

Is it permissible to go for hajj even though one is in debt?

Let me apprise you on the onset that if one has a debt and he wants to perform his fardh hajj then if presently there is no urgent demand and pressure from the creditors and out of happiness they give one permission to go for hajj, or the debtor makes someone responsible for his debt and the creditors get surety on that and give permission then the person may go for the hajj. As for the amount of debt that is on him as a precautionary measure he should write in his will and emphasize to the heirs that if the debt remains on me then firstly it be fulfilled from my estate. If there is no scope in the estate then you people could (without any compulsion) fulfill the debt from your side or get it forgiven from the creditors. Hence, if an indebted person goes for hajj without permission from his creditors then it will be makrooh although the fardh hajj will still be discharged. And if one is presently capable of settling one's debts then one should settle it immediately. This is a matter of the rights of creation and there is very much importance on it. Not settling the debt in spite having arrangements for it is tantamount to a grave sin and oppression. Hence, especially if there is pressure from the creditors to settle the debt and they are not prepared to grant respite, and then priority must be given to settlement of the debt first before proceeding for hajj. Furthermore, one must not enter into any transaction that is unlawful in the shariah like getting involved in interest bearing transactions etc. the golden rule to abide by is that "*cash is better than credit.*" (shami vol.2 pg.470/1) May Allah Ta'aala grant us the correct understanding of his religion and make us practice upon it.

If one performs hajj with haraam money, will his fardh obligation be fulfilled or not?

We should always keep in mind that hajj is a very mubarak and pure journey. A person should perform this pure ibaadah with halaal and non-doubtful money. His intention should be to perform the hajj solely for the pleasure of Allah Ta'aala and to fulfil this noble obligation of Hajj in accordance to the way shown to us by Nabi(SAW). If a person performs his hajj with haraam money his fardh (i.e. obligation) will be discharged. However, this person will be deprived of the sawaab (reward) of an accepted hajj. Yes! His fardh hajj will be lifted off his head if he made niyyat (intention) for fardh hajj. Thereafter, if one gets Halaal money and wants to perform hajj again, it will not be regarded as a fardh hajj rather as nafl hajj.(Ref: Fataawa Mahmoodiyyah). One should understand that there is no contradiction between the obligation of hajj being lifted off his head and a person being deprived of its sawaab (reward) because many a times the amal (action) itself is carried out but there is no reward for that specific action because of some external stigma attached to it.

It is permissible to make hajj with the wealth somebody has gifted to me?

If a person has his own money, then he should perform hajj with it. If however he is poor and someone else intends to give him money for performing the hajj then he has a choice of accepting it. If he does not accept it then he will not be a sinner for not accepting it, then hajj will not be then compulsory upon him. If however he accepts it, then hajj will become fardh on him on condition that there is no other obstacle. Thereafter by performing the hajj it will be fulfilled and he will be absolved of the obligation. Similarly, Hazarat Jaabir (RA) has reported from Rasullullah (SAW) that he

who shall perform hajj on behalf of his parents will get the reward of having performed ten hajj [Dar Qutnil]. It is further reported by Hazarat Zaid bin Arqam (RA) that Rasulullah (SAW) said: "when a person performs hajj on behalf of his parents it is accepted from him and on behalf of his parents and their souls are given the glad tidings (of this meritorious act carried out on their behalf) and such a persons name is recorded amongst the righteous." (Dar Qutni, Shaami)

If the wife wants to contribute and pay for her husbands hajj is this permissible?

If the husband has his own money, then he should perform hajj with it. If however he is poor and the wife intends to give him money for performing the hajj then he has a choice of accepting it. If he does not accept it then he will not be a sinner for not accepting it and hajj will not be then compulsory on him. If however he accepts it, then hajj will become fardh on him on condition that there is no other obstacle. Thereafter by performing the hajj it will be fulfilled and he will be absolved of the obligation. In conclusion it is permissible for the husband to perform hajj if his wife willingly pays for his hajj expenses.

Does hajj become fardh upon a woman when it becomes fardh on her husband?

