

Book of Pilgrimage (*Kitāb al-Ḥajj*)

The proof on which it is based is Allah's statement,

﴿وَلِلّٰهِ عَلَى النَّاسِ حِجُّ الْبَيْتِ مَنِ اسْتَطَاعَ اِلَيْهِ سَبِيْلًا﴾

"Ḥajj to the House is a duty that people owe to Allah, those who have the ability." (Q, 3:97)²²⁷

Ability here is the most essential condition, and means being in possession of provisions and transportation, after having the essential and basic requirements. Ability for a woman comprises of her having with her a *maḥrām* (guardian), who accompanies her on her travel. The *ḥadīth* of Jābir on the pilgrimage of the Prophet comprises of major rulings concerning it. It is recorded by Muslim on the authority of Jābir b. 'Abdullāh,

"The Prophet stayed in Madinah for nine years without making *ḥajj*. In the tenth year he announced to the people that he would be making *ḥajj*, so a large amount of people headed toward Madinah,

²²⁷ The Shaykh has said elsewhere that the *ḥajj* of an adult slave is valid, and he does not need to re-offer it after he gains his freedom. Additionally, the leader of a groups of pilgrims does not necessarily have to belong to that city or area that the pilgrims whom he is leading are from. See *al-Mukhtārāt al-Jalliyyah*, pg. 64.

all hoping to accompany him and do what he does. We left and accompanied him until we came to Dhu al-Ḥulaifah. [At that time] Āsma' bint 'Umaysah gave birth to Muhammad b. Abū Bakr, and she sent an emissary to the Messenger of Allah asking, 'What should I do?' He said, 'Perform *ghusl*, wrap a cloth around your privates,²²⁸ and enter into *iḥrām*.' The Prophet prayed in the mosque and then rode al-Qaṣwā'²²⁹ [his female camel] until he reached al-Baidā'. There he [uttered words] of *tawḥīd*, saying, '*Labbayka Allāhumma labbayk, labbayka lā sharīka laka labbayk. Inna al-ḥamda wan-ni'mata laka wa'l-mulk, lā sharīka lak.* (Here I am, Allah! Here I am. Here I am, You have no partner. Here I am. All praise and blessings are Yours, and all sovereignty belongs to You. You have no partner).'²³⁰ Then the people also pronounced the *talbiyah*, which they pronounce [today], and the Messenger of Allah did not refrain them from any of it, but he continued to say his own *talbiyah*."²³¹

Jābir said, "Our intention was for only *ḥajj* and nothing else, being unaware of *'umrah* [at that season], but when we came with him to the House [i.e., the Ka'bah], he touched the corner [with the Black Stone], and then [made seven circuits around the Ka'bah] jogging three and walking four. He then went to the Maqām al-Ibrāhīm (Station of Ibrāhīm) and recited, 'Take the Maqām of Ibrāhīm as a place of prayer (Q, 2:125).' He then prayed two units, with the Maqām being located between him and the House."

In another wording of this narration it is said, "He recited [in the first unit], 'Say, He is Allah the One' (Q, 114) and [in the second unit], 'Say, you disbelievers,' (Q, 109), he then returned to the

²²⁸ *Istithfār* by a woman is when she ties something between her thighs, takes a piece of cloth and places it over the vagina and again ties it from the behind and from the front to stop the blood from escaping. Today menstrual pads are used for the same purpose. See Shaykh al-Bassām, *Tawḍīḥ al-Aḥkām*, 3/322.

²²⁹ This is the name of the she-camel of the Prophet. It has also been called *al-Ghaḍbā'* and *al-Jad'ā'*. It has been said that it was the same she-camel that he rode on during his migration journey to Madinah.

²³⁰ This is known as the *talbiyyah*.

