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The Wuq'uf

The Wuq'uf in 'Arafat

The pilgrim performing *'Umrah mufradah* or *Hajj al-tamattu'* first assumes *ihram,* then performs *tawaf* offers the *rak'atayn,* then performs *sa'y*, then *taqsir*. This order is obligatory, and in it while the *ihram* precedes all the other steps, the *tawaf* precedes the *salat*, the *salat* is prior to the *sa'y*, and at the end is *taqsir*.1

The Second Rite of Hajj

The rites of Hajj, as in the case of 'Umrah, start with *ihram*. However, the rite which is next to *ihram* in the case of Hajj, and is considered one of the *arkan* of Hajj by consensus, in the *wuquf* (halt) in 'Arafat, there being no difference whether one is on *Hajj al-'ifrad* or *Hajj al-tamattu*; although it is permissible for those on *Hajj al-'ifrad* or *Hajj al-qiran* to enter Makkah to perform a *tawaf* after assuming *ihram* and before proceeding to 'Arafat. This *tawaf* (called *tawaf al-qudam*) resembles the *rak'atayn* called *tahiyyat al-masjid*, recommended as a mark of respect to a mosque.

Al-Sayyid al-Hakim, in his book on the rites of Hajj, says, "It is permissible for one intending *Hajj al-qiran* or *al-'ifrad* to perform the mustahabb *tawaf* on entering Makkah and before proceeding to *wuquf* [in 'Arafat]." Ibn Hajar, in *Fath al-Bart bi Sharh al-Bukhari,* writes: "All of them [the four legal schools] agree that there is no harm if one who has assumed *ihram* for *Hajj al-'ifrad* performs a *tawaf* of the (Holy) House," that is, before proceeding to 'Arafat. One on *Hajj al-tamattu',* as said, should perform the *tawaf* of *'Umrat al-tamattu'* instead of the *tawaf al-qudum.*

Before the Halt in 'Arafat

There is consensus among the legal schools that it is *mustahabb* for the Hajj pilgrim to go out from Makkah in the state of *ihram* on the day of Tarwiyah (the 8th of Dhu al-Hijjah), passing towards Mina on his way to 'Arafat.

According to the Imamiyyah books *al–Tadhkirah* and *al–Jawahir*, it is *mustahabb* for one intending to proceed towards ‘Arafat not to leave Makkah before offering the *zuhr* and ‘*asr* prayers. The four Sunni schools say that it is *mustahabb* to offer them at Mina. (*al–Mughni*)

In any case, it is permissible to proceed to ‘Arafat a day or two before that of Tarwiyah, in particular for the ill, the aged, women, and those who are claustrophobic. Also it is permissible to delay until the morning of the 9th so as to arrive at ‘Arafat by the time when the sun crosses the meridian (*zawal*).

I have not come across any jurist who considers it *wajib* to spend at Mina the night before the day of *wuquf* at ‘Arafat, or to perform some rite there. Al–‘Allamah al–Hilli, in his *Tadhkirah,* writes: "To spend the night of ‘Arafah at Mina for resting is *mustahabb;* but it is not a rite, nor is there anything against one who doesn't do it." *Fath al–Bari* and *Fath al–Qadir* have something similar to say.

The word ‘rest' (for *istirahah*) used by al–‘Allamah al–Hilli does not need to be explained, for travel in the past used to be exhausting; so he considered it *mustahabb* for the pilgrims to stay for the night at Mina so as to arrive looking fresh and in good spirits at ‘Arafat. But travel today is quite a pleasure. Therefore, if one spends the night of ‘Arafah in Makkah, going to ‘Arafat the following morning, or after the *zuhr* prayer, passing through Mina on his way—as the pilgrims' practice is nowadays—that is sufficient and there is nothing wrong in that. The pilgrim will return to Mina later after the halt in ‘Arafat, for the *ramy al–Jamrah*—but to that we shall come later.

The Period of the Halt in Arafat

There is consensus among the legal schools that the day of the halt in 'Arafat is the 9th of Dhu al–Hijjah, but they disagree as to the hour of its beginning and end on that day. According to the Hanafi, the Shafi'i, and the Maliki schools, it begins at midday on the 9th and lasts until the daybreak (*fajr*) on the tenth. According to the Hanbali school, it begins from the daybreak on the 9th until daybreak on the tenth. According to the Imamiyyah, from midday on the 9th until sunset on the same day, for one who is free to plan; and in case of one in an exigency, until the following daybreak.

