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بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ وَصَلَّى اللَّهُ عَلَي سَيِّدِنَا مُحَمَّدٍ وَعَلَى آلِهِ وَصَحْبِهِ وَسَلَّمَ تَسْلِيمًا

Kitaab'l-Hajj (The Book of Pilgrimage)¹

¹ *Hajj* (pilgrimage) linguistically means the repetition of one's objective to the thing intended. The meaning of the lesser pilgrimage (*umra*) is to visit. You say: "So-and-so the pilgrim (*hajj fulaan*)", when you want to indicate his arrival, or "He is a man sort after (*mahjuj*)", when you want to indicate that he is an objective of attention. In the *shari'a* it means to make Mecca as one's purpose or objective, in order to fulfill the devotions of either the major pilgrimage of the minor one, each of which has its principles or actions that if the pilgrim or person making the lesser pilgrimage perform them has in effect fulfilled the obligations of pilgrimage and the *Sunna* of the lesser pilgrimage, as it was defined in the *Lisaan'l-'Arab*. Thus, *hajj* is to make as one's purpose or objective the House of Allah, that is, the *Ka'aba* in Mecca, which is attributed to Allah by attachment in the words of Allah ta'ala to His Bosom Friend, Ibrahim, upon him be peace: "And purify My House for those who circumambulate, those who stand, bow and prostrate." It is the first House established for mankind as a place of worship as it was related by Muslim on the authority of Abu Dharr. Allah ta'ala says: "Verily the first House established for mankind is the one at Bakka the Blessed, and as a guidance to the worlds. In it are clear signs, the station of Ibrahim. Whoever enters it he is protected. And for the sake of Allah, obligatory upon mankind is pilgrimage to the House." In this regard a tradition was related by 'Ataa' who said: "It has reached me that the midpoint of the earth is beneath the *Ka'aba*." Subsequently, pilgrimage was made obligatory by the words of Allah ta'ala: "For the sake of Allah it is obligatory upon mankind to make the pilgrimage to the House"; that is to say, it is an obligation as a form of gratitude for His blessings; or to make it the objective of visitation for a specific purpose. *The Shehu*, may Allah be merciful to him said in his *'Umdat'l-Bayaan*: "The obligations of pilgrimage are four: the *ihraam* (the pilgrim garment); the *tawaaf 'l-ifaada* (the circumambulation of expiation); running between *Safa* and *Marwa*; and standing at 'Arafat. The *Sunnan* of pilgrimage are twelve. Four of them are for the *ihraam*: the ritual bath (*ghusl*) which precedes it; removing sewn garments; the two *raka'ats*; and the *talbiya* (saying *Labayk Allahumma labayk*). Four are for the *tawaaf*: walking; kissing the Black Stone; supplication without end; and the half run for men, but not for women. Four are for running (*sa'y*): kissing the stone; hurrying in the middle of the valley for men; climbing up *Safa* and *Marwa*; and supplication." The Erudite authority of the Land of the Blacks Abdullahi ibn Fuduye, may Allah be merciful to him said in his *Diya'Uluum 'd-Deen*: "The pilgrimage is among the fundamental principles of Islam. The prerequisites for its soundness are: the time; and Islam. It is valid for a child to make pilgrimage. He can adorn the *ihraam* himself if he has the ability to distinguish between right and wrong, and his guardian can adorn the *ihraam* for him if he is too small. And this does not repeal the obligation of making the pilgrimage of Islam. Its proper times are the months of *Shawwal*, *Dhu'l-Qa'ida* and the first ten days of *Dhu'l-Hijja* while the time for *umra* is the entire year. The prerequisites for its occurrence as the pilgrimage of Islam are: Islam; freedom; maturity; reason; the time; and having provision which necessitates ability. Its pillars with which it is not valid without them, and which sacrificing is required by neglecting them are four: the first is the *ihraam*. Whoever neglects it has forfeited the pilgrimage and nothing can fix it by neglecting it. The second is running between *Safa* and *Marwa*. The third is the *tawaaf al-ifaada*. Whoever neglects these two has not forfeited his pilgrimage, but he cannot remove the *ihraam* until he does each of them, even if he has gone to the farthest east or west; he must return to Mecca and perform them. The fourth is stopping at 'Arafat at the night of the sacrifice. Whoever forfeits this has actually forfeited his pilgrimage, however he is commanded to relinquish the *ihraam* by performing the *umra* and making up at the beginning." The meaning of His words: "...for those who have the ability", is a grammatical substitute for the expression 'mankind' which specifies which of them are obligated. The Messenger of Allah, may Allah bless him and grant him peace interpolated the expression of 'ability' to mean 'provision and a riding camel to carry him, for most people living in far off remote regions. However, it is permitted to

On What Has Been Related Regarding the Obligation of *Hajj*

It has been related in the Saheeh of al-Bukhari on the authority of Abdallah ibn Abbas, that a woman from the tribe of Khath'am² came and said: "O Messenger of Allah! The obligation of *hajj*, which Allah has enjoined upon His slaves, has become due on my father and he is old and weak and he cannot sit firm in the caravan. May I perform the *hajj* on his behalf?" He, may Allah bless him and grant him peace, replied: "Yes." That occurred during the Farewell *hajj* of the Prophet."³

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perform the pilgrimage without provision or riding mount for he who has attained the station of reliance upon Allah. In the ad-Durur al-Mulqutat of Abd'l-'Azeez it states: "It is permissible for the one who has attained the station of reliance upon Allah. However, as for he who is weak hearted, he should not perform the pilgrimage except with provision, as Allah has ordered." Muhammad Bello ibn *Shehu* Uthman ibn Fuduye` said in his Tanbeeh'r-Raaqid Fima Ya`tuur al-Haaj Min'l-Mufaasid: "Al-Qiraafi said: "No other action is restricted with this expression (of ability), which indicates that there are intrinsic difficulties in it which cannot be found in other acts of worship." Al-Haythami said: "The absence of ability in other acts of worship like the prayer and fasting does not completely invalidate their obligation. For only the obligation of performing them with their differences is removed, in contrast to the absence of ability in the pilgrimage. For the absence of ability removes the obligation completely." Ibn al-'Arabi said in his Takhlees an-Nukat, "Our scholars have said that the advantage in singling out the pilgrimage by mentioning 'ability', over all the other pillars of Islam, is because the other pillars of Islam are performed by a person while he is resident in his abode free from movement, not having to expose himself to travel, or encountering dangers nor does he have to journey impoverished and alone. However, in the pilgrimage he will possibly have to undergo all of that. Thus, Allah *tabarraka wa ta`ala* mentioned 'ability' in pilgrimage in order to point out the lifting of this legal issue from him."

² The woman was from Khath'am, which was a well known tribe, originating from Khath'am ibn Anmar who came from Yemen. It is said that the name of the tribe takes its origin from the phrase '*al-khath'ama*' which means to smudge ones body with blood. Thus, it was by this name they became known because they used to sacrifice camels and then smear their bodies with its blood and this became the sign of their confederation.

³ The meaning of her words, may Allah be pleased with her: "O Messenger of Allah! The obligation of *hajj*, which Allah has enjoined upon His slaves, has become due on my father and he is old and weak and he cannot sit firm in the caravan"; is that it is unanimous among the jurist regarding the permissibility of being a proxy in pilgrimage, in that its is allowable in an obligatory pilgrimage, but not for a person deceased or an amputee. This also does not include a person who is merely sick because it is hoped that he will be cured; nor a person insane because it is hoped that he will become lucid; nor one imprisoned because it is hoped that he will be freed; nor the poor because it is possible for him to be enriched. The meaning of her words, may Allah be pleased with her: "May I perform the *hajj* on his behalf?"; is as it was cited in the narrative of Ali: "Is it allowable for me to do it on his behalf?" The meaning of his words, may Allah bless him and grant him peace: "Yes."; is that yes it is permissible for you to make the pilgrimage on his behalf. *Shaykh* Abd'r-Rahman al-Baghdadi in his Irshad as-Saalik: "It is disliked for someone to make the pilgrimage on behalf of another before performing his own obligatory pilgrimage. While some say it is forbidden." The meaning of his words, may Allah be pleased with him: "That occurred during the Farewell *hajj* of the Prophet"; is that this dialogue between the woman and Messenger of Allah, may Allah bless him and grant him peace occurred during the farewell pilgrimage. In this prophetic tradition is established the permissibility of acting as a proxy in questioning regarding knowledge, where even a woman can seek knowledge on behalf of a man. In it is also established showing filial piety, assisting them in their affairs, and taking care of their welfare such as paying their debts, financial maintenance, and other than that from religious and worldly affairs. It also establishes the proof that the lesser pilgrimage is not an obligation, since the Khath'amiya woman did not mention it.

On What Has Been Related Regarding the Merits of an Accepted *Hajj*

It has been related in the Saheeh of al-Bukhari on the authority of Abu Hurayra, who said: “I heard the Prophet, may Allah bless him and grant him peace, say: ‘Whoever makes the *hajj* for Allah, and does not act obscenely nor cause corruption, will return (from *hajj*) like the day that his mother gave birth to him.’”⁴

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⁴ The meaning of his words, upon him be blessings and peace: “Whoever makes the *hajj* for Allah”; that is to say, those who make the pilgrimage purely for the sake of Allah. This includes both the major pilgrimage and minor pilgrimage. The meaning of his words, upon him be blessings and peace: “...and does not act obscenely”; is that al-Azhari said: ‘The phrase ‘*rafath*’ (obscenely) is a generic comprehensive noun which embraces anything of a sexual nature that a man can desire to do with a woman.’ Iyad said: “This is taken from the words of Allah ta’ala: ‘...and does not act obscenely nor causes corruption’. The majority of the jurists hold the view that what is intended by this verse is actual sexual intercourse.” The meaning of his words, upon him be blessings and peace: “...nor cause corruption”; is that it does not commit evil nor any act of disobedience. It is for this reason the person dissents from obedience is called ‘*faasiq*’ (corrupt). The meaning of his words, upon him be blessings and peace: “...will return (from *hajj*) like the day that his mother gave birth to him”; is that he will return without sins. Its apparent meaning is that he will be forgiven of his small and major sins as well as the consequences of these.

On What Has Been Related Regarding the *Mawaaqeet*⁵

It has been related in the Saheeh of al-Bukhari on the authority of Ibn Abbas, who said: “The Prophet, may Allah bless him and grant him peace, made the *waqqat* for the people of Medina that of Dhu’l-Hulayfa, for the people of Syria that of al-Juhfa, for the people of Najd that of Qarn’l-Manaazil,⁶ and for the people of Yemen that of Yalamlama. These are those and for the people who come to them from outside for those desiring *hajj* and ‘*umra*. Other than these then their *waqqat* is from wherever they set out, even the people of Mecca is from Mecca.”⁷

⁵ The expression ‘*mawaaqeet*’ is the plural of ‘*meeqaat*’ (rendezvous) and means the designated extent for an action regarding time or place. Or it means the appointed time for an action and its place. The author of the al-Muntaha said: “Everything which has been given a time and an end, then that is its rendezvous. One says: ‘Its time is on this particular day’, meaning by that its appointed time.” From this meaning is derived designating a time for a thing, when its time limit has been clearly clarified. Then this meaning was expanded to be an expression which is used to designate the place as well. Thus it is said regarding a local that it is the ‘*meeqaat*’ which conjugated from *mif’aal* whose etymological root is *miwqaat*, where the letter *waw* is changed to the letter *yaa* because of the inflection of the *meem* with *kasra*. Thus, the expression ‘*meeqaat*’ is actually a verbal noun of the expression ‘*waqt*’ (time). The *mawaaqeet* of pilgrimage are the places or locals for the time for wearing the pilgrimage garment (*ihraam*). *Shaykh* Ibn Rushd al-Qurtubi said: “The majority of the scholars hold the view that whoever commits an error at these locations and his objective is to wear the *ihraam* and he does not adorn himself with it except after it, then he is obligated to make a blood sacrifice. There are those who say: that if he then returns to the *meeqaat* and adorns himself with the *ihraam*, then the blood sacrifice is removed from him. This is the expressed view of as-Shafi’. Among them are those who say: that even if he returns to the *meeqaat* and adorns himself with the *ihraam*, it still does not absolve him of the blood sacrifice. This is the expressed view of Malik. Some of the people of knowledge say: that there is no blood sacrifice on him at all, while others say: that is he does not return to the *meeqaat*, then his pilgrimage has been invalidated, and that he should return to the *meeqaat* and make his sacrifice for the minor pilgrimage and then proceed. All of this was cited from the al-Ahkaam.’

⁶ Here ends facsimile 38 of the Arabic manuscript.

⁷ The meaning of his words, may Allah be pleased with them: “The Prophet, may Allah bless him and grant him peace, made the *waqqat* for the people of Medina”; that is to say the city of the Prophet, may Allah bless him and grant him peace. The meaning of his words, may Allah be pleased with them: “...that of Dhu’l-Hulayfa”; is as Ibn Hazm said: ‘It is a well known place between Medina and Mecca by about 198 miles.’ The meaning of his words, may Allah be pleased with them: “...for the people of Syria that of al-Juhfa”; is that it is a desolate village which lies about five or six stages between Syria and Mecca. It is called ‘*juhfa*’ (eradicated) because a torrential flood eradicated it. Ibn al-Kalbi said: “At one time the Amalek used to reside in Maghrib, and there occurred between them and the Banu `Abil, the kin of the people of `Aad, a fierce war. Thus, the Amalek were driven out of Yathrib and settled in Muhay’a, then a torrential flood came and eradicated them or uprooted them, thus it became known as al-Juhfa.” It was called The meaning of his words, may Allah be pleased with them: “...for the people of Najd that of Qarn’l-Manaazil”; is that Najd means every place which is elevated. But is meant here the land whose highest regions are Tihama, and Yemen and its lowest regions are Syria and Iraq. The Manaazil referred to here is the mountain which lies about two stages between it and Mecca in the direction of the east. The meaning of his words, may Allah be pleased with them: “...and for the people of Yemen that of Yalamlama”; is that it is a place about two stages from Mecca between it and Mecca is about thirty miles. The meaning of his words, may Allah be pleased with them: “These are those”; is that their *mawaaqeet* (the stopping points) of the above mentioned communities or for its people, but the first is the foundation. The meaning of his words, may Allah be pleased with them: “...and for the people who come to them from outside”; that is to say, those who come to these *mawaaqeet* and are not originally from the people of the above mentioned lands. Thus the judgment applies to them if they enter the land of that particular *meeqaat* or do not enter it. For those who do not enter it there is no problem on them since they do not have a specific *meeqaat* assigned to them. The meaning of his words, may Allah be pleased with them: “...for those desiring *hajj* and ‘*umra*”; is that this statement is proof of the permissibility of the none pilgrim entering Mecca without being in *ihraam*. The meaning of his words, may Allah be pleased with them: “Other than these”; that is to say, those residing between the *meeqaat* and Mecca. The meaning of his words, may Allah be pleased with them: “...then their *waqqat* is from wherever they set out”; is that their *meeqaat* is from wherever they

On What Has Been Related Regarding the *Talbiyya*⁸

It has been related in the Saheeh of al-Bukhari on the authority of Abdallah ibn Umar, who said: “The *talbiyya* of the Messenger of Allah, may Allah bless him and grant him peace, was: ‘At Your service, O Allah! At Your service and You have no partner. At Your service and the praise and blessings belong to You, and the kingdom. There is no partner with You’.”⁹

commence with the *ihraam* whether from their local up until Mecca, and this is an issue agreed upon. However, in another narration it says: “their *meeqat* is with their people”, that is to say, that they are not required to leave to the *meeqat* in order to dress in the *ihraam*, or to start from it. Rather they can dress in the *ihraam* in Mecca itself. Nor is it required for them to return to the *meeqat* to dress in the *ihraam*. As for the lesser pilgrimage, it is obligatory upon him to leave to the least place of sacrifice. The meaning of his words, may Allah be pleased with them: “...even the people of Mecca is from Mecca”; That is to say, that its *meeqat* wherever the *ihraam* is initiated since its place is the precincts of Mecca itself. This is a ruling in which there is unanimous agreement concerning. Or it means that they are not required to leave and go to the *meeqat* for the *ihraam*, or from it. Rather they can dress in the *ihraam* from Mecca, and they are not required to return to the *meeqat* in order to dress in the *ihraam* from there.

⁸ The expression *talbiya* is a verbal noun taken from the verb ‘*labaya*’, meaning saying: ‘At your service’ and its doer is always implicit in the expression. Its meaning as we mentioned previously in the Book of Belief is from the expression ‘remaining’ (*labb*) with the letter *laam* inflected with *fat’ha* meaning in this context ‘to answer a call’. The etymological root of the phrase is from ‘to remain in a place steadfastly’; that is, ‘to be established in it and adhere to it’. Thus, the meaning of his words: “At your service” is “I remain in Your obedience”, or: “I am firmly established in Your obedience, steadfastly”. Ibn Abd’l-Barr said: “A large group among the people of knowledge, say: that the meaning of the *talbiya* is the response to the transcendent invitation of Ibrahim when he called the whole of humanity to make the pilgrimage.” It has been related by Ahmad ibn Mani`u in his Musnad on the authority of Ibn Abass who said: “When Ibrahim upon him be peace completed the construction of the House of Allah, it was said to him to invite humanity to the pilgrimage. He said: ‘My Lord, what will make my voice reach them?’ He said: ‘You just call them, it is upon Me to make it reach them’. So Ibrahim made the call saying: ‘O mankind! It has been prescribed for you pilgrimage to the Pure House!’ Then he was heard by everything between the heavens and the earth. Do you not see how people come from the furthest limits of the earth answering the call?” It has been related by way of Ibn Jurayj on the authority of `Ataa’ on the authority of Ibn Abass in which it mentioned: “Humans existing in the loins of men and in the wombs of women answered him with the *talbiya*. And the first of those who responded were the people of Yemen. For there is no pilgrim who makes the *hajj* from that time until the impending establishment of the Hour, except that he is among those who are answered the invitation of Ibrahim, when he made it then.”

⁹ The meaning of his words upon be blessings and peace: “At Your service”; is that the meaning of ‘at your service’ is that ‘I have turned my face and my aims solely to You’. It is said that it means that ‘my love is solely for You’, taken from the expression: ‘a woman enamored (*lubba*)’, which means she is in love. It is said that it means: ‘my sincerity is solely for You’, taken from the expression: ‘pure affection’ (*habbu lubaab*) which means pure and unadulterated. It is said that it means: ‘I am permanently fixed in obedience to You’, taken from the expression: ‘the residing of a man in a place’ (*lubba ‘r-rajulu bi’l-makaan*) when he actually resides in that place. It is said that it means: ‘I have drawn near to You’, taken from the expression: ‘the innermost part’ (*albaab*), which implies something near. It is said that it means: ‘I have made myself submissive to You.’ However, the first meaning is more apparent and known because the person consecrated for pilgrimage is a respondent of the call of Allah to Him in making pilgrimage to His House. It is for this reason that he supplicates saying: ‘At Your service! I have answered Your call!’ The meaning of his words upon be blessings and peace: “O Allah! At Your service! At Your service and You have no partner. At Your service and the praise and blessings belong to You”; is as Ibn al-Munir said in his al-Haashiyya: “He combines both praise and blessings because praise is normally related to blessings. It is for this reason that it is normally said that praise is given to Him for His blessings. It is as if he said: ‘There is no praise except to You because there is no blessings except that it comes from You’.” The meaning of his words upon be blessings and peace: “...and the kingdom”; is that ‘kingdom’ means His sovereignty is Independent and stands by Itself. This is cited in order to corroborate the fact that all blessings belong solely to Allah, who is the Sole Owner of sovereignty. The meaning of his words upon be blessings and peace: “There is no partner with You”; that is to say, there is no associate with Him deserving praise, or who can cause

On What Has Been Related Regarding What Clothes is to Be Worn by the One in *Ihraam*

It has been related in the Saheeh of al-Bukhari on the authority of Ibn Umar, who said that a man once asked saying: “O Messenger of Allah what clothes are proper for the one in *ihram* to wear?” He, may Allah bless him and grant him peace, said: “He should not wear shirts, turbans, trousers, burnouses, or leather socks, except if a person cannot find sandals. In that case he can wear leather socks, but cut them off below the ankles. He should also not wear any attire which has been dyed with anything from saffron or any kind of yellowish dye.”¹⁰

blessings to occur. Grammatically there is nothing which prevents the word: ‘*al-mulk*’ from being in the nominative case and that the expression: ‘There is no partner with You’ is its predicate, meaning ‘in His kingdom.’ It is this manner that it was interpolated in the al-Muraqaat. This citation given in the prophetic tradition is the actually true articulation of the *talbiya*. Abu `Isa said: “This was the behavior (*`amal*) of some of the people of knowledge from the Companions of the Prophet, may Allah bless him and grant him peace and others. It is also the view held by Sufyan, as-Shafi`, Ahmad and Is`haq.” About this as-Shafi` said: “If any addition is made to the *talbiya* from the glorification of Allah there is no harm in it Allah willing. However, what is most loved to me is that the *talbiya* is confined to that made by the Messenger of Allah, may Allah bless him and grant him peace.” His evidence in permitting additional expressions to the *talbiya* is in what has come on the authority of Ibn Umar in his adding words to the *talbiya* of the Messenger of Allah, may Allah bless him and grant him peace by his words: “At Your service! Being desirous of You”, also based upon the social behavior transmitted as al-Mubaarakuuri said in his Tuhfat al-Ahwadhi.