²³¹ Muslim, no. 1218. Al-Nawawī comments on his *ḥadīth*, "It is a great *ḥadīth* that covers a number of teachings and fine points of regulations. This is one of those *ḥadīths* which only Imam Muslim narrates and it is not found in the *Ṣaḥīḥ* of Bukhārī. Imam Abū Dāwūd has reported this *ḥadīth* in his work. Al-Qāḍī said, 'A great numbers of scholars have dwelt upon the juridical points found in the text of this *ḥadīth*. One such work is a large work done by Abū Bakr b. al-Mushar, and he has inferred more than a hundred and fifty types of legal points. However, had he exhaustively covered the subject, then the number would have been nearly double.'" See al-Nawawī, *Explanation of Ṣaḥīḥ Muslim*, 8/170.

corner and touched it. Afterwards, he left from the gate toward Mount Şafāh. When he got close to Mount Şafāh he recited the verse, 'Şafāh and Marwah are among the symbols of Allah (Q, 2:158).' He then said, 'I began with that which Allah began with.' He started with Şafāh and climbed it until he saw the House, and faced toward the Qiblah and said, '*La ilāha illallāh, Allahu Akbar* (There is no deity except Allah; Allah is the Greatest).' He then said, '*Lā ilāha illallāh waḥdahū lā sharīka lahu, lahul-mulk wa lahul-ḥamdu wa huwa 'alā kulli shay'in qadīr; lā ilāha illallāh waḥdahu anjaza wa'dahu wa naṣara 'abdahu wa hazama al-aḥzāb waḥdah* (There is no deity beside Allah; He is alone with no partner. For Him is all sovereignty and praise, and He is over all things Omnipotent. There is no deity except Allah, alone. He fulfilled His promise, aided His servant, and alone defeated the Confederates.)' He said this three times. He then descended and walked toward Marwah, and when his feet came down to the bottom of the valley,²³² he would walk fast until it appeared like we were ascending, then he would begin to walk normally until he reached Marwah. He did on Marwah similar to what he did on Şafāh. When it was his last circuit to Marwah he said, 'If I knew then what I know now, I would not have brought with me a sacrificial animal and would have performed an *'umrah*. Those of you, who did not bring with him a sacrificial animal, let him remove his *iḥrām* and treat it as an *'umrah*.' Surāqah b. Mālik b. Ju'sham asked, 'Messenger is this only in regards to this year or forever?' The Messenger interlocked his finger and said, "*Umrah* is a part of *ḥajj*. No, rather it is forever.' 'Alī came from Yemen with the sacrificial animals for the Prophet of Allah and found Faṭimah to be from among those who had removed their *iḥrām*. She was wearing a dyed garment and had on kohl, so he rebuked her for what she had done. She said, 'My father has commanded me to do so.'"

He [Jabir] said, "Alī used to say in Iraq, 'I went to the Messenger of Allah, after having been harsh on Faṭimah for what she had done, to ask him about the matter. I informed him that I had rebuked her.' The Prophet said, 'She has spoken the truth; she has spoken the truth. What did you say when you made the *ḥajj* obligatory upon yourself?' He said, 'I said, "Allah, I am going into

²³² Meaning that the ground would become leveled. However, in modern times, in the walkway between Safah and Marwah, the Government of Saudi Arabia has placed green lights letting people know when to walk fast and when to walk normal.

the state of *iḥrām* with the same purpose that your Messenger has put it on.” The Prophet said, ‘I have brought sacrificial animals with me so do not exit from *iḥrām*.’”

He [Jabir] said, “The amount of sacrificial animals that ‘Alī brought from Yemen and the ones that the Prophet brought were one hundred.”

He [Jabir] said, “So all the people exited *iḥrām* and trimmed their hair, except for the Prophet of Allah and those who brought sacrificial animals with them. When it was the day of *Tarwīyyah*,²³³ they headed for Mina and wore the *iḥrām* for *ḥajj*. The Messenger rode and prayed *ẓuhr*, ‘*aṣr*, *maghrib*, ‘*ishā*’, and *fajr*. He stayed a while until the sun rose and ordered that a tent of hair be pitched for him in Namirah [at the edge of ‘Arafāt]. The Messenger of Allah then set out and the Quraysh had no doubt that he would stop at al-Mash‘ar al-Ḥarām, similar to what the Quraysh did during the pre-Islamic era. The Messenger of Allah passed by it until he came to ‘Arafāt and found that the tent had been pitched for him at Namirah, so he went in and remained there until the sun had passed the meridian. He then commanded that al-Qaṣwā’ be brought and saddled for him, which was done.

