



*In the name of Allah,  
Most Gracious, Ever Merciful*



# **The Rites of Hajj**

*(Manāsik of Hajj)*

**In Accord with *Fatwās* of  
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# INTRODUCTION

## HAJJ MERITS & SIGNIFICANCE

Hajj is one of the most integral pillars of Islam upon which Islam has been established. Imam Baqir (as) says *"Islam has been established on the following five elements: prayer, zakāt, fast, hajj and wilāyah"*.<sup>1</sup>

Hajj is of two kind; obligatory and *mustahabb*, it holds immense virtue and abundant reward. Many traditions have been narrated from the Holy Prophet (s.a.w) and the purified *Ahl ul-Bayt* (as) on the merits of hajj. Imam Sadiq (as) says: *"Those who perform Hajj and 'Umrah form the delegation of Allah; if they beg Him, He will grant them; if they call upon Him, He will answer them; if they want to intercede for others, He will accept it; and if they keep quiet, He will speak on their behalf, and they will be compensated with a*

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1. Al Kafi, vol. 2 p. 18, H. 1 ; Wasail Al-Shia, vol. 1 p. 7, chapter. 1, H. 1.

*reward of one million dirhams for the expense of one dirham".<sup>1</sup>*

## CAN HAJJ BE ABANDONED?

**Issue 1:** In the light of many verses and hadiths, a person who has qualified for Hajj and is well aware that hajj is obligatory upon him and yet does not perform it has committed a major sin.

Allah Almighty in the Holy Qur'an says:

﴿وَلِلَّهِ عَلَى النَّاسِ حِجُّ الْبَيْتِ مَنِ اسْتَطَاعَ إِلَيْهِ سَبِيلًا وَمَنْ كَفَرَ فَإِنَّ اللَّهَ غَنِيٌّ عَنِ

الْعَالَمِينَ﴾

*"Pilgrimage to the House is a duty imposed upon mankind by God for everyone who can afford a way to it. Anyone who disbelieves will find that God is Transcendent beyond any need of the Universe".<sup>2</sup>*

It is narrated from Imam Sadiq (as):

"If a person dies and does not perform Hajj while there was no pressing need, severe illness or any cruel ruler which may prevent him from performing it, he will die as a Jew or a Christian".<sup>3</sup>

1. Al Kafi, vol. 4, p. 255, H. 14.

2. Sura Ali Imran, verse. 97.

3. Tahzib Al Ahkam, vol. 5, p. 17.

## TYPES OF HAJJ AND 'UMRAH

**Issue 2:** The hajj is basically of two types: hajj on behalf and hajj for oneself. Hajj on behalf is the hajj performed on behalf of another person, whereas hajj for oneself is hajj accomplished for oneself. Hajj for oneself is further classified into two forms: obligatory hajj and recommended hajj.

**Issue 3:** The obligatory hajj becomes an obligation in itself according to the Islamic law, or it becomes obligatory because of *nadhr* or invalidation of previous hajj.

**Issue 4:** For every kind of hajj, that is, *hajjat ul-Islam* and hajj on behalf there are rulings and conditions, which will be mentioned in the first part in two chapters.

**Issue 5:** Obligatory hajj is further classified into three forms: *tamattu'*, *ifrād* and *qirān*.

Hajj *tamattu'* is obligatory for a person whose homeland is located at a distance more than 90 km from the holy city of Mecca.

Hajj *ifrād* and hajj *qirān* are obligatory for people who reside within the holy city of Mecca or those who are settled at a distance less than the aforementioned one.

Hajj *tamattu*‘ differs from hajj *ifrād* and hajj *qirān* with regard to rituals.

**Issue 6:** The basic feature that distinguishes hajj *tamattu*‘ from hajj *ifrād* and hajj *qirān* is ‘*umrah*. Hajj *tamattu*‘ comprises two parts: ‘*umrah* and hajj. It starts with ‘*umrah*. A gap exists between ‘*umrah* and hajj during which the pilgrim comes out of *ihrām* state and is allowed to *tamattu*‘ (literally enjoy) things which are prohibited for a *muḥrim* (a person who is in state of *ihrām*). Both ‘*umrah tamattu*‘ and hajj *tamattu*‘ should be performed in the same year.

Hajj *ifrād* and *qirān* comprise only hajj rituals, and ‘*umrah* in these cases is considered an independent worship termed as ‘*umrah mufradah*. So, a person may perform ‘*umrah mufradah* in one year and hajj *ifrād/qirān* in another year.

**Issue 7:** ‘*Umrah tamattu*‘ and ‘*umrah mufradah* have common rites that would be mentioned in the second section and their differences will be mentioned in issue 16.

**Issue 8:** Similar to hajj, ‘*umrah* is sometimes obligatory and other times it is *mustaḥabb*.

**Issue 9:** In Islamic jurisprudential rulings, ‘*umrah* is obligatory once in life. If a person fulfills the required conditions of ‘*umrah*, he should perform it. Like hajj, it is obligatory for those who are *mustatī*‘ to perform

*'umrah* as soon as possible. For those who reside in Mecca or its vicinity (not further than ninety km from Mecca), being *mustatī'* for hajj is separable from being *mustatī'* for *'umrah*. Therefore, if a person is *mustatī'* only for one of them, he should perform it as soon as possible.

It is noteworthy to mention here that this rule is specific only for those who live in the holy city of Mecca or reside at a distance of less than ninety kilometers from the holy city of Mecca. With regard to the people living far from Mecca and their duty is to perform hajj *tamattu'*, ability and qualification for hajj and *'umrah* is not separate from each other because hajj *tamattu'* includes *'umrah* of *tamattu'* and hajj and both of them should be performed in the same year.

**Issue 10:** It is not lawful for a person intending to perform hajj or *'umrah* to enter the Holy City of Mecca without *ihrām*. And if he wants to enter in the Holy city of Mecca in days other than hajj season, it is obligatory for him to enter the Holy City with *ihrām* of *'umrah mufradah*. However, the following two groups are exempted from this commandment:

1. Those who frequently visit the holy city of Mecca for job/occupational purposes.
2. Those who have exited the Holy city of Mecca after performing the rites and acts of

hajj/‘*umrah* and want to re-enter the holy city of Mecca during the same [lunar] month.

**Issue 11:** The repetition of ‘*umrah* is recommended similar to repetition of hajj and there lies no particular gap limit between two ‘*umrahs*. But, on cautionary terms one can perform only one ‘*umrah* for himself within a month. If he performs two ‘*umrahs* on behalf of others or he performs one ‘*umrah* for himself and the second for another person, this caution is not necessary. Therefore, if he performs the second ‘*umrah* on behalf of another person, it is permissible for him to receive the wages of performing ‘*umrah* and ‘*umrah mufradah* will be sufficient for the performer whether it is obligatory or not.

## **GENERAL STRUCTURE OF HAJJ TAMATTU’ AND ITS ‘UMRAH**

**Issue 12:** Hajj *tamattu’* includes two acts: ‘*umrah tamattu’* and hajj *tamattu’*. ‘*Umrah tamattu’* is prior to hajj *tamattu’* and both these acts have specific deeds which are discussed below.

**Issue 13:** The deeds of ‘*umrah tamattu’*:

1. Wearing *iḥrām* (hajj dress) from a *mīqāt*;

2. *Ṭawāf* around the Holy Ka‘bah;
3. Prayer of *tawāf*;
4. *Sa‘y* (to walk) between the mountains of Safā and Marvah;
5. *Taq̣sīr* (cutting a small quantity of hair or nail)

**Issue 14:** The deeds of hajj *tamattu‘* are mentioned below:

1. *Ihrām* (wearing dress of hajj) in the holy city of Mecca;
2. *Wuqūf* (staying) in ‘Arafāt from the noon of the ninth of Dhul-Ḥijjah to sunset;
3. *Wuqūf* (staying) in Mash‘ar ul-Ḥarām on the night before the tenth of Dhul-Ḥijjah to sunrise;
4. Stoning at Jamarah ‘Aqabah on the day of Eid ul-Adha (the tenth of Dhul-Ḥijjah);
5. Slaughtering animal;
6. Shaving head or *taq̣sīr* (cutting a small quantity of hair or nail);
7. *Ṭawāf* around the Holy Ka‘bah;
8. Prayer of *tawāf*;
9. *Sa‘y* (to walk) between the mountains of Safā and Marvah;
10. *Ṭawāf* of *nisā‘* (women);

11. Prayer of *tawāf* of *nisā'*;
12. To stay awake during the night before the eleventh in *Minā*;
13. Stoning three *jamarahs* on the eleventh of Dhul-Hijjah;
14. To stay awake during the night before the twelfth in *Minā*;
15. Stoning three *jamarahs* on the twelfth of Dhul-Hijjah.

## HAJJ IFRĀD' AND 'UMRAH MUFRADAH

**Issue 15:** Hajj *ifrād* and hajj *tamattu'* are similar in terms of rituals and acts of worship except for one major difference of animal slaughtering. It is mandatory in hajj *tamattu'* whereas it is a recommended act in hajj *ifrād*.

**Issue 16:** *'Umrah mufradah* is similar to *'umrah tamattu'* except for the following differences:

1. The rituals of *'umrah tamattu'* comprise *taqsīr* as obligatory act; whereas in *'umrah mufradah*, it is optional for the men, i.e. either he can have his head shaved or perform *taqsīr*. The rulings for the women are that they should perform *taqsīr* in both *'umrah mufradah* and *'umrah tamattu'*.

2. In ‘*umrah tamattu*, *tawāf* of *nisā*’ and its prayer are not obligatory. However on the basis of caution, one should perform both of them before *taqsīr* with the intention of *rajā*’ (hope of being desired in *shar*‘). In ‘*umrah mufradah*, *tawāf* of *nisā*’ and its prayer are obligatory.
3. ‘*Umrah tamattu*’ should be performed during the months of hajj: Shawwāl, Zilqa‘dah or Dhul-Ḥijjah; whereas ‘*umrah mufradah* can be performed any time during the year.
4. There are five *mīqāts* (the place where the dress for hajj or ‘*umrah* is worn) for ‘*umrah tamattu*’. *Mīqāt* for ‘*umrah mufradah* varies with distance from Mecca. People residing in Mecca have *adanā al-ḥill* as *mīqāt* whereas people living out of Mecca are obliged to wear *iḥrām* from one of the five *mīqāts* nearest to them.

## HAJJ QIRĀN

**Issue 17:** Hajj *qirān* differs from hajj *ifrād* mainly in two aspects: animal slaughtering and becoming *muḥrīm*. During hajj *qirān*, the animal for slaughtering should accompany the person wearing *iḥrām*, thereby animal slaughtering is obligatory for him.

Likewise, in the hajj *qirān*, *iḥrām* is carried out by saying *Labbayk* (specific slogan of hajj) or by *ish‘ār* or *taqlīd* (their meanings will be mentioned in issue 140) but in hajj *ifrād*, *iḥrām* is materialized only by saying *Labbayk*.

## GENERAL RULES FOR HAJJ *TAMATTU'*

**Issue 18:** For the hajj *tamattu'* to be valid, there are certain conditions to be fulfilled. They are as follows:

1. Intention, i.e. from the time of wearing *ihrām* for '*umrah* of *tamattu'*, he should intend to perform hajj *tamattu'*; otherwise, his hajj is not in order;
2. Both '*umrah* and hajj need to be performed in the months of hajj;
3. Both '*umrah* and hajj need to be performed in the same year;
4. '*Umrah* and hajj should be performed for one person and by one person. This implies that a person who is performing hajj on the behalf of a dead person needs to perform both '*umrah* and hajj himself. Hiring two individuals to carry out the '*umrah* and hajj separately is not permitted.

**Issue 19:** A person, whose duty is to perform hajj *tamattu'*, cannot change it on purpose and by choice to perform hajj *ifrād* or *qirān*.

**Issue 20:** A person, whose duty is to perform hajj *tamattu'* but knows that the time is too short to complete '*umrah* and join hajj, should change his intention from hajj *tamattu'* to hajj *ifrād* and after

completing the rites of hajj, he should perform ‘*umrah mufradah*’.

**Issue 21:** A woman, who wants to perform hajj *tamattu*‘ but is menstruating at the point of *mīqāt*, should wear *iḥrām* for ‘*umrah tamattu*‘ at *mīqāt* if she thinks she may be purified some time before hajj *tamattu*‘ and will have enough time to take *ghusl*, perform all the deeds of ‘*umrah tamattu*‘, wear *iḥrām* for hajj *tamattu*‘, and reach ‘Arafāt by 'noon' on the day of ‘Arafa.

Then, if she becomes clean from menstruation and she has sufficient time for performing deeds of ‘*umrah* and is able to reach ‘Arafāt by 'noon' on the day of ‘Arafa, she should do so. In case, she does not become clean or does not have sufficient time to perform the ‘*umrah* rituals and reach ‘Arafāt on time, she should change his intention from ‘*umrah tamattu*‘ to hajj *ifrād*, with the same *iḥrām* and then perform ‘*umrah mufradah*; this will compensate for hajj *tamattu*‘.

If she is sure she will not become clean before the time for *iḥrām* of hajj and going to ‘Arafāt on time or she will not have time to perform ‘*umrah tamattu*‘ rituals before going to ‘Arafāt on time, she should enter *iḥrām* in *mīqāt* intending performing what is her real duty or *iḥrām* of hajj *ifrād*. After performing hajj

*ifrād* rituals, she perform ‘*umrah mufradah* and what she has done replaces hajj *tamattu*’.

However, if a woman is clean in *mīqāt* but begins to menstruate on the way to Mecca in state of *ihrām* or before performing *tawāf* of ‘*umrah* and its prayer or during the course of *tawāf* before completion of fourth round and is certain that she cannot be clean to perform ‘*umrah* deeds and reach ‘Arafāt by 'noon' on the ninth of Dhul-Ḥijjah, she has two choices:

- a) She can change her intention from ‘*umrah tamattu*’ to hajj *ifrād* and once hajj *ifrād* is done she should perform ‘*umrah mufradah*. These acts replace hajj *tamattu*’.
- b) She postpones *tawāf* of ‘*umrah* and its prayer and by performing *sa’y* and *taqsīr* she exits *ihrām* of ‘*umrah*. Then she should wear *ihrām* of hajj, go and stay (*wuqūf*) in ‘Arafāt and Mash‘ar, and perform deeds in Minā and after returning to the Holy city of Mecca, she should perform *tawāf* of *tamattu*’ and its prayer as *qadā*’ — before performing *tawāf* of hajj and its prayer and *sa’y* or after performing them. This act is a compensation for hajj *tamattu*’ and nothing more is obligatory for her.

If she begins to menstruate after completing her fourth round of *tawāf*, she should leave remaining rounds of

*tawāf* and its prayer, perform *sa'y* and *taqsīr* and come out of *ihrām* of *'umrah*. After this, she can stay in *wuqūfs* and perform rites in Minā, and upon return to Mecca, and after performing *tawāf* and its prayer and *sa'y* or before performing all these rites, she should perform *tawāf* of *'umrah* and its prayer<sup>1</sup>. This act is a compensation for her hajj *tamattu'* and nothing more is obligatory upon her.

**Issue 22:** The details of rites and commandments of hajj will be mentioned in part three and in several chapters.

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1. In order to know how she is to perform them, you may see issue 286.



**PART ONE**

***ḤAJJAT UL-ISLAM***

**AND**

**HAJJ ON BEHALF**



# CHAPTER ONE

## ḤAJJAT UL-ISLAM

**Issue 23:** In Islamic law, hajj is obligatory for a *mustatī'* (a person enjoying all the required characteristics that make hajj obligatory for him) only once during the lifetime. This is called *ḥajjat ul-Islam*.

**Issue 24:** The obligation of hajj is immediate; it means that the hajj should be performed in the same year in which a person becomes *mustatī'* and any delay in it, without an excuse is not permissible. In case, it is delayed, it would be considered a sin and they will be obligated to perform hajj the very next year or in case, they do not perform it, in the future years.

**Issue 25:** After one becomes *mustatī'*, if the act of performing hajj requires travelling and managing provisions, the person should take every step possible to accomplish this noble pilgrimage the same year. When a *mustatī'* person is negligent and does not perform hajj, he has committed a sin and hajj would remain obligatory for him even if he no longer meets the conditions of being *mustatī'*.

## **CONDITIONS OF OBLIGATION OF ḤAJJAT UL-ISLAM**

**Issue 26:** The following conditions make hajj obligatory:

1. Being sane;
2. Being mature by *shar'*, and;
3. Being *mustatī'*.

### ***SANITY AND ADULTHOOD***

**Issue 27:** The first condition is sanity. Therefore, hajj is not obligatory upon an insane person.

**Issue 28:** The second condition is 'maturity'. Hajj is not obligatory for a person before the age of *shar'ī* puberty (even in case they are going to be 'mature' in the near future) and if they perform hajj during this period, it will not be sufficient to remove the obligation of *hajjat ul-Islam* and replace it, although it is valid.

**Issue 29:** If a boy becomes *muḥrim* and then becomes religiously mature during/before the *wuqūf* at Muzdalifah (Mash'ar ul-Ḥarām) while he is *mustatī'*, then his hajj replaces *hajjat ul-Islam*.

**Issue 30:** If a child commits a prohibited act of *iḥrām*, his guardian is responsible for paying his *kaffārah* (in case of hunting) while in other types of *kaffārahs*

neither the guardian is responsible to pay them nor it should be paid from the non-adult child's property.

**Issue 31:** The guardian of non-adult is responsible for paying the cost to slaughter an animal.

**Issue 32:** For obligatory hajj, it is not necessary for a woman to seek permission from her husband. Even in state of disagreement of her husband, hajj is obligatory for her.

**Issue 33:** For validity of *hajjat ul-Islam*, it is not obligatory for a qualified person to seek the permission of his parents.

### ***THE STATE OF BEING MUSTAṬĪ'***

**Issue 34:** The third condition is being *mustaṭī'* which includes the following things:

- A. Financial ability;
- B. Physical ability;
- C. Availability of a safe route;
- D. Availability of time.

These four conditions are going to be discussed in depth in this chapter.

### **A) FINANCIAL ABILITY**

**Issue 35:** The term financial ability is classified into four categories:

- 1- Provisions for travelling and transportation;
- 2- Provision for the family while he is in journey;
- 3- Basic necessities of life during the pilgrimage; and
- 4- Ability to sustain normal life after pilgrimage.

## **1- PROVISIONS FOR TRAVELLING AND TRANSPORTATION**

**Issue 36:** Provisions mean everything that one needs during his travel such as food, water, clothing and other basic necessities of traveling along with a means of transportation, like a car.

**Issue 37:** Hajj is not obligatory for a person who does not have provisions and means of transportation or the means to procure them. Though he can achieve the ability for hajj by working and trading, until he achieves that status hajj is not obligatory for him.

**Issue 38:** Obligation of hajj is conditional upon having enough money to return to their own city or the place they want to go.

**Issue 39:** If a person does not have money to spend on hajj but he has given some amount of money as loan, he must claim that amount from the debtor if the loan is due, the debtor holds the capacity to return it, it is not unbearably hard for him to ask it back, and by receiving the money he will be financially able to go to hajj and return.

**Issue 40:** If a woman's marriage portion is adequate for hajj expenses, and she demands his marriage portion from her husband but her husband does not have enough wealth to pay her, she cannot demand it from him and she is not considered *mustatī'*.

If the husband is financially stable, and her claim does not lead to a vile consequence, it is obligatory that she demands her marriage portion from her husband and perform hajj with it. However, if her claim results in divorce or dispute, demanding the marriage portion is not obligatory for her and she is not considered *mustatī'*.

**Issue 41:** If a person is unable to bear the expenses for performing hajj but it is possible for him to take loan — which he can repay it easily — to meet its expenses, it is not obligatory for him to get the loan and become *mustatī'*. However, if he does so, he will become *mustatī'*.

**Issue 42:** For a person who has to pay his debt and he has not the money except his hajj expenses to repay the debt, hajj is obligatory for him only if he has enough time to pay back the debt and he is confident that he can repay the debt on time. Similarly, if the date for payment of the debt has approached but the creditor agrees to defer his debt and the loaner is confident that he can repay it when creditor demands, the person is obligated to perform hajj. Apart from

these two cases, hajj is not regarded as obligatory for such a person.

**Issue 43:** If a person needs to marry, avoiding marriage brings about difficulty and problem and he can marry, he will be considered *mustatī'* when he has enough money for hajj as well as for marriage.

**Issue 44:** Regarding the transportation expenditures such as a car, airplane etc., if the cost is higher in the year in which he becomes *mustatī'* but he is able to pay the expenses without unbearable hardship, hajj is obligatory for him. A mere high price of things does not prejudice the state of being *mustatī'*.

But, if he is unable to pay extra cost or it amounts to oppression, it is not obligatory to pay it and he is not *mustatī'*. The same rules apply if he is to pay higher for hiring/buying what he needs during hajj journey or he should sell his property for a price less than its market price to provide for his hajj expenses.

**Issue 45:** The criterion for being *mustatī'* is normal method of going to hajj. If he believes that he does not have enough money to perform hajj in a normal way but thinks there may be a cheaper way compatible with his current financial status, it is not obligatory for him to investigate and hajj is not obligatory for him. On the other hand, if a person doubts his being *mustatī'* as he does not know how much

money/wealth he has, it is obligatory for him to scrutinize his situation.

## **2- PROVISION FOR ONE’S FAMILY WHILE HE IS IN JOURNEY**

**Issue 46:** Meeting the financial needs of the family members during the journey is one of the conditions of financial ability.

**Issue 47:** By family members whose provisions are considered a condition in determining financial ability for hajj are meant one's dependents as per common view, although providing their maintenance is not obligatory in Islamic law.

## **3- NECESSITIES OF LIFE AND LIVELIHOOD**

**Issue 48:** Meeting the basic necessities of life as per a person’s social status is a condition for hajj to be obligatory. It is not necessary that the very basic necessities of life exist; it suffices that one has the money or property to spend for this purpose.

**Issue 49:** As social status varies from person to person, if a person considers possessing his own home as a need and essential for his social position, and a borrowed or endowed house may cause hardship or disgrace to him, then possessing a house will be one of the conditions to be *mustatī’*.

**Issue 50:** If one possesses a sum of money/property that is adequate to meet hajj requirements but the amount is needed for a necessary deed such as buying a house, treatment of illness or running the routine expenses, the person is not *mustatī'*, and hence hajj is not obligatory for him.

**Issue 51:** Keeping the provision itself and sources of travelling itself is not a condition for a person to be *mustatī'* for hajj. But, if he has a property or money for purchasing provisions of travelling, it is sufficient to be considered as *mustatī'*.

**Issue 52:** If a person has all the basic necessities of life in surplus, can spend the extra to meet the hajj requirements, and this does not cause any hardship, he is *mustatī'* for the hajj.

**Issue 53:** For a person who sells a piece of land or something else to buy a house, if having a house is necessary for him or having a house is appropriate to his social position, he will not be *mustatī'* for hajj by getting the land, even though the proceeds are equal to the expenditures of hajj.

**Issue 54:** If a person does not need a property any more – even if it is some books – and by gaining money through selling them he will have an amount sufficient to fulfill needs for hajj, he is *mustatī'* for hajj.

#### 4- RETURNING WITH COMPETENCE (OF EARNING LIVELIHOOD)

**Issue 55:** Returning from hajj in state of capability to earn one's livelihood is one of the conditions for financial ability for hajj. (However, this is not a condition in hajj on gift as it will be described in details)<sup>1</sup>. It means that after returning from hajj one should have a sufficient source of income for him and his family in accordance with their social status — as per common view — for instance trade, agriculture, industrial activity, job or profit from property such as a garden or a shop as a source of income). As for students of an Islamic seminary, if the stipends maintain their life after return from hajj, they will be *mustatī'* for hajj.

**Issue 56:** Returning a woman from hajj in state of capability to have her livelihood is one of the conditions for her to be *mustatī'* as well. Therefore, if she is married and becomes *mustatī'* while her husband is alive, her husband's providing her after hajj fulfills this condition. If she is single, she should have a source to earn money and leads a life compatible with her social status. Otherwise, she is not *mustatī'*.

**Issue 57:** If a person with limited income is assured by a person that he will pay for his hajj expenditures,

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1. See issue 57.

and takes full responsibility for it, hajj is obligatory for him.

This type of hajj is called hajj on gift, and in this type of hajj competence of source of income is not a condition. It is not necessary that the contributor gives food, transportation, etc.; rather, his paying enough money has the same rule.

However, if the contributor gives him money as a gift enough to cover hajj expenditure without specifying it for hajj, then if the latter accept the gift, hajj is obligatory for him. Yet, it is not obligatory to accept the gift and he may reject it and as a result he will not become *mustatī'*.

**Issue 58:** Hajj on gift is a valid substitute for *hajjat ul-Islam* and it is not obligatory to perform hajj again if the person who performed hajj becomes *mustatī'* later.

**Issue 59:** If a person is invited by an institution or a person to go for hajj but in compensation for some work, this does not classify as hajj on gift.

### **MISCELLANEOUS ISSUES ABOUT FINANCIAL ABILITY**

**Issue 60:** A person who becomes *mustatī'* for hajj cannot disqualify himself for hajj by spending money when it is the time for spending money on hajj.

Moreover, on the basis of obligatory caution, he should not disqualify himself before this time.

**Issue 61:** Being *mustatī'* or having financial ability for hajj is not confined to one's native country. This implies that if a person gains financial ability even at *mīqāt*, hajj becomes obligatory for him and this hajj replaces *hajjat ul-Islam*.

**Issue 62:** If a person becomes *mustatī'* for hajj at *mīqāt* like the servants in the caravans and other assistants, and all the provisions of the family as per their social status as well as the amount to sustain life after hajj are adequate, then hajj becomes obligatory for them and this hajj replaces *hajjat ul-Islam*; otherwise his hajj is *mustahabb*, and later, if he becomes *mustatī'* for hajj, *hajjah ul-Islam* will be obligatory for him.