Hajj does not become fardh upon a woman when it becomes fardh upon her husband. When she acquires enough wealth to go for hajj, then only will it become fardh upon her. However, if her husband takes her with for hajj, her fardh hajj will be fulfilled. (Mahmoodiyyah vol.10 pg. 287)

If a woman has a new born child and hajj has become incumbent on her, should she go for hajj or is her child an excuse for her not to go?

Hajj has become incumbent upon the lady. Thus if she can make appropriate arrangements to leave her baby with someone who can take proper care of it and go for hajj, she should do so. As far as the suckling of the child for two years is concerned, this does not stand as a good enough excuse to leave out her hajj. Instead the performance of hajj will be given priority over it.

If a person performs umrah, will hajj become fardh upon him?

Merely by performing umrah, hajj does not become compulsory. However, if one performs umrah and is in Makkah (or haram area) during the months of hajj (i.e. from the beginning of Shawaal till the day of Arafaat- 9th Zil hijjah) and he has the means of performing hajj (i.e. remaining in Makkah till the hajj and performing it) then it becomes compulsory upon him to do so.

If the days of hajj approach before a woman's menstruation period, is it permissible for her to take a pill to delay her periods?

It is fundamentally permissible to use the pill for stopping/ delaying her period, but it is undesirable to do so due to the effect that it can sometimes disrupt a woman's menstrual pattern. When this happens, then many a times the laws regarding menstruation upon which the laws of salaah and other ibaadat are based, become complicated and at times results in the incorrect fulfilling of her duties to Allah Ta'aala (Masa'il Masturaat)

Can a woman travel for hajj without a mahram?

No, it will not be permissible for a woman to travel for hajj without the company of her husband or a mahram. (Mahmoodiyyah vol.10 pg.330)

Can a woman travel for hajj with other women?

If a woman has enough wealth, and she will be in the company of her husband or a mahram, only then will hajj become fardh upon her, other wise not. Even if she will be in the company of other women, it will not be permissible for her to travel without her husband or a mahram (Mahmoodiyyah vol.10 pg.333)

Is it permissible for my wife to go with her step brother for hajj?

The person adopted by one's parents does not become one's step brother. By adopting a child, the child does not become one's son/daughter. Thus, he/she will not be regarded as one's children's brother or sister. Therefore, this person is not the brother of your wife, which means that it is not permissible for her to travel or go for hajj with him and consider him as a mahram for herself. (Note that by breastfeeding, a child becomes the 'milk son' of the woman who breastfed him, and as such is a mahram of her real children and of those of whom they are mahaarim. (plural of mahram)

Is it better to do hajj walking?

Allah Ta'aala says in the holy Quraan: "and proclaim to mankind the hajj, they will come to you on foot and on every lean camel..." the mufasssireen have mentioned that Allah Ta'aala has mentioned "on foot" first as an honour for those who come on foot. (Tafseerul Ruhul Ma'ani vol.17 pg.144, Tafseerul Kabeer vol.23 pg. 28, Tafseer Madaarik vol. 3 pg 270)

The general principal regarding reward on actions is that according to the difficulty and hardship undertaken the reward is increased. This has been mentioned in a hadith which has been narrated by Imaam Bukhaari and Imaam Muslim. Rasulullah (SAW) is reported to have told Ayesha (RA) "your reward is according to your nasab (exertion, hardship, difficulty) or according to your expense."

Imam Nawawi (RA) has commented, saying, "it is apparent that thawaab and virtue in ibadaah increases by the increase in exertion which is not condemned by the shariah. This is also the case of expenditure." (Muslim)

It is apparent that in walking a person exerts himself more than when he is on his conveyance. Thus, since the person doing walking hajj has the extra exertion his hajj will be more rewarding than the hajj of a person on a conveyance. Imam Raazi (RA) has written that what has been narrated from our pious predecessors about their preferring walking hajj and their interpreting the ayah in the same manner shows that walking hajj is more virtuous. (Ahkaamul Qur'an)

Ibn Abbas (RA) is reported to have said "I do not have regret for anything except that I hoped that I could have made hajj walking as Allah Ta'aala says, "they will come to you on foot". i.e. for hajj. He also quoted Rasulullah (SAW) as saying, "he who makes hajj walking until he returns to Makkah Allah Ta'aala records for him on each step 700 rewards, every reward equals the reward of the haram." He was asked "what is the reward of the haram?" he said, "every reward equals a hundred thousand

rewards.” (Targheeb of Isabahaani, Targheeb of Ibn Shaheen, Almataalib, Ithaaful Khiyarah)

It is reported that the Ambiyaa (AS) used to enter the haram walking and barefooted, and they used to perform tawaaf and complete all the rites of hajj barefooted and walking. (Ibn Maajah)

It is also reported that Hasan bin Ali (RA) made 25 hajj from Madinah to Makkah walking whilst camels of noble breed would be driven with him.

