

## Wuquf at Arafat

The second obligation in Hajj-ut-Tamatu' is the stay at Arafat. The objective of performing this act of worship has to be the niyyah of qurbah (attainment of closeness to Allah). The requirement is the presence in Arafat, regardless of whether the pilgrim is riding, walking, sitting or moving.

**Rule 365:** The boundaries of Arafat are from Oranah, Thowayeh, Namerah to Thil Mijaz and Maazamein. Obviously, these boundaries are outside the places of wuquf for the pilgrims.

**Rule 366:** Apparently, Mount Rahmah is within the part of the place for wuquf. However, it is recommended to stay on the flat land to the left of the mountain.

**Rule 367:** What is important in wuquf is the niyyah. If a pilgrim had set out with such an intention, right from the start of time, and fell asleep or became unconscious throughout the remaining period, it suffices.

However, if his sleep or unconsciousness took place throughout the period, i.e. prior to the niyyah, wuquf will not count as valid. In contrast, if the same situation happens, but with the niyyah, there is not a clear-cut ruling (ishkal).

**Rule 365:** Wuquf at Arafat should, as a matter of precaution, be from the beginning of zawaal on the ninth of Thil Hijjah till sunset. Apparently, a delay caused by performing ghusl or praying Dhuhr and Asr jointly is permissible. The wuquf there for this period is obligatory and whoever fails to do so, by choice, commits a sin.

However, it is not one of the fundamentals of Hajj, i.e. if one fails to do it there for a portion of the required time, one's Hajj is not invalidated. Yet, if one deliberately fails to do there altogether, the Hajj is invalidated. Presence there is one of the requirements, not wuquf throughout the period.

**Rule 369:** If a pilgrim forgets to perform wuquf at Arafat or fails to do so out of ignorance, or other reasons, it is obligatory on him to perform it there for part of the Eid eve; his Hajj will then be considered valid. If he fails to do it there at all, his Hajj will be invalidated.

This rule applies when the pilgrim can catch up with the wuqf at Muzdalifah before sunrise; however, if he was unsure about reaching Muzdalifah before sunrise, he must confine his wuqf to Muzdalifah only; his Hajj will therefore be valid.

**Rule 370:** It is forbidden to depart from Arafat knowingly and deliberately before sunset. However, doing so does not invalidate the Hajj. There is no kaffarah incurred, if the pilgrim returns to Arafat. Otherwise, he must, as a matter of precaution, sacrifice a camel in Mina, not Makkah. Should this not be possible, he must observe fast for eighteen consecutive days in Makkah or on his way home.

The same rule applies to one who does it prematurely due to forgetfulness or is ignorant of the rule. It is obligatory on him to return there on remembering or becoming aware of the rule. Otherwise, he must, as a matter of precaution, pay the kaffarah in question.

**Rule 371:** Since performing Hajj rituals, such as wuqf at Arafat and Muzdalifah, stoning the Jamarat, and staying at Mina, is obligatory on certain days and nights of the month of Thil Hijjah, it is the duty of the pilgrim to investigate the sighting of the moon for that month, so that he can perform the ceremonies at the correct times.

If the Qadhi (Religious Authority) of the Holy Places proclaims the sighting of the moon, albeit not according to the shar'i criteria, it may be said to be acceptable for those convinced that the proclamation was correct. They must abide by it; their pilgrimage is valid; otherwise it will be invalidated.

Furthermore, it may be said that to follow the proclamation of such a Qadhi is sufficient, even though a pilgrim is not convinced of its validity, especially when taqiyyah requires such a practice. However, both the views are extremely problematic, i.e. not clear-cut. Accordingly, if it was possible for a pilgrim to perform all the ceremonies on the appointed times, pursuant to the accepted procedure for ascertaining the sighting of the moon, his pilgrimage is evidently valid.

Otherwise, if he ignores the opinion of the Qadhi regarding the two wuqufs [at Arafat and Muzdalifah] his pilgrimage is invalidated; if, however, he follows the opinion of the Qadhi, without making investigations, the validity of his pilgrimage is arguable (ishkal).

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