**Issue 63:** If a person is hired to serve others during the occasion of hajj and he becomes *mustatī'* for hajj by receiving the wage, he has become *mustatī'* for hajj after concluding the hire deed provided that his services as an assistant do not hinder the rites of hajj. Otherwise, he will not become *mustatī'* for hajj. Nevertheless, it is not obligatory for him to accept such a contract.

**Issue 64:** For a person who is not financially able to go to hajj and is hired for hajj on behalf of another person, if he becomes able for hajj by earning an

amount of money other than that of being hired for hajj, it is obligatory for him to perform *hajjat ul-Islam* first. If the hiring contract specifies the time of hajj on behalf for this year, this contract is invalid; otherwise he must perform hajj on behalf of the other person in the next year.

**Issue 65:** If a person, due to negligence or on purpose, intends *mustahabb* hajj — though his purpose is performing the rites of hajj as rehearsal and he wants to perform the rites of hajj the next year with greater perfection or thinks that hajj is not obligatory for him — but he comes to know later that he was *mustatī'*, his hajj does not replace *hajjat ul-Islam*. By caution, he should perform obligatory hajj the next year. That said unless thinking his duty was *mustahabb* hajj, intended performing his actual duty. In this case, his hajj replaces the *hajjat ul-Islam*.

## **B) PHYSICAL ABILITY**

**Issue 66:** Physical ability refers to power and strength to perform the rites of hajj. Hajj is not obligatory for the sick and aged who cannot go to hajj or it is unbearably hard and difficult for them to do so.

**Issue 67:** Stable physical ability is a condition for being *mustatī'*. Thus, if a person travels with an intention to perform hajj but contracts a disease that prevents him from traveling during his journey, or

before wearing *iḥrām* and it becomes clear that he cannot fulfill the rites of hajj, it shows that he was not *mustatī'*. Therefore, it is not obligatory for him to hire someone to perform hajj on his behalf.

In case, he became *mustatī'* years ago and hajj was established to be obligatory for him, now that he contracts the disease as mentioned above and does not hope that he may recover and perform hajj himself even in the future, he should hire someone to perform hajj on his behalf.

However, if he is hopeful that he would recover and would be able to perform hajj next year or later, it is obligatory for him to perform hajj himself. However, if one becomes sick after wearing *iḥrām*, he is subject to its special rulings and commandments.

### C) ABILITY OF ROAD SAFTY

**Issue 68:** This refers to safety along the route to hajj. Hajj is not obligatory for a person for whom the route is closed in such a way that he cannot reach the point of *mīqāt* or he cannot complete his rites of hajj. Likewise, if the route is open for a person but it is unsafe for hajj and there is danger for his life, honor, or wealth, hajj is not obligatory for him.

**Issue 69:** If a person has enough money for hajj and he gets registered for performing hajj without delay but his name does not appear in the draw and he

cannot go for hajj the same year, he is not qualified for hajj and hajj is not obligatory for him. However, if going to hajj involves registration process and payment of a sum so that he may perform hajj the next year, as an obligatory caution, he should make efforts for it.

## **D) TIME ABILITY**

**Issue 70:** Time adequacy refers to having enough time to perform the rites of hajj during the specific days of hajj. So if a person becomes *mustatī'* for hajj when he cannot perform rites of hajj due to lack of time or huge trouble and difficulty, hajj is not obligatory for him that year.

## CHAPTER TWO

### HAJJ ON BEHALF

Before going into the details of required conditions for the pilgrim on behalf (the agent) and the original person on whose behalf hajj is performed, we would like to mention some permitted cases of hajj on behalf, making a will for hajj and their rules.

**Issue 71:** If a person was *mustatī'* for hajj and hajj became obligatory for him but now does not have power to perform hajj due to old age, sickness, or unbearable hardship and has no hope of recovery and power to perform hajj without hardship in the coming years, it is obligatory for him to hire someone to perform hajj on his behalf. However, if hajj did not become fully obligatory for him, he is not required to hire someone else for this purpose.

**Issue 72:** Once the hajj is performed by the agent, the hajj will not be an obligation for the original person. It is not obligatory for him to perform hajj himself, provided the cause is genuine. However, if his excuse is removed while his agent is performing hajj, it is obligatory for him to perform hajj again and the hajj of the agent is not sufficient for him.

**Issue 73:** If hajj becomes obligatory for a person but he dies on his way to hajj after wearing *iḥrām* and

entering in the Haram, this hajj will be sufficient to replace *hajjat ul-Islam*. But, if he dies before wearing *iḥrām*, his duty of performing hajj is not fulfilled. Likewise, the person who dies after wearing *iḥrām* but before entering the boundary of Haram, on the basis of obligatory caution, his *hajjat ul-Islam* will not be considered performed.

**Issue 74:** If a person dies before performing hajj — while hajj was fully obligatory for him — and leaves behind estate that is sufficient for hajj, his heirs should hire an agent for hajj on his behalf paying from his original wealth [i.e. the estate before its distribution among the heirs and fulfilling the will]. However, if he has made a will that the expenditures of hajj should be spent from one third of his property, it takes priority over *mustaḥabb* bequest. However, if one third of the estate is not sufficient for hajj expenditures, then the deficiency should be paid from his original wealth.

**Issue 75:** If a person is allowed to hire an agent for hajj, it is obligatory to do so as soon as possible and there is no difference whether this hajj is on the behalf of a dead or living person.

**Issue 76:** It is not obligatory for a man to hire his agent from his country. Hiring him from the place of *mīqāt* is sufficient. Likewise, if a person dies when hajj was/is obligatory for him, it is sufficient to hire an

agent from the place of *mīqāt*, but if hiring an agent is only possible from homeland of the dead person or another city, it is obligatory for the heirs to hire an agent from there and the expenditures of hajj should be provided from the dead's estate. However, in case, he made a will to hire an agent from his homeland, then they should act according to his will and the additional expenditures over hajj from *mīqāt* should be paid from the one third of the estate.

**Issue 77:** If a person makes a will that a *mustahabb* hajj be performed on his behalf, the expenditures must be provided from the one third of his estate.

**Issue 78:** When the heirs or will executor of a deceased person come to know that hajj was obligatory on the deceased and they doubt the performance of hajj during his lifetime, it is obligatory to perform hajj on his behalf. But if they are not sure that he was *mustatī'*, and the deceased did not make his will regarding this matter, nothing is obligatory for them.

## QUALIFICATION AND CONDITIONS FOR AN AGENT

**Issue 79:** The person who performs hajj on the behalf of another person should enjoy the following qualifications:

**1. Adulthood on the basis of obligatory caution:**

If a person who has not reached the age of *shar‘ī* puberty perform hajj on behalf of another person, it does not fulfill the obligation of *hajjat ul-Islam* or any obligatory hajj in general.

**2. Intellect:**

This refers to the fact that performance of hajj on behalf by an insane person is not valid. The same rule applies to recurrent insanity if he performs hajj in a state of insanity.

**3. Belief (to be a Twelver Shiite):**

On the basis of obligatory caution, the person should be a Twelver Shiite; the agency of Non-Twelver is not sufficient.

**4. Basic Knowledge of hajj Rites:**

The person must be well-acquainted with practices and rules of hajj so that he can perform the hajj rites correctly. This is important even if he does that with a guide who teaches him each practice at its time.

**5. No other hajj is obligatory for the agent during the same year:**

If the agent does not know that hajj is obligatory for him, it is not remote to say his hajj on behalf of another person is valid.

6. The agent is not excused from some hajj practices (the details will be discussed from issue 90 onwards).

**Issue 80:** To suffice with hajj on behalf, one should be confident that the agent has performed hajj on behalf of the represented person. But, once it is certain that he has performed hajj, it is not a condition to investigate its correctness. It is sufficient to rule it as correct.

## **ESSENTIAL CRITERIA OF THE REPRESENTED PERSON**

**Issue 81:** The represented person should enjoy the following characteristics:

1- Being a Muslim; performing hajj on behalf of an infidel is not valid.

2- The represented person should be dead or unable to perform hajj due to old age, sickness or extraordinary hardship and has no hope to regain power to perform hajj rites without being unbearably hard for him in the coming years of his life. As to *mustahabb* hajj, it is permissible to do it on behalf of another person in all cases.

**Issue 82:** Sanity and maturity are not categorized as a condition in the represented person.

## ISSUES REGARDING HAJJ ON BEHALF

**Issue 83:** A woman may perform hajj on behalf of a man and vice versa.

**Issue 84:** It is permissible for a *ṣarūrah* (person who has not performed hajj in his life) to represent a *ṣarūrah/non-ṣarūrah* whether the representative or represented person is a man or a woman.

**Issue 85:** The intention of representation and identification of the represented person are termed as necessary conditions for hajj on behalf. However, it is not a condition for the agent to mention the name of the represented person.

**Issue 86:** It is incorrect to hire a person whose duty is to perform hajj *ifrād*, due to lack of time. However, if he is hired and accidentally he faces shortness of time, it is obligatory for him to turn to hajj *ifrād*. This deed will compensate for hajj *tamattu'*, and surely he deserves to get the wages for this deed.

**Issue 87:** If an agent dies after wearing the *iḥrām* and entering Ḥaram and he is hired so that the represented person's duty is fulfilled, he deserves a full wage. In this case, the hired person deserves the full wage and it should be given to his heirs.

**Issue 88:** If a person is hired to perform hajj for certain amount of money but that amount is

insufficient to meet the expenditures, it is not obligatory for the hiring person to pay more. Similarly, if the amount exceeds, he has no right to claim it back.

**Issue 89:** In case the performed hajj on behalf is ruled insufficient to fulfill the duty of the represented person while he has been hired to perform hajj the same year, it is obligatory for him to return the amount to the hiring person. If the year is not specified, he must perform the hajj on behalf in the coming years.

**Issue 90:** The person who is unable to perform some rites of hajj cannot be hired as a representative. By being unable, it is meant a person who cannot perform normal rites of hajj such as a person who cannot recite *talbiyah* or say the *tawāf* prayer in a correct manner or is unable to walk for *tawāf* and *sa'y*, or *ramy* (*stoning*) at Jamarāt with his own hands, stay in ‘Arafāt and Mash‘ar at the specified time, stay in Minā during required nights so that it amounts to defect in some hajj rites. However, if it does not amount to defect in any hajj ritual but he is excused from avoiding some prohibited acts of *ihrām*, his representation is valid.

**Issue 91:** If a representative becomes disabled during hajj and his disability results in imperfection of some rites, it is not remote that the hire deed becomes invalid. So, by caution, hajj should be performed

again and there should be reconciliation between the representative and the represented person.

**Issue 92:** Representation by those who are unable to have normal stay in Mash‘ar ul-Ḥarām is invalid and if they are hired, they would not deserve the wages e.g. caravan's servants who are forced to accompany the weak people or to perform some services for the caravan and as a result they leave Mash‘ar for Minā before sunrise. If these individuals are hired for hajj on behalf, they should have normal stay (*wuqūf ikhtiyārī*) and perform hajj.

**Issue 93:** As far as insufficiency in hajj on behalf by an excused person is concerned, it makes no difference, whether he is paid or volunteered to perform it, whether the representative is ignorant of his excuse or the hiring person is ignorant about this issue. Likewise, it makes no difference, whether the representative or the represented person is ignorant about the fact that this excuse makes representation invalid, e.g. the representative does not know that urgent stay is not sufficient for him.

**Issue 94:** It is obligatory for the representative to perform hajj in accordance with his own duty by following his own *mraji‘* or by acting upon his own *fatwā* if he is a *mujtahid*.

**Issue 95:** If a pilgrim on behalf dies after wearing *ihrām* and entering the Ḥaram, that act compensates

for the hajj of the represented person. However, if he dies after wearing *ihrām* and before entering into Ḥaram, on the basis of obligatory caution his deed is not sufficient. It does not matter, whether his representation is for free or not, whether he is performing *hajjat ul-Islam* or another obligatory hajj.

**Issue 96:** He who performed hajj as a representative without performing his own *hajjat ul-Islam* earlier to this, performs, by *mustaḥabb* caution, *‘umrah mufradah* on his own behalf before leaving the city of Mecca, if possible.

**Issue 97:** After performing hajj on behalf, a representative is allowed to perform *tawāf* or *‘umrah mufradah* for himself or on behalf of others.

**Issue 98:** On the basis of obligatory caution, the condition of being a Shi‘a, which is necessary in hajj representation, is also necessary in a person who performs the rites of hajj such as *tawāf*, stoning, animal slaughtering A on behalf of others.

**Issue 99:** The pilgrim on behalf must perform rites of hajj, including *tawāf nisā*, intending on behalf of the represented person.



**PART TWO**

**rites of**

***'UMRAH***



# CHAPTER ONE

## PLACES (MĪQĀTS) OF *IHRĀM*

**Issue 100:** The *mīqāts* of *ihrām* are the places that have been determined for wearing *ihrām*. This chapter explains detailed account of various *mīqāt* points.

### FIRST: MOSQUE AL-SHAJARAH

**Issue 101:** Mosque Shajarah is situated in the region of Dhul-Ḥalīfah near the holy city of Medina and this is the place to wear *ihrām* for the people who go to Mecca via holy city of Medina.

**Issue 102:** It is not permissible to delay in wearing *ihrām* from Mosque al-Shajarah to Juḥfah unless an urgent situation arises such as a disease, weakness or other genuine excuses.

**Issue 103:** Wearing *ihrām* outside the Mosque al-Shajarah is not valid but wearing *ihrām* in any part of the mosque, even in the new extended parts is considered sufficient and valid.

**Issue 104:** A woman with an excuse (of menstruation) can wear *ihrām* while crossing the mosque but it is conditional that her crossing should not result in her stay in the mosque. But if her crossing the mosque results in staying due to crowded mosque and cannot delay wearing *ihrām* until her excuse is removed, she

must wear *iḥrām* from Juḥfah or one of its parallel places. She is also allowed to wear *iḥrām* by *nadhhr* from any place before reaching *mīqāt*.

**Issue 105:** Regarding the validity of her *nadhhr* for wearing *iḥrām* before reaching *mīqāt*, in the absence of her husband, permission of husband is not a condition. But, if he is present, on the basis of obligatory caution, she should seek his permission. If she does *nadhhr* without the permission of her husband, her *nadhhr* is not valid.

## **SECOND: WĀDĪ (THE VALLEY) OF AQĪQ**

**Issue 106:** This constitutes the *mīqāt* of the people from Iraq and Najd and those who want to pass this place for *'umrah*. This has three portions: Maslakh, i.e. its first portion; al-Ghamrah, the middle; and Dhāt 'irq, the last portion. *Iḥrām* at any of these portions is valid.

## **THIRD: JUḤFAH**

**Issue 107:** This is the place of wearing *iḥrām* (the *mīqāt*) for the people of Syria, Egypt, Morocco and people who cross this place for performing *'umrah*. Wearing *iḥrām* is valid whether inside the mosque or other places of Juḥfah.

## FORTH: YALAMLAM

**Issue 108:** Yalamlam is the name of a mountain that is situated in the south of the holy city of Mecca. This is the place for wearing *iḥrām* for the people of Yemen and those who cross that mountain for performing ‘*umrah*. Wearing *iḥrām* is valid anywhere in Yalamlam.

## FIFTH: QARN UL-MANĀZIL

**Issue 109:** Qarn ul-Manāzil is the place of wearing *iḥrām* for the people of Tā’if and for the people who cross it for ‘*umrah*. Wearing dress of *iḥrām* anywhere in Qarn ul-Manāzil whether inside or outside of the mosque is valid and sufficient.

## THE PARALLEL PLACES TO THE PREVIOUS MĪQĀTS

**Issue 110:** If a person is on route that does not cross any of the five places, he should wear *iḥrām* from a point that is parallel to one of the afore-mentioned points. Parallel (*muḥādhāt*) refers to a point where the point of wearing *iḥrām* is either on the left or on the right so that if he goes forward, the *mīqāt* will be located behind him.

**Issue 111:** The afore-mentioned places are *mīqāts* for wearing *iḥrām* for '*umrah tamattu'*. Some other places for wearing *iḥrām* (*mīqāts*) are as follows:

1. The holy city of Mecca: it is the *mīqāt* for *hajj tamattu'*.
2. One's personal house: it is the *mīqāt* for those who live between Mecca and a *mīqāt*. It is not obligatory for such a person to go to the above mentioned places for wearing *iḥrām*.
3. *Andā al-ḥill*: it is the *mīqāt* for individuals intending to perform '*umrah mufradah* who are inside the holy city of Mecca. It is better that he should wear *iḥrām* at *andā al-ḥill*, *Ḥudaybiyyah*, *Ja'rānah* or *Tan'im*.

## ISSUES RELATED TO MĪQĀTS

**Issue 112:** If one has no knowledge about the location of *mīqāt* or it's parallel, it can be determined by *shar'ī* evidence i.e. by the testimony of two just witnesses or public knowledge regarding that place which makes one confident about it. It is not obligatory to investigate to become sure. If one is not sure and there is no testimony of two just witnesses or public knowledge, one should act upon his guess (more than 50%) obtained by asking people with sound knowledge of that locality.

**Issue 113:** Wearing *iḥrām* before reaching *mīqāt* is invalid. However, if a person does *nadh'r* of wearing *iḥrām* before the place of *mīqāt*, the rule is different. For example, if a person does *nadh'r* that he will wear *iḥrām* from the Holy city of Medina or from his own city, he should wear *iḥrām* from this very place and his wearing *iḥrām* will be valid.

**Issue 114:** If a person passes the *mīqāt* without wearing *iḥrām* on purpose or due to ignorance or negligence, he should return to the place of *mīqāt* and wear *iḥrām* from there.

**Issue 115:** If a person passes the *mīqāt* without wearing *iḥrām* due to negligence, forgetfulness or ignorance of the ruling, and he cannot return to the place of *mīqāt* due to shortage of time or another excuse while he has not entered the Ḥaram, on the basis of obligatory caution, he should go back towards *mīqāt* as much as possible and wear *iḥrām* from there. If he has entered the Ḥaram, he should exit the Ḥaram. In case, he cannot exit Ḥaram due to shortage of time or the like, he should wear *iḥrām* inside the Ḥaram where the excused (negligence, forgetfulness or ignorance of the ruling) is removed.

**Issue 116:** In normal condition, it is not permissible to delay in wearing *iḥrām* whether there is another *mīqāt* in front of him or not.

**Issue 117:** If a person is prevented from wearing *iḥrām* in one of the *mīqāts*, he is allowed to wear *iḥrām* from another *mīqāt*.

**Issue 118:** If a person avoids wearing *iḥrām* intentionally and he is unable to return to *mīqāt* due to shortage of time or another excuse and there is no other *mīqāt* ahead of him, and as a consequence the time for performing *'umrah* is too short, he has missed *'umrah* and his hajj is invalid. If he is still *mustatī'* or hajj has become obligatory for him [even after losing *istitā'ah*], he should perform hajj next year.

**Issue 119:** Jeddah is not considered as *mīqāt* nor parallel to any *mīqāt*. Therefore, wearing *iḥrām* for *'umrah tamattu'* from this place in normal conditions is invalid. Moreover, it is obligatory for every one to go to one of *mīqāts* to wear *iḥrām*. In case, he is unable to go to *mīqāt* points, on the basis of obligatory caution, he should wear *iḥrām* by *nadhr* from Jeddah.

**Issue 120:** If a person after wearing *iḥrām* and exit *mīqāt*, becomes aware that his/her *iḥrām* is incorrect, it is obligatory for him to go to a *mīqāt* and wear *iḥrām*, if possible. If he cannot do so except after entering Mecca, he must wear *iḥrām* from Adnal-Hill with the intention of *'umrah mufradah* and after performing rituals of *'umrah mufradah*, he must go

back to one of the *mīqāts* and wear *iḥrām* for ‘*umrah tamattu*’.

**Issue 121:** A person who has performed ‘*umrah tamattu*’ is permitted to exit holy city of Mecca, provided that he is certain about his return to the holy city of Mecca.

However, on the basis of *mustahabb* caution, it is better not to do so except for dire need or emergency. On the basis of caution, firstly he should wear *iḥrām* for hajj and then he may exit the holy city of Mecca. If wearing *iḥrām* would cause hardship, he may exit the holy city of Mecca without *iḥrām*. Those people who want to observe this caution and are compelled to exit the holy city of Mecca once or more e.g. the workers of caravans, may perform ‘*umrah mufradah*’ first and perform ‘*umrah of tamattu*’ just before becoming *muḥrim* for hajj. In this case, they should wear *iḥrām* for ‘*umrah tamattu*’ from the *mīqāt* and after performing ‘*umrah tamattu*’, they should wear *iḥrām* for hajj from the holy city of Mecca.

**Issue 122:** Criterion of exiting the holy city of Mecca between ‘*umrah tamattu*’ and hajj is to depart from the current city of Mecca. Therefore, visiting a place which is now considered a part of the holy city of Mecca though was not considered a part of the holy city of Mecca in the past will not be considered exiting Mecca.

**Issue 123:** For a person who has performed *'umrah tamattu'* and exited Mecca without wearing *ihrām*, if he returns to the Mecca during the same month in which he has performed *'umrah*, there is no need to wear *ihrām* again for entering in the holy city of Mecca. If this person returns in the next month of performing, e.g. if he performs *'umrah* in the month of Dhul-Qa'dah, departs from Mecca, and return to the holy city of Mecca during the month of Dhul-Ḥijjah, or if he performs *'umrah* in the month of Dhul-Qa'dah, departs in the month of Dhul-Ḥijjah and returns again, it is obligatory for him to wear *ihrām* for *'umrah* again in order to enter into the holy city of Mecca and his *'umrah tamattu'* which is connected with hajj will be his second *'umrah tamattu'*. If he does not wear *ihrām* again and perform second *'umrah*, his hajj *tamattu'* is not valid.

**Issue 124:** On the basis of obligatory caution, one should not perform *'umrah mufradah* after performing *'umrah tamattu'* and prior to hajj *tamattu'*. But if he performs it, it does not make *'umrah* and hajj *tamattu'* invalid.

# CHAPTER TWO

## *IḤRĀM*

**Issue 125:** The issues pertaining to *iḥrām* are divided into four groups:

1. The obligatory rites while wearing *iḥrām* or for *iḥrām*;
2. *Mustaḥabb* deeds of *iḥrām*;
3. The forbidden deeds during *iḥrām*; and
4. *Makrūh* acts of *iḥrām*.

### 1) OBLIGATIONS OF *IḤRĀM*

#### *FIRST: INTENTION*

**Issue 126:** The conditions of intention are as follows:

**A-** Intention of performing hajj or *'umrah*. Therefore, a person who wants to wear *iḥrām* for *'umrah tamattu'*, should have intention to perform the rituals while wearing *iḥrām*.

**B-** He should have pure intention of obeying the orders of Allah Almighty because *'umrah* and hajj and all the rites are acts of worship. So, one should perform them with intention of seeking proximity to Allah Almighty.

C- He who wants to wear *iḥrām* should make intention to perform 'umrah or hajj and if hajj is to be performed, he states its type whether it's hajj *tamattu'*, *ifrād*, *qirān*, hajj on behalf, *ḥajjat ul-Islam*, hajj of *nadhhr* or recommended hajj.

**Issue 127:** While making the intention, it is not necessary for a person to have a detailed picture of the rites and deeds of hajj or 'umrah in his mind; but it is enough to know them in general and perform them step by step.

**Issue 128:** For a person who wears *iḥrām*, it is not necessary for him to make the intention to stop committing the prohibited acts. Moreover, the intention of committing some forbidden acts does not make *iḥrām* invalid.

That said, unless he has intention of committing some acts which invalidate 'umrah or hajj; like intercourse, (in some cases which will be mentioned). Because intention of these deeds does not conform to intention of performing hajj, rather intending doing these deeds contradicts the intention of *iḥrām*.

**Issue 129:** If someone intends hajj instead of 'umrah due to negligence or ignorance, his *iḥrām* is valid. For instance, while wearing *iḥrām* for 'umrah of *tamattu'*, if he says: I am going to wear *iḥrām* for the sake of Allah for hajj of *tamattu'* but he has intention to

perform the deed that is being performed by others thinking they are classified as hajj, his *iḥrām* is valid.

**Issue 130:** Uttering one's intention or imagining the intention in one's mind is not necessary. Rather, if he intends to perform rites, it would suffice.

**Issue 131:** Intention must be accompanied by wearing *iḥrām*. So a previous intention will be sufficient only if it continues until the time of wearing *iḥrām*.

### **SECOND: SAYING LABBAYK (TALBIYAH)**

**Issue 132:** Saying *talbiyah* while wearing *iḥrām* is just like the *tabbīrat ul-iḥrām* in prayer. When a pilgrim says the *talbiyah*, he becomes *muḥrim* and is now prepared to perform the rites of 'umrah. *Talbiyah* means accepting the invitation of Allah Almighty who has invited qualified people to perform hajj. Therefore, it is worthy that one should pronounce the words of *talbiyah* with full humility.

