

Types of Hajj

Rule 143: There are three types of pilgrimage: Tamatu', Ifraad and Qiraan. The first is the obligation on those who reside more than 48 miles from Makkah and the other two are prescribed for those who reside within 48 miles of Makkah.

Rule 144: There is no objection to those residing afar to perform Ifraad or Qiraan pilgrimages as an optional pilgrimage, just as there is no objection to those residing in the vicinity performing the Tamatu' as a provisional pilgrimage but this course is not permissible to either of them in an obligatory pilgrimage.

So performance of a Hajj-ut-Tamatu' for those whose duty is to perform the Ifraad or Qiraan or vice versa is not permissible. However, the obligation of those who have to perform Tamatu' can, in certain circumstances, change to Ifraad as will be explained.

Rule 145: If a person residing afar, takes residence in Makkah, his obligation will change to Hajjul Ifraad or Qiraan after commencement of the third year of his taking residence there. However, before that his obligation is to perform Hajj-ut-Tamatu'. There is no difference as to the availability of funds to perform pilgrimage being materialized before taking such residence or during the period of the residence.

There is also no difference whether or not he intended to take residence permanently. The same rule applies to those living in cities other than Makkah, provided that the distance between the those places and Makkah is less than 48 miles.

Rule 146: When a person resides in Makkah and wishes to perform Hajj-ut-Tamatu' before the change of his obligation to Hajj-ul-Ifraad or Qiraan, it has been said that he can wear ihram for Umrat-ut Tamatu' from Adnal Hil (nearest Meqats to Makkah, such Hudaibiyyah, Ja'ranah, and at-Tan'eem Mosque).

However, it is arguable (ishkal) that, as a matter of precaution, he must wear it at one of the Meqats. Indeed, as a matter of precaution he should wear ihram at the Meqat used by the people of his own country. It is apparent (alal adhhar) that this rule applies to those residing in Makkah and wishing to

perform Hajj-ut- Tamatu', albeit a recommended one.

Hajj-ut-Tamatu

Rule 147: This pilgrimage consists of two parts; the first is called Umrah and the second Hajj. The Hajj-ut-Tamatu' applies to the second part; however, it is obligatory to perform the Umrah before the Hajj.

Rule 148: Five matters must be observed in Umrat-ut-Tamatu':

1. ihram must be worn at one of the Meqats which will be discussed later;
2. tawaf round the Ka'ba;
3. prayer (salah) after the tawaf;
4. sa'y between Safa and Marwah;
5. taqseer, that is, to remove some hair of the head, beard or moustache. On completion of these five acts, one is out of the state of ihram and all that which is forbidden during ihram becomes lawful.

Rule 149: It is obligatory on the pilgrim to be prepared to undertake the requirements of the pilgrimage on approaching the ninth of Thil Hijjah. There are thirteen compulsory acts of worship in obligatory pilgrimage:

1. wearing ihram in Makkah, details of which will follow;
2. staying in Arafat from noon on the ninth of Thil Hijjah, after adequate time has elapsed after zawaal to carry out ghusl and say Dhuhr and Asr prayers jointly (jam'an), till sunset. Arafat is situated about twelve miles from Makkah;
3. staying in Muzdalifah part of the eve of Eid-ul-Adha till sunrise on the day of the Eid. Muzdalifah is situated between Arafat and Makkah;
4. stoning (rami) Jamrat-ul-Aqabah in Mina on the day of the Eid. Mina is situated about three miles from Makkah;
5. slaughtering an animal in Mina on the day of Eid;
6. shaving the head or removing some hair in Mina. On completion of these acts, matters forbidden during ihram become lawful except [having sexual intercourse with one's] woman, perfume and hunting;
7. tawaf (tawaf-uz-ziyarah) on returning to Makkah;
8. prayers after tawaf;

9. sa'y between Safa and Marwah. At this stage wearing perfume becomes lawful;
10. Tawafun Nisa;
11. prayers after Tawafun Nisa;
12. remaining in Mina during the eve of the eleventh and twelfth and, in certain circumstances which will be explained below, the eve of the thirteenth [Thil Hijjah] also;
13. stoning all the three jamarat on the eleventh and twelfth and, evidently (al adhhar), if the pilgrim is there on the thirteenth.

Rule 150: There are certain conditions that should be observed in Hajj-ut-Tamatu':

1. Niyah, that is, one must form the intention of performing Hajj-ut-Tamatu'. If one sets his mind on performing another kind of pilgrimage, or wavers in his intention, the pilgrimage is invalidated.
2. The Umrah and Hajj must be performed during the season of Hajj (see Rule 139 '2' above). If any part of the Umrah is performed before commencement of the month of Shawwal, the Umrah is invalid.
3. The Umrah and Hajj must be performed in the same year. If the Umrah is performed and then the Hajj is postponed to the next year, the Tamatu' is invalid. It makes no difference whether the pilgrim remains in Makkah to the following year or goes back to his country for the return journey to Makkah. Similarly, it makes no difference whether he removes the ihram or remains in it to the following year.
4. As a matter of choice, the ihram for Hajj must be worn in Makkah itself and the best place for it is the Holy Mosque; however, if it is not possible to wear ihram in Makkah, it may be worn wherever possible.
5. The Umrah and Hajj must both be performed by the same person as an agent for one particular person. It is not permissible to engage two agents, for a living or dead person, for Hajj-ut-Tamatu', one to perform the Umrah and the other the Hajj. Similarly, it is not permissible that one person performs the Umrah on behalf of one person and the Hajj for another.