It is *mustahabb* to take a bath for the *wuquf* in 'Arafat, to be performed like the Friday bath. There is no rite to be performed in 'Arafat except one's presence there: one may sleep or keep awake, sit, stand, walk around or ride a mount.

The Limits of ‘Arafat

The limits of 'Arafat are ‘*Arnah*, *Thawbah*, and from *Nimrah* to *Dhu al–Majaz*, which are names of places around 'Arafat. One may not make the halt in any of those places, neither in *Taht al–'Arak*, because they are outside 'Arafat. If one were to make the halt in any of those places, his Hajj is invalid by consensus of all the schools, with the exception of the Maliki, according to which one may halt at ‘*Arnah* though he will have to make a sacrifice.

The entire area of 'Arafat is *mawqif* (permissible for the *wuqaf*) and one may make the halt at any spot within it by consensus of all schools. Al-'Imam al-Sadiq ('a) relates that when the Prophet (S) made the halt at 'Arafat, the people crowded around him, rushing along on the hoof-prints of his camel. Whenever the camel moved, they moved along with it. (When he saw this), the Prophet said, "O people, the *mawqif* is not confined to where my camel stands, rather this entire 'Arafat is *mawqif,"* and pointed to the plains of 'Arafat. "If the *mawqif* were limited to where my camel stands, the place would be too little for the people." (*al-Tadhkirah*)

The Conditions Applicable to the Halt

Taharah (ritual purity) is not a condition for the halt at 'Arafat, by consensus of all the schools.

According to the Imamiyyah and the Maliki schools, the halt at 'Arafat must be made with prior intention (*niyyah*) and with the implied knowledge that the place where he is halting is indeed 'Arafat. Thus if he were to pass on without knowing, or know without intending the wuquf it is not considered *wuquf* as such.

According to the Shafi'i and the Maliki schools, neither intent nor knowledge is a condition. All that is required is freedom from insanity, intoxication, and loss of consciousness. According to the Hanafis, neither intent, nor knowledge, nor sanity is a condition; whosoever is present in 'Arafat during the specific period, his Hajj is correct, intent or no intent, whether he knows the place or not, whether sane or insane. (*Fiqh al-Sunnah, al-Tadhkirah*)

Is it necessary to make the halt in 'Arafat for the full specified period, or is it sufficient to be present there for some time, even if it is for a single moment?

According to the Imamiyyah, there are two kinds of periods for the halt, depending on whether one arrives at a time of his own choice (*ikhtiyari*) or the time is forced upon him by circumstances beyond his control (*idtirari*). In the case of the former, the period of halt for him is from midday on the ninth until sunset on the same day; in the case of the latter, the period lasts until the daybreak of the tenth.

So one who can make the halt from noon until sunset for the entire period, it is *wajib* upon him; although halt not for the entire period but halt for a part of it is *rukn* [that is without it the Hajj would not be valid], the rest being merely a *wajib.* This means that if someone omits the halt his Hajj is invalid for not performing a *rukn* of it. But if one makes a short halt, he has omitted only a *wajib* which is not *rukn,* and so his Hajj does not lose its validity [on this account]. Moreover, if someone cannot make the halt for the entire *ikhtiyari* period, due to some legitimate excuse, it is sufficient for him to make the halt for a part of the night of 'Id.

According to the Shafi'i, the Maliki, and the Hanbali schools, mere presence even if for a single moment, is sufficient. (*al-Fiqh 'ala al-madhdhib al-'arba 'ah, Manar al-sabil*)

According to the Imamiyyah, if one leaves ‘Arafat intentionally before the midday, he must return and there is nothing upon him if he does. But if he doesn't, he must sacrifice a camel, and if that is beyond his means fast for 18 days in succession. But if the lapse were by oversight and he does not discover it until the time is past, there is nothing upon him, on condition that he is present at the halt in *al-Mash'ar al-Haram* in time. But if he remembers before the period expires, he must return as far as possible, and if he doesn't he must sacrifice a camel.