**Issue 133:** According to the most correct view, the sentences of *talbiyah* are as follows:

"لَبَّيْكَ اللَّهُمَّ لَبَّيْكَ، لَبَّيْكَ لَا شَرِيكَ لَكَ لَبَّيْكَ"

"*Labbayk Allāhumma labbayk, labbayka lā sharīka laka labbayk*"

*I am present in your court, here I am, O Allah. Here I am. You have no partners. Here I am.*

If one says only this, his *ihrām* is correct, however on the basis of *mustahabb* caution, one should say these mentioned *talbiyahs* following the above *talbiyah*:

"إِنَّ الْحَمْدَ وَ النُّعْمَةَ لَكَ وَ الْمُلْكَ لَا شَرِيكَ لَكَ لَبَّيْكَ"

"*Innal-ḥamda wan-ni'mata laka wal-mulk, lā sharīka laka labbayk*"

*Truly all praise, all favours and the kingdom belong to You. You have no partner, here I am.*

And to observe more caution, one may add:

"لَبَّيْكَ اللَّهُمَّ لَبَّيْكَ، إِنَّ الْحَمْدَ وَ النُّعْمَةَ لَكَ وَ الْمُلْكَ، لَا شَرِيكَ لَكَ لَبَّيْكَ"

"*Labbayk Allāhumma labbayk, innal-ḥamda wan-ni'mata laka wal-mulk, lā sharīka laka labbayk*"

*Here I am, O Allah. Here I am. Truly all praise, all favours and the kingdom belong to You. You have no partner, here I am.*

"لَبَّيْكَ ذَا الْمَعَارِجِ لَبَّيْكَ، لَبَّيْكَ دَاعِيًا إِلَى دَارِ السَّلَامِ لَبَّيْكَ، لَبَّيْكَ غَفَّارَ الذُّنُوبِ لَبَّيْكَ، لَبَّيْكَ أَهْلَ التَّلْبِيَةِ لَبَّيْكَ، لَبَّيْكَ ذَا الْجَلَالِ وَ الْإِكْرَامِ لَبَّيْكَ، لَبَّيْكَ تَبْدِي وَ الْمَعَادُ إِلَيْكَ لَبَّيْكَ، لَبَّيْكَ نَسْتَعِينِي وَ يُفْتَقِرُ إِلَيْكَ لَبَّيْكَ، لَبَّيْكَ مَرْهُوبًا وَ مَرْغُوبًا إِلَيْكَ لَبَّيْكَ، لَبَّيْكَ إِلَهَ الْحَقِّ لَبَّيْكَ، لَبَّيْكَ ذَا النُّعْمَاءِ وَ الْفَضْلِ الْحَسَنِ الْجَمِيلِ لَبَّيْكَ، لَبَّيْكَ كَشَافَ الْكُرْبِ الْعِظَامِ لَبَّيْكَ، لَبَّيْكَ عَبْدُكَ وَ ابْنُ عَبْدِيكَ لَبَّيْكَ، لَبَّيْكَ يَا كَرِيمَ لَبَّيْكَ"

**Issue 134:** Saying *talbiyah* once is obligatory but it is *mustahabb* that one repeats it as much as possible for him.

**Issue 135:** It is obligatory for a person to pronounce *talbiyah* correctly. Thus, if a person can learn the pronunciation exactly or somebody may say it word by word so that he says it correctly but he ignores these steps and pronounces it in a wrong way, it would not be enough. But if he cannot learn it due to shortage of time and he cannot say it correctly with somebody dictating, he should pronounce it in any possible way and it is based on caution that he should appoint a representative to say it on his behalf.

**Issue 136:** The person who neglects *talbiyah* purposely is similar to the person who neglects wearing *iḥrām* in *mīqāt* purposely.

**Issue 137:** The person who does not pronounce *talbiyah* correctly and has no excuse for it is similar to the man who neglects *talbiyah* purposely.

**Issue 138:** It is obligatory for a person who wears *iḥrām* for ‘*umrah* of *tamattu*’, to stop saying *talbiyah* upon seeing the houses of the holy city of Mecca – though these new buildings around the Mecca which are considered a part of it. For a person who wears *iḥrām* for hajj, it is obligatory to stop *talbiyah* from the noon of the 9th of Dhul-Ḥijjah (the day of ‘*Arfah*).

**Issue 139:** *Iḥrām* for hajj *tamattu*’ and its ‘*umrah*, hajj *ifrād* and ‘*umrah mufradah* is materialized only by saying *talbiyah*, while *iḥrām* for hajj *qirān* is achieved by saying *talbiyah* along with *ish‘ār* or *taqlīd*. *Ish‘ār*

is confined to the camel while *taqlīd* includes other types of sacrifices as well.

**Issue 140:** *Ish'ār* means cutting the hump of the camel so that it becomes stained with blood and indicates that it is for slaughtering. *Taqlīd* refers to hanging a string or a shoe in the neck of the animal by a pilgrim so that it may become clear that it is for slaughtering on the occasion of hajj.

### ***THIRD: WEARING TWO CLOTHS OF IHRĀM***

**Issue 141:** One of the cloths (loincloth) is fastened around waist, while with the other piece of cloth the shoulders should be covered. These two pieces of cloth should be worn after taking off all those clothes that are prohibited for a *muḥrim*.

**Issue 142:** On the basis of obligatory caution, one should wear these pieces of cloth before making intention of *iḥrām* and recitation of *talbiyah*.

**Issue 143:** It is not a condition that the loincloth covers the navel and the knees; it is sufficient that it is called loincloth and like those usually used for *iḥrām*.

**Issue 144:** It is not allowed to fasten the loincloth around the neck. However, there is no objection to fasten it using a pin or fastening its one part with the other unless it is not called loincloth any more.

Likewise, fastening the shawl with a pin, a clip or by using small pebbles on both sides and fastening it with a thread in a common and well-known way is no problem, as long as it is called *ridā'* (shawl).

**Issue 145:** It is based on obligatory caution that one should wear the two cloths with the intention of seeking closeness to Allah Almighty.

**Issue 146:** The two cloths should be of the material allowed to wear during prayer. Therefore, wearing *iḥrām* of pure silk or parts of those animals whose meat is prohibited to eat, or parts of an animal which is not ritually slaughtered or an impure cloth is not sufficient for wearing *iḥrām*.

**Issue 147:** It is a condition for the loincloth that it should not be thin and transparent, whereas it is not a condition for the shawl to not be thin and transparent provided that it fits the definition of *ridā'* (shawl).

**Issue 148:** Wearing the two cloths is obligatory solely for men, while women are allowed to wear their usual clothes in state of *iḥrām* whether they are sewn or not. However, the clothes should be according to the guidelines for a person who recites prayer.

**Issue 149:** The dress of *iḥrām* for women should not be made of pure silk.

**Issue 150:** It is not a condition for the two cloths to be manufactured with cotton or wool. Nevertheless if

they are made of leather, nylon or plastic, they should be called dress and usually worn. Likewise, there is no objection if the cloth is felted but called a dress and usually worn.

**Issue 151:** While wearing *ihrām*, if a person does not change his sewn clothes on purpose, the validity of his *ihrām* would be objectionable. On the basis of obligatory caution, one should repeat his intention and recitation of *talbiyah* after taking off these sewn clothes.

**Issue 152:** If a person is compelled to wear sewn clothes due to cold weather, he is allowed to wear normal clothes such as a shirt but he should not wear it like normal clothes but he should place the cloth on his body upside down or inside out.

**Issue 153:** A person who is in state of *ihrām* is allowed to take off *ihrām* for the purpose of shower, bathing or the like. Changing the *ihrām* dress is also permitted.

**Issue 154:** A man in state of *ihrām* can wear more than two [*ihrām*] dresses due to cold weather. Likewise, he is allowed to use two shawls on his shoulders or two pieces of cloth around the waist.

**Issue 155:** If *ihrām* becomes *najis*, on the basis of obligatory caution, one must change or purify it.

**Issue 156:** Being in state of *wuḍū'* or *ghusl* is not a condition for the validity of *iḥrām*; therefore, one can join the state of *iḥrām* during *Janābat* or menses. However, it is highly recommended to take *ghusl* before wearing *iḥrām* which is called 'recommended *ghusl* of *iḥrām*'. It is better that one does not neglect it.

## 2) THE *MUSTAḤABB* ACTS OF *IḤRĀM*

**Issue 157:** It is recommended that body is pure before wearing *iḥrām*, the extra hair of body is removed and nails are cut off. Brushing teeth is also recommended before wearing *iḥrām*.

It is also *mustaḥabb* to take *ghusl* before entering in the state of *iḥrām* at *mīqāt*. It is said that on cautionary basis this *ghusl* should not be neglected. Furthermore, it is recommended that one wears *iḥrām* after an obligatory noon-prayer or after any obligatory prayer or after offering a two-*rak'ah* prayer. It is mentioned in some hadiths that one offers six *rak'ahs* of recommended prayers as such prayers have great significance/reward.

For a person who wants to perform hajj, it is recommended that he does not cut his hair in the month of Dhul-Qa'dah.

### 3) MAKRŪH ACTS OF IHRĀM

**Issue 158:** *Ihrām* with black, dirty and striped dresses is *makrūh*. It is better to wear white colour in state of *ihrām*.

Likewise, it is *makrūh* to sleep on a yellow mattress or sleeps putting yellow pillow under one's head in state of *ihrām*. Using henna before wearing *ihrām*, in case its color would remain until wearing *ihrām*, is also *makrūh*. It is also *makrūh* to say 'labbayk' in response to someone's calling. Taking *ghusl* and rubbing the body with rough cloth is also considered *makrūh*.

### 4) PROHIBITED ACTS OF IHRĀM

**Issue 159:** It is obligatory to refrain from certain deeds from the moment *ihrām* is worn until the end of *ihrām* which are called prohibited acts of *ihrām*.

**Issue 160:** There are twenty two things forbidden in *ihrām*, out of which some are forbidden only for men/women.

The prohibited acts will be discussed in general, followed by rules and issues regarding them.

Forbidden acts during *ihrām* are as follows:

- 1- Wearing sewn clothes by men;
- 2- Wearing footwear that covers upper part of the foot for men;
- 3- Covering the head for men and covering the face for women;
- 4- Spreading shadow over the head during the day while moving and traveling for men;
- 5- Using perfumes and things of good smell;
- 6- Looking into a mirror;
- 7- Wearing a ring;
- 8- Using henna;
- 9- Applying oil to the body;
- 10- Removing body hair from oneself or from others;
- 11- Applying kohl;
- 12 - Clipping the nails;
- 13 - Making a part of body bleeds;
- 14- *Fusūq* (telling a lie, using bad names and boasting);
- 15- *Jidāl* means saying: *La wallāh* (No by God!) and *Balā Wallāh* (Yes by God!);
- 16- To kill those creatures that live on the body;
- 17- Uprooting trees or plants in Ḥaram;
- 18- Carrying weapons;
- 19- Hunting wild animals of the desert;
- 20- Sexual intercourse and getting any sort of physical pleasure from one's spouse such as watching (lustfully), kissing and touching;
- 21- Marriage; and

## 22- Masturbation.

**Issue 161:** Some of these acts are forbidden even in normal state and their prohibition will be stricter in state of *iḥrām*.

## ***RULINGS FOR FORBIDDEN ACTS OF IḤRĀM***

### **1- WEARING SEWN CLOTHES (FOR MAN)**

**Issue 162:** Wearing sewn dress such as stitched clothes, shirt, gown, trousers, coat, long coat, underwear and clothes similar to it as well as dresses with buttons that appear like shirt when the buttons are fastened are forbidden for men in state of *iḥrām*.

**Issue 163:** In the previous issue, it makes no difference whether dresses are woven or sewn.

**Issue 164:** There is no objection in carrying sewn objects that are not classified as clothing such as belts, purses or wallets for keeping money. Similarly, using a hand-watch band is also permitted.

**Issue 165:** Sitting and sleeping on sewn sheet or clothes/dresses that are prohibited to wear are not objectionable.

**Issue 166:** Covering shoulders with a duvet cover or a blanket and the likes that have sewn edges is not objectionable either.

**Issue 167:** There is no objection if edges of clothes of *ihrām* are sewn.

**Issue 168:** If a person wears sewn clothes intentionally, he must slaughter a sheep as *kaffārah*. In the same way, if a person wears more than one piece of cloth such as pants, coat, shirt or underwear, he must slaughter a sheep for every dress as *kaffārah*.

**Issue 169:** If a person in state of *ihrām* becomes compelled to wear sewn clothing due to cold, sickness or any other valid reason, he/she is allowed to do so but based on caution they should slaughter a sheep as *kaffārah*.

**Issue 170:** Women are allowed to wear all kinds of sewn clothes without any *kaffārah*; however, wearing gloves are not allowed for them.

## **2- WEARING FOOTWEAR THAT COVERS ALL THE UPPER PART OF THE FOOT (FOR MEN)**

**Issue 171:** Men should not wear socks in *ihrām*. On the basis of obligatory caution, they should avoid wearing anything that cover the upper part of foot such as boots, shoes etc.

**Issue 172:** There is no harm in wearing open slippers and shoes with wide leather bands provided that they do not cover the whole upper part of the feet.

**Issue 173:** Covering the feet with a duvet and a covering sheet (and items similar to it) while sitting or sleeping is not objectionable. There is also no problem if dress of *ihrām* is long in such a way that it covers the feet.

**Issue 174:** If a man is compelled to wear shoes or something that covers the upper part of the feet, he is allowed to do so but on the basis of obligatory caution, he should cut it from upper side.

**Issue 175:** Wearing slippers and socks or other items mentioned above does not require *kaffārah*. However, in case of wearing socks, he slaughters a sheep, as a recommended caution.

**Issue 176:** The above mentioned rule is related to the men (wearing shoes, socks, etc.). However, as a recommended caution, women act upon it as well.

### **3-COVERING THE HEAD FOR MEN AND COVERING THE FACE FOR WOMEN**

**Issue 177:** It is not allowed for a man in state of *ihrām* to cover his head with a cap, turban, a handkerchief, a towel or the like.

**Issue 178:** By obligatory caution, a man should avoid placing anything that covers his head such as henna, soap foam, carrying a luggage on his head and the like.

**Issue 179:** The ear is a part of head and therefore covering it in state of *iḥrām* is not allowed.

**Issue 180:** Covering a part of the head in such a way that it could be called a covering like putting a small hat in the middle of the head is impermissible. On the other hand, placing a copy of the Holy Qur'an on the head or drying a part of head gradually with a towel is not objected, though it is better to avoid this act.

**Issue 181:** Immersing the whole head in water is prohibited for both men and women, in state of *iḥrām*. However, there is no *kaffārāh* for it.

**Issue 182:** By obligatory caution, *kaffārāh* of covering the head is slaughtering a sheep.

**Issue 183:** For a person who covers the head due to forgetfulness or ignorance, *kaffārāh* is not obligatory.

**Issue 184:** It is forbidden for women in state of *iḥrām* to cover their face as hijab against non-*maḥram* or to hide their identity. Therefore, covering a part of face so that it is said that the face is covered like covering the cheeks, nose, mouth and chin as hijab against non-*maḥram* or to hide one's identity is ruled as covering the whole face and is forbidden.

**Issue 185:** Wearing mask during the state of *iḥrām* in order to cover nose and mouth is not forbidden for women.

**Issue 186:** There is no problem for women in covering around the face (the top, down or sides of head) like what they do while wearing *maqna'as* in a usual method or while covering the head during prayer which is not considered as covering the face — whether or not during the prayer.

**Issue 187:** It is forbidden for women to cover their face with a hand-fan, paper, newspaper, etc. However placing hands on the face is not objectionable.

**Issue 188:** A woman in state of *iḥrām* is allowed to let her abaya or what she has put over her head hang over her face until the upper part of the nose. However, there is a caution not to do so unless a non-*maḥram* is looking at her.

**Issue 189:** As far as the previous issue is concerned, it goes with caution that veil should not touch her face.

**Issue 190:** Covering the face does not cause *kaffārah*. However, it is more compatible with caution to pay *kaffārah*.

#### **4- SHADING OVER THE HEAD (FOR MEN)**

**Issue 191:** Spreading shadow over the head in state of *iḥrām* while moving (e.g. going from *mīqāt* to Mecca, from Mecca to 'Arafāt, etc.) is not allowed. This rule does not apply to situations where pilgrims stop at a place on their way or upon entering a house or a

restaurant. Accordingly, traveling with a roofed bus is impermissible. However, after reaching the holy city of Mecca, shading the head while walking in the residence, restaurants and the likes, is not objectionable.

**Issue 192:** On the basis of caution, a person who is in state of *iḥrām*, after reaching the holy city of Mecca and before performing ‘rites of ‘*umrah*, ‘Arafāt and Minā, should refrain from going under the moving shadow of roofed buses and umbrellas.

**Issue 193:** The rulings for above mentioned issues (issue 191 & 192) are confined to days. Therefore, transportation in a roofed bus during the night is allowed, though observing caution for this matter is better.

**Issue 194:** Riding in roofed buses during cold and rainy nights (so as to avoid cold and rain) should be avoided in state of *iḥrām*.

**Issue 195:** Passing through the shadow of a wall, tree and fixed roofs like a tunnel or a bridge in the daytime is allowed.

**Issue 196:** Prohibition of shading is specifically for men. Therefore, this issue does not include women.

**Issue 197:** The *kaffārah* of shading is slaughtering a sheep.

**Issue 198:** If a person is going under a shadow due to illness or a genuine excuse, he may do so but he must slaughter a sheep as a *kaffārah*.

**Issue 199:** A person who shades himself in state of *iḥrām* has to pay *kaffarāh* only once during each *iḥrām*, even if the person shades himself more than once. Therefore, if one shades several times during *'umrah*, he is to pay only one *kaffarāh*.

## 5- USING FRAGRANCE

**Issue 200:** Using any kind of fragrance like perfume, incense, rose water and other common fragrances is forbidden in state of *iḥrām*.

**Issue 201:** It is impermissible to wear a previously perfumed dress as long as the smell remains.

**Issue 202:** On the basis of caution, using scented soap/shampoo is not allowed in state of *iḥrām*.

**Issue 203:** On the basis of obligatory caution, a person who is in state of *iḥrām* should avoid smelling anything that is scented even though it is not considered as perfume such as flowers, vegetables and scent of fruits.

**Issue 204:** Eating a food that is mixed with saffron is forbidden during *iḥrām*.

**Issue 205:** There is no objection in eating fragrant fruits like apple and oranges etc. However, as an obligatory caution, one should avoid smelling them.

**Issue 206:** A person in state of *iḥrām* is not allowed to avoid unpleasant smell by covering his nose. However, passing through/going out of a place with unpleasant odor is no problem.

**Issue 207:** On the basis of obligatory caution, one should slaughter a sheep as a *kaffārah* if he uses fragrances intentionally whether these are utilized in food like saffron or any other medium (clothing or body parts).

## 6- LOOKING IN A MIRROR

**Issue 208:** It is *ḥarām* to look in a mirror for sake of adornment. A person's looking in the mirror for other purposes such as a driver looking in incense the mirror of car is no problem.

**Issue 209:** Looking into crystal clear water or polished smooth objects in which one can see his / her reflection has the same ruling as looking in the mirror, as long as it is carried out for the purpose of adornment.

**Issue 210:** If a person is living in room that has a mirror and if he knows that he /she may look in it

unintentionally, there is no problem to stay there but it is better to take the mirror out of the room or cover it.

**Issue 211:** Wearing glasses is not objectionable if it would not be for beautification.

**Issue 212:** There is no problem in taking photos with camera in state of *ihrām*.

**Issue 213:** Looking in a mirror does not result in *kaffārah* but on the basis of obligatory caution one should say *talbiyah* after looking in it.

## 7- WEARING A RING

**Issue 214:** On the basis of obligatory caution, a person in *ihrām* should avoid wearing a ring if it is considered as adornment.

**Issue 215:** If wearing a ring is not for the purpose of adornment rather as a *mustahabb* act or for other purposes, it is not objectionable.

**Issue 216:** Wearing a ring in the state of *ihrām* does not result in *kaffārah*.

## 8- APPLYING HENNA OR DYEING ONE'S HAIR

**Issue 217:** On the basis of obligatory caution, a person in state of *ihrām* should avoid using henna or dying hair if they are considered as adornment. Furthermore, one should refrain from anything that is considered as adornment.

**Issue 218:** If a person applies henna on his /her hands, feet, nails or dyes hair before entering into the state of *iḥrām* and its effect remains until the time of *iḥrām*, there is no problem.

**Issue 219:** Dyeing hair and applying henna do not result in *kaffārah*.

## 9- APPLYING OIL TO THE BODY

**Issue 220:** It is not permissible for a person in state of *iḥrām* to apply oil to his/her body or hair whether it is scented/used for adornment or not.

**Issue 221:** Scented oil should not be applied before entering into the state of *iḥrām* if the scent remains at the time of *iḥrām*.

**Issue 222:** There is no problem in consuming scentless cooking oil and fat.

**Issue 223:** If a person is compelled to apply oil for treatment so as to avoid harmful sun rays or preventing perspiration that may affect the skin adversely, there is no objection.

**Issue 224:** On the basis of caution, the *kaffārah* of applying scented oil is slaughtering a sheep and in case of applying scentless oil, *kaffārah* is feeding a needy person. It is not remote to say that *kaffārah* is not obligatory in both cases.

## 10- REMOVING HAIR

**Issue 225:** In state of *ihrām*, removing shaving, cutting or plucking hair (even very small quantity) from any part of body or head is forbidden. There is no difference in the ruling whether a person is removing hair from his/her body or removing hair from head/ body of others.

**Issue 226:** If hair is removed unintentionally during the course of doing *wuḍū'*, *ghusl* or *tayammum*, there is no objection to it.

**Issue 227:** If a person is compelled to remove hair such as a bothering hair under the eyelid or hair of the head if it causes pain in the head, there is no objection.

**Issue 228:** In state of *ihrām*, if a person shaves his head intentionally, he must slaughter a sheep as *kaffārah*. But, if a person commits this act due to ignorance or unintentionally, there is no *kaffārah* for him.

**Issue 229:** If a person is compelled to shave his / her head, its *kaffārah* is giving twelve *mudds* (1 mudd = 750 gram) food to six needy persons, or keeping three fasts or slaughtering a sheep.

**Issue 230:** In state of *ihrām*, if a person cuts his/her hair with scissors or machine, he should slaughter a sheep as a *kaffārah* on the basis of obligatory caution.

**Issue 231:** In state of *iḥrām*, if a person touches his/her head and any of his hair falls down, on the basis on *mustahabb* caution, he/she should give a handful of wheat, flour, or the like as alms.

## 11- APPLYING KOHL

**Issue 232:** In state of *iḥrām*, if applying kohl is considered as beautification, it is not allowed. Similarly, eyeliner (black or any color) used by women is prohibited.

## 12- CUTTING NAILS

**Issue 233:** Cutting nails is *ḥarām* for a person who is in state of *iḥrām* whether he cuts his nails of hand/foot partly or completely. There is no difference in the ruling whether the act is done using a clipper, scissors or other means.

**Issue 234:** If one is compelled to cut one's nails such as when a part of the nail is broken and the remnant causes pain, there is no objection to it.

**Issue 235:** Cutting others' nails is not objectionable.

**Issue 236:** *Kaffārah* of cutting nails is as follows:

a) If a person clips one or more nails of the hand or foot, he must give one *mudd* (750 gm.) of food to a needy person for each nail.

b) If all the nails of both hands/feet are clipped, the *kaffārah* is a sheep.

c) If a person clips all fingernails and toenails in one turn, he will have to slaughter a sheep. But if he/she clips all fingernails in one turn and all toenails in the other, he should slaughter two sheep as *kaffārah*.

### **13- BLEEDING FROM BODY AND EXTRACTING TEETH**

**Issue 237:** On the basis of obligatory caution, a person in state of *iḥrām* should not do anything that may cause bleeding.

**Issue 238:** There is no objection in getting injection in state of *iḥrām*. However if it results in bleeding, one should avoid doing so except for urgent situations.

**Issue 239:** On the basis of obligatory caution, in state of *iḥrām* one should refrain from extracting one's tooth if it causes bleeding; emergency situation is an exception.

**Issue 240:** Bleeding does not result in *kaffārah*, however it is *mustahabb* to slaughter a sheep.

### **14- FUSŪQ**

**Issue 241:** *Fusūq* refers to telling a lie, using rude/offensive language (cursing/swearing) and boasting. The degree of prohibition of lying and

cursing during *iḥrām* is worse than normal conditions whereas boasting is not forbidden in normal conditions but it is prohibited during *iḥrām*.

**Issue 242:** *Fusūq* has no *kaffārah*. Nevertheless one should seek forgiveness from Allah Almighty.

## 15- JIDĀL

**Issue 243:** It is forbidden for a person in *iḥrām* to take an oath by the name of Allah Almighty, such as saying '*la wallāh*' [no, by Allah] or '*balā wallāh*' [yes, by Allah] in a conflict.

**Issue 244:** On the basis of obligatory caution, one should avoid swearing by the translated names of Allah in other languages, such as God in English. It is also an obligatory caution that one should avoid swearing by the other names of Allah, Almighty such as Al-Raḥmān [the Most Gracious], Al-Raḥīm [the Most Merciful], Al-Qādir [the Powerful], etc.

**Issue 245:** Swearing by other sacred things is not forbidden during the state of *iḥrām*.

**Issue 246:** If a person swears truly, he/she must ask forgiveness from Allah Almighty. However, if the act is committed once/twice, then there is no *kaffarāh*. But, if the act is committed more than twice, then *kaffarāh* would be slaughtering of a sheep.

**Issue 247:** If a person swears falsely once/twice, he/she should slaughter a sheep as a *kaffārah*. On the basis of caution, he/she should slaughter two sheep for the second time. But, if a person commits this act more than twice, he should slaughter a cow.

### **16- TO KILL THOSE CREATURES THAT LIVE ON THE BODY**

**Issue 248:** On the basis of caution, killing lice which live on the human body in state of *iḥrām* is not allowed. Similar ruling holds for other insects like fleas.

### **17- UPROOTING A TREE OR A PLANT OF ḤARAM**

**Issue 249:** Uprooting, cutting or breaking trees and plants of the Holy Ḥaram is forbidden whether a person is in state of *iḥrām* or not.

**Issue 250:** This ruling is not applied to the plants that are uprooted due to walking or those being utilized as fodder of animal.

**Issue 251:** Uprooting the dry grass and plants has no *kaffārah*, but it is obligatory to seek forgiveness from Allah Almighty. On the other hand, if a tree is uprooted, on the basis of obligatory caution, he will have to slaughter a cow as *kaffārah*.