¹⁰ The meaning of his words, may Allah be pleased with them: “...a man once asked saying: “O Messenger of Allah what clothes are proper for the one in *ihram* to wear?”; it is agreed by the jurists that what was intended her by ‘a man’, does not include in its judgment what women should wear during that time. Ibn al-Mundhir said: “It is the agreement of the jurists that a woman can wear all the clothing mentioned, and that they are only partners with men in the prohibition of wearing attire which has been dyed with saffron or other dyes.” The meaning of his words, upon him be blessings and peace: “He should not wear shirts, turbans, trousers, burnouses, or leather socks”; is that `Iyad said: “The Muslims are unanimous regarding the fact that the attire cited in this prophetic tradition cannot be worn by the one consecrated for the pilgrimage; and that the upper garments and lowers garments referred to is any sewn garment; that the turban and burnoose indicates any thing which covers the head whether it be sewn or not; and that leather socks refers to anything that is used to cover the feet.” The meaning of his words, upon him be blessings and peace: “...except if he”; is as Ibn al-Munir in his al-Hashiyya: “What can be deduced from this is the permissibility of utilizing the phrase “one” regarding corroboration, in contrast to those who specify that it can only be used out of necessity in reference to corroboration in poetry. What is apparent to me in this by investigation is that it cannot be utilized in corroboration except when it is followed by the particle of negation.” The meaning of his words, upon him be blessings and peace: “...cannot find sandals”; is as Ibn al-`Arabi said: “If what covers the feet becomes like sandals, then it is permissible. If not then whatever covers the upper part of the feet is not permissible except when what is permissible cannot be found. What is meant here by the lack of discovery is that one is unable to obtain it either because it is non existent or the owner abandons expending on it because he is unable to bear the cost even when he finds someone who sells it or who can bear the cost for him. If it is sold to him at a disadvantage it doesn’t require him to buy it or if it is given to him it does require him to accept it except if he alters it.” The meaning of his words, upon him be blessings and peace: “...In that case he can wear”; is the apparent meaning of the imperative implies that it is obligatory. However, since the *shari`a* has been enacted to facilitate and is not suitable to being taxing, then the imperative in the case is simply a license. The meaning of his words, upon him be blessings and peace: “...leather socks, but cut them off below the ankles”; is that one is required to reveal the ankles during the wearing of the *ihraam*. The ankles refer to the two protruding bones at the meeting of the shin and the foot. The scholars have said that the wisdom in the prohibition of the person in *ihraam* from wearing clothing and perfumes is in order to distance him from being self indulgent and to make him be depicted with the traits of those who are humble. While the divestment is a reminder of his arrival at his Lord, which is the closest state one can be in attentive awareness of Him and it is a barrier to committing unlawful acts. The meaning of his words, upon him be blessings and peace: “And he should not wear any attire which has been dyed with anything from saffron or any kind of yellowish dye”; is evidence for the prohibition against all forms of dyes, or some of them even when

On What Has Been Related Regarding Entering Mecca From the Two Elevated Places and Leaving Mecca from the Two Low Places

It has been related in the Saheeh of al-Bukhari on the authority of Ibn Umar, may Allah be pleased with him who said: “The Messenger of Allah, may Allah bless him and grant him peace, used to enter Mecca from a mountain trail which was at the highest point and he would leave Mecca from a mountain trail which was at the lowest point.”¹¹

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their scents are light. Malik said in his al-Muwatta: “It is reprehensible to wear any kind of dyed clothing because it invalidates the pilgrimage.”

¹¹ The meaning of his words, may Allah be pleased with both of them: “The Messenger of Allah, may Allah bless him and grant him peace, used to enter Mecca from a mountain trail which was at the highest point”; this trail which is the highest point of Mecca is the place of the graves of the people of Mecca. The trail was very difficult to ascend until Mu`awiyya made it easy, then after him al-Mahdi did the same as al-Azraqi mentioned. Then the place was improved again in the time of Ibn Hajr in the year 811 A.H. Then again the entire area was renovated in the time of the patron ruler of Egypt around 820 A.H. Any mountain pass or high road is called a mountain trail (*thaniya*). The meaning of his words, may Allah be pleased with both of them: “...and he would leave Mecca from a mountain trail which was at the lowest point”; is located at the Shabeeka Gate near the Syrian subdivision of Mecca from the direction of Qa`yiqaa`n. Ibn Hajr said: “In the ninth century A.H. the gate was built marking its location.”

On What Has Been Related Regarding Saluting the Black Stone¹²

It has been related in the Saheeh of al-Bukhari on the authority of ‘Aabis ibn Rabi’a,¹³ on the authority of Umar may Allah be pleased with him who once came to the Black Stone, kissed it and said: “Verily I know you are but a stone, which can neither harm¹⁴ nor benefit. If I had not seen the Messenger of Allah, may Allah bless him and grant him peace, kiss you, I would not do so.”¹⁵

¹² The meaning of the expression ‘greet’ (*istislaam*) is to greet the black stone by kissing it or embracing it. Al-Azhari said: “It is a form of salutation where the greetings is made by wiping it with the hands as an acceptance of the greetings of peace with the intent of taking blessings by means of that.” Al-Jawhari said: “Al-Layth held the view that the greetings to the Black Stone was by pointing the hand at it, kissing it and by wiping the palm over it.” He also said: “The greetings to the Black Stone is done by touching it either by kissing or with the hands.” The Black Stone, may Allah ennoble it is the stone of at the corner of the House of Allah. Sometimes it is singled out merely as ‘the Stone’ as a way of showing esteem for it. It has been related in a prophetic tradition: “The Black Stone is the Right Hand of Allah in His earth.” Ibn al-Athir said: “This is analogous and imaginative language whose origin is taken from a ruler who when a man shakes his hand he also kisses the outside of his hand. Thus, it is as if the Black Stone to Allah is in the place of the right hand to a ruler which greeted and then kissed. Thus, anything which is cited in the *Qur’an* or prophetic traditions with a reference to a Hand, or two Hands and other than that from the names given to bodily limbs in reference to Allah `azza wa jalla, is made metaphorically and allegorically, for Allah is free of resemblance to creation (*tashbeeh*) and substantiation (*tajseem*).” This is further corroborated by the prophetic tradition from the narration of ad-Daylami on the authority of Anas: “The Black Stone is the Right Hand of Allah. For whoever touches his hand to the Stone, has in affect taken the oath of allegiance with Allah not to disobey Him.”

¹³ He was `Abass ibn Rabi`a an-Nakhai` al-Kufi. He was a proof in jurisprudence who narrated prophetic traditions from Ali ibn Abi Talib, Umar, and Ai`sha. The numbers of prophetic traditions related by him were insignificant.

¹⁴ Here ends facsimile 39 of the Arabic manuscript.

¹⁵ The meaning of his words: “...who once came to the Black Stone, kissed it”; is in accordance with what was related on the authority of Ibn Abass who said: “I saw Umar once kiss the Black Stone three times and then said...” and he mentioned the same following quote. The meaning of his words may Allah be pleased with him: “Verily I know you are but a stone”; is as *Imam* at-Tabari said: “Indeed Umar said that because the people in recent times had been accustomed to worshipping idols. Umar feared that some of the ignorant may assume that greeting the Stone was showing esteem fro some stones as the Arabs did in the times of *jaahiliyya*. Consequently, Umar wanted to instruct the people that greeting the stone is out of following the Messenger of Allah, may Allah bless him and grant him peace; not because the Stone can bring benefit or harm in itself, as the people in the time of *jaahiliyya* believed regarding their idols.” The meaning of his words may Allah be pleased with him: “...which can neither harm nor benefit”; is except by the permission of Allah. It has been by al-Haakim from a prophetic tradition of Abu Sa`id: “The when Umar said that Ali ibn Abi Talib said to him: ‘Verily it brings harm and benefit!’ He went on to say that when Allah took the primordial covenant with the children of Adam. He then transcribed that on a parchment and loaded it in the Stone. He said: ‘I heard the Messenger of Allah, may Allah bless him and grant him peace say: ‘The Black Stone will be brought on the Day of Judgment and it will have a sharpened tongue by which it will testify regarding those who greeted it while recognizing the Divine Unity.’” The meaning of his words may Allah be pleased with him: “If I had not seen the Messenger of Allah, may Allah bless him and grant him peace, kiss you, I would not kiss you”; is as al-Muhlab said: “This aforementioned narration of Umar is a refutation of those who say that the Stone is actually the Right Hand of Allah on earth with which the servant shakes. Allah forbid that He would have corporeal bodily limbs.” The kissing of the Stone was enacted as law as a choice in order to know by direct witnessing the obedience of those who are obedient. This is similar to the story of Iblees when he was ordered to prostrate to Adam. Al-Khataabi said: “The meaning of the Black Stone being the Right Hand of Allah on earth is that whoever kisses, touches or points to it in the earth will have made a solemn covenant with Allah. It is for this reason it has become a custom that whenever an oath is taken with a ruler it is customary for those who recognize his authority to take his and hand and then verbally pronounce the oath he has taken. Thus, in these words of Umar is a form of surrendering to the Lawgiver affairs of the religion, and a symbol of the excellence of his adherence to him even in those affairs whose meanings was unknown. This is an immense principle regarding following the Prophet, may Allah bless him and grant him peace in all of

On What Has Been Related Regarding Saying the *Takbir* at the Corner of the Black Stone

It has been related in the Saheeh of al-Bukhari on the authority of Ibn Abbas, who said: “The Prophet, may Allah bless him and grant him peace, made *tawaaf* around the House upon a camel. Whenever he came upon the Yemeni corner he would point towards it with whatever was with him and then made glorification.”¹⁶

his actions even when the wisdom of that action is unknown.” In this is refutation of some of the academicians in these times of ours who claim that there is no necessity to follow the *Sunna* of the Messenger of Allah, may Allah bless him and grant him peace in all his circumstances, words and deeds, except in the issues which are obligatory, prohibited and highly recommended. It also is a preventative against what some of the ignorant people believe regarding the Black Stone that it has special qualities that are intrinsic with it. It is also a clear explanation of that the *Sunnan* comprise words and actions, and that when the *Imam* fears that his actions may adversely cause corruption to anyone, that he should immediately explain the affair and clarify it to the people.

¹⁶ The meaning of his words, may Allah be pleased with him: “The Prophet, may Allah bless him and grant him peace, made *tawaaf* around the House upon a camel”; is as Jaabir ibn Abdallah said: ‘He made the circumambulation while on a camel so that the people could see him, and ask him questions.’ Ibn Bataal said: “In this prophetic tradition is proof of the permissibility of entering animals whose meat is eatable into the *masjid* if it is required, because it urine is not impure. This is contrary to other animals.” The meaning of his words, may Allah be pleased with him: “Whenever he came upon the Yemeni corner he would touch it with whatever was with him”; in this case it was a cane which was a stick with curved handle as it was explicitly stated in a narration on the authority of Ibn Abass: “The Prophet, may Allah bless him and grant him peace made circumambulation during the farewell pilgrimage upon a camel and he would greet the corner with a cane.” Muslim added in a prophetic tradition from Abu Tufayl: “...and he would then kiss the cane.” In another tradition of Muslim from Ibn Umar: “...he would greet the Stone with his hand and the kiss it.” In a narration of Sa’id ibn al-Mansuur by way of ‘Ataa’ who said: “I saw Abu Sa’id, Abu Hurayra, Ibn Umar and Jaabir greet the Stone and then kiss their hands.” Based upon this it is the opinion of the majority of the jurists that the *Sunna* is to greet the Stone by touching it directly with the hand and then kiss the hand. If one is not able to directly touch the hands to the Stone, he should greet it with whatever is in his hand and then kiss that thing. If he is unable to do this then he should simply point to it and this will suffice. It has been related on the authority of Malik: “He should not kiss his hand.” This was the same opinion of al-Qaasim. In a narration with some of the followers of Malik that he can place his hands to his mouth without actually kissing it. The meaning of his words: “...and then made glorification (*kabbara*)”; is that he said: ‘**Allahu akbar**’ (Allah is the greatest!).”

On What Has Been Related Regarding Making the *Tawaaf*¹⁷

It has been related in the Saheeh of al-Bukhari on the authority of Ibn Umar, may Allah be pleased with him who said: “I saw the Messenger of Allah, may Allah bless him and grant him peace, when he had proceeded to Mecca, he first saluted the corner of the Black Stone and made the *tawaaf* by trotting the first three *tawaafs* of the seven.”¹⁸

In it also on his authority¹⁹ who said: “The Prophet, may Allah bless him and grant him peace, used to run three courses and walked four during the *hajj* and the *umra*.”²⁰

¹⁷ The etymological root of the expression *tawaaf* (circumambulation) is from ‘to go around a thing’ (*taaf bi’s-shay’*), which means to turn around it. Allah ta’ala says: “...and they should circumambulate the Ancient House.” In the prophetic traditions where the expression *tawaaf bi’l-bayt* is used it means to circulate around the *Ka’ba*.

¹⁸ The meaning of his words, may Allah be pleased with him: “I saw the Messenger of Allah, may Allah bless him and grant him peace, when he had proceeded to Mecca, he first saluted the corner of the Black Stone and made the *tawaaf* by trotting”; is that he enacted as law regarding walking. The expression *khathth* (trotting) refers to an animal when it moves fast and its legs become spirited. The meaning of his words, may Allah be pleased with him: “...the first three *tawaafs* of the seven”; is that he actually made seven circumambulations, and he did not stop at all during them. Ibn Bataal said: “Naafi` said: ‘I did not see Ibn Umar standing at all during the *tawaaf* except when he greeted the Corner’.” Naafi` also said that standing still during the *tawaaf* is a heretical innovation. The scholars of the *Sunna* dislike stopping or sitting during the circumambulation except for those who are weak. Then there is no harm in stopping or standing still a little in order to get rest. Then he should continue with what remained. Ibn Bataal also said: “Whoever answers the invitation of his father Ibrahim coming from remote and difficult distances under adverse circumstances, it is then not proper after reaching such actions to then become derelict by stopping or sitting except for a valid reason.”

¹⁹ That is to say, in the Saheeh of al-Bukhari or On What Has Been Related Regarding the Issue of *Tawaaf* also on the authority of Ibn Umar.

²⁰ The meaning of his words, may Allah be pleased with him: “The Prophet, may Allah bless him and grant him peace, used to run”; is that he walked swiftly during the walking of the first three *tawaaf*. The meaning of his words, may Allah be pleased with him: “...three courses and walked four during the *hajj* and the *umra*”; is that this happened during the farewell pilgrimage and the *umra* of making up, because of *Hudaybiyya* it was not possible for him to make *tawaaf*.

On What Has Been Related Regarding the Two *Rak'ats* After *Tawaaf* Behind the *Maqaam*²¹

It has been related in the Saheeh of al-Bukhari on the authority of Ibn Umar, who said: “When the Prophet, may Allah bless him and grant him peace, reached (Mecca), he made the *tawaaf* of the House seven times and then prayed two *rak'ats* behind the *maqaam* of Ibrahim.”²²

²¹ The origin of the expression '*maqaam*' (station) is a place where one places the feet firmly, thus the expressions '*muqaam*' and '*muqaama*' are both places in which a person stands. The meaning that the expression has here is a reference to the station of Ibrahim. It has been related by Abu Nu'aym in his ad-Dalaa'il from a prophetic tradition of Ibn Umar: “The Prophet, may Allah bless him and grant him peace once took the hands of Umar and passed it over the station and said to him: ‘This is the station of Ibrahim’. Umar then said: ‘O Prophet of Allah, should I take it as a place of prayer?’ Then Allah ta'ala revealed His words: ‘*And take the station of Ibrahim as a place of prayer*’. He thus, saw the prayer at the station as atonement for the one who circumambulates the House.” As-Sadiy said: “The Station is the stone which the wife of Isma'il placed beneath the feet of Ibrahim, upon him be peace, when she washed his head.” Al-Qushayri said on the authority of Anas who said: “I saw in the Station the traces of his toes, heel and feet.” During the time of Ibrahim this station was connected to the House and remained so until Umar himself, may Allah be pleased with him had it moved back to the place where it is now. This was related by Abd'r-Razaq in his Musanif on the authority of `Ataa' and others on the authority of Mujahid. None of the Companions objected to the actions of Umar, nor did those after them, subsequently the acceptance of his actions became the consensus.

²² The meaning of his words, may Allah be pleased with him: “When the Prophet, may Allah bless him and grant him peace, reached (Mecca)”; was in the year seven A.H. before the conquering of the city. The Messenger of Allah, may Allah bless him and grant him peace made the lesser pilgrimage as make up from al-Hudaybiyya. The meaning of his words, may Allah be pleased with him: “...he made the *tawaaf* of the House seven times and then prayed two *rak'ats* behind the *maqaam* of Ibrahim”; is that he did so following the command of Allah ta'ala: “*And take the Station of Ibrahim as a place of prayer*.” The proof of its obligation is in the words of Allah ta'ala: “*wa atakhidhuu*” (and take), with the letter *khaa* inflected with the *kasra* indicating an imperative command, as the majority of the *Imams* of *Qur'anic* recitation recite it. It has been related in the narration of Muslim on the authority of Jaabir who said: “When the Prophet may Allah bless him and grant him peace saw the House he then greeted the Corner, trotted three times and then walked four times (around the *Ka'aba*). He then approached the Station of Ibrahim and recited the words of Allah: ‘*And take the Station of Ibrahim as a place of prayer*’. He then prayed two *rak'ats*, reciting in both of them: ‘*Say: He Allah is One*’ and ‘*Say: O you who disbelieve*’.” It says in another narration: “He then positioned the Station between him and the House, and prayed two *rak'ats*.” As-Sadiy said regarding the meaning of His words: ‘*And take the Station of Ibrahim as a place of prayer*’: “They were ordered to pray at it.” Ibn Umar related that he upon him be peace prayed two *rak'ats* at the Station of Ibrahim. A group of the jurists held the opinion that it is obligatory to pray behind the Station. However Ibn Rushd al-Qurtubi said: “They are unanimous that it is from the *Sunna* of the *tawaaf* to pray two *rak'ats* after the completion of the *tawaaf*.”