He came to the bottom of the valley and gave a sermon to the people saying, ‘Your blood and your wealth are indeed sacred to one another, as the sacredness of this day of yours, in this month of yours, in this place of yours. Every affair from the pre-Islamic era is under my feet completely abolished. The blood feuds from the pre-Islamic era are abolished. The first blood feud that I abolish is that of ibn Rabī‘ah b. al-Ḥārith, who was nursed among the tribe of Sa’d and killed by Hudhayl. Usury of the pre-Islamic era is abolished, and the first usury that I abolish is that of ‘Abbās b. ‘Abd al-Muṭṭālib. All of it is abolished. Fear Allah with regards to your women, for you all took them with a trust from Allah and made their private parts lawful for you by the words of Allah. Your right over them is that they should not allow anyone you dislike to sit on your bed. But if they do so, then chastise them in a manner that does not cause injury or leave a mark. Their right upon you is sustenance and clothing, according to what is reasonable. I have left amongst you that which if you were to hold on to you will never be misguide: The Book of Allah. You will be asked about me, so what will you say?’ We said, ‘We bear witness that you have

²³³ This is the 8th day of Dhul al-Hijjah. [TN]

certainly conveyed [the message], fulfilled [your duty], and given wise counsel.' The Prophet said, while pointing his index finger to the sky and referring to the people, 'Allah, be a witness; Allah, be a witness,' three times. Bilāl called the *adhān*, and then he called the *iqāmah*, and the Prophet prayed *ẓuhr*. Then Bilāl called the *iqāmah* for 'asr and the Prophet led the 'asr prayer, and he did not pray anything between the two.

He then rode until he came to the place of stay and faced his camel, al-Qaṣwā', towards the side where there were rocks, having the path that was taken by those who went on foot in front of him, and faced the direction of the Qiblah. He kept standing there until the sun had set, the yellow light had slightly gone, and the disc of the sun had disappeared. The Prophet made Usāmah [b. Zaid] sit behind him, and he pulled the reins of al-Qaṣwā' so tightly that her head was touching the front of the saddle, the whole gesturing with his right hand, 'People, tranquility, tranquility!' Every time he would come to a mount of treaded rocks, he loosened her reins a little so that she could climb. He then came to Muzdalifah where he prayed *maghrib* and then 'ishā' with one *adhān* and two *iqāmahs* and he did not make any optional prayer between the two. Then he laid down until the coming of dawn. He prayed *fajr* with one *adhān* and *iqāmah* when the morning was made clear to him. Then he rode al-Qaṣwā' until he came to Mash'ar al-Ḥaram. He faced the Qiblah, supplicated to Allah, Glorified Him, and pronounced his Uniqueness and Oneness, and remained standing until the daylight became evident.

He then departed before the sun rose, and the seated behind him was al-Faḍl b. 'Abbās, who was a man with beautiful hair, fair complexion, and a handsome face. Moving with the Messenger was also a group of women, and al-Faḍl began to look at them. The Messenger of Allah placed his hand on the face of Faḍl, who then turned his face to the other side and began to look at them. The Messenger of Allah again placed his hand on his face and he turned his face to the other side. He came to the bottom of Maḥassir, sped up a little, and took the middle passage which comes out at the greatest Jamarah. He followed it until he came to the Jamarah which is by the tree. He threw at it seven small pebbles²³⁴ saying, 'Allahu Akbar' with every pebble thrown. The

²³⁴ The Shaykh said elsewhere, "The sound view is that the pilgrim at the time of pelting the stones faces the Jamarahs, emulating the Prophet. While pelting the major and

pebbles were similar to those used in slings. He threw them from the bottom of the valley. Then he went to the place of sacrifice, and sacrificed sixty three animals with his own hands, and gave the rest to 'Alī who slaughtered them with his hands, and he gave him a share in his sacrifice. He then ordered that a piece from each slaughtered animal be brought and put in a pot and cooked. Then, both of them [the Prophet and 'Alī] ate from its meat and drank from its broth.

The Messenger of Allah then rode to the House (i.e., the Ka'bah)²³⁵ [and made *ṭawāf al-ifādah*], and prayed *ḡuhr* in Makkah. He then went to Banū 'Abd al-Muṭṭalib, who were providing the people with Zamzam, and said, 'Draw water, Banū 'Abd al-Muṭṭalib; were it not that the people would usurp from you this right of providing water, I would have drawn it along with you.' So they gave him a bucket and he drunk from it."²³⁶

The Prophet would also perform the rites and say to the people, "Take your rites from me."²³⁷ Therefore, the perfect model for performing ḡajj is the one established by the Prophet and his Companions.