According to Imam Abu Hanifah (RA) if the person can bear the hardships of walking then it will be better for him to walk. However, if by him walking he will get exhausted And he will become ill-natured then it will be better for him to do the hajj on conveyance. (Tafseer Samarqandi)

Allamah Ibnul Humaam (RA) states in Fathul-Qadir: “if the objection is made that Imam Abu Hanifa (RA) has disliked hajj walking then how can it be the perfection (of hajj)? We will say that he only disliked it if it is presumably the cause of bad behaviours. For example, he was fasting while walking or he was such a person who could not manage walking thus becoming a reason for him committing a sin through fighting with his companions and arguing with them. Otherwise there is no doubt that in essence walking is more virtuous for it is, more closer to humility and self-abasement. (Thereafter Allaamah Ibnul Humaam (RA) mentioned the previously quoted saying of Ibn Abbas (RA) and his hadith).

A woman began travelling for hajj while in the state of menses. She will reach Makkah while she is in menses and her menses will only end the next day. I have heard that she will not be a musaafir in Makkah even if she is staying less than fourteen days. Is this correct?

Yes this is correct, she will not be a musaafir. A lady who begins her travel in the state of menses will not count the distance of safar. If her menses ends during her journey, she will count the distance from there onwards. (Raddul muhtaar)

Is it permissible for a lady in ihraam to wear her normal niqaab (cover her face with the cloth touching her face) and pay the required penalty for this. It is uncomfortable wearing the usual cap that keeps the cloth away from the face?

It is not permissible to do so. Allamah Shaami (RA), the renowned hanafi jurist quotes the following from Imam Nawawi (RA), the learned shaafi jurist who says, “some of the common folk penetrate prohibitions of ihraam saying, “I will give the penalty”, thinking that paying the penalty will absolve them of the bad effects of this disobedience. This is a grave error and gross ignorance; because this action is impermissible and if one does it he will be sinful. The penalty is given as a compensation for the wrong action. The ignorance of the person who speaks like this is like the ignorance of one who says, “I will drink wine and I will commit zina and the shar’i punishment will cleanse me.” The hajj of a person who commits any of these prohibitions of ihraam will not be mabroor. (Raddul Muhtaar)

Instead, a concerted effort should be made to exercise hijab by suspending the niqaab over a cap or something of that sort whereby the niqaab will not touch the face. Difficulties are expected in carrying out the rites of hajj. A person is rewarded for these difficulties. We can imagine the difficulties that the sahaabah underwent

without the comforts that we endowed with today. Hazrat Mufti Mahmood Saheb mentions, "just as it is a major concern for men to ensure that the aurah is not exposed while clad in unsown clothing. Similarly, should it be the concern of a woman not to allow the niqaab to touch her face while in ihram. By sacrificing ones personal comfort in order to uphold this one facet of deen, a person stands a great chance of being blessed with an accepted hajj." (Fataawa Mahmoodiyyah)

If a woman wears hand gloves whilst in the state of ihraam, does any penalty become incumbent upon her?

No

If a woman wears khuffain(leather socks) whilst in the state of ihraam, does any penalty become incumbent upon her?

No

What is the position of spending the night before Arafaat and the nights after the 10th of thul hijjah in Mina?

It is sunnah of our beloved Rasulullah (SAW) to spend the night before Arafaat and the nights after the 10th of Zil hajj in Mina. This is proven from the lengthy hadith of Jaabir (RA) reported by Imam Muslim as well as many other ahadeeth. (Nasb al-Raayah, I'laa' al-Sunan)

Due to huge crowds in hajj, there is always difficulty in carrying out pelting, particularly in the case of woman. In this case, will a woman be allowed to deputise someone who will pelt on her behalf?