## 18- CARRYING WEAPONS

**Issue 252:** A person is not allowed to carry weapons in state of *iḥrām*.

**Issue 253:** If carrying weapons is required for saving one's life or that of others, it is permissible.

## 19- HUNTING THE ANIMALS OF THE DESERT

**Issue 254:** Hunting the animals of the desert in state of *iḥrām* is prohibited. But, if a person is afraid of their danger and harm, killing them is not forbidden. Hunting birds and locusts is also forbidden.

**Issue 255:** Eating the meat of a hunted animal is forbidden for a person who is in state of *iḥrām* whether he hunted them or they were hunted by another person, irrespective of whether the hunter is in state of *iḥrām* or not.

**Issue 256:** There is no problem in hunting sea animals such as fishes and eating their meat for a person who is in state of *iḥrām*.

**Issue 257:** Slaughtering and eating the meat of domestic animals like sheep, goats, and chicken is no problem for a person who is in state of *iḥrām*.

**Issue 258:** Hunting animals within the boundaries of the Holy Ḥaram is not allowed for individuals whether they are in the state of *iḥrām* or not.

**Note:** There are a lot of rules for hunting and *kaffārah* during *ihrām*. As these rulings are not frequently encountered by people, these are not discussed here.

## 20- SEXUAL INTERCOURSE

**Issue 259:** In state of *ihrām*, sexual intercourse or any other sexual enjoyment with one's wife such as patting, kissing or looking lustfully at her is prohibited.

**Issue 260:** Husband and wife are allowed to look at each other or touch each other's hand without lustful intentions.

**Issue 261:** The people who are *maḥram* for a person such as father, mother, brother, sister, uncle, aunt etc. remain *maḥram* even in this state of *ihrām* and looking at them without lustful intention is not objected.

**Issue 262:** The *kaffārah* of sexual intercourse with one's spouse is slaughtering a camel. In some cases, it results in invalidation of hajj and details of these cases have been mentioned in detailed jurisprudential books.

**Issue 263:** There is a specific *kaffārah* for every form of carnal pleasure and the detail of *kaffārah* have been mentioned in detailed jurisprudential books.

## 21- MARRYING A WOMAN

**Issue 264:** It is prohibited for a person in state of *iḥrām* to conclude a marriage contract whether for himself or on behalf of another person, irrespective of whether that person is in state of *iḥrām* or not. Such kind of marriage contract is void.

**Issue 265:** As far as the above mentioned ruling is concerned, it makes no difference whether the marriage contract is permanent or temporary.

## 22- MASTURBATION

**Issue 266:** Masturbation (i.e. any act which causes discharge of semen) is prohibited in state of *iḥrām* and its ruling for *kaffārāh* is the same as the ruling for sexual intercourse.

## RULES OF KAFFĀRAH

**Issue 267:** If a person commits one of the forbidden acts of *iḥrām* inadvertently or out of negligence, *kaffārāh* is not obligatory for him. An exception to this rule is hunting that has obligatory *kaffārāh* in any case.

**Issue 268:** The place of animal slaughtering for *kaffārāh* of hunting in *‘umrah* is the holy city of Mecca, while for hajj it is Minā. On the basis of caution, one should perform it in the same way for

other *kaffarāh* (not for hunting). However, if a person does not slaughter the animal in the holy city of Mecca or Minā, it suffices to slaughter the animal in his native country or at any other place after returning from hajj.

**Issue 269:** The person who has to pay *kaffārah* is not allowed to eat from its meat. However, there is no harm in eating from the obligatory, *mustahabb* and *nadhr* sacrifices.

**Issue 270:** *Kaffārah* of *ḥarām* acts of *iḥrām* should be given to the needy people.

## GOING TOWARD THE HOLY CITY OF MECCA

**Issue 271:** After wearing *iḥrām* in *mīqāt*, pilgrims move towards the holy city of Mecca to perform other rites of *'umrah*.

**Issue 272:** Before entering into the holy city of Mecca, the boundary of the Holy Ḥaram begins. Entry to the Holy Ḥaram and holy city of Mecca and Masjid ul-Ḥarām is accompanied by a huge collection of supplications, prayers and etiquettes. We would like to mention some of them below. The person intending to act upon all recommended acts should refer to the detailed books regarding this subject.

## SUPPLICATION UPON ENTERING HARAM AREA

**Issue 273:** At the time of entering Haram, it is recommended to supplicate with this supplication:

"اللَّهُمَّ إِنَّكَ قُلْتَ فِي كِتَابِكَ وَ قَوْلِكَ الْحَقُّ: ﴿وَأَذِّنْ فِي النَّاسِ بِالْحَجِّ يَأْتُوكَ رِجَالًا وَعَلَى كُلِّ ضَامِرٍ يَأْتِينَ مِنْ كُلِّ فَجٍّ عَمِيقٍ﴾ اللَّهُمَّ وَ إِنِّي أَرْجُو أَنْ أَكُونَ مِمَّنْ أَجَابَ دَعْوَتَكَ، وَ قَدْ جِئْتُ مِنْ شَقَّةٍ بَعِيدَةٍ وَ فَجٍّ عَمِيقٍ سَامِعًا لِنِدَائِكَ وَ مُسْتَجِيبًا لَكَ مُطِيعًا لِأَمْرِكَ وَ كُلُّ ذَلِكَ بِفَضْلِكَ عَلَيَّ وَ إِحْسَانِكَ إِلَيَّ فَالْحَمْدُ مَا وَقَفْتَنِي لَهُ أَبْتَغِي بِذَلِكَ الزُّلْفَةَ عِنْدَكَ وَ الْقُرْبَةَ إِلَيْكَ وَ الْمَنْزِلَةَ لَدَيْكَ وَ الْمَغْفِرَةَ لِدُنُوبِي وَ التَّوْبَةَ عَلَيَّ مِنْهَا مَعْتَمِدًا، اللَّهُمَّ صَلِّ عَلَى مُحَمَّدٍ وَ آلِ مُحَمَّدٍ وَ حَرِّمْ بَدَنِي عَلَى النَّارِ وَ آمِنِّي مِنْ عَذَابِكَ وَ عِقَابِكَ بِرَحْمَتِكَ يَا أَرْحَمَ الرَّاحِمِينَ"

Oh Allah! You have said in Your revealed Book and Your words are true "And proclaim among men the Pilgrimage: they will come to you on foot and on every lean camel, coming from every remote path."

Oh Allah! I hope that I am among those who have responded to Your call. I came from a far region after I heard your call responding to Your request and obeying Your command. All that is by the bounty You gave me and by beneficence You conferred upon me. All praise

belongs to You alone for what You favored me to achieve and by which I aspire to be in Your proximity and closeness, have a position before You and be forgiven by You for my sins due to the favor I owe you. O Allah! Bless Muhammad and his Household and make my body forbidden for the Fire, make me safe from Your chastisement and punishment with Your mercy, Oh Most Merciful of the Merciful!

### ***THE MUSTAḤABB ACTS OF ENTERING IN THE HOLY MASJID UL-ḤARĀM***

**Issue 274:** The main acts recommended upon entering Masjid ul-Ḥarām are as follows:

- 1- It is *mustaḥabb* for a *mukallaf* to take *ghusl* for entering the Masjid ul-Ḥarām.
- 2- It is *mustaḥabb* to supplicate with the supplications specifically mentioned for this purpose.

## CHAPTER THREE

### ṬAWĀF AND ITS PRAYER

**Issue 275:** The second obligation of *‘umrah* is *tawāf*. The person, who wears *iḥrām* with intention of *‘umrah tamattu‘* and enters the holy city of Mecca in order to perform all deeds of *‘umrah*, must first perform the *tawāf* around the Ka‘bah seven times.

### CONDITIONS OF ṬAWĀF

**Issue 276:** *Ṭawāf* has the followings conditions for its validity.

1. Intention
2. Being in state of *wuḍū‘* and *ghusl*;
3. Not to be *najis*;
4. Circumcision (only for men);
5. Covering one's private parts;
6. Clothes worn in *tawāf* should not be usurped;
7. *Muwālāt* (performing acts consecutively) i.e. to perform the deeds continuously without interruption).

### THE FIRST CONDITION: INTENTION

**Issue 277:** Intention refers to deciding to perform *tawāf* for *‘umrah* or hajj for pursuit of Allah’s pleasure and satisfaction. *Ṭawāf* would not be valid without this intention, even in some circles of *tawāf*.

**Issue 278:** While making the intention, purpose of closeness and sincerity for Allah Almighty is a condition. Therefore, one should perform the act with pure intention of submission to Allah Almighty. If a person performs the act in order to pretend they are good [i.e. not as a submission to Allah, rather to show the people one's being excellent], he has committed disobedience to Allah Almighty and his act is void.

**Issue 279:** One must decide while making intention whether the *tawāf* is for 'umrah mufradah or 'umrah tamattu', and whether he is going to perform *tawāf* of *hajjat ul-Islam*, *nadhr hajj*, *mustahabb hajj* or hajj on behalf.

**Issue 280:** It is not mandatory to pronounce his intention by tongue or to recall it in one's mind. Having intention to perform *tawāf* would suffice.

**Issue 281:** It is also most desirable that while circling around the holy Ka`bah, he should observe humility before Allah and with full concentration remember Allah Almighty by reciting supplications.

### ***THE SECOND CONDITION: BEING IN STATE OF WUḌŪ' AND GHUSL***

**Issue 282:** During all obligatory *tawāf*, the person should be pure from *janābah*, menstruation and *nifās* (puerperium). Moreover, he must always be in state of *wuḌū'*.

**Explanation:** An obligatory *tawāf* is the *tawāf* which is a part of *‘umrah* or hajj. So, *tawāf* of a recommended *‘umrah/hajj* is also considered obligatory.

**Issue 283:** If a person's *wuḍū’/ghusl* is invalidated, his *tawāf* is invalid. He must repeat *tawāf* and its prayer even if it is due to ignorance, forgetfulness or he gets aware of this state after completion of *‘umrah/hajj* practices.

**Issue 284:** Being in state of *wuḍū’* is not necessary for *mustahabb tawāf*. However, he must have *wuḍū’* for its prayer. But, a person in state of *janābah*, menstruation or *nifās* is prohibited to enter the Holy Masjid ul-Ḥarām and his his/her *tawāf* is — by obligatory caution — invalid.

**Short Notes:** A *mustahabb tawāf* is the *tawāf* that is performed separately from *‘umrah* and hajj, and it may be performed for oneself or performed on behalf of others. It is one of the *mustahabb* rituals to be carried out in the holy city of Mecca and it is *mustahabb* to perform *tawāf* as much as possible, as this practice brings great rewards.

**Issue 285:** If *wuḍū’* is invalidated during *tawāf*, there are two different scenarios that are discussed below:

- 1- In case, it occurs before reaching the middle of the fourth round (i.e. before reaching the third

corner of the Ka‘bah), one must disconnect his *tawāf* and only once the person has gained purity, he can repeat it.

- 2- In case, it occurs after the middle fourth round, he should discontinue his *tawāf* and complete it — after making *wuḍū'* — from the very place. It is conditional that *muwālāt* (performing acts consecutively) should not be interrupted as judged by common people.

In case, one is unable to maintain *muwālāt*, he/she should complete it with the intention of defective *tawāf* and perform another seven-round *tawāf*. Instead, he/she may perform only a seven-round *tawāf* with the intention of uncompleted *tawāf* or a separate new seven-round *tawāf*. Likewise, he/she may leave this uncompleted *tawāf* and perform a new seven-round *tawāf* after making *wuḍū'*.

**Issue 286:** If a *ghusl* invalidator occurs, one must discontinue his/her *tawāf* and leave the Holy Masjid ul-Ḥarām immediately. If this situation arises before completing the middle of fourth round, the *tawāf* is invalid and he should start a new *tawāf* after making *ghusl*.

In case, it occurs after the middle of fourth round, he should complete his *tawāf* — after making *ghusl* — from the very place. It is conditional that *muwālāt*

(performing acts consecutively) is not interrupted as judged by common people.

In case, one is unable to maintain *muwālāt*, he/she should complete it with the intention of defective *tawāf* and perform another seven-round *tawāf*. Instead, he/she may perform only a seven-round *tawāf* with the intention of uncompleted *tawāf* or a separate new seven-round *tawāf*. Likewise, he/she may leave this uncompleted *tawāf* and perform a new seven-round *tawāf* after making *ghusl*.

**Issue 287:** If a person is excused from doing *wuḍū'* or *ghusl*, he/she must do *tayammum*.

**Issue 288:** If a person is unable to perform *wuḍū'* or obligatory *ghusl*, and he/she knows that the excuse is over by the end of *tawāf*, e.g. an ill person who knows that his illness will be cured, he/she must wait until excused is eliminated. After that he should do *wuḍū'* or *ghusl*. It is advised to wait for the excuse to terminate keeping in mind the time constraints. If a person becomes hopeless for the excuse to end, he/she should do *tayammum* and perform *tawāf*.

**Issue 289:** If a person, who is supposed to do *tayammum* or *wuḍū'* of *jabīrah*, performs *tawāf* and its prayer without getting purity due to ignorance about the ruling, they should repeat *tawāf* and prayer themselves if possible; otherwise, they should appoint a representative to do it on their behalf.

**Issue 290:** If a woman menstruates after wearing *ihrām* for 'umrah mufradah and she cannot wait to get clean, take *ghusl*, and perform the rites of 'umrah mufradah, she should appoint someone as her representative for *tawāf* and its prayer. But, she should perform *sa'y* and *taqsīr* herself. In this way she can come out of state of *ihrām*.

If she confronts the same situation in state of *ihrām*, the ruling is same. But, if she enters *ihrām* of 'umrah tamattu' in state of menstruation or menstruates after wearing *ihrām* of 'umrah tamattu' and cannot wait to get clean, take *ghusl* and perform *tawāf* and its prayer, another ruling applies to this situation that has been mentioned in issue 21.

**Issue 291:** In the rituals of 'umrah, state of keeping *wuḍū'* is mandatory only for *tawāf* and its prayer. However, maintaining state of *wuḍū'* for other rituals of 'umrah is not obligatory; though it is better to do so in all situations.

**Issue 292:** If one doubts about his/her state of purity, one must act as follows:

1- If one doubts about *wuḍū'* before commencing *tawāf*, he/she should do *wuḍū'*.

2- If *ghusl* was obligatory for a person and before starting *tawāf* one doubts whether he made *ghusl* or not, he must do it prior to *tawāf*.

3- If a person was in a state of *wuḍū'* but now he doubts its validity, it is not obligatory for him to do *wuḍū'* again.

4- If a person who was not in a state of *janābah* doubts his state of purity, taking *ghusl* is not obligatory for him. Similarly, a woman who is doubtful whether she has started menstruation or not, taking *ghusl* is not obligatory for her.

5- After completing *tawāf* and before performing its prayer, if a person doubts whether he was in a state of *wuḍū'* or not, he/she should not be worried about his/her *tawāf* but one should make *wuḍū'* for the prayer of *tawāf*.

6- If a person starts *tawāf* with *wuḍū'* but during the *tawāf* doubts whether his *wuḍū'* is invalidated or not, one should not pay attention to this doubt and assume purity.

7- If a person doubts during *tawāf* whether he/she was in state of *wuḍū'* at the start of *tawāf* while he is sure he was in state of *wuḍū'* before that, one should suppose he was in state of *wuḍū'* and ignore the doubts. The *tawāf* would hold valid in this case.

But, if one — during *tawāf* — doubts whether he was in state of *wuḍū'* before *tawāf* or knows that he was not in a state of *wuḍū'* before *tawāf*, he /she should gain purity and repeat *tawāf*.

8- If a person, for whom *ghusl* was obligatory and during *tawāf* he/she falls in doubt whether *ghusl* has been performed or not, he/she should leave the mosque immediately, do *ghusl* and start the *tawāf* from the beginning.

### **THE THIRD CONDITION: PURITY OF THE BODY AND THE CLOTHES**

**Issue 293:** While performing *tawāf*, one's body and the clothes should be pure from blood. On the basis of obligatory caution, the body and clothing should be pure of other inherently *najis* materials as well. However, purity of socks, handkerchief and ring is not considered as a mandatory condition.

**Issue 294:** The blood spot that is lesser than a *dirham*, and those blood from wounds, which does not invalidate prayer, does not make *tawāf* void either.

**Issue 295:** If a person's body is *najis*, they should if they can delay *tawāf* so that they may purify their body but there should not be shortage of time.

**Issue 296:** If a person doubts regarding the purity of his / her body or clothes, he / she is allowed to do *tawāf*. But, if one is certain that the dress/body was *najis* and now doubts whether it was purified later, he/she is not allowed to do *tawāf* in it.

**Issue 297:** If he/she comes to know after completing *tawāf* that his/her body or the clothes were *najis*, his/her *tawāf* is valid.

**Issue 298:** If during the *tawāf* one's clothes/body become *najis*, e.g. if a person gets injured due to crowd and it is not possible for him/her to purify it without disconnecting *tawāf*, it is obligatory to discontinue *tawāf*, purify the body or clothes and return immediately to complete *tawāf* from the point of discontinuation, and it will be correct if *muwālāt* is not damaged.

**Issue 299:** If a person sees impurity on his / her body or the clothes during *tawāf* but he / she does not know whether it occurred before or during *tawāf*, the ruling will be the same as mentioned in issue 298.

**Issue 300:** During *tawāf*, if a person comes to know that his body or the dress is *najis* and he/she is certain that body/clothes got *najis* before the commencement of *tawāf*, he/she should follow issue 298.

**Issue 301:** One who happens to forget that their body/clothes are *najis* and becomes aware of it during *tawāf* should follow ruling 298.

**Issue 302:** If a person happens to forget that his body/clothes are *najis*, performs *tawāf* with these clothes and remembers it after completing *tawāf*, his/her *tawāf* is valid. But, if he/she offers the prayer

of *tawāf* with the same *najis* clothes/body, he / she will have to perform prayer again after its purification. On the basis of recommended caution, one should perform *tawāf* again after purification.

### ***THE FOURTH CONDITION: CIRCUMCISION***

**Issue 303:** Circumcision is a necessary condition for the validity of *tawāf* of men. However, women are exempted from it. *Tawāf* of the uncircumcised man is void whether he is legally mature (*bāligh*) or a minor.

### ***THE FIFTH CONDITION: COVERING PRIVATE PARTS***

**Issue 304:** On the basis of obligatory caution, covering the private parts while performing *tawāf* is a condition.

**Issue 305:** If a woman does not cover a few strands of her hair or a part of body that should be covered, her *tawāf* would be valid, although she has committed a sin.

### ***THE SIXTH CONDITION: CLOTHES OF ṬAWĀF SHOULD NOT BE USURPED***

**Issue 306:** It is amongst the conditions of *tawāf* that a person who is performing *tawāf* is not wearing usurped clothes. Therefore, if he/she performs *tawāf*

with usurped clothes, on the basis of obligatory caution, his/her *tawāf* is void.

**THE SEVENTH CONDITION: MUWĀLĀT IN  
ṬAWĀF (PERFORMING THE RITUALS  
CONSECUTIVELY)**

**Issue 307:** On the basis of obligatory caution, conventional *muwālāt* (performing acts consecutively) between the parts of the *tawāf* should be observed. It means that there should not be a long interruption so that the seven rounds are not considered as a single action. However, if somebody disconnects it in the middle of *tawāf* i.e. after 3.5 rounds in order to offer prayer or the like, there is no objection.

**Issue 308:** If a person discontinues his/her obligatory *tawāf* after completing 3.5 rounds to offer an obligatory prayer, he/she should continue it after prayer from the point of discontinuation and complete its seven rounds. But, if he/she discontinues before completing half *tawāf* and there is a long gap, on the basis of caution, he/she should perform *tawāf* from the beginning. In case, the gap is not long, it is not remote to say it is not necessary to observe caution in such a case. However, caution is desirable in any case. There is no difference whether the prayer is performed individually or with congregation and whether the time of prayer is too short or not.

**Issue 309:** It is permissible to disconnect *mustahabb* and obligatory *tawāf*. Though, it is caution not to interrupt an obligatory *tawāf* so long that *muwālāt* according to common view would be destroyed.

## THE OBLIGATIONS OF THE *ṬAWĀF*

**Issue 310:** There are seven things obligatory for a *tawāf*:

1. To begin *tawāf* from the corner of the Ḥajar ul-Aswad (the Black Stone);
2. To finish each round of *tawāf* at Ḥajar ul-Aswad (the Black Stone);
3. To perform *tawāf* from left hand side;
4. To perform *tawāf* out of Ḥijr of Ismā‘īl (Peace be upon Him);
5. *Ṭawāf* should occur out of Holy Ka‘bah and Shāzrawān.
6. *Ṭawāf* should be performed between the distance of Holy Ka‘bah and Maqām of Ibrahim (Peace be upon Him).
7. *Ṭawāf* should consist of seven rounds.

**Issue 311:** It is obligatory to start *tawāf* from Ḥajar ul-Aswad. It may start from any point parallel to it. Moreover, it is not compulsory to commence *tawāf* [exactly] from the beginning point of Ḥajar ul-Aswad

and all parts of body passes by all parts of Ḥajar ul-Aswad. Rather, if one starts his/her *tawāf* from the beginning — as judged by common view — of Ḥajar ul-Aswad, it is sufficient. However, he/she should finish *tawāf* from the point of beginning i.e. if he/she starts *tawāf* from the middle of Ḥajar ul-Aswad, he/she should finish it in the middle of it. It is no problem in entering *tawāf* place before Ḥajar ul-Aswad provided that they intend their *tawāf* to start from Ḥajar ul-Aswad.

**Issue 312:** It is not obligatory to stop in the front of Ḥajar ul-Aswad after completing each round and then start the next round. A person may complete the seven rounds without stopping and should finish his/her seventh round from the very point from where he/she started *tawāf*. However, on the basis of caution, one may at the end of the last round go a bit further so as to gain certainty that start and end of *tawāf* is at same point.

**Issue 313:** One should start *tawāf* from parallel point of Ḥajar ul-Aswad like other Muslims without any hesitation or obsessive exatitute. It is not necessary to stop in front of the Ḥajar ul-Aswad after completing each round.

**Issue 314:** It is obligatory to perform *tawāf* from the left side, i.e. the holy Ka'bah should be at the left side

of the pilgrim. This rule is said in order to specify the direction of the movement.

**Issue 315:** The criterion for the Holy Ka‘bah to be on the left side is its meaning in the common view and not its exact meaning logically. So, if a person diverts a little while crossing by Ḥijr of Ismā‘īl (Peace be upon Him) or the four corners of the holy Ka‘bah, his/her *tawāf* would be valid, and there is no need to tilt one's shoulder so that the holy Ka‘bah would be situated exactly on his/her left hand side.

**Issue 316:** If a person covers a distance while turning towards the Holy Ka‘bah for kissing it during *tawāf* or a person has his/her face or back unintentionally towards the Holy Ka‘bah due to crowd, or if a person turns his/her right side towards the holy Ka‘bah, the *tawāf* is invalid and the person should cover such distance in normal mode again.

**Issue 317:** While performing *tawāf*, it is obligatory to be out of Ḥijr Ismā‘īl (Peace be upon Him) so that Ḥijr Ismail (Peace be upon Him) would be inside the circle of *tawāf*.

**Issue 318:** If a person performs his *tawāf* from the inside of the place of Ḥijr Ismā‘īl (Peace be upon Him) or on its wall, his/her *tawāf* is void and *tawāf* must be repeated. If he/she does so in one of the rounds of *tawāf*, only this round of *tawāf* is void.

**Issue 319:** If a person performs *tawāf* from inside the Ḥijr purposely, such a person is ruled the same as the person who neglects the *tawāf* purposely. If he/she performs *tawāf* from inside of the Ḥijr inattentively, he/she is like the person who has neglected the *tawāf* inattentively.

**Issue 320:** It is obligatory to perform *tawāf* outside the holy Ka‘bah and out of "shadhrawān", which is connected to the walls of Ka‘bah at the bottom.

**Issue 321:** Placing one’s hand on the wall of the Ḥijr Ismā‘īl (Peace be upon Him) and the holy Ka‘bah during *tawāf* is no problem.

**Issue 322:** According to the popular viewpoint, *tawāf* should be performed between the Ka‘bah and the Maqām of Ibrāhīm (Peace be upon Him) and with regards to the other sides of Ka‘bah, the *tawāf* should be performed by maintaining the same distance. However, the stronger viewpoint is that performing *tawāf* within this distance is not a condition. One may perform it — beyond this limit — in all the parts of the Masjid ul-Ḥarām especially when the crowd prevents the pilgrim to perform *tawāf* in this area. However, in case it is not crowded, it is better to perform *tawāf* within this area.

**Issue 323:** It is not remote to say it is valid although it is against caution to perform *tawāf* above the land of the Masjid ul-Ḥarām [new construction] up to the

parallel areas of the wall of the holy Ka‘bah so that it is called circling around the holy Ka‘bah.

**Issue 324:** Whenever a person is unable to perform *tawāf* in the courtyard of the Masjid ul-Ḥarām and is compelled to perform *tawāf* on the second floor, on the basis of obligatory caution this person must perform *tawāf* in the 2nd floor by himself and appoint a representative who performs *tawāf* on his behalf in the yard of the mosque. In this way, he should perform prayer on the second floor and his representative should perform prayer in the courtyard of the mosque. If he can offer the prayer in the yard, this prayer would be sufficient for him.

**Issue 325:** It is obligatory to perform seven rounds of *tawāf*.

## **ISSUES REGARDING NEGLECTING ṬAWĀF AND DEFICIENCIES AND DOUBTS RELATED TO IT**

**Issue 326:** *Ṭawāf* is one of the elements of ‘*umrah* and if a person neglects it purposely until the end of its time, his ‘*umrah* will be void and there is no difference whether he is aware of the ruling or not.

**Issue 327:** It is not obligatory to perform *tawāf* immediately after arriving in the holy city of Mecca. One can delay it unless the time becomes too short to

perform normal *wuqūf* at ‘Arafāt (which starts from the noon on the 9th of Dhul-Ḥijjah until sunset on the same day). There should be enough time for pilgrim so that he may perform after performing *tawāf* other rituals, becomes *muḥrim* for hajj and goes to ‘Arafāt on time.