The Malikis say that one who makes the halt in ‘Arafat after the midday and leaves ‘Arafat before the sunset, he must repeat the Hajj the following year if he does not return to ‘Arafat before the daybreak (on the 9th). But all other legists say that his Hajj is complete. (Ibn Rushd's *Bidayah*)

According to *al-Fiqh al-musawwar ‘ala madhhab al-Shafi'i,* "if one forgets and omits the halt, it is obligatory upon him to change his Hajj into ‘Umrah, and then complete the remaining rites of Hajj after performing its rites; also he must repeat the Hajj in the immediate following year."

It is *mustahabb* for one performing the halt in 'Arafat to: observe *taharah;* face the Holy Ka'bah; and do a lot of *dua'* and *istighfar*, with due surrender, humility, and with a heart-felt presence before God.

The Wu’quf in Muzdalifah

The halt in Muzdalifah is the next rite after the halt in ‘Arafat, by consensus of all the schools. They also agree that when the Hajj pilgrim turns to Muzdalifah (where al-Mash'ar al-Haram is situated) after the halt in ‘Arafat, he is acting in accordance with the following Divine verse of the Qur'an:

فَإِذَا أَفَضْتُمْ مِنْ عَرَفَاتٍ فَاذْكُرُوا اللَّهَ عِنْدَ الْمَشْعَرِ الْحَرَامِ وَاذْكُرُوهُ كَمَا هَدَاكُمْ

When you pour forth from 'Arafat, then remember Allah in al-Mash'ar al-Haram, remembering Him in the way you have been shown. **(2:198)**

Also, there is agreement that it is *mustahabb* to delay the *maghrib* (sunset) prayer on the night preceding the ‘Id day until Muzdalifah is reached. The author of *al-Tadhkirah* writes that when the sun sets in ‘Arafat, then one should go forth before the (*maghrib*) prayer towards al-Mash'ar al-Haram and recite there the supplication prescribed by tradition. The author of *al-Mughni* says, "It is *sunnah* (i.e. *mustahabb*) for one leaving ‘Arafat not to offer the *maghrib* prayer until Muzdalifah is reached, where at the *maghrib* and the *‘isha'* prayers should be offered together.

There is no difference regarding this, as Ibn al-Mundhir also points out when he says: "There is consensus among the ‘ulama', and no divergence of opinion, that it is *sunnah* for the Hajj pilgrim to offer the *maghrib* and the *‘isha'* prayers together; the basis for it is that the Prophet (S) offered them together.'"[2]

All the legal schools, with the exception of the Hanafi, agree that if one were to offer the *maghrib* prayer before reaching Muzdalifah and not offer the two prayers together, his *salat* is nevertheless valid despite its being contrary to what is *mustahabb.* Abu Hanifah does not consider it valid.

The Limits of Muzdalifah

According to *al–Tadhkirah* and *al–Mughni,* Muzdalifah has three names: Muzdalifah, Jam', and al–Mash'ar al–Haram, its limits are from al–Ma'zamayn to al–Hiyad, towards the valley of Muhassir. The entire Muzdalifah is *mawqif,* like 'Arafat, and it is legitimate to make the halt at any spot inside it. According to *al–Madarik,* it is a settled and definite matter among the Imamiyyah legists that it is permissible, in case of overcrowding, to ascend the heights towards the hill, which is one of the limits of Muzdalifah.

The Night at Muzdalifah

Is it obligatory to spend the entire night of 'Id at Muzdalifah, or is it sufficient to halt in al–Mash'ar al–Haram even for a moment after the daybreak? (It is assumed, of course, that the meaning of *wuquf* is mere presence: one may be walking around, sitting or riding a mount, as in the case of the halt at 'Arafat).

According to the Hanafi, the Shafi'i, and the Hanbali schools, it is obligatory to spend the entire night at Muzdalifah and the defaulter is required to make a sacrifice. (*al–Mughni*) According to the Imamiyyah and the Maliki, it is not *wajib,* though meritorious. This is what Shihab al–Din al–Baghdadi the Maliki, in his *Irshad al–salik,* and al–Hakim and al–Khu'i have confirmed. However, no one has considered it a *rukn*.

As to halting in al–Mash'ar al–Haram after the daybreak, Ibn Rushd, in *al–Bidayah wa al–nihayah,* cites the consensus of the Sunni fuqaha' to the effect that it is one of the *sunan* (sing. *sunnah*) of the Hajj, not one of its *furud* (duties; sing. *fard*).