On What Has Been Related Regarding Making *Tawaaf* While in *Wudu*

It has been related in the Saheeh of al-Bukhari on the authority of ‘Urwa ibn az-Zubayr,²³ who said: “The Prophet, may Allah bless him and grant him peace, made the *hajj* and A`isha informed me that the first thing which he began with was that he made the *wudu* and then made the *tawaaf* of the House.”²⁴

²³ He was Abu Abdallah `Urwa, the son of the Disciple of the Messenger of Allah, may Allah bless him and grant him peace, az-Zubayr ibn al-`Awwam ibn Khuwaylid ibn Asad ibn Abd'l-`Uzza ibn Qusay ibn Kilaab al-Qurayshi al-Asadi al-Medini. He was an *Imam* in knowledge, the foremost scholar of Medina, and one of the renowned Seven Jurists. He was born in the year 23 A.H. during the *khilaafa* of Uthman ibn `Afan. He narrated only a few prophetic from his father due to his young age. He also narrated from his mother Asma bint Abu Bakr as-Sideeq, his maternal aunt, the Mother of the believers, A`isha with whom he kept constant company and learned jurisprudence. He took from many of women Companions, like Umm Habiba, Umm Salama, Umm Hani, Umm Shareek Faatima bint Qays, Dubaa`at bint az-Zubayr, Busra bint Safwaan, Zaynab bint Abu Salma and `Amra al-Ansari. He also received transmission from Ali ibn Abi Talib, al-Hassan, al-Husayn, Jaabir ibn Abdallah, Sa`id ibn Zayd, Abu Hurayra, Ibn Abass, Zayd ibn Thabit and a huge number of companions besides them. `Urwa used to recite a fourth of the *Qur`an* every day gazing upon the Scriptures and he would stand in prayer during the night reciting the same. He only abandoned this the night his leg was amputated. Usama said on the authority of Hisham ibn `Urwa that his father died while he was fasting. `Urwa died in the year 93 A.H. at the age of 67.

²⁴ The meaning of her words, may Allah be pleased with her: “...that the first thing which he began with was that he made the *wudu* and then made the *tawaaf* of the House”; is that he began with the ablution before the *tawaaf*, because making circumambulation of the House is prayer, as Ibn Abass said, and added: “...except that Allah ta`ala permits speech during it.” It is thus obligatory for the person making the *tawaaf* to be in a state of ablution because it is prayer itself, or because his prayer which he performs in the Station is connected to his *tawaaf*. In this is the evidence which establishes that ablution is required for the person making the *tawaaf* since the Prophet, may Allah bless him and grant him peace did it, and said: “You should take your pilgrimage rites from me.” The *Imams* have agreed that he upon him be peace made the ablution for the person making *tawaaf* apart of the law. However, they differ whether it was obligatory and a prerequisite for its soundness, or not. Malik, as-Shafi`, Ahmad and the majority of the jurists said: “It is a prerequisite for the soundness of the *tawaaf*.” Abu Hanifa said: “It is highly recommended and is not a prerequisite for its soundness.” The majority of the jurists however, advance this prophetic of `Urwa as their justification, along with the prophetic tradition: “You should take your pilgrimage rites from me”; as judgment that the *tawaaf* is obligatory and that everything that he did during the rites of pilgrimage are among those things which he ordered us to take from him. It has been related in the prophetic tradition of Ibn Abass from at-Tirmidhi and others: “The Prophet, may Allah bless him and grant him peace once said: ‘The *tawaaf* of the House is prayer, except that Allah permits in it speaking’.” There is an improbable trace back to the Prophet for of this narration, although it is sound that it does stop with Ibn Abass. Even with that, it is considered a proof because it is the words of a Companion which has become prevalent. For when the opinion of a Companion becomes prevalent without anyone disagreeing with it, then it becomes a proof for the soundness of the prophetic tradition.

On What Has Been Related Regarding Drinking the Water of Zamzam²⁵

It has been related in the Saheeh of al-Bukhari on the authority of Ibn Abaas, may Allah be pleased with him who said: "I gave the Messenger of Allah, may Allah bless him and grant him peace, to drink from *zamzam* water and he drank while standing."²⁶

²⁵ The meaning of the expression '*Zamzam*' is from a large group, abundance, or that which saturates. It is a reference to the famous well at the *Ka`aba* in Mecca. Ibn Barri said: "The *Zamzam* has twelve names: *Zamzam*, *maktuuma* (the concealed), *madnuuna* (the arduous), *shubaa`a* (the saturator), *suqyaa* (that given in drink), *rawaa'* (fresh water), the gushing of Jibreel, the fountain of Jibreel, the quencher of thirst, the food of one in need, and the ditch of Abd'l-Muttalib." It has been related on the authority of the Prophet, may Allah bless him and grant him peace who said: "The best of water wells on earth is *Zamzam*, and the most malevolent wells on earth *barhuut*." *Barhuut* is a well located in Yemen in Hadramawt in which is deposited the spirits of the disbelievers. It has also been related on the authority of the Prophet, may Allah bless him and grant him peace who said: "Verily the *Zamzam* used to be called during the days of ignorance 'the one that satisfies' because its water would quench the thirst of the person thirsty and fill the stomach of the person hungry." He, upon him be blessings and peace said: "The water of *Zamzam* for whatever it is drunk." This is a well known custom which the scholars and the people of spiritual excellence do. They customarily drink it in order to seek by means of it sublime states which they obtain. It is for this reason that Mujahid said: "If you drink it desiring a cure, Allah will cure you. If you drink it desiring that ceasing of thirst Allah will cause it to cease. If you drink it desiring to be sated Allah will satisfy you. It is the fountain of Jibreel, and the drink which Allah gave to Isma`il." As for the *Sunna* of drinking from the water of *Zamzam*, Ibn Abass said: "It is necessary that it be taken up in a pail. One should face the direction of the *qibla*, and make supplication. Then he should drink making sure to take three breaths, while taking great gulps. For verily I heard the Messenger of Allah, may Allah bless him and grant him peace say: 'The sign which distinguishes us from the hypocrites is that they cannot take huge gulps from the water of *Zamzam*,'" The scholars say it is highly recommended for the one drinking it to ask for forgiveness, or a cure from sickness and the like; and that he should say: 'O Allah! It has reached me that the Messenger of Allah, may Allah bless him and grant him peace used to say: 'The water of *Zamzam* for whatever it is drunk.' O Allah! Verily I am drinking it so that You can forgive me, and do such-and-such for me. So forgive me and do such-and-such for me.' Or he can say: 'O Allah! Verily I am drinking it as a curative so cure me'; and the like. He upon him be peace said: "The water of *Zamzam* will never be exhausted and drained." This means that its water will never become annihilated in spite of extensive usage. It has been related on the authority of Ibn Abass that he said regarding the water of *Zamzam*: "Verily it is food of the person seeking food, and a curative of the sick." This means that it satisfies the person when he drinks its waters in the same way that food satisfies.

²⁶ The meaning of his words, may Allah be pleased with him: "I gave the Messenger of Allah, may Allah bless him and grant him peace, to drink"; is that he came to the Messenger of Allah, may Allah bless him and grant him peace with water from the well of *Zamzam* as a means of serving him. In this prophetic tradition establishes the merits of the courtesies of the spiritual disciple with his spiritual guide. The meaning of his words, may Allah be pleased with him: "...from *zamzam* water"; is that drinking from the water of *Zamzam* is from the *sunna* of the pilgrimage because of its spiritual merits and *baraka*. However, it has been transmitted from Ibn Jurayj on the authority of Naafi` on the authority of Ibn Umar that he did not drink from it during the pilgrimage. That is to say, that he was not persistent in drinking it, in order that people not falsely assume that he considered drinking it as a necessary obligation of the pilgrimage. The meaning of his words, may Allah be pleased with him: "...and he drank while standing"; is in accordance with another narration from him: "The Prophet, may Allah bless him and grant him peace drank while standing from the water of *Zamzam*." In these narrations establishes the permissibility of standing up while drinking. For if standing while drinking the water of *Zamzam* was permissible then standing while drinking anything else is even more so permissible. It has been related in a transmission on the authority of `Amr ibn Shu`ayb on the authority of his father, on the authority of his grandfather who said: "I once saw the Prophet, may Allah bless him and grant him peace drinking while standing and while sitting." It has been related by Abd'l-Malik ibn Maysira on the authority of at-Turaak ibn Sibira who said: "I once witnessed Ali pray the *dhuhr* prayer, then he sat in order to take of the needs of the people in one of the open areas of Kufa. He did this until the time of the approached of `asr. He was then given a glass in which was some water. He took a scoop in both hands and then wiped his face, head and hands. He then stood and drank the remainder of the water and said: 'Indeed some of the people consider it reprehensible to drink while

On What Has Been Related Regarding Running Between Safa and Marwa²⁷

It has been related in the Saheeh of al-Bukhari on the authority of Ibn Umar, may Allah be pleased with him who said: “The Prophet, may Allah bless him and grant him peace, reached Mecca then made seven *tawaafs* of the House, and prayed two *rak’ats* behind the *maqam* of Ibrahim, and then made the rounds between Safa and Marwa seven times.”²⁸

standing. However, the Messenger of Allah, may Allah bless him and grant him peace did exactly what I just did.’ Or he said: ‘...like what I just did.’ He then said: ‘This is the ablution of the one who has not broken his ablution.’” Here ends facsimile 40 of the Arabic manuscript.

²⁷ Safa is the plural of *Safaat* and means a solid volcanic rock. Marwa refers to small stones. For Safa and Marwa are two small mountains in Mecca, which are obligatory to walk seven courses between, after making the *tawaaf* of the minor or major pilgrimage. This must be accompanied with hurried walking between the two green inclines. Imam an-Nawwawi said in his Tahdheeb’l-Asmaa wa’l-Lughat: “Safa is the beginning of running and it is an exclusive elevated area close to the door of the Sacred Mosque. It is a small peak or segment from the mountain of Abu Qubays, and is now equal to eleven steps in height. As for Marwa which is an extremely low peak in a depression which is apart of the mountain Qa`ayqa`an. The meaning of running between them is walking swiftly while in the depths of the valley between them.” It says in the al-Muwatta: “...when one’s feet reach the depths of the valley he should run.” The *Shehu* may Allah be merciful to him said in his Umdat’l-Bayaan that running between Safa and Marwa are among the obligations of the pilgrimage. The school of thought of the majority of the scholars from among the Companions, the *Taabi`uun*, and those after them is that running between Safa and Marwa is a pillar from the pillars of pilgrimage which cannot be valid without it. It can neither be compensated for by blood sacrifice or anything else. Among the scholars who uphold this view are Malik, as-Shafi`, Ahmad, Is’haq, and Abu Thawr. Their evidence is the apparent meaning of the words of Allah ta`ala: “*Indeed Safa and Marwa are among the rites of Allah.*” That is to say, that they are from the known conventions which Allah have mentioned for his servants to recognize as rituals and rites where He is worshipped, either by means of supplication, remembrance or by performing what he has obligated upon them from the ritual actions to be performed there. Abu Hanifa running between Safa and Marwa is incumbent. If it is abandoned then it is an act of disobedience, which can only be compensated for by blood sacrifice, then the pilgrimage is made valid. Some of the scholars of the early community said that running between Safa and Marwa is voluntary, and is not incumbent. Their proof being what is understood from the words of Allah ta`ala: “*There is no harm on him if he goes between them.*” However, the opinion of the majority of the scholars is foremost as A`isha, may Allah be pleased with her said: “The Messenger of Allah, may Allah bless him and grant him peace had established the *Sunna* of making rounds between them. Thus, it is not permissible for anyone to abandon making the rounds between them.”

²⁸ The meaning of his words, may Allah be pleased with him: “The Prophet, may Allah bless him and grant him peace, reached Mecca”; for the lesser pilgrimage as it has been related in most of the narratives. The meaning of his words, may Allah be pleased with him: “...then made seven *tawaafs* of the House”; is that he hastened three times during it and then walked four times during it, as it was stated explicitly in the narration of Jaabir. The meaning of his words, may Allah be pleased with him: “...and prayed two *rak’ats* behind the *maqam* of Ibrahim”; by positioning the Station between himself and the House of Allah. He then recited in them: ‘*Say: He Allah is One*’ and: ‘*Say: O you who disbelieve.*’ He then saluted the corner and then went out to Safa and Marwa. In the narration of Ibn Umar he said: ‘Indeed for you in the Messenger of Allah, may Allah bless him and grant him peace is an excellent example.’ The meaning of his words, may Allah be pleased with him: “...and then made the rounds”; this is merely verbal license because the going between them is called ‘*say*’ (running) and not actually ‘*tawaaf*’ (circumambulation), since the reality of lawful *tawaaf* does not take place here. Or it constitutes a linguistic reality. The usage of the phrase ‘*tawaaf*’ unrestrictedly to ‘*say*’ is either due to the outer appearance or because it is a type of ‘*tawaaf*’ since it occurs as a companion to the actual ‘*tawaaf*’ of the House. The meaning of his words, may Allah be pleased with him: “...between Safa and Marwa seven times”; is that he began with what Allah began with by His words: ‘*Indeed Safa and Marwa are among the rites of Allah*’. Thus, he came to Safa and climbed the peak until he could see the House. He then unified Allah and magnified Him and said: ‘There is no deity except Allah, the One who has no partner. To Him belongs the kingdom, and to Him is the praise, and He has power over all things.’ He then walked until his feet moved fast downhill. He then ran until his feet slowed going up hill. He then walked until he reached Marwa. He then did the same thing on Marwa that he did on Safa until he completed his rounds. `Ataa’ said: “The *Sunna* which is superior is that the

On What Has Been Related Regarding the *Dhuhr* Prayer on the Day of *Tarwiyya* at Mina²⁹

It has been related in the Saheeh of al-Bukhari on the authority of Abd'l-Azeez ibn Raafi',³⁰ who said: "I asked Anas ibn Malik, may Allah be pleased with him: "Inform me of something which you comprehended from the Messenger of Allah, may Allah bless him and grant him peace; which was where did he pray the *dhuhr* and *asr* prayers on the Day of *Tarwiyya*?" He said: "At Mina."³¹

Prophet, may Allah bless him and grant him peace did not make a round from the seven rounds except that he prayed two *rak'ats* after each one." It has been related by Ibn Jurayj who said: "Ataa' related to me that the Messenger of Allah, may Allah bless him and grant him peace used to pray after each of the seven rounds two *raka'ts*." This is the opinion of the majority of the jurists, and is the expressed view of Malik, the jurist of Kufa and Abu Thawr. This is the most preponderant view because the one who does so is following the *Sunna*.

²⁹ The day of *tarwiyya* (watering) is the 8th day of the month of *Dhu'l-Hijja*. It is called the day of watering (*tarwiyya*) because it is the day that they traditionally watered their camels and carried water to that place; because it was a place which lacked water wells and springs. It is also said that there are other obscure reasons for this day being named *Tarwiyya* taken from the root '*raa'a*' (to see). Among these is on that day Adam saw (*raa'a*) Hawa and became rejoined with her. Among these is that on the night preceding that day Ibrahim saw in a vision (*raa'a*) that he was to sacrifice his son. He then awoke reflecting and envisioning (*yatarawaa*) what he had to do. Among these is it was on this day that Jibreel, upon him be peace showed (*araa'*) Ibrahim the rituals of pilgrimage. Among these also is that on this day it is customary for the *Imam* to teach the people the rituals of the pilgrimage. As for Mina it is a place in Mecca named that because it is where blood is caused to gush forth (*manaa*). Ibn Shamayl said: "It is called Mina because it is the place where male sheep are caused to gush forth (*muniya*) that is to say, sacrificed." Ibn 'Uyayna said: "The name is taken from the phrase '*manaayaa*' (to face death)." However, the first opinion is the most authentic.

³⁰ He was Abu Abdallah Abd'l-'Aziz ibn Rafi' al-Asadi al-Kufi. He was a veracious traditionist, who narrated prophetic traditions on Ibn Abass, Ibn Umar, Anas ibn Malik, *Qaadi* Sharayh, Zayd ibn Wahb, 'Ubayd ibn 'Umayr and others. He narrated about sixty prophetic traditions. He died in the year 130 A.H. while he was in his tenth decade in his hundreds.

³¹ The meaning of his words, may Allah be pleased with him: "Inform me of something which you comprehended"; is inform of what you discerned and understood from him. The meaning of his words, may Allah be pleased with him: "...from the Messenger of Allah, may Allah bless him and grant him peace"; that is, what you comprehended from his words, actions and *Sunna* may Allah bless him and grant him peace, because Allah ta'ala says: '*There is for you in the Messenger of Allah an excellent example.*' And by his words, may Allah bless him and grant him peace: "Take your pilgrimage rituals from me." The meaning of his words, may Allah be pleased with him: "...which was where did he pray the *dhuhr* and *asr* prayers on the Day of *Tarwiyya*?"; is in which place did he pray these two prayers? The meaning of his words, may Allah be pleased with him: "At Mina"; is that he, may Allah bless him and grant him peace prayed the *dhuhr* and the *asr* in Mina. The judgment is that the people have legal amplitude regarding this as al-Muhlab said. For it is conceivable for them to leave whenever they like and pray in whatever place they are in. It is for this reason that Anas said in the last of his narration: "You should do what your rulers do." For if he has the ability to pray *dhuhr* and *asr* in Mina on the day of *Tarwiyya*, then he should do so. If he is able to pray at Mina all five prayers, then he should do so. What is highly recommended from that, however, is what the Messenger of Allah, may Allah bless him and grant him peace did by praying the *dhuhr* and *asr* at Mina. This is the view of Malik, at-Thawri, Abu Hanifa, as-Shafi', Ahmad, Is'haq, Abu Thawr and a large number of the scholars from the people of Mecca; that the people can leave for Mecca after the *isha* prayer. This is evidence that the ruling is very broad. The reason for it being highly recommended to establish the *dhuhr* and *asr* prayers on the day of *Tarwiyya* at Mina is because of it being preferable to leave for Mina before *dhuhr* and then pray the *dhuhr* and *asr* there. *Imam* an-Nawwawi said: "Their leaving Mecca after the *subh* prayer where they are able to pray the *dhuhr* in the beginning of its chosen time is what is sound and well known from the textual evidence of as-Shafi'." Further, the prophetic tradition of Ibn Umar transmitted in the al-Muwatta on the authority of Naafi', which stops with him, as well as the narrations of Ibn Khuzayma and al-Haakim by way of al-Qaasim ibn Muhammad on the authority of Abdallah ibn az-Zubayr who said: "Apart of the *Sunna* of pilgrimage is that the *Imam* should pray the *dhuhr* and those prayers after it, as well as the *subh* prayer at Mina, and then they all should proceed on to

In it also³² on the authority of ‘Ubaydallah ibn Abdallah ibn Umar³³ on his father, who said: “The Messenger of Allah, may Allah bless him and grant him peace, prayed at Mina only two *rak’ats*; as well as Abu Bakr, Umar and Uthman, at least he did in the beginning of his *Khalifate*.”³⁴

‘Arafat.” This legal judgment is consistent with what was cited in the prophetic tradition of Jaabir from Muslim: “When the day of *Tarwiyya* dawned, they all headed in the direction of Mina, and made the sacrifices for the pilgrimage. Then the Messenger of Allah, may Allah bless him and grant him peace arrived and prayed the *dhuhr*, the *‘asr*, the *maghrib*, the *‘isha* and the *fajr* while there.” It is for this reason that it is permissible to stay over night at Mina during the night of ‘Arafat, and there is no harm if one reaches ‘Arafat at the time that it is obligatory to be there. There is also no compensation for this like the compensation required when a person abandons staying over night at Mina after the stopping of the day of stoning the *Jimaar*. This is the opinion of Malik, Abu Hanifa, as-Shafi`, and Abu Thawr. After the rising of the sun one is required to head in the direction of ‘Arafat.