The huge crowd is not a valid excuse for a lady to ask someone to pelt on her behalf. People are always finding themselves in a predicament at the time of pelting, because they all rush to do it at the same time; whereas, a lady can even pelt at night. (Muallimul Hujjaj). It is always possible to find appropriate times for pelting. Since there is a valid reason for delaying the pelting till the night, it will not be makrooh, therefore not necessitating and dam. (Fataawa Rahimiyyah)

If a lady has finished all her rites of hajj and she only has to cut her hair, will it be permissible for her to cut her own hair? How much should she cut?

Provided that she has finished all her rites of hajj up to slaughtering the animal, it will be permissible for her to cut her own hair. It is also permissible for someone (who is her mahram) who has finished his rites till slaughtering to cut her hair even though he did not cut his own hair. You should cut the extent of a third of a finger of every hair.

A woman in hajj is expecting her menses to start on the 10th zil-hijjah. Will she be allowed to perform tawaaf-e-ziyaarah before pelting, qurbani and trimming of the hair in order to complete her hajj?

It should be borne in mind that maintaining order between pelting of the jamaraat, cutting the hair and qurbani is waajib (hanafi). However, it is sunnah to maintain order between tawaaf-e-ziyaarah and these three rites. At the time of need and necessity

(as in the case of menses beginning), it will be permissible to first carry out tawaaf-e-ziyaarah then the remaining three rites of the 10th of Zil hijjah. (Raddul Muhtar)

A woman's menses starts on the 9th of zil-hijjah and her departure from Makkah is on the 14th of zil-hijjah. She now needs to perform her tawaaf-e-ziyaarah. Her menses normally lasts 8 days. What should she do? Can she return without performing tawaaf-e-ziyaarah or can she take some pills to stop her haidh?

Tawaaf-e-ziyaarah, besides being the main fardh of hajj, is an action of hajj which has to be performed in the state of tahaarah. The other actions of hajj such as wuqoof-e-arafaat, muzdalifah, and Mina, Ramee etc. can be discharged even in the state of uncleanness, whether it is hadath-e-asgar or akbar. Thus a woman can not, under any circumstances, be permitted to perform the tawaaf in the state of haidh. The texts of our Fuqahaa Rahimahumullah clearly state that if a woman is in the state of haidh in the days in which tawaaf-e-ziyaarah is to be made (10th, 11th & 12th), then she has no option but to wait till the termination of her haidh, perform tawaaf-e-ziyaarah and then only can she depart. However, she will not be liable to give dam for delaying of the tawaaf after its prescribed time. If she departs without performing the tawaaf, then she will remain in the state of ihraam until she returns (whether it is after years) and performs her tawaaf. In this interim, she will not be permitted to even have sexual relations with her husband as she will still be in the state of ihraam. Since hajj is only fardh once in a lifetime, the dates for return bookings should be well catered for, so that they do not coincide with the days of the woman's haidh period. If due to a dire need and unforeseen circumstances, the departure cannot be delayed, then fundamentally she will be permitted to use temporary medication to stop the bleeding so that she may get the opportunity to at least perform her tawaaf in the state of cleanliness.

Is it permissible for someone who is working in Saudi Arabia to make hajj (hajj-e-badal) on behalf of someone in South Africa?

If hajj was fardh on a lady and she made a bequest that hajj is done on her behalf, it will be necessary for hajj to be done from the country in which she resided. Thus, it will not be permissible to do it from Saudi Arabia. However, if the deceased did not bequest or hajj was not fardh on the deceased and some family relative wishes to do it in behalf of the deceased, then this will be a nafl hajj as esaal-e-sawaab. (Khawaateen ke Masaail)

What is the condition for someone to perform hajj-e-badal? Is it necessary that the person performing hajj-e-badal be someone who has already performed a fardh hajj? According to the hanafi mazhab, it is permissible for someone who has not yet performed fardh hajj to perform hajj-e-badal. However, this is makrooh. (Khawaateen ke Masaail)

If someone did not make a bequest that hajj-e-badal be done on her behalf, is it permissible to do hajj-e-badal on her behalf?