According to *al–Tadhkirah,* "It is obligatory to halt in al–Mash'ar al–Haram after the daybreak, and if someone were to leave intentionally before the daybreak after halting there for the night, he must sacrifice a sheep. Abu Hanifah also says that it is obligatory to halt after the daybreak. The rest of the schools permit departure after midnight." Therefore, with the exception of the Imamiyyah and the Hanafi schools, others permit departure from Muzdalifah before the daybreak.

The Imamiyyah say that the time of halt in al–Mash'ar al–Haram is of two kinds: the first (*ikhtiyari*) is for one who has no reason for delaying, and that is the entire period between the daybreak and the sunrise on the day of 'Id; whoever leaves advertently and knowingly from the Mash'ar before the daybreak and after being there for the whole or part of the night, his Hajj is not invalidated if he had halted at 'Arafat, although he must sacrifice a sheep. If he had left the Mash'ar on account of ignorance, there is nothing upon him, as made explicit in the above quotation.

The second (*idtirari*) is for women and those who have an excuse for not halting between the daybreak and the sunrise; their time extends to midday on the day of ‘Id. The author of *al–Jawahir* says that there is both textual evidence (from hadith) as well as consensus to support the above prescription, and the fatawa of al–Sayyid al–Hakim and al–Sayyid al–Khu'i are also in accordance with it. The latter has not stated midday as the *idtirari* time limit, but says that it is sufficient to make the halt after sunrise.

The Imamiyyah also say that the *wuquf* in the two specified periods of time is a *rukn* of the Hajj. Therefore, if someone does not perform it altogether either in the *ikhtiyari* period for the night or in the *idtirari* period, his Hajj is invalid if he hadn't spent the night there; but not if the default –was on account of a legitimate excuse, on condition that he had performed the halt at 'Arafat. So one who fails to make the halts at 'Arafat and the Mash'ar, neither in the *ikhtiyari* nor in the *idtirari* period, his Hajj is invalid even if the failure was on account of a legitimate reason. It is obligatory upon him to perform Hajj the year after if the Hajj intended was a *wajib* one; and if it was a *mustahabb* Hajj, it is *mustahabb* for him to perform it the next year. (*al–Jawahir*)

The halt in al–Mash'ar al–Haram is held in greater importance by the Imamiyyah than the one in 'Arafat; that is why they say that one who loses the chance to be present at the halt in 'Arafat but participates in the halt at the Mash'ar before the sunrise, his Hajj is complete. (*al–Tadhkirah*)

Mustahabbat of the Mash’ar

According to the Imamiyyah it is *mustahabb* for one performing Hajj for the first time to put his feet on the ground of the Mash'ar. (*al–Jawahir*)

According to the Imamiyyah, the Shafi’i and the Maliki schools, it is *mustahabb* while leaving for Mina to gather seventy pebbles, for the *ramy al–jamarat,* at Muzdalifah. The reason for this, according to the author of *al–Tadhkirah,* is that when the Hajj pilgrim arrives in Mina he should not be detained by anything from the rite of the *ramy.* Ibn Hanbal is narrated to have said that the pebbles may be gathered from any place; and there is no disagreement that it suffices to gather them from whatever place one wishes.

The maintenance of *taharah,* the pronouncing of *tahlil, takbir,* and *du’a'* (the prescribed one or something else) is also *mustahabb.*

1. Al–Shaykh `Abd al–Muta'al al–Sa`idi says: This order is obligatory in the rites of `Umrah, but in the rites of Hajj there is no order of sequence between the tawaf and the halq, or between the sa’y and the wuquf at 'Arafat. See al–Fiqh al–musawwar ala Madhhabal–Shafi'i.
2. This act of the Prophet (S) makes the grounds for the Imamiyyah for the permissibility of offering the two prayers together, because the Prophet (S) had said, صلوا كما رأيتموني اصلي "Pray in the same way as you see me praying." The fact that something is permitted at one time or a place suggests its permissibility in all places and at all times, unless there is some textual proof (nass) to show that it is particular and not general. But there is no nass in favour of its being particular (takhsis). Therefore, offering the two prayers together is permissible in general and at all times and in all places.

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