³² That is to say, in the Saheeh of al-Bukhari or On What Has Been Related Regarding the Prayers at Mina. In it is an explanation of the quantity of the four *rak’at* prayers to be performed in Mina; are they to be prayed as they are or are they to be shortened.

³³ He was Abu’l-Qaasim ‘Ubaydallah ibn Abdallah ibn Umar ibn al-Khataab ibn Nufayl ibn Abd’l-‘Uzza ibn Riyaah ibn Qarat ibn Razaah ibn ‘Addiy al-Qurayshi al-‘Addiyi. He was a resident of Medina, and was veracious in his transmission of prophetic traditions. He was an ascetic and scrupulously pious *mujtahid*. He was the blood brother of the renowned Saalim ibn Abdallah ibn Umar.

³⁴ The meaning of his words, may Allah be pleased with him: “The Messenger of Allah, may Allah bless him and grant him peace, prayed at Mina”; is as Muslim added in his narration from Saalim on the authority of his father: “...at Mina and other places...”, which is to say that he did the same in ‘Arafat and Muzdalifa. The meaning of his words, may Allah be pleased with him: “...only two *rak’ats*”; as shortened travel prayers. The meaning of his words, may Allah be pleased with him: “...as well as Abu Bakr, Umar and Uthman”; is that they did exactly what the Messenger of Allah, may Allah bless him and grant him peace did, because they were those who possessed the authority. This is the meaning of Anas’ words: ‘Do what your rulers do.’ In this is a clear indication of following those who possess the authority and being extremely vigilant against transgression from the *Jama’at*. For none of the Muslim rulers dismounted at Abtaah, and they all made efforts to pray the *dhuhr* and *‘asr* prayers at Mina, just as the Lawgiver, may Allah bless him and grant him peace did. It is for this reason that the four *mujtahid Imams* and others considered it highly recommended to do so. The meaning of his words, may Allah be pleased with him: “...at least he did in the beginning of his *Khalifate*”; is as Muslim added in his narration: “...then he completed the prayers with four *rak’ats*”. This means that during the first period of the rule of Uthman ibn ‘Afan he used to pray the four *rak’at* prayers as two *rak’at* shortened prayers during travel, just as the Prophet, may Allah bless him and grant him peace, Abu Bakr and Umar did. However, after six years of his rule he began to complete the prayers with four *rak’ats* during travel, but this completion was done specifically while in Mina; as ‘Imraan ibn al-Hissein explicitly stated in his narration: “Indeed Uthman completed the prayers while at Mina.” There have been many diverse ideas from the scholars presented for the reasons that Uthman completed the travel prayers in Mina. However, the soundest perspective on this is what the learned Badr’d-Deen Abu Muhammad Mahmud ibn Ahmad al-‘Ayni said: “Indeed both Uthman and A’isha, may Allah be pleased with both of them used to complete the travel prayers because they believed that during travel the Messenger of Allah when choosing between shortening or completing the prayers, he always chose what was easiest for his *Umma*. A’isha, herself said: ‘The Messenger of Allah, may Allah bless him and grant him peace never had a choice between two affairs, except that he always chose the easiest of the two, as long as their was no sin involved in it.’ Thus, she and Uthman chose for themselves the stricter (*shidda*) ruling and abandoned the concession (*rukhsa*), when the judgment of choice permitted it in what Allah ta’ala gave permission. What proves this was the vehement objection made by Ibn Mas’ud against Uthman for completing the travel prayers; and this was in spite of the fact that he continued to pray behind Uthman when he completed the prayer. When he was questioned about this he said: ‘The *Jama’at* being in discord is a double evil!’” It is for this reason that the scholars differ regarding the necessity of shortening the prayer at Mina. Malik, al-Awza’i and Is’haq were of the opinion that the people of Mecca, those who reside there and in the towns close to it are required to shorten the prayers while at Mina, ‘Arafat and Muzdalifa, because the shortening of the prayer is a *Sunna* connected to the place of pilgrimage rituals; and only those who actually live in Mina and ‘Arafat can complete the prayers as if resident. On the other hand, at-Thawri, Abu Hanifa, as-Shafi`, Ahmad, and Abu Thawr held the view that the above mentioned people were required to pray the

On What Has Been Related Regarding Joining Two Prayers Together at 'Arafat'³⁵

It has been related in the Saheeh of al-Bukhari on the authority of Ibn Shahaab,³⁶ who said: "Salim ibn Abdullah ibn Umar³⁷ informed me that al-Hajjaj ibn

prayer complete at these places. They said: "If a person's travel is not really the travel in which the prayers are shortened, then his judgment is the same as the judgment of one who is resident." That is to say, that when a person's journeying is specific for the purpose of the major or lesser pilgrimage, then he is not a traveler. He is then required to pray his prayers completely. However, the views of Malik, al-Awzai' and Is'haq is more consistent with the *Sunna*. As for the transmitted supplications for those leaving Mecca for Mina, *Imam* an-Nawwawi said in his al-Adhkaar: "It is highly recommended when leaving from Mecca heading in the direction of Mina that one says: 'O Allah it from You that I place my hopes, and it is to You that I supplicate. So make my virtuous expectations be realized. Forgive me of my sins, and favor me with what You have favored the people of Your obedience. Indeed, You have power over all things.'" The traditionist Abu Is'haq al-Harbi said in his al-Manaasik: "When a person sets out from Mina to 'Arafat, it is highly recommended for him to say: 'O Allah I have directed myself towards You, and it is Your Generous Countenance that I desire. So make my sins forgiven, my pilgrimage blessed and accepted. Be merciful toward me and do not disappoint me. Indeed You have power over all things.'" The author of the al-Adhkaar also said: "It is highly recommended at Mina during the day of the sacrifice, when departing from the Sacred rites, and when reaching Mina, to say: 'All praises are due to Allah who permitted me to attain safety and well-being. O Allah this is Mina, and I have come to it as Your servant underneath Your grasp. So I ask You that You favor me as You favored Your close friends. O Allah verily I seek refuge with You from forbidden things and affliction in my religion, O Most Merciful of the merciful.'"

³⁵ 'Arafat is a place in Mecca, named '*arafat*' (understanding) because it is there that people become acquaintance (*yata'arifun*) with themselves, their Lord, and people all together. It is said that it was named '*Arafat*' because when Jibreel, upon him be peace made the rounds with Ibrahim upon him be peace showing him the observable place of the pilgrimage rites, he would repeatedly ask him: "Do you understand (*a'arifta*)? Do you understand (*a'arifta*)? Ibrahim in turn responded: 'I understand (*ariftu*). I understand (*ariftu*).'" It is also said that when Adam upon him be peace was sent down from Paradise and he and Hawa were separated for a time; he eventually encountered her again at that place, where he recognized her (*arafaha*) and she recognized him (*arafathu*). However, Allah knows best about the veracity of these narratives. It has been related in the authority of the Prophet, may Allah bless him and grant him peace who said: "The best supplication for the day of 'Arafat, and the best which I say and Prophets before me said is: There is no deity except Allah, the One with no partner. To Him belongs the kingdom and the praise, and he has power over all things." It is also highly recommended on that day to make abundance remembrance of Allah and supplications, and make strenuous effort in these. For this is the best day of the year for supplications. The stopping at 'Arafat is the most immense event of the pilgrimage. Whoever experiences it has actually accomplished the pilgrimage, and with its forfeiture the pilgrimage is forfeited. It is for this reason that the Messenger of Allah, may Allah bless him and grant him peace said: "Pilgrimage is 'Arafat." It has been related in a prophetic tradition: "There is no day in which Iblees is more vanquished and more exasperated than he is on the day of 'Arafat." It is thus, necessary that humanity expend all of his efforts in remembrance of Allah, supplication, recitation of the *Qur'an* and making all varieties of calling upon Allah ta'ala. They should make supplications for themselves and make remembrance of Allah in every place. They should make supplication individually and in congregation. They should make supplications for themselves, their parents, near relatives, teachers, companions, friends, loved ones, all those who ever did good for them and for all the Muslims. They can supplicate against all those who envy them, their enemies, and the disbelievers. The majority of the jurists hold the view that this above mentioned collective gathering of supplication is specific for those traveling with it prerequisites. It has been related on the authority of Malik, al-Awzai' and a specific perspective of as-Shafi' that gathering together at 'Arafat is a ritual collective which is permissible for everyone.

³⁶ He was Abu Bakr Muhammad ibn Muslim ibn 'Ubaydullah ibn Abdallah ibn Shahaab ibn Abdallah ibn al-Haarith ibn Zuhra ibn Kilaab ibn Murra ibn Ka'b ibn Luway ibn Ghalib al-Qurayshi az-Zuhri al-Madini. He was famous as 'Ibn Shahaab az-Zuhri'. He was a learned *Imam* and the leading traditionist of his time. He was born in the year 50 A.H. and settled eventually in Syria. He was physically short, with a slight beard. He received transmission from Abdallah ibn Umar, his son Saalim, Sahl ibn Sa'd, Anas ibn Malik, Abu at-Tufayl 'Aamir, Abdallah ibn 'Aamir ibn Rabi'a, Sa'id ibn al-Musayyib with whom he sat and learned jurisprudence for eight years, and others. He narrated two thousands two

Yusef on the year that he dismounted there against Ibn az-Zubayr, may Allah be pleased with him,³⁸ he asked Abdallah, may Allah be pleased with him: “What should one do at the stopping place on the Day of ‘Arafat?” Salim said: ‘If you really desire

hundred prophetic traditions. Those who transmitted from him were `Ataa' ibn Abi Ribaah, Umar ibn Abd'l-Aziz, `Amr ibn Dinaar, Qatada ibn Aslam, Ibn Jurayj, Abd'l-Aziz ibn al-Maajishun, al-Awzai', Malik ibn Anas, al-Layth ibn Sa'd, Sufyan ibn `Uyayna and others. Ibn Wahb once said on the authority of al-Layth who said that Ibn Shihaab used to say: “Nothing has ever been deposited in my heart and I thereafter forgot it.” He used to dislike eating apples and used to regularly drink honey. He used to say: “Honey increases memory.” Sufyan once said; “Az-Zuhri was the most learned of the people of Medina.” He used to seal all of the transmissions of the prophetic traditions with the following supplication: “O Allah I ask You for every good which Your knowledge encompasses in this life and the Hereafter. I seek refuge with You from every evil which Your knowledge encompasses in this life and the Hereafter.” Az-Zuhri died on the 17th of *Ramadan* in the year 124 A.H. at the age of 72.

³⁷ He was Abu Umar Saalim ibn Abdallah ibn *Amir'l-Mu'mineen* Umar ibn al-Khataab ibn Nufayl ibn Abd'l-Uzza ibn Riyaah ibn Qarata ibn Razaah ibn `Adiy al-Qurayshi al-Medini. He was the son from a woman who was a freed slave. He was born during the rule of Uthman. He took transmission from his father Abdallah ibn Umar, A'isha, Abu Hurayra, Abu Raafi' the freedman of the Prophet, may Allah bless him and grant him peace, Sa'id ibn al-Musayyib and others. He transmitted prophetic traditions to his son Abu Bakr, `Amr ibn Dinaar, Ibn Shihaab az-Zuhri, his nephew Umar ibn Hamza ibn Abdallah ibn Umar, his nephew al-Qaasim ibn `Ubaydullah ibn Abdallah ibn Umar, the son of his nephew Umar ibn Muhammad ibn Zayd ibn Umar ibn al-Khataab, the son of his nephew Khalid ibn Abu Bakr ibn `Ubaydullah ibn Abdallah ibn Umar ibn al-Khataab, and others. Sa'id ibn al-Musayyib once said: “Abdallah ibn Umar was the one who most resembled Umar of all of his sons; and Saalim was the one who most resembled Abdallah ibn Umar of all of his sons.” Saalim was extremely dark skinned and wore wool. Malik ibn Anas once said: “No one during the time of Saalim most resembled the righteous men of the past in austerity, spiritual bounty and simplicity of living than him.” Saalim was veracious and reliable who transmitted many prophetic traditions. He was exalted among the men of knowledge and extremely scrupulous in his personal piety. Saalim died in the month of *Dhu'l-Hijja* in the year 106 A.H.

³⁸ This occurred about seven months before the martyrdom of Abdallah ibn az-Zubayr, may Allah ta'ala be pleased with him. He was *Amir'l-Mu'mineen* Abu Bakr Abdallah the son of the Disciple of the Messenger of Allah, az-Zubayr ibn al-`Awwam ibn Khuwaylid ibn Asad ibn Abd'l-Uzza ibn Qusay ibn Kilab al-Qushayri al-Asadi al-Makki al-Medini. He was the first person born in Medina among the *Muhaajiruun* and was born in the year 2 A.H. He was immense in knowledge, nobility, military struggle and worship of Allah. He narrated prophetic traditions from his father az-Zubayr ibn al-`Awwam, his mother Asma bint Abu Bakr as-Sideeq, his maternal grandfather Abu Bakr as-Sideeq, his maternal aunt the *Umm'l-Mu'mineen* A'isha, Umar ibn al-Khataab, Uthman ibn Afan and others. He was among the leaders of the scholars. His transmissions through chains of authority numbered close to thirty three prophetic traditions. He was the premiere knight among the knights of the Quraysh of his time. He lived eight years and four months with the Messenger of Allah, may Allah bless him and grant him peace. He used to repeatedly visit the home of his maternal aunt A'isha seeking knowledge from her. `Aamir ibn Abdallah ibn Abdallah ibn az-Zubayr said I heard my father say: “He once came to the Messenger of Allah, may Allah bless him and grant him peace who was cupping himself. When he finished he said: ‘O Abdallah take this blood and bury it where no one will see it.’ When he left the presence of the Messenger of Allah, may Allah bless him and grant him peace he took the blood and drank it. When he returned the Messenger of Allah, may Allah bless him and grant him peace said to him: ‘What did you do with the blood?’ He said: ‘I decided to hide it in a place where I alone would know, so I deposited it in myself.’ He then responded: ‘Because of that, you drank it?’ He said: ‘Yes’. The Messenger of Allah, may Allah bless him and grant him peace said: ‘Why did you drink the blood? Woe to the people from you and woe to you from the people!’” Abu `Aasim said: “It was considered by most people that the immense physical strength that he possessed came from that blood.” Those who transmitted prophetic traditions from him were his brother `Urwa, his two sons `Aamir and `Abaad, his nephew Muhammad ibn `Urwa, Tawuus, `Ataa' , `Amr ibn Dinaar, Hisham ibn `Urwa and others. The oath of allegiance was given to him as *Khalifa* at the death of Yazid in the year 64 A.H. and he then went on to govern the Hijaz, Yemen, Egypt, Iraq, Khurasaan, and parts of Syria. He was killed as a martyr in the month of *Jumad'l-Akhira* in the year 73 A.H. He lived for 70 years, may Allah ta'ala be pleased with him.

to accord yourself with the *Sunna*, then do the prayer early in the midday on the Day of Arafat.” Then Abdallah ibn Umar said: “He spoke the truth, because they used to join together the *dhuhr* and *‘asr* prayers in according to the *Sunna*.” Ibn Shihaab said: “I then said to Salim: ‘Did the Messenger of Allah, may Allah bless him and grant him peace do that?’”³⁹ Salim said: “Would they follow that except out of adherence to the *Sunna*?”⁴⁰

³⁹ Here ends facsimile 41 of the Arabic manuscript.

⁴⁰ The meaning of the words of Ibn Shihaab: “...that al-Hajjaj ibn Yusef”; that is at-Thaqafiy, who was oppressive, tyrannical, hostile, malevolent and a shedder of the blood of the righteous and the right acting scholars. The meaning of the words of Ibn Shihaab: “...on the year that he dismounted there against Ibn az-Zubayr, may Allah be pleased with him”; which was the year 73 A.H. It was the year in which al-Hajjaj dismounted in Mecca for the siege against Ibn az-Zubayr at the *Ka`ba* in which he pelted it with catapults and caused harm to the people of the Two Sacred Precincts. He was then appointed governor over Iraq and the entire eastern lands for twenty years. Then Allah destroyed him during the month of *Ramadan* in the year 95 A.H. in his middle ages. The meaning of the words of Ibn Shihaab: “...he asked Abdallah, may Allah be pleased with him”; that is to say our master Abdallah ibn Umar. The meaning of the words of al-Hajjaj: “What should one do at the stopping place on the Day of ‘Arafat?’”; is evidence that al-Hajjaj contained some good in spite of his sea of sins, because he at least questioned the people of knowledge regarding the issues of his religion; as Allah ta`ala says: “*Question the people of the Reminder if indeed you do not know.*” This is a testimony for his adherence to the Divine unity and his desire to attain knowledge of the religion in spite of his injustice and tyranny. The meaning of the words of Ibn Shihaab: “...Salim said”; that is to say, the above mentioned Salim ibn Abdallah ibn Umar. Abdallah ibn Umar initially refused to answer the question of al-Hajjaj due to his evil opinion of him. Thus, his son, Salim proceeded to answer him as a way of showing disdain and objection to him by his words: ‘If you really desire to accord yourself with the *Sunna*, then do the prayer early in the midday on the Day of Arafat.’ This means pray immediately after noon and during the severity of the heat; that is to say that the *dhuhr* and *‘asr* should be prayed together. In this interchange indicates the permissibility of a student disciple answering a question put to his teacher in his presence when the teacher refuses for whatever reason to answer it. It is well known, incidentally, that Abdallah ibn Umar was the direct victim of the injustice and intrigues of al-Hajjaj, as we mentioned previously in the Book of the Fear Prayer, as it was cited in the prophetic tradition of Sa`id ibn Jubayr. He said: “I was with Ibn Umar at the time he was wounded with the spearhead of a javelin in the hollow of his foot. He then foisted his foot on to his riding animal. I then descended and withdrew his foot from it. That was on the day that the pilgrims had reached Mina. When this news reached al-Hajjaj he tried to visit him. Al-Hajjaj then said: “If we only knew who wounded you.” Ibn Umar then said: “It was you who wounded me!” He said: “How was that?” He said: “Because you carried your weapons on a day when it is not permissible to do so. And you entered weapons into the Sacred Precincts, when it is not lawful to enter weapons into the Sacred Precincts!” Thus, Abdallah ibn Umar knew of the intrigues of al-Hajjaj as it was stated explicitly in the *al-Ansaab* that he actually ordered a man to carry a poisoned spear and to cause that spear to pierce the foot of Abdallah ibn Umar. He subsequently fell ill from this for some days until he eventually died the following year in 74 A.H. Another proof for Abdallah ibn Umar’s dislike of al-Hajjaj is what he said concerning him as it was cited by Sa`id ibn Jubayr who said: “When death approached Ibn Umar he said: ‘I do not have any regrets regarding this world’s life except in three things: the intense thirst of the high noon; the suffering of the nights; and that I did not fight against the tyrannous mob that descended upon us’. He meant by that al-Hajjaj.” In this also is the permissibility of taking knowledge from an lesser person of knowledge; in this case Salim ibn Abdallah, in the presence of one superior in knowledge, in this case his father Abdallah ibn Umar. However, Abdallah ibn Umar, repeatedly testified to the scholarly merits of his son Salim, as it was cited by Naafi` who said that Ibn Umar used to often kiss Salim and say: “The teacher kisses a teacher.” This was further corroborated by his words regarding the answer his son Salim gave to al-Hajjaj: “He spoke the truth”; which is to say, that my son Salim spoke the truth and his words are in conformity with the *Sunna*. The meaning of the words of Abdallah ibn Umar: “...because they used to join together the *dhuhr* and *‘asr* prayers according to the *Sunna*”; is that the Companions of the Prophet, may Allah bless him and grant him peace used to join the two prayers together. In this statement is establishes the soundness of the behavior of the People of Medina and the consensus of the Companions may Allah ta`ala be pleased with them. The meaning of the words of Ibn Umar: “...in according to the *Sunna*”; was this behavior was the *Sunna* of the Prophet, may Allah bless him and grant him peace. The meaning of the words: “I then said to Salim”; is that these were the

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words of Ibn Shihaab az-Zuhri, meaning his question: ‘Did the Messenger of Allah, may Allah bless him and grant him peace do that?’ In other words: ‘Was this behavior of the Companions in accordance with the *Sunna* of the Messenger of Allah, may Allah bless him and grant him peace?’ In this question is decisive evidence for the permissibility of a student seeking to trace the teachings of his school of thought back to its roots from the Lawgiver, may Allah bless him and grant him peace. The meaning of the words of Salim: “Would they follow that except out of adherence to the *Sunna*?” This means: ‘Can you not see that it is inconceivable that they would follow anything other than his *Sunna* in that?’ This was a question of reproach, because it was well known to any person with intelligence that the Companions of the Messenger of Allah, may Allah bless him and grant him peace reached the highest limits in adherence to the *Sunna*. Ibrahim al-Harbi said in his al-Manaasik: “Al-Hawdi related to us on the authority of Himaam that Naafi` related to him that whenever Ibn Umar failed to encounter the *Imam* on the day of `Arafat, he would join together the *dhuhr* and `asr prayers in the place in which he resided.” The same was related by at-Thawri in his Jaami` in the narration of Abdallah ibn al-Walid al-`Adani on the authority of Abd`l-Aziz ibn Abu Rawaad on the authority of Naafi`. Ibn al-Mundhir also related this from another direction. This was the opinion held by the majority of the jurists. However, an-Nakhai`, at-Thawri, and Abu Hanifa conflicted with this view saying: “The joining of the two prayers together is specific for the one who prays with the *Imam*.” However, the companions of Abu Hanifa as well as at-Tahaawi conflicted with him in that. Among the strongest evidences for them in that was what Ibn Umar did in that. It has been related in a prophetic tradition that the Prophet, may Allah bless him and grant him peace joined together between the two prayers along with the fact that he would do so by himself. This is evidence that he knew that the joining of the prayers was not specific for the *Imam*. Apart of the legal principles lain down by the jurists is that when a Companion acted contrary to a transmitted narration then that was evidence, based upon the good opinion they had of him, that he had knowledge that his conflicting action was sounder than the narration. Thus, it is essential to say the same in this case. This is the view regarding the prayer at `Arafat.