If a bequest was not made then, the hajj performed on behalf of the deceased will not be considered as hajj-e-badal (fardh hajj), instead it will be considered as nafl hajj (esaal-e-sawaab) (Khawaateen ke Masaail)

If hajj was not fardh on a lady, is it permissible to make hajj on her behalf?

Yes, it is permissible, however, it will not be considered as a fardh hajj, instead it will be considered as a nafl hajj (esaal-e-sawaab) (Khawaateen ke Masaail)

Can one, of his own accord perform hajj for ones parents?

Indeed performing hajj on behalf of ones parents is most meritorious. Ibn Abbas (RA) reports Rasulullah (SAW) to have said: "He who performs hajj on behalf of his parents or fulfils their outstanding debts, will be raised on the day of qiyaamah amongst the abraar (righteous)." (Dar Qutni)

Can a male do hajj-e-badal for a female and vice-versa or does the gender have to be the same?

A male is permitted to do hajj on behalf of a female and vice-versa, the gender does not have to be the same. (Khawaateen ke Masaail)

Is ones hajj affected if tawaaf-e-ziyaarah is done before pelting?

Maintaining order between the three main rites of the 10th, i.e. pelting, dam-e-sukr and trimming the hair, is waajib. However, maintaining order between these three rites and tawaaf-e-ziyaarah is sunnah (not waajib). (Shaami, Manaasik, Muallimul-Hujjaaj). Therefore, the hajj of a person who carries out tawaaf-e-ziyaarah before carrying out these rites will not invalidate the hajj, but doing so will be makrooh (undesirable). (Fataawa Mahmoodiyah, Zubdah). Furthermore, no penalty of a dam, etc. will be imposed upon such a person.

If a woman omits tawaaf-us-ziyaarah which is fardh, will her hajj be valid or will she have to repeat her hajj?

The lady will not be required to return to Makkah to perform her entire hajj again. She will however, be required to return to Makkah to perform the omitted tawaaf-us-ziyaarah whenever opportunity permits, at any time during her lifetime. She will, however, be required to pay the penalty of dam (slaughtering a small animal such as a sheep or goat) for having delayed her tawaaf-us-ziyaarah after the lapse of its prescribed time, which is the Ayyaamun-Nahr (10th, 11th, 12th). It will not be permissible for her to have conjugal relations with her husband until she returns to perform the omitted tawaaf-us-ziyaarah.

If for some reason, she does not return to perform the tawaaf throughout her life and she reaches old age and is then too frail and weak to undertake the journey, then it will become incumbent upon her to make a wasiyyat for the slaughtering of a badnah (i.e. a camel) to compensate for the omitted tawaaf (Ahhsanul- Fataawaa, Mu'allimul-Hujjaaj, etc.)

A woman gets her periods after completing most of the rites of hajj, but before she can perform tawaaf-ul-widaa. Will it be compulsory for her to postpone her return home until she becomes paak(pure)?

No, she will not have to postpone her return home. She is excused in this case.

In the above scenario, is she does not get her periods, rather she becomes severely ill, then what is the ruling?

In this case she is not excused from tawaaf-ul-widaa. She should perform it carried or pushed in a wheelchair etc, and if she is too ill for this even, then dam (penalty) will become incumbent on her.

If a woman's husband passes away during the days of hajj and she has no other mahram with her can she complete her hajj or will she be required to return?

The first scenario to the matter in question is that the husband passes away well before the five days of hajj or within the five days, but before the 9th Zil-Hijjah. In these two cases, if the woman is not yet in ihram (i.e. she is not performing Hajj-Qiraan) she will not perform hajj during the respective days. If it is possible to return immediately by means of a mahram coming to fetch her, then she should do so. If not, she will be required to begin her iddat by staying in her hotel room. If the iddat is concluded before her departure for home, then well and good, if not, she will return home to complete her iddat.

If the woman was in ihram at the time of her husband's death, then she will be required to perform an umrah in order to come out of ihram. Thereafter, she should try her best to negotiate a return home by means of a mahram coming to fetch her or begin her iddat in Makkah and complete it upon returning home.