Rule 151: If a pilgrim completes the rituals for Umrat-ut-Tamatu', it is obligatory on him to perform the Hajj. As a matter of precaution, it is not permissible for him to leave Makkah without performing Hajj. However, if he wishes to do so, even if it is not necessary, and there is no fear of missing the Hajj, and if he is sure he can return to Makkah to wear ihram in time, it is evident that he can depart from Makkah without ihram.

And if he is not so sure, it is obligatory on him to wear the ihram for Hajj in Makkah. Only then can he depart and head for Arafat in the same ihram. It is not permissible for a person who has performed Umrat-ut-Tamatu' to leave Hajj out of choice, even though it is a recommended one. However, if it was not possible to perform Hajj, he should consider it Umrah Mufradah; accordingly, he should perform

Tawafun Nisa.

Rule 152: It is permissible for a pilgrim whose obligation is Hajj-ut-Tamatu' to depart from Makkah before the completion of his Umrah; that is, evidently, if he is able to return to Makkah; otherwise, as a matter of precaution, he should not do so.

Rule 153: The prohibition against leaving Makkah on completion of Umrah arises if one is to depart from the city for another place. However, the new streets and suburbs, that have sprung around the Holy City, are considered part of it. Thus, the pilgrim can visit them after completing Umrah, whether or not it was necessary to do so.

Rule 154: If the pilgrim has departed from Makkah after completing Umrah without ihram and goes beyond the Meqat, two situations could arise:

1. if he returns to Makkah within the same month of completing Umrah, he must enter Makkah without ihram, wear it in Makkah for Hajj and depart for Arafat;
2. if he returns to Makkah after the expiry of the month in which he performed the Umrah, he must repeat it.

Rule 155: If the obligation of a person is to perform Hajj-ut-Tamatu', he cannot change it to Ifraad or Qiraan. There can be an exception, if a pilgrim embarks on Umrat-ut-Tamatu', then finds the time too limited to complete the Umrah and commence the Hajj, he can change his intention (niyyah) to Hajj-ul-Ifraad and perform Umrat-ul-Mufradah after the Hajj.

The test as to how much time would be considered too limited to complete the Umrah is a matter of difference between the scholars. However, it is apparent that he must change his intention, if he cannot complete the Umrah before midday of the staying (wuquf) in Arafat, i.e. the 9th of Thil Hijjah.

Rule 156: If before embarking on Umrah, the pilgrim for Tamatu' is aware that his time is too limited to complete the Umrah, before the zawaal of wuquf at Arafat, changing his intention to Hajjul Ifraad or Qiraan shall not be sufficient. He must, though, perform Hajj-ut-Tamatu' after the Umrah, if the pilgrimage was obligatory on him.

Rule 157: If a pilgrim wears the ihram for Umrat-ut-Tamatu' in good time, but deliberately delays tawaf and sa'y till the noon of the 9th of Thil Hijjah, his Umrah is invalid. It is apparent that he is not permitted to change his intention to Ifraad. However, as a matter of caution, he must perform tawaf and say the prayers after it, perform the sa'y and shave or do taqseer with the intention of acceptance as Hajj-ul-Ifraad or Umrat-ul-Mufradah.

Hajj-ul-Ifraad

Hajj-ut-Tamatu' consists of two parts: Umrat-ut-Tamatu' and Hajj. The first part is connected to the second, and Umrah precedes Hajj.

Hajj-ul-Ifraad is a distinct kind of pilgrimage. It is the obligation of those who live in or within 48 miles of Makkah. If it is possible for such a person to perform Umrat-ul-Mufradah, it is obligatory on him to do so separately. If it is possible for him to perform only one of them, his obligation will be to perform that only. If it is possible for him to perform one of them at one time and the other at another time, he must perform each of them at the time possible. If he can manage both together, he must perform them at the same time. In this situation, it is the common view among the scholars that as a matter of caution, he must give precedence to the Hajj over the Umrat-ul-Mufradah.

Rule 158: All the rituals are common to Hajj-ul-Ifraad and Hajj-ut-Tamatu'. However, there are certain differences:

1. For Hajj-ut-Tamatu', it is obligatory that Umrat-ut-Tamatu' must come first and both be performed in the same year, as already stated; but that is not necessary for Hajj-ul-Ifraad.
2. In Hajj-ut-Tamatu', slaughtering of an animal is obligatory, as discussed earlier on; but that is not necessary for Hajj-ul-Ifraad.
3. In Hajj-ut-Tamatu', it is not permissible to give precedence by choice to tawaf or sa'y over the two stops. It is permissible, though, to do so in Hajj-ul-Ifraad.
4. In Hajj-ut-Tamatu', the ihram for the Hajj is worn in Makkah. For Hajj-ul-Ifraad, it depends upon whether the pilgrim lives in Makkah or not. This will be set out below.
5. Umrat-ut-Tamatu' must precede the Hajj; but that is not necessary for Hajj-ul-Ifraad.
6. As a matter of obligatory caution, in Hajj-ut-Tamatu', it is not permitted to make an optional tawaf after wearing the ihram for it but that is permitted in Hajj-ul-Ifraad.

Rule 159: If a person wears ihram for an optional Hajj-ul-Ifraad, he is permitted to change his intention to Umrat-ut-Tamatu' by carrying out taqseer, and thus coming out of ihram, unless he has recited Talbiyah after sa'y, in which case the change is not permitted.

Rule 160: If a person wears ihram for Hajj-ul-Ifraad and enters Makkah, he is permitted to perform an optional tawaf. However, as a matter of gratuitous precaution (al ahwatil awla), it is obligatory on him to repeat the talbiyah after the prayers for the tawaf if he did not change his intention to Hajj-ut-Tamatu' while it was permissible to do so. This precautionary measure also applies to obligatory tawaf.

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