



## كتاب الحج

# THE BOOK OF HAJJ

The word ‘Hajj’ - حج - is linguistically synonymous with the word ‘Qasd’ - قصد - (Aim, intention). In the Shariah it applies to the well-known religious pilgrimage to Mecca and its surrounding precincts, which is to be carried out by a Muslim at least once in his or her lifetime.

### The Ruling of Hajj حكم الحج

Hajj is binding when the following conditions are fulfilled. The first set of conditions is called ‘prerequisites for being an obligation’ {شروط الوجوب}:

- That one is a freeperson (i.e. non-slave)
- That one is at least pubescent
- That one is sane
- And that one has the capacity to fulfill the Hajj. This means,
  - a. That the path taken is secure as not to put the person’s life or property in danger
  - b. That one has sufficient means to reach Mecca
  - c. That one has the strength to reach Mecca on foot or riding
  - d. And that one is physically fit to complete the rites<sup>1</sup>

There is another set of conditions known as ‘prerequisites for the validity’ {شروط الصحة}. For Hajj, this is only one:

- Islam

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<sup>1</sup> All of this means that Hajj is not compulsory for a slave, a non-pubescent child, an insane person, or one who isn’t fully capable. Despite that, the Hajj of each of those mentioned is considered to be valid, but they are merely given the reward of performing a voluntary act with the exception of the person who is physically and extraneously incapable of carrying out the Hajj, as long as his intention is to fulfill an obligation as opposed to a voluntary act.

### أركان الحج *The Compulsory Acts of Hajj*

There are two types of Compulsory Acts for the Hajj in the *Maliki School*:

- 1- اللواجبات غير الأركان - The compulsory Acts that **are not** Chief Elements of the Hajj
- 2- اللواجبات الأركان - The compulsory Acts that **are** Chief Elements of the Hajj

The difference between the two is that the first type can be compensated for if abandoned by substituting it with an animal sacrifice<sup>2</sup>, if he or she *intentionally* and *willfully* abandons any one of them. However, if someone *forgetfully* abandons one or more of these types of compulsory acts or if abandoning it is the result of fearing that one will miss the standing in ‘*Arafah*’<sup>3</sup>, one will not be required to sacrifice.

As for the second type of prerequisites, the Hajj is rendered invalid as a result of any of them being relinquished. A sacrifice *cannot* take the place of one of these acts.

Now let’s have a closer look at the Compulsory Acts of Hajj. First, we’ll have a look at the Compulsory Acts that are also Chief Elements of the Hajj.

#### - اللواجبات الأركان *The Compulsory Acts-Chief Elements*

The Compulsory Acts-Chief Elements of Hajj are as follows:

1. الإحرام (*al-ihram*) - That is, making the intention to begin the Hajj and adorning ones self in the attire of the pilgrim
2. السعي (*al-sa’y*) – That is, running between the two hills of *Safa* and *Marwah* seven times.<sup>4</sup>

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<sup>2</sup> The sacrificial slaughter of the Hajj is called ‘*Hady*’ (هدي). The *hady* is a camel, a cow, or a sheep.

<sup>3</sup> The person who fears missing the standing in the plain of ‘*Arafah*’ because he is performing another act connected with the Hajj is called a *Murahiq* (مراهق).

<sup>4</sup> The Acts of Sa’y لفعال السعي

- I. The Conditions of *Sa’y* (فروطا السعي)
  1. The Completion of Seven circuits
  2. Beginning at *Safa*
  3. Performing *Tawaf* before it

- II. The Sunnahs of *Sa’y* (سنن السعي)

3. الوقوف بعرفة ليلا (*al-'arafah*) – Being present in the plain of 'Arafah (i.e. at sunset)<sup>5</sup>
4. طواف الإفاضة (*tawaf al-ifadah*)<sup>6</sup> - The circumambulation of issuance. This circumambulation is performed once the pilgrim has carried out the major rites of the Hajj and shaved or shortened his or her hair.

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1. Kissing the Black Stone after performing the 2 units connected with *Tawaf*
  2. Ascending the top of *Safa* and *Marwah*
  3. Jogging between the two green mountains during all 7 circuits
  4. Supplication

### III. The Favorable Acts of *Sa'y* (مستحبات السعي)

1. Ritual Purity
2. Cleanliness
3. Covering one's nakedness

<sup>5</sup> That is, to be present in the plain of 'Arafah at the time of sunset is a compulsory act and a chief element of the Hajj. As for being present in the plain *before then*, it is also compulsory. But it is not a chief element. So one would be able to compensate for this abandonment by sacrificing.

<sup>6</sup> The Acts of *Tawaf* (أفعال الطواف)

#### I. The Compulsory Components of *Tawaf* (واجبات الطواف)

1. Ritual purity
2. Cleanliness
3. Covering one's nakedness
4. Seven complete circuits
5. Continuity between the circuits
6. Performing *tawaf* inside the Mosque
7. Performing *tawaf* beyond the *Shirdhawan* and at least 6 cubits from the Black Stone
8. Performing *tawaf* counterclockwise

#### II. The Sunnahs of *Tawaf* (سنة الطواف)

1. Performing *tawaf* on foot
2. Kissing the Black Stone at the beginning of the first circuit and touching the *Yamani* Corner during the first circuit
3. Supplicating and sending prayers on the Prophet
4. Walk quickly during the *tawaf* of arrival (for men)

- للواجبات غير الأركان *The Compulsory Acts that are Not Chief Elements*

Next, we'll have a look at the compulsory acts that are not considered to be chief elements. Remember that slaughtering is the dispensation for the abandonment of these acts. They are as follows:

