

The Forms of Hajj

All the five legal schools agree that there are three kinds of Hajj: *tamattu'*, *qiran*, and *ifrad*. They also agree that by *Hajj al-tamattu'* is meant performance of the acts of the 'Umrah during the months of the Hajj. The acts of the Hajj itself are performed after getting through the 'Umrah. They also agree that by *Hajj al'ifrad* is meant performing the Hajj first and then, after getting through the acts of the Hajj, getting into the state of *ihram* for performing the 'Umrah and its related acts. The four Sunni legal schools agree that the meaning of the *Hajj al-qiran* is to get into *ihram* for the Hajj and the 'Umrah together. Then the *talbiyah* uttered by the pilgrim is **لبيك اللهم بحج وعمرة** .

According to the Imamiyyah school, the *Hajj al-qiran* and *Hajj al'ifrad* are one and the same. There is no difference between them except when the pilgrim performing the *Hajj al-qiran* brings the *hady* at the time of assuming the *ihram*. Then it is obligatory upon him to offer what he has brought. But one who performs the *Hajj al'ifrad* has essentially no obligation to offer the *hady*.

In brief, the Imamiyyah do not consider it permissible to interchange two different *ihram*'s,¹ or to perform the Hajj and the 'Umrah with a single *niyyah* (intention) under any condition; but the other legal schools permit it in *Hajj al-qiran*. They say that it has been named '*alqiran*' because it involves union between the Hajj and the 'Umrah. But the Imamiyyah say that it is because of the additional feature of the *hady* accompanying the pilgrim at the time of *ihram*.²

According to the four Sunni legal schools, it is permissible for the pilgrim, Meccan or nonMeccan, to choose from any of the three forms of the Hajj: *altamattu'*; *alqiran*, or *al'ifrad*, without involving any *karahah* (*reprehensibility*). Only Abu Hanifah considers *Hajj al-tamattu'* and *Hajj al-qiran* as *makruh* for the Meccan.

The four Sunni legal schools also differ as to which of the three kinds of Hajj is superior to the others. The best according to the Shafi'i school is *al'ifrad*, and *altamattu'* is superior to *alqiran*. According to the Hanafi school, *alqiran* has greater merit than the other two. The best according to the Maliki school is *al'ifrad*, and according to the Hanbali and Imamiyyah schools is *altamattu'*.

According to the Imamiyyah school, *Hajj al-tamattu'* is obligatory upon one living at a distance of over

fortyeight miles from Mecca, and he may not choose any other kind except in emergency. The *Hajj al-qiran* and *Hajj al'ifrad* are performable by the people of Mecca and those living around it within a distance of fortyeight miles, and it is not permissible for them to perform except one of these two kinds. The Imamiyyah base their argument on this verse of the Qur'an:

فَمَنْ تَمَتَّعَ بِالْعُمْرَةِ إِلَى الْحَجِّ فَمَا اسْتَيْسَرَ مِنَ الْهَدْيِ فَمَنْ لَمْ يَجِدْ فَصِيَامًا ثَلَاثَةَ أَيَّامٍ فِي الْحَجِّ وَسَبْعَةَ إِذَا رَجَعْتُمْ تِلْكَ
عَشْرَةٌ كَامِلَةٌ ذَلِكَ لِمَنْ لَمْ يَكُنْ أَهْلُهُ حَاضِرِي الْمَسْجِدِ الْحَرَامِ

...if any one wishes to continue the 'umra on to the hajj, He must make an offering, such as he can afford, but if he cannot afford it, He should fast three days during the hajj and seven days on his return, Making ten days in all. This is for those whose household is not in (the precincts of) the Sacred Mosque..... (2: 196)

Moreover, according to the Imamiyyah school, it is not permissible for one obliged to perform the *Hajj al-tamattu'* to change over to something else, except for the problem of shortage of time available, or, in the case of women, due to impending menses. In those cases it is permissible to change either to *alqiran* or *al'ifrad* on condition that the 'Umrah is performed after the Hajj. The limit of the shortage of time is failure to be present at the *wuqf* in 'Arafat until noon.

For one whose duty is *alqiran* or *al'ifrad*, such as the natives of Mecca or those from its surrounding region, it is not permissible to change to *altamattu'*, except in exigency (such as the fear of impending menses). After explaining this position of the Imamiyyah school, the author of *alJawahir* says, "I have not come across any different opinion on this matter."

And all the five legal schools agree that the *hady* is not compulsory for one performing *Hajj al'ifrad*, though better if performed voluntarily.

1. According to *alJawahir*, *alMadarik*, *alHada'iq* and other Imamiyyah works on fiqh, it is not permissible for one already in the state of ihram to assume ihram for another purpose, until he completes all the acts of the rite (Hajj or 'Umrah) for which he had assumed ihram.

2. Ibn 'Aqil is alone among Imamiyyah legists in agreeing with the Sunni legists in that the acts of both the Hajj and the 'Umrah may be performed with a single ihram in Hajj al-qiran.

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