On What Has Been Related Regarding the Halting at ‘Arafat’⁴¹

It has been related in the Saheeh of al-Bukhari on the authority of Jubayr ibn Mut‘im,⁴² who said: “Once my camel went astray from me and I went to find it on the day of ‘Arafat, I then saw the Prophet, may Allah bless him and grant him peace, halting at ‘Arafat.”⁴³

⁴¹ It is a clarification that the halting is done exclusively at ‘Arafat over all other places. The reason for this is that the Quraysh used to say: “We are the people of Allah, so we need not leave the Sacred Precinct.” While all others used to halt at ‘Arafat outside of the Sacred Precinct. Thus, Allah ta‘ala clarified this by His words: “...then hasten onward from the place where the people hasten from.” The place from which hastening is done was the stopping place of ‘Arafat in which the rest of people traditionally halted with the exception of the stopping place of the Quraysh which was Sacred Precinct. They used to say: “Our honor is with the Sacred Precinct, our homes are there, for we are the neighbors of Allah. We see no need to leave it for the place of sacrifice, when halting for the pilgrimage. We will not depart from that which is our honor or from that by which Allah ta‘ala protects our wealth and blood.” However, there were a cadre of the Arabs who only halted in the stopping place of Ibrahim in ‘Arafat. The Prophet, may Allah bless him and grant him peace used to halt in the stopping place of Ibrahim as well, before the descent revelation, as a sign of success from Allah ta‘ala to him, as it will be explained in the prophetic tradition of Jubayr ibn Mut‘im. As for the proof of his words, upon him be peace after the descent of revelation, it has been related by Ahmad on the authority of Abd’r-Rahman ibn Ya‘mar who said: “I once witnessed the Messenger of Allah, may Allah bless him and grant him peace halting at ‘Arafat, when some people from Najd came and said: ‘O Messenger of Allah how do you perform the pilgrimage?’ He said: ‘Pilgrimage is halting at ‘Arafat. Whoever arrives here before the *fajr* prayer of the night of the gathering, has completed his pilgrimage with the days of Mina which are three days. *Whoever hastens his departure by two days, there is no sin on him, and whoever delays, and there is no sin on him.*’”

⁴² He was Abu Muhammad Jubayr ibn Mut‘im ibn ‘Adiy ibn Nufayl ibn Manaaf ibn Qusay al-Qurayshi an-Nufayli. He was premier teacher among the Quraysh during his time. He was among the freedmen who accepted Islam and then perfected it. When he was brought to al-Medina he was among the captives from among his people. He was described as being extremely benevolent. He was of noble birth, obeyed by many and was among the leading families of the Quraysh. The people used to take the knowledge of the lineages from him. He used to say: “I took the science of lineage from Abu Bakr as-Sideeq. Abu Bakr was among the most knowledgeable people of the lineage of the Arabs.” Jubayr was also among the civil servants whom Umar appointed over the people of Kufa. He transmitted many prophetic traditions. Those who transmitted from him were his two sons: Muhammad and Naafi‘, as well as Sa‘id ibn al-Musayyib, Ibrahim ibn Abd’r-Rahman ibn ‘Awf and others. He died in the year 59 A.H.

⁴³ The meaning of his words may Allah be pleased with him: “Once a camel of mine went astray from me” is as it was cited in the narration of al-Kashmeehini, however, in the majority of the narrations he said: “Once a camel went astray from me”, without the expression: ‘of mine’. It is normally said that something ‘goes astray’ (*adalahu*) when it is lost. Ibn as-Sikeen said: “One says: ‘My camel went astray’, when the camel leaves you.” The meaning of his words may Allah be pleased with him: “...and I went to find it”; is that Jubayr merely came to ‘Arafat in search of his camel, not in order to halt there. This means that it was not his intention to stop at ‘Arafat for the pilgrimage rituals; as it was proven in another narration from him: “I was seeking a camel of mine on the day of ‘Arafat.” The meaning of his words may Allah be pleased with him: “...on the day of ‘Arafat”; is that this occurred during the say of ‘Arafat. Thus, his citing of the day of ‘Arafat was connected to his words: ‘went astray from me’; meaning that the going astray of his camel occurred on the day of ‘Arafat. The scholars disagree regarding when Jubayr actually saw the Messenger of Allah, may Allah bless him and grant him peace. Some of them say that he saw the Prophet, may Allah bless him and grant him peace halting at ‘Arafat during 10 A.H. However, the majority of them say that he saw the Prophet, may Allah bless him and grant him peace before the *hijra*, as it was cited in the narration of Is‘haq on the authority of ‘Ataa’ , that Jubayr ibn Mut‘im said: “Once a donkey of mine went astray during the days of ignorance. I found it at ‘Arafat, and I saw the Messenger of Allah, may Allah bless him and grant him peace halting at the stations of ‘Arafat along with the people. Later when I accepted Islam, I then knew that Allah had guided him to that.” The meaning of his words may Allah be pleased with him: “...I then saw the Prophet, may Allah bless him and grant him peace, halting at ‘Arafat”; is that he was stopping there along with the people, supplicating and praying. There is no dispute among the scholars that the Prophet, may Allah bless him and grant him peace prayed the *dhuhr* and *‘asr* prayers together at

On What Has Been Related Regarding Stopping at ‘Arafat While Mounted and Ceasing to Fast on That Day

It has been related in the Saheeh of al-Bukhari on the authority of Umm’l-Fadl the daughter of al-Harith,⁴⁴ who said: “Some people disagreed on the Day of ‘Arafat regarding the fasting of the Prophet, may Allah bless him and grant him peace. Some of them said that he was fasting, while some of them said that he was not fasting. So I sent a bowl of milk to him while he was halting upon his camel and he drank it.”⁴⁵

‘Arafat. Then he would climb and stop on its mountain and supplicate Allah until the setting of the sun. When the sun had set he would set out for Muzdalifa. Malik held the view that the stopping at ‘Arafat included the night from the nights of sacrifice and a day from the day of ‘Arafat consecutively. And if one stopped for one part of the day, and then set out before the setting of the sun, it was not permissible. But if one stopped a portion of the night, that is to say, a portion before the appearance of dawn from the day of sacrifice, then it was permissible. This is extracted from what Malik transmitted on the authority Naafi` on the authority of Ibn Umar who said: “Whoever fails to stop at ‘Arafat on the night of Muzdalifa before the appearance of dawn has forfeited the pilgrimage”; as it was cited by Ibn Bataal. In another narration, Jubayr it reported to have said: “That person, by Allah! is from the strictly religious...”, meaning those who were strict against themselves in religious practice; as Ibn Sayidih cited; “...what has brought him out to this place?” He said this out of amazement as well as a way of objecting when he saw the Prophet, may Allah bless him and grant him peace halting at ‘Arafat in that condition. This was because the custom of the Quraysh in the days of ignorance was not to leave the Sacred Precinct. And since the Prophet, may Allah bless him and grant him peace was the foremost leader of the people of Quraysh, it required him to halt within the confines of the Sacred Precinct with the rest of the Quraysh. Thus, the Prophet, may Allah bless him and grant him peace showed by his example of halting at ‘Arafat that this was indeed apart of the halting places of Ibrahim and was apart of the most important obligations of the pilgrimage; as it was cited by Ahmad from the prophetic tradition of Nabeet ibn Shareet that he saw the Prophet, may Allah bless him and grant him peace halting at ‘Arafat upon a red camel giving the sermon; and that he heard him say: “Which day is the most sacred?” They all said: “This day”; that is to say, that the day of ‘Arafat is the most sacred days of the pilgrimage.

⁴⁴ She was Umm ‘l-Fadl Lubaba bint al-Harith ibn Hazn ibn Buhayr al-Hilaliya. She was a majestic free women, the wife of al-Abass, the uncle of the Prophet, may Allah bless him and grant him peace, the sister of the Mother of the believers Maymuna, the sister of Asma bint `Amish by her mother, and the maternal aunt of Khalid ibn al-Walid. She was among the first and the foremost and was the first woman to accept Islam after Khadija. She was among the oppressed of the women for which reason she was unable to make the *hijra* to al-Medina. She transmitted thirty prophetic traditions. Al-Bukhari and Muslim agree upon the veracity of one. Al-Bukhari transmitted another isolated traditions from her while Muslim transmitted three. She died during the reign of Uthman ibn `Afan, may Allah be pleased with them.

⁴⁵ The meaning of her words, may Allah be pleased with her: “Some people disagreed on the Day of ‘Arafat regarding the fasting of the Prophet, may Allah bless him and grant him peace”; that is to say, they disputed about it, as it was cited in another narration: ‘...they disputed in her presence...’. This means they argued about this issue in her presence. Ar-Raaghib said: “Disputation and contention is a form of argumentation.” The reason that the people disputed and argued about this was because they were doubtful regarding whether the Messenger of Allah, may Allah bless him and grant him peace was fasting on that day or not; as it was stated explicitly in another narration: “The people doubted on the day of ‘Arafat about the fasting of the Prophet, upon him be peace.” This is an indication that fasting on the day of ‘Arafat was a customary practice well known with them when they were resident. Thus, it was as if there were those who were convinced that he continued to fast this day as an act of worship. On the other hand there was others who were convinced that he was not fasting taking as a precedence that he was traveling, since the prohibition of the obligatory fast while was well known, let alone voluntary fasting. The meaning of her words, may Allah be pleased with her: “Some of them said that he was fasting, while some of them said that he was not fasting”; is that these were the two issues about which the people disputed and caused variance in their affair. The meaning of her words, may Allah be pleased with her: “So I sent a bowl of milk to him”; is that, it was actually the Mother of the believers, Maymuna bint al-Harith who sent the milk to him, as it was cited by `Aqeeba; for she was the sister of Umm’l-Fadl Lubaba bint al-Harith. It is said that it was Maymuna who sent it at the request of Umm’l-Fadl in order to have disclosure of the affair. It is also conceivable that both of them sent the milk to him, and that the act was attributed to either one of them simply because they were

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sisters. The meaning of her words, may Allah be pleased with her: "...while he was halting upon his camel"; is in accordance with what was added in the narration of Abu Nu`aym on the authority of Malik: "...and giving a sermon to the people at `Arafat." The meaning of her words, may Allah be pleased with her: "...and he drank it"; is that he drank the milk while the people looked on; as it was stated explicitly in the prophetic tradition of Maymuna. Thus, when he drank from the milk Umm'l-Fadl and everyone else from the Companions knew that he was not fasting on the day of `Arafat, while at `Arafat. In this apparent action of the Prophet, may Allah bless him and grant him peace raises some consideration, that, one, it is not a proof of the prohibition of a highly recommended act, since leaving a thing which is highly recommended is actually an explanation of its permissibility; and two, that delivering the message as a right for him is superior with the regard the general welfare of the people. The proof of the prohibition of fasting on the day of `Arafat while at `Arafat is in what was related by Abu Dawud, an-Nisaai' and verified by Ibn Khuzayma and al-Haakim by way of `Ikrama that Abu Hurayra related to them: "The Messenger of Allah, may Allah bless him and grant him peace prohibited fasting on the day of `Arafat while at `Arafat." Ibn Umar said: "The Prophet, may Allah bless him and grant him peace did not fast on that day, nor did Abu Bakr, Umar or Uthman. And I myself do not fast on that day." Ibn Abass said: "Those who wish to fast that day do not accompany us at `Arafat, because it is a day of glorifying Allah, easting and drinking." It is in accordance with these opinions that Malik, Abu Hanifa, and at-Thawri held the view that one is required eat and drink. `Ataa' said: "The one who eats and drinks on the day of `Arafat does so in order to strengthen himself for the remembrance of Allah. Thus it becomes like a recompense for the one fasting." As for the one who fast on the day of `Arafat and he is not a pilgrim, it is permissible because it was the custom of Ibn az-Zubayr and A`isha to fast on the day of `Arafat. However, al-Hassan used to be amazed with the fasting of the day of `Arafat and ordered pilgrims to do so. He said: "I saw Uthman at `Arafat on a day which was extremely hot. He was fasting and taking a rest. Likewise, Usama ibn Zayd, `Urwa ibn az-Zubayr, al-Qaasim ibn Muhammad, and Sa`id ibn Jubayr used to fast while at `Arafat." Qatada said: "There is no harm in that if the fasting does not dissipate his strength and prevent him from making supplication." As-Shafi` said: "The most beloved of fasting is on the day of `Arafat for the none pilgrim. As for those making pilgrimage, then it is more beloved that he eats and drinks in order to strengthen himself for making supplication." `Ataa' said: "I fast on the day of `Arafat while at `Arafat during the winter, and I do not fast it during the summer." At-Tabari said: "The choice of the eating and drinking of the Prophet, upon him be peace at `Arafat was in order to prove that the pilgrim had a choice to eat and not fast in that place." In this prophetic tradition is proof for the permissibility of acceptance of a gift, as well as women giving guidance to others.

On What Has Been Related Regarding Joining the *Maghrib* and the '*Isha* Prayers at Muzdalifa⁴⁶

It has been related in the Saheeh of al-Bukhari on the authority of Abu Ayyub al-Ansaari, who said: "The Messenger of Allah, may Allah bless him and grant him peace, joined together during the Farewell Pilgrimage the *maghrib* and '*isha* at Muzdalifa."⁴⁷

⁴⁶ The etymological root of *Muzdalifa* is from '*zulfa*' (closeness) meaning nearness (*qurba*), status (*daraja*) and standing (*manzila*). Allah ta'ala says: "And it is not your wealth nor your children which will bring you near (*zulfa*) Us." It is thus a noun, and is as if He says 'by which you draw near to Us in proximity'. Allah ta'ala says: "The Paradise is brought near (*uzlifat*) to those who are fearfully aware"; is that it is brought near by the proximity of them entering it, and their gazing upon it. As for the meaning of *Muzdalifa* utilized in the context of the book here, it is a local in Mecca named so because it brings the people in proximity to Mina after they have hastened from 'Arafat, in which the people gather. It is for this reason that *Muzdalifa* is also called *Jamu`* as it was cited in the prophetic tradition: "The Prophet, may Allah bless him and grant him peace joined the *maghrib* and '*isha* prayers at *Jamu`*"; where the letter *jeem* is inflected with *fat'ha* and the letter *meem* with *sukuun*, and refers to *Muzdalifa*. It is called *Jamu`* (gathering) because Adam gathered there with Hawa, and came close to her, or drew near her there. It has been related on the authority of Qatada: "It was called *Jamu`* because it is the place where the two prayers are joined." It is said that it is depicted so based upon the actions of its people because they gather together (*yajtami`uun*) there, and come in proximity (*yazdalifuun*) to Allah, or draw near to Him, by stopping there. It is said that it is named *Muzdalifa* either because of the gathering of the people there; or due to the proximity it brings them to Mina; or due to the proximity that the people have to one another; or due to disembarkment there by the people in each portion of the night; or due to the fact that it is a station and nearness to Allah; or due to the proximity it brought Adam to Hawa there.

⁴⁷ The meaning of his words, may Allah be pleased with him: "The Messenger of Allah, may Allah bless him and grant him peace, joined together during the Farewell Pilgrimage the *maghrib* and '*isha*"; that is to say he joined between the two prayers at Muzdalifa. In the narration of Ibn Umar it states: "The Prophet, may Allah bless him and grant him peace joined the *maghrib* and the '*isha*..." In the narration of Abu Dharr it states: "...between the *maghrib* and '*isha*...". The meaning of his words, may Allah be pleased with him: "...at Muzdalifa"; is an explanation of his words in the narration of Malik on the authority of Yahya ibn S'id in which the author of the al-Mughazi related using the expression: "That he prayed with the Messenger of Allah, may Allah bless him and grant him peace during the Farewell Pilgrimage, the *maghrib* and '*isha* together." And with at-Tabarani there is a prophetic tradition by way of Jaabir al-Ja'fi on the authority of `Adiy with the same chain of authority: "He prayed by joining the three *rak'ats* of *maghrib* with the two *rak'ats* of '*isha* using a single *iqaama*." In this is refutation against the view of Ibn Hazm that in the prophetic tradition of Abu Ayyub there was no mention of the *adhaan* nor the *iqaama* because Jaabir ibn al-Ja'fi even if considered weak, his narration is supplemented by that of Muhammad ibn Abu Layla on the authority of `Adiy in which the *iqaama* is cited, also in the narration of at-Tabarani. Thus, each of the two narrations strengthens one another. In a narration on the authority of az-Zuhri on the authority of Saalim ibn Abdallah ibn Umar, may Allah be pleased with them he said: "The Prophet, may Allah bless him and grant him peace joined between the *maghrib* and the '*isha* by joining each with an *iqaama*, but he did not glorify Allah with any superogatory acts between them or at the end of any of them." In this prophetic tradition is proof for the followers of as-Shafi' that the prayers of *maghrib* and '*isha* performed at Muzdalifa is to be done with an *iqaama* for each of them. The legal benefit drawn from this is that performing superogatory acts at the end of *maghrib* and '*isha* is to be abandoned, and that there should not be a time interval between them since there are no superogatory prayers performed between them. This is in contrast to the '*isha* prayer because it is conceivable that what is intended is that no superogatory prayers are to be performed immediately after it, but that these can be performed in middle of the night. It is for this reason that some of the jurists say that one should postpone the *Sunna* prayers of the two night prayers by doing them later. It has been transmitted by Ibn al-Mundhir that the consensus upholds that leaving the voluntary prayers between the two prayers at Muzdalifa is done because it allows one to succeed in adhering to the *Sunna* of joining the *maghrib* and the '*isha* at Muzdalifa. For whoever performs superogatory acts between them then it is no longer valid that he has joined the two prayers. It has been related that Saalim ibn Abdallah ibn Umar said: "Ibn Umar, may Allah be pleased with him used to join between the *maghrib* and the '*isha* at Muzdalifa." He also said: "He used to postpone the *maghrib* and that once his wife Safiyya bint Abu `Ubayd was drying for help. I then said to him: 'The

On What Has Been Related Regarding Stoning the *Jimaar*⁴⁸

It has been related in the Saheeh of al-Bukhari on the authority of Jaabir: “The Prophet, may Allah bless him and grant him peace made the stoning on the day of sacrifice during the late forenoon (*duhaa*). Then after that he made the stoning after the descent of the sun.”⁴⁹

prayer!’ He then said: ‘Continue traveling.’ A little later I said again: ‘The prayer!’ He again said: ‘Continue traveling.’ He did this until we had journeyed two or three miles. He then dismounted and prayed and then said: ‘Likewise, did I see the Prophet, may Allah bless him and grant him peace prayer when he was hastening in the journey’.” Abdallah ibn Umar also said: “I once saw the Prophet, may Allah bless him and grant him peace when he was hastening during the journey that he would postpone the *maghrib* and pray it with the normal three *rak`ats* give the greetings of peace. Then little time passed before he would establish the *`isha* praying it with two *rak`ats* and then give the greetings of peace. He would not glorify Allah with extra acts of worship after the *`isha* until he stood in the middle of the night.” There is no disagreement among the scholars that joining the two prayers at Muzdalifa is a confirmed *Sunna* for the one who departs with the *Imam* or after him.