**Issue 328:** If ‘*umrah* of a person becomes invalid due to a condition that was mentioned above or something to be mentioned later they, by obligatory caution, change their hajj of *tamattu‘* to *ifrād* hajj and to perform ‘*umrah mufradah* after *ifrād* hajj. The next year, they perform ‘*umrah* and hajj *tamattu‘* if they were obligatory for them.

**Issue 329:** If a person forgets the *tawāf* but remembers it before expiration of its time, he/she has to perform it with its prayer followed by *sa‘y*.

**Issue 330:** If a person forgets the *tawāf* and he remembers it after the end of its time, he should perform it with its prayer at any time, possible. However, if he remembers it after returning to his native country, then the person should return to Mecca and perform *tawāf* followed by its prayer. If this task requires extraordinary hardship, then a representative should be hired for this task. Performing *sa‘y* is not obligatory after performing missed *tawāf* and its prayer.

**Issue 331:** For a person who neglects *tawāf* deliberately or forgetfully and one who has not performed some part of *tawāf* unintentionally, things will not become *ḥalāl* until they perform *tawāf* themselves or their representatives perform it on their behalf.

**Issue 332:** If a person cannot even when assisted by others perform the *tawāf* within its time frame due to a disease, fracture or other health reasons, they carry him circling around Ka'bah if possible, or else he/she should hire a representative.

**Issue 333:** If a person after finishing *tawāf* and returning, i.e. after going out of *tawāf* place — doubts about the rounds taken during *tawāf*, the doubt should be ignored and *tawāf* is valid. But if a person doubts during the course of *tawāf* about the number of rounds and is doubtful whether he/she has performed seven rounds or less, his/her *tawāf* is invalid and he/she should perform *tawāf* again.

## **ṬAWĀF PRAYER**

**Issue 334:** The third obligation of *'umrah* is prayer of *tawāf*.

**Issue 335:** It is obligatory for a pilgrim to offer a two-*rak'ah* prayer after completing *tawāf*; this prayer may be offered loudly or quietly. Likewise, he should

make intention as prayer of *tawāf* (while specifying its type like prayer for 'umrah/tamattu' *tawāf*) and perform it with sincerity and for the sake of nearness to Allah Almighty.

**Issue 336:** There must be no gap between the *tawāf* and its prayer and the criterion of recognizing the gap is common view.

**Issue 337:** *Tawāf* prayer is just like the morning prayer. One can recite any *surah* of the holy Quran after the recitation of *surah* Al-Fātiḥah, except the four *surahs* which have obligatory prostration. It is *mustaḥabb* to recite *surah* Al-Tawḥīd in the first *rak'ah* after *surah* Al-Fātiḥah, and *surah* Al-Kāfirūn in the second *rak'ah* of prayer after *surah* Al-Fātiḥah.

**Issue 338:** It is obligatory that the prayer of *tawāf* should be performed behind Maqām Ibrāhīm. The prayer should be performed near this point if it does not create trouble for others. If this opportunity is not available, one can say this prayer in the Masjid ul-Ḥarām behind the Maqām even at a distance.

**Issue 339:** If a person deliberately neglects the prayer of *tawāf*, his/her hajj would be void. But if he/she neglects it unintentionally and happens to recall it before leaving the holy city of Mecca, one should return to Masjid ul-Ḥarām and offer the prayer if it is possible without trouble. If he/she recalls it after

leaving the holy city of Mecca, he/she should perform the prayer at the very place where he/she recalls it.

**Issue 340:** Regarding the ruling mentioned in the previous issue, a person who does not know the rule — whether he is blamed for his lack of knowledge or not — is considered as a person who has forgotten the rule.

**Issue 341:** If a person recalls during *sa'y* between Safā and Marvah that he/she forgot prayer of *tawāf*, he/she should discontinue *sa'y*, offer the prayer in its place and return to complete the *sa'y* from the point of discontinuation.

**Issue 342:** If a man offers his prayer parallel to a woman, or a woman prays ahead of a man, the prayer is valid.

**Issue 343:** It is unknown whether offering prayer of *tawāf* in congregation is allowed or not.

**Issue 344:** It is obligatory for every *mukallaf*, particularly for a person who wants to perform hajj to learn the correct form of prayer so that he may perform his religious duty with accuracy.

## CHAPTER FOUR

### SA'Y BETWEEN SAFĀ AND MARVAH

**Issue 345:** *Sa'y* is the fourth obligation of *'umrah*.

**Issue 346:** After performing *tawāf* and its prayer, it is obligatory to perform *sa'y* between Safā and Marwah. *Sa'y* means covering the distance between these two mountains. The first round should start from Safā and end at Marwah and the second from Marwah to Safā. In this way, the seven rounds should be completed and he/she should complete this rite at Marwah. Therefore, it is incorrect to start *sa'y* from Marwah and end it at Safā.

**Issue 347:** One should make intention before performing *sa'y*. Like intention of *ihrām*, one should specify the type of *sa'y* and perform it intending solely nearness to Allah.

**Issue 348:** For performing *sa'y*, it is not obligatory for a person to be in a state of *wuḍū'*, purity from *janābah* and menstruation.

**Issue 349:** *Sa'y* should be performed after the *tawāf* and its prayer. It is incorrect to perform it prior to them.

**Issue 350:** After the *tawāf* and its prayer, it is not permissible for a person to delay the act of *sa'y* to the next day. However, there is no objection to delaying it to the night of the day in which *tawāf* and its prayer were carried out.

**Issue 351:** The full distance between Safā and Marwah should be covered in each round. Mounting on the height of Safā and Marwah is not obligatory.

**Issue 352:** It is obligatory for a person to face towards the mountain he/she is heading towards i.e. one should face Marwah if a person is going from Safā to Marwah and while walking towards Safā, one should face it.

While going toward Safā or Marwah, if a person turns his back towards them and goes backward, his/her *sa'y* is invalid. However, turning one's face towards left or right or to back is no problem.

**Issue 353:** The *sa'y* should be performed on the traditional path.

**Issue 354:** Performing *sa'y* on the upper floors is incorrect unless it becomes clear for a person that the floor is located between the two mountains and not above them. A person who cannot perform the rite of *sa'y* on the ground floor should hire a representative for it, as performing *sa'y* on the second floor is not valid.

**Issue 355:** It is permissible even without any excuse to sit, sleep or take rest while performing *sa'y* between Safā and Marwah.

**Issue 356:** A person should perform *sa'y* himself if possible. Performing *sa'y* is permissible in form of walking or riding but walking is better. If walking is not possible for him, he must seek support from others so that they may help him in performing *sa'y*. If this is not possible either, he should hire a representative.

### MISCELLANEOUS ISSUES ABOUT SA'Y

**Issue 357:** The *sa'y* like *tawāf* forms one of the fundamental rites of hajj. Neglecting it, deliberately or inattentively is like neglecting *tawāf* which has been mentioned in rulings of *tawāf*.

**Issue 358:** If a person forgets the rite of *sa'y*, takes off the dress of *ihrām* of *'umrah* and has intercourse with one's spouse, they have to perform *sa'y* again and slaughter a cow as a *kaffārah* by obligatory caution.

**Issue 359:** If a person adds one or more rounds to the seven round of *sa'y* inattentively, his *sa'y* would be valid and he would not have to pay *kaffārah*. A person who does not know the ruling is like a person who forgets it.

**Issue 360:** The person who adds seven rounds while performing *sa'y*, as he considered both going from

Safā to Marwah and Marwah to Safā as one round, his/her *sa'y* is valid and there is no need to repeat it. Likewise, if he/she notices during the *sa'y* that he/she has performed more than seven rounds, his/her *sa'y* is valid. However, one must discontinue at the time of remembrance and should not continue the remaining of the additional round.

**Issue 361:** If a person performed incomplete *sa'y* inattentively, he should complete it whenever he becomes aware. If he remembers this after return to his native country, he must go back to the holy city of Mecca in order to complete it. However, if there is difficulty in going back, he must appoint a representative to fulfill this act.

## CHAPTER FIVE

### *TAQSĪR*<sup>1</sup>

**Issue 362:** *Taqṣīr* is the fifth obligations of ‘*umrah*’.

**Issue 363:** It is obligatory for a person to perform *taqṣīr* after finishing *sa’y*. *Taqṣīr* involves cutting some strands of the hair from head, beard, mustache, or alternatively one may cut a nail of hand or foot.

**Issue 364:** *Taqṣīr*, like other rituals is an act of worship in ‘*umrah*’. So, it is obligatory that one should make intention just as intention for *iḥrām* is made.

**Issue 365:** Shaving head is not sufficient to exit the state of *iḥrām* in ‘*umrah tamattu’*. One must perform *taqṣīr* so as to free oneself from state of ‘*umrah tamattu’*. If a person shaves his head purposely and knowingly before rite of *taqṣīr*, it is not sufficient and he must pay *kaffārah* of a sheep. But, if he has entered *iḥrām* for ‘*umrah mufradah*’, he can choose between shaving head and doing *taqṣīr*.

**Issue 366:** Plucking hair is not sufficient to exit *iḥrām* of ‘*umrah tamattu’*’; one should perform *taqṣīr* as mentioned. If he plucks his hair instead of *taqṣīr*

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1. It means cutting some of the hair of head or beard or mustache or to cut a nail of hand or foot.

deliberately and knowingly, it is not sufficient. Moreover, he has to pay *kaffārah* for it.

**Issue 367:** If a person plucks his hair instead of doing *taqsīr* unknowingly and then performs hajj, his *'umrah* is void and the performed hajj will be considered as hajj *ifrād*. If hajj was obligatory for him, on the basis of obligatory caution, he should perform *'umrah mufradah* after performing the rites of hajj and the next year, he has to perform *'umrah tamattu'* and hajj. The same ruling applies to a person who shaved his head instead of *taqsīr* and then performed hajj unknowingly.

**Issue 368:** It is not obligatory to do *taqsīr* directly after performing *sa'y*.

**Issue 369:** If a person does not perform the act of *taqsīr* deliberately or ignorantly and without it he wears *iḥrām* for hajj, his *'umrah* would be void and his hajj would be considered as hajj *ifrād*. On the basis of obligatory caution, he should perform *'umrah mufradah* after performing hajj and if his hajj was obligatory, he should perform *'umrah* and hajj the next year.

**Issue 370:** If a person neglects *taqsīr* inadvertently and wears *iḥrām* for hajj, his *iḥrām* would be valid as well as his *'umrah* and hajj, and *kaffārah* is not obligatory for him. However, it is *mustahabb* to

slaughter a sheep or goat as *kaffārah*. Rather, it is a caution not to neglect paying *kaffarāh*.

**Issue 371:** After performing *taqsīr* and exiting the state of *iḥrām* of ‘*umrah tamattu’*, every forbidden thing in state of *iḥrām* becomes *ḥalāl* including intercourse with one’s spouse.

**Issue 372:** *Tawāf* of *nisā’* is not obligatory in ‘*umrah tamattu’*. On the basis of caution, it is better to perform *tawāf* of *nisā’* followed by its prayer with the hope of reward before *taqsīr*.

However, if one wore *iḥrām* with the intention of ‘*umrah mufradah*, they after the *taqsīr* or *ḥalq* should perform *tawāf* of *nisā’* and its prayer and only after that their spouse will be *ḥalāl* for them.

The manner and rulings of *tawāf* of *nisā’* are similar to those of *tawāf* of ‘*umrah* which have been discussed already.

**Issue 373:** Apparently, one should perform *tawāf* of *nisā’* for ‘*umrah mufradah* and hajj separately. For example, if a person performs two ‘*umrah mufradahs* or a hajj with an ‘*umrah mufradah*, although it is not remote that one *tawāf* of *nisā’* is sufficient to make the wife *ḥalāl* for him, for the completion of rites he/she should perform two *tawāfs* of *nisā’* for two ‘*umrahs* or for one ‘*umrah* or one hajj.



**PART  
THREE  
PRACTICES  
OF HAJJ**



# CHAPTER ONE

## IHRĀM

**Issue 374:** *Ihrām* is the very first obligation of hajj. *Ihrām* of hajj is the same as the *ihrām* of ‘*umrah* in terms of quality, conditions, rules, *kaffārah*, and prohibited things. The difference lies only with intention i.e. one should become *muḥrim* with the intention of performing the rituals of hajj. All aspects mentioned about *ihrām* for ‘*umrah* hold equal validity for *ihrām* of hajj. *Ihrām* starts with making intention and saying *talibyah*. However, *ihrām* of hajj has its certain characteristics which will be mentioned in the forthcoming issues.

**Issue 375:** The *mīqāt* of *ihrām* for hajj *tamattu’* is the holy city of Mecca. It is better that a person becomes *muḥrim* in the holy Masjid ul-Ḥarām. To become *muḥrim* in any place in the holy city of Mecca is valid even in the newly built areas. There is a caution to become *muḥrim* in the old places of the city. However, if a person doubts whether this place is within the holy city of Mecca or not, it is incorrect to become *muḥrim* in it.

**Issue 376:** It is obligatory to become *muḥrim* early enough to reach the land of ‘Arafāt on the 9th of Dhul-Ḥijjah by noon. The best time for wearing *ihrām* is at the *shar‘ī* noon on the 8th of Dhul-Ḥijjah (the

day of Tarwiyah). It is permissible to wear *iḥrām* before that time especially for the old and sick people who are afraid of crowd. As mentioned earlier (in the issue 121), those who need urgently to exit the holy city of Mecca may also wear their *iḥrām* before the above mentioned time.

**Issue 377:** If a person forgets to wear *iḥrām* and goes to Minā and ‘Arafāt, it is obligatory for him to go back to the holy city of Mecca and become *muḥrim*. If this is impossible due to shortage of time or any other excuse, he can wear *iḥrām* in the place of remembrance and his hajj would be valid. The same ruling applies to a person who is unaware of the rule.

**Issue 378:** If a person forgets to wear *iḥrām* and he/she finishes the rituals of hajj, his/her hajj would be valid. The same ruling applies to a person who does not know the rule. However, on the basis of *mustaḥabb* caution, they may perform hajj the next year again.

**Issue 379:** If a person neglects *iḥrām* consciously and deliberately until he misses *wuqūf* (stay) at ‘Arafāt and Mash‘ar, his hajj is void.

**Issue 380:** A person, who is allowed to perform the rites of Mecca before the *wuqūf* of ‘Arafāt and Mash‘ar, should perform these deeds in state of

*iḥrām*. In case, they perform them without *iḥrām*, they should repeat the acts of worship in state of *iḥrām*.

## CHAPTER TWO

### *WUQŪF* AT 'ARAFĀT

**Issue 381:** Staying in the land of 'Arafāt is the second obligation of hajj.

'Arafāt is a well-known place near the holy city of Mecca, with its boundaries starting from the valley of `Urnah, Thuviyyah and Nimrah to Dhi'l-Majāz and from Ma'zamain to the last boundary of Mawqif. These regions are considered outside 'Arafāt.

**Issue 382:** *Wuqūf* (staying) in the land of 'Arafāt is one of the acts of worship. It should be accompanied by intention whose conditions were mentioned in the intention of *ihrām*.

**Issue 383:** *wuqūf* means being present in the land of 'Arafāt, no matter whether a person is riding, walking, standing or lying.

**Issue 384:** It is based on caution that a person should be in the land of 'Arafāt from time of *shar'ī* noon of the 9th of Dhul-Ḥijjah until the time for *maghrib* prayer. It is not remote to say one may delay the *wuqūf* a little bit after *shar'ī* noon, the time enough to perform Zuhr and 'Aṣr prayers together with their preliminaries.

**Issue 385:** The above mentioned *wuqūf* is obligatory from 'noon' to the *maghrib* prayer. However, some part of this presence is considered the fundamental part of hajj, even for a while so that it is correct to say one has stayed there like for one or two minutes. Therefore, if a person does not stay there (even for this short time), his/her hajj is void.

**Issue 386:** It is *ḥarām* to exit 'Arafāt before *shar'ī* sunset. Therefore, if a person exits this place before sunset intentionally or goes out of its limits and does not return, he/she is considered as a disobedient and should pay *kaffārah* of a camel. If he cannot slaughter it, he should fast for eighteen days.

Based on caution, camel slaughtering is to be carried out on the day of Eid at Minā though it is not remote to say it is not obligatory to slaughter it in Minā. If he/she returns to 'Arafāt before sunset, there would be no need of paying *kaffārah*.

**Issue 387:** If a person goes out from the land of 'Arafāt before sunset forgetfully or ignorantly, it is obligatory to return back upon remembrance before *maghrib*. In case, he does not come back, he/she has committed disobedience. However there is no *kaffārah* on him. If he comes to know it after the end of the time, he has no duty.

## CHAPTER THREE

### **WUQŪF AT THE MASH‘AR UL- ḤARĀM (MUZDALIFAH)**

**Issue 388:** The *wuqūf* (presence) in Mash‘ar al-Ḥarām is the third obligatory rite of hajj. One should go from ‘Arafāt towards Mash‘ar ul-Ḥarām and stay there which is a very famous and well-known place.

**Issue 389:** *Wuqūf* (presence) at Mash‘ar is amongst deeds of worship which should be accompanied by intention with the same conditions as mentioned regarding the intention of *ihrām*.

**Issue 390:** The time for obligatory *wuqūf* starts from time of fajr until sunrise of 10th of Dhul-Ḥijjah. However, on the basis of caution, one should make intention of *wuqūf* from the time of entry in Mash‘ar, i.e. after departure from the land of ‘Arafāt.

**Issue 391:** It is obligatory to stay at Mash‘ar from *fajr* to sunrise. However, the fundamental element is implementation of stay even if it would be for a span of two minutes.

Then if a person stay there only for the essential time period (of two minutes) and does not stay there the remaining period purposely, his/her hajj would be valid. However he/she has committed a *ḥarām* act.

But if he/she does not stay at least to the extent to fit the definition of stay (*wuqūf*) purposely, his/her hajj would be void.

**Issue 392:** Women, children, the disabled and old people who are excused due to fear of crowd or illness along with the people responsible for their care and protection i.e. nurse, servants etc. may make their presence short at night before Eid ul-Adha in Mash‘ar and leave for Minā.

**Point to Remember!** Neglecting one of the two stays at Mash‘ar and ‘Arafāt or both of them by choice or compulsorily, on purpose or inadvertently, or forgetfully, etc. hold many viewpoints in terms of validity and invalidity.

## CHAPTER FOUR

### **RAMY (STONING)**

**Issue 393:** *Ramy (stoning)* is the fourth obligation of hajj and the first rite performed in the land of Minā. On the 10th of Dhul-Ḥijjah, *ramy* (stoning) at Jamarah of ‘Aqabah should be performed.

**Issue 394:** In *ramy* (stoning), some conditions to be followed are mentioned below:

1. Intention with its conditions as mentioned for intention of *iḥrām*;
2. *Ramy* (stoning) should be performed with pebbles and not with something smaller (like sand) nor bigger (like stone);
3. The time of *ramy* (stoning), for those who are capable, is from sunrise to sunset on the day of Eid;
4. The pebble must hit the *jamarah*. If these stones do not hit it or a person doubts about the stones' hitting *jamarah*, he/she should throw another pebble instead. It is insufficient to throw stones just at the area around the *jamarah* without hitting it;
5. Seven pebbles should be thrown at it;
6. Pebbles should be thrown consecutively .i.e. if a person throws all these pebbles at once it will be

considered only one turn, even if all the pebbles strike the *jamarah*.

**Issue 395:** They have lengthened the three *jamarahs* towards Mecca and Mash‘ar (apparently the old *jamarahs* are located in the middle of the new ones). If it is possible to identify the old *jamarahs*, one should strike pebbles at it. However, if it is hard to find the old *jamarahs*, one should throw pebbles at any part of the new ones.

**Issue 396:** It is permissible to perform *ramy* (*stoning*) from the upper floor (the bridge of Jamarāt). However, on the basis of caution, it is better to perform it from the previous place.

**Issue 397:** The chosen pebbles for stoning should have the following characteristics:

1. It should be from the boundary of the Holy Ḥaram. Therefore, if it is brought from outside of the Holy Ḥaram, it is not sufficient.
2. They should be untouched meaning nobody may have used them for *ramy* (*stoning*) previously.
3. Pebbles should be permissible. So, stoning with pebbles that were collected by another person without his permission, is not valid. However, purity of pebbles is not required.

**Issue 398:** The women and the weak — who are allowed to go from Mash‘ar ul-Ḥarām to Minā during the night before the Eid — may perform *ramy* (stoning) at Jamarah al-‘Aqabah at night in case they are unable to perform it on the day of Eid. Rather, all women can perform *ramy* at night, provided that the ramy is for the hajj they are doing, whether they are performing their own hajj or [the whole hajj] on behalf of another person.

But, on the basis of obligatory caution, if a woman is doing [only] *ramy* on behalf of another person, her act of performing *ramy* is incorrect at night even if she is unable to do it during the day. Those who accompany the women or the weak may perform *ramy* (stoning) at Jamarah al-‘Aqabah during the night only if they are themselves excused. Otherwise, it is obligatory that *ramy* (stoning) should occur during the day.

**Issue 399:** Besides women — who can perform ramy during the night before Eid even in normal cases — those who are excused from performing *ramy* (stoning) on the day of Eid may perform this deed at the night before/after Eid. Likewise, those who are excused from performing *ramy* (stoning) on the day of 11th or the 12<sup>th</sup> Dhul-Ḥijjah, they may perform it at the next/previous night.

## CHAPTER FIVE

### SLAUGHTERING HADY

**Issue 400:** Slaughtering an animal is the fifth obligation of hajj and the second rite of Minā.

**Issue 401:** It is obligatory for a person who is performing hajj *tamattu'* to slaughter one of the three types of animals: camel, cow, goat or sheep. It does not matter whether the animal being slaughtered is male or female. The best slaughter is a camel. However, slaughtering animals other than what is mentioned above is not sufficient.

**Issue 402:** Slaughtering is amongst rites of worship and it should be performed with intention taking care of all the conditions necessary for the intention of *ihrām*.

**Issue 403:** The conditions and specifications of slaughtering are as follows:

1. On the basis of obligatory caution, a camel should have entered in its sixth year of age, a cow and goat should have entered their third year of age, and in case of a sheep, it should have entered the second year of its age. This age range is the minimum limit. However there is no maximum regarding the age, .i.e. if an animal for slaughter is above this limit, it is sufficient provided that it is not too old.

2. The animal should be healthy and physically sound.
3. It should not be lean in form.
4. All the parts of its body must be perfect. Therefore, slaughtering a defective, castrated animal is not sufficient. However, if the testes of an animal are pounded without castration, slaughtering it is sufficient. Therefore, slaughtering an animal with a cut tail/ear; a blind, paralyzed animal; an animal whose internal part of horn is broken; or an animal born with these defects is not sufficient. Similarly, slaughtering an animal that lacks a body part/organ while other animals of the same species have it so that lacking it is considered a defect would be considered invalid. However, there is no objection in slaughtering an animal if one of its external parts of horn is broken (the covering sheath over the internal horn) or its ear is pierced.

**Issue 404:** If an animal is slaughtered thinking that it is healthy but later it becomes apparent that it was sick or defective, one should slaughter another animal, if possible financially.

**Issue 405:** On the basis of obligatory caution, slaughtering should be performed after the *ramy* (stoning) of Jamarah al-‘Aqabah.

**Issue 406:** Based on caution, one should slaughter it on the day of Eid and do not delay it by choice. If

he/she delays it deliberately, inattentively, ignorantly or due to a genuine excuse, on the basis of obligatory caution, he should slaughter the animal during the days of *Tashrīq* (11th, 12th and 13th of Dhul Hijjah) if possible. Otherwise, the person should slaughter the animal on any other day of the month of Dhul-Hijjah. There is no difference, whether it is slaughtered during the day or at night.

**Issue 407:** The site of slaughter is Minā. If one is prevented from slaughtering in Minā, he can slaughter at the substitute place that is prepared for slaughtering.

**Issue 408:** On the basis of obligatory caution, the representative in slaughtering should be a believer (*Ithnā ‘Asharī*/the Twelver). However, it is possible that belief is not a condition, if a person intends for this rite himself and hires a person only to slaughter.

**Issue 409:** It is a condition that one should slaughter himself or give the power of attorney to another person to slaughter. If somebody slaughters on behalf of another person without a latter’s previous power of attorney, the slaughter is objectionable and on the basis of caution, it would not be sufficient.

**Issue 410:** The slaughtering tool must be made of iron or stainless steel. If a person doubts regarding the tool, he should ascertain that it is made of iron or else the slaughter does not suffice.

## CHAPTER SIX

### TAQSĪR OR ḤALQ

**Issue 411:** *Taqsīr* or *ḥalq* is the sixth obligation of hajj and formulates the third rite at Minā.

**Issue 412:** It is obligatory to do *ḥalq* (shaving of the head) or perform *taqsīr* (to cut some of the hair or nails) after slaughtering an animal. The women should perform *taqsīr* as *ḥalq* is not adequate for them. It is based on caution that they should shorten some of their hair and nails. Men are allowed to choose between *ḥalq* and *taqsīr*. Shaving head is not obligatory for them but if they are performing hajj for the first time, on the basis of obligatory caution, they should shave their head.

**Issue 413:** Both *ḥalq* and *taqsīr* are acts of worship. It is obligatory to have pure intention for seeking nearness of Allah Almighty and it should be free from any sort of *riyā* (people pleasing tendency). So, if a person performs *ḥalq* or *taqsīr* without the conditions required for intention, *ḥalq* and *taqsīr* would not be sufficient and the things whose being *ḥalāl* depends on *ḥalq* and *taqsīr* would not become *ḥalāl* for him.