In the above scenario, if another opportunity arises for her to perform hajj at a later stage, then she should proceed in doing so, provided there is a mahram willing to accompany her. In the unfortunate case of not being able to perform hajj again during her lifetime while she has sufficient finances to carry it out, she should declare in clear terms by means of a wasiyyat that a relative carry out hajj-e-badal on her behalf after her demise.

The second scenario of the matter in question is that if the husband passes away on or the 9th Zil hijjah. In this case, as she only has a few rites left to complete, she will be allowed to complete her hajj. Note that her iddat will commence from the day of her husband's passing away and not from after the days of hajj.

If due to stringent governmental regulations, it becomes almost impossible to proceed for hajj again in the future, then due to the helplessness of the situation, some ulema have granted leeway in the event where a woman's husband passed away close to the days of hajj. (Fataawa Rahimiyyah).

After performing tawaaf-ul-widaa can one perform nafl tawaafs?

Yes, it is permissible to make nafl tawaafs after having made ones tawaaf-ul-widaa. However, one should bear in mind that it is mustahab (preferable) to make a tawaaf with the specific intention of tawaaf-ul-widaa just before leaving Makkah Mukarramah, so that this may be ones last meeting be with the Baitullah, even though one may have already performed his tawaaf-ul-widaa prior to that. In other words, if a nafl tawaaf

is performed after what he had assumed to be his tawaaf-ul-widaa, then since seeing that this nafl tawaaf is the actual final tawaaf, the niyyah of widaa should be made with this tawaaf and this will then be regarded as his tawaaf-ul-widaa and not the one performed with the intention of widaa prior to that. (Manaasik Mullah Ali Qari, Muallim-ul-Hujjaj)

A woman's period began after completing three circuits of nafl tawaaf. What should she do in this situation?

It will be necessary for her to complete the tawaaf after her periods terminate.

If she returns home without completing this tawaaf will any penalty be necessary?

Yes. One dam will be necessary. This dam will have to be necessarily be carried out in the Haram.

Is it permissible for a woman to perform tawaaf or sit in the Haram while she is in menstruation?

To perform tawaaf while in menstruation is haraam and it is a very big sin. She also cannot enter the haram. (Mahmoodiyyah vol.10 pg.372)

It is prohibited for a women to visit graves, does that mean that to make Ziyaarat of Nabi (saw)'s grave is also prohibited?

No, to visit the grave of Nabi (SAW) will not be prohibited for women. (Mahmoodiyyah vol.10 pg.444)

If someone performs hajj does his qadhaa salaah become forgiven i.e. He no longer needs to make up for them?

One is not dissolved of his responsibility to make qadhaa of his missed namaaz by performing hajj.

Is it better for a woman to read salaah with jama'ah in the Haram Shareef or in her hotel room?

It is stated in the hadith shareef that the best place of worship for a woman is the innermost portion of her house. In another hadith it is mentioned that a Sahaabiyyah said: O Rasul of Allah, indeed I love to perform salaah with you. Nabi (SAW) said: I do know that you love to perform salaah with me whereas your salaah in the innermost chamber of your home is superior then that performed in your back room. And your salaah in your back room is superior to that in the front room. And your salaah in your front room is superior to that in the masjid of your tribe. And your salaah in the masjid of your tribe is superior to that in my masjid. The Sahaabiyyah then ordered a place of Salaah to be built for her in the furthest and darkest part of her house and she continued performing salaah there until she past away. (reported by Imam Ahmed, Ibn Khuzaymah and Ibn Hibbaan -at Targheeb)

From the above, it is clear that the most virtue will be gained if a woman performs her salaah in her hotel room rather than going to the Haram Shareef. We should understand that in deen, priority is given to the teachings of our beloved Nabi (SAW) over our jazbaat (emotions and desires).

Can you tell me about Mina?

Mina is a valley two miles in length and rather narrow in breadth. The face of the surrounding mountains up to their peaks is part of Mina. The back of these mountains is not part of Mina. The limits of Mina are Waadi Muhassar and Jamaratul Aqabah. Neither the incline (Aqabah) nor the Jamarah part of Mina, rather Mina ends where they begin. Al-Azraqi has stated: "the area of Mina is that between Jamaratul Aqabah and Muhassar, which is 7200 Zira."