ḡajj is restricted to four *arkāns* (pillars):

1. Wearing the *iḡrām*.
2. Standing in 'Arafah.
3. Making *ṭawāf* (circulation) [around the Ka'bah].
4. Sa'y (cicuits) [between Ṣāfah and Marwah].

The obligations of ḡajj are:

1. Entering into *iḡrām* from the *miqāt* (designated area).
2. Staying in 'Arafah until sunset.
3. Spending the night of *naḡr* in Muzḡalifah.²³⁸
4. Spending the nights of *tashrīq* in Mina.

intermediate Jamarah, he faces them while the House of Allah is to his left and Minā is to his right; whereas, while pelting the smaller Jamarh he places the House of Allah to his right and Minā to his left." See *al-Mukhtārāt al-Jalliyyah*, pg. 66.

²³⁵ The Shaykh has refuted elsewhere the views of those who consider it allowable to delay the *ṭawwāf al-ifādah* until after the days of Minā. See *al-Mukhtārāt al-Jalliyyah*, pg. 66.

²³⁶ Muslim, no. 1218.

²³⁷ Aḡmad, 3/318, 332, 337, & 367; Muslim, no. 1297.

²³⁸ It is *wājib* (obligatory) to spend at least a part of the second half of the night in al-Muzḡalifah. See *Nūr al-Baṣā'ir*, pg. 31.

5. Stoning the Jamrahs.
6. Shaving or shortening the hair [on the head]; either is sufficient.²³⁹

The difference between abandoning a pillar and an obligation are the following:

- If one of the pillars is abandoned, then the *ḥajj* becomes invalid.
- If one of the obligations is omitted, it is a sin and an animal sacrifice must be offered in compensation.

A person who intends to enter into *iḥrām* is given the choice between *tamattu'*—which is the best—*qirān*, and *ifrad*.

- *Tamattu'*: one enters into *iḥrām* first for 'umrah during the months of *ḥajj* and completes it [and then exits from his *iḥrām*]. He then assumes *iḥrām* for *ḥajj* during the same [*ḥajj*] season. He is required to slaughter an animal if he is not from the residents of the Sacred Precinct.
- *Ifrad*: one enters into *iḥrām* with the sole intention of performing only *ḥajj*.
- *Qirān*: one performs 'umrah and then *ḥajj* in the same state of *iḥrām*, or he performs 'umrah and then combines *ḥajj* [with it] before making the *ṭawāf* for 'umrah.

A person who starts with *tamattu'* is obliged to convert it to *qirān* under the following conditions:

- He fears that he may miss staying in 'Arafah because he is busy performing 'umrah.
- If a woman begins menstruating or has post-partum bleeding and knows that she would not become pure before the time of staying in 'Arafah.

As for the individual performing *ifrād* and *qirān*, they observe the same rituals. However, it is obligatory for the one performing *qirān* to have a sacrificial animal with him, which is not a condition for the one performing *ifrād*.

²³⁹ A seventh *wājib* act is the farewell *ṭawwāf*. See *Nūr al-Baṣā'ir*, pg. 31.

The person in *iḥrām* (the *muḥrim*) must avoid the following:²⁴⁰

- Removing any hair.
- Clipping the nails.
- Wearing stitched clothes, in the case of men.
- Covering the head, in case of men.
- Applying fragrances, for both men and women.
- Hunting animals, instructing others to do so, or aiding others in their killing.
- The greatest and gravest prohibition during *iḥrām* is sexual intercourse, since the prohibition of it is intensified and it nullifies the *ḥajj* and causes the pilgrim to offer a camel as expiation.

If a man covers his head or wears stitched clothing, or a woman covers her face, wears gloves, or applies fragrance [the last being for both men and women] they must choose from the following expiations:

- fast three days,
- feed six poor people, or
- slaughter a sheep.

If he kills a game, then he has a choice between:

- Slaughtering an animal of similar likeness, if there is an equivalent to it from cattle.
- Assess its value based on an equivalent animal from the place where he killed the [first] animal, and purchasing food with its value to feed the poor, giving each person a *mudd*²⁴¹ of wheat or half a *sā'*²⁴² of any other type of food.
- Fast a day in lieu of each poor person that is to be fed.