**Issue 414:** If a person seeks help from others in performing *taqsīr* or *ḥalq*, he must do intention himself.

**Issue 415:** It is based on obligatory caution, *ḥalq* or *taqsīr* should be performed on the day of Eid or else it must be performed on the night before the 11th day or it would be sufficient to do it any time after that.

**Issue 416:** For a person, who delays slaughtering of animal due to any reason and do not perform it on the day of Eid, it is not necessary to delay *ḥalq* or *taqsīr*. On the basis of obligatory caution, performing *ḥalq* and *taqsīr* is mandatory on the day of Eid. However, performing the *tawāf* of hajj and the other five ritual deeds in the Holy city Mecca in this state are objectionable. He should wait and perform these deeds after slaughtering the animal.

**Issue 417:** *Ḥalq* or *taqsīr* must be performed in the land of Minā i.e. performing these rites in other places by choice is not allowed.

**Issue 418:** If a person performs *ḥalq* or *taqsīr* outside the land of Minā deliberately, forgetfully or ignorantly, or goes out of Minā without *taqsīr* and *ḥalq* and performs all the deeds, it is obligatory to return to Minā for *ḥalq* and *taqsīr* and then repeat the following rites.

**Issue 419:** On the day of Eid, it is obligatory to perform *ramy* (stoning) at Jamarah al-‘Aqabah first, slaughter an animal if the animal for slaughtering is feasible for him, followed by *taqsīr* or *ḥalq*. If a person disturbs the order of rites deliberately, he/she

has committed disobedience. Apparently, it is not obligatory for him/her to repeat these acts although it is compatible with caution to repeat these rites, if possible. This ruling also applies to a person who does not abide by the specific order of rites due to ignorance and forgetfulness.

**Issue 420:** If a person is unable to slaughter the animal on the day of Eid at Minā, but it is possible to slaughter it in the current slaughterhouse situated outside Minā, it is based on obligatory caution to slaughter his/her animal and then perform *ḥalq* or *taqsīr*.

In case, if this deed is impossible for him, on the basis of obligatory caution, he/she should do *ḥalq* or *taqsīr* on the day of Eid and by doing so, the person would become free from state of *iḥrām*. However, he/she should delay fulfillment of five rites in the holy city of Mecca until the slaughtering of animal or else the validity of these rites is objectionable.

**Issue 421:** After doing *ḥalq* or *taqsīr*, all the things that were forbidden for a *muḥrim* will become *ḥalāl* for him except his spouse and scent.

## CHAPTER SEVEN

### PRACTICES IN THE HOLY CITY OF MECCA

**Issue 422:** The five obligatory rites in the holy city of Mecca, performed after the rites of Eid day in the land of Minā, are as follows:

- 1- *Tawāf* of hajj (termed as visiting *tawāf*);
- 2- Prayer of *tawāf*;
- 3- *Sa' y* between Safā and Marwah;
- 4- *Tawāf* of *nisā'*; and
- 5- Prayer of this *tawāf*.

**Issue 423:** It is *mustahabb* to leave for the Holy city of Mecca from Minā, after fulfillment of the deeds of Eid day and perform the remaining rites of hajj: the two *tawāfs*, their prayers and *sa' y*. It is permissible to delay them until last day of *tashrīq* or even to the end of the month of Dhul-Ḥijjah.

**Issue 424:** The method of the *tawāfs*, associated prayers and *sa' y* are the same as *tawāf*, prayer and *sa' y* for *'umrah*; the only difference is that intention for hajj should be made.

**Issue 425:** It is not permissible to perform the above mentioned rites before the *wuqūf* at 'Arafāt and

Mash‘ar and the practices of Minā. However, this is permitted for the following three groups:

**First:** The women who fear that they may menstruate or face pureperium (*nifās*) lest they might not wait for purification after returning to the Holy city of Mecca to perform *tawāf* and its prayer.

**Second:** The men and women who are unable to perform the *tawāf* after returning to Mecca due to crowd or unable to return to the holy city of Mecca at all.

**Third:** The sick who are unable to perform the *tawāf* after returning to the holy city of Mecca due to crowd or feel fear of it.

**Issue 426:** If the above mentioned groups perform two *tawāfs*, associated prayers and *sa‘y* and then their excuse is removed, repetition of rites is not obligatory for them, although it is better that they perform these rites.

**Issue 427:** Whoever performs deeds in the Holy city of Mecca in advance due to genuine reason, (such as the above mentioned groups), women and perfume would not be *ḥalāl* for him, but after *ḥalq* or *taqsīr* all the forbidden things will be *ḥalāl* for him.

**Issue 428:** *Tawāf* of *nisā’* and its prayer are obligatory but are not considered among the fundamental elements of hajj. Therefore, if a person neglects them

deliberately, his hajj would not be void. However, his wife will not be *ḥalāl* for him (he is not allowed to have intercourse with his wife).

**Issue 429:** *Tawāf* of *nisā'* is not only for men, but it is also obligatory for women. So, those men who neglect it their wives are *ḥarām* for them and similarly, women who neglect it their husband are *ḥarām* for them.

**Issue 430:** It is not permissible to perform *sa'y* before *tawāf* of hajj or its prayer by choice. It is also impermissible to perform *tawāf* of *nisā'* before the *tawāf* of hajj, its prayer and its *sa'y*. So if a person does not follow the right sequence of deeds, he/she should repeat these deeds.

**Issue 431:** If a person inattentively/deliberately neglects *tawāf* of *nisā'* and returns back to his country if possible without any difficulty, he should perform it. Otherwise, he should hire a representative. For such a person, women would not become permissible unless *tawāf* and its prayer are performed by himself or by his presentative.

**Issue 432:** All the things that become *ḥarām* during *iḥrām* for *'umrah* become *ḥarām* during *iḥrām* for hajj, too. They become *ḥalāl* again in the following steps:

**First:** After *ḥalq* or *taqsīr*, everything becomes *ḥalāl* for the pilgrim except for women and using scent. Even hunting becomes *ḥalāl* in general, although it is *ḥarām* to do it inside the Ḥaram.

**Second:** After *sa'y*, using scent becomes *ḥalāl*.

**Third:** After *tawāf* of *nisā'*, women become *ḥalāl* for men, and vice –versa.

# CHAPTER EIGHT

## STAYING AT MINĀ DURING THE NIGHT

**Issue 433:** It is the twelfth obligation of hajj and the fourth act at Minā.

**Issue 434:** It is obligatory to spend the night before 11th and 12th Dhul-Ḥijjah at Minā. Therefore, if a person goes to the holy city of Mecca from Minā on the day of Eid ul-Adha in order to perform two *tawāfs*, and their prayers and *sa'y*, he/she should return to spend the night at Minā.

**Issue 435:** Spending the night at Minā is not mandatory for the following three groups:

a) The sick, and those who take care of the sick people, and all the people who have a genuine excuse and are unable to spend the night there.

b) The person who is afraid of getting lost or their property in Mecca may be stolen.

c) Those who stay at the holy city of Mecca for worship and spend the whole two nights until sunrise and do not perform anything except worship i.e. they spare only sometime for basic life activities such as eating food and using toilet.

**Issue 436:** Spending night at Minā is an act of worship and should be performed with the intention accompanied by the conditions mentioned before.

**Issue 437:** Spending night from sunset to the middle of night is adequate. Those, who do not observe spending night in first part of the night without excuse, should spend the second half of the night at Minā though it is not remote to say that in normal conditions spending the second half of the night at Minā is also permissible.

**Issue 438:** Whoever neglects the obligatory spending night at Minā without spending night for worship in the holy city of Mecca must pay *kaffārah* i.e. a sheep for each night. On the basis of caution, this ruling is applied to excused, ignorant and forgetful people as well.

**Issue 439:** Whosoever is allowed to go out of Minā' on the 12th day should go out after *shar'ī* noon and it is not permissible for him to exit before 'noon'.

## CHAPTER NINE

### ***RAMY (STONING) OF THE THREE JAMARAHS***

**Issue 440:** It is the 13<sup>th</sup> obligation of hajj and the 5<sup>th</sup> practice at Minā. The method and conditions of performing *ramy* (stoning) of the three *jamarahs* is similar to the method of *ramy* (stoning) Jamarah al-‘Aqabah on the day of Eid.

**Issue 441:** One should throw stones at the three *jamarahs* (the first, the middle and the last) during the day after the night in which *mabīt* (staying in Minā during the night) is obligatory.

**Issue 442:** The time duration for *ramy* (stoning) is from sunrise till sunset. Thus, it is impermissible, in normal conditions, to perform this deed during the night. The shepherd and those who have a reasonable excuse for performing *ramy* (stoning) during the day such as fear for their money, life or honor are exempted. Likewise, weak individuals such as women, old men and children, who are afraid of big crowd, are also excluded from this ruling and allowed to perform *ramy* (stoning) at night.

**Issue 443:** The people, who are excused from *ramy* (stoning) during the day, but able to do it at night, are not allowed to appoint a representative for *ramy*

(stoning). They must perform this act themselves at the night before or after the *ramy* day.

However, those who are unable to perform *ramy* (stoning) even at night, like sick persons, are allowed to appoint a representative for that task. However, if at the time of hiring another person, he/she is hopeful to become free from excuse, on the basis of obligatory caution, he /she should repeat the act of *ramy* (stoning) at night if he/she becomes free from that excuse during the night.

**Issue 444:** For a person who is unable to perform *ramy* (stoning) and appoints a representative and he/she performs the *ramy* but then before the time for performing *ramy* is over the person becomes free from the excuse, there are two case: a) at the time of appointing a representative, he does not hope that the excuse may be removed so the representative does the *ramy*. In this case, this *ramy* is enough and it is not necessary to do it himself/herself again; and b) he/she is hopeful that the excuse may be removed. In this case, although hiring a representative is allowed, on the basis of obligatory caution, after the removal of his excuse, he should repeat the act of *ramy* (stoning).

**Issue 445:** The *ramy* (stoning) at the three *jamarahs* is obligatory but it is not considered the fundamental element (*ruk'n*) of hajj.

**Issue 446:** The specific order to perform *ramy* is as follows: Firstly, *ramy* Jamarah Oulā followed by *wuṣṭā* and finally the ‘Aqabah should be performed. One should throw seven pebbles at each *jamarah* according to the prescribed method and conditions.

**Issue 447:** For a person who forgets *ramy* of all the three *jamarahs* and goes out of the land of Minā if he/she remembers during the days of *tashrīq*, it is obligatory to return back to Minā if possible, and perform *ramy*; otherwise he/she must appoint a representative for doing it on his behalf.

If he/she remembers it after the days of *tashrīq* or deliberately delays it, on the basis of obligatory caution, he/she or his/her representative should return to Minā to do it and perform *ramy* again next year with intention of *qaḍā’* or appoint a representative for this purpose.

If a person forgets *ramy* at *jamarahs* and goes out of the holy city of Mecca, on the basis of obligatory caution, should perform it with intention of *qaḍā’* next year or appoint a representative for the act.

**Issue 448:** It is permissible to throw pebbles at every side of *jamarahs*. It is not necessary to face *qiblah* during stoning of Jamarah Oulā and *wuṣṭā*. Similarly, it is not necessary that one's back face *qiblah* while throwing pebbles at the Jamarah ‘Aqabah.



# INQUIRES OF HAJJ AND 'UMRAH

## BEING MUSTAṬĪ'

**Q1.** A person uses religious tithe, like *khums* and zakat to pay one's expenses. Does he become *mustaṭī'* if he obtains an amount of *khums* and zakat enough to pay expenditure of hajj?

**Answer:** If he had the right of receiving religious tithe and the remaining amount is sufficient for the expenditure of hajj while enjoying other requirements, he is *mustaṭī'*.

**Q2.** Taking into consideration the fact that before sending the pilgrims to hajj, they have to go through the medical checkup and some people are unable to pass the medical test due to physical weakness, are these people considered *mustaṭī'* to perform hajj, while they had no access to go to hajj before?

**Answer:** Under such a condition, they are not *mustaṭī'*.

**Q3.** What is the rule of undue marriage portion that is obligatory for husband to pay but her wife has not demanded yet and she is not in need of

it. Does paying it take precedence over obligatory hajj? Please describe your view!

**Answer:** Paying marriage portion is not obligatory without wife's demand. In the given case, performing hajj takes precedence over paying marriage portion.

**Q4.** Can a person become *mustatī'* for hajj by saving money during a period of a few months? Particularly, when he knows that he will not become *mustatī'* except through this way.

**Answer:** It is not obligatory to make oneself *mustatī'* for hajj by this way. However, if his saving is equal to expenditures of *hajjat ul-Islam* and he becomes *mustatī'*, performing hajj is obligatory for him. The person who wants to perform *hajjat ul-Islam*, he may earn money through any legitimate way.

**Q5.** Is visiting parents considered among social, religious or personal necessities? If yes, can a *mustatī'* postpone his hajj and spend his money for this purpose? (Supposing that they are far away and he should travel to visit them).

**Answer:** It is obligatory for a *mustatī'* to perform hajj and he is not allowed to root out his state of being *mustatī'*. Good relations with blood relatives does not depend only on visiting them; rather, one may keep contact via letters/telephone. However, he is not

*mustatī* for hajj if parents are living in another city and it is necessary to visit them (due to his/their conditions and state) and he does not have sufficient money for both visiting his parents and performing hajj.

**Q6.** If a nursing mother becomes *mustatī* for hajj and her performing hajj would be dangerous for the infant, can she perform hajj?

**Answer:** If harm is of such a kind that it is necessary for the mother or caretaker to remain with infant or travelling for hajj brings about unbearable difficulty, hajj is not obligatory for her.

**Q7.** If a woman has gold jewelry for beautification, and by selling it she becomes *mustatī* for hajj while she has no other wealth, should she sell the jewelry to become *mustatī* for hajj?

**Answer:** If she is in need of them and it is not more than her financial status, she is not *mustatī* for hajj, and it is not obligatory for her to sell them to perform hajj.

**Q8.** If a woman is *mustatī* for performing hajj but her husband does not allow her to perform hajj, what is her duty?

**Answer:** Permission of husband is not a condition for obligatory hajj. However if performing hajj (without seeking permission) results in unbearable difficulty for her, she is not *mustatī* for hajj and hajj is not obligatory for her.

**Q9.** At the time of wedlock, my husband promised me for hajj, is hajj obligatory for me?

**Answer:** With such a promise, hajj does not become obligatory for you.

**Q10.** Is a man allowed to live hand to mouth so that he may save enough money to become *mustatī*?

**Answer:** Yes, it is allowed but not obligatory (from *shar'ī* point of view). Although this deed is allowed as far as one's own affairs is concerned, it is not permitted to avoid supporting the family expenditures which is obligatory more than usual.

**Q11.** In the past, I was not abiding by the religious duties and issues though I had ample wealth to perform hajj. I was *mustatī* for hajj previously. However, I did not perform hajj due to certain conditions. At present, what is my duty? I would like to mention that I do not have sufficient amount for performing hajj. As there are two methods for this: first, getting registration through

Hajj Organization and second, by spending more money. Is getting registration in Hajj Organization for hajj sufficient?

**Answer:** If you had enjoyed all requirements for being *mustatī*, hajj is obligatory for you, and you have to perform hajj by any possible and legitimate way unless it causes unbearable hardship and difficulty. On the other hand, if you did not enjoy all requirements to be *mustatī* in the past, in such a case hajj is not obligatory for you.

**Q12.** Earlier, a contract has been signed between Hajj Organization and Bank Melli of Iran that those who want to perform hajj *tamattu'* should deposit one million tomans in their *muḍāribah* account in the bank, in form of contract of *muḍāribah* for which they would receive a receipt. This amount will remain in the account of the person who deposits this amount until performing hajj. According to the written contract the profit will be transferred to the account holder at the end of every year.

Hajj Organization gives priority to those who get registration first. After the passage of three years, the turn of person is announced and in case of inclination, they are sent for hajj. When the time of arrival approaches, account holder

withdraws his amount, deposits it into the account of Hajj Organization and goes for hajj. Now, I would like to ask as the mentioned contract is written and there is no spoken contract between the banker and account holder, what is the rule on what the account holder receives as profit for *muḍāribah* contract?

**Answer:** Banking transactions as mentioned above in written form is no problem and the profit received through *muḍāribah* transaction is *ḥalāl* for the investor. If the capital is a part of one's income and is invested without paying its *khums*, it should be paid. If the profit is not receivable before the year of performing hajj, it is considered as the income of the receipt year and is not liable to *khums* if it is spent on journey of hajj.

**Q13.** A person may go to hajj using the turn/coupon of a dead if gets permission from all the heirs. Is it obligatory for him to do so? If he does not get the permission and use the coupon to go to hajj while enjoying all other requirements, is his hajj valid and considered as *ḥajjat ul-Islam* or not?

**Answer:** While utilizing the coupon that belongs to the dead, it is obligatory to seek permission from the heirs. Otherwise, his hajj is not considered *ḥajjat ul-*

*Islam* if his being *mustatī* even after reaching *mīqāt* is dependent upon this coupon. However, if he has expenditures of hajj after reaching the place of *mīqāt* and all the required conditions are fulfilled, his hajj will be sufficient and will be considered *ḥajjat ul-Islam*.

**Q14.** If a person gets registered, receives the coupon and makes his will that his son should go to the holy city of Mecca to perform hajj on his behalf. After the death of the father, the son himself becomes financially *mustatī* and at the same time gets the opportunity for performing hajj with the coupon/turn of his father. What would be his intention at *mīqāt*: should he perform hajj on behalf of his father or he should perform hajj on his own behalf?

**Answer:** In the given case that the son gets the opportunity to go to hajj using the coupon of his father and the difference between the price of hajj from one's city and that of hajj from *mīqāt* does not exceed the one third of estate or the heirs consented to it, the son should perform hajj on the behalf of his father.

**Q15.** In the previous issue, if there is not any will but the heirs give this coupon to one of the sons

who is financially able to go to hajj and they appoint him to perform hajj on the behalf of their father, after using this coupon and reaching *mīqāt*, should the son perform hajj on the behalf of his father or he becomes *mustatī* and should perform hajj for himself?

**Answer:** In the given case, hajj on behalf of the father takes precedence.

**Q16.** In previous two issues, if his duty is to perform hajj on the behalf of his father and he performs hajj on his own behalf, his hajj is sufficient as *hajjat ul-Islam* or not?

**Answer:** His *hajjat al-Islam* is objectionable.

**Q17.** If a father passed away while he was *mustatī* for hajj and his son leaves for hajj with the coupon of his father and upon reaching one of *mīqāts* becomes *mustatī* at this point, what should he do? How can this situation be sorted out when there was no will of his father nor heirs asked him to perform hajj on behalf of the father? For example he is the only heir of his father and the way was not opened for him except this way.

**Answer:** In this case, he should perform hajj on his own behalf and he should hire a representative for his father to perform hajj.

## HAJJ ON BEHALF

**Q18.** A person has the responsibility as representative only to perform some rites of hajj like *tawāf*, *ramy* (stoning) Jamarāt or slaughtering animal, is it compulsory for him to be *muḥrim*? Is *iḥrām* a part or condition of that?

**Answer:** Regarding the validity of representation for these rites, *iḥrām* is not considered compulsory neither in form of a part nor in form of a condition.

**Q19.** What is the rule about a person who wears *iḥrām* on the behalf of others but he intends on the behalf of some others while performing the rites. What is the rule of this issue in case of ignorance or if it is done on purpose?

**Answer:** It is obligatory that representative should intend as he intended while wearing *iḥrām* and perform the rites.

**Q20.** A person takes the responsibility of performing rites of *‘umrah* / hajj or *tawāf* on the behalf of others, can he be hired to recite the holy Quran on the behalf of another person or to do so for free?

**Answer:** There is no objection to it.

**Q21.** If a representative neglects *ramy* (stoning) in the day, what is ruling about this

representation? If he comes to the holy city of Mecca with this idea that he can go back to Minā but on the twelfth of Dhul-Hijjah, he cannot return to Minā, what is his duty regarding his representation?

**Answer:** *Ramy* (stoning) at Jamarāt is amongst the rites of hajj. If he does not perform them properly, the validity of his representation is doubtful, particularly if he does not compensate for it during the days of *tashrīq*.

**Q22.** If during performing rites by a representative, the excuse of the represented person is removed, is this hajj sufficient for him or is there any difference whether or not he is capable of doing a complete hajj?

**Answer:** In this case, hajj of the representative is not sufficient on behalf of the hiring person.

**Q23.** If it is not specified in the leasing contract that fulfillment of the duty of the represented person is enough or the rites should be performed and then the hired person dies after wearing *ihram* and entering the Ḥaram, does he deserve full wages or not?

**Answer:** If he is hired so that the duty of the represented person is fulfilled as it is apparent in a hajj leasing contract, he deserves full wages.

**Q24.** What is the rule on the rites on behalf of a hired person if he is able to perform a certain rite but delays it as there is enough time while later he becomes unable to do it? For example, he is able to perform *ramy* (stoning) at *jamarahs* before the noon of the twelfth day but he delays it and in the afternoon he is unable to perform it due to immense crowd or illness or he puts off acts of the holy city of Mecca for a few days but then he becomes unable to perform it?

**Answer:** If it is specified that hajj should be performed only this year, on the basis of obligatory caution, the person's deeds are void. To observe more caution, he may hire a representative for the unperformed rite and to reach reconciliation with the hiring person regarding wages.

If the hired person was not appointed for this year, on the basis of obligatory caution, the hajj on the behalf should be performed the following year.

**Q25.** The hired person knows that he has been hired for hajj *tamattu'*. However, he does not know whether he is hired for *hajjat ul-Islam*, *nadhr* hajj or recommended hajj. If he intends "I am going to perform hajj *tamattu'* on the behalf of the represented person" or "I am going to perform hajj for which I am hired" is it valid or not?

**Answer:** General intention for hajj will be sufficient.

**Q26.** Some people fail their medical test, can they hire a person — during their lifetime — as their representative for hajj or not?

**Answer:** This case is not considered amongst the cases of representation.

## **HAJJ IFRĀD AND 'UMRAH MUFRADAH**

**Q27.** If a person wears *iḥrām* for entering the holy city of Mecca in the last days of a lunar month but he performs the remaining acts of '*umrah mufradah* at night before the first day or on the first day or on the other days of the new lunar month, is this '*umrah* considered of previous month or of the new month? If he exits the holy city of Mecca and once again enters the holy city of Mecca during the new month, can he enter the city without wearing *iḥrām* or not? Does it make any difference whether or not the first month / the new month is the month of Rajab?

**Answer:** The criterion of lunar month for a person who enters the holy city of Mecca without *iḥrām* is fulfillment of acts of '*umrah* in that month. Therefore, if a person becomes *muḥrim* in the last day of one month but performs *tawāf* and other acts of '*umrah* in

the next month, *'umrah* is considered of the new month.

If he exits the holy city of Mecca during the new month, it is allowed for him to enter in the holy city of Mecca again without *iḥrām*. But particularly, regarding the month of Rajab, it is concluded from the traditions that the person who becomes *muḥrim* in the last day of Rajab, his *'umrah* is considered *'umrah rajbiyah*.

Therefore, on the basis of obligatory caution, if this person exits the holy city of Mecca during the month of Sha'bān, he should wear *iḥrām* for entering in the city. Observing this practice is also good for other months.

**Q28.** If a person performs *'umrah tamattu'* in one of the months of hajj like Shawwāl and then exits the holy city of Mecca, it is obligatory for him to perform *'umrah* again. The following questions are related to this matter:

- 1- In case of performing new *'umrah*, is the previous *'umrah* converted into *mufradah*, and is performing *tawāf* of *nisā'* obligatory for its completion?

**A:** Conversion of previous *'umrah* is not proved. Therefore obligation of *tawāf* of *nisā'* is not proved but it should be performed as caution.

2- If he does not perform '*umrah tamattu'*, is his previous '*umrah tamattu'* void and he is not allowed to perform hajj *tamattu'*?

**A:** The previous '*umrah* is not considered the compulsory one for hajj *tamattu'*; therefore, his hajj *tamattu'* is not valid.

3- Is *mīqāt* of *iḥrām* for new '*umrah tamattu'* one of the five *mīqāts* or one can become *muḥrim* from Adnāl-Hill?

**A:** Apparently, one should become *muḥrim* from the five places of *mīqāt*.

**Q29.** A person performs '*umrah* in the month of Dhul-Qa'dah or Shawwāl and returns to the holy city of Medina. In the new month, he visits the holy city of Mecca again. What is his duty regarding *iḥrām* in the mosque of Shajarah, is it *iḥrām* for '*umrah mufradah* or '*umrah tammattu'*?

**Answer:** In supposed question, he should become *muḥrim* from *mīqāt* for '*umrah tamattu'* and his '*umrah tamattu'* for hajj is the last '*umrah*.

**Q30.** A person stays in the holy city of Mecca and the period of previous '*umrah* has passed. He visits Jaddah for a task, returns back and enters the holy city of Mecca without *iḥrām*, what is his duty?

**Answer:** At present, he has no duty but if he enters the holy city of Mecca without *iḥrām*, he has committed a forbidden act and should seek forgiveness.

**Q31.** If a person makes his hajj void and in the next year he visits the holy city of Mecca so that he may perform it again, can he perform *'umrah mufradah* in such a state?

**Answer:** There is no objection.

**Q32.** A woman in state of menstruation is aware of the fact that she will not be able to perform deeds of *'umrah mufradah* and the people with her cannot wait for her so that she may perform the acts. In this situation, she is compelled to hire a representative for *tawāf* and its prayer as she can only perform *sa'y* and *taqsīr*, can she wear the *iḥrām* of *'umrah mufradah*?

**Answer:** There is no problem in wearing *iḥrām*. In the given case, she should hire a representative for *tawāf* and its prayer.

**Q33.** If a woman confronts menstruation in *mīqāt* and she has conviction that she cannot perform *'umrah tamattu'* on its time, with what kind of intention should she wear *iḥrām*?