⁴⁸ The expression *Jimaar* is the plural of *jamra* (collective), that is to say that it is a referent to a single tribe which collects together in opposition against other tribes. It is from this that this place of the *jimaar* in which the stoning is done at Mina is called *jamaraat*, due to the fact that one collects the stones for each of the *jamra* which are three. The meaning of the words of the *Shehu*: “Stoning the *Jimaar*” refers to the time of the stoning or to the legal judgment of stoning. In this there is disagreement among the jurists. The majority hold the view that stoning the *jimaar* is an obligation and when it is abandoned it is mended by blood sacrifice. The stoning of the *jimaar* with those who follow Malik consider it a confirmed (*mu`akida*) *Sunna*, thus with them is a narration that the stoning of the *jamrat`l-`aqiba* is a pillar of the pilgrimage, for which the pilgrimage is invalidated for the one who abandons it. Countering this is the view of some of the followers of Malik who say that the stoning of the *jimaar* was enacted simply in order to protect the *takbir* recited then, thus if the stoning is abandoned, then making the *takbir* suffices it. This was transmitted by Ibn Jareer on the authority of A`isha and others. And in this is an immense secret regarding the appearance of the one who will arise in the End of Time for the one whom Allah has illuminated his spiritual insight. Jaabir said: “The Prophet, may Allah bless him and grant him peace made the stoning on the day of sacrifice during the late morning (*duhaa*).” There is unanimous agreement regarding the sum total of stones with which the pilgrim uses is seventy stones. Among these on the day of sacrifice in which the *jamra`l-`aqiba* is stoned is with seven stones. This last *jamra* can be stoned in a way which is easiest for the pilgrim, either from the lowest, highest or middle part. In all that there is substantial legal scope. However, the preferred place for this is from within the valley since there is has reached us the prophetic tradition of Ibn Mas`ud that he used to stone the *jamra* from within the valley.

⁴⁹ The meaning of his words, may Allah be pleased with him: “The Prophet, may Allah bless him and grant him peace made the stoning on the day of sacrifice during the late morning (*duhaa*)”; is as al-Jawhari said: “The morning time (*dahwa*) of the day comes immediately after the rising of the sun, then after that comes the forenoon (*duhaa*), which is the time when the sun is radiant. Then after that comes the late forenoon (*duha`*) which is the mentioned protracted time when the sun is soaring near the highest point of the day.” This is what is intended by the stoning of the *jamrat`l-`aqaba*, not the stoning on the day of sacrifice and other days, since no other time was designated for this by the consensus. The stoning mentioned for the *jamra* of the day of sacrifice is *Sunna* by the unanimous agreement of the consensus. With the followers of as-Shafi` it is permissible to perform it in the middle of the night of the day of sacrifice. The meaning of his words, may Allah be pleased with him: “Then after that he made the stoning after the descent of the sun”; is the stoning of the *jimaar* on the days of *tashreeq* which are the three days following the day of sacrifice, in which stoning is performed each day after the descent of the sun from its zenith. Among those performed the stoning after the descent of the sun were: Umar ibn al-Khataab, Abdallah ibn Abass, and Abdallah ibn az-Zubayr. It is for this reason that Ibn Umar said: “We used to take a rest and when the sun began to descend from its zenith, we would then perform the stoning.” This is the *Sunna* of stoning on the three days of *tashreeq* following the day of sacrifice, thus it is not permissible with the majority of the jurists until after the descent of the sun from its zenith. Thus, it is the confirmed view (*madh`hab*) of Malik, as-Shafi`, Ahmad and the vast majority of the scholars, that it is not permissible to perform the stoning during the three days of *tashreeq* except after the descent of the sun, based upon this sound prophetic tradition. However, the scholars do consider it highly recommended that on the third day from these days that it be performed before the sun descends. Is`haq said: “If a person performs the stoning on the first and

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second day before the descent of the sun from its zenith, should repeat the stoning; but on the third day this is permissible.” Tawuus and `Ataa’ both said: “It is permissible to perform the stoning on the third day before the descent of the sun from its zenith.” Both Abu Hanifa and Is’haq ibn Rawayhi said: “It is permissible on the third day before the descent of the sun is permissible.” Their proof being, that the Prophet, may Allah bless him and grant him peace performed the stoning as was mentioned, and his saying: “Take from me your rites of pilgrimage.” However, the prophetic traditions of Jaabir and Ibn Umar repudiates this view and constitutes the proof in the *Sunna*, thus there is not meaning given to the views of those who conflict with it, nor to those who consider another time other than it as highly recommended. Further, Malik, Abu Hanifa, at-Thawri, as-Shafi` and Abu Thawr all agree that if on the three days of *tashreeq*, the sun sets until its end, then the proper time of stoning has been forfeited, it must be amended by a blood sacrifice. Realize that the stoning of the *jimaar* during the three days of *tashreeq* is conditioned by its set order, which is that one begins with the first *jamra* which is next to the *Masjid’l-Kheef*; then followed by the middle *jamra*; then finally the *jamrat’l-`aqaba*. It is highly recommended when stopping at the first *jamra* that one faces the *qibla* for an extended time making supplication and remembrance of Allah. He should stop in a similar manner at the second *jamra*. However, at the third *jamra* he should not stop for an extended time. The significance of this is established in the Saheeh of al-Bukhari from a narration of Ibn Umar on the authority of the Prophet, may Allah bless him and grant him peace in which is also highly recommended to do this each of the three days, and Allah knows best. It is also highly recommended to raise the two hands when making these supplications according to as-Shafi`, and in accordance with this is the confirmed view of the majority of the scholars. This has been firmly established in the Saheeh of al-Bukhari from a narration of Ibn Umar in his prophetic tradition which we mentioned previously. However, the view of Malik differs from this. They all agree however, that if a person abandons stopping to make supplication, that there is nothing against him, except with what wa transmitted on the authority of at-Thawri who said: “He should feed something of food to others or he should make a blood sacrifice.” Abd’l-Malik al-Maliki said: “Whoever leaves during the days of Mina without stoning the *jamrat’l-`aqaba* has invalidated his pilgrimage.”

On What Has Been Related Regarding Stoning the *Jimaar* With Seven Stones⁵⁰

It has been related in the Saheeh of al-Bukhari on the authority of Abd'r-Rahman ibn Yazid, on the authority of Abdallah, may Allah be pleased with him:⁵¹ "That he eventually came to the big *jamra*⁵² and made the House of Allah on his left side and Mina on his right side. He stoned the *jamra* with seven and said: "It was in this way that he upon whom descended the chapter of *Baqara*, used to stone it."⁵³

⁵⁰ He was Abu Bakr Abd'r-Rahman ibn Yazid ibn Qays an-Nakha'i. He was an *Imam* in knowledge and jurists. He was the brother of al-Aswad ibn Yazid. He transmitted prophetic traditions from Umar ibn al-Khataab, Abdallah ibn Umar ibn al-Khataab, Uthman ibn `Afan, Abdallah ibn Mas`ud, Salman al-Farsi, Hudhayfa ibn al-Yamaani and others. Those who transmitted from him were Ibrahim an-Nakha'i, Abu Is'haq as-Sabeei `Umaara ibn `Umayr, Jaami ibn Shadaad, and others. He died after the year 80 A.H.

⁵¹ That is to say, Abdallah ibn Umar ibn al-Khataab, may Allah be pleased with them. Ibn Sa'd said that it was confirmed that Abd'r-Rahman ibn Yazid transmitted prophetic traditions from him.

⁵² Here ends facsimile 42 of the Arabic manuscript.

⁵³ The meaning of his words, may Allah be pleased with him: "That he eventually came to the big *jamra*"; this refers to the first *jamra* which is near the *Masjid'l-Kheef*, and is the *jamrat'l-'aqabah*, being the last of the three *jamaraat* with respect to Mina if one was facing Mecca. In this statement is proof that the *Sunna* for the pilgrim when he departs from Muzdalifa and reaches Mina that he begins with the stoning of the *jamrat'l-'aqabah*. He should not do anything prior to this stoning. This should be done even before he finds a place to camp. The meaning of his words, may Allah be pleased with him: "and made the House of Allah on his left side"; is that he positioned the House of Allah, meaning the *Ka'ba* on his left side. In this statement is proof that it is highly recommended (*yastahabbu*) for the person stopping at the *jamra* that he position Mecca on his left side. The meaning of his words, may Allah be pleased with him: "...and Mina on his right side"; is that he should position Mina on his right side. In this statement is proof that it is the *Sunna* that when stopping for the stoning one should be inside the valley, where Mina, `Arafat and Muzdalifa are positioned on his right side, and Mecca to his left, and face in the direction of the *jamra*. Ibn al-Mundhir said: "If a person positions the House on his left side and Mina on his right and he faces the direction of the *jamra*, then this is the *Sunna*." That is to say, he should stone the *jamra* while making the House to his left and Mina to his right. This is the foremost view of those who follow as-Shafi'. An-Nawwawi said: "This is the soundest opinion in our *madh'hab* and it is also the view of the majority of the scholars." There is a view which says one should have the *qibla* to one's back and face the *jamra*, with Mina in front of you. This view was held to by *Shaykh* Abu Haamid. There is another view which says that a person should position the *jamra* to his right, Mina should be positioned behind him. Among these opinions also is that one is required to perform that which can no doubt be considered 'stoning', and that it is not sufficient to simply deposit the stones. This is the opinion held by the vast majority of the jurists. *Al-Qadi`Iyad* narrated from the Maliki jurists: "Simply casting and depositing the stones will not suffice." The meaning of his words, may Allah be pleased with him: "He stoned the *jamra* with seven"; is that he was made stoning with seven small stones and recited: 'Allahu Akbar' with the hurling of each stone, as it will be mentioned. It is obligatory, in this that he separate each stone by throwing them one at a time. The legal benefit from this statement is that it is necessary that when stoning the *jamra*, that it be done with seven stones. This is the opinion of most of the scholars. What is meant by seven rocks are stones. The disciples of as-Shafi' say: "It is permissible to stone the *jamra* with anything which is from the genus of the earth, like a rock and a clod of mud, but it is not permissible from anything which is not from the genus of the earth like gold, silver, pearls and amber." Dawud held the opinion that the latter were permissible and anything else even a piece of dried dung or a dead bird. Ibn al-Mubaarak said: "The stoning is only permissible with stones." Ahmad said: "It is not permissible to make the stoning with big rocks." However, there is dispute among the scholars regarding stoning with less than seven stones. At-Tabari said on the authority of `Ataa': "If a person performs the stoning with five stones, it is permissible." It has been related in the authority of Mujaahid who said: "If one performs the stoning with six stones, there is nothing against him." Ibn al-Mundhir said: "Mujaahid took as a basis for this opinion a tradition of Sa'd ibn Abi Waqaas who said: "We returned once with the Prophet, may Allah bless him and grant him peace and some of said: 'I made the stoning with six stones.' And others said: 'I made the stoning with seven.' However, he did not fault any of them." This is the views also held by Ahmad and Is'haq. It has been related on the authority of Tawuus who said: "Whoever makes the stoning with six stone should feed dates or a small portion of food as recompense." At-Tabari said: "Some of the jurists have said that whoever neglects the stoning altogether after haven made the *takbir* at each *jamra*

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seven times, then this will suffice him.” He bases this on what A`isha, the wife of the Prophet, upon him be peace used to say: “The stones utilized for the *jimaar* is in order to safeguard the *takbir*.” Abu Dawud, and an-Nisaa’i related a tradition from the narrations of Abu Mujlaz who said: “I once asked Ibn Abass, may Allah ta`ala be pleased with him about a matter concerning the *jimaar*, and he said: ‘I do not know whether the Messenger of Allah made the stoning with six or seven stones.’” However, the soundest opinion upon which the majority of the jurists rely is that it is obligatory to utilize seven stones, as it was verified from the prophetic traditions of Ibn Mas`ud, Jaabir, Ibn Abass, In Umar and others. The response to the tradition related by Sa`d is that this tradition has no chain of authority. As for the narration of Abu Mujlaz it is that he related it based upon the doubt of Ibn Abass, and doubt regarding something doubtful cannot discredit the certainty of that which is decisive. What is decisive is that if a person makes the stoning with less than seven stones, then the vast majority of the jurists say, as *al-Qaadi`Iyad* related, that he must make a blood sacrifice. This is the confirmed view of Malik and al-Awzai`. As-Shafi` and Abu Thawr both said: “If he has a single stone left which he was required to utilize, then he must give a *mudd* of food to the needy as recompense. If he has two stone left, then he is required to give two *mudds*. If he has three or more left over then he must make a blood sacrifice.” Abu Hanifa, Abu Yusef and Muhammad all said: “If he neglects less than half of the stones required for all three *jamaraat*, then he is required to give a half of a *saa`* for each stone neglected, except if the number reaches the amount for which blood sacrifice is required. For then he should feed what he wishes from food to others, and this will suffice him. If however, he neglects more than half of the stones required for all three *jamaraat*, then he must make a blood sacrifice.” Both al-Hakum and Himaad said: “Whoever forgets to stone a *jamra* or two *jamaraat*, or if he forgets to utilize or two stones, then he must make a blood sacrifice.” `Ataa` said: “Whoever forgets anything from the stoning of the *jimaar*, but he remembers during the night or the day, then he should go and make the do what he forgot, and there is then nothing against him. However, if the three days of *tashreeq* pass, then he is required to make a blood sacrifice.” This is also the opinion of al-Awzai`. Malik said: “Id a person forgets a single stone required for any of the *jamaraat* until the passing of the days for stoning, then he is required to slaughter a sheep. If he, however, forgets to stone a single *jamra* altogether, then he is required to slaughter a cow.” There is also disagreement among the scholars regarding someone who hurls the seven stones at once. Both Malik and as-Shafi` said: “It is only permissible for him to throw one stone and then thereafter throw the other six stones.” `Ataa` said: “It is permissible for him to throw seven stones at once”; which is also the opinion of Abu Hanifa. Ibn al-Qisaar said: “The evidence for Malik is that the Prophet, may Allah bless him and grant him peace threw one stone after another, and then said: ‘Take from me your pilgrimage rituals.’ Thus, it is obligatory to follow his actions.” The meaning of his words, may Allah be pleased with him: “...and said: “It was in this way that he upon whom descended the chapter of *Baqara*, used to stone it”; is a referent to the one who received the Divine revelation, our master Muhammad, upon him be the best blessings and most perfect peace. He singled out this *Qur`anic* chapter for mention because the majority of the legal rulings regarding pilgrimage is mentioned in it.

On What Has Been Related Regarding Saying the *Takbir* With Every Stone⁵⁴

It has been related in the Saheeh of al-Bukhari on the authority of Abd'r-Rahman ibn Yazid was with Ibn Mas`ud⁵⁵, may Allah be pleased with him at the time he was stoning the last *jamra*. He penetrated the valley until he stood opposite the tree which obstructed it. He then stoned it with seven stones saying, '**Allahu akbar**', with every stone. He then said: "By the One whom there is no deity except Him it was from here that the one upon whom the chapter *Baqara* was revealed stood."⁵⁶

⁵⁴ This means that the pilgrim when he stones the *jamrat*'-*l*'-*aqaba* he should pronounce a single *takbir* with the throwing of each stone. What is meant here by *takbir* is the saying of: "Allahu Akbar."

⁵⁵ He was Abu Abd'r-Rahman Abdallah ibn Mas`ud ibn Ghaafil ibn Habeeb ibn Shamkh ibn Faar ibn Makhzuum ibn Saahila ibn Kaahil ibn al-Haarith ibn Tamim ibn Sa`d ibn Hudhayl ibn Mudraka ibn Ilyas ibn Mudar ibn Bizaar al-Hudhaliy. He was originally a Meccan from the protected allies of the Banu Zuhra. He then became *Muhajiri* by making the *hijra* twice. He also participated in Badr. He was among the first and the foremost of the *Umma* and the *nujaba* of this world. He was an erudite *Imam* and the leading jurist of the *Umma*. On the day of Yarmouk he was responsible for the spoils of war. His virtues and merits were abundant and he transmitted a copious amount of knowledge. Qays ibn Abu Hazim said: "I remember him being dark skinned and extremely thin." It has been related on the authority of `Ubaydallah ibn Abdullahi ibn `Utba who said: "Abdallah was an very thin man, short and extremely dark, whose age did not alter his look." Nuwayfi, the freedman of Ibn Mas`ud said: "Abdallah was among the most noble of men who wore white attire, and the most fragrant of people wearing perfumes." He was also known by his mother, who was Umm Abd (the mother of a slave) the daughter of the slave of Wuddi ibn Suway from the Banu Zuhra. Ibn Is`haq said: "Ibn Mas`ud was the thirteen person to accept Islam." Hudhayfa said: "He was the one who most resembled the Messenger of Allah, may Allah bless him and grant him peace in his guiding others, providing proofs, giving judgments and delivering sermons. From the time he would leave his home until the time he returned, I knew of no one who behaved with his family as Abdallah ibn Mas`ud. Those Companions of Muhammad, may Allah bless him and grant him peace who were committed to performing their nights prayers agreed that Abdallah was the closest of them to Allah as means on the Day of Judgment. Abdallah was the one who most resembled the Prophet, may Allah bless him and grant him peace in his giving guidance, providing evidence and qualities." At-Thawri transmitted on the authority of Haaritha ibn Mudarrab who said: "Umar ibn al-Khataab once wrote to the people of Kufa saying: 'I am sending to you `Amaar as an *amir* and Ibn Mas`ud as a teacher and his *wazir*. These two are among the *nujaba* of the Companions of Muhammad, may Allah bless him and grant him peace, from the people of Badr. Therefore listen to and obey them'." It has been related on the authority of `Ubaydallah ibn Abdallah who said: "Ibn Mas`ud died in al-Medina and was buried in Baqi`a in the year 32 A.H."