Concerning the sacrificial animal offered for *tamattu'* and *qirān*, it is obligatory that it meet the conditions of an *udḥiyah* (sacrificial animal). If an individual cannot afford it, then he must fast ten days: three days

²⁴⁰ The Shaykh has declared that it is correct that expiation is not compulsory on the one who is compelled to commit the act or does so forgetfully. This is also true for the removal of hair or nails, or even killing a prey. See *al-Mukhtārāt al-Jalliyyah*, pg. 65.

²⁴¹ A dry measure of half a bushel, approx. 543 g. [TN]

²⁴² One *sā'* is equalent to approximately 3 kg. [TN]

during *hajj*—it is permissible for him to fast the days of *tashrīq* as the three days—and seven upon his return home. This ruling also applies to the one who:

- Abandons an obligatory act, or
- it becomes mandatory on him due to engaging in foreplay.

Every sacrificial animal or foodstuff that is offered in connection to the Sacred Precinct or *iḥrām* should be given to the poor of the Ḥaram, whether they are permanent or temporary residents. However, the fast can be observed anywhere.

Concerning the meat of the slaughtered [animal] offered for *tamattu'* and *qirān*, it is recommended that the person:

- eats from it,
- gives some as a gift, and
- gives away some as charity.

As for the slaughtering of an animal that becomes mandatory as expiation due to the committing of a prohibition or the abandonment of an obligation, then it is referred to as *blood compensation* and the one offering it is not permitted to eat anything from it;²⁴³ rather, the entire meat of the slaughtered animal must be given away as charity, since it is an expiation.

Concerning *ṭawāf*, its conditions are the following:

- Having intention.
- Starting from the Black Stone. The *sunnah* is to greet the black stone and kiss it. If he is unable to do so, then he should point to it and say,

بِسْمِ اللَّهِ، اللَّهُ أَكْبَرُ، اللَّهُمَّ إِيْمَانًا بِكَ، وَتَصْدِيقًا بِكِتَابِكَ، وَوَفَاءً بِعَهْدِكَ،
وَإِتِّبَاعًا لِسُنَّةِ نَبِيِّكَ مُحَمَّدٍ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ.

"Bismillah, Allahu Akbar, Allahuma īmanan bika, wa taṣḍīqan bikitābika, wa wafā'an bi'ahduka, wātibā'an li sūnnati nabiyyaka Muḥammad ṣalallahu 'alayhi wa-sallam. (In the name of Allah; Allah is the Greatest; Allah, faith is in You, belief in Your

²⁴³ Shaykh ibn 'Aqīl has recorded this sentence in the following way, "The offerings slaughtered in expiation during *hajj* is like the expiation for *hajj al-tamattu'*, *qirān* and optional offerings, and can be eaten, gifted, and given away."

Book, loyalty to Your covenant, and compliance to the way of your Prophet Muhammed.)”

- Maintain the House (i.e., the Ka‘bah) to his left.
- Complete seven circuits.
- Purify himself from filth and ritual impurity.

Being in a state of purification for the rituals, excluding the *ṭawaaf*, is a non-obligatory *sunnah*. It is mentioned in a *ḥadīth* that,

الطَّوَّافُ بِالْبَيْتِ صَلَاةٌ إِلَّا أَنَّ اللَّهَ أَبَاحَ فِيهِ الْكَلَامَ.

“Ṭawāf around the house is a prayer, except that Allah has made speaking during it permissible.”²⁴⁴

It is recommended to do the following during it:

1. Observe *idṭibā’*²⁴⁵ during *ṭawāf al-quḍūm* (arrival *ṭawāf*). He wraps his upper garment (*ridā’*) under his right shoulder and over his left shoulder.
2. Observes *ramal* (brisk walk) during the first three circuits, and walks normal during the remaining ones.

It is not recommended to observe *ramal* and *idṭibā’* in any of the *ṭawāfs* other than this one.

As for the conditions of *sā’y*, they are the following:

- *niyyah* (intention),
- completion of seven [rounds], and
- beginning at *Ṣafāh*.

It is legally prescribed that the individual mentions the name of Allah and supplicates to Him a lot during *ṭawāf*, *sā’y*, and all the other rituals. The Prophet said,

إِنَّمَا جُعِلَ الطَّوَّافُ بِالْبَيْتِ وَبَيْنَ الصَّفَا وَالْمَرْوَةِ وَرَمَى الْجِمَارِ لِإِقَامَةِ ذِكْرِ اللَّهِ.