**Answer:** She can become *muḥrim* with the intention of hajj *ifrād* or wear *iḥrām* with the intention of due

duty. But, in first case, if she becomes clean before the fixed time, it is obligatory to become *muḥrim* again with the intention of '*umrah tamattu*'. However, in the second case, if she does not become clean at fixed time, her *iḥrām* will be considered for the hajj and if she becomes clean before the fixed time, she can perform '*umrah tamattu*' with the same *iḥrām*.

**Q34.** A person performs hajj *ifrād* (obligatory or recommended) and has performed '*umrah* many times, is it obligatory for him to perform '*umrah* again for performing hajj *ifrād*?

**Answer:** In this case, performing '*umrah* is not obligatory for him unless he was doing his hajj of *tamattu*' but it turned into hajj *ifrād*.

## **EXIT AND ENTRANCE IN THE HOLY CITY OF MECCA**

**Q35.** What is ruling of exiting the holy city of Mecca and Minā for example, going to Jaddah, Medina or Ta'if in the following cases?

**A.** After the acts of the day of Eid ul-Adha and before performing the acts of the holy city of Mecca;

**B.** On the eleventh day, after performing *ramy* (stoning) at *jamarāt*.

C. After 'midnight' before the eleventh/twelfth day;

D. After performing the acts of the days of *tashrīq* and before performing the acts of the holy city of Mecca?

**Answer:** There is no objection in the above mentioned cases, but his exit should be planned in such way that he would be able to perform the remaining rites.

**Q36.** If a person performs *'umrah mufradah* in a lunar month and exits the holy city of Mecca in the next month but he does not exit the boundary of the Ḥaram (for example, he goes to Minā), can he enter into the holy city of Mecca again without *ihrām*?

In previous case, if he goes up to 'Arafāt, is performing *'umrah mufradah* obligatory for re-entering into the holy city of Mecca?

**Answer:** The criterion is to depart from the holy city of Mecca, though this does not include the boundary of Ḥaram. Therefore, if he exits the holy city of Mecca and has not performed *'umrah* this month, he should become *muḥrim* for entering in the holy city of Mecca, which includes the entire city of Mecca with its all new developments.

**Q37.** Some drivers use the newly built roads and tunnels constructed in order to go to Minā and Muzdalifah so as to escape from the traffic jam on internal roads of the holy city of Mecca. They use these roads that pass through Minā in order to go from one locality to the other locality in the holy city of Mecca. Is this method considered going out of Mecca or not?

**Answer:** Apparently, these are not examples of forbidden exit the holy city of Mecca. Anyhow, this act does not create any trouble for validity of hajj and *'umrah*.

**Q38.** A man works in the army and sometimes in state of emergency such as occurrence of accident, he has to enter in to the holy city of Mecca in order to obey inevitable commandments. If he has not performed *'umrah* and due to shortage of time, he cannot enter the holy city of Mecca in state of *iḥrām*, has he committed a sin by entering the holy city of Mecca without *iḥrām* and should he give *kaffārah*?

**Answer.** In above mentioned case, he may enter the holy city of Mecca without *iḥrām* and he is not to pay *kaffārah*.

**Q39.** If a person enters the holy city of Mecca during the month of Dhul-Qa'dah for performing

*‘umrah mufradah* and he wants to enter the holy city of Mecca again in the month of Dhū al-Ḥijjah. After a gap of several days, should he wear *iḥrām* again or can he enter Mecca without it?

**Answer:** Taking into consideration that he enters the holy city of Mecca in the next month, he should become *muḥrim*.

**Q40.** If a person lives in Jeddah but works in Mecca and visits Mecca continuously except during the holidays or he goes to Mecca three days a week. If the month ends in which he performed *‘umrah*, should he perform *‘umrah* once again?

**Answer.** In the above mentioned case, repetition of *‘umrah* is not obligatory.

**Q41:** In the previous case, if *‘umrah* month ends and he is still in the holy city of Mecca, should he repeat *‘umrah*? In case of obligation, where should he start, from the boundaries of the Ḥarām or from the Mosque Tan‘īm?

**Answer.** As long as, he is present in the holy city of Mecca, renewal of *‘umrah* is not obligatory. If he wants to perform it, he should go to the nearest point outside the boundaries of the Ḥarām or to Mosque Tan‘īm.

**Q42:** A person is a taxi driver by profession and is taking passengers to the holy city of Mecca and has not performed 'umrah, should he enter in the holy city of Mecca with *iḥrām*? What is the ruling, if he enters in the holy city without *iḥrām*?

**Answer.** In above mentioned case, he should enter in the holy city of Mecca with *iḥrām* and perform the rites of 'umrah *mufradah*. If he enters in the holy city of Mecca without *iḥrām*, he has committed a *ḥarām* act but there is no *kaffārah* on him.

**Q43:** If a person wears *iḥrām* for hajj *ifrād*, can he go — after performing *tawāf* of hajj and *sa'y* — to Mecca from Jaddah and join the pilgrims at 'Arafah?

**Answer.** After wearing *iḥrām* for hajj *ifrād*, there is no objection to go to Jaddah or any other place whether before performing *tawāf* of hajj and its prayer or after it. But, it is conditional that he must avail the opportunity of *wuqūf* in the land of 'Arafāt and Mash'ar.

**Q44.** Some people exit the holy city of Mecca after 'umrah *tamattu'* and before wearing *iḥrām* of hajj *tamattu'*. They should go for camping at 'Arafāt to welcome and guide the pilgrims of the city of Ta'ef and Jaddah (like managers, workers of the caravans of hajj). Can they exit the holy city of Mecca if they are sure there is enough

time to go back to Mecca to wear *iḥrām* from the holy city of Mecca and go to ‘Arafāt on time?

**Answer:** A person, who doesn’t fear that he may lose the opportunity of performing hajj during this year, may exit the holy city of Mecca after performing ‘*umrah tamattu*’. If he exits the holy city of Mecca and enters in it in the same month in which he performed ‘*umrah*’, his act is valid and there is no act due on him.

## **MĪQĀTS**

**Q45.** If a person is in the holy city of Mecca and wants to perform ‘*umrah tamattu*’ but he is unable to go to *mīqāt*, is wearing *iḥrām* from Adnal-Ḥill sufficient for him?

**Answer:** Yes, he may wear *iḥrām* from Adnal-Ḥill.

**Q46.** If a person crosses the boundary of *mīqāt* without wearing *iḥrām* whether for ‘*umrah tamattu*’ or ‘*umrah mufradah*’, what is his duty? What if there is another *mīqāt* ahead?

**Answer:** If the time is not short, it is obligatory that he should go back and should wear *iḥrām* from the very *mīqāt* that he has crossed previously, whether there is another *mīqāt* ahead or not.

**Q47:** If a person lives within the distance of 16 Farsakh from the holy city of Mecca, from where

he should become *muḥrim* i.e. from his house or from any place in his city?

**Answer:** He may wear *iḥrām* from any point in the city. However, it is better and more compatible with caution to become *muḥrim* from his house.

**Q48.** A woman thinking she is in state of *istiḥāḍah* becomes *muḥrim* from *mīqāt* and performs the rites of '*umrah tamattu*' abiding by the ruling for the women in state of *istiḥāḍah*. After performing the rites, she becomes aware that she was in state of menstruation, what is her duty regarding the rites of '*umrah* and hajj?

**Answer:** If she cannot perform the rites of '*umrah* and wear *iḥrām* for hajj while she started menstruation before wearing *iḥrām* from *mīqāt*, her hajj is turned into hajj *ifrād*. And after performing the rites of hajj, she should perform deeds of '*umrah mufradah*.

But if she menstruated after wearing *iḥrām* from *mīqāt*, her '*umrah tamattu*' is valid; only *tawāf* and its prayer are void. She should perform them after returning from 'Arafāt, Mash'ar, Minā and its rites.

**Q49.** Can a person do *nadh'r* for *iḥrām* before *mīqāt* and for the materialization of the *nadh'r* wear *iḥrām* before *mīqāt*? He knows that he is compelled to move under the shadow such as

upon doing *nadhr* to wear *iḥrām* from his city and then embark the airplane?

**Answer:** *Nadhr* of wearing *iḥrām* before *mīqāt* is valid. Going under the shadow is forbidden during the day and ruling of one issue cannot be applied to other issues.

**Q50.** A person who lives in holy city of Medina or in its surroundings wants to perform ‘*umrah*, can he go to Jaddah through the road to the holy city of Mecca and wear *iḥrām* from the nearest point out of the boundary of Ḥaram like Mosque Tan‘īm?

**Answer:** If he intends to perform ‘*umrah* at the time of leaving the holy city of Medina, he must wear *iḥrām* from Mosque al-Shajarah and he is not allowed to pass the *mīqāt* without wearing *iḥrām* even if he wants to go to the holy city of Mecca through Jeddah. But, if he passes *mīqāt* without *iḥrām* in order to go to Jeddah and there he intends to perform ‘*umrah*, he has to visit one of the *mīqāts* for wearing *iḥrām* as wearing *iḥrām* from Jaddah or from Andā al-Ḥill is not sufficient for him.

**Q51.** There are two routes to visit the holy city of Mecca from the holy city of Medina. One of them passes from Juḥfah which has been proved as a parallel place to *mīqāt* while the other route passes from Juḥfah but about 100km longer than

the first one and it is an indirect path. By taking the latter do we reach a point parallel to *mīqāt* or not?

**Answer.** For a person who travels towards the holy city of Mecca the parallel point is the place where *mīqāt* is situated on his left or right side. Thus, in the above mentioned ways there is no difference between the points parallel to *mīqāt*.

**Q52.** In the previous question, suppose there is no parallel point to *mīqāt*, is it permissible for a person who uses this road to visit the nearest place out of Ḥaram and wear *iḥrām* for 'umrah and hajj?

**Answer:** He is not allowed to pass *mīqāt* or a place parallel to *mīqāt*, without wearing *iḥrām*.

**Q53:** If a person fears for his safty and that of his family while wearing *iḥrām* at *mīqāt*, can he pass through *mīqāt* and wear *iḥrām* from the nearest point outside the Holy Ḥaram?

**Answer.** If he has a valid excuse of not wearing *iḥrām* from *mīqāt* and the excuse terminates after he has passed it, he should, if possible, return back to *mīqāt* for wearing *iḥrām*; or else he must wear *iḥrām* wherever he is (provided that there is no other *mīqāt* on the way and he cannot go to a *mīqāt*).

**Q54.** Is the courtyard of the Mosque al-Shajarah included in the places of the mosque for wearing *iḥrām*? Does the mosque mean the place where prayer is offered? Can a woman in state of menstruation enter the courtyard of the Mosque and can she wear *iḥrām* from a place in front of the mosque at right or left side? What is ruling about the place that is behind the courtyard of the Mosque al-Shajarah?

**Answer:** *Mīqāt* of Mosque al-Shajarah is only inside the mosque, even the new extensions. A woman in state of menstruation cannot wear *iḥrām* in the courtyard of the mosque. Rather, she should wear *iḥrām* while she enters from one door of the Mosque and exits the other door, or she should become *muḥrim* by *nadhr* before the Mosque, a place parallel to Juḥfah, or at Juḥfah itself.

## **IḤRĀM AND ITS DRESS**

**Q55.** If a person wears dress after saying *talbiyah*, is it obligatory to repeat it?

**Answer:** Repetition of *talbiyah* is not obligatory, though it is required on the basis of caution. In case, at the time of making intention and *talbiyah*, a person did not put off his stitched dress intentionally, on the basis of obligatory caution, he should repeat intention and *talbiyah*.

**Q56.** A person who wants to perform rites of 'umrah performs recommended *ghusl* for entering into the Masjid ul-ḥarām for the first time, is it recommended also to take a *ghusl* for the next time/s?

**Answer:** It is not specific to the first time.

**Q57.** If a person comes to know after reaching his country that his dress of *iḥrām* was impure while he was performing rites, is he considered non-*muḥrim*?

**Answer:** If he was ignorant of this impurity while performing the rites and he came out of *iḥrām*, his *tawāf* and hajj is valid.

**Q58.** Is it obligatory for a person to make intention for all rites of hajj while wearing *iḥrām*? What is the rule for a person who does not know that hajj *tamattu'* consists of *tawāf* and *sa'y* other than *tawāf* and *sa'y* of 'umrah *tamattu'* and consequently does not intend for *tawāf* and *sa'y* of hajj *tamattu'* while wearing *iḥrām*? He just intended general intention for hajj.

**Answer:** It is not obligatory to make intention with all details while wearing *iḥrām*. A general intention is sufficient for Hajj and 'umrah as long as he performs all the rites in accurate form at their exact places.

## PROHIBITIONS OF *IHRĀM*

**Q59.** Can a man and a woman dry their faces with a towel in state of *ihrām*?

**Answer:** For men, it is no problem. For women, it is no problem either provided that it is not considered as covering their face; otherwise it is not allowed. Anyhow, covering the face has no *kaffārah*.

**Q60.** What is ruling about drying face with towel for the women?

**Answer:** If she covers all her face with towel then it is problematic; otherwise, there is no problem.

**Q61.** What is the rule about drying the head with towel for men?

**Answer:** There is no objection unless he covers all his head with towel to make it dry.

**Q62.** Can a person in state of *ihrām* take all his head under the water?

**Answer:** One is not allowed to immerse all their head under the water but its prohibition about some part of head is not known.

**Q63.** What is *kaffārah* of covering one's head (for men)? Is the ruling for a part of a head the same as ruling for entire head?

**Answer:** On the basis of caution, one should slaughter a sheep for covering entire head. This rule is not applied to covering a part of head unless people say he has covered his head; for example, wearing a small hat that covers only the central part of head.

**Q64.** A person is deprived of sense of smell or does not feel the sense of smell due to cold and the flu, can such a person wear perfume on his body/dress? Can he hold his nose due to foul odor?

**Answer:** Wearing perfume is not allowed in any condition even though its smell is not identified by the person. He is the same as others as far as holding one's nose against bad smell is concerned.

**Q65.** What is ruling of using perfume frequently at one time or at different times without intervening *kaffārah*?

**Answer:** Repeated usage of perfume if the public considers it once does not lead to multiple *kaffārah*. Otherwise, one should pay *kaffārah* as many as they use it irrespective of whether or not there is an intervening *kaffārah*.

**Q66.** Is boasting absolutely forbidden or it is forbidden in case of humiliating others?

**Answer:** Boasting is forbidden in state of *iḥrām* though it does not include humiliation of other people.

**Q67.** What is ruling of fastening handkerchief on the head due to headache?

**Answer:** There is no objection.

**Q68.** Is it allowed for a person who is not *muḥrim* to throw something on the head of a *muḥrim* person, i.e. a *muḥrim* person is sleeping and he throws blanket on his head? What is the ruling if he is *muḥrim* too?

**Answer:** It is *ḥarām* for a *muḥrim* to cover his head, whether he covers his head himself or orders somebody else to do so. But covering the head of another person is not a forbidden act of *iḥrām* even though he is *muḥrim*.

**Q69.** If a *muḥrim* asks a non- *muḥrim* to cover his head with blanket when he is asleep, what is ruling about it? Suppose, he acts upon his request, is *kaffārah* obligatory or not, and in case of obligation of *kaffārah* who is to pay it?

**Answer:** A *muḥrim* person is not allowed to ask it from another person. If the latter acts upon his request, proof of *kaffārah* is not known. Anyhow, the person who asks such a request is not obligated to pay *kaffārah*.

**Q70.** Is it allowed for a *muḥrim* person to seek protection against rain while travelling in the night

(for example, by an umbrella, or under roof of a bus or car)?

**Answer:** On the basis of obligatory caution, one should avoid it unless it leads to unbearable difficulty. But he should by obligatory caution pay *kaffārah* for going under the shadow.

**Q71.** Can a person seek shadow due to light rain (drizzle)?

**Answer:** In case, it does not flow on the solid ground, it has no ruling. Though on the basis of caution, one should not go under the shadow against what is called rain — even in case it does not flow on the solid ground — in the common view.

**Q72.** Is covering head more than once requires multiple *kaffārah*?

**Answer:** In case, a person covers his head many times, on the basis of caution, he should pay multiple *kaffārah*.

**Q73.** If a man makes foreplay with one's spouse and gets discharged, what is *kaffārah*?

**Answer:** *Kaffārah* for foreplay that leads to discharge is slaughtering a camel.

**Q74.** Is there any difference for obligation of *kaffārah* for kissing whether or not it is with lust/accompanied by discharge of semen?

**Answer:** If a person kisses his wife with lust, *kaffārah* is slaughtering a camel and if he kisses her without lust, *kaffārah* is slaughtering a sheep. Apparently, kissing one's mother, son or daughter is not prohibited nor requires *kaffārah*.

**Q75.** If a pilgrim commits intercourse with her wife after two *wuqūfs* and before completion of *tawāf* of *nisā'*, what is the ruling about this case?

**Answer:** If he commits intercourse with his wife between Mash'ar and completion of *tawāf* of *nisā'*, his Hajj is valid and only should pay *kaffārah*. If it is after *tawāf* of *nisā'*, there is no *kaffārah*. There is a discussion among jurists — which is not encountered by people — that if it happens during the course of *tawāf* of *nisā'*, then whether after the middle of *tawāf* of *nisā'* or with the passage of the fifth round, it is ruled as its completion.

**Q76.** In Persian Gulf area, there is a tradition that the women cover their faces, i.e. they cover their faces with a piece of cloth other than their veil which is called *poshieh*.

1. What is ruling of covering face with it in state of *iḥrām*?
2. Does it make any difference if the *poshieh* is stitched to the veil and is considered a part of it?

3. If it is allowed for a woman to cover her face with *poshieh*, is it obligatory in state of *ihrām* to keep it away from her face so that it does not touch her face?
4. If the style of the veil is such that a piece of cloth is connected to it without stitching, is it allowed for her to cover her face with it?

**Answer:** It is not allowed for a woman to cover her face in state of *ihrām* whether by using veil or *poshieh*. It makes no difference whether it is stiched to the veil or separate from it, whether it is of the same material as the veil, attached or separated from it. Likewise, covering face with a piece of cloth from shawl or veil is not allowed, whether it is connected to it or separate from it.

Yet, the women can hang shawl, veil, a piece of cloth or handkerchief and any dress on their head as it may cover a part of forehead and face down to the upper part of nose. But, on the basis of caution, it is better that one should not let this covering touch her face.

**Q77.** Is usage of Mobile phone and telephones considered as the covering of ear or covering of head, both of which are prohibited in state of *ihrām*?

**Answer:** There is no objection to using a mobile or telephone or any other similar device in state of *ihrām*.

**Q78.** A person covers his head and ears due to cool weather upon recommendation of a doctor or any other reason, is it forbidden, should he pay *kaffārah*?

**Answer:** States of emergency expels its being obligatory. But in cases that it requires *kaffārah*, state of emergency does not change the rule of *kaffārah* and it should be paid.

**Q79.** In your viewpoint, up to what time a person can spread shadow over his head at night, either from sunset to *fajr* or up to sunrise?

**Answer:** Spreading shadow on the head at night is allowed until sunrise.

**Q80.** In state of *ihrām*, if a person drives an automobile with roof in the left lane of the road that is for fast driving or in the middle lane and it happens to rain during the drive and due to danger of an accident he cannot stop his vehicle immediately and he needs some time to reach a lane where one can stop. Therefore, it makes him to shade against raining. Does it require paying *kaffārah*?

**Answer:** If until his automobile stops, it is called spreading shadow on his head against rain, *kaffārah* is obligatory for him and having no other choice does not repel the *kaffārah*. Yet, in such a case, it is not remote that it is not considered as shading by choice.

**Q81.** What is the rule on utilization of masks for the protection against polluted air which is fastened behind the head and covers a small part of head?

**Answer:** Using ordinary mask by the women is no problem and putting its band behind the head is allowed for men.

## ***TAWĀF AND ITS PRAYER***

**Q82.** A person performs recommended *tawāf* in Masjid ul-Ḥarām when it is over-crowded and creates disturbance for the people performing their obligatory *tawāf*, is his *tawāf* objectionable, particularly when there is sufficient time for recommended *tawāf*?

**Answer:** There is no objection, but it is better that he does not perform recommended *tawāf* at crowded time.

**Q83.** Is one *tawāf* of *nisā'* sufficient for one '*umrah mufradah* and Hajj *tamattu'*?

**Answer:** Both ‘*umrah mufradah* and *hajj tamattu’* have separate *tawāf* of *nisā’*, and one *tawāf* is not sufficient.

However it is possible that one *tawāf* would be sufficient for becoming a woman *ḥalāl* for her husband and vice versa.

**Q84.** Can prayer of a *mustahabb tawāf* be performed in state of walking and moving?

**Answer:** Although it is prayer for a *mustahabb tawāf*, validity of prayer of *tawāf* in state of walking is problematic and it is more compatible with caution to offer it in a stable state.

**Q85.** What is the ruling about offering prayer during *tawāf*?

**Answer:** If a person is able to intend both *tawāf* and recommended prayer in state of *tawāf*, there is no objection.

**Q86.** If *tawāf* of Hajj and its prayer or *tawāf* of *nisā’* and its prayer become void due to any reason, is its *qadā’* to be performed in the month of Dhul-Hijjah or any time will be sufficient?

**Answer:** The time of *tawāf* of Hajj and its prayer is in the month of Dhul-Ḥijjah but *tawāf* of *nisā’* and its prayer holds no specific time.

**Q87.** Is it obligatory that prayer of *tawāf* should be performed at the nearest point to the *Maqām* of Ibrahim (Peace be upon Him), though this deed would cause trouble and hardship for the people who are performing *tawāf*; or for the sake of being close to it, a person should perform the prayer in the center of the people who are performing *tawāf*?

**Answer:** In the given case, it is not obligatory to offer prayer near the *Maqām* of Ibrahim (Peace be upon Him).

**Q88.** Is it allowed for a Muslim woman to take a tablet to delay her menstruation so as to be able to perform *tawāf* and its prayer at their time?

**Answer:** Unless this deed is considerably harmful to her health, it is allowed.

**Q89.** What is the ruling about the person who adds one round of *tawāf* as a caution? Is there any difference if he intends it in the beginning or in the middle of *tawāf*?

**Answer:** If a person intends in the beginning to perform seven rounds, this addition does not cause any harm for the validity of *tawāf*.

**Q90. A)** A person thinks that the intention is considered valid only in spoken form but makes *tawāf* with some people intending within heart

without saying it. As a result, he maintains that this round of *tawāf* is not valid. What is the rule if he cancels this round of *tawāf* to begin a new seven-round *tawāf* after making a verbal intention? Does it suffice to neglect this round and perform another round instead or it is necessary to do a *tawāf* invalidator?

**Answer:** Permission of neglecting only one round is objectionable. Only it is permissible to neglect the whole performed *tawāf* and to start new rounds of *tawāf*. In order to relinquish/neglect *tawāf*, there is no need for passage of time or committing a deed but one's intention to do so results in relinquishment. Anyhow, in the given situation, *tawāf* is valid and intention of relinquishment one round and performing another round instead does not make the *tawāf* invalid.

**B):** A person relinquishes one round due to ignorance or mistake in religious ruling, what is commandment for it?

**Answer:** It does not make the *tawāf* invalid.

**C):** Is belief in the invalidity of only one round sufficient for its cancellation and performing another round as its replacement? Or it is obligatory for him to intend neglecting it?

**Answer:** As said in previous issue, intention of relinquishing is sufficient for its relinquishment, though it is due to belief in invalidity of a round.

**Q91.A):** If a person believes that his *.tawāf* and *sa'y* are invalid by doing a certain deed while in fact, this deed does not make it invalid, what is the ruling about this issue?

For example, if he believes that he committed a deed during the *.tawāf* that made it invalid like congregational prayer, or short rest of one or two minutes, or that the intention should be expressed by tongue or any other deed that in fact does not make *.tawāf* and *sa'y* invalid.

**Answer:** If due to belief in invalidity of *.tawāf*, he relinquishes it and starts a new *.tawāf*, his new *.tawāf* is valid.

**B)** If due to belief in invalidity of *.tawāf*, he relinquishes *.tawāf* and starts a new *.tawāf*, what is ruling about it?

**Answer:** His new *.tawāf* is valid. He has no duty in this regard.

**C)** If due to belief in invalidity of only one round of *.tawāf*, he starts a new round, what is ruling about this issue?

**Answer:** Permission of relinquishing only one round is objectionable but his *tawāf* is valid and it would be sufficient for him.

**Q92.** If a person takes a few steps without his own will while performing *tawāf*, what is ruling about it?

**Answer:** If he is performing *tawāf* of his own free will but he may go forward, this side or that side due to crowd pressure, there is no objection. But if he is driven by another person without free will, it is problematic.

## SA'Y

**Q93.** During the course of performing *sa'y* between *Safā* and Marvah, some people gather beside the mountains of *Safā* and Marvah, which makes it very hard for the people who are performing *sa'y* to move.

Is it obligatory for a person who is performing *sa'y* to struggle to reach on top of the mountain exactly or is it sufficient to reach the first stone of the mountain (the place from where weak people start performing *sa'y*)?

**Answer:** It is enough to mount towards *Safā* and Marvah mountains to the extent it is said one has

reached the mountain and has covered the distance between the two.

**Q94.** With the expansion of the track of sa'y, all the previous places of sa'y have been put one side and for the other side one should use the extension.

If a person does not know that the newly expanded place is between the two mountains *Safā* and Marvah and perhaps it is located beyond the two mountains or one of the two mountains, what is his duty?

**Answer:** Performing sa'y in this place is valid and sufficient.

**Q95.** What is the ruling about performing sa'y on the first floor which is above the two current mountains, particularly for those people who are unable to perform sa'y on the ground floor like handicapped people?

**Answer:** Performing sa'y on the first floor which is at a place higher than *Safā* and Marvah is not adequate. The person who is handicapped and is unable to perform sa'y even with a wheelchair should hire a representative for this rite.

**Q96.** After performing sa'y, a person realized that he has recited the Surah in the prayer of *tawāf* wrongly while he thought it was correct. Should

he perform *tawāf*, its prayer and Sa'y again or should he repeat only prayer of *tawāf* or it is not obligatory to perform anything?