1. طواف القدوم (*tawaf al-qudum*) – The circumambulation of arrival to Mecca after entering *ihram*
2. وصل طواف القدوم بالسعي (*waslu tawaf al-qudum bi al-sa'y*) – Performing *sa'y* immediately after *tawaf al-qudum*
3. المشي في الطواف (*al-mashyu fi al-tawaf*) – Performing *sa'y* on foot as opposed to riding or being carried if one is able<sup>7</sup> to walk
4. للركعتين بعد الطواف (*al-rak'atane ba'da al-tawaf*) – The two units of prayer performed after making *tawaf*<sup>8</sup>
5. النزول في مزدلفة (*al-nuzul fi Muzdalifah*) – Spending the night in *Muzdalifah* on the night of the 10<sup>th</sup> after 'Arafah
6. للمبيت في منى ثلاث ليل بعد عرفة (*al-mabit fi Mina*) – Spending the three nights after 'Arafah in *Mina* to stone the three stone pillars (*Jimar* pl. of *Jamrah*)
7. الإحرام من الميقات (*al-ihram min al-miqat*) – Entering the state of *ihram* from the set points (*al-mawaqit*)<sup>9</sup>
8. للتجرد من مخيط الثياب (*al-tajarrud min makhit al-thiyab*) – Removing all knitted and sewn garments<sup>10</sup>
9. للتلبية (*al-talbiyah*) – Saying the *Talbiyah*<sup>11</sup>
10. الحلاق (*al-hilaq*) – Shaving the head<sup>12</sup>
11. رمي للجمل (*ramy al-Jimar*) – Stoning the three stone pillars<sup>13</sup>

<sup>7</sup> If it happens that someone performs *tawaf* riding a beast or being carried by someone, the *tawaf* has to be repeated on foot if one hasn't begun the next rite. If one has already begun the next rite, a sacrifice must be done.

<sup>8</sup> This is for *tawaf al-qudum* and *tawaf al-ifadah*. If someone abandons these two units after the two *tawafs* and gets far from Mecca, he must sacrifice an animal.

<sup>9</sup> Whoever enters *ihram* after passing the *miqat* must sacrifice.

<sup>10</sup> This condition is specific for a man, not a woman.

<sup>11</sup> Meaning, that if one completely abandons saying the *talbiyah* during his *Hajj* or 'Umrah, abandons it at the beginning of his *ihram* until he makes *tawaf al-qudum* or said it at the beginning of the *ihram* and abandoned it for the rest of the *Hajj* or 'Umrah, he must sacrifice. *Ibn 'Arafah* stated that this is the *Mashhur* (popular view), but the apparent understanding taken from *Sheikh Khalil* is that abandoning the *talbiyah* doesn't require a sacrifice.

<sup>12</sup> A man, who doesn't shave until he returns to his country or after a long time has passed after completing all the rites of *Hajj*, must sacrifice.

<sup>13</sup> A person has until nightfall on each day of stoning to stone the three columns. If one abandons the stoning until nightfall, he must sacrifice. The same applies if one doesn't throw the required number of stones.

There are other compulsory acts of the Hajj that are not chief elements, which we have not mentioned. But these are the most prominent of them. While, *Imam Al-Hattab* mentioned in his book, *Al-Manaasik*, more than 40 of them.

### The Set Points of the Hajj Rites **المواقيت**

The Set Points of Hajj are of two types:

1. **الميقات المكاني (al-miqat al-makani)** – The Set Point with relation to place
2. **الميقات الزماني (al-miqaat al-zamani)** – The Set Point with relation to time

As for the set point with relation to place, it can be defined as ***that point from which the pilgrim is to begin his Hajj, which is done by making his intention and wearing the attire of the pilgrim.***

The set point with relation to place differs according to the particular region of the world the pilgrim is coming from. The set points with relation to place are five in number:

1. **ذو الحليفة (Dhu al-Hulayfah)** – The first set point is known as ‘*Dhu al-Hulayfah.*’ This is the point of the people of *Medina* and any pilgrim who passes through *Medina* even if he is not one of its inhabitants.
2. **الجحفة (Al-Juhfah)** – The point of the people of Egypt and the *Sham* (i.e. Palestine, Jordan, Basra, and Syria) is called ‘*Al-Juhfah.*’
3. **ذات قرن (Dhatu Qarn)** – The point of the people of the *Najd* is ‘*Dhatu Qarn.*’
4. **ذات عرق (Dhatu ‘Irq)** – The set point for the people of Iraq is ‘*Dhatu ‘Irq.*’
5. **ياللم (Yalamlam)** – The set point for the people of Yemen is called ‘*Yalamlam.*’

As for the set point with relation to time, it can be defined as ***that period within which it is possible for one to enter the state of ihram for Hajj and remain in it until he completes the rites thereof.***

The set point with relation to time begins at the outset of the month of *Shauwal* (after Ramadan), and ends at dawn on the Day of Sacrifice during the month of *Dhu al-Hijjah* (the month of Hajj).

*Ithram from Mecca* الإحرام من مكة

If someone is a permanent or temporary resident<sup>14</sup> of Mecca, it is recommended that he enter the state of *ihram* for Hajj from the Sacred Mosque.

If there is time for the temporary resident to go out to his set point (*miqat*), he should do so if he can.

Whoever enters *ihram* before his particular set point has committed an offense and must do a sacrifice.

And whoever's home is between Mecca and the *miqat*, his home becomes his *miqat*.

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<sup>14</sup> The temporary resident - **المقيم** - is the one who at one time enjoyed the status of being a traveler as a result of not being settled in a particular place for at least 4 days (or 20 prayers) or didn't have the intention of being there for such a period.