

Matters forbidden within (The Haram)

Matters forbidden for a pilgrim, in a state of ihram, have now been covered. We now proceed to deal with the matters forbidden to the pilgrim and the native:

First: Hunting in the Haram is forbidden to the pilgrim and the native as stated before.

Second: Uprooting grass or cutting down trees in the Haram is forbidden. However, there is no objection to grass being damaged in the course of ordinary walk. So too is letting animals feed on the grass. It is advisable, though, to avoid cutting grass to feed them.

There are some exceptions to the rule:

1. 'Ethkher' which is a well known herb;
2. Date palm and fruit trees;
3. Privately planted grass or trees;
4. Trees or grass, grown on the premises of an individual, after the purchase of the property or settling in it. As for trees and grass that were there, at the time of purchasing the property, they do not fall within the exception.

Rule 281: If the roots of a tree are in the area of the Haram but branches outside, or vice versa, it will be governed as though it was wholly within the area of the Haram.

Rule 282: The kaffarah for cutting down a tree is its value. The penalty for cutting a portion of it is the value of the portion cut off, as a matter of precaution; there is no penalty for cutting grass.

Third: It is not permissible to execute the religious punishment meted out to a person who, guilty of an act committed outside the Haram, has taken refuge in it. However, people should refrain from feeding such a person, or communicating with him, till he is left with no option but to come out and be penalized.

Fourth: It is highly discouraged to pick lost property within the Haram. However, if a person had picked it

up, and traced no sign to recognize its owner, he could keep it for himself. As a matter of precaution, however, it is recommended that he should give it away in charity on behalf of its owner. If its price is more than one dirham (3.456 gms of silver), he should give notice for one year that he has found it; if it remains unclaimed, he must give it away in charity on behalf of the owner.

Boundaries of Haram

The boundaries of Haram are known and have been handed down from generation to generation. From the north is Tan'eem, north-west is Al-Hudaibiyah, that is, Shamaisi, north-east is Thaniyyat Jabalil Maqta', east is Batan Namirah, south-east is Ja'ranah and from south-west is Idha'atul Laban.

The boundaries of Madinah are the mountains of Aa'ir, Wa'eer and the valleys of Waaqim and Laili. Although it is not obligatory to wear ihram from Madinah, it is not permissible to cut the trees, especially the green ones, and, as a matter of precaution, hunting is not permitted at all.

Place of sacrifice

Rule 283: If the kaffarah was for hunting, in the course of an Umrat-ul-Mufradah in a state of ihram, the animal must be sacrificed in Makkah. If it was in the course of Hajj, the animal must be sacrificed in Mina. As a matter of precaution, the same ruling applies to any other penalty.

Rule 284: If the kaffarah has become due on the pilgrim, in a state of ihram, for hunting or otherwise, but it was not fulfilled, until after completing the pilgrimage and arriving home, he is, evidently, free to kill the animal wherever he likes .

Disbursement of the sacrifice

All penalties, incurred by the pilgrim, must be handed to the poor and the needy. As a matter of precaution, he must refrain from eating it; if he did so, as a matter of precaution (al ahwat), he must pay its price to the poor.

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