed its rites "' [Recorded by Imam Ahmed and the authors of the *Sunan* (Imams Bukhari, Muslim, at-Tirmidhi, Abu Dawud, al-Nisa`i and Ibn Majah). At-Tirmidhi, Ibn Habban, al-Darqutni and al-Hakim declared it authentic. After mentioning the hadith in *Muntaqa Al-Akhbar*, the Hanbali scholar Abu Barakat Ibn Taymiya wrote, "This is proof that the entire daytime of the day of 'Arafat is the time allotted for standing at 'Arafat."

### **The ruling**

It is possible for the responsible authorities to organize the departure and coming forth of the pilgrims from 'Arafat in a manner suitable to their numbers and that prevents overcrowding. It is permissible for them to make the pilgrims' departure in two or more stages, as required by their general welfare.

### **The ruling for not spending the night at Mina for someone who has an excuse**

#### **Question**

What is the ruling for the weak, ill or women from among the pilgrims not spending the night at Mina?

## Answer

There is a scholarly debate on the obligation of spending the night at Mina on the days of *tashriq* [the three days following 'Eid]. The majority of scholars have maintained that it is obligatory, while Hanafi scholars maintained that it is recommended. Ibn 'Umar (may Allah be pleased with them both) related that 'Abbas (may Allah be pleased with him) sought permission from the Prophet ﷺ to spend the nights of Mina at Mecca since he was responsible for supplying the pilgrims with water and the Prophet ﷺ granted him permission" [Bukhari and Muslim]. Therefore, it has become known that it is a *sunnah* (i.e. recommended).

If we add to the above, the extreme exhaustion of the pilgrims, limited places and fear of spreading diseases, then the chosen opinion for fatwa is its non obligatoriness.

If we maintain the recommendation, and not obligation, of staying overnight at Mina, then the ruling for those who neglect to stay overnight for all of the three days of Mina according to some scholars is the recommendation (and not obligation) of offering a sacrifice in expiation. And whoever neglects to stay overnight for one night, is to expiate by giving out a *mudd* (510 grams) of food.

Hanafi scholars, and Imam Ahmed in one report, maintained that no expiation is due upon anyone who does not spend the night at Mina. Even the majority of scholars who maintained the obligatoriness of staying overnight at Mina, granted a dispensation to anyone who has a valid excuse. Such a person is not blameworthy, does not have to make expiation, nor is his action disliked. There is no doubt that fear of contracting a disease is among the legitimate excuses for not spending the night at Mina that are taken into consideration.

Imam Malik related in his *Muwatta`* through 'Asem Ibn 'Adiyy (may Allah be pleased with him) that the Prophet ﷺ gave the camel shepherds permission to encamp for the night outside Mina. He allowed them to stone on *yawm an-nahr*, combine two days' stoning on the next day and then stone on the day of their departure.

One must not take literal readings of texts into consideration without giving thought to the Legislator's purpose or else it is considered pure obstinacy.

It is known that obligating pilgrims to stay overnight at Mina along with the other rites of hajj only increases their exhaustion and compromises their ability to ward off epidemics and fatal diseases which are easily spread in crowded areas and which have become a global phenomenon. There is no doubt that women, children, the ill and the weak are the most susceptible to such harm, so it is only fitting to extend the permissibility of omitting the overnight stay at Mina to them.