⁵⁶ The meaning of his words, may Allah be pleased with him: "...he was with Ibn Mas`ud, may Allah be pleased with him"; that is to say, he was with him on the pilgrimage. The meaning of his words, may Allah be pleased with him: "...at the time he was stoning the last *jamra*"; is that this was not in Mina, but at the edge of Mina in the direction of Mecca. This was the place where the Ansaar gave the oath of allegiance to the Prophet, may Allah bless him and grant him peace for him to make the *hijra*. The expression '*jamra*' is a name which refers to a place where stones are collected. It is called that because of the gathering of the people there. It is normally said: "The Banu so-and-so gathered (*tajamara*)"; when one means that they collected together. It is also said that the Arabs call small stones *jimaar*. The meaning of his words, may Allah be pleased with him: "...He penetrated the valley"; is as it was related by Sakhra on the authority of Abd'r-Rahman ibn Yazid: "That when Abdallah came to the *jamra*'-*l*'-*aqaba* he penetrated the valley and faced towards the *qibla*." This means that stoned the *jamra* from within the precincts of the valley. The meaning of his words, may Allah be pleased with him: "...until he stood opposite the tree that stood"; is that he faced it. The additional letter *yaa* in an indication that there used to be a tree located near the *jamra*. It has been related Ibn Abi Shayba on the authority of at-Thaqafi on the authority of Ayyub who said: "I once saw al-Qaasim, Saalim and Nafi` stoning the *jamra* from near the tree." The meaning of his words, may Allah be pleased with him: "...which obstructed it"; is that the *jamra* was obstructed by the tree. Or it means he approached the *jamra* from the side (*urd*) of the tree. The meaning of his words, may Allah be pleased with him: "...He then stoned it"; is that he stoned it one at a time, as we mentioned previously. The meaning of his words, may Allah be pleased with him: "...with seven stones saying, '**Allahu akbar**', with every stone"; is that he said: '*Allahu akbar*' with each stone. This is evidence for the prerequisites of stoning the *jamaraat* is that they must be done one at a time. This is the opinion of the majority of the scholars except `Ataa', and Abu Hanifa, as we mentioned. The *Sunna* is that a

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person should make the *takbir* with the throwing of each stone, as he upon him be peace did, and as the *Imams* after him did. This has also been related on the authority of Ibn Mas`ud and Ibn Umar, and was the opinion of Malik and as-Shafi`. It is agreed that it is making the *takbir* is highly recommended based upon what was related by *Qadi`Iyad* who said: "If a person neglects making the *takbir*, then his stoning is still valid." However, there is dispute regarding this because some of the jurists consider the *takbir* as an obligation. The followers of Abu Hanifa say: "When pronouncing the *takbir* with the throwing of each stone a person should say: 'In the name of Allah, Allah is the greatest, in defiance of Satan and his party'." It is reported that Ali, may Allah ta`ala be pleased with him used to say whenever he would throw a stone: 'O Allah guide me with Your guidance, reinforce me with fearful awareness, and the Hereafter better for me than the first life.' In the narration of Muhammad ibn Abd`r-Rahman ibn Yazid an-Nakhai` on the authority of his father in a tradition of the stoning of Ibn Mas`ud of the *jamaraat*: "When he had completed the stoning of the *jamrat`l-`aqaba* he would say: 'O Allah make it an accepted pilgrimage where sins are forgiven'." The meaning of his words, may Allah be pleased with him: "...He then said"; is that then Ibn Mas`ud said after completing the stoning of the *jamrat`l-`aqaba* and after making supplication: "By the One whom there is no deity except Him it was from here that the one upon whom the chapter *Baqara* was revealed stood." Ibn al-Munir said: "Abdallah designated the chapter of *Baqara* for mentioning because it was in this chapter that the stoning of the *jamaraat* is mentioned. This is an indication that the action of the Prophet, may Allah bless him and grant him peace at the *jamra* was a clarification of what was originally intended in the Book of Allah ta`ala." What is meant here is that most of the actions performed during the pilgrimage are mentioned in this chapter. It is as if he said that this is the place in which the legal judgments of pilgrimage rites were revealed, clarifying that the actions of the pilgrimage were finalized then. It is said that he designated *Baqara* for special mention due to its length, the immensity of its status and the abundance of legal judgments revealed in it. Or it is an indication that the length of time one was required to stop at the *jamra* is to the extent that it took to recite *Surat`l-Baqara*; and Allah knows best.

On What Has Been Related Regarding Sacrificing at the Place of Sacrifice of the Prophet, may Allah bless him and grant him peace⁵⁷

It has been related in the Saheeh of al-Bukhari on the authority of Naafi',⁵⁸ who said: "Abdallah ibn Umar, may Allah be pleased with him used to make the sacrifice at the place of sacrifice. Ubaydallah⁵⁹ said: 'It was at the place of sacrifice of the Messenger of Allah, may Allah bless him and grant him peace.'⁶⁰

⁵⁷ The etymological root of the expression '*nahr*' (sacrifice) refers to the upper part of the chest (*sadr*). It is the location where the throat and the upper part of the chest meet. Thus, the '*manhar*' is the place of sacrifice, which is where the knife pierces the throat of the sacrificial animal, thus, the sacrificing of a camel means the piercing of its throat. The day of sacrifice (*yawm'n-nahr*) is the 10th of *Dhu'l-Hijja*, the day of *Ad'haa* (slaughter) because it is the day that in the sacrificing begins. The meaning of *manhar* in the context of this legal issue is the place in which the sacrifice and other religious rites take place. In this is a clear explanation that the slaughter and sacrifice should be in the place of prayer. That is to say, it is the place where the prayer of the *'eid* takes place. The objective of this interpolation is to clarify that the *Sunna* practice is for the *Imam* to make his sacrifice at the place of prayer so that no one makes the sacrifice before him and that everyone else follows him in the sacrifice, as well as in order that he may teach them the description of sacrificing. This is because the key purpose of the *Imam* is in order to clarify the religious rites to others. It is then that the rest of the people should set out after the completion of the prayer to make their sacrifices, as he upon him be blessings and peace said: "The first thing that we begin with is that we pray, then we disperse to make the animal sacrifice."

⁵⁸ He was Abu Abdallah Naafi' al-Qurayshi al-'Umari, the freedman of Abdallah ibn Umar. He was an *Imam* and a well established *mufti*. He was among the most learned of the scholars of al-Medina. He was veracious and noble in his transmission of many prophetic traditions. He transmitted from Abdallah ibn Umar, his sons: Saalim, Abdallah, 'Ubaydallah, and Zayd, A'isha, Abu Hurayra, Abu Sa'id al-Khudri, Umm Salama, Raafi' ibn Khudayj and others. Malik once said: "When Naafi' says something, I then seal my views on that." Al-Bukhari said: "The soundest chain of authority is: Malik on the authority of Naafi' on the authority of Ibn Umar." Those who narrated from Naafi' were: Malik ibn Anas, Ayyub as-Sakhtiyaani, 'Ubaydallah ibn Abdallah ibn Umar, Yahya ibn Sa'id, Ibn 'Awn, Saalih ibn Kaysaan, Musa ibn 'Uqba, Ibn Jurayj, Kathir ibn Farqad, al-Layth ibn Sa'd, az-Zuhri, Humayd at-Taweel, Usama ibn Zayd, Handhala ibn Abu Sufyan, al-Awzai', ad-Duhaak ibn Uthman, 'Aasim, and his two sons: Umar ibn Naafi' and Abu Bakr ibn Naafi', and many more. It has been related by Zayd ibn Abi Unaysa on the authority of Naafi' who said: "I traveled with Ibn Umar for thirty something major and lesser pilgrimages." Naafi' died in the year 127 A.H.

⁵⁹ He was Abu Hafs 'Ubaydallah ibn Hafs ibn 'Aasim ibn Amir'l-Mu'mineen Umar ibn al-Khaṭṭaab al-Qurayshi al-'Adawiyy al-Umari al-Medini. He was a highly developed *Imam* and traditionist. He was among the youngest of the Second Generation (*Taabi'oon*), and encountered the female Companion, Umm Khalid bint Khalid and received transmission from her. Others from whom he transmitted were: Saalim ibn Abdallah ibn Umar al-Khaṭṭaab, al-Qaasim ibn Muhammad ibn Abu Bakr as-Sideeq, 'Amr ibn Dinaar, and many others. Yahya ibn Sa'id said: "'Ubaydallah was among the firmly established transmitters." An-Nisaai' said regarding him: "He was veracious and firmly established." During his time all that was heard by the people of al-Medina came from the reading of 'Ubaydallah, for he was the spiritual master of the people of al-Medina, the most noble of the Quraysh in spiritual bounty, knowledge, nobility, memorization and agreement. Those who narrated from him were Ibn Jurayj, Ibn al-Mubaarak, Yahya ibn Sa'id, Muhammad ibn Bishr and a host of others. 'Ubaydallah died in the year 147 A.H.

⁶⁰ The meaning of the words of Naafi', may Allah be pleased with him: "Abdallah ibn Umar, may Allah be pleased with him used to make the sacrifice at the place of sacrifice"; is what Ibn at-Teen said: "It was a reference to the actual place of sacrifice of the Prophet, may Allah bless him and grant him peace located at the first *jamra* the closest of them to the *Masjid'l-Kheef*." The meaning of his words, may Allah be pleased with him: "Ubaydallah said"; that is to say, the above mentioned 'Ubaydallah ibn Umar, may Allah ta'ala be pleased with him. He cited him because Ahmad ibn Hanbal said that 'Ubaydallah ibn Umar was the most firmly established of the scholars regarding the narrations of Naafi', more so than Malik or Ayyub. Of them, he was more perfect in his memorization and was more abundant in his transmission of the narrations of Naafi'. The meaning of the words of 'Ubaydallah, may Allah be pleased with him: "It was at the place of sacrifice of the Messenger of Allah, may Allah bless him and grant him peace"; is that it was the place in which he upon him be peace used to slaughter his sacrificial animal. In another narration Ibn Umar said: "Verily the Prophet, upon him be peace used to make his sacrifice and slaughter at the place of worship." However, this is the *Sunna* of

On What Has Been Related Regarding Shaving and Cutting the Hair⁶¹

It has been related in the Saheeh of al-Bukhari on the authority of Naafi` that Abdallah said: "The Prophet, may Allah bless him and grant him peace, shaved his head along with a group of his Companions, and some of them cut theirs."⁶²

the *Imam* specifically to sacrifice his sacrificial animal or sacrifice at the place of prayer. Thus, it has become the standard behavior of the metropolis of the Muslims. Ibn Umar used to also make his sacrifice at the place of the prayer, however, Malik transmitted that this behavior is only for the *Imam*. Al-Muhlab said: "The *Imam* should make the sacrifice at the place of the prayer so that the people can see him, and then they should make the sacrifice with certainty after he has made his sacrifice. They should do this in order to witness directly the description of his manner of making the sacrifice, because he is the one required for learning the individual obligations." This prophetic tradition also establishes that it is necessary for the *Imam* to postpone making the sacrifice until after the prayer. He, upon him be blessings and peace said during one of his sermons: "The first thing that we begin with is that we pray then we disperse and make our sacrifice." Malik said: "The *Imam* should make the animal sacrifice in the place of prayer so that no one will make the sacrifice before him."

⁶¹ This refers to the shaving of the hair of the head and shortening it at the *ihlaal* (removal of the *ihraam*) after the stoning of the *jimaar*. Both shaving and shortening are apart of the rituals for the pilgrim making the major and minor pilgrimage in the opinion of Malik, who also held the opinion that shaving the hair is superior to shortening it. It is obligatory upon everyone who missed the pilgrimage, was blocked from making pilgrimage by enemies, ill, are had some valid excuse to shave or shorten the hair. This is the expressed view of many of the jurists except in the issue of being blocked by enemies. For Abu Hanifa said: "It is not obligatory for him to shave or shorten his hair." Those who hold the view that the shaving and shortening of the hair are apart of the rituals of the pilgrimage required that the one who abandons them that he has to make a blood sacrifice. However those who do not consider the shaving and shortening as apart of the rituals of the pilgrimage and consider them apart of the *ihlaal* (the process of removing the *ihraam*) then he is not obligated to do anything. The scholars agree that it is not obligatory for women to shave, and that it is a *Sunna* for them to cut a small fragment of their hair. Abu Yusef said: "It is obligatory to shave at least half of the hair of the head." *Imam* as-Shafi` held the view that it is sufficient to shave a third of the hair, but cutting a single hair particle or some of the hair particles will not suffice, as it would in wiping the head during the ablution.

⁶² The meaning of his words, may Allah be pleased with him: "The Prophet, may Allah bless him and grant him peace, shaved his head"; that is during the Farewell Pilgrimage as it was mentioned in a narration related in the al-Mughazi by way of Musa ibn `Uqba on the authority of Naafi`: "He upon him be peace shaved during the Farewell Pilgrimage and so did some of the people from his Companions, while some of them cut a portion their hair." This means that the Prophet shaved his hair during the major pilgrimage (*al-hajj*) and not during the minor pilgrimage (*`umra*). It has been related in the Saheeh that Mu`awiyya cut some of the hair of the Prophet may Allah bless him and grant him peace at Murwa with a pair of scissors. However, this was during the minor pilgrimage and not the major pilgrimage, because it is well known that the Prophet, may Allah bless him and grant him peace shaved his hair during the major pilgrimage. Al-Bukhari mentioned in his at-Tarikh-Kabeer that it was Mu`amir al-`Adawiyy who shaved the head of the Prophet, may Allah bless him and grant him peace during the Farewell Pilgrimage. An-Nawwawi mentioned in his Sharh Muslim that it was Kharash ibn Umayya ibn Rabi`a who shaved the head of the Prophet, may Allah bless him and grant him peace on the day of Hudaibia. The majority of the scholars hold the view that a person whose hair is matted into locks like the custom of some of the Abyssinians and others from our people among the Blacks, as well as those who neglect grooming their hair until it mats up; it is obligatory upon them to shave, just as the Prophet did; and likewise Umar ibn al-Khataab and Ibn Umar, may Allah be pleased with both of them. This was the view of Malik, at-Thawri, as-Shafi`, Ahmad, Is`haq, and Abu Thawr. Similarly, a person whose hair is naturally short or is plaited, then the judgment is the same as the judgment of a person whose hair is matted into locks. It has been mentioned in the Kaamil of Ibn `Adiy from the prophetic tradition of Ibn Umar: "The person whose hair becomes matted due to wearing the *ihraam* it is then obligatory for him to save his hair." Abu Hanifa said: "The person whose hair is matted into locks, or naturally short, then if he merely shortens his hair and does not shave it, then it is permissible." It has been related on the authority of Ibn Abass, may Allah be pleased with him that he said: "The person whose hair is matted into locks, plaited or naturally short, if he intends to shave then he should shave. However, if he did not make the intention, if he likes he can shave his hair; if he likes he can cut it." The meaning of his words, may Allah be pleased with him: "...along with a group of his Companions"; is that some of them shaved their heads following the Messenger of Allah, may Allah bless him and

grant him peace. As for the time for shaving the head, it is from the appearance of dawn with those who follow Malik, while with those who follow as-Shafi` it is in the middle of the night of the day of sacrifice, but he should not postpone it beyond that time. Shaving the head at Mina on the day of the sacrifice is best. If he postpones cutting until he returns to his country, he should shave it or offer sacrifice. If he has sexual intercourse before shaving the head, then he is obligated to offer a sacrifice, but there is disagreement regarding the one who hunts, as is well known. Ibn Qudaama said: "I is permissible to postpone the shaving of the head until the days of sacrifice. If he however, postpones it beyond that time, then there are two opinions. Some say that there is no blood sacrifice on him which was the views of `Aṭaa', Abu Yusef and Abu Thawr. This resembles the view of as-Shafi` because Allah ta`ala says explaining the beginning of its time: '*And do not shave until your sacrifices have reached their place*'. He did not explicitly state the last of its time, for whenever the sacrifices reach their location it is then permissible to shave the head." On the authority of Ahmad it is obligatory to make a blood sacrifice for postponing shaving the head. This is also the opinion of Abu Hanifa because he considered it apart of the ritual to postpone it beyond its proper place. There is no difference in postponing shaving the head, whether it is by a little time or much, due to forgetfulness or intentionally. Malik, at-Thawri, Is'haq, Abu Hanifa and Muhammad all said: "Whoever abandons shaving the head until he removes the *ihraam*, then he is obligated to make a blood sacrifice because it is apart of the ritual of pilgrimage which should be performed during the sacred period of the pilgrimage just like the remainder of the rituals." As for the methodology of shaving, it has been related by Muslim in a prophetic tradition of Anas: "The Messenger of Allah, may Allah bless him and grant him peace came to Mina, and then went to the *jamra* and stoned them. He then came back to his camping place in Mina and made the sacrifice. He then said to the barber: 'Take from here'. He made an indication to his right side, then to his left. He then gave this to the people." In the narration of at-Tirmidhi from a prophetic tradition of Anas as well who said: "When the Messenger of Allah, may Allah bless him and grant him peace had stoned the *jamra*. He then made his ritual sacrifice, and then went to the barber, who shaved his right side, which he then gave to Abu Talha. He then shaved his left side and he said: 'Divide this portion between the people'." In this is proof that it is negation not an obligation to bury the hair. However, some of the scholars say that not burying the shaved hair was specific for the hair of the Prophet, ay Allah bless him and grant him peace. As for others from the children of Adam, it is obligatory for them to bury their hair, or it is considered highly recommended. Ar-Raafi` mentioned regarding the *Sunnan* of shaving: "When a person shaves, it is highly recommended that he began with his right side, then the left; that he should face the *qibla*; that he make the *takbir* after the completion and that he bury his hair." At-Tabari related that apart of the *Sunnan* of shaving the hair is to pray two *raka`ts* after it. In this prophetic tradition is established the permissibility of taking blessings with the Prophet's hair and other than that from his traces. Ahmad related in his *Musnad* with his chain of authority going back to Ibn Sireen who said: "Ubayda as-Salmaani narrated this tradition to me, (meaning the above cited tradition) and said: 'That one of his hairs is with me is more beloved to me than all the silver and gold on the face of the earth and in its interior'." More than one narrator related that Khalid ibn al-Walid, may Allah ta`ala be pleased with him, kept under his cap some of his hairs. It is for this reason that he never directed himself towards an enemy province except that he attained victory. This was further corroborated by al-Mala' in his *as-Seera* where he said: "When Abu Talha divided the hair among the people, Khalid asked him to give him the hair from his forelock so he gave it to him. He requested this because the hair from the forelock of his forehead is related to attaining victory for everyone who places it in front of him." This is an indication of the immense secret regarding some of the ministers of the Awaited *al-Mahdi*. In this prophetic tradition it establishes the purity of the human hair, which is the teaching of the majority of the scholars. It is sound in the opinion of those who follow of as-Shafi`, although among them Abu Ja`far at-Tirmidhi disagreed saying that purity was a special quality of the Prophet's hair alone, and held the view that the hair of everyone else was impure. The meaning of his words, may Allah be pleased with him: "...and some of them cut theirs"; is that a group among the Companions cut their some of their hair. This is proof of the permissibility of shortening the hair although shaving is superior. Malik, at-Tayaalisi, Ibn Abi Shayba, al-Bukhari, Muslim, Abu Dawud, at-Tirmidhi and Ibn Maja all related on the authority of Ibn Umar that the Messenger of Allah, may Allah bless him and grant him peace said: "May Allah be merciful to those who shaved." They said: "As well as those who cut their hair, O Messenger of Allah!" He again said: "May Allah be merciful to those who shaved." They again said: "As well as those who cut their hair, O Messenger of Allah!" He then said: "And those who cut their hair." It is said this occurred on the day of Hudaibia when they were barred from the House of Allah. In the narration of Ibn Abi Shayba, al-Bukhari, Muslim and Ibn Maja on the authority of Abu Hurayra who said: "The Messenger of Allah, may Allah bless him and grant him peace once said: 'O Allah, forgive those who shaved their

On What Has Been Related Regarding the *Tawwaaf'l-Ifaadat*⁶³

It has been related in the *Saheeh* of al-Bukhari on the authority of A`isha, may Allah be pleased with her, who said: "We made the *hajj* with the Prophet, may Allah bless him and grant him peace, and we poured forth in large numbers on the Day of Sacrifice."⁶⁴

heads.' They said: 'O Messenger of Allah and those who cut their hair as well!' He then said three times: 'O Allah, forgive those who shaved their heads.' They said: 'O Messenger of Allah and those who cut their hair as well!' He then said: 'And those who cut their hair'." It is said that this occurred during the Farewell Pilgrimage. The Messenger of Allah, may Allah bless him and grant him peace sought forgiveness three times for those who shaved their heads, and once for those who cut their hair proves the superiority of shaving the head over shortening the hair. Al-Muhlab said: "The significance of the Prophet, may Allah bless him and grant him peace of making supplication three times for those who shaved their heads, and Allah knows best, that shaving is more persuasive in expressing the concept of worship. It is also more articulate as a proof of the sincerity of the intention in showing one's humility to Allah, because merely shortening the hair is an indication of the continuity of the desire to beautify the self, which Allah desire for those who have answered His invitation to pilgrimage to let go, as a way of manifesting their humility and humbleness to Him. They thus are required to avoid adorning themselves with all fragrances and forms of beautification and to be unkempt and dusty. Thus, whoever leaves some of his hair, then their still persist in his soul some desire for beautification, and indicates that he is not adorning himself with dishevelment and dust for the sake of Allah alone. Thus, the Prophet, may Allah bless him and grant him peace wanted to incite people to being unkempt and dusty by making supplication so that those who persisted with the desire of the beautification of this world's life could abandon it. Then he made for them as well a portion of his supplication, which was a forth of the original supplication, so that no one from among his *Umma* would not be disappointed from receiving the righteousness of his supplication."