²⁴⁴ Al-Tirmidhī, no. 960; al-Nisā’ī, 5/222; al-Hākim, 2/266, who called it authentic based on the conditions of Bukhārī and Muslim. Ibn Hajar declared it *ṣaḥīḥ* and also stated that it was declared as such by ibn al-Sakan and ibn Khuzaymah. See *al-Takhlīs*, 1/138.

²⁴⁵ *Idṭibā’* is exposing the right shoulder while covering the left shoulder with the upper garment.

“Ṭawāf around the House and between Ṣafāh and Marwah, and stoning the pillars are prescribed for the establishment of the remembrance of Allah.”²⁴⁶

Abū Hurayrah narrated,

لَمَّا فَتَحَ اللَّهُ عَلَى رَسُولِهِ مَكَّةَ قَامَ فِي النَّاسِ فَحَمِدَ اللَّهَ وَأَثْنَى عَلَيْهِ، ثُمَّ قَالَ: «إِنَّ اللَّهَ حَبَسَ عَنْ مَكَّةَ الْفِيلَ، وَسَلَّطَ عَلَيْهَا رَسُولَهُ وَالْمُؤْمِنِينَ، وَإِنَّهَا لَا تَحِلُّ لِأَحَدٍ كَانَ قَبْلِي وَإِنَّهَا أُحِلَّتْ لِي سَاعَةً مِنْ نَهَارٍ، وَإِنَّهَا لَا تَحِلُّ لِأَحَدٍ بَعْدِي، فَلَا يُنْفَرُ صَيْدُهَا، وَلَا يُخْتَلَى شَوْكُهَا، وَلَا تَحِلُّ سَاقِطُهَا إِلَّا لِمُنْشِدٍ، وَمَنْ قُتِلَ لَهُ قَتِيلٌ فَهُوَ بِخَيْرِ النَّظَرَيْنِ، إِمَّا أَنْ يُفْدَى وَإِمَّا أَنْ يُقَيَّدَ»، فَقَالَ الْعَبَّاسُ: «إِلَّا الْإِذْخَرَ»، فَإِنَّا نَجْعَلُهُ لِقُبُورِنَا وَبُيُوتِنَا، فَقَالَ رَسُولُ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ: «إِلَّا الْإِذْخَرَ»

When Allah granted His Messenger the conquest of Makkah, the Messenger, after praising and thanking Allah, stood up and addressed the people saying, “Allah kept the elephant away from Makkah and gave authority over it to His Messenger and the believers. It was neither permissible for anyone before me [to fight in it], nor will it be permissible for anyone after me. Fighting was made permissible for me for a few hours of a day, but it will never be permissible for anyone after me. Do not kill its animals, do not uproot its thorny shrubs, and do not pick up the lost things except by one who will pronounce it publicly. The relative of the murdered is given the choice between blood-money or retribution.” Ibn ‘Abās said, “Messenger of Allah, except [the cutting] of the lemon grass as we use it in our houses and our graves.” So the Prophet said, “Except for lemon grass.”²⁴⁷

The Prophet also said,

الْمَدِينَةُ حَرَامٌ مَا بَيْنَ عَيْرٍ إِلَى ثَوْرٍ.

“All of Madinah is sacred, from [the southern hill of] ‘Ayr to [the northern hill of] Thawr.”²⁴⁸

²⁴⁶ Aḥmad, 6/64, 75, & 139; Abū Dāwūd, no. 1888; al-Tirmidhī, no. 902, who called it authentic.

²⁴⁷ Bukhārī, 1/197, 4/41, & 8/20; Muslim, no. 1354.

²⁴⁸ Bukhārī, 4/81, 6/291, & 12/41; Muslim, no. 1354. ‘Ayr is the name of a blackish mountain that is situated in Ḥamarah. It is rectangular in shape and lies in the direction of east to west, and faces Madinah from the south. In its northern side lies the valley of al-

خَمْسٌ مِنَ الدَّوَابِّ، كُلُّهُنَّ فَاسِقٌ، يَقْتُلُهُنَّ فِي الْحَرَمِ: الْغُرَابُ، وَالْحِدَاةُ، وَالْعَقْرَبُ،
وَالْفَأْرَةُ، وَالْكَلْبُ الْعَقُورُ.