**Answer:** It is not obligatory to perform anything as the surah was not recited intentionally wrong, and his performed rites are considered valid.

**Q97.** What is ruling about performing *sa'y* with a wheelchair with people's assistance, though he can drive his wheelchair himself?

**Answer:** If he can drive his wheelchair, seeking help from others is not allowed.

**Q98.** A person performs fourteen rounds of *sa'y* because of ignorance or forgetfulness, what is the rule?

**Answer:** If he had — from the beginning — intention to perform seven rounds, his *sa'y* is valid.

## MASH'AR (MUZDALIFAH)

**Q99.** Some servants of caravans move from *Mash'ar ul-Harām* with women and the weak at the night before *Eid ul-Adha* and reach *Minā* early in the morning, if they are able to return to *Mash'ar* before *fajr* and can find opportunity of *wuqūf* in it, what should they do?

**Answer:** If they exit with the women and weak people, after staying there for a while enough to say

they have stayed in Mash‘ar, it is not obligatory for them to return for normal *wuqūf*.

- 1) Is their performing *ramy* (stoning) with women and weak people at night sufficient or they should perform it in the day?

**Answer:** *Ramy* (stoning) at night is not sufficient for them. However, if they are excused from performing *ramy* (stoning) during the day, they can perform at night.

- 2) In case, a person can come back for *wuqūf*, can he be hired (to do hajj on behalf of another person)? Or exiting Mash‘ar at night makes it impermissible for them to be a representative as it is the case with the handicapped.

**Answer:** On the basis of obligatory caution, the representative should not exit Mash‘ar, though he may return to Mash‘ar ul-Ḥarām for *wuqūf*.

However, if he is not excused and does not exit Mash‘ar without his own free will, he is allowed to perform hajj on behalf of another person if he returns and perform normal (*ikhtiyarī*) *wuqūf*.

**Q100.** Taking into consideration the difficulties and traffic regulations put into effect by the police, is it obligatory for those persons who take the women and diseased people to *Minā* at night

before Eid ul-Adha to return back to Mash'ar before the sunrise or they may only stay there between *fajr* and sunrise or it is enough to stay there for a short time? Does the person who performs Hajj on the behalf of others have any different ruling from others?

**Answer:** *Wuqūf* between *fajr* and sunrise is not obligatory for people who have the responsibility of handicapped persons and it is enough for them to observe emergency stay at night. However, the person who is performing Hajj on behalf is not allowed to do so and such people should perform normal rites.

**Q101.** After *wuqūf* in the land of 'Arafāt, is it allowed for a pilgrim not to go to Mash'ar? For example, he goes to the holy city of Mecca and before the morning *adhān* or before the middle of night, he makes his presence in Mash'ar or should he go directly to Mash'ar?

**Answer:** It is not obligatory to go to Mash'ar directly. He can stay in the holy city of Mecca or any other place for a few hours and return to Mash'ar before the *fajr*.

**Q102.** If an excused person exits Mash'ar after staying in it on the basis of emergency but before *fajr* his excuse is removed, is it obligatory for him to return to Mash'ar for normal *wuqūf*?

**Answer:** If his emergency *wuqūf* was due to an excuse and later he finds out otherwise, he must observe normal *wuqūf* in Mash'ar, in case there is enough time.

## **ḤALQ AND TAQSĪR**

**Q103.** The person who intends to perform obligatory *hajjat ul-Islam*, can he make his hair of head and beard short in the month of Dhul-Qa'dah of the very year?

**Answer:** It is allowed to do so although it is desirable in the view of religious law not to do.

**Q104.** Is it allowed for women to perform *taqsīr* at the night of Eid ul-Adha after performing *ramy* (stoning) at Jamarah 'Aqabah? Is there any difference whether she has appointed/hired a person to slaughter an animal on the day of Eid after the sunrise or not?

**Answer:** It is allowed to perform *taqsīr* in Minā for a woman who has no responsibility of slaughtering an animal. She may go to the holy city of Mecca for performing rites of Hajj if she wants. However, the woman who has the responsibility of slaughtering an animal, it is obligatory for her to wait until the animal is slaughtered on her behalf on the day of Eid. Hiring a representative for slaughtering an animal is not sufficient for *taqsīr* at night.

**Q105.** A person hires a representative for slaughtering an animal, can he/she perform *taqsīr* or *ḥalq* before returning of the hired person or receiving the news that the animal has been slaughtered?

**Answer:** He/she should wait to receive the news from the hired person. However, if he/she makes haste in performing *ḥalq* or *taqsīr* and accidentally performs *ḥalq* and *taqsīr* before slaughtering of animal by the hired person, his/her deed is invalid and it is compulsory to repeat this act.

**Q106.** If a person performs *taqsīr* outside *Minā* due to ignorance of the ruling, what is commandment about this issue? Is it compulsory that he should enter *Minā* again for *taqsīr*?

**Answer:** Performing *taqsīr* outside *Minā* is not sufficient whether it is due to mistake or ignorance.

**Q107.** A person forgets *taqsīr* in ‘*umrah mufradah* and performs *tawāf* of *nisā’*, what is the ruling about this issue? Is it obligatory for him to perform *taqsīr* and *tawāf* of *nisā’* or only performing *taqsīr* is obligatory and there is no need to repeat *tawāf* of *nisā’*?

**Answer:** It is obligatory for them to perform *taqsīr*, *tawāf* of *nisā’* and its prayer once again.

## **SACRIFICE AND SLAUGHTERING THE ANIMAL**

**Q108.** A person hires a representative for slaughtering the animal, can he/she sleep before the returning of hired person?

**Answer:** There is no objection.

**Q109.** At present, it is impossible to slaughter an animal in *Minā* as the authorities have specified another place outside *Minā*.

It is said that meat of the slaughtered animal is thrown away and wasted. A lot of money is spent on animal purchase while many poor people are dying due to malnutrition.

Can a pilgrim slaughter the animal in his own country or appoint a person through a telephone call so that he may slaughter the animal and the meat of the animal would be divided amongst the poor people? Or this slaughter should be done on the very place of slaughtering gate? Can a person follow the decree of other jurists who consider it permissible as it is quoted from some learned figures?

**Answer:** This deed is not permissible and slaughtering should be performed in *Minā*. If slaughtering in *Minā* is not possible, it should be done

at the place that has been spared for this deed, so that the Divine motto is observed.

**Q110.** At present, the authorities have forbidden slaughtering the animal in the land of *Minā*. Can the pilgrims slaughter the animal out of *Haram* or slaughtering the animal in the holy city of Mecca would be sufficient?

**Answer:** Slaughtering animal is not allowed at any place except *Minā*. However if slaughtering is banned in *Minā*, it should be done at the place that is situated near *Minā* and specified for this deed.

**Q111.** There are many welfare institutions in Saudi Arabia that take the responsibility of slaughtering animals on the behalf of pilgrims and they divide the meat of these animals amongst the needy and the poor. What is view of His Highness and what conditions are compulsory for it?

**Answer:** It is compulsory that the conditions of slaughtering animal should be fulfilled as mentioned in the books on hajj rites.

**Q112.** Can a person hand over the meat of slaughtered animal to welfare institutions so that they may divide it amongst the needy?

**Answer:** There is no objection to it.

**Q113.** A few people have slaughtered the animals in the holy city of Mecca near *Minā*. Now, they are in state of doubt whether their slaughtering was permissible and sufficient or not and should they repeat their deed during the remaining days of Dhul-Hijjah? Should they repeat it in Mu'eisam?

**Answer:** In case, it is impossible for a person to slaughter an animal in *Minā*, it is obligatory for him, if possible, to slaughter the animal at the nearest place to *Minā*. Therefore, if the distance of slaughtering place is equal to the distance of Mu'eisam to *Minā* or nearer to it, slaughtering is sufficient and allowed.

**Q114.** If slaughtering is not allowed in the holy city of Mecca, what about the subsequent acts performed in the holy city of Mecca (like *tawāf* of Hajj, prayer, *sa'y*, *tawāf* of *nisā'* and its prayer)? Are these deeds valid or it is obligatory to repeat them?

**Answer:** Apparently, if a person delays the slaughtering due to ignorance, his deeds are valid, though caution is better.

## **PASSING THE NIGHT IN MINĀ AND DEPARTING FROM MINĀ**

**Q115.** Taking into consideration that the pilgrims are allowed to spend night worshiping in the holy city of Mecca instead of staying overnight in *Minā*; does eating, taking *ghusl*, doing *wuḍū'*, going to toilet or participating in funerals of a believer violate their duty of "worshiping the whole night"?

**Answer:** Eating and drinking as much as needed, going to toilet, renewal of *wuḍū'* or performing obligatory *ghusl* does not damage the continuity of worship.

**Q116.** Regarding the previous inquiry, if performing a deed would be against the continuity of worship, will *kaffārah* be obligatory?

**Answer:** Instead of staying overnight in *Minā* if a person performs a deed — except for something necessary like eating and drinking and going to toilet — other than worship in the holy city of Mecca *kaffārah* will be obligatory.

**Q117.** A person stays in *Minā* at the night before the twelfth and after midnight he exits, is it obligatory for him to return back to *Minā* before the noon so that he may accomplish departure — which is obligatory for those who are in *Minā* — after the noon time? Is there any objection, if he goes to *Minā* in the morning on the twelfth day so that he may perform *ramy* (stoning) alone and

then return to Mecca or he should stay in *Minā*, particularly when he can perform *ramy* (stoning) at *Jamarāt* by choice in the afternoon and depart from *Minā* before sunset?

**Answer:** A person, who is in *Minā* on the twelfth day, should depart from *Minā* after 'noon'. However, as long as the question is concerned, they may leave Mecca for *Minā* after 'noon' and depart *Minā* after *ramy* but before sunset.

Therefore, going to the holy city of Mecca after the middle of the night before the twelfth is permissible, however he should return back to *Minā* for *ramy* (stoning) on the twelfth day and leave *Minā*.

But the person who has no responsibility of *ramy* (stoning) at *Jamarāt* on twelfth day — like the person who has the duty of *ramy* (stoning) at night (like children, and women and old men) — if he/she spends half of the night and performs *ramy* (stoning) at *Jamarāt*, he/she may depart from *Minā* at night and it is not compulsory to return to *Minā* for departure in the afternoon.

**Q118.** Because there are too many pilgrims to stay in *Minā*, a large part of camps for stay are located outside *Minā* at the foothill or on the top of mountains attached to *Minā*, is staying overnight in these camps permissible?

**Answer:** If a person is unable to spend night in *Minā*, spending night in these camps is permissible and there is no *kaffārah*.

**Q119.** What is the start and end of the night as far as stay in *Minā* and the midnight as far as *maghrib* and ‘*ishā*’ prayers are concerned?

**Answer:** The criterion of midnight regarding stay in *Minā* is considered as middle of the time between sunset and *fajr*. It is the same for calculating midnight *maghrib* and ‘*ishā*’ prayers.

**Q120.** A person departs from *Minā* in the afternoon on the twelfth day and returns back to *Minā* for a reason, due to ignorance, by mistake, or knowingly and is in *Minā* at the sunset before the thirteenth, is staying at night before the thirteenth in *Minā* or *ramy* (stoning) of the day of thirteenth obligatory for him?

**Answer:** If a pilgrim is in *Minā* at sunset on the twelfth, he/she should spend the night before the thirteenth in *Minā* and on the day of thirteenth he should perform *ramy* (stoning) at *Jamarāt*.

**Q121.** Is the boundary of *Minā*, *Jamarah* ‘*Aqabah* or ‘*Aqabah* itself?

**Answer:** It should be asked from the learned and reliable person but as a whole there is no need to be exact regarding the boundary of ‘*Arafāt*, *Muzdalfah*

and Minā. It suffices to consider the common viewpoint and apparently according to the correct tradition of Mu'āwiyah Ibn 'Ammar, Minā is situated between 'Aqabah and the valley of Muhassar and the valley of Muhassar and 'Aqabah are out of Minā.

**Q122.** A person exits the boundary of *Minā* during the second night of stay due to ignorance, what is the ruling about him? Does it make a difference whether or not he returns to *Minā* rightaway?

**Answer:** If he stays in Minā in the first half or the second half of the night, he/she is not responsible for anything.

Otherwise, he/she should slaughter a sheep as a *kaffārah* unless he/she exits the Minā for a short time like two to five minutes so that it does not harm the stay in Minā for the whole half night as judged by common view.

**Q123.** A person exits *Minā* before noon on the twelfth Dhul-ḥijjah without intention of returning to *Minā* and then departing *Minā*. Besides committing disobedience, is there any ruling about him/her?

**Answer:** He/she has committed a sin because of departing from Minā before the noon. However, he/she is not responsible for anything else.

## RAMY (STONING) AT JAMARĀT

**Q124.** While performing *ramy* (stoning) or before performing *ramy* (stoning) if a used pebble falls into the container and gets mixed with new and un-thrown pebbles, should we throw eight stones while one of them is used?

**Answer:** When you are sure you have performed *ramy* (stoning) using new and unused pebbles, it is valid and sufficient.

**Q125.** A person is able to perform *ramy* (stoning) on the Eid ul-Adha but in the afternoon as there is no crowd at Jamarah 'Aqabah at that time, can this person hire a representative for performing *ramy* (stoning) in the morning of Eid? If he wants to perform *ramy* (stoning) in the afternoon, he would not be able to slaughter the animal on the day of Eid. Can he hire a representative for *ramy* (stoning) so that he may slaughter the animal on the day of Eid, though he can do it in the afternoon personally?

Likewise, a person has been hiring a representative for *ramy* (stoning) in the morning of the day of Eid since many years though he was able to perform *ramy* (stoning) personally, now what is his responsibility?

**Answer:** In case of capability of performing *ramy* (stoning) even in the afternoon, hiring a representative is not valid but if he/she does not hope that the excuse may be removed until the last moment of the day, they may hire a representative.

If by chance, their excuse is removed after performing the rite, the rite of their representative is sufficient and its repetition is not compulsory. Regarding the previous years, if hiring a representative was not valid, he should compensate for it.

**Q126.** Taking into consideration the new expansion in Jamarāt, if a part of the wall of Jamarah 'Aqabah (wall of 24 meters) would be outside Minā, is performing *ramy* (stoning) on that part valid while the whole wall is considered as Jamarah 'Aqabah?

**Answer:** In case of conviction that a part of the expanded jamarah is situated outside Minā, on the basis of caution, one should perform stoning at a part that is not outside Minā.

**Q127.** Taking into consideration the new expansion in Jamarāt, what is duty of a person who does not know the real part, or is it sufficient to stone at any part?

**Answer:** If a person can perform *ramy* (stoning) and can throw pebbles at the actual place of previous pillar

without unbearable difficulty, it is obligatory that he should perform *ramy* (stoning) at that place but if searching for that place and performing *ramy* at it results in unbearable difficulty, it is sufficient to throw pebbles on any part of the wall.

**Q128.** Taking into consideration that the women can perform *ramy* (stoning) at night before the tenth day, should it be the night before Eid or it is valid to do it at the night after Eid? In case of permission, if she is doing hajj on behalf, what is the ruling?

**Answer:** In case of being able, one should perform *ramy* (stoning) at the Jamarah ‘Aqabah at the night before Eid, particularly, if her hajj would be hajj on behalf. Delaying it to the night after Eid is not valid. However, if she performs *ramy* (stoning) at Jamarah ‘Aqabah on the day of Eid, it is no problem.

**Q129.** Can a woman perform *ramy* (stoning) at the three *jamarah* at night because of fear of over-crowd? Is it the only choice for them or they can perform stoning during the day by hiring a representative instead of waiting for the night to perform *ramy*?

**Answer:** If they can perform *ramy* at night even the night after, it is not permissible for them to hire a representative.

## MISCELLANEOUS ISSUES

**Q130.** The stones paving the ground floor of the Masjid ul-Ḥarām are purified by qalīl water and they pour water on impurity so that normally the place remains *najis*. Is prostration on the floor stone of the Mosque valid?

**Answer:** In the supposed situation, one cannot consider the whole area of masjid to be *najis*. Investigation is not obligatory and as a result prostration on the ground is valid.

**Q131.** When Masjid ul-Ḥarām becomes *najis* due to blood, urine or other impurity, the workers purify the floor using a method that is not purifying in our view. In this state, what is ruling of the prayer that has been performed on the floor (dried or wet) of Masjid ul-Ḥarām?

**Answer:** As long as a person is not sure that his place of prostration is *najis*, his prayer is valid.

**Q132.** Is performing congregational prayer circling around the Holy Ka'bah valid and sufficient?

**Answer:** The prayer of a person who is standing behind the Imam or on one of the two sides of Imam is valid. On the basis of recommended caution, a person who is standing on one of the side of Imam should observe the distance between Imam of

congregation and holy Ka‘bah and should not be nearer to the Ka‘bah. A person who is standing on the other side of Ka‘bah in front of Imam, his prayer is not valid.

**Q133.** Is it permissible to perform prayer behind a Sunni Imam in the holy cities of Mecca and Medina?

**Answer:** Yes, it is sufficient and valid.

**Q134.** Is permission of offering prayer behind a Sunni Imam confined to *adā’* prayer or it includes *qadā’* prayer as well?

**Answer:** Only it is sure that it is permissible to offer *adā’* prayer behind a Sunni Imam and the validity of offering *qadā’* prayer behind him is problematic, rather it is invalid.

**Q135.** What is ruling about exiting Masjid ul-Ḥarām and Masjid un-Nabī, at the time of *adhān* and *iqāmah* taking into consideration that Sunnis enter the mosque at this time and may find this act faulty in nature and reprimand us for it?

**Answer:** In view of others, if this deed reflects looking down upon offering prayer at the beginning of its time and leads to disgrace of our shool of thought, it is not permissible.

**Q136.** It has been mentioned in some inquires that you do not allow people to perform congregational prayers in the hotels of Mecca. Is offering congregational prayer in the houses allocated to hajj groups permissible? It is noteworthy that these houses are specific for the caravans and offering congregational prayer will not be an excuse of missing the prayer in Masjid ul-Ḥarām.

**Answer:** I do not consider it permissible if offering congregational prayers in the houses would attract others' attention and may lead to reminding pilgrims for not participating in congregational prayer of Muslims in the mosque.

**Q137.** What is ruling on the prayer in 'Arafāt, Mash'ar, and Minā and on the way between them for a person who has intention to stay in the holy city of Mecca for ten days?

**Answer:** If he has made intention to stay in the holy city of Mecca for ten days before going to 'Arafāt and he has performed at least one four-rak'ah prayer having this intention, the ruling of stay remains unless he starts a new journey. After that their going to 'Arafāt, Mash'ar ul- Ḥarām and Minā is not considered as a journey.

**Q138.** Does the ruling of having the choice to offer prayer in full or two *rak'ahs* apply to all

places in the holy cities of Mecca and Medina or it is specific to Masjid ul-Ḥarām and Masjid an-Nabi? Is there any difference between the ancient and new parts of the cities?

**Answer:** One has the choice to offer prayer in full or in two *rak'ahs* in all the places of these two sacred cities. Apparently, there is no difference between the new and old localities of the two cities. However, on the basis of recommended caution, the choice is confined to the old localities, rather to the two sacred Mosques and the prayer should be offered in two *rak'ahs* in the other places of the two cities unless with the intention of stay for ten days.

**Q139.** What is ruling of the Hajj for a person who avoids participating in the ceremonies of abhor and detestation from the infidels?

**Answer:** It does not disturb the validity of the Hajj, though one has deprived himself of the reward of participation in the ceremonies of detestation against the enemies of Allah Almighty.

**Q140.** Can a woman in state of menstruation or puerperium sit on the wall between Masjid ul-Ḥarām and Mas'ā?

**Answer:** There is no objection to it unless it would be proved that it is a part of Masjid ul-Ḥarām.

**Q141.** My mother is among the offspring of the Holy Prophet (saw), shall I be considered as a *siyyed*. Can I consider my monthly bleeding as menstruation up to sixty years and not to perform my prayer and fast then?

**Answer:** The age of menopause is a case of contemplation and caution. Regarding this issue, the women can consult another *mujtahid* who enjoys all requirements.

**Q142.** What is ruling about the Hajj of a person who doubts *wuqūf* and Eid because of differences in observing crescent? Should he repeat his Hajj or not?

**Answer:** If he acts upon the view and ruling of the Sunni jurist regarding the crescent of the month of Dhul-Ḥijjah, it will be sufficient. Therefore, whenever he performs the *wuqūf* with other people, his Hajj is sufficient and valid.

**Q143.** The people, who live within the religiously legal distance of 16 *farsakh*, can perform hajj *ifrād*.

1- From where does this distance start and end? If the criterion of this distance is the last houses in Jaddah and first houses in the holy city of Mecca, is the boundary of the holy city of Mecca

expandable, and should this part be considered a part of the Holy city of Mecca?

**Answer:** For a person who lives in a city or village close to the holy city of Mecca, the criterion for measuring distance starts from the last point of the city or village to the beginning of the holy city of Mecca. Mecca is expandable and one should consider the places that are included in Mecca at the time being.

2- What is your viewpoint about the beginning point of measuring the distance: is it the last point of the city where a person lives?

**Answer:** As it was said earlier, the criterion in measuring the distance between his city and the holy city of Mecca is the distance to the current holy city of Mecca. However, it is more compatible with caution to measure the distance from his house.

**Q144.** A person wants to recite the Holy Qur'an and supplications, or say *mustahabb* prayer behind the Maqām Ibrahim (pbuh), is it permissible for him to do so if it makes difficult for the people who want to offer the prayer of their obligatory *tawāf*?

**Answer:** It is better, rather more compatible with caution, to select a place for recommended worship where there is little or no crowd.

**Q145.** Is performing prostration on the rugs in Masjid un-Nabi valid? Taking into consideration, that if we place a piece of paper in front of us or use a prayer rug with something valid for prostration, it attracts their attention and the opponents look down upon and reprimand the persons praying like that.

**Answer:** When a person should do *taqiyyah*, he can perform prostration on the carpet or the like and it is not obligatory for him to find another place for offering prayer. In case, he can perform prostration on a leaf, stone or the like, on the basis of obligatory caution, he should perform prostration on these things.

**Q146.** Is performing prostration on the stones of floor of Masjid ul-Ḥarām and Masjid An-Nabi valid? As a whole, on what kind of stone, one can perform prostration? What is the ruling about the prostration on bricks and clay?

**Answer:** Prostration on marble and other types of stones used in construction/adornment of the buildings is permissible and valid. The same rule applies to prostration on agate, turquoise and pearl although it is caution not to prostrate on the second group. Prostration on a brick, clay and plaster, lime and cement is also valid.

**Q147.** If a Shiite person performs a two-rak'ah prayer for the respect of the mosque (in a Sunni

mosque), is it permissible for him to perform prostration on the thing on which prostration is not valid?

**Answer:** If maintaining Islamic unity requires so, then there is no problem.

**Q148.** In the book of rites of Hajj by Ayatullah Gulpaigani, His Highness has mentioned a lot of recommended deeds related to rites of Hajj. What is the viewpoint of His Highness about practicing these recommended deeds?

**Answer:** There is no objection if a person acts upon them with the hope of reward.

**Q149.** What is the ruling about doing wuḍū' with cool water in Masjid ul-Ḥarām which is allocated to drinking?

**Answer:** Validity of wuḍū' with water doubting permissibility of using them for wuḍū' is problematic, rather it is invalid.

**Q150.** Usually people perform recommended deed such as zeyārah, ṭawāf or 'umrah mufradah for both themselves and other people. Is it valid to perform a single deed for oneself and on the behalf of others simultaneously?

**Answer:** Sharing with others the reward of recommend hajj or 'umrah is permissible.

**Q151.** If the most knowledgeable *mujtahid* does not give fatwā about an issue and regards it “on the basis of obligatory caution” but the second most knowledgeable *mujtahid* does not consider it as caution, is it compulsory for the follower of the former to be aware of it and then refer to the latter, or it suffices that he wants to follow his duty and acts in accordance with the latter's *fatwa*?

In other words, the most knowledgeable *mujtahid* says to wear *iḥrām* in the old locality of the holy city of Mecca by obligatory caution while the second most knowledgeable *mujtahid* does not consider this caution and the follower wear *iḥrām* in the new locality and finds out after performing hajj rites this caution, are their rites valid or not? What is their duty now?

Answer: While performing the deed, if his deed is in accordance with the ruling of a jurist whom he is allowed to follow and he intends to follow him, they are sufficient and valid.

**Q152.** In some cases, the pilgrims of Baitullāh il-Ḥarām or other travelers are in the airplane. Taking into consideration the fact that saying prayer in an airplane does not disturb one's stability and being still while praying, can they say their prayers in the airplane if all other

conditions such as *qiyām*, *qiblah*, *rukūʿ*, and prostration are observed while they are of conviction, or think, they would be able to perform the prayer after landing at the airport? In this case, is offering prayer in the airplane sufficient or he should delay the prayer?

In case, he offers prayer in such a state and before the prayer time is over he reaches his destination, is it obligatory for him to repeat his prayer or not?

**Answer:** If he observes the state of being still while praying and facing towards *qiblah*, his prayer is valid and permissible, rather he gains more reward by offering prayer in the beginning of its time.

**Q153.** Is observing the fasts for the fulfillment of one's need only *mustaḥabb* for the travelers or it includes the people of holy city of Medina and those who intend to stay ten days there?

**Answer:** It is not confined to the travelers. They are mentioned exclusively to show they are exempted from general rule of not fasting during a travel.

**Q154.** A person has performed a recommended '*umrah tamattu'*. Is he allowed to leave it like that without any excuse and does not perform hajj *tamattu'*? In case of permission, is it obligatory to perform *tawāf* of *nisā'* or not?

**Answer:** Yes, he may leave it and he has no duty. On the basis of recommended caution, he should perform *tawāf* of *nisā'*.