⁶³ The meaning of the expression *ifaadat* 'amplification' is from 'to pour forth' (*sabb*) and is utilize to indicate pushing forward with one's journey. Its etymology is from exhaust oneself or one's camel. Allah ta'ala says: "...but when press on in the multitude from `Arafat", which means when the people press on from `Arafat to Mina, by setting out in multitudes to Mina reciting the *talbiya*. Thus, every setting out is a form of pouring forth. The meaning of 'when you press on' is when you set out in large numbers. Abu Is`haq said: "This expression is proof that the halting at `Arafat is an obligation, because the pouring forth in multitudes does not occur except after first halting at `Arafat." The meaning the *tawwaaf'l-ifaadat* 'the circumambulation of the pouring forth of the multitude' on the day of sacrifice is the pouring forth of the people from Mina to Mecca; then they make the *tawwaaf* and then return back to Mina, stay over night and make the final stoning.

⁶⁴ The meaning of her words, may Allah be pleased with her: "We made the *hajj* with the Prophet, may Allah bless him and grant him peace"; is that it was the Farewell Pilgrimage as it was cited in the narration of Abu Dawud on the authority of Umm'l-Hussein. The meaning of her words, may Allah be pleased with her: "...and we poured forth in large numbers on the Day of Sacrifice"; is that we made the circumambulation for the *tawwaaf'l-ifaadat*. The scholars agree that this *tawwaaf* is an obligation. Their evidence for this are the words of Allah ta'ala: "Then let them make an end to their unkemptness and pay their vows and go around the Ancient House." Thus, making *tawwaaf* of the Ancient House was made obligatory after the completion of the unkemptness. This is a reference to the *tawwaaf'l-ifaadat* on the day of sacrifice after the halting at `Arafat. If the person makes the *tawwaaf* voluntarily then it suffices from the obligation because he performed it in its proper time. All of the scholars consider it highly recommended making the *tawwaaf* on the day of sacrifice, returning to Mina, staying the night and then making the final stoning. Abd'r-Razaq mentioned on the authority of Ibn Jubayr: "If a person makes the *tawwaaf* on the day of sacrifice he should not exceed seven circumambulations and he can postpone them." The same was narrated on the authority of Tawuus. It has been related on the authority of al-Hakam who said: "The companions of Abdallah on the day of sacrifice did not exceed seven circumambulations, and they used to postpone them." There is no dispute among the jurists regarding the one who postpones making the circumambulations on the day of sacrifice and makes it during the days of *tashreeq* (11th, 12th, and 13th of *Dhu'l-Hijja*) that it perverts the obligation, and that there is nothing against him. They do differ, however in postponing it until the days of *tashreeq* pass. `A`taa' said: "There is nothing against him"; which is also the view held by Abu Yusef, Muhammad, as-Shafi`, and Abu Thawr. Malik said: "If he hastens it, it is better. If he postpones it until the passing of the days of *tashreeq*, and then leaves from Mina to Mecca, there is no harm. However, if he postpones it after leaving Mina for some days, and many days pass, then it is obligatory for him to

On What Has Been Related Regarding the Farewell *Tawwaaf*⁶⁵

It has been related in the Saheeh of al-Bukhari on the authority of Ibn Abaas said: "The people were ordered that their last obligation be with the House."⁶⁶

make a blood sacrifice." There is disagreement also if he postpones it until he returns to his land. Some of the jurists have said: "He should return and make the *tawwaaf* and nothing else suffices that." It has been related `Aṭaa' in a second opinion: "This view is valid when the following year returns and he goes again to make the major or minor pilgrimage." Ibn al-Qaasim said in the al-Mudawwana: "Ibn Abd'l-Hakam related on the authority of Malik: 'The *tawwaaf* of entering the precincts can suffice a person from making the *tawwaaf*'*l-ifaadat* if he forgets to do it until he returns to his land, but he must make a blood sacrifice.' Ibn al-Maajishun and Maṭruf both related on the authority of Malik: 'The *tawwaaf* of entering the precincts does not suffice from the *tawwaaf*'*l-ifaadat* in anything. What suffices them from *tawwaaf*'*l-ifaadat* are all the actions the pilgrim does from the day of sacrifice and after it during his pilgrimage'." This is also the view of Abu Hanifa and as-Shafi`.

⁶⁵ That is to say, it is an explanation of the legal judgment regarding the farewell *tawwaaf* which is performed as the last solemn covenant of the pilgrims. The jurists disagree regarding its obligation.

⁶⁶ The meaning of his words, may Allah be pleased with him: "The people were ordered that their last solemn covenant should be with the House"; is that what is meant by the commanding of the people utilizing the passive voice is that it was the Prophet, may Allah bless him and grant him peace who commanded them. This last solemn covenant should only be making the *tawwaaf*. Thus, the last solemn covenant should be the farewell *tawwaaf*. It has been related by Sufyan regarding the meaning of his words: "...their last solemn covenant should be with the House" is that it was related on the authority of Sulayman al-Aḥwaal on the authority of Tawuus on the authority of Ibn Abass who said: "The people used to disperse in every direction, but then the Messenger of Allah, may Allah bless him and grant him peace said: 'None of you should go until his last solemn covenant is with the House'." That is to say, that he should make the *tawwaaf* of the House. It has been related Muslim in which he added: "...except that mitigation was made for the woman menstruating." This is proof of the obligation of making the farewell *tawwaaf* for the woman not menstruating, and repeals it from those who are, and she is not required to make a blood sacrifice for abandoning it. This is the opinion of Malik, as-Shafi`, Abu Hanifa, Ahmad and others, except what was transmitted by Ibn al-Mundhir on the authority of Umar, Ibn Umar, and Zayd ibn Thaabit, may Allah be pleased with them. An-Nawwawi said: "It is a required obligation for the one who abandons it that he make a blood sacrifice, according to the soundest opinion with us." This is the view of the majority of the scholars, however Malik, Dawud and Ibn al-Mundhir said: "It is a *Sunna* and there is nothing against the one who abandons it." Those who follow Abu Hanifa say: "It is an obligation for those living far away, but not for those residing in Mecca, at the places of the rendezvous, or those between them." Abu Yusef said: "What is most beloved to me that the residing in Mecca make the *tawwaaf* because it seals the pilgrimage rituals, and that it is not an obligation upon the woman menstruating, the woman bleeding from after birth, nor for the one performing the minor pilgrimage because its obligation is a custom established by textual evidence regarding the major pilgrimage and is restricted to it. Nor is it an obligation for the one who missed the pilgrimage because it then becomes obligatory for him to make the minor pilgrimage, in which no farewell *tawwaaf* is required." Malik said: "The people were commanded to make the last of their rituals the *tawwaaf* based upon the words of Allah ta`ala: '*...that and for he who extols the rites of pilgrimage, for that is from the fearful awareness of the heart*'. Allah ta`ala also says: '*Therein are advantages for you up to an appointed time; then they are brought for sacrifice to the Ancient House*'. The proper place of all the rites of pilgrimage is to complete them at the Ancient House." Malik also said: "Whoever postpones the farewell *tawwaaf* and then departs without making the *tawwaaf*; if he is close he should return and make the *tawwaaf*. However, if he doesn't return then there is nothing against him." This is because with Malik, the farewell *tawwaaf* is not an incumbent *Sunna*. What is intended in his view by closeness is 18 miles. He also said that if he makes the farewell *tawwaaf* and then undertakes purchasing his requirements and foodstuff in the markets, then there is nothing against him. However, if he remains a day or more, he should return and make the farewell *tawwaaf*. `Aṭaa', at-Thawri, Abu Hanifa, as-Shafi` (in the most apparent of his two views), Ahmad, Isḥaq, and Abu Thawri, all said: "If the person is near, he should return and make the *tawwaaf*. However, if he is too far, he then needs to make a blood sacrifice." Their proof in the obligation of blood sacrifice is the words of Ibn Abass who said: "Whoever forgets anything from the rites of the pilgrimage should make a blood sacrifice." And to them the farewell *tawwaaf* is among the rituals of pilgrimage. The meaning of closeness to them differs. Abu Hanifa held the view that he should return as long as he has not reached any of the rendezvous (*mawaaqeet*). As-Shafi` held the

In has been related in the narration of Muslim: “...be with the *tawwaaf* of the House.”⁶⁷

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view that he should return as long as he has not reached a distance which it is required for him to shorten the prayers. At-Thawri held the view that he should return as long as he has not left the Sacred Precinct. `Aṭaa' said regarding the one who made the farewell *tawwaaf* and then purchasing things for his requirements: “He should return so that his last solemn covenant is making the *tawwaaf* of the House.” It is in accordance with this opinion that at-Thawri, as-Shafi', Ahmad, and Abu Thawr followed. Abu Hanifa said: “If a person performs the farewell *tawwaaf* and he then resides in Mecca for another month or more, it is permissible, and returning and performing the farewell *tawwaaf* again is not required for him.”

⁶⁷ This means that the last of his solemn covenants from the rituals of pilgrimage should be the farewell *tawwaaf* of the House of Allah.

On What Has Been Related Regarding What is Said During the Return From the Hajj

It has been related in the Saheeh of al-Bukhari⁶⁸ on the authority of Abdallah ibn Umar, who said: “Whenever the Messenger of Allah, may Allah bless him and grant him peace, returned home from a military raid, *hajj* or *umra*, he would make glorification at every elevated place of the earth with three glorifications. He would then say: “There is no deity except Allah the One without partner. To Him is the dominion and to Him is the praise and He has power over all things. We return repentant, worshipping, prostrating and to our Lord praising. Allah has fulfilled His promise and gave victory to His servants and He alone has destroyed the confederates.”⁶⁹

⁶⁸ Here ends facsimile 43 of the Arabic manuscript.

⁶⁹ The meaning of his words, may Allah be pleased with him: “Whenever the Messenger of Allah, may Allah bless him and grant him peace, returned home”; is when he returned as it was transmitted by Muslim on the authority of Ali ibn Abdallah al-Azidi on the authority of Ibn Umar: “Whenever he would plant himself firmly on his camel leaving for a journey he would make glorification three times and then say: ‘Glory be to the One who has subjugated this to us’.” He then cited the same prophetic traditions, except that he added: “And when he returned he would say it, but added: ‘...returning repentant’.” The meaning of the expression ‘arrival’ (*qufuul*) is ‘returned’ (*rujuu*). The one who arrives is the one who has returned. In the al-Jaami is says: “A person is not really an arrival unless he is returning to his own homeland.” The meaning of his words, may Allah be pleased with him: “...from a military raid, *hajj* or *umra*”: is that the apparent meaning is this was made specific for these three affairs, however this is not the legal judgment for that with the majority of the jurists. Rather, it should be enacted in every kind of journey, when the journey is for the sake of obedience, like connecting the ties of kinship, seeking knowledge, and in everything which comprises the name obedience. This is in accordance with the expression of the narration of Muslim: “The Messenger of Allah, when he arrived home from an army, a military raid, pilgrimage or the minor pilgrimage...” until the end of the prophetic tradition. In a narration of Abu Nu’aym on the authority of Abu Hurayra the Messenger of Allah, may Allah bless him and grant him peace once said to a man who desired to travel: “I advise you to have fearful awareness of Allah, and to make glorification at every exalted place.” It is said that this also includes in its judgment that which is permissible because a traveler who journeys for that which is permissible in which there is no Divine reward for it, yet there is no prohibition in a person doing something which will not result in a Divine reward. It is said that the words should also be recited when journeying to an act of disobedience, because committing such illicit acts are more in need of gaining Divine reward outside of the actual act of disobedience. The meaning of his words, may Allah be pleased with him: “...he would make glorification, at every elevated place of the earth”; is a reference to every elevated place. However, its better known interpolation is every highland or plateau. Al-Jawhari said: “It refers to high mountainous regions.” It is also said that it refers to flat lands, empty barren areas devoid of trees or anything else, and rough valleys full of rocks. It is conceivable to refer to ships or airplanes because these too are elevated places. Al-Fara’ said: “The noblest of a thing is its highest and most elevated part.” It is related in the al-Mahkam: “The noblest part of a thing is the highest part of that thing, by which one rises above it and takes honor from it.” The meaning of his words, may Allah be pleased with him: “with three glorifications”: is the saying: ‘Allahu Akbar’ three times. The meaning of his words, may Allah be pleased with him: “He would then say”: is that he should say after making glorification. The meaning of his words, may Allah bless him and grant him peace: “There is no deity except Allah the One”; is that there is nothing singled out for divinity except Him alone. The meaning of his words, may Allah bless him and grant him peace: “...without partner”; is that Allah has no partner either through reason or textual evidence, because the existence of two deities is an impossibility. This expression is substantiation of his words: ‘the One’ because that which is described with the attributes of oneness can not have a partner with It. The meaning of his words, may Allah bless him and grant him peace: “...To Him is the dominion”; is that sovereignty, omnipotence and all the varieties of creating from the Throne to spread carpet of the earth and what is between them, belongs to Him. The meaning of his words, may Allah bless him and grant him peace: “...and to Him is the praise”; is that extolment and laudation are His alone. In the narration of at-Tabaraani on the authority of Yahya, the additional phrase was included: “He gives life and brings death and He is the Living who will never die, and in His Hand is all good...” The meaning of his words, may Allah bless him and grant him peace: “...and He has power over all things”; is this

sentence corroborates what came before it. It means that Allah does everything He wills, just as He wills. The meaning of his words, may Allah bless him and grant him peace: "We return"; is the plural of 'a'ib', meaning returning. Thus, it means that we are resorting or returning to Allah. In it also is the concept of returning to one's homeland. For the phrase 'aab' resorting to a thing means returning to it. It is said that one does utilize the expression 'iyaab' (reverting back) except when one is returning to one's people at night. The meaning of his words, may Allah bless him and grant him peace: "...repentant"; is from repentance which also a form of returning from what is blameworthy in the *shari`a* to what is praiseworthy in the *shari`a*. In this is an indication recognizing one's shortcomings in worship. The Messenger of Allah, may Allah bless him and grant him peace said it by way of humility or in order to instruct his *Umma*. It is also conceivable that he used the expression 'repentance' to indicate persistence in obedience, thus meaning that sins will not occur from him. The meaning of his words, may Allah bless him and grant him peace: "...worshipping": is worshipping Allah alone. The meaning of his words, may Allah bless him and grant him peace: "...prostrating"; is showing humility to Him. The meaning of his words, may Allah bless him and grant him peace: "...to our Lord"; is that this is connected to the phrase 'prostrating' or to the remainder of the attributes, which is acknowledgement of His Lordship. The meaning of his words, may Allah bless him and grant him peace: "...praising"; is being grateful to Him for permitting the return from the pilgrimage, and the *jihad*, for the blessing completing the religious rites. This is also an acknowledgement of His favors which gives as a bounty and mercy for them. The meaning of his words, may Allah bless him and grant him peace: "Allah has fulfilled His promise"; is in what He promised of manifesting His religion by His words: "Allah has promised you abundant spoils of war." And His words: "Allah has promised those who believe and do righteous deeds, that He would make them vicegerents in the earth." This is a reference to the journeying for military raids. However, its correlation with the journeying for the major and lesser pilgrimage are His words: "...that you would enter the Sacred Masjid, Allah willing safely.". The meaning of his words, may Allah bless him and grant him peace: "...and gave victory to His servant"; is that he referred directly to himself as well as the believers. The meaning of his words, may Allah bless him and grant him peace: "...and He alone has destroyed the confederates"; is without actions on the part of any human, nor any causative factor from their direction. If Allah wills to conquer the disbelievers without having the fought, He can do so, because He does whatever He wills, and He has power over all things. In this is evidence for leaving matters over to Allah and having firm belief that He is the sole King and Owner of Kingdoms. For His omnipotence is connected to everything in existence. There is some disagreement among the jurists regarding what is meant by 'al-ahzaab' (the confederates) in this prophetic tradition. It is said that they were the disbelievers of the Quraysh, and those who assisted them from among the Arabs, and the Jews who confederated, or joined forces in the Battle of the Trench. It is regarding them that the *Qur'anic* chapter called *al-Ahzaab* 'the Confederates' was revealed. It is said that what is meant is more general than that and refers to the confederates of the disbelievers in all times and places. The wisdom in the *Shehu*, may Allah be merciful to him, mentioning this supplication here at the completion of the Book of Pilgrimage and before the commencement of the Book of *Jihad* is in order to indicate that the key to military victory and conquest in *Jihad* is through the *baraka* of the supplications of the powerless among the struggling Muslim, those who are impoverished but hardworking and those who have become alienated as a result of injustice; who firmly believe that they have no power whatsoever, that it is Allah who created them and their actions; who know with absolute certainty that Allah ta`ala is the One who gives victory to His servants, that He alone destroys all the confederated forces; and who surrender with their entire spirit to the words of Allah ta`ala: "You did not fight them, rather it was Allah who fought them. You did not throw when you threw, rather it was Allah who threw, in order to test the believers with excellent test. Indeed Allah is Hearing Knowing. So that you may know that Allah is the One who weakens the plots of the disbelievers. So if you disbeliever sought a decision, then know that the decision has come. If you desist it will be better for you, but if you resort back to persecution, We will also return, and your host will not avail you in the least, however numerous they may be; and indeed Allah is with the believers." Thus, due to the excellence of their opinion of Allah ta`ala, their recognition of their own inabilities, and acknowledgment of their impoverishment and weakness, they then resort to Allah with sincere repentance, unifying Allah, extolling Him, and praising Him with every variety of remembrance and supplication. Then, Allah ta`ala assists them just as He assisted His friends among the first and foremost; as he upon him be blessings and peace said: "Indeed Allah gives victory to this *Umma* by means of the oppressed among them, by their supplications, righteousness and sincerity." In another narration: "Seek out the oppressed among the Muslims, for indeed you are provided your daily provision and given victory by means of the oppressed among you." This means that Allah gives victory because of them, or due to the *baraka* of

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their supplications. Here it is ended, and with its ending I end the commentary upon the Book of Pilgrimage, and success is with Allah. O Allah I ask You for every good which Your knowledge encompasses in this world and the Next, and I seek refuge with You from every evil which Your knowledge encompasses in the this world and the Next. O Allah give us success in following the *Sunna* of Your prophet, Muhammad, may Allah bless him and grant him peace, outwardly and inwardly, by his rank that he has with You.