"Five animals, which are harmful, can be killed in the Sacred Precinct or in the *iḥram*: the crow, the kite, the scorpion, the rat, and the rabid dog."²⁴⁹

'Aqīq wherein is the well of 'Urwah b. al-Zubayr. Thawr is a small, round, and reddish mountain, which is situated to the north of Madinah behind the Mountain of 'Uhad. Thus, the Mountain of 'Uhad lies within the sacred territory of Madinah.

²⁴⁹ Bukhārī, 6/355; Muslim, no. 1199.

-CHAPTER-
THE HADY, UDHIYYAH, AND THE 'AQIQAH

The obligatory aspects of the *hady* have already proceeded, so anything in addition to that is *sunnah*, and the same applies for the *udhiyyah* and the '*aqiqah*. Concerning this, only a sacrificial animal meeting the following conditions is sufficient:

- a one and a half year old sheep,
- a one year old sheep,
- a five year old camel,
- a two year old cow, or
- a one year old goat.

The Prophet said,

أَرْبَعٌ لَا تَجُوزُ فِي الْأَضَاحِيِّ - فَقَالَ - : الْعَوْرَاءُ بَيْنَ عَوْرَتَيْهَا، وَالْمَرِيضَةُ بَيْنَ مَرَضَتَيْهَا،
وَالْعَرْجَاءُ بَيْنَ ظَلْعَيْهَا، وَالْكَسِيرُ الَّتِي لَا تَنْقَى.

“Four types of animals are not permissible for sacrifice: the one-eyed animal whose defect is apparent, the sick animal whose illness is apparent, the limp whose defect is apparent, and the one that is emaciated and is usually not picked.”²⁵⁰

The [sacrificial animal] should be of a good breed and free of any defect.²⁵¹ The more perfect it is, the more loved it is to Allah, and the greater the reward for its owner. Jābir said,

نَحَرْنَا مَعَ رَسُولِ اللَّهِ صَلَّى اللَّهُ عَلَيْهِ وَسَلَّمَ عَامَ الْحُدَيْبِيَّةِ الْبَدَنَةَ عَنْ سَبْعَةٍ، وَالْبَقَرَةَ
عَنْ سَبْعَةٍ.

“We sacrificed with the Prophet in the year of Hudaibiyah, a

²⁵⁰ Mālik, 2/482; Aḥmad, 4/289; Abū Dāwūd, no. 2802; al-Tirmidhī, no. 1497, who called it authentic; ibn Mājah, no. 3144; al-Nisā'i, 7/215. Al-Ḥāfiẓ b. Ḥajar says, “This narration is *ṣaḥīḥ*, and the authors of the *Sunans* have recorded it through sound *isnāds*. Imām Aḥmad has said regarding it, ‘What an excellent *ḥadīth*.’” See *al-Tahdhīb*, 8/182.

²⁵¹ The Shaykh has said that the animals whose ears and horns are cut or damaged can be offered as sacrifice provided that the cut does not cause injury to it, render it defective, or make it ill. See *al-Mukhtārāt al-Jalliyyah*, pg. 67.

camel between seven people and a cow between seven people.”²⁵²

The *aqīqah* is a *sunnah* for the parent, and it is recommended to sacrifice a two sheep for a newborn boy and one sheep for a newborn girl. The Prophet said,

كُلُّ غُلَامٍ مُرْتَهَنٌ بِعَقِيقَتِهِ، تُذْبَحُ عَنْهُ يَوْمَ سَابِعِهِ، وَيُمَاطُ عَنْهُ الْأَذَى، وَيُسَمَّى.

“Every newborn is mortgaged with its *aqīqah*, which is to be sacrificed on the seventh day, its head shaved, and it is given a name.”²⁵³

The one offering the sacrifice should:

- eat from the sacrifice,
- give some away as a gift, and
- gives some as charity.

However, he should not give anything from it to the butcher as payment, but he can give it to him as a gift or as charity.

²⁵² Muslim, no. 1318.

²⁵³ Aḥmad, 5/12; Abū Dāwūd, no. 2838; al-Tirmidhī, no. 1522, who called it authentic; ibn Mājah, no. 1365; al-Nisā’ī, no. 7/166; al-Ḥākim, 4/237.